

IN RE: PETITION FOR VARIANCE
E/S Fork Road, 4300' SE of
Harford Road
(12913 Fork Road)
11th Election District
6th Councilmanic District

Edna E. Eiring
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-515-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 12913 Fork Road, located in the vicinity of Cherry Hill Road in Baldwin. The Petition was filed by the owner of the property, Edna E. Eiring. The Petitioner seeks relief from Section 413.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual-faced sign of 16 sq.ft. total in lieu of the maximum permitted 1 sq.ft. for an existing sign. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Edna E. Eiring, legal owner of the property, her son, Henry L. Eiring, and Grace I. Frei, adjacent property owner on the north side. Appearing as Protestants in the matter were Paul Plowman, adjoining property on the south (affected) side, Nancy Hastings, and Charlotte Pine, nearby residents of the area.

Testimony and evidence offered revealed that the subject property consists of 1.4393 acres, more or less, zoned R.C.2 and is improved with a one-story single family residence and a one-story, detached garage. On behalf of himself and his mother, Henry Eiring testified that his mother has resided on the property since 1946. He testified that a subdivision of the original family holdings created a second lot to the rear of the

ORDER RECEIVED FOR FILING

Date

By

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subject property, and that he and his family now reside directly behind his mother at 12911 Fork Road. Mr. Eiring testified that he built and installed the subject sign at the entrance to the driveway which serves both his mother's property and his property. The subject sign identifies the properties as being Holly Grove Farm and Windy Acres. Mr. Eiring testified that he created the sign to give to his mother on Mother's Day and that he installed the sign at the front entrance to her property on Fork Road. Photographs submitted depict that the sign is well-maintained and attractive in appearance. Mr. Eiring testified that he was unaware the Baltimore County Zoning Regulations (B.C.Z.R.) restricted the size of such signs to 1 sq.ft. Inasmuch as the subject sign totals 16 sq.ft., a variance is necessary in order for the sign to remain as it presently exists. Mr. Eiring admitted that he did not obtain a sign permit to install the sign at this location. He believes that the 1 sq.ft. maximum permitted size is too restrictive and that the subject sign should be allowed to remain as it presently exists. He further believes that the subject sign is necessary to identify the properties in the event emergency vehicles need to access either his house or his mother's house.

Appearing in opposition to the Petitioner's request were Nancy Hastings, Paul Plowman, and Charlotte Pine, all nearby residents of the area. These Protestants object to any variance being granted for the sign in question. They believe that the subject sign detracts from the rural character of the area and is inappropriate for this residential community. They also fear that the granting of this sign will set a precedent for other residents in this area to erect similar signs of this size.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed

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Date 8/27/66
By [Signature]

and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesa-

peake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to an applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief to the owner of the property involved and be more consistent with that afforded other property owners; 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.

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Date 8/27/96
By [Signature]

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

After due consideration of the testimony and evidence presented, both for and against the requested variance, I am persuaded to deny the request. The Petitioner failed to satisfy the requirements set forth in Section 307.1 of the B.C.Z.R., and as established in the case of Cromwell v. Ward, supra. In the opinion of this Deputy Zoning Commissioner, there was insufficient testimony or evidence to support that the subject sign was necessary to adequately identify the subject property, or that strict compliance with the zoning regulations could not be maintained. It is clear that the granting of the relief requested would adversely affect the public health, safety and general welfare, and must therefore be denied.

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 denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of August, 1996 that the Petition for Variance seeking relief from Section 413.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a dual-faced sign of 16 sq.ft. total in lieu of the maximum permitted 1 sq.ft. for an existing sign, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the subject sign shall be removed within thirty (30) days of the date of this Order; and,

IT IS FURTHER ORDERED that the Petitioner shall have thirty (30) days from the date of this Order to file an appeal of this decision.


TIMOTHY M. KOTROCO

ORDER RECEIVED FOR FILING
Date 8/27/96
By [Signature]

4 10 96
IN THE MATTER OF
THE APPLICATION OF
EDNA E. EIRING
FOR A VARIANCE ON PROPERTY
LOCATED ON THE EAST SIDE OF
FORK ROAD, SOUTHEAST OF
HARFORD ROAD
(12913 FORK ROAD)
11TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 96-515-A

* * * * *

OPINION

This case comes before the Board on appeal from the August 27, 1996, decision of the Deputy Zoning Commissioner denying the Appellant's Petition for Variance from Section 413.1.A of the Baltimore County Zoning Regulations to permit a dual-faced sign of 16 square feet total in lieu of the maximum permitted 1 square foot for an existing sign.

The Appellant, Edna E. Eiring, appeared and testified in her own behalf. Paul Plowman, Charlotte W. Pine and Nancy Hastings appeared and testified as Protestants. Neither the Appellant nor the Protestants were represented by counsel.

Testimony and evidence show that the Appellant has lived at the subject site for 51 years, having bought the property, which then consisted of approximately 3 1/3 acres, with her husband in 1946. The property, which is zoned R.C.2, was subsequently subdivided, creating a second lot to the rear of the subject property. Mrs. Eiring, who is now a widow, lives in a single family residence on the subject site, 12913 Fork Road, which consists of 1.4393 acres, more or less, and abuts Fork Road. Her son, Henry Eiring, lives with his family on the lot to the rear of the subject site, consisting of 1.8384 acres, more or less, and known as 12911 Fork Road.

Henry Eiring testified that he made the sign for his mother in May, 1996, as a Mother's Day gift. Photographs of the sign show it to be dark green, with yellow lettering identifying 12911 and 12913 Ford Road as "Holly Grove Farm" and "Windy Acres" (Petitioner's Exhibits 1-A and 1-B). The sign was erected at the entrance to the driveway that serves both Mrs. Eiring's and her son's properties.

Mr. Eiring testified that, as his property is not visible from Fork Road and his mother's property is not easily visible, the sign helps to identify their properties. He stated that the sign could be especially useful in identifying the property for emergency personnel if his mother, who is 79 years old and lives alone, ever needs such help. He further testified that the Post Office

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asked her to move her mailbox, which contains the street number, across the road, but conceded on cross-examination that the mailbox had since been moved back to her property side.

Mrs. Eiring testified that she feels that the sign does not detract from her property or the neighborhood, and that it is not a hazard to ingress or egress on her property.

Several neighbors testified for the Appellant. Grace Frei, who lives adjacent to the Appellant, at 12917 Fork Road, testified that the sign does not block her ingress or egress, and that she feels it is not a threat to the public safety and welfare. Mary Shaffrey, of 12906 Fork Road, testified that she feels the sign, which is visible from her property, helps people locate her home. Rosemary Gomez, who lives about a mile away, at 13218 Fork Road, testified that she goes by the sign at least twice a day and thinks it is charming.

Protestant Nancy Hastings gave testimony and evidence that the Greater Kingsville Civic Association, of which she is president, opposes the granting of the subject variance (Protestants Exhibits 3 and 4).

Charlotte Pine, president of the Long Green Valley Association, testified that her association is opposed to the granting of variances to signage regulations.

Paul Plowman, who lives at 13105 Fork Road, one-quarter mile from the subject property, testified that there is nothing unique about the subject property. He said it is similar to the property adjacent to it, 12909 Fork Road, which he owns and which also has a lot abutting the road and a lot behind it. He said that he feels there is no particular hardship involved, as there are other identifying signs on the property.

The granting of variances is governed by Section 307.1 of the Baltimore County Zoning Regulations, which provides, in relevant part, that variances may be granted

only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance . . . would result in practical difficulty or unreasonable hardship.

The Court of Special Appeals, in Cromwell v. Ward, 102 Md. App. 691 (1995), has construed this regulation to mean that obtaining a variance is basically a two-step process. The first step requires a finding that the subject property is unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject

property causes the zoning provision to impact disproportionately upon that property. The second step requires a finding that denial of the requested variance would result in practical difficulty or unreasonable hardship.

Cromwell v. Ward states that "Unless there is a finding that the property is unique, unusual, or different, the process stops here and the variance is denied without any consideration of practical difficulty or unreasonable hardship."

The Appellant failed to present any testimony or evidence showing that her property was unique in such a manner that the signage requirements of Section 413.1.A would impact disproportionately on her property. Thus, the first step of the variance process was not met, and the practical difficulty or unreasonable hardship requirement cannot be properly considered.

However, even assuming, for the sake of argument, that the property meets the requirement of uniqueness, the Appellant failed to produce convincing evidence of practical difficulty or unreasonable hardship.

Mr. Eiring contended that the subject sign would help to identify his elderly mother's home in case emergency vehicles had to respond there. However, he stated on cross-examination that her mailbox has her street number on it. The subject property thus has a conventional type of identification for residential property that is generally considered sufficient for either normal or emergency situations.

The Board finds, therefore, that denial of the requested variance would not inflict practical difficulty or unreasonable hardship upon the Appellant.

For the above reasons the Board will deny the Petition for Variance.

ORDER

IT IS THEREFORE this 10th day of April, 1997, by the
County Board of Appeals of Baltimore County

ORDERED that the Petition for Variance seeking relief from Section 413.1.A of the
Baltimore County Zoning Regulations to permit a dual-faced sign of 16 square feet total in lieu of

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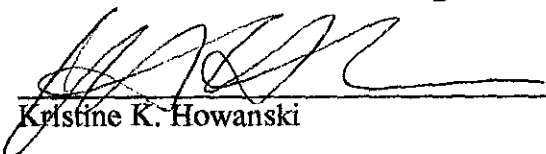
the maximum permitted 1 square foot for an existing sign be and is hereby **DENIED**; and it is further

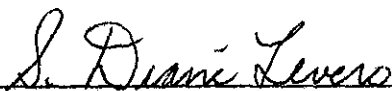
ORDERED that the subject sign shall be removed within thirty (30) days of the date of this order.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through 7-210 of the Maryland Rules of procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Robert O. Schuetz, Chairman


Kristine K. Howanski


S. Diane Levero



County Board of Appeals of Baltimore County

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

April 10, 1997

Henry L. Eiring, CRM
12911 Fork Road
Baldwin, MD 21013

RE: Case No. 96-515-A
Edna E. Eiring -Petitioner

Dear Mr. Eiring:

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

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Ralcalyfe for

Kathleen C. Bianco
Legal Administrator

encl.

cc: Ms. Edna E. Eiring
Mr. Paul Plowman
Ms. Charlotte W. Pine
Ms. Nancy Hastings
People's Counsel for Baltimore County
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

August 27, 1996

(410) 887-4386

Ms. Edna E. Eiring
12913 Fork Road
Baldwin, Maryland 21013

RE: PETITION FOR VARIANCE
E/S Fork Road, 4300' SE of Harford Road
(12913 Fork Road)
11th Election District - 6th Councilmanic District
Edna E. Eiring - Petitioner
Case No. 96-515-A

Dear Ms. Eiring:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied 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 Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Henry L. Eiring, 12911 Fork Road, Baldwin, Md. 21013

Mr. Paul Plowman, 13105 & 12909 Fork Road, Baldwin, Md. 21013

Ms. Charlotte W. Pine, 13310 Fork Road, Baldwin, Md. 21013

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

People's Counsel; Case File

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RE: PETITION FOR VARIANCE
12913 Fork Road, E/S Fork Road, 4300'+/-
from c/l Harford Road, 11th Election
District, 6th Councilmanic

Edna E. Eiring
Petitioner

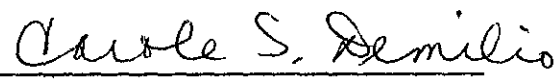
* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-515-A

* * * * *

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
People's Counsel for Baltimore County


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 30th day of July, 1996, a copy of the foregoing Entry of Appearance was mailed to Edna E. Eiring, 12913 Fork Road, Baldwin, MD 21013, Petitioner.


PETER MAX ZIMMERMAN

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-515-A

12913 FORK ROAD

which is presently zoned RC-2

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.A

To allow a dual faced sign with a total area of 16 square feet +/- in lieu of the maximum permitted 1 square foot.

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

Granting of variance will provide property owner to properly mark property location in accordance with visibility & numbering desires of local public safety entities. Additionally, specific sign regulations for residential property are restrictive as to size and ability to properly display information to meet public safety demands and presents a practical difficulty in adherence.

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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

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):

(Type or Print Name)

Signature

EDNA E. EIRING

(Type or Print Name)

Edna E. Eiring

Signature

12913 FORK ROAD 5926872
Address Phone No

BALDWIN MD 21013
City State Zipcode

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

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates 8/30-9/7 Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 6-28-96

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ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper



#519

ZONING DESCRIPTION FOR: 12913 FORK ROAD
BALDWIN, MARYLAND

519
96-515-A

Beginning at a point on the East side of Fork Road which is 55 feet right of way width wide at the distance of 4300 feet +/- of the centerline of the nearest improved intersecting street of Harford Road which is 90 feet wide . As recorded on Deed Liber 7730, Folio 399, thence running with and binding on the said first line for its length and running along the easterly side of said Fork Road as now surveyed: (1) S 16 degrees 03 minutes 00 seconds E 191.93 feet to an iron bar set on the easterly side of Fork Road, thence leaving the side of Fork Road and running with and binding on the second line of the last mentioned conveyance for part of its distance (2) S 89 degrees 57 minutes 00 seconds E 313.39 feet to an iron bar set , thence leaving the second line and running for a new division through the land the two following courses and distances viz (3) N 00 degrees 03 minutes 00 seconds E 25.0 feet to an iron bar now set in and distant 366.61 feet from the end of the fourth line of the first mentioned conveyance thence running and binding on the said fourth line for the remainder of its distance (5) N 89 degrees 57 minutes 00 seconds W 366.61 feet having passed over an iron bar now set 183.30 feet from the beginning. Containing 1.4393 acres, also known as 12913 Fork Road, Baldwin located in the 11th Election District.

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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: #98-518-A
(Item 519)
12913 Fork Road
E/S Fork Road, 4300' +/- from
c/1 Harford Road
11th Election District
6th Councilmanic
Legal Owner(s):
Edna E. Firing
Variance: to allow a dual
faced sign with a total area of
16 sq. ft. (more or less) in lieu
of the maximum permitted 1
sq. ft.
Hearing: Tuesday, July 30,
1996 at 11:00 a.m. in Rm.
106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.
(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

7/11/96 July 11 C85587

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

7/11, 1996

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 7/11, 1996.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

Town, Maryland

96-515-A

District 11A

Date of Posting 7/14/96

Posted for: Variance

Petitioner: Edna H. Eising

Location of property: 12913 Fork Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by [Signature]

Signature

Date of return: 7/19/96

Number of Signs: 1

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BALTIMORE COUNTY, MARYLAND
OFFICE OF FIN E-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 8-28-96 ACCOUNT [illegible]

RV +
Sign

AMOUNT \$ 85.00

RECEIVED

FROM: [illegible]

FOR: 96-515-A

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

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

No. 026276

DATE 9/17/96 ACCOUNT A-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: H. LARRY Eiring, CRM

FOR: Appeal Case #96-515-A

01A00H0067MICHRC \$210.00
BA C00B442AM09-18-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER
MICROFILMED RYE

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

No. 026276

DATE 9/17/96 ACCOUNT A-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: H. LARRY Eiring, CRM

FOR: Appeal Case #96-515-A

01A00H0067MICHRC \$210.00
BA C00B442AM09-18-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER
RYE

BALTIMORE COUNTY, MARYLAND
OFFICE OF (NCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 028524

DATE 2/7/97 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

RECEIVED FROM: H. Larry Eiring & Daniel G. Brunner, Jr.

