IN THE MATTER OF THE APPLICATION OF TERRY GERAHTY -PETITIONER FOR SPECIAL HEARING AND VARIANCE ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OLD HARFORD ROAD AND TAYLOR AVENUE (7721 OLD HARFORD ROAD) 9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT	* * * * * * *	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 97-295-SPHA

* * * * * * * * *

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Deputy Zoning Commissioner in Case No. 97-295-SPHA in which Petitioner's request for special hearing relief was denied and Petition for Variance granted with restrictions.

WHEREAS, the Board is in receipt of a dismissal of appeal filed by Douglas L. Burgess, Esquire, counsel for Terry Gerahty, Petitioner /Appellant, dated September 19, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said counsel for Petitioner /Appellant requests that the appeal filed in this matter be dismissed as of this date;

IT IS HEREBY ORDERED this 24th day of September, 1997 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby **DISMISSED.**

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Kristine K. Howanski, Chairman

Charles L. Marks

Harry E. Buchheister, Jr.

County Board of Appeals of Baltimore County

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

September 24, 1997

Douglas L. Burgess, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Nottingham Centre
502 Washington Avenue
Towson, MD 21204

RE: Case No. 97-295-SPHA
Terry Gerahty - Petitioner

Dear Mr. Burgess:

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

Very truly yours,

Charlotte E Radcliffe

Kathleen C. Bianco
Legal Administrator

encl.

cc: Terry Gerahty
Mr. and Mrs. Ernest Baisden
James Reed
Avery Harden
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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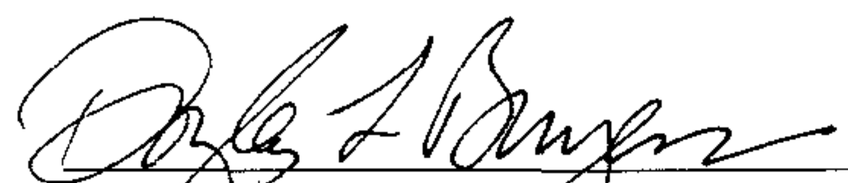
on Recycled Paper

IN RE:	PETITIONS FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
	S/E Corner Old Harford and Taylor Avenue	*	COUNTY BOARD
	(7721 Old Harford Road)	*	OF APPEALS
	9th Election District		
	6th Councilmanic District	*	OF BALTIMORE COUNTY
		*	Case No. 97-295-SPHA

* * * * * * * * * * * * *

ORDER OF DISMISSAL

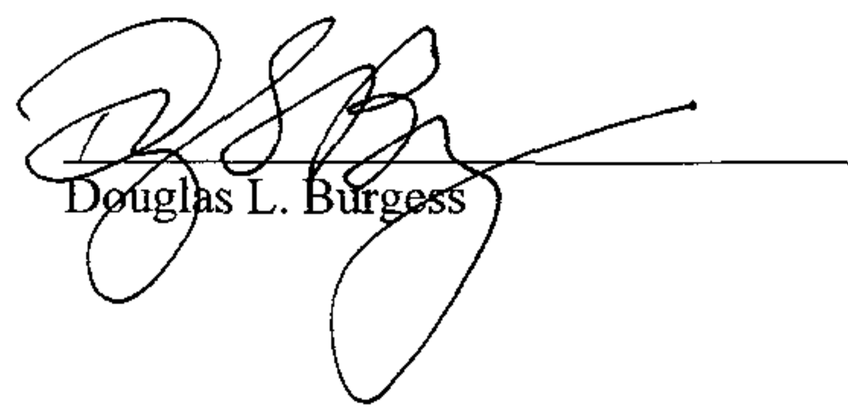
Terry Gerahty, Petitioner by Douglas L. Burgess and Nolan, Plumhoff & Williams, Chartered, his attorneys, hereby dismisses his appeal from the Findings of Fact and Conclusions of Law of the Deputy Zoning Commissioner of March 6, 1997.



Douglas L. Burgess
Nolan, Plumhoff & Williams, Chtd.
Suite 700 - Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
(410) 823-7800

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 19 day of September, 1997, that a copy of the foregoing Order of Dismissal was mailed, postage prepaid, to Peter M. Zimmerman, People's Counsel for Baltimore County, Court House, 400 Washington Avenue, Towson, Maryland 21204, Mr. and Mrs. Ernest Baisden, 7706 Oak Avenue, Baltimore, Maryland 21234 and to Mr. David Miller, 2801 Taylor Avenue, Baltimore, Maryland 21234.



Douglas L. Burgess

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DOUGLAS L BURGESS

DIRECT DIAL.
(410) 823-7857

Law Offices
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765

JAMES D NOLAN
(RETIRED 1980)

J EARLE PLUMHOFF
(1940-1988)

RALPH E DEITZ
(1918-1990)

September 19, 1997

HAND DELIVERY

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

RECEIVED
COUNTY BOARD OF APPEALS
97 SEP 19 AM 9: 58

RE: Petitions for Special Hearing and Variance
S/E Corner Old Harford Road and Taylor Avenue
(7721 Old Harford Road)
9th Election District/6th Councilmanic District
Board of Appeals Case No. 97-295-SPHA

Dear Sir or Madam:

Enclosed please find the Order of Dismissal which the Petitioner, Terry Gerahty, is filing in the above matter.

Thank you for your time and attention.

Very truly yours,

Douglas L. Burgess

DLB/caw
Enclosure
cc: Peter M. Zimmerman, People's Counsel for Baltimore County
Mr. and Mrs. Ernest Baisden
Mr. David Miller
Mr. Terry Gerahty
(All with enclosure)

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - SE/Corner Old Harford Road & Taylor Avenue (7721 Old Harford Road) 9th Election District 6th Councilmanic District

Terry Gerahty
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-295-SPHA

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing and a Petition for Variance for that property known as 7721 Old Harford Road, located at its intersection with Taylor Avenue in Parkville. The Petitions were filed by the owner of the property, Terry Gerahty, through his attorney, Newton A. Williams, Esquire. The Petitioner seeks approval that a proposed interim parking lot meets the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.) and, if such use is disallowed, a variance from Section 409.8 of the B.C.Z.R. to permit a stone paved parking lot in lieu of the required asphalt paving and striping. 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 Petitions were Terry Gerahty, legal owner of the property, James Kline, Land Planning Consultant with George W. Stephens, Jr. and Associates, who prepared the site plan for this property, and Douglas L. Burgess, Esquire, who provided Legal Counsel to the Petitioner. Appearing in opposition to the Petitioner's request were several residents from the surrounding community, including Mr. & Mrs. Ernest Baisden and Mr. James Reed, adjoining property owners.

Testimony and evidence offered revealed that the subject property is the site of an outdoor garden center known as Poor Boys. The property

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Date 3/6/97
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consists of a 1,705 sq.ft. indoor sales building with office and storage space, and a 385 sq.ft. outside sales area in the front portion of the site. Other improvements include a 3,320 sq.ft. outside sales area, a large outdoor storage area for flowers, trees, shrubs, mulch, and garden supplies, etc., and a 5,400 sq.ft. stone-paved parking area to the rear of the subject site. All of the improvements contained on the property are more particularly described on the site plan marked into evidence as Petitioner's Exhibit 1. The special hearing and variance requests deal specifically with the 5,400 sq.ft. parking area and not necessarily the remaining uses on the property. The parking area in question is paved with No. 2 loose stone, and provides approximately 19 parking spaces for customers. The parking lot has two access points from Taylor Avenue, both of which are one way in direction. Vehicles enter the parking lot through the entrance on the western end of the lot, and exit out through the second access point on the eastern portion of the lot. The Petitioner seeks approval to allow the existing loose stone surface to remain in lieu of the required durable and dustless paved surface. The Petitioner argued that the No. 2 loose stone base currently provided on the parking lot meets the requirements of a durable and dustless surface in that no dust results from the use of this stone. However, after hearing the testimony offered by Mr. Kline and performing a site inspection of the parking lot, I find that the stone base surface is not durable and dustless, and thus, the special hearing to approve same shall be denied. Therefore, the Petitioner's request for a variance is necessary to allow the stone surface to remain.

Further testimony revealed that Poor Boys sells landscaping materials, gardening supplies, flowers, Christmas trees, mulch, and other

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horticultural products to the general public. Poor Boys has both an indoor sales area as well as an outdoor sales and display area as shown on Petitioner's Exhibit 1. The subject property for the most part is zoned B.L., which permits such use as of right. However, a 60-foot buffer area, zoned D.R. 5.5, is located on the subject property, adjacent to Oak Avenue, and to the rear of the subject site, adjacent to the residential property owned by Mr. & Mrs. Baisden.

The Petitioner indicated that the manner in which he presently operates his business is an interim use (approximately five years) until the property can be more fully developed in the future. Until then, he wishes to continue the use of this stone parking area and outdoor sales area as shown on the site plan. The Petitioner agreed to allow the existing trees to remain on the property during this interim use. Furthermore, he agreed to allow the existing trees within the 60-foot buffer zoned D.R. 5.5 to remain in perpetuity. Regarding this D.R. 5.5 zoned buffer area, the Petitioner has agreed to place this buffer area into an open space easement and grant same to Baltimore County, thereby guaranteeing that this buffer area remains as open space in accordance with the terms of the easement that is to be negotiated and reduced to writing with Assistant County Attorney Doug Silber. The Petitioner shall maintain ownership of the buffer area under this easement and shall be responsible for all maintenance and upkeep of same.

The Petitioner also agreed to install and provide an 8-foot high, pre-assembled sectional fence along the edge of the B.L./D.R. 5.5 zoning line, which runs parallel to the Baisden property for an approximate distance of 120 feet. The Petitioner has also agreed to provide this fencing along the B.L./D.R. 5.5 zone which runs parallel to Oak Avenue. However,

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the Petitioner is only proposing to provide this fencing for a distance of 32 feet, running parallel to Oak Avenue as shown on the plan. This proposed fencing is highlighted in brown and shown on Petitioner's Exhibit 4.

After reviewing the contents of the file as well as making a site visit to the property, I believe it is appropriate for the Petitioner to extend this fence, not only the 32-feet along Oak Avenue as proposed, but also to provide for the further extension of this fence in accordance with the diagram provided by Avery Harden, Landscape Architect for Baltimore County, which was included as an attachment to his letter of December 24, 1996. Mr. Harden shows this fence as running almost the entire length of the B.L./D.R. 5.5 zoning line parallel to Oak Avenue, stepping this fence down from a 6-foot high fence with lattice on top, to a 4-foot high fence with lattice on top, and terminating approximately 30 feet from the property line along Taylor Avenue. After considering the Protestants' testimony in this regard, my site visit to the property, and Mr. Harden's diagram, I believe it is appropriate for the Petitioner to extend this fencing in the fashion and manner depicted on Mr. Harden's diagram. Therefore, as a condition of approval, the subject fencing shall be required.

As noted earlier in this opinion, the adjoining property owners, Mr. & Mrs. Baisden, appeared in opposition to the request. The Baisden's reside with their three children on the adjacent property located on the south side of the subject site on Oak Avenue. The Baisdens are opposed to the variance requested herein and believe that the Petitioner should be required to pave the parking area and provide storm water management controls. Testimony offered revealed that water runoff from the subject site is projected out onto Taylor Avenue. The Baisdens are opposed to the general use of the subject property; however, given its predominant B.L. zoning,

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the garden center is permitted as of right. However, the Baisdens raised many issues concerning the operation of the business and requested that certain appropriate restrictions be imposed on the use to insure that the quality and character of the surrounding residential community will be maintained. Many of the concerns raised by Mr. & Mrs. Baisden are valid and involve topics upon which certain restrictions shall be imposed. However, I believe it is appropriate to grant the variance to allow the loose stone parking lot to remain in lieu of the required durable and dustless surface, inasmuch as the Petitioner has met the burdens imposed upon him by the B.C.Z.R.

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 special hearing and variance are not granted. It has been estab-

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Date 3/6/90
By

lished that special circumstances or conditions exist that are peculiar to the land which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, 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 special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of March, 1997 that the proposed interim parking lot, as set forth on Petitioner's Exhibit 1 and the No. 2 stone thereon, does not meet the requirements of the Baltimore County Zoning Regulations (B.C.Z.R.), and as such, the Petition for Special Hearing be and is hereby DENIED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8 of the B.C.Z.R. to permit a stone paved parking lot in lieu of the required durable and dustless surface (asphalt paving and striping), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Within sixty (60) days of the date of this Order, the Petitioner shall reduce to writing an easement agreement with Baltimore County which places the 60-foot D.R. 5.5 buffer located along Oak Avenue and adjacent to the property owned by Mr. & Mrs. Baisden into open space. It is apparent through the rezoning

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Date 3/6/97
By

process that this D.R. 5.5 buffer was set aside to screen the subject property from the adjacent residential community.

3) The maintenance and upkeep of this 60-foot buffer shall be at the sole cost and expense of the Petitioner and shall be performed as follows:

a) The grassy area within the buffer shall be mowed on a regular basis so as to take on the appearance of a residential lawn. On approximately a monthly basis, any leaves, sticks and branches shall be picked up to keep the buffer area well-manicured. The Petitioner shall be required to keep this buffer area litter-free and shall insure that any trash is picked up on a weekly basis.

b) All existing trees within this buffer shall be maintained and preserved. Furthermore, the Petitioner shall perform and accomplish the additional landscaping shown on Petitioner's Exhibit 4, under the direction of Avery Harden, Landscape Architect for Baltimore County.

c) There exists within this buffer area, particularly in the area adjacent to the property owned by Mr. & Mrs. Baisden, certain piles of dirt and debris that has been dumped there and which has altered the drainage and topography of the subject site. These piles of dirt and debris shall be removed within thirty (30) days of the date of this Order and the buffer area returned to its original natural state. Within thirty (30) days after the removal of this dirt and the installation of the fencing and landscaping as required by this Order, the Petitioner shall grade and smooth any and all tire ruts, including those which currently exist and any which are created during the installation of the landscaping. Any disturbance to the ground within this buffer area shall be planted with grass seed and returned to its natural grassy condition.

d) Any and all weeds and unwanted foliage shall be removed from this buffer area at the direction of Mr. Avery Harden, Landscape Architect for Baltimore County.

4) All of these conditions and restrictions shall be included and incorporated into the easement agreement executed between the Petitioner and Baltimore County to insure that this buffer area is not only protected by the terms and conditions of this Order, but also by the terms and provisions of the easement agreement entered into with Baltimore County. A copy of said easement agreement shall be recorded in the Land Records of

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Date 3/4/99
By

Baltimore County and will be applicable to any subsequent owner of the subject property in perpetuity.

5) The Petitioner shall be permitted to operate an outdoor intercom system only between the hours of 9:00 AM to 5:00 PM Monday through Friday, and 12:00 Noon to 5:00 PM on Saturday and Sunday. The outside intercom system shall not be permitted to operate outside these hours. The purpose of this restriction is to preserve the peace and tranquility of the surrounding residential community.

6) The Petitioner shall be permitted to use gasoline powered chain saws only between the hours of 9:00 AM and 5:00 PM Monday through Friday, and 12:00 Noon to 5:00 PM on Saturday and Sunday. Outside of these hours, the Petitioner must use an electric chain saw, particularly in light of the sale of Christmas trees during the winter season. This should keep noise levels to a minimum and during appropriate hours.

7) All outdoor lighting of the subject site shall be supplied in a tasteful manner and installed on fixed standards, as approved by Mr. Avery Harden, Landscape Architect for Baltimore County. Within sixty (60) days of the date of this Order and prior to the installation of any outdoor lighting, the Petitioner shall submit a lighting plan to Mr. Harden for his review and approval. The Petitioner is prohibited from stringing lights along extension cords from tree to tree on the subject site. All outdoor lighting shall be installed in such a manner so as not to reflect onto adjacent residential properties.

8) The Petitioner shall not interfere with the free passage of pedestrians along the sidewalk adjacent to Taylor Avenue and Old Harford Road. These areas shall not be utilized for display purposes and shall remain open for pedestrian access.

9) Any and all deliveries of products to and from the subject site shall be performed prior to 11:00 PM on any given evening. This is particularly applicable during the Christmas season where trees have been delivered to the site into the early morning hours. Therefore, no deliveries to or from the subject site shall take place after 11:00 PM on any given evening.

10) When applying for a building permit, the site plan, landscaping plan, and/or lighting plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

PLEASE RECEIVED FOR FILING
Date
By

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - S/E CORNER Old Harford Road & Taylor Avenue (7721 Old Harford Road) 9th Election District 6th Councilmanic District Terry Gerahty Petitioner	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 97-295-SPHA

* * * * * * * * * * * * *

NOTICE OF APPEAL

TO THE DEPUTY HONORABLE ZONING COMMISSIONER:

Kindly accept this as a Notice of Appeal regarding your decision of March 6, 1997, regarding the Variance Decision only in the above-captioned case.

Thank you for your consideration of this matter.

4/2/97

DOUGLAS L. BURGESS
NOLAN, PLUMHOFF & WILLIAMS, CHTD
Suite 700, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
(410) 823-7800

Attorney for Petitioner, Terry Gerahty

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APR 3 1997

I \GERAHTY\APPEAL NOT

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

March 6, 1997

Newton A. Williams, Esquire
Douglas L. Burgess, Esquire
Nolan, Plumhoff & Williams
502 Washington Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
SE/Corner Old Harford Road & Taylor Avenue
(7721 Old Harford Road)
9th Election District - 6th Councilmanic District
Terry Gerahty - Petitioner
Case No. 97-295-SPHA

Dear Messrs. Williams & Burgess:

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

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

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Terry Gerahty
7721 Harford Road, Baltimore, Md. 21234

Mr. & Mrs. Ernest Baisden
7706 Oak Avenue, Baltimore, Md. 21234

Mr. James Reed
7705 Oak Avenue, Baltimore, Md. 21234

Mr. Avery Harden, DPDP; People's Counsel; Case File

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#1295

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7721 Old Harford Road and Taylor Avenue

97-295-SPHA

which is presently zoned BL

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the proposed, interim parking lot meets, the Baltimore County Zoning Regulations, (see attached Variance)

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s):

Terry Gerahty

(Type or Print Name)

Signature

(Type or Print Name)

Signature

7721 Harford Road 668-7599

Address Phone No.

Baltimore, MD 21234

City State Zipcode

Attorney for Petitioner:

Newton A. Williams, Nolan, Plumhoff & Williams, Chtd.

(Type or Print Name)

Newton A. Williams

Signature

502 Washington Avenue
Suite 700 823-7800

Address Phone No.

Towson MD 21204

City State Zipcode

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

Newton A. Williams, Esq.
Nolan, Plumhoff & Williams

Name

502 Washington Avenue
Suite 700 823-7800

Address Phone No.

Towson, MD 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3-4 hr.

unavailable for Hearings

the following dates _____ Next Two Months

ALL ✓ OTHER

REVIEWED BY: ZJA DATE 1/15/97

ORDER RECEIVED FOR FILING

Date 3/4/97

By

#295

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7721 Old Harford Road and Taylor Avenue

97-295-SPHA

which is presently zoned BL

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) ~~409.8 re: parking, paving, striping and other design standards per Plan, and to approve the plan as shown.~~ N.A.W.

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

* stone in lieu of asphalt.

See Attached

N.A.W. 1/22/97 409.8 re: parking lot paving (if special hearing disallows proposed surface) and striping, and to approve the plan as shown.

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

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

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

Legal Owner(s):

Terry Gerahty
(Type or Print Name)

Signature

(Type or Print Name)

Signature

7721 Harford Road 668-7599
Address Phone No

Parkville MD 21234
City State Zipcode

Name, Address and phone number of representative to be contacted.
Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
Name 502 Washington Avenue
Suite 700 823-7800
Address Towson, MD 21204 Phone No.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Newton A. Williams, Nolan, Plumhoff & Williams, Chtd.
(Type or Print Name)

Newton A. Williams
Signature

502 Washington Avenue
Suite 700 823-7800
Address Phone No.

Towson MD 21204
City State Zipcode

ORDER RECEIVED FOR FILING
Date 3/4/97
By

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Zoning Administration & Development Management

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

REASONS FOR REQUESTED VARIANCES
7721 Old Harford Road and Taylor Avenue

97-295-SPHA

1. The subject property was recently zoned BL during the 1995/96 Comprehensive mapping process.

2. The property serves a long existent adjacent commercial use at 7721 Old Harford Road, which has become a popular neighborhood garden center, with increased parking demand. The parking lot demand is seasonal, and this is seen as an interim parking use, pending full site and building development.

3. The Taylor Avenue parcel is the former site of several residential homes and contains a number of large, mature trees, which are sought to be saved by this interim parking lot.

4. The present parking lot design utilizes the two former residential driveways on Taylor Avenue.

5. The proposed lot design will allow several of the old trees to be saved, particularly on the south end toward Oak Avenue.

6. Full, impermeable paving would endanger these old trees and/or require their removal; and would probably later have to be removed.