#710 - Verification
Freedom of Information Act Request
FOR: Zoning Case #06-515-A

01A0000294MICHRC

\$40.00

BA C002:28PM02-07-97

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

CERTIFICATE OF POSTING

RE: Case No.: 96-515 A
Petitioner/Developer: EDNA E.
Firing
Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

The sign(s) were posted on _____

10-21-96

(Month, Day, Year)

Sincerely,

(Signature of Sign Poster and Date)

Jack Lawel

(Printed Name)

(Address)

Balto. County

(City, State, Zip Code)

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

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

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 accessed 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.: 519 Petitioner: Edna E. Eiring
Location: # 12913 Fork Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HENRY L. EIRING
ADDRESS: 12911 Fork Rd
Baldwin, MD 21013
PHONE NUMBER: 8174552

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TO: PUTUXENT PUBLISHING COMPANY
JULY 16, 1996 Issue - Jeffersonian

Please forward billing to:

Henry L. Eiring
12911 Fork Road
Baldwin, MD 21013
817-4552

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: 96-515-A (Item 519)
12913 Fork Road
E/S Fork Road, 4300' +/- from c/l Harford Road
11th Election District - 6th Councilmanic
Legal Owner(s): Edna E. Eiring

Variance to allow a dual faced sign with a total area of 16 sq. ft. (more or less) in lieu of the maximum permitted 1 sq. ft.

HEARING: TUESDAY, JULY 30, 1996 at 11:00 a.m. in Room 106, County Office Building.

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.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

July 3, 1996

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: 96-515-A (Item 519)
12913 Fork Road
E/S Fork Road, 4300'+/- from c/l Harford Road
11th Election District - 6th Councilmanic
Legal Owner(s): Edna E. Eiring

Variance to allow a dual faced sign with a total area of 16 sq. ft. (more or less) in lieu of the maximum permitted 1 sq. ft.

HEARING: TUESDAY, JULY 30, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Edna E. Eiring

- 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





County Board of Appeals of Baltimore County

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

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

December 13, 1996

NOTICE OF ASSIGNMENT

CASE #: 96-515-A

IN MATTER OF: EDNA E. EIRING -Petitioner
E/s Fork Road, SE of Harford Road (12913 Fork Road)
11th Election District; 6th Councilmanic

ASSIGNED FOR: WEDNESDAY, MARCH 5, 1997 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Appellant /Petitioner: Edna E. Eiring
Henry L. Eiring, CRM

Protestants : Paul Plowman
Charlotte W. Pine
Nancy Hastings

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

MICROFILMED



Case No. 96-515-A

EDNA E. EIRING - Petitioner

E/s Fork Road, 4300' SE of Hanford Road
(12913 Fork Road)

11th Election District

Appealed: 9/16/96

(See attached copy of
vicinity map¹)

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Baltimore County
Department of Permits and
Development Management

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

July 25, 1996

Ms. Edna E. Eiring
12913 Fork Road
Baldwin, MD 21013

RE: Item No.: 519
Case No.: 96-515-A
Petitioner: Edna Eiring

Dear Ms. Eiring:

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 June 28, 1996.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Project Managers
Team Leaders
Page Two
January 31, 1994

the case file for the hearing officer. If no further comments are received, in writing, it will be presumed that the particular agency agrees that the "red-lined" plan comports with that agency's comments made at or prior to the conference.

Community representatives must also be provided the opportunity to review the case file at the hearing officer's office during the 5 days prior to the hearing, and be assured that there will be no additional comments from county agencies and no additional "red-lined" plans. There should be no surprises at the hearing, in that there should be no testimony or evidence presented that there are agreements reached by and between the developer and county agencies in the 15 days between the conference and the hearing.

If the developer or the county agencies wish to make changes at the hearing they may do so as "unresolved issues" before the hearing officer, but every attempt should be made to resolve issues before the development plan is submitted to the county.

Negotiations cannot continue to take place between the developer and county agencies without the public having an opportunity to be aware. Should the county agencies and the developer wish to resolve an "unresolved issue", they may do so at the hearing, with the community representatives having an opportunity to see the negotiations and testify as to the impact of that change on their community.

Finally, it must be reemphasized that all comments from county agencies be in writing. If comments are not received, as required by law and underscored above, then there is a presumption that there are no comments to be made, and the agency will be foreclosed from adding anything "new".

AJ:ech

cc: P. David Fields
Thomas H. Hamer
J. James Dieter
Lawrence E. Schmidt, Esquire
Timothy M. Kotroco, Esquire
County Council Members
Thomas J. Peddicord, Jr., Esquire

B A L T I M O R E C O U N T Y, M A R Y L A N D

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
 Department of Permits & Development
 Management

Date: July 16, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 For July 15, 1996
 Item No. 519

The Development Plans Review Division has reviewed the subject zoning item. Fork Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

RWB:HJO:jrb

cc: File

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

FROM: Robert A. Wirth *RAW/gp*
DEPRM

SUBJECT: Zoning Item #519 - Eiring Property
12913 Fork Road
Zoning Advisory Committee Meeting of July 8, 1996

This is located in an Agricultural Preservation Area. Request that landowner consider a smaller size since use is not related to agricultural use but to residential.

EIRING/DEPRM/TXTSBP

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: July 9, 1996

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. 497, 501, 509, 510, 512, 514, 515, 517, 518, 519 and 520

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 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Caryl L. Kerns

PK/JL

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

TO: PDM

DATE: 7-9-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7-8-96

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

Item #'s: 510 521
511 522
513 523
514 524
515 525
516
517
519

RBS:sp

BRUCE2/DEPRM/TXTSBP

Bruce Seeley
7-9-96

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 07/12/96

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

RE: Property Owner: PAUL E. FEILD, JR.

Location: E/S HARFORD RD., 510' FROM CENTERLINE SUNSHINE AVE.
(12619 HARFORD RD.)

Item No.: 509

Zoning Agenda: VARIANCE

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.

- B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 510, 511, 512, 513, 514, 515,
516, 517, 518, 519, 520, 521, 522, 523, 524 AND 525.

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

cc: File

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-19-96

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

RE: Baltimore County
Item No. 519 (JJS)

Dear Ms. Watson:

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

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

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My telephone number is _____

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

Mail: Address: P.O. Box 317, Baltimore, MD 21203-0317

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

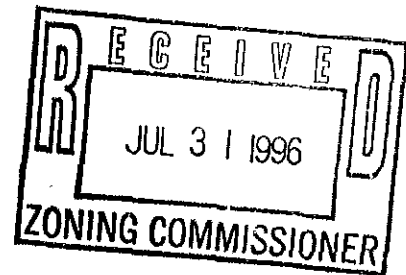


TO: Timothy M. Kotroko, Esq.
Deputy Zoning Commissioner

FROM: Joseph Bartenfelder ^{SB}
Councilman, Sixth District

DATE: July 30, 1996

SUBJECT: Case No. 96515A



This is in response to a comment referring to my office made this morning at a hearing on Case No. 96515A: Edna Eiring, 12911 Fork Road.

My office has been contacted by Mr. Paul M. Plowman only one time in the past eighteen months expressing his concerns regarding zoning regulations which apply to outside lighting. Our relationship with Mr. Plowman, as with other constituents, has been professional and cordial.

Any communication referring to Mr. Plowman's relationship with my office should have no bearing on this case.

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Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

March 3, 1997

Robert O. Schuetz, Chairman
Board of Appeals of Baltimore County
Room 49 Courthouse
400 Washington Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR VARIANCE, 12913 Fork
Road, E/S Fork Road, 4300'+/- from
c/l Harford Road, 11th Election
District, 6th Councilmanic
EDNA E. EIRING, Petitioner
Case No.: 96-515-A
CBA Hearing Date: 3/5/97

Dear Chairman Schuetz:

This variance case is scheduled for a hearing before the CBA for March 5, 1997. Our office is interested in the case but does not intend to be present at trial. We trust the Board will follow the legal standards for a variance set forth in Baltimore County Zoning Regulations §307 and Cromwell v. Ward, 102 Md.App. 691 (1995).

In reviewing the file, we studied the site plan submitted at the Zoning Commissioner's hearing as Petitioner's Exhibit 1. It is included in the Board's file. It appears the proposed sign is located in the 60-foot right-of-way for Fork Road.

Baltimore County Code §3-1 prohibits private signs in a public right-of-way. (See attached.)

Recently, the Deputy Zoning Commissioner decided this issue, among others, in the case of Lenora E. Zaccari and John Szyjka, Case No. 97-27-A. In its 9/27/96 Opinion and Order, Deputy Zoning Commissioner Kotroco prohibited placement of the commercial sign in the right-of-way for Sweet Air Road. (See attached copy of Opinion).

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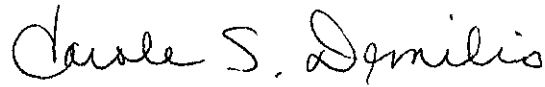
Robert O. Schuetz, Chairman
Board of Appeals of Baltimore County
March 3, 1997
Page Two

We hope this information will be of assistance to the Board
in this matter.

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

CSD/caf
Enclosures

cc: Edna E. Eiring, 12913 Fork Road, Baldwin, MD 21013, Petitioner
Nancy Hastings, 7714 Buck Hill Rd., Kingsville, MD 21087,
Protestant

Charlotte W. Pine, 13310 Fork Road, Baldwin, MD 21013,
Protestant

Paul Plowman, 13105 Fork Road, Baldwin, MD 21013, Protestant

EIRING.LTR/PZONE/TXTCAF

MICROFILMED

Sec. 3-1. Posting signs on public property.*(a) Definitions.*

Person means any political candidate, registered political committee, person, firm, partnership, association, corporation, company, organization, or other entity of any kind. A person does not include the county.

Public utility, as used in this section, includes but is not limited to a person awarded a franchise to operate a CATV system.

Sign includes any bill, poster, placard, handbill, flyer, painting, sign, notice, advertisement, or other similar object or matter which contains printed or written matter in words, symbols, or pictures or any combination thereof.

(b) Posting prohibited. It is unlawful for any person to post, place or affix a sign:

- (1) On any building owned, leased, or controlled by the county;
- (2) On or within the confines of any public park, recreation area, or other landscaped grounds owned or operated by the county or upon any flagpole, street lamppost, or tree owned by the county;
- (3) On any traffic-control sign or device, including but not limited to stoplights and their standards, stop signs, yield signs, one-way street signs, or any other sign or device which directs traffic or controls traffic signals or on the supporting post of such sign or device;
- (4) Which in any way blocks the view of a traffic-control sign or device by motorists or pedestrians in such a manner as to create a hazard;
- (5) Which in any way poses a hazard to motorists, pedestrians or cyclists, or protrudes into a street or sidewalk in such a manner as to interfere with the safe passage of the public;
- (6) On any other property owned, leased, or controlled by the county; or
- (7) On any pole, building, or property of whatever nature owned, leased, or controlled by

a public utility where the same is located within or on any public street, alleyway, or any other public property.

(c) Removal of illegal signs.

- (1) The county is authorized to remove any sign posted in violation of subsections (b)(1) through (b)(6) of this section.
- (2) A public utility is authorized to remove any sign posted in violation of subsection (b)(7) of this section.

(d) Liability for costs of removal of illegally posted signs. Any person who posts and any person who authorizes the posting of a sign in violation of subsection (b) of this section shall be liable to the county or to the public utility for the costs of removal of the sign and for any expense for repairing damage done by the sign removal. In the case of violations relating to county property, the county administrative officer shall approve regulations adopted by each department or office authorized by him to remove illegally posted signs. The regulations shall include provisions requiring the various offices and departments to report:

- (1) The name of the person represented on the material removed;
- (2) The number of advertisements, signs, notices, or other writing or printing removed;
- (3) The location of the material;
- (4) From what type of structure the material was removed; and
- (5) Cost of removal and repair.

(e) Persons responsible.

- (1) In the case of a political campaign, a candidate for any office and the chairman and treasurer of any registered political committee shall be presumed to have authorized the posting and is therefore liable for the costs of sign removal imposed by subsection (d) of this section, provided that the candidate or the committee was responsible for the printing of the sign. If such liability is contested, the burden of overcoming the presumption is on the contesting party. A candidate for public office shall, at

the time of filing with the board of supervisors of elections for such candidacy, sign a written statement which acknowledges the candidate's responsibilities under the provisions of this section. Failure to sign such a statement shall not affect the liability of the candidate for the penalties and costs provided for in this section.

- (2) In all other cases, it shall be presumed that the person whose name, event, business, location, or merchandise is written on the sign has posted or authorized the posting of the sign and is therefore liable to the county or to the public utility for the costs referred to in subsection (d) of this section; and if such liability is contested, the burden of overcoming the presumption is on the contesting party.

(f) *Criminal violation.* Any person who posts a sign in violation of subsection (b) of this section shall be guilty of a misdemeanor and upon conviction shall pay a fine not to exceed five hundred dollars (\$500.00) for each posted sign.
(Code 1978, § 18-36)

Cross references—Elections, tit. 13; motor vehicles and traffic, tit. 21.

State law reference—Placement of signs that interfere with traffic signs, etc., Ann. Code of Md., Transportation article, § 21-205.

Sec. 3-2. Political campaign signs.

(a) Stationary signs, excluding commercial billboards, announcing candidates seeking elected public office may be erected in the county no earlier than thirty (30) days prior to the date of any primary election. They shall be confined within private property and shall not obstruct the vision of operators of motor vehicles as set forth in section 21-3 or article I, title 21 of this Code. The chief of police or his agent may require that a sign be relocated if he determines that its placement may obstruct the vision of operators of motor vehicles or for other public safety reasons. The signs must be removed within five (5) days after the closing of the polls following any primary by any unsuccessful primary candidate and within five (5) days after the closing of the polls following any general election by all other candidates.

(b) Any candidate whose signs are posted in violation of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than twenty-five dollars (\$25.00) for each violation.

(Code 1978, § 18-31)

Cross references—Elections, tit. 13; motor vehicles and traffic, tit. 21.

State law reference—Political posters, Ann. Code of Md. art. 27, § 452.

Sec. 3-3. Motor fuel signs indicating prices.

(a) The county council finds that the regulation of signs advertising prices of motor vehicle fuels at places dispensing fuels in the county at retail will serve to protect the safety and recreational value of public travel on highways in the county and will better protect the public investment in its streets and highways, and in furtherance of these purposes the following regulations are enacted.

(b) Every retail dealer in motor fuel shall publicly display and maintain on each pump or other dispensing device from which motor fuel is sold by him, at least one (1) sign and not more than two (2) signs stating the price per gallon of the motor fuel, the state and federal taxes, and the total price sold by him from such pump or device. Such sign or signs shall be of a size not larger than eighty (80) square inches. The price shown on each of such signs shall include an itemization of the cost per gallon of such motor fuel, the amount of federal taxes, and the amount of state taxes. All figures, including fractions, upon such signs, other than figures and fractions used in any price-computing mechanism constituting a part of any such pump or dispensing device, shall be of the same size.

(c) No signs stating or relating to the prices of motor fuel and no signs designed or calculated to cause the public to believe that they state or relate to the price of motor fuel, other than the signs referred to in subsection (b) of this section and required to be displayed upon pumps and other dispensing devices, shall be posted or displayed on or about the premises where motor fuel is sold at retail and within the view of any public highway or reservation.