7. The large, stone aggregate, No. 2 Stone, proposed for paving is a "durable and dustless surface" as called for by Section 409.8.A.2 and is not "crusher run"; and the proposed paving has been recognized by ZADM and DEPRM including Erosion Control and Landscape Architecture.

8. The property is unique by reason of location, former use, seasonal demand, and need to save these old trees, as well as interim use. See the Cameron Mill Case. Md. App. _____ (1994), and *McLean v. Soley*, _____ Md. _____, (196_) wherein in both cases trees were saved by appropriate variances, for less than this basic striping variance.

9. This proposal meets the letter of the law and the spirit.

10. This plan involves no grading, as well as reuse of existing, prior stone laid by a former owner, and existing stone laid by applicant per ZADM for truck parking. The No. 2 Stone will stem erosion, not kill trees, and will not later have to be torn out as would paving for future building now planned for BL area.

JUDGE'S RECEIVED FOR FILING
Date 3/4/97
By

C:\OFFICE\WPWIN\WPDOCS\HRG&VAR.NAW\VARREQ GER

#295

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, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-295-SPHA
(Item 295)
7721 Old Harford Road - Poor Boys
SW/S Taylor Avenue, 145' NW of c/l Oak Avenue,
9th Election District
6th Councilmanic
Legal Owner(s):
Terry Geraghty

Special Hearing: to approve the proposed, interim parking lot. Variance: to permit parking lot paving stone in lieu of the asphalt (if special hearing disallows proposed surface) and striping, and to approve the plan as shown.

Hearing: Friday, February 21, 1997 at 10:00 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 concerning the File and/or Hearing, Please Call 887-3391.

1/388 Jan. 30 C116020

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 30, 1997

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 Jan 30, 1997.

THE JEFFERSONIAN,

A. Henrikson

LEGAL AD. - TOWSON

[redacted]

032602

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

No. 97-295-SPHA

DATE 1/15/97 ACCOUNT 01-615

Item 295
(3) MX

AMOUNT $ 500.00

RECEIVED FROM: Peer Revs, Inc. — 7721 Old Harford Rd

040 — Special Hearing — $ 250.00
020 — Variance — $ 250.00
$ 500.00

FOR:

[illegible] CHRG $500.00
[illegible]

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-295-SPHA

Petitioner/Developer: Geraghty

Date of Hearing/Closing: 2/21/97

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

7721 Old HARFORD RD.

The sign(s) were posted on Feb 5, 1997
(Month, Day, Year)

Case No 97-295-SPHA

Sincerely,

Sue W. McKenzie 2/5/97
(Signature of Sign Poster and Date)

Sue W. McKenzie
(Printed Name)

6 Topwood Ct
(Address)

Baltimore, MD 21234
(City, State, Zip Code)

(410) 668-8576
(Telephone Number)

CERTIFICATE OF POSTING

RE: Case No.: 97-295 SPHA

Petitioner/Developer: TERRY GERAKTY

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 7721 OLD HARFORD RD.

The sign(s) were posted on 5-8-97
(Month, Day, Year)

Sincerely,

Dennis Roux
(Signature of Sign Poster and Date)

DENNIS ROUX
(Printed Name)

111 W. CHESAPEAKE
(Address)

BALTO. MD 21204
(City, State, Zip Code)

887-3351
(Telephone Number)

9/96
cert.doc

Exhibit B

#295

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-295-SPHA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: approve that the proposed, interim parking lot meets the Balto. County Zoning Regulations and 409.8 to approve the parking, paving, striping, and other design standards and approve the plan as shown

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post.4.doc

#295

Baltimore County
Department of Permits and
Development Management

97-295-SPHA

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 295

Petitioner: Terry Gerahty

Location: Taylor Ave, near Oak Ave.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Terry Gerahty, Poor Boys.

ADDRESS: Poor Boys, 7721 Harford Rd.
Parkville, Md. 21234

PHONE NUMBER: 668-7599.

AJ:ggs

(Revised 09/24/96)

Printed with Soybean Ink

Baltimore County
Department of Permits and
Development Management

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

January 24, 1997

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: 97-295-SPHA (Item 295)
7721 Old Harford Road - Poor Boys
SW/S Taylor Avenue, 145' NW of c/l Oak Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Terry Gerahty

Special Hearing to approve the proposed, interim parking lot.
Variance to permit parking lot paving stone in lieu of the asphalt (if special hearing disallows proposed surface) and striping, and to approve the plan as shown.

HEARING: FRIDAY, FEBRUARY 21, 1997 at 10:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Terry Gerahty
Newton A. Williams, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEB. 6, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink
on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
January 30, 1997 Issue - Jeffersonian

Please foward billing to:

Terry Gerahty
Poor Boys
7721 Harford Road
Parkville, MD 21234
668-7599

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: 97-295-SPHA (Item 295)
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Legal Owner(s): Terry Gerahty

Special Hearing to approve the proposed, interim parking lot.
Variance to permit parking lot paving stone in lieu of the asphalt (if special hearing disallows proposed surface) and striping, and to approve the plan as shown.

HEARING: FRIDAY, FEBRUARY 21, 1997 at 10:00 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.

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

June 26, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-225-SPHA

IN THE MATTER OF: TERRY GERAHTY -Petitioner
7721 Old Harford Road
9th Election District; 6th Councilmanic

(Petition for Special Hearing DENIED; Petition for Variance GRANTED with restrictions.)

ASSIGNED FOR: **TUESDAY, SEPTEMBER 23, 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
Administrator

w/d by Counsel for Petitioner: Dismissed

cc: Counsel for Petitioner /Appellant : Douglas L. Burgess, Esquire
Petitioner /Appellant : Terry Gerahty

James Kline /George W. Stephens, Jr., and Assoc.
Avery Harden /Landscape Architect, Baltimore County

Protestants : Mr. & Mrs. Ernest Baisden
: James Reed

People's Counsel for Baltimore County

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE COMMUNICATION

RECEIVED
DEC 30 1997
97-913
PDM

DATE: 12/31/97
TO: Arnold Jablon, Director of the Department of Permits and Development Management, PDM
FROM: Avery Harden, Landscape Architect, PDM
SUBJECT: *Poor Boy's Country Market*

This memo is in response to the attached letter from Mr. Terry Gerahty you should have received, dated 12/18/97. Mr. Gerahty presented his position regarding the lighting problem and non-conformance with the residential buffer requirements at his *Poor Boy's Country Market.* His distribution list included various County officials.

Mr. Gerahty referenced me as having been the primary point person giving directives for the County on most of the issues. I offered none of the directives attributed to me by Mr. Gerahty in his letter. My role was limited to asking questions, gathering information and offering design evaluation of the various negotiating points Mr. Gerahty and Douglas Silber of the Office of Law were considering. Anything Mr. Gerahty construed as a directive was offered by Mr. Silber. Any confusion regarding the negotiating process headed by the Office of Law and the position of PDM has, in my opinion, been created by Mr. Gerahty in his effort to gain leniency.

The County has had a two-track campaign with this difficult case. The first track has been the Office of Law attempting to negotiate a resolution between Mr. Gerahty and the aggrieved surrounding residential community. The second track taken, that was engaged after the Office of Law withdrew its effort, has been PDM attempting to enforce regulations applicable to the situation.

The PDM position on the residential buffer has explicitly and consistently followed the position letter prepared by me that was submitted to and approved by Councilman Bartenfelder and the Deputy Zoning Commissioner, Timothy Kotroco. Mr. Gerahty chose to ignore some of the crucial specifications of that County approved document.

Unlike Mr. Gerahty's assertion, the PDM position on the lighting issue has been consistent. As long as the overall illumination and excessive light source points glare into the adjacent residences, violating the integrity of the required residential buffer, there has been a code violation problem. The PDM position while the negotiation between Mr. Gerahty and the Office of Law was in progress was to avoid specific lighting design directives and emphasize only the

necessary outcome. Now that the negotiations are over, PDM can offer specifics on to how that necessary outcome can be achieved.

Mr. Gerahty states that he submitted a lighting design, as required, for my review and that I never responded. My review of his plan was a moot point because the lighting had been installed and operating for six weeks before he made his submittal. If and when Mr. Gerahty genuinely solicits from us what he needs to do to make his lighting acceptable, we stand ready to oblige him. The lighting poles and fixtures on the residential zone line should be moved in 10 feet to the inside edge of the Class A buffer line. The angled lighting along Taylor Avenue that presently glares across the site into the residential area should be turned to face perpendicular to the ground. Lowering the lights to 15 feet and using cut-offs on the fixtures to further corral the light is also necessary.

Councilman Bartenfelder gave Mr. Gerahty the right to physically expand his business. However, Mr. Gerahty's precipitous ill conceived lighting installation has created a visual land grab that extends well into the residential community.

I believe that with a properly designed lighting installation, combined with adherence to the approved residential buffer design, it is possible for the *Poor Boy's Country Market* to adequately light its area without being a nuisance to the surrounding neighborhood. Unfortunately, the cost of having to modify his lighting and fence will be burdensome because of Mr. Gerahty's precipitous action.

Arnold, I am copying this memo to those in PDM that are involved in this issue. However, because of Mr. Gerahty's various inaccurate statements, the other County officials on Mr. Gerahty's lengthy copy list should, in my opinion, receive a timely response from PDM. Please let me know your thoughts.

cc: Robert Bowling
Rick Wisnom
James Thompson
Hunter Rowe

attachment

RE: PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE 7721 Old Harford Road, SW/S Taylor Avenue 145' NW of c/l Oak Avenue 9th Election District, 6th Councilmanic	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Terry Gerahty Petitioner	*	CASE NO. 97-295-SPHA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

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

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PETITION PROBLEMS

97-295-SPHA

#287 --- CAM

1. Who filled out sign information?? Must be filled out by the planner taking in the petition.

2. No undersized lot information in the folder.

#289 --- JRF

1. No telephone number for legal owner on petition form.

#291 --- CAM

1. Need title and authorization for person signing for legal owner.

#295 --- MJK

1. Wording on variance form makes no sense - What are they asking for???

Corrected by attorney — ok per WCR

1/22/97

Baltimore County
Department of Permits and
Development Management

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

April 3, 1997

Mr. and Mrs. Ernest Baisden
7706 Oak Avenue
Baltimore, MD 21234

RE: Petitions for Special Hearing and Variance
SE/corner Old Harford Road & Taylor Avenue
(7721 Old Harford Road)
9th Election District
6th Councilmanic District
Terry Gerahty - Petitioner
Case No. 97-295-SPHA

Dear Mr. and Mrs. Baisden:

Please be advised that an appeal of the above-referenced case, variance only, was filed in this office on April 3, 1997 by Douglas L. Burgess, Esquire on behalf of Terry Gerahty. 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,

ARNOLD JABLON
Director

AJ:rye

c: Mr. James Reed
Mr. Avery Harden
People's Counsel

Printed with Soybean Ink
on Recycled Paper

APPEAL

Petitions for Special Hearing and Variance
SE/corner Old Harford Road and Taylor Avenue
(7721 Old Harford Road)
9th Election District - 6th Councilmanic District
Terry Gerahty - Petitioner
Case No. 97-295-SPHA

Petitions for Special Hearing and Variance

Description of Property not Found

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners' Exhibits:
1 - Plat to Accompany Petitions for Special Hearing and Variance
2 - Copy of Page H-30-1, 30.0 Dust Control, from the Sediment Control Manual
3 - Conditions suggested by Terry Gerahty for Poor Boys if special hearing/variance granted as requested
4 - Plat to Accompany Petitions for Special Hearing and Variance

Transmittal to Mr. Timothy Kotroco, Deputy Zoning Commissioner, from Ernie Baisden, President Parkville Park Community Association dated February 17, 1997

Deputy Zoning Commissioner's Order dated March 6, 1997 (Denied in Part, Granted in Part)

Notice of Appeal for Variance only received on April 3, 1997 from Douglas L. Burgess, Esquire on behalf of Terry Gerahty

c: Douglas L. Burgess, Esquire, Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204
Mr. Terry Gerahty, 7721 Old Harford Road, Baltimore, MD 21234
Mr. and Mrs. Ernest Baisden, 7706 Oak Avenue, Baltimore, MD 21234
Mr. James Reed, 7705 Oak Avenue, Baltimore, MD 21234
Mr. Avery Harden, DPDP of Baltimore County, M.S.
People's Counsel of Baltimore County, M.S. 2010

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

Case No. 97-225-SPHA

SPH -Approval that a proposed interim parking lot meets the requirements of the BCZR; and if disallowed, VAR -to permit stone paved parking lot ilo required asphalt paving and striping.

3/06/97 -D.Z.C.'s Order in which Petition for Special Hearing was DENIED; and Petition for Variance GRANTED with restrictions.

6/26/97 - Notice of Assignment for hearing scheduled for Tuesday, September 23, 1997 at 10:00 a.m. sent to following:

Douglas L. Burgess, Esquire
Terry Gerahty
James Kline /George W. Stephens, Jr., and Assoc.
Avery Harden /Landscape Architect, Baltimore County
Mr. & Mrs. Ernest Baisden
James Reed
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

9/18/97 -Dismissal of Appeal filed by Douglas L. Burgess, Esquire, on behalf of Petitioner /Appellant, Terry Gerahty; Order of Dismissal to be issued by CBA.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 3-26-99

OEA: 1/4A

HISTORIC DISTRICT/BLDG. [ ] YES [X] NO [ ] DO NOT KNOW

PERMIT #: B
RECEIPT #: A
CONTROL #: C-
XREF #:

FEE: 30.00 +5. +12.
PAID: 47.-
PAID BY: Appl.
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING 1 or 2 FAM.
CODE CODE ____
BOCA CODE ✓

PROPERTY ADDRESS 2711 Taylor Ave
SUITE/SPACE/FLOOR
SUBDIV: Parkville
TAX ACCOUNT #: 18-00-009926
DISTRICT/PRECINCT 9 21

OWNER'S INFORMATION (LAST,FIRST)
NAME: Gonahty, Terry
ADDR: 8309 Dalsford Rd 21234

DOES THIS BLDG. HAVE SPRINKLERS YES ___ NO ___

APPLICANT INFORMATION
NAME: Terry Gonahty
COMPANY: Poor Boys Inc.
STREET 7221 Old Harford RD
CITY,ST ZIP Balt. MD 21234
PHONE #: 410 668-7599 MHIC LICENSE #:
APPLICANT SIGNATURE: DRC#
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EL ZPL Z
TENANT
CONTR: Owner
ENGNR:
SELLR:

DESCRIBE PROPOSED WORK: Construct A Detached Shed On Sales Lot of Ex Country Market, 6'x8'x8' = 48 ft² PLANS WAIVED JBryan

TYPE OF IMPROVEMENT
1. ✓ NEW BLDG CONST
2. ___ ADDITION
3. ___ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ____
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ____ HEIGHT ____)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ___ STORE ✓ MERCANTILE ___ RESTAURANT
SPECIFY TYPE Country Market
20. ___ SWIMMING POOL ____ SPECIFY TYPE
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ____)
23. ___ OTHER ____

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ___ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ___ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF WATER SUPPLY
1. ✓ PUBLIC SYSTEM ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

TYPE OF SEWAGE DISPOSAL
1. ✓ PUBLIC SEWER ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ✓
ESTIMATED COST: $750.- OF MATERIALS AND LABOR

PROPOSED USE: Same + Accessory Structure
EXISTING USE: Country Market Sales Lot - VACANT

OWNERSHIP
1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS ____
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS ____ CLASS 06
POWDER ROOMS ____ KITCHENS ____ LIBER 01 FOLIO 34

BUILDING SIZE
FLOOR 48
WIDTH 6'
DEPTH 8'
HEIGHT 8'
STORIES 1
LOT #'S 124
CORNER LOT 1. ___ Y 2. ___ N

LOT SIZE AND SETBACKS
SIZE 1.14 Ac.
FRONT STREET ____
SIDE STREET ____
FRONT SETBK 35'
SIDE SETBK 32' / [redacted] 239
SIDE STR SETBK ____
REAR SETBK 106'
ZONING ____

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	JBryan for	3-26-99
FIRE	JBryan for	3-26-99
SEDI CTL	FINAL	3-26-99
ZONING	JM OK	3-26-99
PUB SERV		
ENVRMNT	FINAL	3-26-99
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Wants To Waive Plans,

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 3-26-99

OEA: 1/1A

HISTORIC DISTRICT/BLDG. [ ] YES [X] NO [ ] DO NOT KNOW

PERMIT #: B
RECEIPT #: A
CONTROL #: C-
XREF #:

FEE: 30 + 5 + 12
PAID: 47
PAID BY: Appl.
INSPECTOR:

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

BUILDING 1 or 2 FAM.
CODE CODE ____
BOCA CODE ✓

PROPERTY ADDRESS 2711 Taylor Ave
SUITE/SPACE/FLOOR
SUBDIV: Parkville
TAX ACCOUNT #: 18-00-009926
DISTRICT/PRECINCT 9 21

OWNER'S INFORMATION (LAST,FIRST)
NAME: Gonnaway, Terry
ADDR: 8309 Bakifield Rd 21234

DOES THIS BLDG. HAVE SPRINKLERS YES ___ NO ___

APPLICANT INFORMATION
NAME: Terry Gonnaway
COMPANY: Poor Boys Inc.
STREET 7721 Old Harford Rd
CITY,ST,ZIP Balt. MD 21234
PHONE #: 410 668-7599 MHIC LICENSE #:
APPLICANT SIGNATURE: DRC#
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EL Z PL Z
TENANT
CONTR: Owner
ENGNR:
SELLR:

DESCRIBE PROPOSED WORK: Construct A Detached Shed On Sales Lot of Ex Country Market, 6'x8'x8' = 48 ☐ PLANS WAIVED JBryan

TYPE OF IMPROVEMENT
1. ✓ NEW BLDG CONST
2. ___ ADDITION
3. ___ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER ____

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ____
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ____ HEIGHT ____)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ___ STORE ✓ MERCANTILE ___ RESTAURANT
SPECIFY TYPE Country Market
20. ___ SWIMMING POOL ____ SPECIFY TYPE
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ____)
23. ___ OTHER ____

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ✓ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ✓ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF WATER SUPPLY
1. ✓ PUBLIC SYSTEM ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

TYPE OF SEWAGE DISPOSAL
1. ✓ PUBLIC SEWER ✓ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ✓
ESTIMATED COST: $ 750.
OF MATERIALS AND LABOR
PROPOSED USE: Same + Accessory Structure
EXISTING USE: Country Market Sales Lot - VACANT

OWNERSHIP
1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS ____
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS ____ CLASS 06
POWDER ROOMS ____ KITCHENS ____ LIBER 01 FOLIO 34

BUILDING SIZE
FLOOR 48
WIDTH 6'
DEPTH 8'
HEIGHT 8'
STORIES 1
LOT #'S 124
CORNER LOT 1. ___ Y 2. ___ N

LOT SIZE AND SETBACKS
SIZE 1.14 Acre
FRONT STREET ____
SIDE STREET ____
FRONT SETBK 35'
SIDE SETBK 32' / 239
SIDE STR SETBK ____
REAR SETBK 106'
ZONING ____

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	120 John Bryan for	3-26-99
FIRE	120 John Bryan for	3-26-99
SEDI CTL	416 NC FINAL Beeler	3-26-99
ZONING	111 JM OK	3-26-99
PUB SERV		
ENVRMNT	416 NC FINAL Beeler	3-26-99
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Wants to Waive Plans

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 3-26-99

OEA: KRA

HISTORIC DISTRICT/BLDG. [ ] YES [X] NO [ ] DO NOT KNOW

PERMIT #: B
RECEIPT #: A
CONTROL #: C-
XREF #:

FEE: 30.+5.+12.
PAID: 47.
PAID BY: Appl.
INSPECTOR:

PROPERTY ADDRESS 2711 Taylor Ave
SUITE/SPACE/FLOOR
SUBDIV: Parkville
TAX ACCOUNT #: 18-00-009926
DISTRICT/PRECINCT 9 21

OWNER'S INFORMATION (LAST,FIRST)
NAME: Geraghty, Terry
ADDR: 8309 Bakerfield Rd 21234

DOES THIS BLDG. HAVE SPRINKLERS YES — NO —

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION
NAME: Terry Geraghty
COMPANY: Poor Boy's, Inc.
STREET 7721 Old Harford Rd
CITY,ST,ZIP Balto. MD 21234
PHONE #: 410 668-7599 MHIC LICENSE #:
APPLICANT SIGNATURE: DRC#
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EL 2 PL 2
TENANT
CONTR: Owner
ENGNR:
SELLR:

BUILDING 1 or 2 FAM.
CODE CODE
BOCA CODE ✓

TYPE OF IMPROVEMENT
1. ✓ NEW BLDG CONST
2. ___ ADDITION
3. ___ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

DESCRIBE PROPOSED WORK: Construct A Detached Shed On Sales Lot of Ex Country Market. 8'x8'x8' = 64#

PLANS WAIVED JB

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ___
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ___ HEIGHT ___)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ✓ STORE ✓ MERCANTILE ___ RESTAURANT
SPECIFY TYPE Country Market
20. ___ SWIMMING POOL ___ SPECIFY TYPE
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ___)
23. ___ OTHER

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ___ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ___ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF WATER SUPPLY
1. ___ PUBLIC SYSTEM ___ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

TYPE OF SEWAGE DISPOSAL
1. ___ PUBLIC SEWER ___ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ___
ESTIMATED COST: $ 750.
OF MATERIALS AND LABOR
PROPOSED USE: Country Market + Accessory Structure
EXISTING USE: Country Market Sales Lot - VACANT

OWNERSHIP
1. ✓ PRIVATELY OWNED 2. ___ PUBLICLY OWNED 3. ___ SALE 4. ___ RENTAL

RESIDENTIAL CATEGORY: 1. ___ DETACHED 2. ___ SEMI-DET. 3. ___ GROUP 4. ___ TOWNHSE 5. ___ MIDRISE 6. ___ HIRISE
#EFF: ___ #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS ___ CLASS 06
POWDER ROOMS ___ KITCHENS ___ LIBER 01 FOLIO 34

BUILDING SIZE
FLOOR 64
WIDTH 8'
DEPTH 8'
HEIGHT 8'
STORIES 1
LOT #'S 124
CORNER LOT 1. ___ Y 2. ___ N

LOT SIZE AND SETBACKS
SIZE 1.14 Ac.
FRONT STREET
SIDE STREET
FRONT SETBK 82'
SIDE SETBK 102'/120'
SIDE STR SETBK
REAR SETBK 89'
ZONING

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	120 [signature] Appd	3-26-99
FIRE	120 [signature] Appd	3-26-99
SEDI CTL	416WC FINAL [signature]	3-26-99
ZONING	11A CMA OK [signature]	3-26-99
PUB SERV	11A	
ENVRMNT	416WC. FINAL [signature]	3-26-99
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Wants To Waive Plans.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 3-26-99

OEA: KRA

HISTORIC DISTRICT/BLDG. [ ] YES [X] NO [ ] DO NOT KNOW

PERMIT #: B
RECEIPT #: A
CONTROL #: C
XREF #:

FEE: 30. + 5. + 12.
PAID: 47.
PAID BY: Appl
INSPECTOR:

PROPERTY ADDRESS 2711 Taylor Ave
SUITE/SPACE/FLOOR
SUBDIV: Parkville
TAX ACCOUNT #: 18-00-009926
DISTRICT/PRECINCT 9 21

OWNER'S INFORMATION (LAST,FIRST)
NAME: Gerhardt, Terry
ADDR: 8309 Oakleigh Rd 21234

DOES THIS BLDG. HAVE SPRINKLERS YES ___ NO ___

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION
NAME: Terry Gerhardt
COMPANY: Rock Boy's, Inc.
STREET 7721 Old Harford Rd
CITY,ST,ZIP Balto. MD 21234
PHONE #: 410 668-7529 MHIC LICENSE #:
APPLICANT SIGNATURE: DRC#
PLANS: CONST ___ PLOT ___ PLAT ___ DATA ___ EL 2 PL 2
TENANT
CONTR: Owner
ENGNR:
SELLR:

BUILDING 1 or 2 FAM.
CODE CODE ___
BOCA CODE ✓

TYPE OF IMPROVEMENT
1. ✓ NEW BLDG CONST
2. ___ ADDITION
3. ___ ALTERATION
4. ___ REPAIR
5. ___ WRECKING
6. ___ MOVING
7. ___ OTHER

DESCRIBE PROPOSED WORK: Construct A Detached Shed On Sales Lot of Ex Country Market. (8'x8'x8' = 64#)

PLANS WAIVED JB ryan

TYPE OF USE

RESIDENTIAL
01. ___ ONE FAMILY
02. ___ TWO FAMILY
03. ___ THREE AND FOUR FAMILY
04. ___ FIVE OR MORE FAMILY (ENTER NO UNITS) ___
05. ___ SWIMMING POOL
06. ___ GARAGE
07. ___ OTHER

NON-RESIDENTIAL
08. ___ AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. ___ CHURCH, OTHER RELIGIOUS BUILDING
10. ___ FENCE (LENGTH ___ HEIGHT ___)
11. ___ INDUSTRIAL, STORAGE BUILDING
12. ___ PARKING GARAGE
13. ___ SERVICE STATION, REPAIR GARAGE
14. ___ HOSPITAL, INSTITUTIONAL, NURSING HOME
15. ___ OFFICE, BANK, PROFESSIONAL
16. ___ PUBLIC UTILITY
17. ___ SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. ___ SIGN
19. ✓ STORE ✓ MERCANTILE ___ RESTAURANT
SPECIFY TYPE Country Market
20. ___ SWIMMING POOL (SPECIFY TYPE)
21. ___ TANK, TOWER
22. ___ TRANSIENT HOTEL, MOTEL (NO. UNITS ___)
23. ___ OTHER

TYPE FOUNDATION
1. ___ SLAB
2. ___ BLOCK
3. ✓ CONCRETE

BASEMENT
1. ___ FULL
2. ___ PARTIAL
3. ___ NONE

TYPE OF CONSTRUCTION
1. ___ MASONRY
2. ___ WOOD FRAME
3. ___ STRUCTURE STEEL
4. ___ REINF. CONCRETE

TYPE OF HEATING FUEL
1. ___ GAS 3. ___ ELECTRICITY
2. ___ OIL 4. ___ COAL

TYPE OF WATER SUPPLY
1. ___ PUBLIC SYSTEM ___ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM ___ EXISTS ___ PROPOSED

TYPE OF SEWAGE DISPOSAL
1. ___ PUBLIC SEWER ___ EXISTS ___ PROPOSED
2. ___ PRIVATE SYSTEM
___ SEPTIC ___ EXISTS ___ PROPOSED
___ PRIVY ___ EXISTS ___ PROPOSED

CENTRAL AIR: 1. ___ 2. ___
ESTIMATED COST: $ 750.
OF MATERIALS AND LABOR
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#EFF: / #1BED: ___ #2BED: ___ #3BED: ___ TOT BED: ___ TOT APTS/CONDOS: ___
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS ___ CLASS 06
POWDER ROOMS ___ KITCHENS ___ LIBER 01 FOLIO 34

BUILDING SIZE
FLOOR 64
WIDTH 8'
DEPTH 8'
HEIGHT 8'
STORIES 1
LOT #'S 124
CORNER LOT 1. ___ Y 2. ___ N

LOT SIZE AND SETBACKS
SIZE 1.14 Ac.
FRONT STREET
SIDE STREET
FRONT SETBK 82'
SIDE SETBK 102'/120
SIDE STR SETBK
REAR SETBK 89'
ZONING

APPROVAL SIGNATURES		DATE
BLD INSP		
BLD PLAN	120 [signature] Approved	3-26-99
FIRE	120 [signature] Approved	3-26-99
SEDI CTL	416WC FINAL [signature]	3-26-99
ZONING	11 [signature]	3-26-99
PUB SERV	11 [signature]	3-26-99
ENVRMNT	416WC. FINAL [signature]	3-26-99
PERMITS		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Wants To Waive Plans.

AH

RECEIVED
DEC 1997
CONSTRUCTION

Poor Boy's Country Market
7721 Old Harford Road
Baltimore, Maryland 21234
(410) 668-7599

December 18, 1997

LETTER TO THE PARTIES ON THE ATTACHED DISTRIBUTION LIST

Re: Poor Boy's Country Market: Variance Petition (case #97-295)

We are writing to express our extreme confusion and frustration with respect to a Baltimore County Code Violation Notice (attached hereto) issued to Poor Boy's Country Market ("Poor Boy's") on December 4, 1997 (the "Notice") which cites the placement of a fence along Oak and Taylor Avenues and certain lighting fixtures as being in violation of the conditions and requirements of the Variance Order, dated March 6, 1997 (the "Order"). What is so ironic is that Poor Boy's is in this regrettable situation because we agreed to work with Baltimore County officials to try to come to an agreement on the above issues with the initiators of the complaints, Ruth and Ernie Baisden, whose residential property is located behind Poor Boy's.

Poor Boy's is only subject to the conditions and requirements of the Order until the area at issue is blacktopped. Poor Boy's was prepared to blacktop the area this past spring, and thus come out from under the burdensome conditions of the Order, but County officials asked if we would put these plans on hold and work with them to try to reason with Baisdens. The County realized very soon, although too late for Poor Boy's to resume its blacktopping any earlier than spring 1998, that there is no such thing as "reasoning" with the Baisdens, a fact of which Poor Boy's is all too aware. And now, after putting our blacktopping plans on hold to give the County the opportunity they asked for, jumping through every imaginable hoop for the past 2 years that any County official has asked us to jump through to appease the Baisdens (even if only for a short time), and even moreso, abiding by County officials' wishes that Poor Boy's not "cause a stir" by taking this situation to the members of the community or the media, while not making the same plea to the Baisdens, who is the County threatening to penalize? Poor Boy's. On so many levels, this just does not seem right.

We believe the following paragraphs ably demonstrate the lengths that Poor Boy's has gone to please the County officials and the Baisdens. And this is just with respect to two issues: a fence and some lighting. You must admit that Poor Boy's can not and should not be blamed for the fact that County officials, not to mention the Baisdens, keep changing their minds as to what is required.

The Fence

The first violation cited in the Notice concerns a fence that currently exists along Oak and Taylor Avenues. Poor Boy's did not want to put a fence up in the first place. In fact, a signed plan from Avery Hardin, a Baltimore County landscape architect, dated December 2, 1996, does not require a fence. Mr. Hardin believed, and we continue to believe, that proper landscaping would be the best solution. In fact the covenant agreement between Poor Boy's and the Villa Cresta Civic Community Association requires proper landscaping, not a fence. But, to honor the County's request that we adhere to Mr. Hardin's plan, we initiated our first phase of landscaping by planting 22 evergreen trees. Three weeks later, we received a letter from Avery Hardin demanding not only that a fence be erected, but that a fence be erected in accordance with certain requirements that far exceed any Baltimore County code or regulation, including that the fence be erected along the zone line instead of the property line.

By early spring of 1997, no final decision concerning the fence had been rendered. We knew that if a fence was required, we would have to dig up and replant the trees we were required to plant just a few months before. With spring being our peak season, we would not have the human resources to handle such task, so to prepare ourselves for an adverse decision, we dug up and replanted the once required landscaping.

In late spring of 1997, after a series of meetings between Poor Boy's and certain County officials, a compromise was reached. Poor Boy's agreed to, and has, erected a fence in a manner and location agreed to by the County. In fact, the fence, the same fence being cited as a violation in the Notice, was inspected and approved by these same County officials.

The Lighting

In November 1996, the Baisden's filed yet another complaint with the County about Poor Boy's, this time concerning the type of outdoor lighting being used by Poor Boy's. This lighting consisted of string lights using 60 watt bulbs. The Baisden's complained that this lighting was not in compliance with the Baltimore County Electrical Code. A Baltimore County Electrical Code Inspector required that we remove the lights following the 1996 Christmas season. We complied. Before installing any new outdoor fixtures, which would be necessary to display our outdoor garden and nursery items in the 1997 spring season, we met with our electrician and representatives from the Baltimore County Electrical Department, BGE, and the Baltimore County Zoning Department to gather information on the outdoor lighting requirements under Baltimore County Code. The BGE lights installed and currently in use meet Baltimore County Code. Admittedly, these lights are bright, much brighter than the 60 watt string lights which were the subject of the Baisden's initial complaint. The Baisden's complained that we were not in compliance with the Code, but now continue to complain, and continue to be tolerated by County officials, even though we are in compliance with the Code.

24306.1

In the Order, Avery Hardin is required to approve any lighting plan. In late spring 1997, we submitted a lighting plan to Mr. Harden but have yet to receive a written response. Mr. Hardin did respond several months after receiving our lighting plan that he had never reviewed a lighting plan before and informed us that there is no lighting manual for Baltimore County for him to use as guidance. In a subsequent discussion with Mr. Hardin, he asked if it was possible for us to go back to using the string lighting with 60 watt light bulbs since these lights would reflect far less light towards the Baisden's property. These would be the exact same lights that prompted the Baisden's initial complaint. Having already gone through the burden and expense of having the BGE lights installed according to County Code, we felt it was not feasible to go back to using only string lighting, not to mention there was no guarantee that if we did, the Baisden's would not complain yet again.

After discussions with the Baisdens, Mr. Hardin requested that the BGE lights be lowered to 20' and that some sort of shield be put on the lights. After we informed Mr. Hardin, who in turn informed the Baisdens, that the lights currently were at 20', Mr. Hardin, we are sure at the behest of the Baisdens, requested that the lights be lowered to 15'. Now, Mr. Hardin is requiring that the lights be raised to a level higher than 20'. We in no way fault Mr. Hardin for these constant changes in requirements, he is doing the best he can when forced to try to judge a lighting plan without a County lighting manual and to address the concerns of the Baisden's who, it is our firm belief, will never be satisfied.

In several meetings between Poor Boy's and County officials concerning the lighting issue, one of which Mr. Hardin attended, an agreement was reached. Poor Boy's agreed: (i) to aim the BGE lights down and away from the Baisden's property, (ii) to remove 50% of the light fixtures installed along the zone line, (iii) to install shields on the remaining 50% of the light fixtures (which arrived on December 10, but have not yet been installed), (iv) to aim further down some of the lighting on our building, and (v) to leave the remaining lights off during the Christmas season.

In exchange, the County agreed (i) to allow string lights over our live tree area and the perimeter of our display and storage area and (ii) to allow the three large light fixtures that Poor Boy's agreed to remove to be remounted closer to our display area so long as they pointed away from the Baisdens'. Appropriate permits were received for all of our lighting.

When we set out to remount the three large light fixtures in the place agreed upon, we realized that such remounting would cause damage to existing trees. Not wanting to cause such damage, we contacted the appropriate county official to seek permission to use string lighting in place of the remounted lights. This official promised to get back to us with his decision, but never did so. We could not wait any longer. It is hard to sell Christmas trees in the dark and they are not very marketable after December 25. We thought we had taken the path of least resistance - we chose not to damage existing trees even though the County approved the placement of the lighting fixtures which would have done so, and replaced the approved lighting

12/18/97 THU 09:07 FAX B AND W LLP 004

with a form of lighting that creates far less light than would have been allowed with the remounted fixtures. Still, we are being considered in violation.

Conclusion

The above accounts undoubtedly support that Poor Boy's has worked tenaciously and cooperatively towards compliance with Baltimore County Codes, from purchasing property, having said property rezoned, filing for variances, not to mention making countless concessions to try to appease the Baisdens as well as trying to lessen the burden on County officials of having to deal with the constant complaints about Poor Boy's from the Baisdens. The benefit of our actions oftentimes has been that the County insists that Poor Boy's not merely comply with the Code, but exceed the requirements of the Code, and even then we may still be told that our efforts are not good enough.

We want to comply, but we also want to stay in business. We want to address your concerns, but we also want to have time and money to spend on pleasing the countless customers who find it nothing short of a blessing that Poor Boy's is in their neighborhood. We want to spend the time we have spent dealing with the Baisdens on the other hundreds of "neighbors" we have in the Parkville community.

All we ask for is that you understand the numerous demands, conditions, and requirements being placed on Poor Boy's from no less than a dozen different County officials and try to work with us, as we have with you, to come to resolutions. At the very least, we think it would be reasonable for the County to extend the deadline for imposing penalties under the Notice from December 18 to December 31, 1997.

We look forward to your quick and favorable response.

Very truly yours,

POOR BOY'S COUNTRY MARKET

By: _____
Terry J. Geraghty
Its: President

24306.1

DISTRIBUTION LIST

Office of the County Executive

Dutch Ruppersberger
Michael Davis
Robert Barrett
Doug Silber

Office of Councilman Joseph Bartenfelder

Joseph Bartenfelder

Baltimore County Department of Permits and Development Management

Arnold Jablon
Rick Wisnom
James Thompson
Hunter Rowe

Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County

Patrick Keller
Director of Planning

Avery Hardin
Landscape Architect

Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension_____
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE BALTIMORE COUNTY CODE, ZONING, OR OTHER CODES, REGULATIONS, AND POLICIES AS INDICATED BELOW:

Violation Notice No. 107108

Case No.: 97-3996

Election District 9 Permit No. _____

Name (s) Terry Geruhty

Address 7721 OLD HARFORD Rd. Parkville MD 21234

Location of Violation (if different than address) _____

Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:
§§ _____
§§ _____

Building Code (BOCA):
§§ 107.1 [illegible]
§§ _____

Investment Property Act (7-60):
§§ _____

Plumbing Code (NSPC):
§§ _____

Zoning Regulations:
§§ 102.1, 409.8.A.3
§§ 500

Liability Code (18-86):
§§ _____
§§ _____

Electrical Code (NEC):
§§ _____

Dwelling (CABO):
§§ _____

Other: §§ _____

COMMENTS OR OTHER VIOLATIONS:

(1) FENCE NOT PROPERLY INSTALLED ~~ALL~~ PARALLEL TO ONE OF PARALLEL TO TAYLOR AS PER SPECIAL HEARING. (2) CEASE STRINGING OF LIGHTS ON LOT AS PER SPECIAL HEARING #97 (3) CEASE LIGHT FROM COMMERCIAL ZONING FROM SHINING ON RESIDENTIAL PROPERTY

Not A concern

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE 12/18/97 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 12/4/97 INSPECTOR: Rowe

(4) OBTAIN PERMIT FOR OR REMOVE TRAILER ON PROPERTY

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,

YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT.

[illegible] CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____

INSPECTOR: _____

[illegible] PRINTED ON REVERSE SIDE

TRANSMITTAL

To: **Mr. Timothy Kotroco, Zoning Commissioner**
Office of the Zoning Commissioner

From: Ernie Baisden, President
Parkville Park Community Association

Date: February 17, 1997

Subject: Special Hearing And Variance Petition
Case # 97-295-SPHA
Poor Boy's Country Market

Comments:

Please find attached a booklet of information prepared by PPCA regarding the referenced subject. The booklet appears more intimidating than it really is. It contains a letter, and backup material in the form of attachments and photos. The relevant information has been highlighted on the attachments to facilitate your review of this information.

The proper implementation of this development is important to our community.

Thank you for taking the time to review this information. If you have any questions, I can be reached at 767-3752 (day) or 668-2580 (night).

EXHIBIT 2

The Parkville Park Community Association Inc.

Resolution

Resolved: That the position of the Parkville Park Community Association (PPCA) as adopted by the Board of Directors on the zoning matter known as:

Special Hearing: Case Number 98-267
Amendment Of Conditions In Variance

Petitioner: Mr. Gerahty (owner of Poor Boys Country Market)

Reference: Case Number: 97-295
Findings Of Fact And Conclusion Of Law

is that:

the PPCA fully supports the conditions of the variance and feel these conditions should remain in full effect. The community concerns outlined in the February 27, 1996 document from the PPCA to Deputy Zoning Commissioner Timothy Kotroco are still relevant to our community. The conditions that the petitioner has requested relief from are of the most critical in protecting and preserving the residential character of our community for the future. There has been no change in the residential community to warrant lessening the March 6, 1997 conditions that were accepted by the petitioner.

As Witness our hands and seal this March 7, 1999.

ATTEST:

Secretary

Parkville Park Community Association

President

Board Member Witness

Board Member Witness

Board Member Witness

The Parkville Park Community Association Inc.

Resolution

Resolved: That at the general meeting of the Parkville Park Community Association (PPCA) held on December 10, 1996. It was decided by the PPCA that the Board of Directors take the necessary steps to accomplish the following:

- To ensure the implementations of the design, location, and type of fence and landscaping as described by Baltimore County Landscape Architect, Avery Harden and sketch plan.

- To follow-up on the implementation of the Poor Boys development so that it is constructed and installed in accordance with Baltimore County Regulations, including all promises made to the community, without impacts to the surrounding neighbors, and as so protect and preserve the residential character of our community.

- To support county ownership of the 70 foot wide "L" shaped passive park buffer area as promised as a condition of the rezoning and send a letter to the County Executive to that effect. The PPCA prefers this to remain a permanent green space and have the right to make improvements on this property such as planting trees.