IN RE: PETITION FOR VARIANCE
SW/S Sweet Air Road, 140' SE
of Jarrettsville Pike
(3411 - 3419 Sweet Air Road)
10th Election District
6th Councilmanic District

Lenora E. Zaccari, Legal Owner;
John Szyjka, Contract Lessee

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-27-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 3411-3419 Sweet Air Road, located in the vicinity of Jarrettsville Pike in Jacksonville. The Petition was filed by the owner of the property, Lenora E. Zaccari, and the Contract Lessee, John Szyjka, through their attorney, Julius W. Lichter, Esquire. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.3 to permit 27 compact parking spaces in lieu of the required 27 standard size spaces; from Section 409.4.C to permit existing and proposed drive aisle widths of 19 feet and 20 feet in lieu of the required 22 feet, and to permit a one-way aisle width of 12 feet in lieu of the required 20 feet; from Section 409.6 to permit 37 parking spaces in lieu of the required 52; and from Section 413.3.C to permit an existing freestanding sign to remain in its present location within the public right-of-way. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition were John Szyjka, Contract Lessee of the subject property, Thomas Hoff, Professional Engineer who prepared the site plan for this project, and Julius W. Lichter, Esquire, attorney for the Petitioners. Scores of individuals who

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reside in the vicinity of the subject property attended the hearing in support of the request, all of whom signed the Petitioners' Sign-in Sheet. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.54 acres, more or less, zoned B.M.-C.R., and is improved with a two-story building containing mixed uses. One of the uses in the building is Roma's Restaurant and Carry-Out, which has existed on the property for the past 20 years. Testimony indicated the Petitioners filed the instant request as a result of a complaint concerning parking which was registered with the Zoning Enforcement Division of the Department of Permits and Development Management (DPDM). An inspection of the property and the uses thereon revealed a number of minor violations of the zoning regulations, and thus, the Petition for Variance seeking the relief noted above was filed in order to resolve the matter.

On behalf of the Petitioners, Mr. Lichter proffered testimony in support of the relief requested. Mr. Lichter testified that his client has been in business at the subject location for the past 20 years, and in all that time, there have never been any problems with parking, traffic flow, or any other matters associated with the restaurant use. No new improvements are proposed at this time and thus, the relief requested is merely to legitimize conditions which have existed on the property for many years and to bring the property into compliance with the B.C.Z.R.

As noted above, many residents from the surrounding Jacksonville area attended the hearing in support of the relief requested. In addition to the appearance of those individuals, the Petitioners submitted a Petition of support which had been signed by approximately 4,000 Jacksonville area residents. It should be noted that no one appeared in opposition to

the Petitioners' request and no letters objecting to the relief requested were received by this Office.

After considering the proffered testimony by Mr. Lichter as well as the testimony offered by the citizens who appeared at the hearing, I am persuaded to grant all of the relief requested, with the exception of the variance to allow an existing freestanding sign to remain in the public right-of-way. Testimony revealed that this sign has existed in its present location for the past nine years. The sign poses no visibility problems, nor does it affect traffic in any adverse manner. However, it is located within the State's right-of-way along Sweet Air Road. It is not permissible to grant a variance to allow a sign to exist within a State road right-of-way, and thus, that portion of the relief requested must be denied.

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).

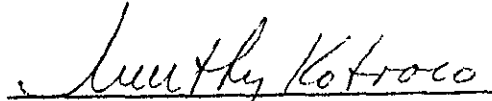
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances, as modified, are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure 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 relief requested will not cause any injury to the public health, safety or general welfare and meets 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 27th day of September, 1996 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.3 to permit 27 compact parking spaces in lieu of the required 27 standard size spaces; from Section 409.4.C to permit existing and proposed drive aisle widths of 19 feet 20 feet in lieu of the required 22 feet, and to permit a one-way width of 12 feet in lieu of the required 20 feet; and from Section to permit 37 parking spaces in lieu of the required 52, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the variance from Section to permit an existing freestanding sign to remain in its within the public right-of-way, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED any appeal of this decision must be made within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Department of Permits and
Development Management

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

September 18, 1996

Mr. Paul Plowman
12909 Fork Road
Baldwin, MD 21013

RE: Petition for Zoning
Variance
E/S Fork Road, 4300' SE
of Harford Road
(12913 Fork Road)
11th Election District
6th Councilmanic District
Edna E. Eiring-Petitioner
Case No. 96-515-A

Dear Mr. Plowman:

Please be advised that an appeal of the above-referenced case was filed in this office on September 16, 1996 by H. Lawrence Eiring, CRM on behalf of Edna E. Eiring. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", written over a horizontal line.

ARNOLD JABLON
Director

AJ:rye

c: Ms. Charlotte W. Pine
Ms. Nancy Hastings
People's Counsel

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

September 18, 1996

Mr. Paul Plowman
12909 Fork Road
Baldwin, MD 21013

RE: Petition for Zoning
Variance
E/S Fork Road, 4300' SE
of Harford Road
(12913 Fork Road)
11th Election District
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Edna E. Eiring-Petitioner
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If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, sweeping "A" and "J".

ARNOLD JABLON
Director

AJ:rye

c: Ms. Charlotte W. Pine
Ms. Nancy Hastings
People's Counsel

MICROFILMED

SEP 19 1996



APPEAL

Petition for Zoning Variance
E/S Fork Road, 4300' SE of Harford Road
(12913 Fork Road)
11th Election District - 6th Councilmanic District
Edna E. Eiring - Petitioner
Case No. 96-515-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners and Protestants Sign-In Sheets

Petitioners' Exhibits: 1 - Plat to Accompany Petition for Variance
2 - Two Photographs

Protestants' Exhibits: 1 - Letter from Nancy Hastings to the
Baltimore County Zoning Commissioner dated
July 30, 1996
2 - Letter from Paul M. Plowman dated July 30,
1996

Inter-Office Correspondence from Joseph Bartenfelder, Councilman to
Timothy Kotroco, Esquire dated July 30, 1996

Letter from H. Lawrence Eiring, CRM to Timothy Kotroco, Deputy Zoning
Commissioner dated July 31, 1996

Letter of Opposition

Letter from H. Lawrence Eiring, CRM to Timothy Kotroco, Deputy Zoning
Commissioner dated August 30, 1996

Deputy Zoning Commissioner's Order dated August 27, 1996 (Denied)

Notice of Appeal received on September 16, 1996 from H. Lawrence
Eiring, CRM on behalf of Edna E. Eiring

c: Mr. Henry L. Eiring, 12911 Fork Road, Baldwin, MD 21013
Mr. Paul Plowman, 13105 & 12909 Fork Road, Baldwin, MD 21013
Ms. Charlotte W. Pine, 13310 Fork Road, Baldwin, MD 21013
Ms. Nancy Hastings, 7714 Buck Hill Road, Baldwin, MD 21087
Ms. Edna E. Eiring, 12913 Fork Road, Baldwin, MD 21013
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

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Case No. 96-515-A

VAR -To permit dual-faced sign of 16 sq. ft. in lieu of maximum permitted 1 sq. ft. for existing sign.

8/27/96 -Deputy Zoning Commissioner's Order in which Petition for Variance was DENIED.

12/13/96 -Notice of Assignment for hearing scheduled for Wednesday, March 5, 1997 at 10:00 a.m. sent to following:

Appellant /Petitioner: Edna E. Eiring

Henry L. Eiring, CRM

Protestants: Paul Plowman

Charlotte W. Pine

Nancy Hastings

People's Counsel for Baltimore County

Pat Keller

Lawrence E. Schmidt

Arnold Jablon, Director /PDM

Virginia W. Barnhart, Co Atty

3/03/97 -Letter from People's Counsel regarding this matter and submitting copy of prior DZC Opinion on this issue; will not be participating in the proceeding; however, that office is interested in the case.

3/05/97 -Hearing concluded this date. Publicly deliberated at conclusion of hearing; Petition for Variance DENIED; written opinion and order to be issued; appellate period to run from date of written Order. (R.K.M.)

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COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

MINUTES OF DELIBERATION

IN THE MATTER OF: Edna E. Eiring -Petitioner
Case No. 96-515-A

DATE : March 5, 1997 /at conclusion of hearing

BOARD /PANEL : Robert O. Schuetz, Chairman (ROS)
Kristine K. Howanski (kkh)
S. Diane Levero (SDL)

SECRETARY : Kathleen C. Bianco
Legal Administrator

Those present at this deliberation included Edna E. Eiring, Petitioner and Henry L. Eiring; and Charlotte W. Pine, President, Long Green Valley Association, Protestant. People's Counsel did not participate in these proceedings.

ROS: First, I would like to thank everyone for putting on their cases as clearly as they were able to, and I thank you, Mr. Eiring, for not calling repetitive testimony as well. I do appreciate that.

This particular part of the proceeding is not part of the record. Maryland State law requires that this Board convene in open deliberation for the purpose of allowing the public to know the feelings of the Board members as they relate to the issues, and so minutes are taken. These minutes do not necessarily supplement the record per se, but serve to certify compliance.

I'm going to go first. First of all, this was obviously a very emotional issue. No one likes to have to deal with neighbor versus neighbor in such contentious matters, especially where neighbors have been friends for the better part of their lives.

But, at the same time good fences make good neighbors -- we have a situation here where, and it's not altogether uncommon, where a citizen of Baltimore County does what they deem appropriate -- in this case, erects a sign. For the benefit of everyone in the room, this case is, in my view, very similar in tenor to UMBC Research Park. It had a tremendous amount of opposition. The bottom line in that case was it boiled down to a simple part of the law. This Board is constrained to act within the law, and what it is empowered and asked by the County Council to do as the quasi-judicial body that it is.

Having said that, and provided you the opportunity to air the

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Case No. 96-515-A Edna E. Eiring Minutes of Deliberation

issues, Mr. Eiring, your burden of proof lies in 307.1 of the Baltimore County Zoning Regulations. I cannot see that there is a scintilla of evidence that would indicate that your property is in any way unique or unusual from any other property. We have testimony that those properties have been similarly developed in terms of subdivision, size, shape and so forth. And so, in the absence of that, in the case which Ms. Pine very astutely pointed out, Cromwell v. Ward, the upper courts in Maryland have indicated and affirmed the methods by which the BCZR and specifically 307.1, have to be viewed in such matters.

The first test is whether or not the property is unique or unusual as compared to surrounding properties. If the Petitioner fails in that first test, one goes no further. That is according to the courts. I will, however, go further in my comments because I think it will be instructive.

The issue of practical difficulty or unreasonable hardship in not being able to comply with the zoning regulations, I see no reason why there is a need to vary from the zoning regulations. I don't see how you are impacted negatively. You have enjoyment of your property. You have the opportunity to erect a sign -- to draw attention to emergency vehicles, and so forth, for whatever peace of mind you and your mother are seeking in living on Fork Road. So, even if you had gotten past the uniqueness test, I would say you did fail on practical difficulty or unreasonable hardship test.

And so, as to whatever argument you have concerning the issue of free speech, that's really not an issue for this Board to decide. We are asked to adjudicate those issues falling under our jurisdiction. There are other venues for you to take those arguments up. But I would also say it's also pretty well-settled that you have zoning regulations and County standards which are there to protect other people's rights and responsibilities as well.

And so, I would say that even in that area, I dare say it is a very difficult case to prove. It has not been proven to me. So on its face and under the law, I would have to deny the Petition for Variance. We do not affirm nor overturn. We are essentially a new fact finding body, and so, at this point, I would vote to deny the variance.

KKH: I would concur. This is one where perhaps, with respect to constitutional issues, where the parties would have benefitted from using counsel. But I don't think that even with counsel there would have been an establishment of uniqueness under Cromwell v. Ward.

Case No. 96-515-A Edna E. Eiring Minutes of Deliberation

I do, as a side note, want to commend Mr. Eiring on his presentation of the case which was quite capable, and also commend Ms. Pine. I hope the Eirings understand and appreciate her efforts. Her efforts in that regard are exactly what this Board looks at -- when you own property and you are next to other people, and other people are allowed to do or not to do, you have your rights infringed upon. We don't all have the same idea of what does or does not look nice. We agree to be law-abiding people and abide by the laws set up by the State or County for the protection of everybody's rights as well. It's difficult...particularly when it's a gift from a son.... Again, you are aware of the law and the law is Cromwell v. Ward, and you admitted in closing that you did not have any uniqueness or unusual characteristics to the property placing you outside of the scope of Cromwell v. Ward.

There is a dearth of evidence in that regard. Evidence was presented to the contrary. I would also concur that there has been no showing of practical difficulty or unreasonable hardship. I did not see any first amendment problems; did not see 14th amendment. It's their right as citizens in what they are trying to preserve.

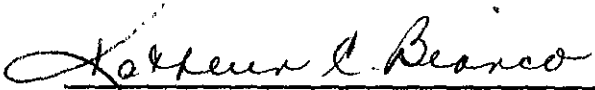
For the reasons I have set forth, I would concur with Mr. Schuetz, and deny the variance.

SDL: I would also concur with my fellow Board members. The one thing to keep in mind, however, is that while we may sympathize with the Appellants, we have to act according to the law, and according to the variance law and relevant case law, which is Cromwell v. Ward.

We cannot act as our sympathies lie; we are constrained by the law. There's been no showing of uniqueness or hardship.

ROS: We are unanimous. That concludes this matter. Any petition for judicial review will be from the date of the written Opinion and Order, and not today's date. An order will be issued subsequent to these proceedings. Thank you.

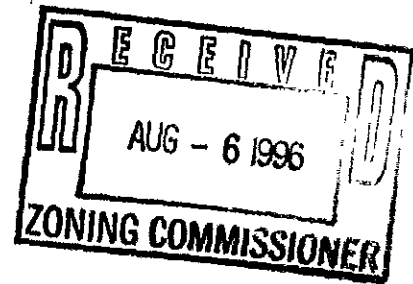
Respectfully submitted,


Kathleen C. Bianco

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552

July 31, 1996

Mr. Timothy Kotroco
Deputy Zoning Commissioner
Baltimore County, Maryland
Room 112, Old Courthouse
Towson, Maryland 21204



RE: Item No. 519
 Case: 96-515-A
 Petitioner: Edna E. Eiring

Dear Mr. Kotroco:

Thank you for allowing me to submit the attached petition in support of approval of the requested variance in this case on behalf of Mrs. Eiring. As you can clearly note, over 30 people, most who live within one mile of our property, have signed on our behalf and in favor of the sign. You may find it notable that my Mother, at 78 years old, has gone door-to door to ask our neighbor's opinions on the sign. All comments were favorable. I hope these signatures are an indication of the true feeling of our community. I have also attached copies of comments received pertaining to this matter from various County agencies. I presume you have already noted these in your file and have also noted no adverse comments as to this petition. Again, given no significant opposition and in light of significant local approval, we respectfully request that this variance be granted.

In regard to the Hearing of July 30, I offer the following additional information. It is clearly evident that Mr. Plowman, through the Kingsville Community Association is practicing an ongoing campaign of harassment. Records show that Mr. Plowman has repeatedly complained about numerous trivial matters in and around our area, including trees overhanging the property, lights on neighboring properties, and noise. However, complaints about Mr. Plowman and his own activities have gone largely unresolved by the Baltimore County Police or other Agencies. He openly burns scrubbrush on the adjacent property, his son regularly rides a dirt-bike on the property and on Fork Road, and he has posted political signs which have blocked visibility down Fork Road. While these matters are not directly related to this case, it is an indication of the type of 'neighbor' Mr. Plowman has been.