David D. Miller

Proposer

Ernest M. Baisden

President

Ruth Baisden

Secretary

Greater Parkville Community Council

Help Unite Northeast Baltimore County - For A Better Community

RESOLUTION

Resolved: That the position of the Greater Parkville Community Council (GPCC) as adopted by the Board of Directors on the zoning matter known as:

Special Hearing: Case Number 98-267
Amendment Of Conditions In Variance

Petitioner: Mr. Gerahty (owner of Poor Boys Country Market)

Reference: Case Number: 97-295
Findings Of Fact And Conclusion Of Law

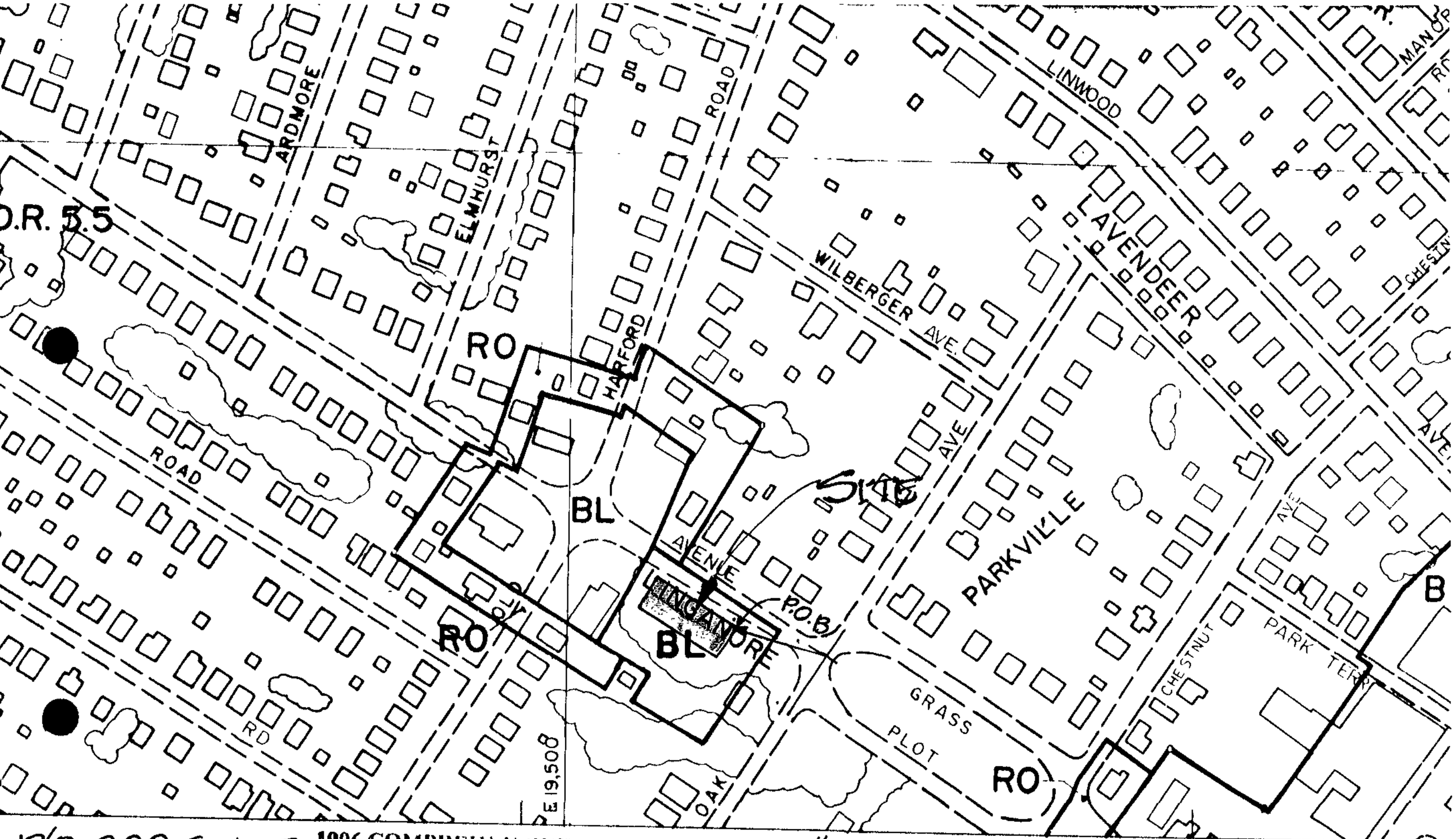
is that:
The 70 foot "L" shaped landscape buffer area be accepted as a county owned community passive park with an eight foot high wooden fence as described in Councilman Bartenfelder's September 18, 1997 letter. If the original intent of the passive park is not possible, GPCC supports a permanent open space easement written so the intent of the community passive park would be satisfied. Furthermore, the conditions that Mr. Gerahty is requesting relief from should remain and be promptly enforced.

As witness this day of March 8, 1999.

ATTEST: Greater Parkville Community Council

Secretary — President

Board Member Witness — Board Member Witness



P/O 200 SCALE
ZONING MAP
N.E.8D

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 7, 1996
Bills Nos. 129-96, 130-96, 131-96, [illegible], 133-96, 134-96, 135-96

"POOR BOYS
97-295-SPHA

BALTIM
OFFICE OF PL
OFFICIAL

AREAS.
ETRIC METHODS
1210

Kevin Kamenetz #295
Chairman, County Council

RO TO BL

DR5.5 TO BL

122

123

180'

50 50 50

60'

100

Park Reservat

360'

TO WS 0.72

45 45 45 45 45 45

45'

70'

194

124

125

126

127

128

95 94 92 91

COMPACT EVERGREEN SCREENING

60

90

50 45 45 45 45 45 45

LANDSCAPED CONSERVATION EASEMENT

48 45 44 43

DATE 10/8/96

1"=50"

180'

72

P/O PLAT OF "PARKVILLE"

40

SEDIMENT CONTROL MANUAL, STATE OF MARYLAND

30.0 DUST CONTROL

Definition

Controlling dust blowing and movement on construction sites and roads.

Purpose

To prevent blowing and movement of dust from exposed soil surfaces, reduce on and off-site damage, health hazards, and improve traffic safety.

Conditions Where Practice Applies

This practice is applicable to areas subject to dust blowing and movement where on and off-site damage is likely without treatment.

Specifications

Temporary Methods

1. Mulches - See standards for vegetative stabilization with mulches only. Mulch should be crimped or tacked to prevent blowing.

2. Vegetative Cover - See standards for temporary vegetative cover.

3. Tillage - To roughen surface and bring clods to the surface. This is an emergency measure which should be used before soil blowing starts. Begin plowing on windward side of site. Chisel-type plows spaced about 12" apart, spring-toothed harrows, and similar plows are examples of equipment which may produce the desired effect.

4. Irrigation - This is generally done as an emergency treatment. Site is sprinkled with water until the surface is moist. Repeat as needed. At no time should the site be irrigated to the point that runoff begins to flow.

5. Barriers - Solid board fences, silt fences, snow fences, burlap fences, straw bales, and similar material can be used to control air currents and soil blowing. Barriers placed at right angles to prevailing currents at intervals of about 10 times their height are effective in controlling soil blowing.

6. Calcium Chloride - Apply at rates that will keep surface moist. May need retreatment.

Permanent Methods

1. Permanent Vegetation - See standards for permanent vegetative cover, and permanent stabilization with sod. Existing trees or large shrubs may afford valuable protection if left in place.

2. Topsoiling - Covering with less erosive soil materials. See standards for topsoiling.

3. Stone - Cover surface with crushed stone or coarse gravel.

References

1. Agriculture Handbook 346. Wind Erosion Forces in the United States and Their Use in Predicting Soil Loss.

2. Agriculture Information Bulletin 354. How to Control Wind Erosion, USDA-ARS.

EXHIBIT 2

Conditions suggested by Terry Gerahty for Poor Boys if special hearing/variance granted as requested

1. Easement to Baltimore County for open space for DR buffer strip, the terms of which will be agreed upon by counsel for petitioner and assistant county attorney Silber.

2. Fence: an eight foot high interim pre-assembled sectional fence will be placed for a length of 120 feet along the BL/DR line closest to the Baisden property. This interim fence will be allowed for 5 years, after which time a permanent fence will be required per specifications of County landscape manual.

H:\GERAHTY\COND.ZON

Greater Parkville Community Council

Help Unite Northeast Baltimore County - For A Better Community

RESOLUTION

Resolved: That the position of the Greater Parkville Community Council (GPCC) as adopted by the Board of Directors on the zoning matter known as:

Special Hearing: Case Number 98-267
Amendment Of Conditions In Variance

Petitioner: Mr. Gerahty (owner of Poor Boys Country Market)

Reference: Case Number: 97-295
Findings Of Fact And Conclusion Of Law

is that:
The 70 foot "L" shaped landscape buffer area be accepted as a county owned community passive park with an eight foot high wooden fence as described in Councilman Bartenfelder's September 18, 1997 letter. If the original intent of the passive park is not possible, GPCC supports a permanent open space easement written so the intent of the community passive park would be satisfied. Furthermore, the conditions that Mr. Gerahty is requesting relief from should remain and be promptly enforced.

As witness this day of March 8, 1999.

ATTEST: Greater Parkville Community Council

Secretary — President

Board Member Witness — Board Member Witness

Prot Ex #1

The Parkville Park Community Association Inc.

Resolution

Resolved: That the position of the Parkville Park Community Association (PPCA) as adopted by the Board of Directors on the zoning matter known as:

Special Hearing:	Case Number 98-267 Amendment Of Conditions In Variance
Petitioner:	Mr. Gerahty (owner of Poor Boys Country Market)
Reference:	Case Number: 97-295 Findings Of Fact And Conclusion Of Law

is that:

the PPCA fully supports the conditions of the variance and feel these conditions should remain in full effect. The community concerns outlined in the February 27, 1997 document from the PPCA to Deputy Zoning Commissioner Timothy Kotroco are still relevant to our community. The conditions that the petitioner has requested relief from are of the most critical in protecting and preserving the residential character of our community for the future. There has been no change in the residential community to warrant lessening the March 6, 1997 conditions that were accepted by the petitioner.

As Witness our hands and seal this March 7, 1999.

ATTEST:

Secretary

Parkville Park Community Association

President

Board Member Witness

Board Member Witness

Board Member Witness

Prof Ex #2

8 1996
OFFICE OF PLA

RESTRICTIVE COVENANT AGREEMENT

THIS AGREEMENT is entered into, as of the 24 day of October, 1996, by and between TERRY GERAHTY ("Gerahty") Owner, POOR BOYS, INC. ("Poor Boys") Lessee, and the VILLA CRESTA CIVIC ASSOCIATION, INC. ("Villa Cresta").

RECITALS:

A. Poor Boys is the lessee of 7721 Old Harford Road, and Terry Gerahty is the owner of a lot of land (the "Land"), containing in the aggregate approximately 1.34 acres, located in the Sixth Councilmanic District of Baltimore County, Maryland, on the southwestern side of Taylor Avenue and Oak Avenue. The Land is more particularly described in a deed recorded among the Land Records of Baltimore County at Liber 8701, Folio 730.

B. At the present time, most of the Land is zoned D.R.5.5 (1.17 acres) and RO (0.17 acres).

C. The Land is currently not developed.

D. Poor Boys has submitted a request for change in zoning for the Land as a part of the 1996 Baltimore County Comprehensive Zoning Map process. The request seeks to have all of the Land classified BL. If this Agreement is executed, Gerahty and Poor Boys intends to amend its BL request to the area as shown on the attached Drawing marked "Amended Request". This requested zoning would enable Poor Boys to upgrade and expand its garden center and farm market now on the Land and at 7721 Old Harford Road with a more attractive, modern, garden center, farm market and country store with sufficient parking. The new site would include a significantly larger number of square feet than the present site.

E. If its request for BL zoning is granted, Poor Boys desires to develop on the Land sales, storage and parking areas for the upgraded garden center with such ancillary/accessory office and retail uses as are permitted as a matter of right in

Poor Ex #3

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

DATE: November 29, 1996

TO: Avery Harden
Landscape Architect

FROM: James H Thompson
Code Enforcement

RE: Landscape Installation
7721 Old Harford Road
Poor Boy's Incorporated
9th Election District

Please be advised that the subject property recently had a portion of it's land rezoned to commercial (B.L.) during the most recent comprehensive map process.

As a condition of this re-zoning, the property owner/tenant is to create a landscape buffer for the benefit of the adjacent community surrounding a proposed parking lot.

Douglas L. Burgess, Esquire, who represents the tenant, Poor Boy's Incorporated, has informed me his client is ready and willing to proceed with this requirement, but they first wish that you propose an acceptable landscape plan to satisfy Councilman Joseph Bartenfelder's requirement.

If our division can be of any assistance, please notify me at once.

C: Douglas L. Burgess, Esq.
Nolan, Plumhoff & Williams
Suite 700 Nottingham Centre
502 Washington Ave.
Towson, Md 21204

Inspector Hunter Rowe

Ernie & Ruth Baisden
7706 Oak Ave.
Balto. Md. 21234

Pet Ex #5

JHT:bb

Parkville Park Community Association

General Meeting - December 10, 1996

approved 3/11/97

Minutes

A General Meeting of the Parkville Park Community Association was called to order at 7:30 p.m. on December 10, 1997, at the Villa Cresta Elementary School library.

The Minutes Of The October And November Meetings Were Approved.

Parkville Park Project (Update):
Ruth Baisden spoke to Office of Community Conservation concerning the landscape project for the Parkville Park, findings were:

- The county would take ownership of the Parkville Park since they have been maintaining it.
- The county will hire a contractor to install landscaping according to our plan.
- The landscaping should be installed in the spring of 1997.

Membership And Dues:
It was discussed that a membership drive and collection of unpaid dues should be addressed.

1997 Meeting Dates:
A schedule of meeting dates for 1997 was approved at our last meeting. The General Meeting schedule is as follows March 11th, May 13th, July 8th, September 9th, November 11th. There will be no meetings in the months of January and February. Meetings will be held at 7:30 p.m. in the Villa Cresta Elementary School library. Due to the closure of Villa Cresta Elementary School during the summer, the July meeting will be held at another location. A flyer with the scheduled meetings will be prepared and delivered to members of the association by Ruth Baisden.

Officers Elections:
Due to the requirement in the by-laws that members have to be in good standing for at lease twelve connective months prior to elections a vote was taken to follow the by-laws, current officers will remain in office for the entire year.

Poor Boy's Development:
A vote was taken to approve the design, location, and type of fence and landscaping as described by Baltimore County Landscape Architect, Avery Harden and sketch plan. It was further agreed and voted as a resolution that the Board of Directors will follow-up on the implementation of the Poor Boys development so that it is constructed and installed in accordance with Baltimore County Regulations, including all promises made to the community, without impacts to the surrounding neighbors, and as so to protect and preserve the residential character of our community.

Wooded Landscape Buffer To Be Offered To The County By Poor Boy's:
It was voted to support the option of county ownership of this property as a preference and to send a letter to that effect to the County Executive. PPCA prefers this to remain a permanent green space and have the right to make improvements on this property such as planting of trees.

Pet Ex #6

The Parkville Park Community Association Inc.

Resolution

Resolved: That at the general meeting of the Parkville Park Community Association (PPCA) held on December 10, 1996. It was decided by the PPCA that the Board of Directors take the necessary steps to accomplish the following:

- To ensure the implementations of the design, location, and type of fence and landscaping as described by Baltimore County Landscape Architect, Avery Harden and sketch plan.

- To follow-up on the implementation of the Poor Boys development so that it is constructed and installed in accordance with Baltimore County Regulations, including all promises made to the community, without impacts to the surrounding neighbors, and as so protect and preserve the residential character of our community.

- To support county ownership of the 70 foot wide "L" shaped passive park buffer area as promised as a condition of the rezoning and send a letter to the County Executive to that effect. The PPCA prefers this to remain a permanent green space and have the right to make improvements on this property such as planting trees.

David L. Miller

Proposer

Ernest M. Baisden

President

Secretary

BALTIMORE COUNTY, MARYLAND a body corporate and politic	*	IN THE
	*	DISTRICT COURT
Plaintiff	*	OF MARYLAND
vs.	*	FOR
TERRY J. GERAHTY 8309 Dalesford Road Baltimore, Maryland 21234	*	BALTIMORE COUNTY
	*	CASE NO.
Defendant	*	

* * * * * * * * * *

PETITION FOR COUNTY CODE ENFORCEMENT

The Petition of Baltimore County, Maryland, Plaintiff, by its undersigned attorney, respectfully represents unto this Court:

1. Jurisdiction is conferred upon this Court by Maryland Code, Courts and Judicial Proceedings Article, Section 4-401(8) and 4-401(10)(vi)(1).

2. Plaintiff brings this action pursuant to Baltimore County Code, Section 26-120 (Injunctive Proceedings) and Section 26-121 (Civil Penalty).

3. At all times pertinent hereto Defendant is and has been the owner of real property situate in Baltimore County, State of Maryland, and known as 7721 Old Harford Road, Baltimore County, Maryland 21234 (hereafter the "property"). At all times pertinent hereto a portion of the property was zoned B.L. (Business Local) and a portion thereof was zoned D.R.5.5, a residential zone.

4. At all times pertinent hereto Defendant has and continues to operate and maintain a retail business upon the property.

5. The Baltimore County Zoning Regulations (BCZR) and specifically Regulation No. 409.8 dealing with design standards for off street parking facilities in all zones, require that such facilities have a durable and dustless surface and that all parking spaces thereon be striped. Heretofore Defendant sought a variance from those requirements from the Zoning Commissioner of Baltimore County and, after hearing, the Deputy Zoning Commissioner passed his Order on March 6, 1997 granting such a variance subject to certain restrictions upon the use of the property by Defendant

Baltimore County
Department of Permits and
Development Management

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

DATE: December 24, 1996

TO: Hon. Joseph Bartenfelder
Sixth District Councilman
M.S. 2201

John F. Weber, III
Director of the Dep. of Recreation and Parks
M.S. 52

Earnest and Ruth Baisden
7706 Oak Ave.
Parkville MD 21234

James Thompson
Supervisor of Code Enforcement

Terry Gerahty, Owner of Poorboys
7721 Old Harford Road
Parkville MD 21234

Douglas Burgess, Exq.
Nolan, Plumhoff and Williams
Suite 700, Nottingham Centre
502 Washington Ave
Towson, MD 21204

Re: Buffer Poorsboys
from community

Ladies and Gentlemen:

This is a response to the various meetings and phone calls regarding the above referenced matter.

Activity will cease at Poorboys for the current business season within the next 10 days; therefore, the buffer planting and fence previously agreed to are not required at this time. However, before opening the Spring 97 business season, Poorboys must have a fence and evergreen tree buffer in place as specified on the attached plan.

Prot Ex #7

Printed with Soybean Ink
on Recycled Paper

The 60 foot transition buffer area and 10 foot landscape strip must be laid out in accordance with an approved property survey. The fence must be located on the inside edge of the 70 foot space. See plan.

As delineated on the attached site plan, the 6 foot high fence shall have an additional 2 feet in height added in the form of a framed lattice on top. This lattice detail shall extend to the 90 degree bend in the fence at Oak Avenue and continue for 16 feet (two fence sections) along Oak Avenue. At that point, the 2 foot lattice top shall cease and the 6 foot fence shall continue for 64 feet (8 fence sections). The 6 foot high fence shall then drop to 4 feet and continue 64 feet (8 sections) and stop. Sight visibility must be maintained from this point to Taylor Avenue.

Thirty five evergreen trees a minimum of 5-6 feet in height shall be installed where delineated on the attached plan. The actual placement of the evergreen trees may vary in order to accommodate the existing trees. Installed trees that die or fail to thirive within two years must be replaced. Steven's Hollies are recommemded where excessive moisture is an issue. Hollies must be placed closer together to achieve the desired effect. See plan. The other evergreen selections are half Norway Spruce and half White Pine.

This office will work with Poorboys when the planning for the expanded parking lot begins. The proposal above is essentially what the Baltimore County Landscape Manual will require when a permit for the parking lot is sought. Every effort will be made to save the existing trees within the proposed parking lot area. There shall be no increase in runoff onto the adjacent residences as a result of the sitework.

As a condition of completing the buffer requirements, the copse of brambles along Oak Avenue should be mowed.

If anyone has any questions or comments, please call me at 887-3751.

Sincerely,

E. Avery Harden

E. Avery Harden, Landscape Architect
Development Plans Review

2 Attachments

Prot Ex #10

Community Concerns That Need To Be Addressed

1. Preservation Of Existing Trees

- Identified all trees to be saved. This should be done in cooperation with the community association (PPCA) and the County Landscaping Department (E. Avery Harden, Landscape Architect) and/or County Forest Conservation (Keith Kelly). This should be done and agreed upon prior to issuance of zoning variance. The larger mature trees should be a priority.

- Poor Boy's should provide a protection plan describing all measures and devices necessary to insure the health and well being of the trees as prescribed by a reputable tree expert.

- As a good faith measure and to show a commitment in the protection and preservation of the subject trees, Poor Boy's and PPCA should enter into a restrictive covenant agreement. This agreement would commit Poor Boy's to the long term protection and preservation plan for the trees and should be drafted and agreed upon prior to issuance of zoning variance. This should be a perpetual agreement recorded among the Land Records of Baltimore County that requires any successor land or business buyer to be bound by this covenant agreement and obligation.

2. Screening To The Residential Neighborhood

- The required privacy fence and landscaping parallel to Oak Avenue and parallel to the property line of the first house on Oak Avenue (Baisden's Residence) as prescribed by Avery Harden (County Landscape Architect) should be shown on plan and installed prior to reopening business. Avery Harden's letter with plan and details is attachment F.

- Appropriate screening and landscaping should also be installed along Taylor Avenue.

- All trash dumpsters, trucks, equipment and like should be screened all year around (even when business is closed) from the community.

- Trash and litter should be picked up on a weekly basis.