Additionally, the comments by Mrs. Hastings of the Kingsville Community Association are disturbing. It should be noted that neither my mother or myself was contacted by the Community Association as a part of their discussion on our case or their subsequent vote. I am also perplexed as to why our sign has been singled out. Within a 5 mile radius of Kingsville, there are several residential signs, including a large sign at the corner of Mt. Vista and Belair Road (Heathcote Cottage) apparently which either have been granted a variance or have no negative impact on the community or the Association. Is it because these individuals are 'paying' members of the Association? Or is it because of **who I am**? It is obvious that some neighbors are uncomfortable at best with my residency in the area. I can not help but feel that this action is in part due to their level of prejudice and personal discrimination. This in and of itself is distressing to me personally and increases my fear of additional harrassment or worse.

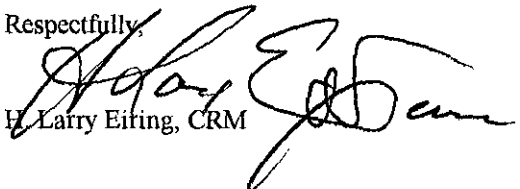
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Page 2

I assure you again, that my mother, a 53 year resident at this location and myself, a 25+ year resident have always acted in the best 'neighborly' manner possible. To be singled-out, intimidated, and strained by Mr Plowman and the Kingsville Community Association , even given support by the majority of our neighbors, is deeply disturbing and counter to any sort of neighborly intent.

Thank you again for your consideration.

Respectfully,


Edna E. Eiring, CRM

cc: Joseph Bartenfelder, Baltimore County Council
Michael Collins, State Senator
Edna E. Eiring

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Petition in APPROVAL

We the undersigned have no opposition whatsoever to the sign located at 12913 Fork Road, Baldwin, Maryland on the property of Edna E. Eiring. Furthermore, we would approve of a VARIANCE being granted to allow the sign to remain as erected.

Name

Address

MARC DAVENPORT

Kingsville MD 21087

John Marino

Hyden Md 21082

Jason Meltzer

Kingsville MD 21087

Ken Mueller

Baldwin Md. 21013

Dianne L. Fiedler

BALTIMORE, MD.

James P. Bedchoyfs

Fork Md 21082

David J. J. J.

Fork Md 21051

Robert J. J. J.

Hyden Md 21087

Kimberly Nash

Kingsville, MD 21087

David J. J. J.

Fork Md 21051

Debbie Hofmeier

6610 Cherry Hill Rd

T. J. J. J.

12928 Fork Rd. 21013

Dorothy Burkhardt

12928 Fork Rd. 21013

Betty M. Ahls

12916 Fork Rd Baldwin

Helen M. Wall

12930 Fork Rd Baldwin

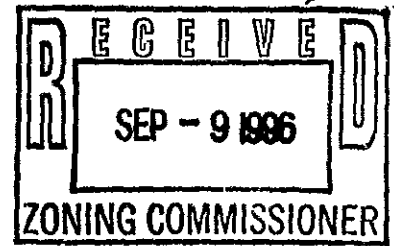
MICROFILMED

Petition in APPROVAL

We the undersigned have no opposition whatsoever to the sign located at 12913 Fork Road, Baldwin, Maryland on the property of Edna E. Eiring. Furthermore, we would approve of a VARIANCE being granted to allow the sign to remain as erected.

Name	Address
<u>Olma M. Jochen</u>	<u>12912 Fork Rd Baldwin 21013</u>
<u>Donald P. Rampes</u>	<u>12914 Fork Rd. Baldwin 21013</u>
<u>Marie E. Rampes</u>	<u>12914 Fork Rd Baldwin 21013</u>
<u>Theresa K. Madarsch</u>	<u>12918 Fork Rd Baldwin Md. 21013</u>
<u>Michel W. B. Jernack</u>	<u>12718 Fork Rd. Baldwin MD 21013</u>
<u>Denis R. Isenrock</u>	<u>Wilson Ave.</u>
<u>Stanly H. Isenrock</u>	<u>12717 Fork Rd. Fork Md. 21051</u>
<u>Lehma L. Jochen</u>	<u>12717 Wilson Ave Fork Md 21051</u>
<u>Dan Pawloski</u>	<u>12505 Regwood Rd. Hykes - 21082</u>
<u>Dixie Rodgers</u>	<u>6502 Cherry Hill Rd. Baldwin Md 21013</u>
<u>Ralph Brady</u>	<u>6600 Cherry Hill Rd Baldwin 21013</u>
<u>Grace Frei</u>	<u>6600 Cherry Hill Rd.</u>
<u>Mr. & Mrs. Wm Geckle</u>	<u>12917 Fork Rd, Baldwin, 21013</u>
<u>Dr. & Mrs. Neil Fass</u>	<u>13327 Fork Rd, Baldwin, Md.</u>
	<u>12900 Fork Rd. Baldwin, MD 21013</u>

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013



August 30, 1996

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner For Baltimore County
Suite 112
400 Washington Ave.
Towson, Maryland 21204

Re: Petition for Variance
Edna E. Eiring, et al
12913 Fork Road
Case: 96-515-A

Dear Mr. Kotroco:

Mrs. Eiring and I are in receipt of your decision in the above named case. Obviously we are dismayed at your decision in siding with the opponents of the request for variance in this matter. Your decision represents a total lack of regard for the wishes of the larger community as well as the welfare of Mrs. Eiring, a 78 year old widow and 53 year resident at this address.

While we are keenly aware of the law in this matter, you chose not to take even a middle ground stance, possibly requesting that the sign be made smaller, as requested by the County Environmental Office. This disregard for any and all mitigating circumstances shows us of your support for the kind of harassment leveled against us by Mr. Plowman and the Kingsville Community Association.

To that end, please be advised that we will immediately request an appeal of this decision. Additionally, the following measures will/or have been undertaken:

1. I shall request the County Zoning Office to investigate the listed properties presented at the original hearing and any additional properties where a sign is larger than allowed, within a 25 mile radius of our property.
2. I have contacted the local news media, via this letter and previous correspondence, in asking their help to publicize the cold-hearted nature of the County as well as the restrictive sign requirements.
3. Councilman Bartenfelder's office will receive copies of this letter and we will request a meeting with him.
4. Copies of this letter and additional background material will also be sent to the ACLU, County Executive Ruppertsberger, State Senator Collins, and Senator Paul Sarbanes.
5. The sign will remain as is until the appeals process is fully exhausted.
6. Upon setting of a date for appeal, all individuals who signed the petitions in support of the sign will be notified and invited to attend the hearing in person.
7. Additional petitions will be set out, in order to show the overwhelming support and positive will of the community which surrounds this sign.

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Page 2

While it was never our intent to 'make a big deal' out of this issue, we have been pushed into this situation due to your lack of willingness to compromise. Additionally, failing to take into consideration any mitigating circumstances and even application of the law is unconscionable.

Sincerely,



H. Lawrence Eiring, CRM
on behalf of Edna E. Eiring

cc: Councilman Joseph Bartenfelder
County Executive 'Dutch' Ruppertsberger
State Senator Michael Collins
United States Senator Hon. Paul S. Sarbanes
Baltimore Regional Office - American Civil Liberties Union
Ms. Denise Saunders, WBFF-TV
Dick Gelfman, WJZ-TV
The Aegis
The Baltimore Sun

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***H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013***

September 6, 1996

Baltimore County Office of
Permits and Development Management
Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

Re: Petition For Variance
Case: 96-515-A
Edna E. Eiring, et al.
12913 Fork Road
Baldwin, Maryland 21013

To Whom It May Concern:

Please be notified that in consideration of the negative judgment of the Request For Variance in the above named case, the Petitioner hereby requests an APPEAL of this decision.

This request is based upon the following points:

1. That the sign in question does NOT pose a threat to the public health, safety and general welfare as stated in the decision. The decision does NOT note how this sign is or may be a threat in this manner.
2. The Petitioner takes exception with the fact that this sign is being held against legal precedent which have been applied to commercial and/or business property. (note: Loyols Federal v. Buschman).
3. The Petitioner furthermore requests relief from a law which is being applied without standard in the jurisdiction. The holding of the Petitioner in this case to a higher standard than surrounding residential properties is a clear violation of the Petitioner's rights to equal application of law.

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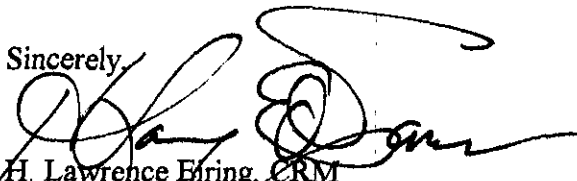
Page 2

4. While the Petitioner understands the limits of the regulation, clearly a majority of the surrounding community citizens are in approval of the sign and support granting of a variance in this matter. Disregard of the majority community wishes in deference the wishes of a few with special and personal interests is a clear violation of the Petitioner's individual right to a fair outcome of this matter.

The appropriate check in the amount of \$210.00 is enclosed as is a copy of the original variance petition.

Thank you for your prompt consideration.

Sincerely,



H. Lawrence Eiring, CRM
on behalf of Edna E. Eiring

cc: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Mr. Joseph Bartenfelder
Hon. C.A. Dutch Ruppertsberger

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H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552

September 6, 1996

Mr. Joseph Bartenfelder
County Councilman, 6th District
Baltimore County, Maryland
400 Washington Ave.
Towson, Maryland 21204

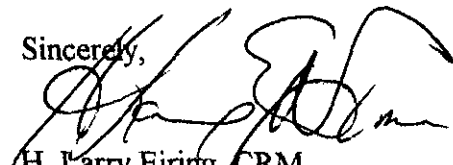
Dear Mr. Bartenfelder:

Please find enclosed documentation regarding the ongoing sign controversy of Ms. Edna Eiring.

I request that you review this information and realize that this situation is most distressing and disturbing. To this end, my mother and I request to meet with you to discuss the situation as well as ask you to introduce legislation in the County to change the restrictive sign size limitation.

Thank you for your consideration.

Sincerely,



H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner

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*H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552*

September 6, 1996

Mr. C. A. 'Dutch' Ruppertsberger
County Executive
Baltimore County, Maryland
400 Washington Ave.
Courthouse Mezzanine
Towson, Maryland 21204

Dear Mr. Ruppertsberger:

Attached you will find documentation regarding a most distressing situation. My mother, Edna E. Eiring, a 78 year old widow and 53 year long resident of Baltimore County, is being cold-heartedly harassed and intimidated by the County and the neighborhood Community Association.

On Memorial Day weekend, I erected for her a sign which denotes our two adjoining properties; 12911 and 12913 Fork Road. The sign was hand constructed and painted in green with yellow lettering to ensure proper aesthetics as well as visibility. The sign is approximately 52" long and is on posts which are 38" high. It does not block the view of the roadway or encroach onto the right-of-way.

In early June, we received a Zoning Violation notice from Baltimore County as to the size of the sign. The notice stated that BCZR Sec. 413.1.A dictates that residential signage be of no more than 1 square foot in size, total both sides for each property. In order to seek relief from this restriction, we had to file for a variance and appear at a hearing on the matter.

The hearing was held on July 30 in Baltimore County. Details of this hearing can be found in the Deputy Commissioner's report and judgment attached.

Subsequently, Mrs. Eiring and other neighbors compiled a petition of 30 names, most surrounding neighbors, in support of the sign and asking for the variance to be granted. This petition was submitted to the Deputy Commissioner on August 5.

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Page 2

As you will note in the attached correspondence, this has become a rather heated matter. The issue is not so much as is the sign too big rather is a compromise variance acceptable

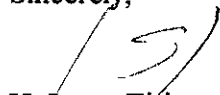
Clearly, we are up against not just a restrictive law, but also mean spirited individuals in Mr. Plowman, Ms. Pine and Ms. Hastings. All of these individuals are in the realty business in the area and each is a paying member of the Kingsville Community Association. Their testimony at the hearing clearly showed that their motive in having the sign removed was weighted towards adverse effect on their own personal business not the community at large.

It is unbelievable that a small group of individuals can override the wishes of the majority of the surrounding community. Additionally, we are being held to a higher standard of the law than other county residents who also have signs which are too large and have not been granted a variance.

Clearly, the lack of any compromise consideration by the Deputy Commissioner shows a lack of a 'kinder spirit' by the County. Is this the kind of County we should have? Is this the restrictive way our County treats all of its citizens? We would like to discuss this issue with you in the hope of an agreeable resolution which would be acceptable to all parties.

Thank you for your consideration.

Sincerely,



H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Joseph Bartenfelder, County Councilman
Ms. Denise Saunders, WBFF-TV
Mr. Dick Gelfman, WJZ-TV
Mr. Neil Thomas, The Aegis
The Baltimore Sun

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H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552

September 6, 1996

Ms. Denise Saunders
WBFF-TV, Fox 45
2000 West 41st Street
Baltimore, Maryland 21211

Dear Denise:

Attached you will find documentation regarding a most distressing situation. My mother, Edna E. Eiring, a 78 year old widow and 53 year long resident of Baltimore County, is being cold-heartedly harassed and intimidated by the County and the neighborhood Community Association.

On Memorial Day weekend, I erected for her a sign which denotes our two adjoining properties; 12911 and 12913 Fork Road. The sign was hand constructed and painted in green with yellow lettering to ensure proper aesthetics as well as visibility. The sign is approximately 52" long and is on posts which are 38" high. It does not block the view of the roadway or encroach onto the right-of-way.

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Subsequently, Mrs. Eiring and other neighbors compiled a petition of 30 names, most surrounding neighbors, in support of the sign and asking for the variance to be granted. This petition was submitted to the Deputy Commissioner on August 5.

As you will note in the attached correspondence, this has become a rather heated matter. The issue is not so much as is the sign too big rather is a compromise variance acceptable. Clearly, we are up against not just a restrictive law, but also mean spirited individuals in Mr. Plowman, Ms. Pine and Ms. Hastings. All of these individuals are in the realty

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Page 2

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It is unbelievable that a small group of individuals can override the wishes of the majority of the surrounding community. Additionally, we are being held to a higher standard of the law than other county residents who also have signs which are too large and have not been granted a variance.

We would like to further discuss this issue with you and hope you can help us publicize not just how restrictive the sign law is but how mean-spirited our County and it's officials really are.

Thank you for your consideration.

Sincerely,



H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Joseph Bartenfelder, County Councilman
Dutch Ruppertsberger, County Executive for Baltimore County

MICROFILMED

***H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552***

September 6, 1996

Mr. Neil Thomas
Managing Editor
The Aegis
10 Hays Street
P.O. Box 189
Bel Air, Maryland 21014

Dear Mr. Thomas:

Per a discussion I have had with Ms. Mimi Eubank, I am forwarding you the following. Attached you will find documentation regarding a most distressing situation. My mother, Edna E. Eiring, a 78 year old widow and 53 year long resident of Baltimore County, is being cold-heartedly harassed and intimidated by the County and the neighborhood Community Association.

On Memorial Day weekend, I erected for her a sign which denotes our two adjoining properties; 12911 and 12913 Fork Road. The sign was hand constructed and painted in green with yellow lettering to ensure proper aesthetics as well as visibility. The sign is approximately 52" long and is on posts which are 38" high. It does not block the view of the roadway or encroach onto the right-of-way.

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***H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552***

September 6, 1996

Mr. Dick Gelfman
WJZ-TV
Television Hill
Baltimore, Maryland 21211

Dear Mr. Gelfman:

Attached you will find documentation regarding a most distressing situation. My mother, Edna E. Eiring, a 78 year old widow and 53 year long resident of Baltimore County; is being cold-heartedly harassed and intimidated by the County and the neighborhood Community Association.

On Memorial Day weekend, I erected for her a sign which denotes our two adjoining properties; 12911 and 12913 Fork Road. The sign was hand constructed and painted in green with yellow lettering to ensure proper aesthetics as well as visibility. The sign is approximately 52" long and is on posts which are 38" high. It does not block the view of the roadway or encroach onto the right-of-way.

In early June, we received a Zoning Violation notice from Baltimore County as to the size of the sign. The notice stated that BCZR Sec. 413.1.A dictates that residential signage be of no more than 1 square foot in size, total both sides for each property. In order to seek relief from this restriction, we had to file for a variance and appear at a hearing on the matter.

The hearing was held on July 30 in Baltimore County. Details of this hearing can be found in the Deputy Commissioner's report and judgment attached.

Subsequently, Mrs. Eiring and other neighbors compiled a petition of 30 names, most surrounding neighbors, in support of the sign and asking for the variance to be granted. This petition was submitted to the Deputy Commissioner on August 5.

As you will note in the attached correspondence, this has become a rather heated matter. The issue is not so much as is the sign too big rather is a compromise variance acceptable. Clearly, we are up against not just a restrictive law, but also mean spirited individuals in Mr. Plowman, Ms. Pine and Ms. Hastings. All of these individuals are in the realty

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Page 2

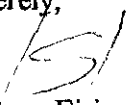
Clearly, we are up against not just a restrictive law, but also mean spirited individuals in Mr. Plowman, Ms. Pine and Ms. Hastings. All of these individuals are in the realty business in the area and each is a paying member of the Kingsville Community Association. Their testimony at the hearing clearly showed that their motive in having the sign removed was weighted towards adverse effect on their own personal business not the community at large.

It is unbelievable that a small group of individuals can override the wishes of the majority of the surrounding community. Additionally, we are being held to a higher standard of the law than other county residents who also have signs which are too large and have not been granted a variance.

We would like to further discuss this issue with you and hope you can help us publicize not just how restrictive the sign law is but how mean-spirited our County and it's officials really are.

Thank you for your consideration.

Sincerely,


H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Joseph Bartenfelder, County Councilman
Dutch Ruppertsberger, County Executive for Baltimore County

MICROFILMED

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552

September 6, 1996

Mr. Michael J. Collins
State Senator
418 Eastern Ave.
Baltimore, Maryland 21221

Dear Mr. Collins:

Please find enclosed documentation regarding the ongoing sign controversy of Ms. Edna Eiring.

I request that you review this information and realize that this situation is most distressing and disturbing. Realizing that this is most likely out of your jurisdictional purview, we still would like to request whatever help you can offer in the matter.

This is definately a case where a regulation is being applied to benefit a few with special interests in deference of the supportive wishes of the larger community.

Thank you for your consideration.

Sincerely,



H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Mr. Joseph Bartenfelder
Mr. C.A. Dutch Ruppertsberger

MICROFILMED

***H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552***

September 6, 1996

Hon. Senator Paul S. Sarbanes
United States Senator
100 S. Charles Street
Tower One
Room 1010
Baltimore, Maryland 21201

Dear Senator Sarbanes:

Please find enclosed documentation regarding an ongoing controversy for my mother, Ms. Edna Eiring.

I request that you review this information and realize that this situation is most distressing and disturbing. Realizing that this is most likely out of your jurisdictional purview, we still would like to request whatever help you can offer in the matter.

This is definately a case where a regulation is being applied to benefit a few with special interests in deference of the supportive wishes of the larger community.

Thank you for your consideration.

Sincerely,


H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Mr. Joseph Bartenfelder, Councilman 6th District
Mr. C.A. Dutch Ruppertsberger, County Executive

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Page 2

business in the area and each is a paying member of the Kingsville Community Association. Their testimony at the hearing clearly showed that their motive in having the sign removed was weighted towards adverse effect on their own personal business not the community at large.

It is unbelievable that a small group of individuals can override the wishes of the majority of the surrounding community. Additionally, we are being held to a higher standard of the law than other county residents who also have signs which are too large and have not been granted a variance.

We would like to further discuss this issue with you and hope you can help us publicize not just how restrictive the sign law is but how mean-spirited our County and it's officials really are.

Thank you for your consideration.

Sincerely,


H. Larry Eiring, CRM
on behalf of Edna E. Eiring

CC: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Joseph Bartenfelder, County Councilman
Dutch Ruppertsberger, County Executive for Baltimore County

MICROFILMED

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JO SL

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013

September 6, 1996

Baltimore County Office of
Permits and Development Management
Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

Re: Petition For Variance
Case: 96-515-A
Edna E. Eiring, et al.
12913 Fork Road
Baldwin, Maryland 21013

To Whom It May Concern:

Please be notified that in consideration of the negative judgment of the Request For Variance in the above named case, the Petitioner hereby requests an APPEAL of this decision.

This request is based upon the following points:

1. That the sign in question does NOT pose a threat to the public health, safety and general welfare as stated in the decision. The decision does NOT note how this sign is or may be a threat in this manner.
2. The Petitioner takes exception with the fact that this sign is being held against legal precedent which have been applied to commercial and/or business property. (note: Loyola Federal v. Buschman).
3. The Petitioner furthermore requests relief from a law which is being applied without standard in the jurisdiction. The holding of the Petitioner in this case to a higher standard than surrounding residential properties is a clear violation of the Petitioner's rights to equal application of law.

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4. While the Petitioner understands the limits of the regulation, clearly a majority of the surrounding community citizens are in approval of the sign and support granting of a variance in this matter. Disregard of the majority community wishes in deference the wishes of a few with special and personal interests is a clear violation of the Petitioner's individual right to a fair outcome of this matter.

The appropriate check in the amount of \$210.00 is enclosed as is a copy of the original variance petition.

Thank you for your prompt consideration.

Sincerely,



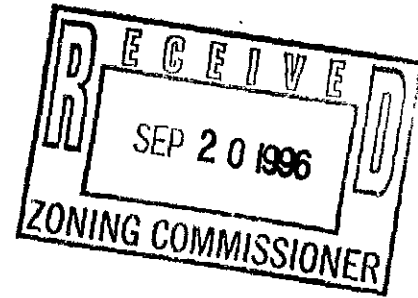
H. Lawrence Eiring, CRM
on behalf of Edna E. Eiring

cc: Mr. Timothy Kotroco, Deputy Zoning Commissioner
Mr. Joseph Bartenfelder
Hon. C.A. Dutch Ruppertsberger

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File

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013
410.817.4552



September 16, 1996

Baltimore County Office of Zoning
Zoning Enforcement Office
111 West Chesapeake Ave.
Towson, Maryland 21204

IN THE MATTER OF CASE 96-515
VARIANCE APPEAL FOR EDNA E. EIRING
12913 FORK ROAD
BALDWIN, MARYLAND 21013

You are hereby requested to provide the following information as a matter of DISCOVERY for the above named appeal case.

For the listed properties below, provide notation as to whether a VARIANCE has been granted for the listed property. If such VARIANCE has been granted, note on what grounds the variance was granted, for whom, and on what date.

ALL of the below listed properties are located within Baltimore County.

ALL of the below listed properties are RESIDENTIAL.

ALL of the below named properties have a sign in EXCESS of the County Zoning Ordinance requiring residential signs to be no larger than 1 sq. ft. in size total, both sides.

1. 2800 Merryman's Mill Road, Phoenix
2. 3826 Sweet Air Road
3. 4008 Sweet Air Road
4. 5421 Sweet Air Road
5. 5322 Sweet Air Road
6. 6240 E. Glen Arm Road
7. 6130 E. Glen Arm Road
8. 5840 E. Glen Arm Road

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Page 2

9. 11737 Glen Arm Road
10. 11220 Glen Arm Road
11. 11441 Glen Arm Road

12. 927 Cromwell Bridge Road

13. 12428 Harford Road, Fork
14. 12700 Harford Road
15. 12938 Harford Road
16. 12944 Harford Road
17. 12947 Harford Road

Please provide the requested information to the above noted address NOT LATER THAN Friday, October 4, 1996.

Thank you for your prompt cooperation.



H. Larry Eiring, CRM
on behalf of Edna E. Eiring

cc: Timothy Kotroco, Deputy Zoning Commissioner
C.A. Dutch Ruppersberger, Baltimore County Executive
Joseph Bartenfelder, County Councilman for the 6th District

MICROFILMED

File



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3353
Fax: (410) 887-5708

October 2, 1996

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, MD 21013

RE: Zoning Case #96-515-A
12913 Fork Road
11th Election District

Dear Mr. Eiring:

This office is in receipt of your Freedom of Information Act request dated September 16, 1996. The information you have requested is not readily available in this office and in order to locate the required information, we will need to research the files. The Freedom of Information Act states that we can charge a fee in order to provide this service. The fee for this request is \$40.00 (\$10.00 per hour for 4 hours research by 2 employees). If you are still interested in receiving this information, please forward a check for \$40.00 made payable to Baltimore County, Maryland and we will send the requested material to you.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3353.

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: Timothy Kotroco, Deputy Zoning Commissioner
C.A. Dutch Ruppertsberger, Baltimore County Executive
Joseph Bartenfelder, County Councilman, 6th District

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Baltimore County
Department of Permits and
Development Management

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

February 18, 1997

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, MD 21013

RE: Zoning Case #96-515-A
12913 Fork Road
11th Election District

Dear Mr. Eiring:

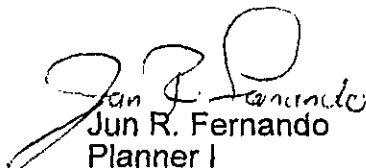
This letter is in response to your letter, dated January 30, 1997, regarding residential signage variance information in Baltimore County. Your letter indicated that this request is a Freedom of Information Act request.

As indicated in Mr. Jablon's letter of October 2, 1996, the information you requested (which was different from the information you requested in your earlier letter of September 16, 1996) is not easily available in an up-to-date docket or subject format.

On the attached page, you will find the results of our research, which does not cover the entire time you requested. The \$40.00 fee, as stated in Mr. Jablon's letter, was for 4 hours research by 2 employees. Unfortunately, due to your expanded parameters of research, we cannot complete your project. All our records are available to the public in this office should you wish to complete your project or obtain more detailed information concerning the cases that we have identified.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact either myself or Mr. Richards at (410) 887-3391.

Very truly yours,


Jun R. Fernando
Planner I
Zoning Review

SCJ:WCR:scj

Enclosure

c: W. Carl Richards, Jr., Supervisor

MICROFILMED



97-218-SPHA

Graystone Farms Estates

R.C. - 4

To allow a community identification sign of 46 square feet in lieu of permitted 15 square feet. No decision yet.

97-190-A

13925 Sunnybrook Road

R.C. - 4

To allow a community location sign for a subdivision to be 67 square feet in area in lieu of the required 15 square feet. Granted - 1/24/97.

96-515-A

12913 Fork Road

R.C. - 2

To allow a dual faced sign with a total area of 16 square feet (more or less) in lieu of the maximum permitted 1 square foot for an existing sign. ZONING VIOLATION.

DENIED - 8/27/96. CURRENTLY BEING APPEALED.

MICROFILMED

96-429-SPHA

Berrymans Lane + Nicodemus Road

R.C. - 4

To allow 2 signs, 40 square feet (more or less) and 32 square feet (more or less) in lieu of the permitted 25 square feet per sign. Granted - 6/18/96.

96-249-A

5598 Trumps Mill Road

D.R. - 3.5

To permit a sign having an area of 40 square feet per face (80 square feet total) in lieu of the maximum permitted 15 square feet. Granted - 1/31/96.

96-235-A

12820 Eastern Avenue

D.R. - 5.5

To allow a non-illuminated, double sided wooden sign of 20 square feet per side (40 square feet total) in lieu of the permitted 1 square foot. Granted - 2/9/96.

H. Lawrence Eiring, CRM
12911 Fork Road
Baldwin, Maryland 21013

To: Mr. Jablon / Date: 2/5/97 - 934
Expire: 2/5/97 ucr
U.C.

January 30, 1997

Mr. Arnold Jablon
Director, Permits and Development Management
Baltimore County, Maryland
111 W. Chesapeake Ave.
Towson, Maryland 21204

Re: Zoning Appeal Case: 96-515-A

Dear Mr. Jablon:

Please provide to the address above the information requested below. Consider this a Freedom of Information Act request. I have enclosed a check for \$40.00 to cover research costs, per your prior indication.

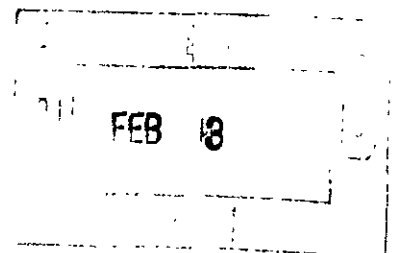
Please provide all information as to residential signage zoning violations identified, requests for variance per signage, reasons for requests and outcome of request and associated appeals for any and all signage on/within residential zoned property within the limits of Baltimore County for the period January 1, 1995 through and including December 31, 1996.

Please submit detailed information as requested to the above address no later than February 28, 1997. Failure to provide this information may result in a violation of FOIA rules and may cause reason for postponement of the appeal for the above named case.

Thank you for your cooperation.


H. Lawrence Eiring, CRM

MICROFILMED



96-4050

7/24/96
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JO 68

AARON JABLON
BALTIMORE COUNTY ZONING
111 W CHESAPEAKE AVE
BALTIMORE MD 21204

7/19/96

RE: CASE # 96515A - 12913 FORK RD

DEAR MR. JABLON:

I LIVE AT 12910 FORK RD.

MRS. EIRING HAS TOLD ME THAT HER SON WAS GOING TO PUT UP A SIGN. AND SHE CALLED ME AFTER IT WAS PUT UP. ASKING ME HOW I LIKED IT. I ASKED HER IF SHE WANTED ME TO BE TOTALLY HONEST. AND SHE SAID YES.

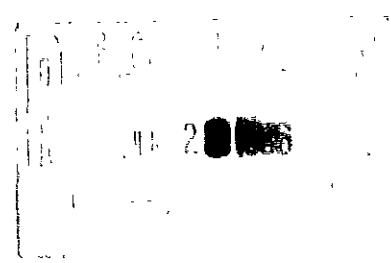
I TOLD HER IT WAS TOO BIG.

FORK RD IS RESIDENTIAL. I DON'T WANT IT LOOKING LIKE A COMMERCIAL ZONE.

I AM WRITING THIS LETTER SINCE I AM UNABLE TO ATTEND THIS HEARING.

· VERY TRULY YOURS.

ms K.A. King
K. A. KING



MICROFILMED

The Greater Kingsville Civic Association, Inc.