3. Stormwater Management Concerns

- The soil in the subject parking area has become compacted and impervious due to vehicles driving and parking in this area since this past spring. This is evident when walking on subject parking area and then adjacent area after a rain. In the parking area the water does not percolate but the adjacent area absorbs water and becomes very soggy (a person will sink several inches).

Many loads of stone have also been applied to this area during the spring/summer and then again in the fall. The topography of the adjacent area is such that the stormwater runoff flows from east

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 7, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

Prot Ex #11

SUBJECT: 7721 Old Harford Road

INFORMATION:

Item Number: 295

Petitioner: Terry Gerahty

Property Size:

Zoning: BL

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, staff offers the following comment:
On December 24, 1996, Avery Harden, a Landscape Architect with the Development Plans Review Section of Permits and Development Management, forwarded a letter - accompanied by a site plan - to some interested parties in this case (see attached). Should the applicant's request be granted, full compliance with the above mentioned plan and its stated conditions ~~would be necessary in order to~~ buffer the proposed parking area and the proposed outside sales/storage areas from the adjoining residential community. In addition, the management of stormwater run-off should be addressed by the applicant to the satisfaction of the Department of Environmental Protection and Resource Management to ensure that no adjacent properties will be negatively impacted by stormwater run-off.

Prepared by: Jeffrey W. Long

Division Chief: Carl L. Klaus

AFK/JL:rdn

ITEM295/PZONE/ZAC1

Post-It® Fax Note 7671	Date 2/11/97	# of pages ▶ 1
To	From	
Co./Dept.	Co.	
Phone #	Phone #	
Fax #	Fax #	

The Parkville Park Community Association Inc.

7706 Oak Avenue Baltimore, Maryland 21234 (410) 668-2580

November 23, 1997

Mr. Arnold Jablon, Director
Baltimore County Department of
Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

I am writing this in reference to the September 26, 1997 letter that was sent to Deputy Zoning Commissioner, Timothy Kotrocco and you from our association. Subsequent to sending the letter, I talked to Mr. Kotrocco and he stated that his ruling is to be enforced but the enforcement of the conditions are to be carried out by code enforcement. I then called Mr Raymond Wisnom of your office and informed him of our letter and my conversation with Mr. Kotrocco.

The conditions of the Deputy Zoning Commissioner were to be met within 30 days (except the open space easement). It has now been over 60 days and the conditions have not been met. The community has been very patient but have seen little results. With the recent addition of string lighting, we feel the situation has become worse. The installation of string lighting is explicitly contrary to the conditions of the Deputy Zoning Commissioner's ruling.

Also find enclosed standards appropriate for site lighting of neighborhood commercial areas which is specific to our situation. We are awaiting a written response to our letter and for the Deputy Zoning Commissioner's conditions to be promptly enforced.

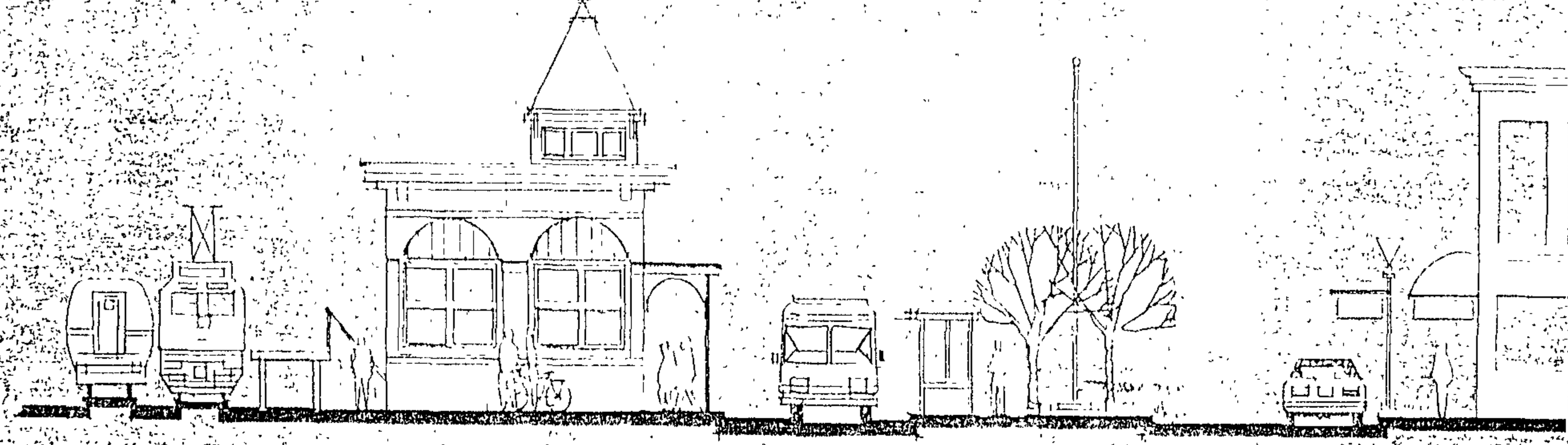
Sincerely,

Ernest Baisden, President
Parkville Park Community Association

Prot Ex #13

Planning for Transit-Friendly Land Use

A Handbook for New Jersey Communities



NJTRANSIT

12.7 Site Lighting

a) Site lighting shall be provided in accordance with the standards set forth in the following tables:

b) Lighting for safety shall be provided at intersections, along walkways, at entryway, between buildings, and in parking areas.

c) Spacing of standards shall be equal to approximately four times the height of the standard.

d) The maximum height of standards shall not exceed the maximum building height permitted, or 25 feet, whichever is less.

e) The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents, and the design of lighting standards shall be of a type appropriate to the development and the municipality.

f) Spotlights, if used, shall be placed on standards pointing toward the building rather than on the buildings and directed outward.

PARKING LOT ILLUMINATION

Activity Level	Lux	Foot Candles
Low activity[1]	2	0.2
Medium activity[2]	6	0.6
High activity[3]	10	0.9

[1] Examples include Neighborhood shopping, industrial employee parking, church or recreational facility parking.

[2] Examples include community shopping centers; office parks, hospital parking areas, cultural civic or recreational events, and residential complex parking.

[3] Examples include major cultural or civic events, major league athletic events, regional shopping centers and fast food facilities.

Excerpted from Listoken, David and Walker, Carole, The Subdivision and Site Plan Handbook, New Brunswick 1989.

PEDESTRIAN WALKWAY ILLUMINATION

Walkway Classification	Minimum Average Horizontal Levels-Lux	Average Levels for Special Pedestrian Safety-Lux
Roadside Sidewalks		
Commercial areas	10	22
Intermediate areas	6	11
Residential areas	2	5
Walkways Distant from Roadways		
Walkways and stairways	5	5
Pedestrian tunnels	43	54

Source: Listoken, David and Walker, Carole, op.cit.

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

IN RE: BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION	*	BEFORE THE
CODE ENFORCEMENT HEARING	*	CODE OFFICIAL
Terry Gerahty	*	Civil Citation No. 97-3996
Respondent	*	7721 Old Harford Road

* * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE OFFICIAL

This matter came before the Code Official pursuant to §1-7, Baltimore County Code, for consideration of code enforcement citations issued to the respondent named above by the Division of Code Inspections and Enforcement, Department of Permits and Development Management, for violations allegedly occurring at the property known as 7721 Old Harford Road, Parkville, and zoned B.L.

The respondent did appear.

Appearing at the hearing were Terry Gerahty, the owner of the property, and C. William Clark, Esquire, who provided legal counsel for the respondent.

This code enforcement hearing was duly scheduled, and was conducted on the 18th day of March, 1998.

Appearing and testifying was Terry Gerahty, the respondent. Appearing as complainants to the respondent's alleged use of the cited property were Mr. Ernie Baisden, Mrs. Ruth Baisden, and Mr. James Reed.

Pet Ex #15

Baltimore County
Department of Permits and
Development Management

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

18 March, 1998

Mr. Terry Gerahty, President
Poor Boy's, Inc.
7721 Old Harford Road
Baltimore, Maryland 21234

Re: removal of variance conditions

Dear Mr. Gerahty:

I am herewith returning your check, which you forwarded to this office along with your request for our opinion as to the status of the variance approved in Case # 97-295.

In response, please be advised that should your grading plan, which is currently before the county for review and approval, be accepted, then the variance you received in the aforementioned case would no longer be of application. Inasmuch as the variance was to permit you to use an alternative surface for your parking area, crusher run, to that which is required by law, it would no longer be applicable because you would be in compliance with the law, i.e., durable and dustless. The grading plan you submitted has not received final approval.

It is my understanding, however, that parking is occurring on that area which was the subject of the variance. In fact, you are utilizing the variance you were granted; thus, all of the conditions delineated by the deputy zoning commissioner are in full force and effect. You must comply with all of its conditions, and any deviation constitutes a violation. Any mootness would not occur until the grading plan were to be approved, permits issued, and the parking lot paved. At that time, and not before, would the variance order and the conditions contained therein become moot.

Whether the order and its conditions becomes moot, however, is not the issue. As we discussed, you are required to conform to all zoning requirements, landscape requirements and environmental regulations, as well as with the agreement you executed with the county. Of course, the lighting issue is still unresolved. While you have been cited for certain violations, about which a code enforcement hearing was held today, it is important that you understand the potential continuing violation involving the use of the existing lighting which shines impermissibly into the adjoining residential properties.

Pro Ex #16

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on Recycled Paper

You must cease and desist using these lights until such time as you can show the county that the lights conform to the county's requirements. Even should the variance order become moot, this point will never change. In order to facilitate full corrective action, we will contact BGE and ask that it take equally appropriate action with those lights which it erected.

Your letter obviously seeks our assurance that all of the conditions set out in the deputy zoning commissioner's order are no longer valid. As stated above, they are still valid. The question you raise will not mature to a viable issue until the grading plan is approved and the paving pursuant to county regulations occurs. Regardless, I must caution you that the landscaping plan requirement contained and incorporated into the zoning order is still applicable. As I explained to you, should you disagree with Mr. Harden's interpretation of the Landscape Manual and concomitant its impact on the easement issue, the remedy to express your disagreement is before the zoning commissioner. You will need to file a petition for special hearing to amend the variance and ask the zoning commissioner to amend or disapprove Mr. Harden's requirements. However, your grading plan will not be approved if you do not either carry out Mr. Harden's requirements or have the zoning commissioner issue an appropriate order. Obviously, if the grading plan is not approved, you will not be permitted to pave the area you need to comply with the zoning parking requirements, and the variance and its conditions will remain in full force and effect. It will be necessary for you to abide by all of its conditions. Yes, it is the proverbial catch-22; but the overriding concern now with this office is satisfaction and correction of the lighting situation.

If you have any questions, please feel free to contact Jim Thompson of this department, or Doug Silber, Assistant County Attorney.

Sincerely,

Arnold Jablon

Baltimore County
Office of Law

400 Washington Avenue
Towson, Maryland 21204
410-887-4420
Fax: 410-296-0931

November 24, 1998

Ms. Pat Sheeder, Supervisor I
Civil Administration-Towson Court
District Court of Maryland
for Baltimore County
120 E. Chesapeake Avenue
Towson, Maryland 21286

RE: Baltimore County, Maryland v. Terry J. Gerahty
O/L File No.: 16,583-37

Dear Ms Sheeder:

Enclosed herewith is the Petition for Code Enforcement, Show Cause Order and Proof of Service with regard to the above-referenced case for the Court's approval, signature and return to our office for service by private process server.

Thank you very much for your cooperation in this matter.

Very truly yours,

WILLIAM O. JENSEN, JR.
Assistant County Attorney

/ak

Enc.

cc: Arnold Jablon, Director, PDM
cc/Enc James H. Thompson, PDM Inspector

Pet Ex #17

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on Recycled Paper

BALTIMORE COUNTY GOVERNMENT

INTER-OFFICE COMMUNICATION

PERMITS AND DEVELOPMENT MANAGEMENT

DATE: 2/6/98

TO: ZONING ADVISORY COMMITTEE

FROM: Avery Harden, County Landscape Architect

SUBJECT: *ITEM # 267; Zoning Case # 97 - 295 SPHA, Violation Case # 97 - 3996; "Poor Boys"*

This office recommends against granting the requested relief. Besides the subject order, the applicant is subject to the Baltimore County Landscape Manual — that also requires a fence — and the parking-lot lighting is still subject to (Sec. 409.8; A. 3.) of the Baltimore County Zoning Regulations. The recent modification to the subject site lighting still leaves the trespass-light issue in significant non-conformance with the Illumination Engineering Society standards for this particular situation. The applicant plans additional lighting still.

The design need for the conditions in the subject order has not changed. The applicant is presently pursing a grading permit that would include permission to permanently store 1,900 cubic-yards of subsoil clay excavation on top of the buffer area. The resulting pyramidal-type constructions would create an aesthetic nuisance while smothering significant portions of the root systems of the numerous specimen trees. It would also be horticulturally unfeasible to establish vegetation on these constructions. The applicant request that these pyramids be accepted as the necessary buffer in-lieu-of the subject zoning order conditions. This office recommends against permitting this.

Prot Ex #18

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE COMMUNICATION

DATE: 1/29/98
TO: Arnold Jablon, Director of the Department of Permits and Development Management, PDM
FROM: Avery Harden, Landscape Architect, PDM
SUBJECT: *Poor Boy's Country Market*

This memo is in response to the attached letter from Mr. Terry Gerahty you should have received, dated 12/18/97. Mr. Gerahty presented his position regarding the lighting problem and non-conformance with the residential buffer requirements at his *Poor Boy's Country Market.* His distribution list included various County officials.

Mr. Gerahty referenced me as having been the primary point person giving directives for the County on most of the issues. I offered none of the directives attributed to me by Mr. Gerahty in his letter. My role was limited to asking questions, gathering information and offering design evaluation of the various negotiating points Mr. Gerahty and Douglas Silber of the Office of Law were considering. Anything Mr. Gerahty construed as a directive was offered by Mr. Silber. Any confusion regarding the negotiating process headed by the Office of Law and the position of PDM has, in my opinion, been created by Mr. Gerahty in his effort to gain leniency.

The County has had a two-track campaign with this difficult case. The first track has been the Office of Law attempting to negotiate a resolution between Mr. Gerahty and the aggrieved surrounding residential community. The second track taken, that was engaged after the Office of Law withdrew its effort, has been PDM attempting to enforce regulations applicable to the situation.

The PDM position on the residential buffer has explicitly and consistently followed the position letter prepared by me that was submitted to and approved by Councilman Bartenfelder and the Deputy Zoning Commissioner, Timothy Kotroco. Mr. Gerahty chose to ignore some of the crucial specifications of that County approved document.

Unlike Mr. Gerahty's assertion, the PDM position on the lighting issue has been consistent. As long as the overall illumination and excessive light source points glare into the adjacent residences, violating the integrity of the required residential buffer, there has been a code violation problem. The PDM position while the negotiation between Mr. Gerahty and the Office of Law was in progress was to avoid specific lighting design directives and emphasize only the

Prot Ex #19

necessary outcome. Now that the negotiations are over, PDM can offer specifics on to how that necessary outcome can be achieved.

Mr. Gerahty states that he submitted a lighting design, as required, for my review and that I never responded. My review of his plan was a moot point because the lighting had been installed and operating for six weeks before he made his submittal. If and when Mr. Gerahty genuinely solicits from us what he needs to do to make his lighting acceptable, we stand ready to oblige him. The lighting poles and fixtures on the residential zone line should be moved in 10 feet to the inside edge of the Class A buffer line. The angled lighting along Taylor Avenue that presently glares across the site into the residential area should be turned to face perpendicular to the ground. Lowering the lights to 15 feet and using cut-offs on the fixtures to further corral the light is also necessary.

Councilman Bartenfelder gave Mr. Gerahty the right to physically expand his business. However, Mr. Gerahty's precipitous ill conceived lighting installation has created a visual land grab that extends well into the residential community.

I believe that with a properly designed lighting installation, combined with adherence to the approved residential buffer design, it is possible for the *Poor Boy's Country Market* to adequately light its area without being a nuisance to the surrounding neighborhood. Unfortunately, the cost of having to modify his lighting and fence will be burdensome because of Mr. Gerahty's precipitous action.

Arnold, I am copying this memo to those in PDM that are involved in this issue. However, because of Mr. Gerahty's various inaccurate statements, the other County officials on Mr. Gerahty's lengthy copy list should, in my opinion, receive a timely response from PDM. Please let me know your thoughts.

cc: Robert Bowling
Rick Wisnom
James Thompson
Hunter Rowe

attachment

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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: February 10, 1998

FROM: Robert W. Bowling, Chief
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 9, 1998
Item No. 267

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The zoning plan is not consistent with the submitted site and grading plans, and it has to be rectified.

Only a single new point of access will be permitted for the proposed addition.

Four-hundred foot sight lines along Taylor Avenue shall be shown for the vehicles using Oak Avenue and the proposed point of access.

PLEASE SEE ATTACHED MEMORANDUM FOR ADDITIONAL COMMENTS.

RWB:HJO:jrb

Attachment

cc: File

Protest 26A

ZONE0209.267

Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

February 27, 1998

Mr. Terry Gerahty, President
Poor Boy's, Inc.
7721 Old Harford Road
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
SW/S Taylor Avenue, 145' NW of c/l Oak Avenue
(7721 Old Harford Road)
9th Election District - 6th Councilmanic District
Terry Gerahty - Petitioner
Case No. 98-267-SPH

Dear Mr. Gerahty:

This Office is in receipt of your request for postponement of the above-captioned matter, scheduled for Monday, March 2, 1998. It is my understanding that the property was improperly posted for this upcoming hearing and as a result, must be reposted and/or advertised with a new hearing date and time.

Please contact the Department of Permits and Development Management to secure the next available hearing date and time when you are prepared to move forward with this case. In the meantime, this Office has notified Mr. and Mrs. Ernest Baisden of your request for postponement. It is suggested that you notify them in writing of the new hearing date and time when your case has been rescheduled.

Thank you for your cooperation in this matter.

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Ernest L. Baisden
7706 Oak Avenue, Baltimore, Md. 21234

DPDM; People's Counsel; Case Files

Prot Ex 26B

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: February 23, 1998

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petition because the issues related to the subject case deal with enforcement matters.

Item No. 267

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: Jeffrey W. Long

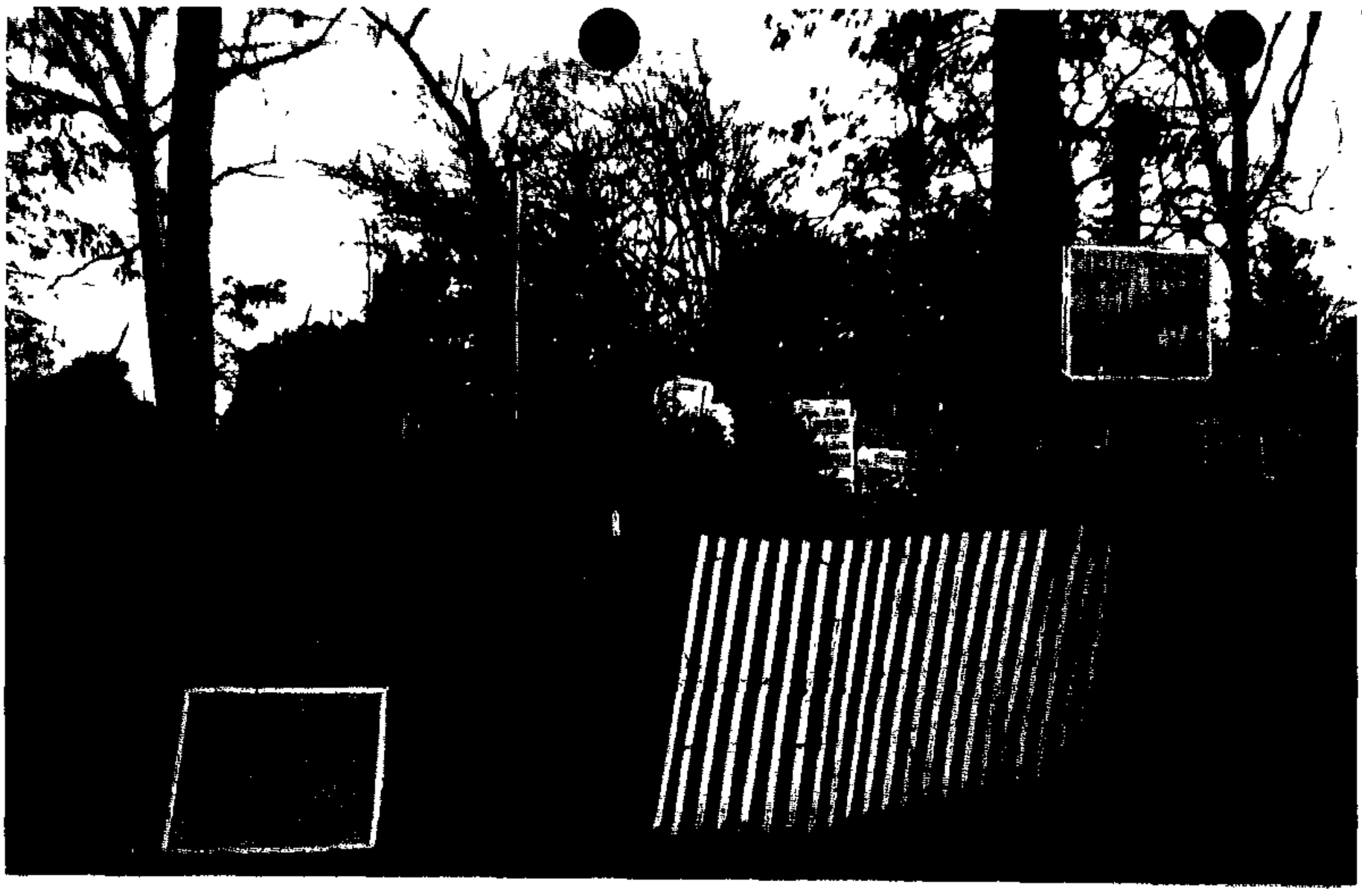
Division Chief: Carl L. Kess

AFK/JL

Pet ex 26C

C:\MSOFFICE\WINWORD\ZAC\NOCOM\267.DOC

RECEIVED
FEB 27 1998



VIEW FROM POOR BOYS LOOKING EAST TOWARDS OAK AVENUE. THIS AREA IS SHOWN ON POOR BOYS SITE PLAN AS STORAGE. SIGNS ADVERTISE FOR CUSTOMERS TO SHOP IN STORAGE AREA. PINK SIGN READS: ALL MULCH $1.99 NO LIMIT. GREEN SIGN READS: LIVE TREES READY TO PLANT.

VIEW FROM THE FIRST HOUSE ON OAK AVENUE LOOKIN NORTH ON AREA SHOWN AS STORAGE ON POOR BOY'S SITE PLAN. CUSTOMERS ARE SHOPPING IN STORAGE AREA PRICE TAGS ARE ON CHRISTMAS TREES.

VIEW FROM THE INTERSECTION OF OAK AVENUE AND TAYLOR AVENUE LOOKING WEST. PHOTO 1 HOLE CHRISTMAS TREES TAGGED TO SELL AND PLANTED.

CHRISTMAS 1997

Conditions at Poor Boys

Spring 1998

A.

View from Taylor Ave. looking west to Old Hartford Road.

Photo shows: Lack of parking provided on Poor Boys lot. This forces customers to park in the residential community.

B.

View from: Oak Ave. looking northeast towards Taylor Ave.

Photo shows: Poor Boys customer entering car.

C.

View from Taylor Ave. looking north towards Hartford Road.

Photo shows: Poor Boys customers parking on Taylor Ave.

Conditions at Poor Boys

Spring 1998

A., B., & C.
View from: Oak Ave. looking north towards Taylor Ave.

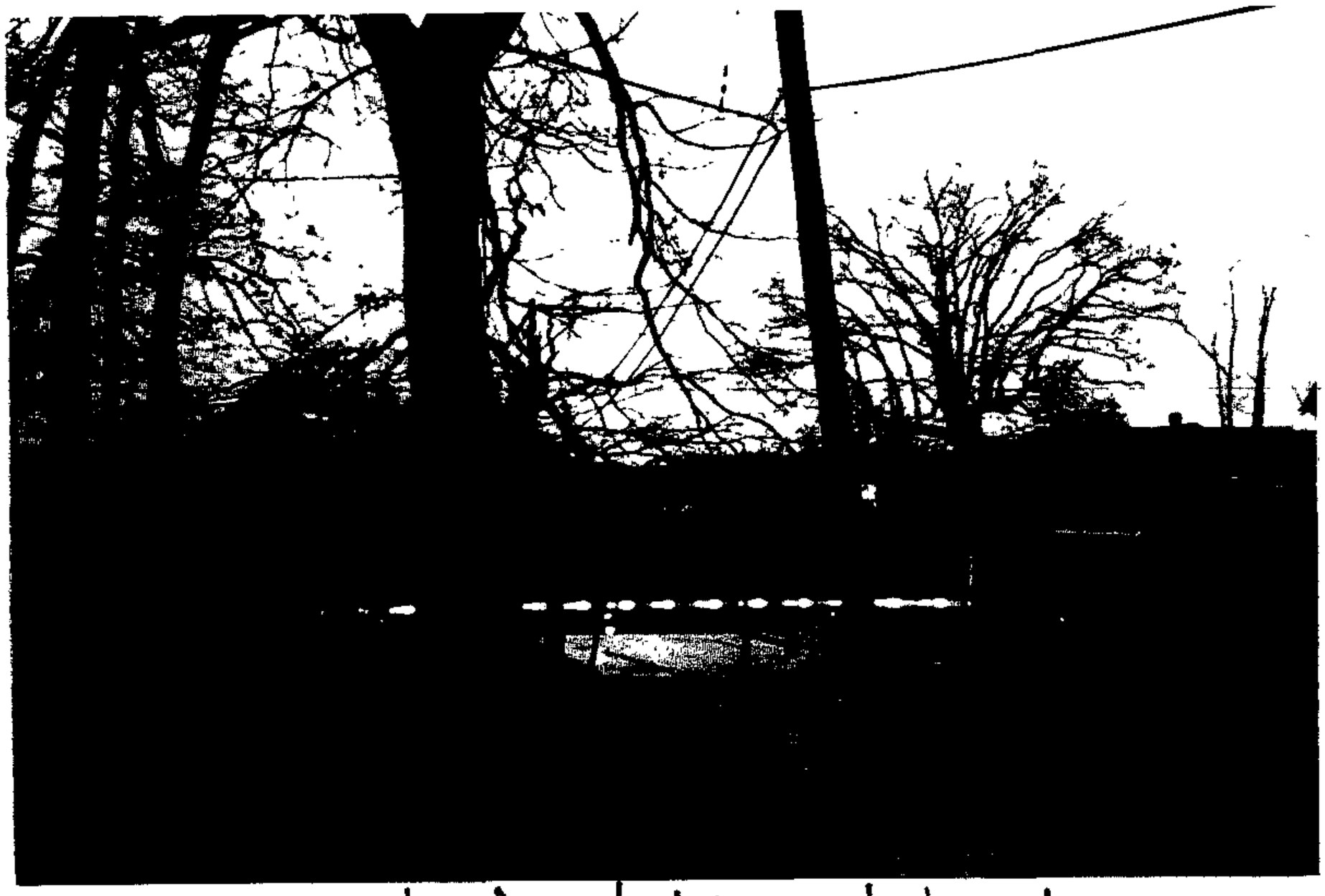
Photo shows: Customers shopping in an area shown on Poor Boys plan as storage area. Note Prices in front of items (plants).

A.

B.

C.

Conditions at Poor Boys
November, & December 1998



View from: Taylor Ave. looking west towards Old Hartford Road.
Photo shows: truck deliveries in residential community

Conditions at Poor Boys

DECEMBER 1998

View from: Oak Ave. looking west towards Old Harford Rd.
Photo shows: Cars & trucks parking on gravel area outside of paved parking lot.

NOT
FOLLOWING
PLAN -
PARKING -
DISPLAY/STORAGE

Conditions at Poor Boys

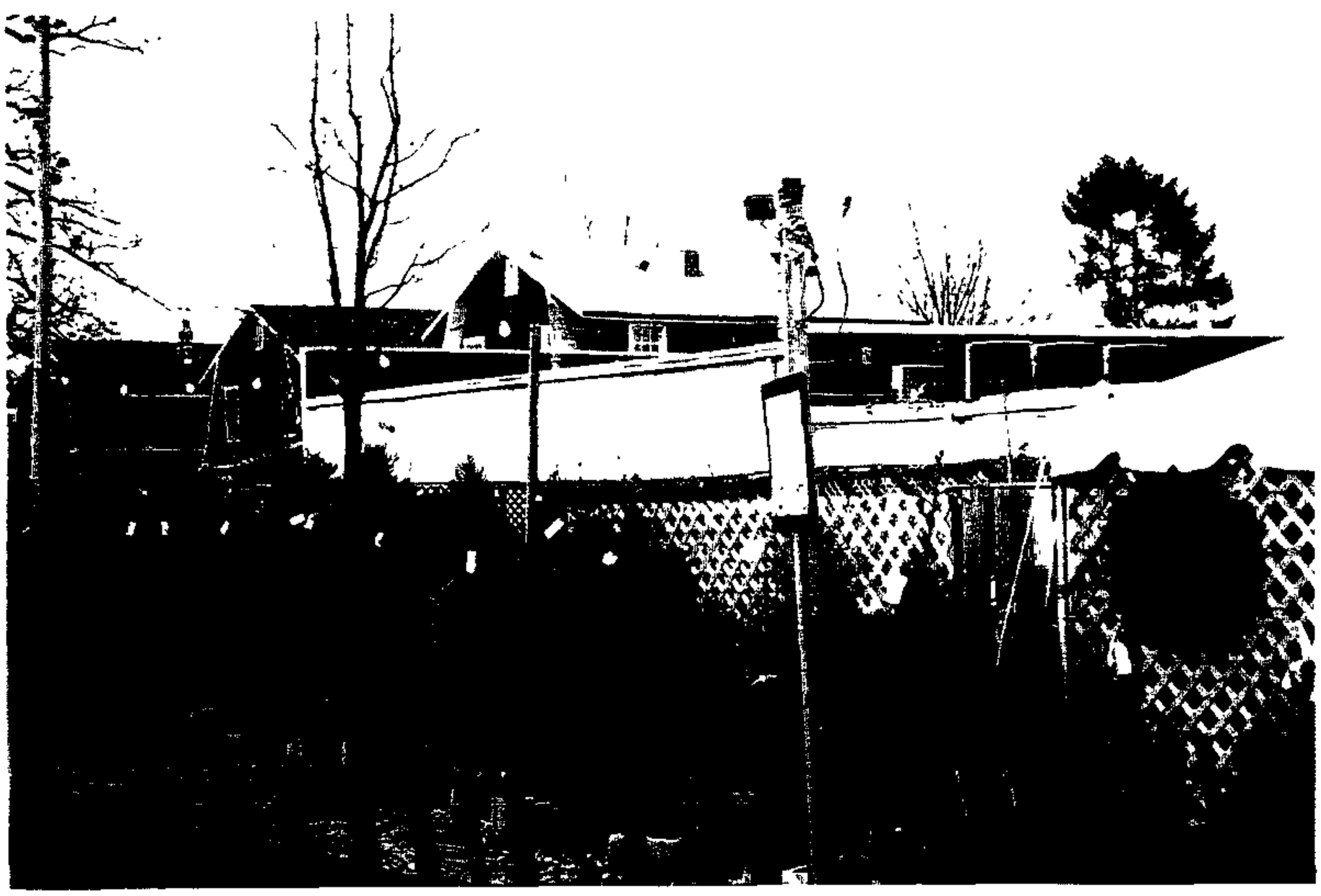
DECEMBER 1998

TOP:
VIEW from Taylor Ave.. looking south.
Photo shows: Trees in aisles for sale.
Note price tags on trees
This area is shown on Poor Boys plan as storage.

View from the first house on Oak Avenue looking north towards Taylor Ave.
Photo shows:
trees for sale, note price tags. This area is shown as storage on Poor Boys plan.

Conditions at Poor Boys
DECEMBER 1998

View from: Taylor Ave. looking southwest towards Old Hartford Rd.
Photo shows: the use of string type lighting which is prohibited according to Poor Boys variance conditions



Conditions at Poor Boys

Dec. 1998

A. View from: Taylor Ave. looking south.

Photo shows: Poor Boys storage area with trucks and trailer. Bags of soil behind truck are on display. Customers may walk through storage area.

Landscaping along Taylor Ave. is missing.

B. View from: Taylor Ave. looking south

Photo shows: Cynder blocks & other storage items Compacting soil near large oak trees.

Pink sign states: "All soils ½ price" encouraging Customers to shop in storage area.

C. View from: Taylor Ave looking South.

Photo Shows: Poor Boys storage area. At this time the store is closed (8:00 am)

Conditions at Poor Boys

DECEMBER 1998

View from: the backyard of the first house on Oak Ave looking east towards Oak Ave.
Photo shows: Light shinning from Poor Boys on both houses.

View from: buffer area (south of Poor Boys) looking southeast towards OAK Ave.
Photo shows: Light shinning in buffer area and on house.
Note: Dead landscaping in foreground is not providing screening.

Conditions at Poor Boys

DECEMBER 1998

View from: Oak Ave. looking south west towards first house on Oak Ave.

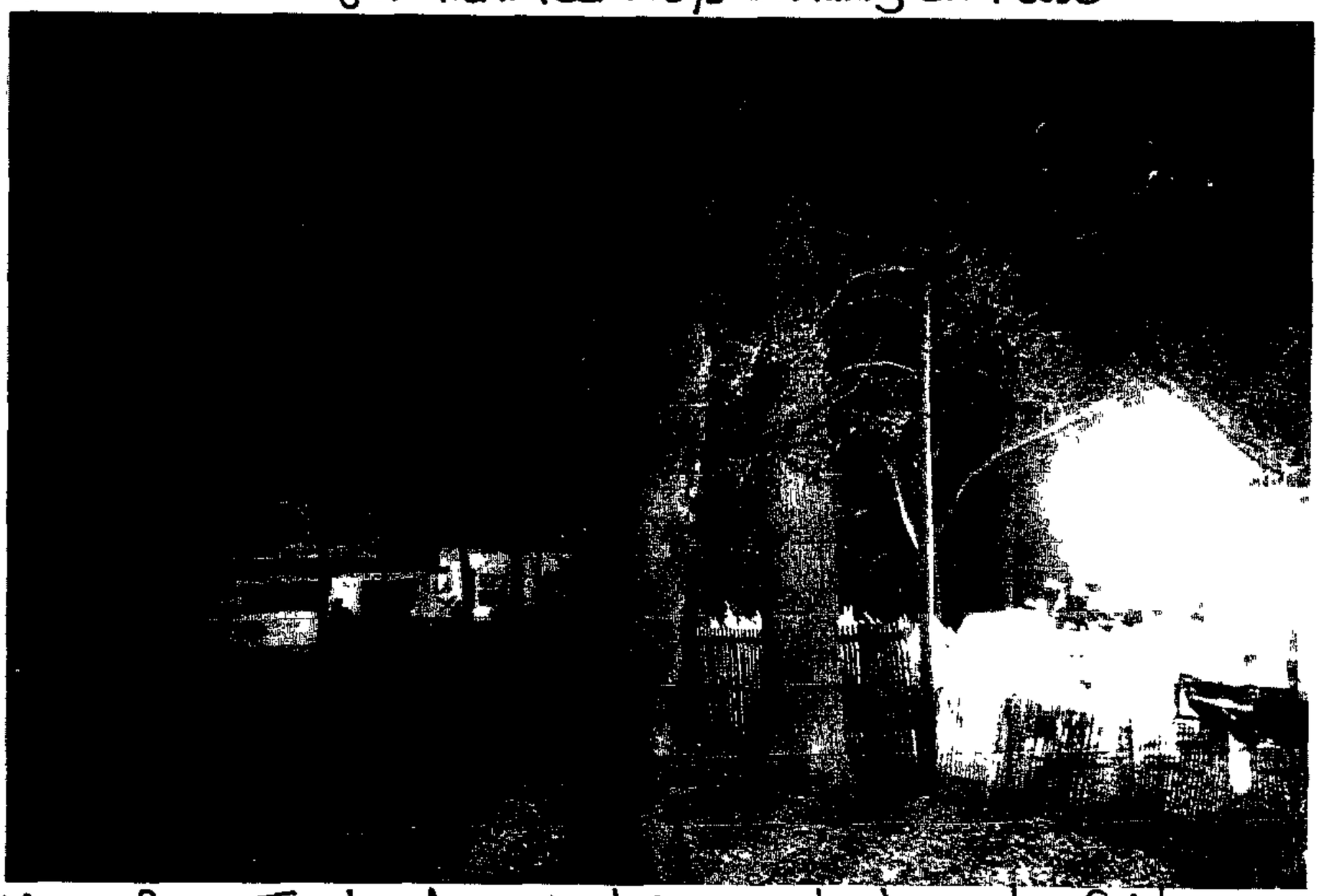
Photo shows: Light shinning from Poor Boys on first house on Oak Ave.

View from: Buffer area (south of Poor Boys) looking south towards first house on Oak Ave.

Photo Shows: Light shinning on house. Note: Dead landscaping in foreground is not providing screening.

Conditions at Poor Boys
DECEMBER 1998

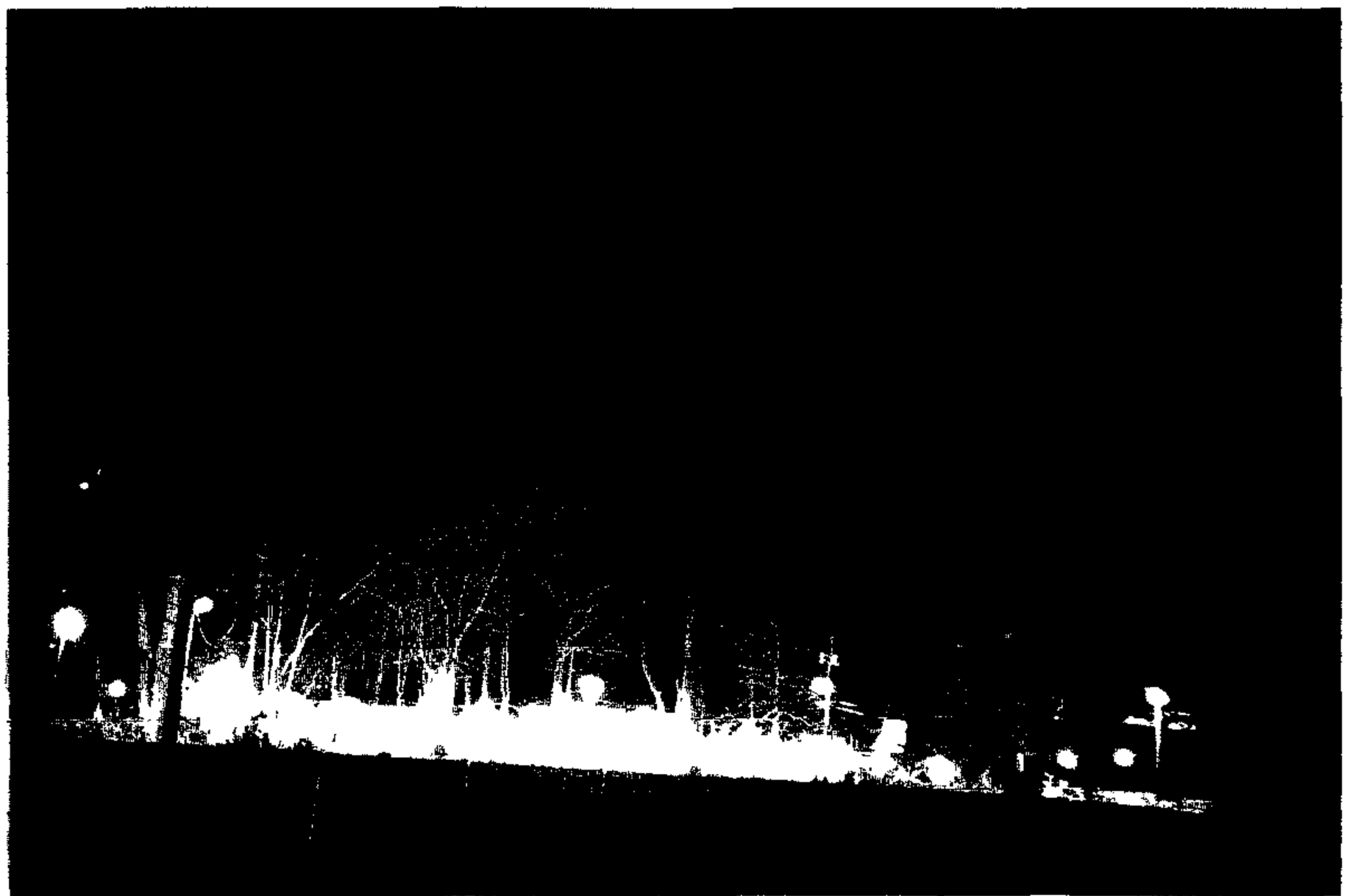
View from: Buffer area (south of Poor Boys) looking south towards first house on Oak Ave.
Photo Shows: Light from Poor Boys shinning on house.



View from: Taylor Ave. looking south towards first house on Oak Ave.
Photo shows: Light from Poor Boys shinning in buffer area and on first house on Oak Ave.