P. O. Box 221 KINGSVILLE, MARYLAND 21087

February 2, 1997

To The Board of Appeals, Baltimore County

Re: Case 96-515—Appeal for permission for larger sign at residence,

On August 27, 1996, the Baltimore County Deputy Zoning Commissioner denied the request from the petitioner for the large sign. It was found that there was no reason to grant the variance. The property was not found to be unique or unusual, nor was there found to be a resultant practical difficulty or unreasonable hardship. There is most certainly no situation that has changed in any way to merit overturning the previous decision.

A variance requires proof of practical difficulty and uniqueness of the site. This site does not differ in any appreciable way from other parcels along Fork Road or other local, rural roads. Quite a few houses are set back from the road and many are not visible at all from the road, yet no other residents have seen fit to seek or obtain a variance to place such large signs at their entrances.

Our most salient concern—far beyond the presence of this one sign—is the precedent that would be set by allowing this variance. If the proofs of merit for granting a variance are so simple that they are found to be met at *this* property then they might be met in almost *any* place in our area. We know that such proofs are not so simple to make.

We urge compliance with Section 413.1 A and Section 307.1 and support the decisions in *Cromwell v. Ward*, 102 Md. App. 691 (1995), *Loyola Federal Savings and Loan Association v. Buschman*, 227 Md. 243, 176A 2D 355 (1961), and Court of Special Appeals in *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App 28, 322A 2D 220 (1974).

In light of these decisions and the burden of proof that cannot be shown we cannot imagine how a variance could be justified. Thank you for your consideration of our concerns and for the law.

Sincerely,

Nancy Hastings

Nancy Hastings, President

MICROFILMED

ELMER L. KING
12910 FORK ROAD
BALDWIN, MARYLAND 21013
(301) 592-6684

2/17/97

RE Case 96-515A
Fork Rd.

To whom it may concern -

I have lived at this address for 37 yrs. Mrs Eving had told me he was going to put up a sign I didn't say anything at the time. When sign was up Mrs Eving called me & asked mine opinion on it & I said to her it is to big. If this sign stays up Fork Rd will start looking like York Rd or Balto St. I feel all they have to do is make it smaller. I cant attend this meeting because I work for a CPA firm

Thank you

Very Truly Yours,

Mrs Elmer King

MICROFILMED

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Karen S + Mario E. Albi
Address: 6709 Cherry Hill Rd
Baldwin, MD 21013
Signature: Karen S Albi
Date: 2/21/97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Linda Brugman William S BRIGMAN
Address: 6413 Baldwin Gate Rd
Baldwin Md 21013
Signature: Linda Brugman William S Brugman
Date: 2-20-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name:  Mrs. Alma M. Tober
12912 Fork Rd
Baldwin, MD 21013-9345

Address: The only way the sign could cause an accident is by people
"rubbernecking" to see it because of all of the fuss about it.

Signature: Alma M. Tober
Date: Feb. 21, 1997

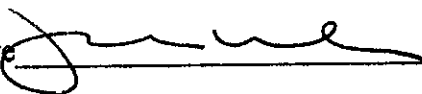
Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: PAUL D. WEBER

Address: 4825 HYDES RD

HYDES MD 21082

Signature 

Date 2-17-97

*This sign is
not a danger
it's offensive to me
let this poor
woman alone
please?*

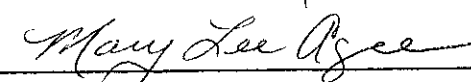
Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: LEE + BILL AGEE

Address: 13207 MANOR ROAD

GLEN ARM, MARYLAND 21057

Signature 

Date 2/21/97

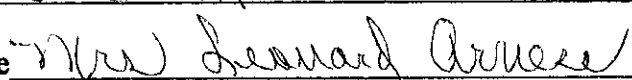
Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Mrs Leonard Arnesen

Address: 13203 Manor Rd.

Glen Arm Md. 21057

Signature 

Date 2/21-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: HORACE & EMMA BRIGHT
Address: 6708 CHERRY HILL RD.
BALDWIN MD 21013
Signature Horace Bright Emma Bright
Date 2-20-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Selma L. Zaiken
Address: P.O. Box 7
Hydes, Md. - 21082
Signature Selma L. Zaiken
Date February 18, 1997

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: CHARLES G. JOHNSON JR.
Address: 14237 BALDWIN MILL RD
BALDWIN MD 21013
Signature Charles G. Johnson Jr.
Date 2/17/97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Tom & Mary Shaffrey
Address: 12906 FORK Rd
BALDWIN MD 21013
Signature: Mary Shaffrey / Tom Shaffrey
Date: 2/17/97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Mrs. Grace I. Frei
Address: 12917 Fork Rd.
Baldwin, MD 21013-9346
Signature: Grace I. Frei
Date: Feb. 15-1997

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Catherine & Robert Hagen
Address: 6405 Lewis Rd
Baldwin, Md. 21013
Signature: Catherine M. Hagen
Date: 2-19-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING **SHOULD be GRANTED** without variation.

Name: Betty M. Heels
Address: 12916 Fork Rd
Baldwin, Md. 21013
Signature Betty M. Heels
Date 2/17/97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING **SHOULD be GRANTED** without variation.

Name: Richard D. Smith
Address: 12904 Fork Road
Baldwin, MD 21013
Signature Richard D. Smith
Date Feb. 17, 1997

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING **SHOULD be GRANTED** without variation.

Name: Michael Paul Baumer
Address: 13527 Long Green Pike
Baldwin, MD 21013
Signature Michael Paul Baumer
Date 2/19/97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: James and Dixie Rodgers
Address: 6600 Cherry Hill Road
Baldwin MD 21013
Signature James W. Rodgers Dixie Rodgers
Date 2-26-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: LYNN & Mike Diffenderffer
Address: 12714 Fork Rd.
Baldwin MD
Signature Lynn Diffenderffer : Mike Diffenderffer
Date 2-28-97

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: Marie E. Kampes
Address: 12914 Fork Rd.
Baldwin, MD 21013-9345
Ronald P. Kampes
Signature Marie E. Kampes
Date February 24, 1997

Re: Baltimore County Zoning Appeal
Case: 96-515-A
In the Matter of EDNA E. EIRING, 12913 Fork Road, Baldwin

I/We the undersigned are in agreement that the VARIANCE requested
by
EDNA EIRING SHOULD be GRANTED without variation.

Name: CHARLES & JOAN IMHOFF

Address: 6724 Cherry Hill Rd
BALDWIN MD 21013

Signature: Charles Imhoff Joan Imhoff

Date: 2/19/97

Petitioner

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

HENRY L. EIRING

12911 FORK ROAD, BALDWIN MD 21013

EDNA E. EIRING

12913 FORK ROAD, BALDWIN MD 21013

GRACE L. FREI

12917 FORK RD. - BALDWIN MD 21013

MICROFILMED



MICROFILMED

ADDRESS

ADDRESS BALDWIN
13105 12909 Fork Rd 21013

13316 Fork Road Baldwin Md 21013

7714 Buck Hill Rd. Kingsville
21087

N 66,000

N 65,000

R.C. 2

R.C. 2

CAMPS

LANE

RD.

12911

FISH
POND

12913

ROAD

ABELL'S
AVE.

CHERRY HILL

R.C. 5

R.C. 2

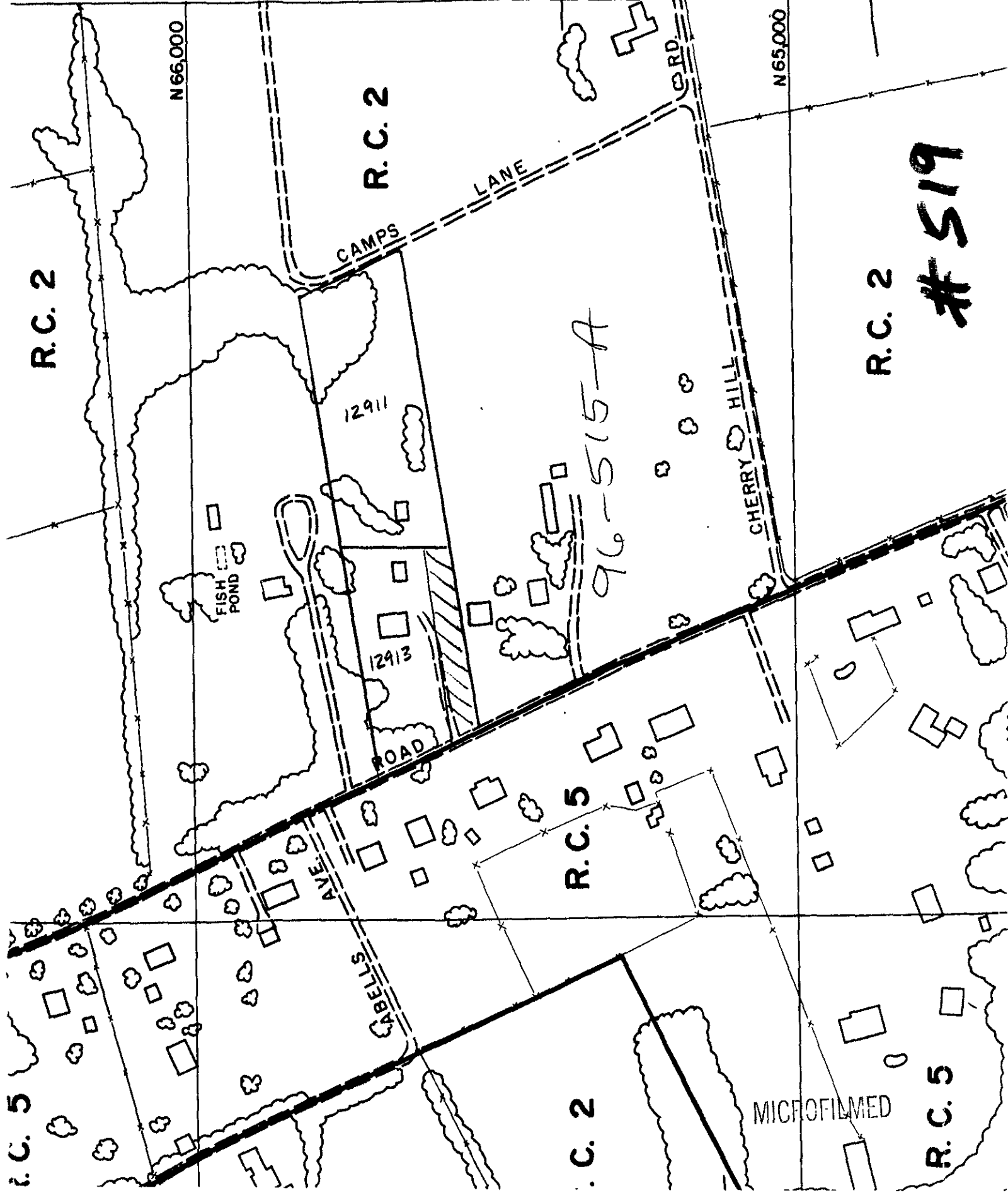
R.C. 2

#519

MICROFILMED

R.C. 5

R.C. 5

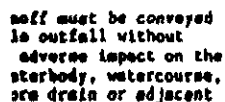


Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

96-515-17

Location of Sea



North

NO sales at this location - applicant Henry Ewing
Minor Subdivision file (approved) : #94-126-M

Minor Subdivision file (approved) : # 94-126-M

date: 6/25/96
prepared by: L.G. Wolff / L. Evans Scale of Drawing: 1" = 100'
sign does not
project into street
R/W.

EX-100

BRIN  North
vicinity map
scale: 1"=1000'

LOCATION INFORMATION

Election District: 11
Councilmanic District: 6

1"=200' scale map#: NE 17-4

Zoning: RC-2

Lot size: 1.4393± 62,696±

acreage	square feet
100	10,000
200	20,000
300	30,000
400	40,000
500	50,000
600	60,000
700	70,000
800	80,000
900	90,000
1000	100,000

	public	private
SEWER:	☐	☒
WATER:	☐	☒
Area:	☐	☒

Chesapeake Bay Critical Area:
Prior Zoning Hearings: 11/1A

 $\frac{1}{A}$

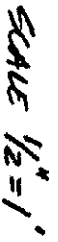
Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
7-		

519



EXISTING SIGN @ 12911/12913 FOREL RD



Petition in APPROVAL

We the undersigned have no opposition whatsoever to the sign located at 12913 Fork Road, Baldwin, Maryland on the property of Edna E. Eiring. Furthermore, we would approve of a VARIANCE being granted to allow the sign to remain as erected.

Name

Address

17000 DAVENPORT

Kingsville MD 21087

John Marino

Hyden MD 21082

Jason M. Mott

Kingsville MD 21087

Ken Mueller

Baltimore Md. 21013

Dianne L. Fidler

BALTIMORE, MD.

James P. Broderick Jr.

Fork Md 21082

Paul H. H. H.

Fork MD 21051

Robert W. Gander

Hyden Md 21087

Kimberly Nade

Kingsville, MD 21087

Mark Mott

Fork Md 21051

Debbie Hofmeier

6610 Cherry Hill Rd

J. J. J.

12928 Fork Rd. 21013

Dorothy Burkhardt

12928 Fork Rd. 21013

Sitty M. Nels

12916 Fork Rd Baldwin

Helene M. Wall

12930 Fork Rd Baldwin

Petition in APPROVAL

We the undersigned have no opposition whatsoever to the sign located at 12913 Fork Road, Baldwin, Maryland on the property of Edna E. Eiring. Furthermore, we would approve of a VARIANCE being granted to allow the sign to remain as erected.

Name

Address

<u>Olga M. Joken</u>	<u>12912 Fork Rd. Baldwin 21013</u>
<u>Donald P. Hampes</u>	<u>12914 Fork Rd. Baldwin 21013</u>
<u>Marie E. Hampes</u>	<u>12914 Fork Rd. Baldwin 21013</u>
<u>Miss M. Krasak</u>	<u>12913 Fork Rd. Baldwin Md. 21013</u>
<u>Mich. W. B. Sennack</u>	<u>12718 Fork Rd. Baldwin MD 21013</u>
<u>Doris R. Sennack</u>	<u>Wilson Ave.</u>
<u>Stanley H. Sennack</u>	<u>12717 Fork Rd. Fork Md. 21051</u>
<u>Leona L. Zaben</u>	<u>12717 Wilson Ave Fork MD 21051</u>
<u>Dan Pawloski</u>	<u>12505 Regwood Rd. Hykes - 21082</u>
<u>Diane Rodgers</u>	<u>6502 Cherry Hill Rd. Baldwin Md 21013</u>
<u>Royie Brady</u>	<u>6600 Cherry Hill Rd Baldwin 21013</u>
<u>Grace Frei</u>	<u>6600 Cherry Hill Rd.</u>
<u>Mr. & Mrs. Wm. Geckeler</u>	<u>12917 Fork Rd. Baldwin, 21013</u>
<u>Dr. & Mrs. Neil Pass</u>	<u>13327 Fork Rd. Baldwin, MD,</u>
	<u>12900 Fork Rd. Baldwin, MD 21013</u>

The Greater Kingsville Civic Association, Inc.