Conditions at Poor Boys
DECEMBER 1998

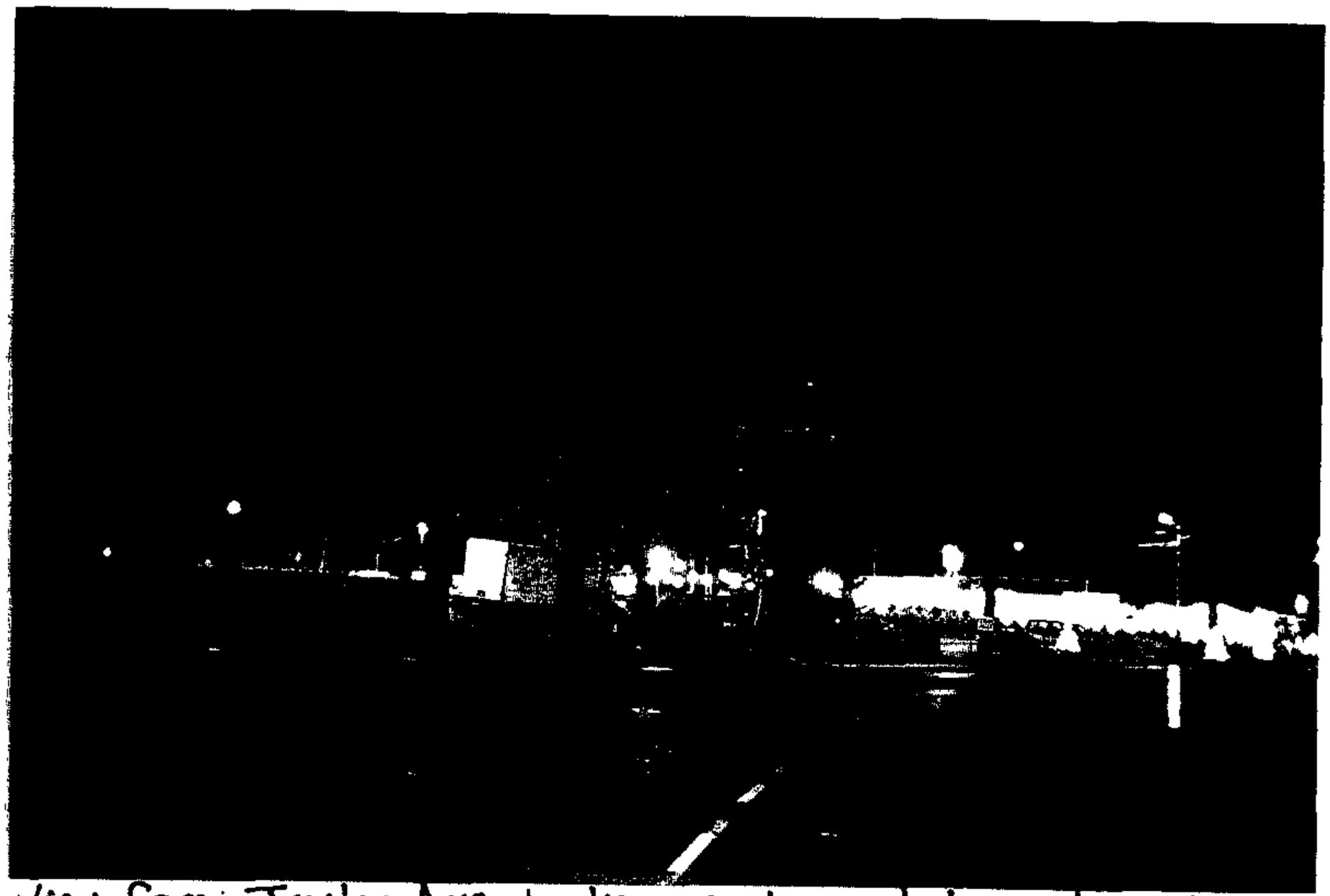
View from: Oak Ave looking southwest at first house on Oak Ave.
Photo shows: Light from Poor Boys shinning on first house on Oak Ave.



View from: Oak Ave. looking west towards Poor Boys.
Photo shows: Poor Boys lighting (string lights in center) at night.

Conditions at Poor Boys

DECEMBER 1998



View from: Taylor Ave. looking southwest towards OLD Harford Rd.

Photo shows: Intense light from Poor Boys.

View from: Taylor Ave. looking south down Oak Ave.

Photo shows: Intense light from Poor Boys shinning in buffer area and on first house on Oak Ave.

ATTACHMENT 1.(b.)

LIGHTING CONDITIONS AT POOR BOYS

VIEW OF POOR BOYS LIGHTING FROM TAYLOR AVENUE LOOKING EAST

Pot Ex 20A
Tallen March 9, 88

VIEW OF POOR BOYS LOOKING FROM OAK AVENUE TOWARDS OLD HARTFORD ROAD PRIOR TO INSTALLATION OF FENCE. SOME LIGHT LIGHT FIXTURES ARE CURRENTLY IN PLACE

LIGHTING CONDITIONS AT POOR BOYS

REFLECTION OF POOR BOYS LIGHTS ON FIRST HOUSE ON OAK AVENUE

THE EFFECTS OF THE LIGHTING FROM POOR BOYS EXPANSION ON THE BACKYARD OF THE FIRST HOUSE ON OAK AVENUE.

Conditions at Poor Boys

CHRISTMAS SEASON 1997

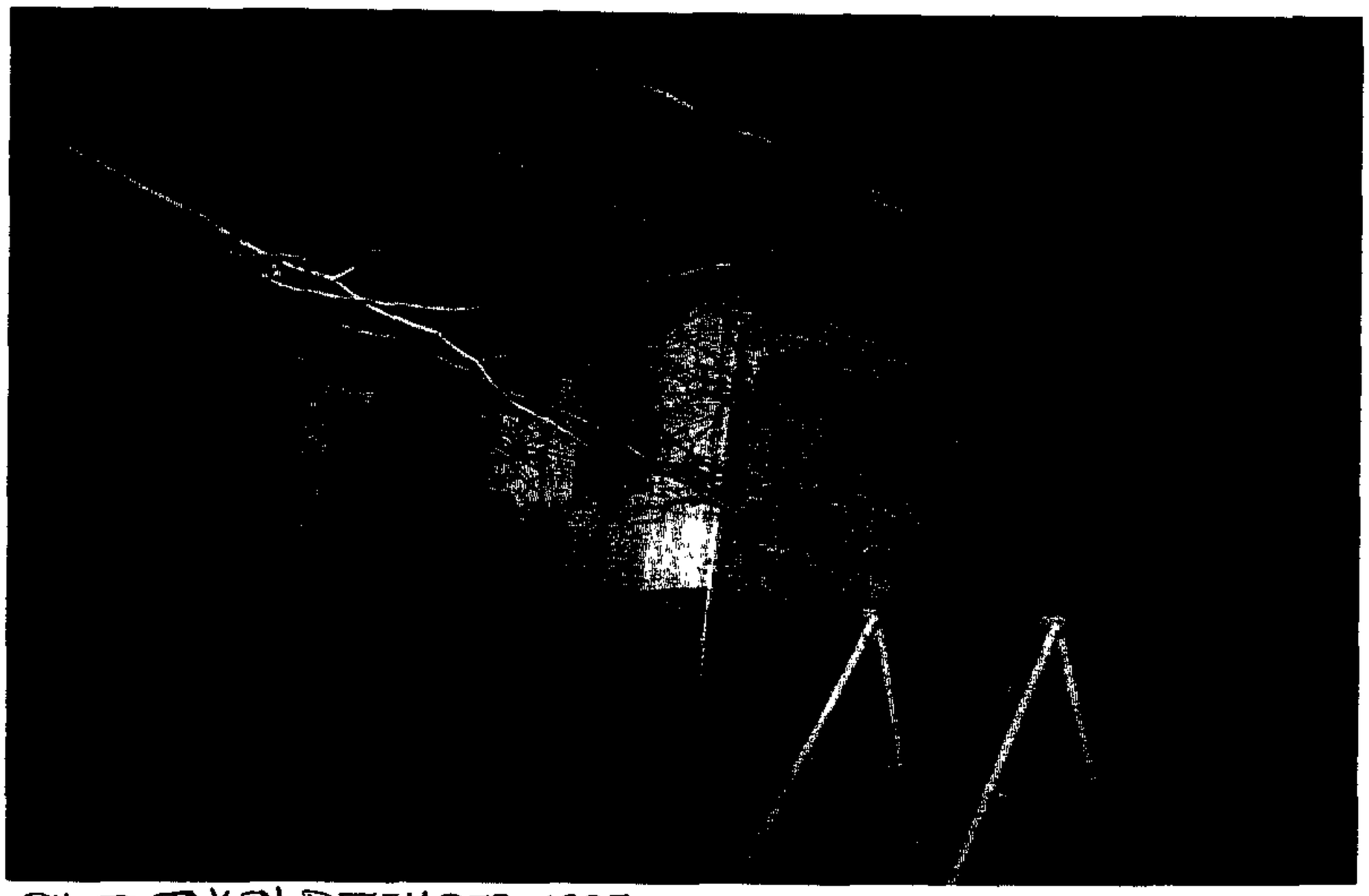


PHOTO TAKEN DECEMBER 1997
VIEW FROM BACKYARD OF THE FIRST HOUSE ON OAK AVENUE LOOKING SOUTHEAST ON BACK OF THE HOUSE
PHOTO SHOWS LIGHT FROM POOR BOYS SHINNING ON THE HOUSE.

Pot Ex 208
taken Christmas '97

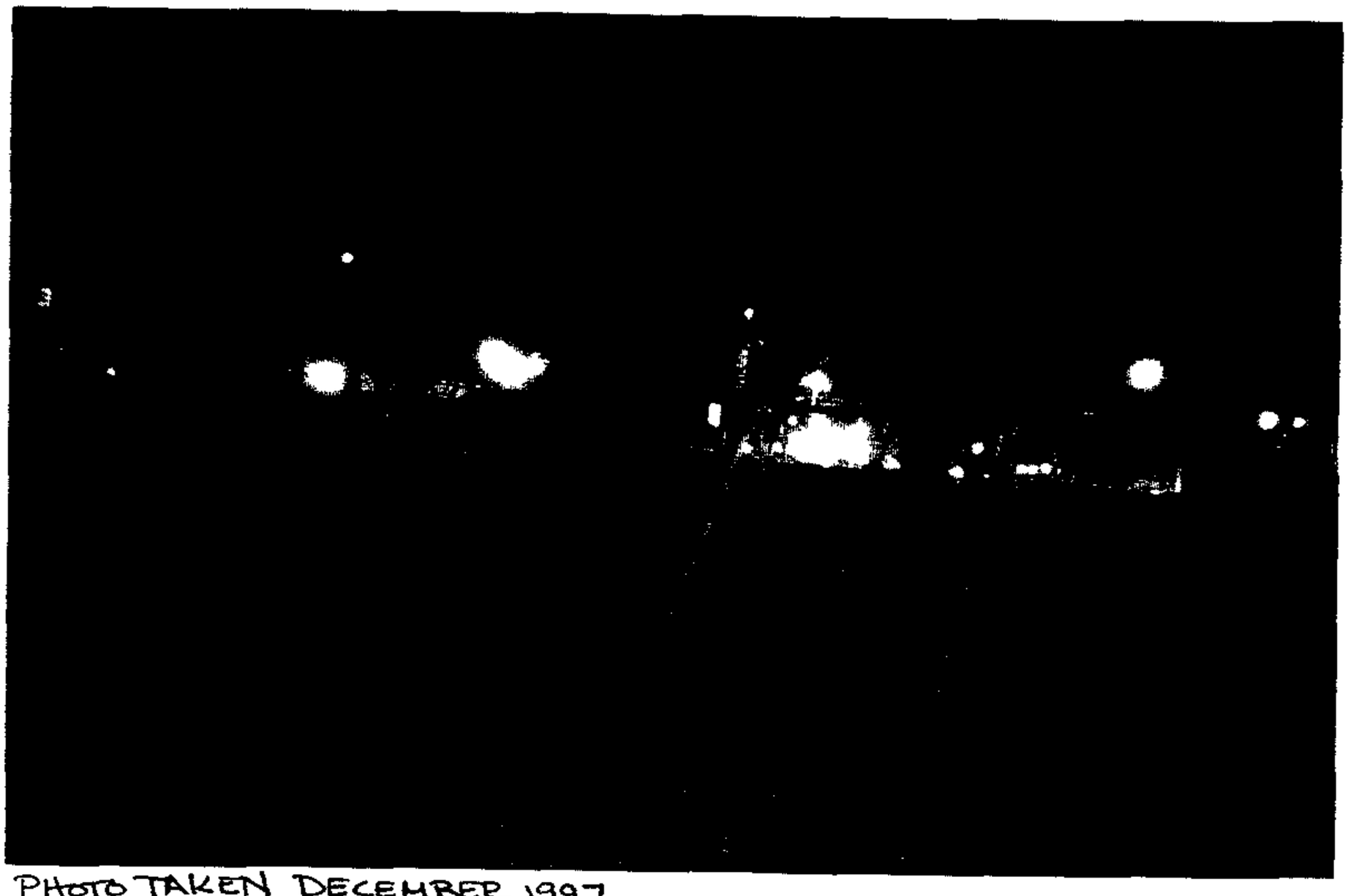


PHOTO TAKEN DECEMBER 1997
VIEW FROM THE BACKYARD OF THE FIRST HOUSE ON OAK AVENUE LOOKING NORTHWEST ON POOR BOYS.
PHOTO SHOWS LIGHT SHINNING ON RESIDENTIAL AREA AND INTENSITY OF LIGHT AT POOR BOYS.

Conditions at Poor Boys

CHRISTMAS SEASON 1997

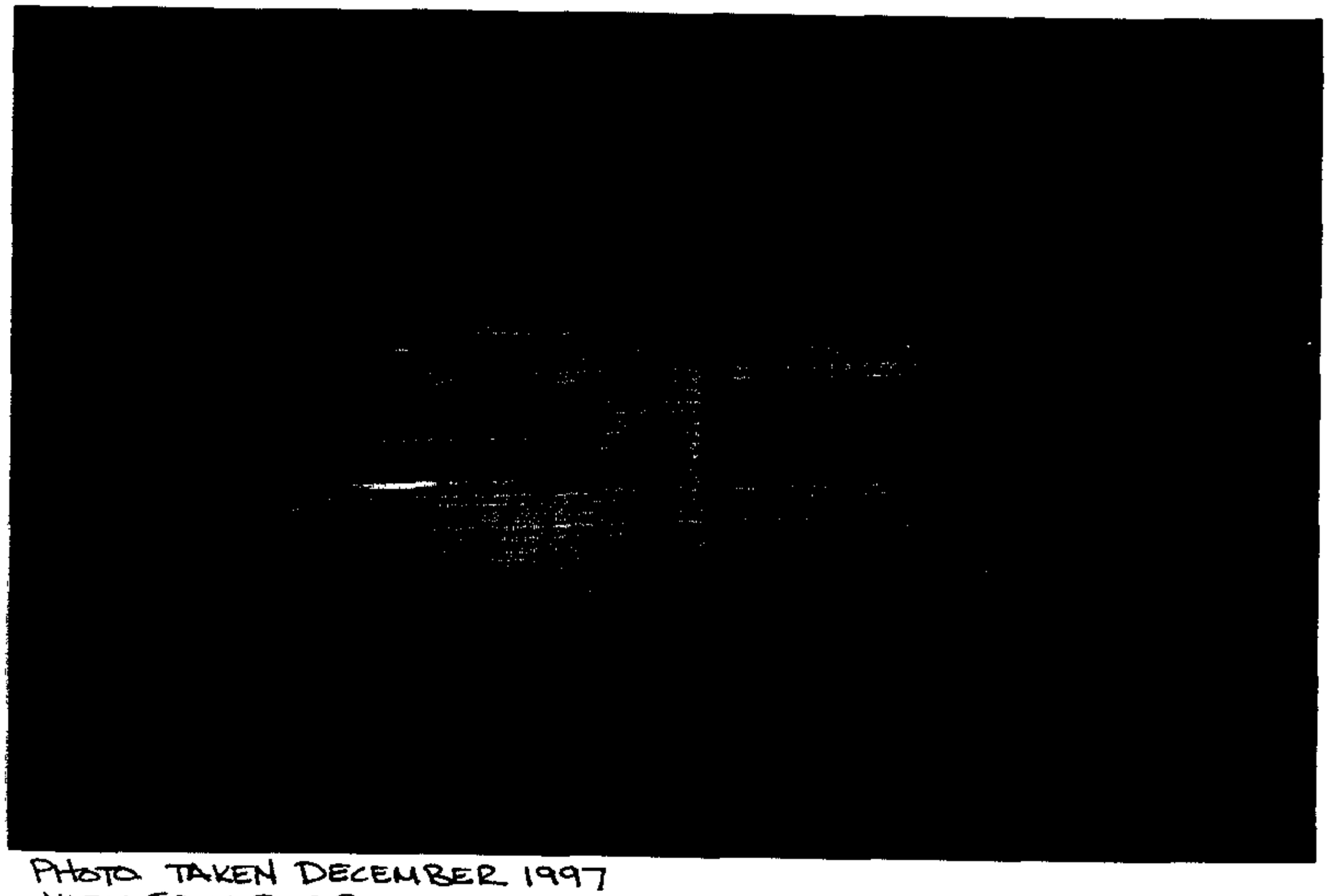


PHOTO TAKEN DECEMBER 1997
VIEW FROM POOR BOYS LANDSCAPE BUFFER AREA LOOKING SOUTH ON THE FIRST HOUSE ON OAK AVENUE.
PHOTO SHOWS LIGHT FROM POOR BOYS SHINNING ON HOUSE

PHOTO TAKEN DECEMBER 1997
VIEW FROM POOR BOYS LANDSCAPE BUFFER AREA LOOKING SOUTHEAST ON THE FIRST HOUSE ON OAK AVENUE
PHOTO SHOWS LIGHT FROM POOR BOYS SHINNING IN THE RESIDENTIAL AREA AND ON THE FIRST & SECOND HOUSE ON OAK AVENUE.

Conditions at Poor Boys

CHRISTMAS SEASON 1997

PHOTO TAKEN DECEMBER 1997
VIEW FROM TAYLOR AVENUE LOOKING SOUTH ON FIRST HOUSE ON OAK AVENUE.
PHOTO SHOWS LIGHT SHINNING IN RESIDENTIAL LANDSCAPE BUFFER AND ON THE FIRST HOUSE ON OAK AVENUE.

PHOTO TAKEN DECEMBER 1997
VIEW FROM OAK AVENUE (LANDSCAPE BUFFER AREA) LOOKING WEST ON POOR BOYS
PHOTO SHOWS INTENSITY OF LIGHT FROM POOR BOYS.

Conditions at Poor Boys

CHRISTMAS SEASON 1997

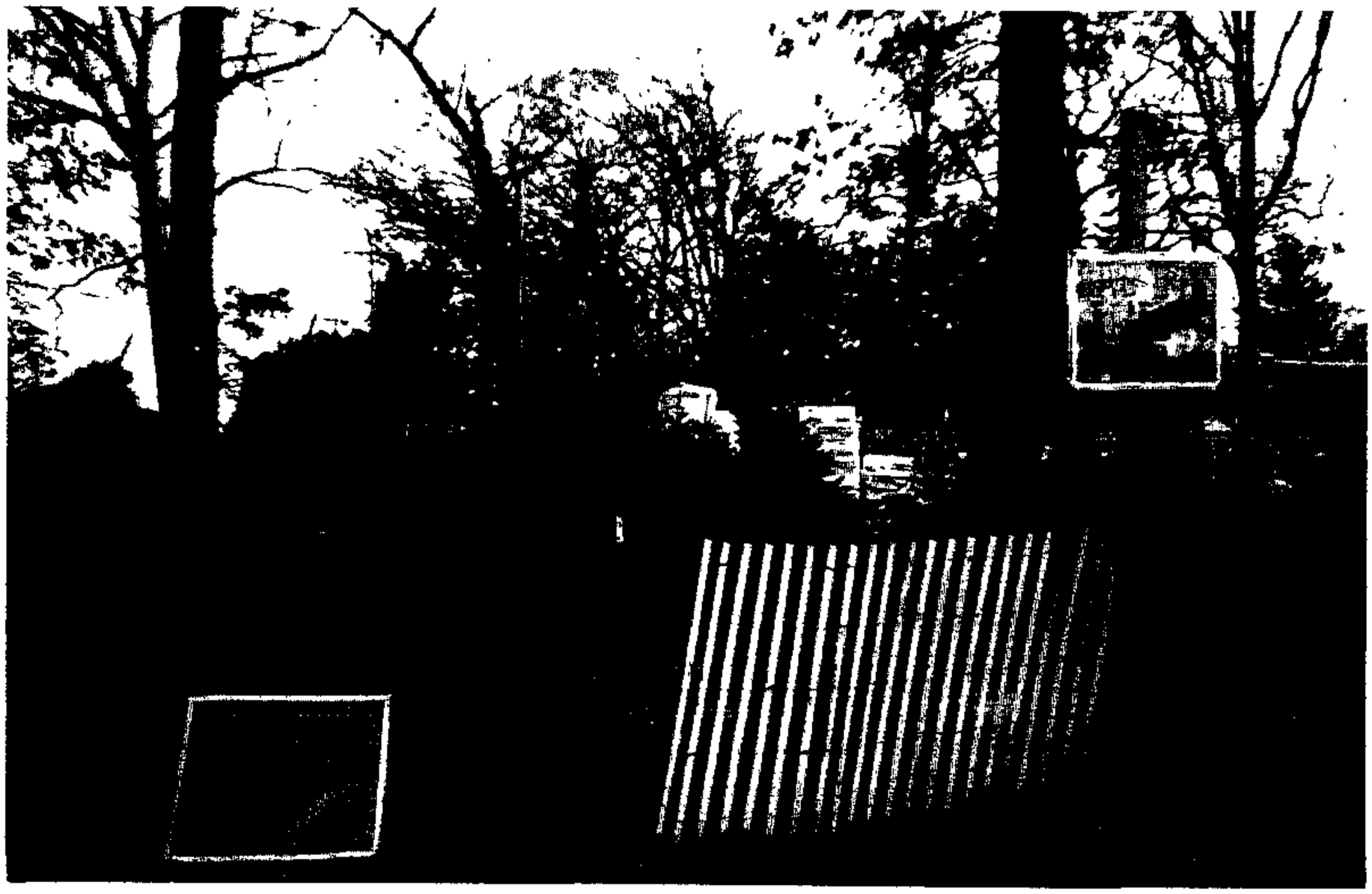


PHOTO TAKEN DECEMBER 1997
VIEW OF POOR BOYS LOOKING SOUTH FROM TAYLOR AVENUE
PHOTO SHOWS SIGNS & OPEN GATE INVITING CUSTOMERS TO SHOP (PURCHASE CHRISTMAS TREES & MULCH) IN AN AREA SHOWN ON POOR BOYS PLAN AS STORAGE AREA. PINK SIGN STATES "ALL MULCH $1.99 NO LIMIT". GREEN SIGN STATES "LIVE TREES READY TO PLAN."