P. O. Box 221 KINGSVILLE, MARYLAND 21087

July 30, 1996

To the Baltimore County Zoning Commissioner

Re: Case 96-515

It has come to the attention of our board that a variance for a large sign at a residential location along Fork Road in Baldwin has been applied for. Our board is very much *opposed* to the request for variance. The law as it presently exists allows for a one square foot sign in a residential area. This is considered by lawmakers to be adequate. We cannot comprehend of any reason to grant a variance, especially since variances require proof of practical difficulty and uniqueness of the site. This site is not all that different from other parcels along Fork Road or other roads in our rural community. Quite a few houses are set back from the road and many are not visible at all from the road, yet even in these circumstances homeowners have not seen fit to place such large signs at their entrances.

We know that by allowing this sign, you could well open the floodgates to other requests for similar variances. It is unacceptable to our community to witness the visual decline of our area for the benefit of a very few.

In light of recent decisions by your office regarding variances and the burden of proof that must be shown, we cannot imagine how a variance in this case could be justified. Thank you very much for your consideration of our concerns and for the law.

Sincerely,

Nancy Hastings

Nancy Hastings

President

**PROTESTANT'S
EXHIBIT NO. 1**

MICROFILMED

July 30, 1996

RE: Case 96-515A

My name is Paul M. Plowman. I reside at 13105 Fork Road, Baldwin, MD, 21013. I am an owner of residential property at 12909 Fork Road, Baldwin, MD, 21013. This property is adjacent to and contiguous with the petitioners property at 12913 Fork Road. The present owner of this property at 12913 Fork Road has resided at this address since the late 1940's without a sign of this size. I and my parents began residence at 12909 Fork Road in 1952. Presently there are two mail boxes located on Fork Road displaying the street addresses 12911 and 12913 respectively. Therefore, these properties are clearly identified by house number thus eliminating the need for a sign of this size. The other residences of this agricultural preservation area do not display signs of this magnitude. Neither property, 12911 or 12913, are related to agricultural use. 12911 Fork Road (Holly Grow Farm) is a 1.8 acre residential site. 12913 Fork Road is a 1.4 acre residential site. Both are zoned RC5. To name these properties farms or acres would misrepresent them and perhaps make them more difficult to locate.

These properties are typical of many properties throughout the area. Property owners typically desire privacy and seclusion. Many residences cannot be seen from the roadway due to woods, distance, and/or topography. They are served by private lanes. As a real estate appraiser I typically locate properties by house number without difficulty. I am unaware of other requirements of public safety demands other than BCZR section 413, 1955 paragraph 413.1a which limits a total one square foot total sign display (both sides). This regulation provides no mention of a farm name being allowed. This site at 12913 Fork Road is not unique and exhibits no practical difficulty in locating. The site at 12911 Fork Road is not unique as many local properties are not visible from the main road.

Reference is made to police report 96-196-1347 dated July 14, 1996. This report is the result of harassment I sustained at my home about this sign by friends or relatives of Mrs. Eiring. The zoning notice sign was later placed on my residence at 13105 Fork Road on July 18, 1996. To grant this request would condone the petitioners actions.

I wish to cite the Maryland Case of Cromwell vs. Ward as justification to deny this request. No hardship or need exists to warrant this sign. (the sign does not display property owners names).

The subject property should be identified in keeping with the typical manner for the community. A serious impact on the community would result if this precedence is allowed. Many local residents are professional real estate brokers, appraisers, insurance agents, builders, surveyors, plumbers, electricians, doctors, and CPA's that could, and most likely would install similar signage. This agricultural preservation area would then assume a commercial image and appearance. Therefore, I respectfully request that the petitioners request for variance be denied.

Sincerely,


Paul M. Plowman

cc: Long Green Valley Association, Charlotte Pine, President
Greater Kingsville Civic Association, Nancy Hastings, President

PROTESTANTS
EXHIBIT NO. 2

MICROFILMED



"Integrity...fairness...service..."

REPORT NOT RECEIVED
BY 8:30 AM 30 JULY 96
AT BALDWIN POST OFFICE

BALTIMORE COUNTY POLICE DEPARTMENT VICTIM/WITNESS ASSISTANCE INFORMATION

In Accordance with the guidelines for treatment of, and assistance to, crime victims (Article 27 of the Annotated Code of Maryland), as a crime victim or witness you should:

- be treated with dignity, courtesy, and respect by all criminal justice agencies.
- when required, be protected from harm or threats of harm resulting from your cooperation in criminal proceedings. *If you are threatened or intimidated by anyone involved in your case, please contact the Police Department at 911 immediately!*
- be informed, if you are an injured victim of a violent crime, that you may be eligible for compensation. For further information and assistance in filing, call or write: Criminal Injuries Compensation Board, Suite 313 Plaza Office Center, 6776 Reisterstown Road, Baltimore, Maryland 21215-2340, or call (410) 764-4214.
- upon written request, be kept reasonably informed of the case status and arrest of any suspect.
- receive prompt return of stolen property unless needed for evidentiary requirements for court.

If, as a victim of an offense, you feel you may have been exposed to AIDS please call the State's Attorney's Office of Victim/Witness Assistance at 887-6650.

If you have additional information regarding this crime, please call the officer listed below.

Report#: 96-196-1347 Title: SUSPICIOUS SUBJECTS Date: 7/14/96
Officer: N.A. MCKEE, JR. Telephone#: 887-5310

Officer's court dates: #1 N/A #2 N/A #3 N/A

5ASE 887-2390 for report. RECORD 887-2215
(Additional Information on Back) MAILING
BALTO CTY MP. B C POLICE DEPT

TO RECEIVE INSTRUCTIONS FOR REQUESTING A POLICE REPORT
PLEASE CALL 887-2390

PROTECTION ORDER (EXPARTE)

You can request a Civil Order of Protection (COP) from the District Court Clerk's office Monday through Friday 8:30 A.M. to 4:00 P.M. District Court phone numbers for the Court nearest your home are listed below.

Remedies under this law can:

- order the abuser to stop the violence.
- remove the abuser from the home
- give temporary child custody.
- order counseling.

Criminal charges may be filed at the Commissioner's Offices located at the District Court serving your area. If the Commissioner refuses to charge the abuser, please call the State's Attorney's Office at 887-6610 to have them review your case.

BALTIMORE COUNTY EMERGENCY NUMBERS: POLICE/FIRE/AMBULANCE . . . 911

NON-EMERGENCY POLICE/FIRE ASSISTANCE - 887-2222

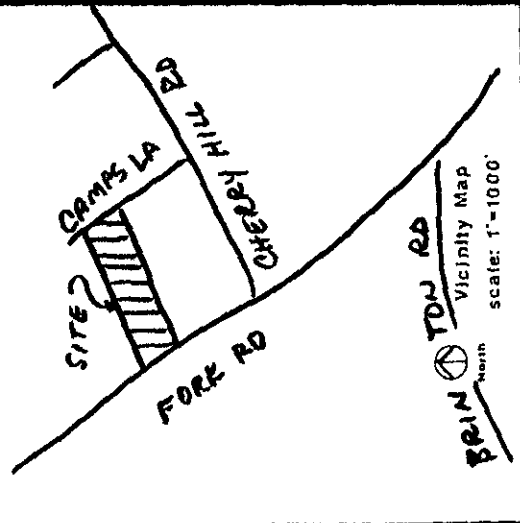
AIDS Hotline	887-2437	Dundalk	282-1100
Alcoholics Anonymous	433-4843	Essex	780-4869
Baltimore County Government:		Owings Mills	363-3850
Department of Aging	887-2594	Towson	321-3360
Animal Control	887-5961	Family Violence (Victims may arrange an advocate to accompany them to court):	887-4230
Disabilities Information	887-3580	Baltimore County/Carroll County	
Environmental Concerns	887-3755	Crisis Hotline - 24 hours	828-6390
Fire Department Information	887-4583	Family Crisis Center (Southeast Shelter)	
General Information	887-3100	24 hrs. except 12-1 P.M. and 5-6 P.M.	285-7496
Health Department	887-3740	Family & Children's Services	281-1334
Substance Abuse	887-3828	Sexual Assault & Domestic Violence Center	377-8111
Balto. Co. Police Information	887-2214	Juvenile Crime Victim Assistance	
Family Crimes		Hotline	1-800-492-0618
Domestic Abuse	887-3376	Juvenile Help Line	938-3993
Physical Child Abuse	887-5686	Legal Aid	296-6705
Sexual Child Abuse	887-6253	Social Services	887-2800
Youth Services - Counseling	887-5823	State's Attorney's:	
Chaplain	887-5888	Victim/Witness Assistance	887-6650
Better Business Bureau	347-3990	Violent Crime Victim Support Group	
Circuit Court	887-2601	Family & Children's Services of	
District Court		Central Maryland	825-3705
Catonville	455-5066	Sheppard Pratt	938-3850

Protestant's #2

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 12911 FOREK RD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
plat book # 7730, folio # 399, lot # _____, section # _____
OWNER: HEVEY LAWRENCE EIRING



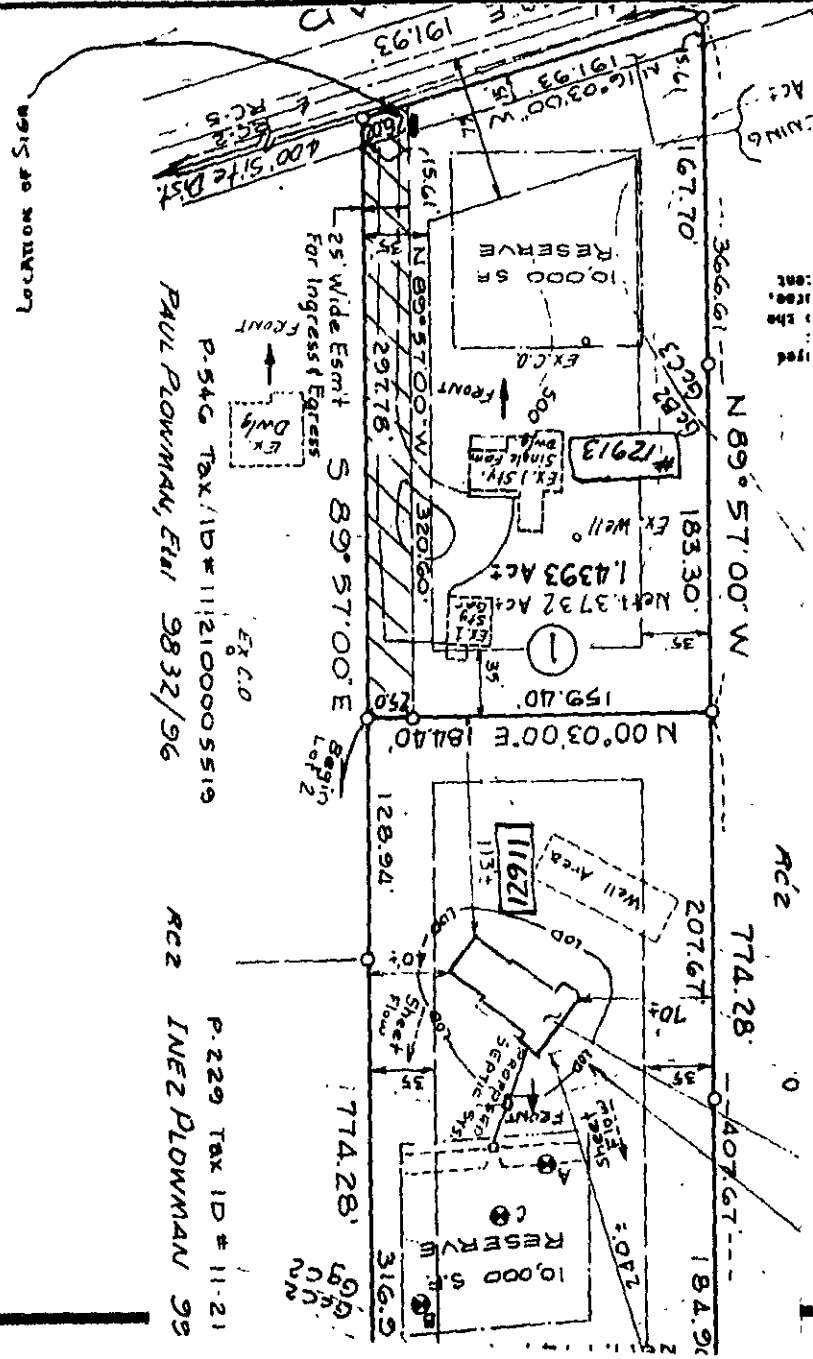
LOCATION INFORMATION

Election District: 11
Councilmanic District:
1"=200' scale map#:
Zoning:
Lot size: 1.8384 ±
acreage square feet

public private
SEWER: ☐ ☒
WATER: ☐ ☒
Chesapeake Bay Critical Area: ☐ ☒
Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____



North
date: 6/26/96
prepared by: L.G. WOFFE / L. EIRING Scale of Drawing: 1"=100'

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear upon penalty of perjury that I am currently a
duly elected member of the (Board of Directors) (Zoning Committee)
of the Greater Kingville Civic Association, Inc.

The Greater Kingville

ATTEST:

Civic Association, Inc.

W. W. Christenbury
Secretary

Nancy Hastings
President

DATE: March 4, 1997

The Greater Kingville Civic ASSOCIATION, Inc.

RESOLVED: That at the monthly meeting of the
Greater Kingville Civic Association, Inc. held on
November 20, 1996, it was decided by the
Association that responsibility for review and action on all zoning
matters for the period November 1996 thru September 1997 be
placed in the (Board of Directors) (Zoning Committee) consisting of
the following members:

Nancy Hastings

AS WITNESS OUR HANDS AND SEAL THIS 4th day of
March, 19 97.

ATTEST:

The Greater Kingville Civic Association, Inc.

She W. Christenbury
Secretary

Nancy Hastings
President

The Greater Kingville Civic ASSOCIATION, Inc.

RESOLVED: That the position of the Greater
Kingville Civic Association, Inc. as adopted by the (Board
of Directors) (Zoning Committee) on the zoning matter known as:

Case #: 96-515-A Edna E. Eising - Petitioner
E/s Fork Road, SE of Harford Road
(12913 Fork Road)

is that: In a letter dated July 30, 1996 it was stated that
"our board is very much opposed to the request for variance"
The board voted unanimously to uphold the current law which allows
for a one square foot sign in a residential area.

AS WITNESS OUR HANDS AND SEAL THIS 4th day of
March, 19 97.

ATTEST:

The Greater Kingville Civic Association, Inc.

Ila W. Christenbury
Secretary

Nancy Hastings
President

GREATER KINGSVILLE CIVIC ASSOCIATION
BOARD MEETING DEC. 18, 1996

The meeting was called to order by President Nancy Hastings.

The minutes of the Nov. meeting were received and copies of the Treasurer's report were distributed.

OLD BUSINESS:

Grace Community Church Up-date:

A copy of the new usage letter from the Church was circulated. Doug Behr has sent landscape design suggestions to the Church. It was reported that 12 perc tests on the site passed and only one failed. The state highway authority reported that the church would have no significant impact on the traffic on Belair Rd. Well tests have not been done yet.

There was discussion about the implications of the new usage letter and its addition of a catering kitchen and Sat. night special events. D. Behr felt that our strongest supporter is the Planning Board and that we should oppose a "mega" church as "not in conformance" with rural protection plan and the County Master Plan. It was reported that the Office of Planning is reviewing information in order to make decisions.

Action agreed upon: Nancy Hastings will call Pete Zimmerman People's counsel to request on our behalf that the Planning Board examine the Church issue.

There was concern that GKCA is underfunded to contest the Church; current funds are \$2,685.00. We should raise \$2,000 to \$3,000 more for our legal fund over the long haul.

Action agreed upon: The Board requests that the AD Hoc Church committee develop a projected itemized budget and request these funds. In January utilizing these numbers GKCA should send out a General Mailing with up-dated information on the church and our efforts to down-size it. The following information should be in the letter: 1-a copy of the usage letter; 2-an estimated cost to mount a legal challenge to the Church; 3- a request for donations to GKCA legal fund to cover these expenses; 4- phone numbers of Board members who have copies of the CIM meeting for anyone who wants to read them.

Jerusalem Mills Garage: The court date has been moved to April 3, 1997.

Mt. Vista Greens : Diane Neas have put this issue in the public arena; I look for an article in the Sun. She reported that the cost for fighting this issue has been \$4,000 spread out over 8 or 9 years. On January 8, 1997 there should be a new hearing. The latest developments are that the owners have put lights up in the parking lot without permits and that they are discussing a catering kitchen in the basement.

Executive Golf Course and Academy proposed on Dulany Valley:

There are requests to build on a 90 acre site a club house, 90 driving platforms, lighting for night activities, and an executive golf course.

MOTION: The Board directs the Cor. Sec. to sent a letter supporting other community associations who oppose this development.

MICROFILMED

Sanders Restaurant Expansion : Motion: The Board directs the Cor. Sec. to send a letter reiterating our opposition to Sander's illegal expansion into a wetlands. '

Firing Property : On Mar. 5, 1997 there will be a hearing on the signage proposed for this property.

Motion: The Board directs the Cor. Sec. to send a letter reiterating our support for the position of the Long Green Association on this issue.

Executive Auto : On Dec 12, 1997 there will be a hearing in reference to Exec. Auto's request to get a non-conforming use of the property; thereby giving them the right to sell used cars which, in fact, they have been doing for over 20 years.

Motion: To write a letter and present at the hearing to express our opposition to a change in zoning which will result in a used car lot in Baldwin. Motion failed: 2 in favor; 2 opposed; 4 abstentions

Motion: To write a letter requesting a postponement of the Dec. 12th hearing. Motion failed: 3 abstentions; 5 in favor.

Commercial Business on Cedar Lane: Diane Neas requested that C. Pine send letters to the 2 property owners to make them aware that their businesses are illegally located in a residential area and that the community is concerned.

Engle Salt Truck : It was agreed that we would not support Mr. Engle's request for the continuation of a salt depot in Kingsville. However it was agreed that we would invite a member of the State Highway Dep to discuss our concerns about traffic problems in the area.

Community Tree Lighting : Successful

Membership: There was a request for an up-date from the committee.

The meeting was adjourned by Pres. Hastings.

Respectfully submitted,
Ila Christenbury

Attendance: Board Members: Nancy Hastings, Ila Christenbury, Diane Neas, Paul Plowman, Charlotte Pine, John Brooks, Catherine Reveringe, Mary Jo Button, Doug Behr, Dot Foss
Guests: Bartlett Regan, Bill Button, Steve Neas

Long Green Valley Association ASSOCIATION

RESOLVED: That at the Annual meeting of the Long Green Valley Association held on April 18, 1996, it was decided by the Association that responsibility for review and action on all zoning matters for the period one year be placed in the (Board of Directors) (~~Zoning Committee~~) consisting of the following members:

See Attached

AS WITNESS OUR HANDS AND SEAL THIS 3rd day of March, 1997.

ATTEST:

Long Green Valley Association

David J. Gub
Secretary

Charlotte W. Fine
President

Long Green Valley Association Board of Directors 1996-1997

NAME	OFFICE	STREET	CITY	STATE	ZIP	HOME PHONE	WORK PHONE	TERM	EXPIRES
Edward L. Blanton, Jr.	Ex Officio	5025 Long Green Road	Glen Arm	MD	21057	592-6284	296-8160		
Nancy Boyce		5912 Glen Arm Road	Glen Arm	MD	21057	592-2831		1999	
Sally Buck		12722 Long Green Pike	Hydes	MD	21082	592-9570	633-8110	1999	
Michael Cordes		5530 Glen Arm Road	Glen Arm	MD	21057	592-3792		1998	
Robert Deford	Ex Officio	12820 Long Green Pike	Hydes	MD	21082	472-4960	592-5015		
Catherine Ebert		12815 Kanes Road	Glen Arm	MD	21057	592-2381		1997	
Susanne Emory		5525 Glen Arm Road	Glen Arm	MD	21057	592-9288		1997	
Katherine Gabriel	Vice President	12601 Long Green Pike	Glen Arm	MD	21057	592-8087		1997	
Elizabeth Hartline		5430 Patterson Road	Hydes	MD	21082	592-8162		1998	
Denise McCloskey		5300 Hydes Road	Hydes	MD	21082	592-2996		1997	
Sally Millermann		13009 Bottom Road	Hydes	MD	21082	592-3588		1998	
Helen Mitchell		4523 Long Green Road	Long Green	MD	21092	592-6508		1999	
Charlotte Pine	President	607 Baltimore Avenue	Towson	MD	21204		823-5200	1998	
Bartlett Regan		6037 Church Lane	Hydes	MD	21082	592-5867		1999	
Michael Reier		11909 Long Green Pike	Glen Arm	MD	21057	592-9045	581-1101	1998	683-1101
Carol Trela	Secretary	5433 Patterson Road	Baldwin	MD	21013	592-3956		1999	
John T. Vance III	Treasurer	13333 Long Green Pike	Baldwin	MD	21013	592-2970		1997	

February 20, 1997

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear upon penalty of perjury that I am currently a
duly elected member of the (Board of Directors) (~~Zoning Committee~~)
of the Long Green Valley Association.

ATTEST:

Long Green Valley Association

Carol G. Galt
Secretary

Charlotte W. Price
President

DATE: March 3, 1997

MICROFILMED

LONG GREEN VALLEY ASSOCIATION

RESOLVED: That the position of the Long Green Valley Association as adopted by the (Board of Directors) on the zoning matter known as:

CASE #96-515

is that:

The Board voted to support the existing law which disallows the signage at 12913 Fork Road, Baldwin, Maryland.

AS WITNESS OUR HANDS AND SEAL THIS 3rd day of March, 1997.

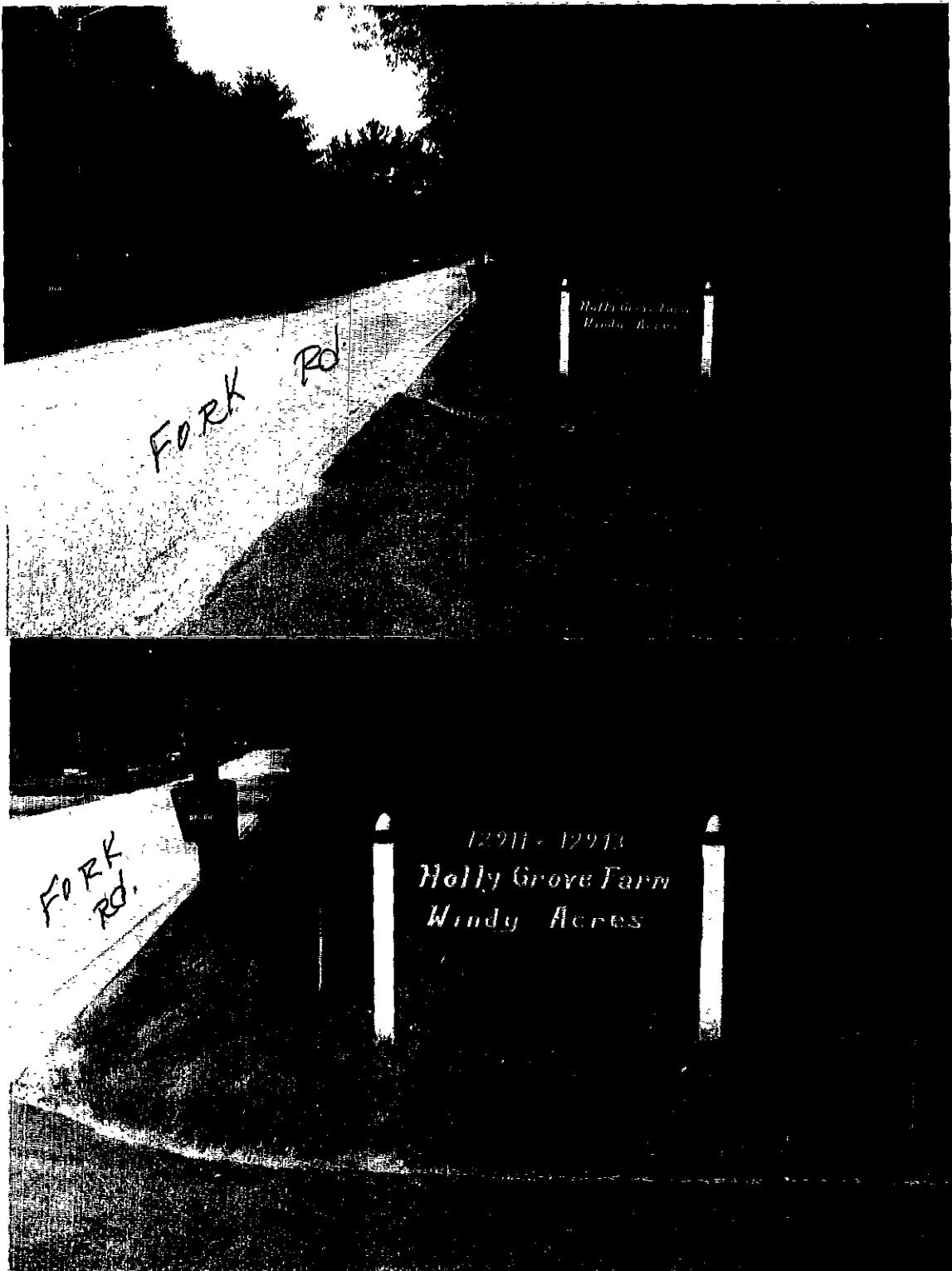
ATTEST:

LONG GREEN VALLEY ASSOCIATION

Carol J. Guba
Secretary

Charlotte W. Pine
President

MICROFILMED



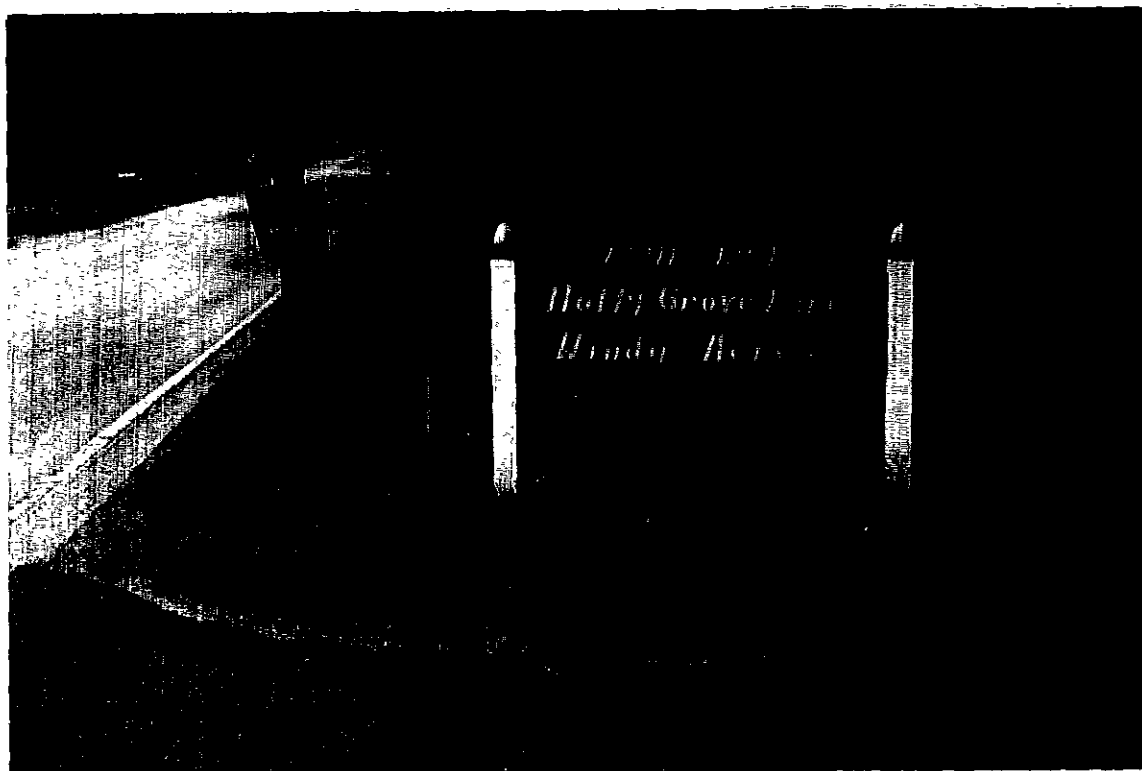
PETITIONER'S
EXHIBIT NO. 2

MICROFILMED

Adm
t. m. m.

nine hundred, and, twenty-two, by and between Ida Grace Parrish and Edward M. Parrish her husband and Mary Laura Bussey Widow parties of the first part and the Dumbarton Corporation a body corporate duly incorporated under the Laws of the State of Maryland parties of the second part. Witness that in consideration of the sum of Five Dollars and other good and valuable considerations the receipt whereof is hereby acknowledged the said Ida Grace Parrish and Edward M. Parrish her husband and Mary Laura Bussey do hereby grant and convey subject to the condition and covenants hereinafter set forth unto the said Dumbarton Corporation its successors and assigns in fee simple all that lot of ground situate and lying in Baltimore County in the State of Maryland and described as follows that is to say.

Beginning for the same in the center of Park Heights Avenue where it would be intersected by the outline between the lands of the estate of John W. Alery and the lands formerly owned by James C. Ingram and running thence building on the center line of Park Heights Avenue North twelve degrees two minutes forty seconds west nine hundred forty eight and fifty seven one hundred thirty feet thence still binding on the center line of Park Heights Avenue by a line curving toward the left with a radius of five hundred and five feet the distance of three hundred and sixty three and forty four one hundred thirty feet the chord of said arc bearing North thirty two degrees thirty nine minutes forty three seconds West three hundred fifty five and sixty seven hundred thirty feet thence still binding on the center line of Park Heights Avenue for the fifty three degrees sixteen minutes forty six seconds West eleven hundred seventy seven and sixty five one hundred thirty feet to the center line of Old Court Road thence bind



Ref. 2
#14



Ref. 2
#15

UNRECORDED

AFFIDAVIT

STATE OF MARYLAND
BALTIMORE COUNTY, SS:

TO WIT:

I hereby swear upon penalty of perjury that I am currently a
duly elected member of the (Board of Directors) (Zoning Committee)
of the Greater Kingsville Civic Association, Inc.

The Greater Kingsville

ATTEST:

Civic Association, Inc.

De W. Christenbury
Secretary

Nancy Hastings
President

DATE: March 4, 1997

CASE #: 96-515-A
EIRING PROPERTY
12911 & 12913 FORK RD.
BALDWIN, MD., 21013

SUBJECT SIGN:



4 ADDITIONAL SIGNS ON PROPERTY