PHOTO TAKEN DECEMBER 1997
VIEW OF POOR BOYS LOOKING SOUTH FROM TAYLOR AVENUE.
PHOTO SHOWS CUSTOMERS SHOPPING FOR CHRISTMAS TREES IN AN AREA SHOWN ON POOR BOYS PLAN AS STORAGE AREA. Note price TAGS ON TREES

ATTACHMENT D

LIGHTING CONDITIONS AT POOR BOYS

FALL 1997

VIEW OF POOR BOYS LOOKING SOUTH ON TAYLOR AVENUE FROM THE PARKVILLE PARK

Pat Ex doc
Fall '97

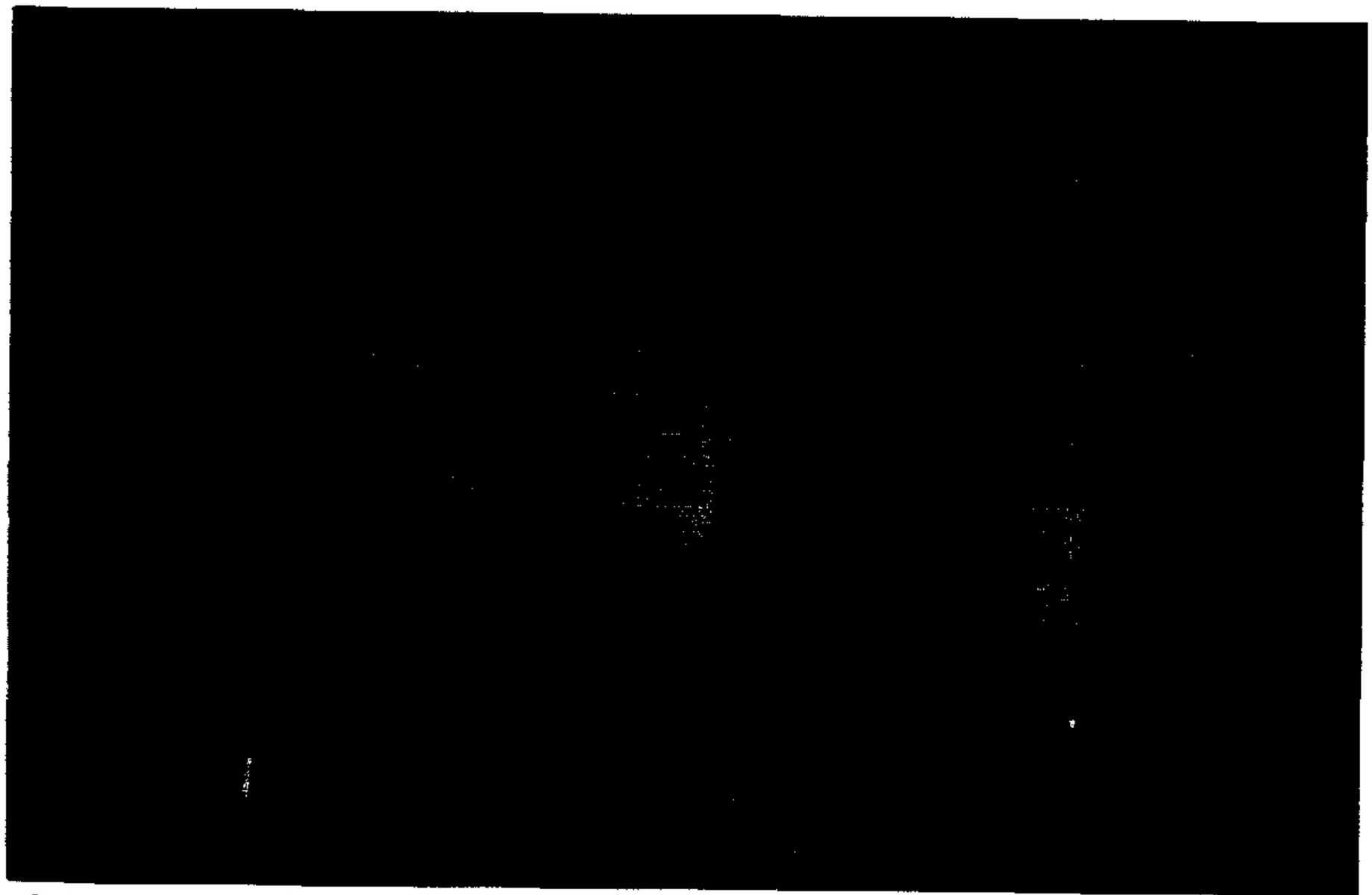
ATTACHMENT D(EE)

LIGHTING CONDITIONS AT POOR BOYS
FALL 1997

VIEW OF POOR BOYS LOOKING SOUTH ON TAYLOR AVENUE.

Conditions at Poor Boys

FEBRUARY 1998



PHOTOS TAKEN FEBRUARY 1998 (JUST PRIOR TO FEBRUARY 11, 1998 HEARING WHICH WAS POSTPONED.)

VIEW TAKEN FROM THE BACKYARD OF THE FIRST HOUSE ON OAK AVENUE (SOUTH OF POOR BOYS) LOOKING EAST ON TO THE BACK OF THE HOUSE.

PHOTO SHOWS LIGHT FROM POOR BOYS ON HOUSE & BACKYARD

Feb 98

CONDITIONS AT POOR BOYS
SPRING 1999

PHOTO TAKEN FROM BUFFER AREA LOOKING SOUTH ON FIRST HOUSE ON OAK AVE.
PHOTO SHOWS LIGHT SHINNING ON HOUSE.

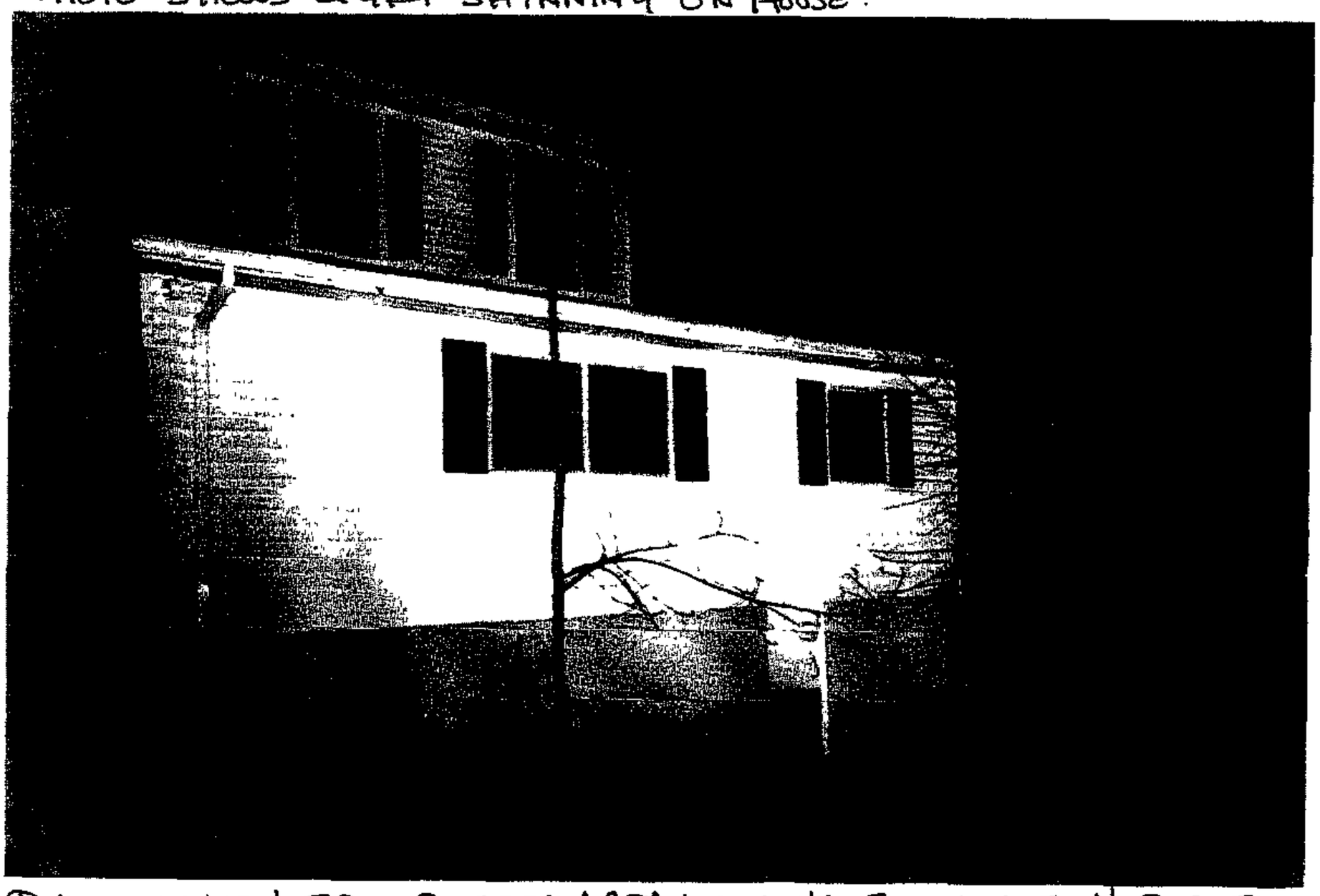


PHOTO TAKEN FROM BUFFER AREA LOOKING SOUTHEAST ON FIRST HOUSE ON OAK AVE.
PHOTO SHOWS LIGHT SHINNING ON HOUSE

Pet Ex 30E
Apr 1, 99

Poor Boy's Country Market
7721 Old Harford Road
Baltimore, Maryland 21234
(410) 668-7599

Ernie Baisden
7706 Oak Avenue
Baltimore, Maryland 21234

May 5, 1997

Dear Mr. Baisden:

This letter is in response to the actions taken by you and your family on Sunday, May 4, 1997 on a portion of the property owned by Poor Boy's located at 2711 Taylor Avenue. Without prior notice and permission, you entered onto the property and, using a lawnmower, cut down approximately 1,000 square feet of over grown brush.

Albeit surprising, it seems that Poor Boy's and the Baisden's finally agree on something, namely, that the clearing of the brush would be an improvement on the property. In fact, we were planning on doing the work in the coming weeks.

Frankly, considering the past history of activity of your family against Poor Boy's, we are a bit confused why you would undertake what, if done by anyone else, would be considered quite " neighborly." In any case, we would like to thank you for making it unnecessary for us to cut down the brush ourselves.

Unfortunately, we must also inform you that your activities on the property constitute trespass and that any further entrance by you or a member of your family on any portion of Poor Boy's property without permission will constitute trespass and will result in legal action being taken against the trespasser.

We apologize for having to respond in this fashion, but when your families activities towards myself and Poor Boy's are taken as a whole, it is probably best that we not enter upon each other's property without permission.

Thank you.

Very truly yours,

Terry J. Gerahty
President, Poor Boy's, Inc.

cc: Ruth Baisden
Doug Burgess

Prot Ex 22 A

Conditions at Poor Boys

May 1997

Photo shows:
Piles of sticks, weeds, trash, etc. neighbors cleaned out of Landscaped butter.

A.

B.

Prot Ex 22B

C

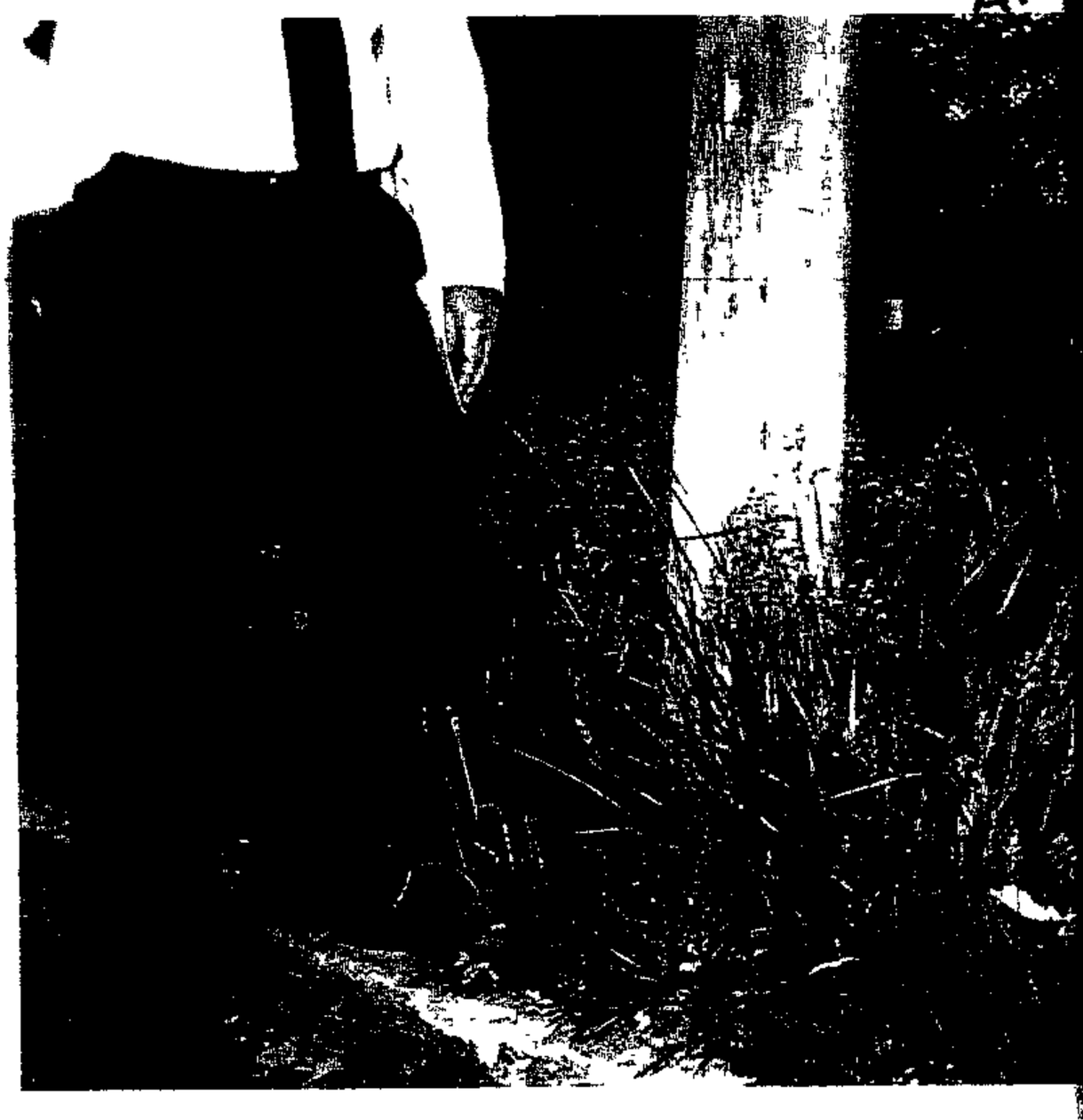
Conditions at Poor Boys

Summer 1998

A., B., & C.
View from: Oak Ave looking southeast towards the buffer area.
photo shows: buffer area not maintained. Grass needs to be cut.

B.

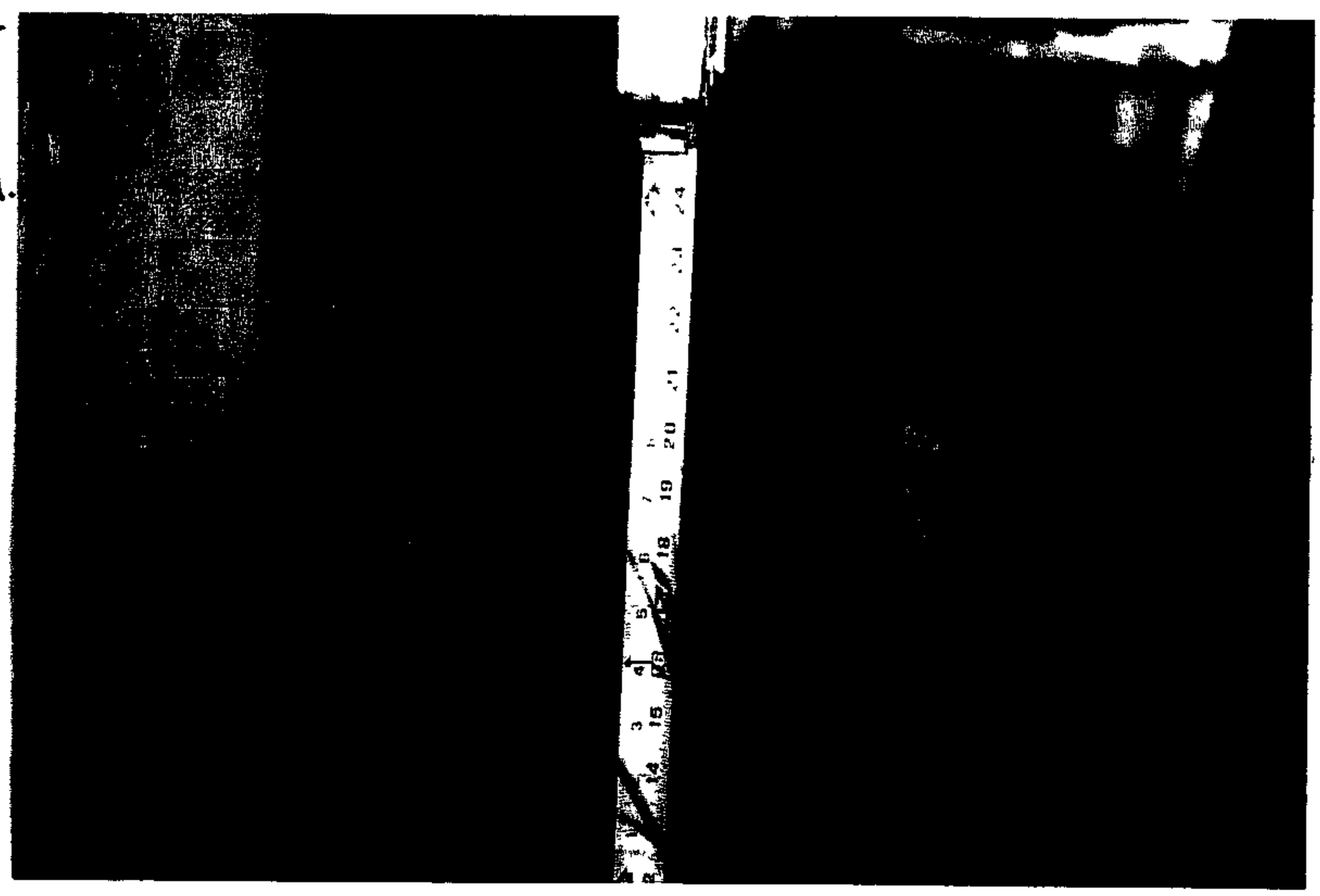
A.



C.

At this time grass is over 21" tall. The grass is only cut a few times a year.

Prot Ex 22 D



CONDITIONS AT POOR BOYS
SPRING 1999

PHOTO TAKEN FROM OAK AVENUE LOOKING NORTHEAST TO TAYLOR AVE.
PHOTO SHOWS CUSTOMERS FROM POOR BOYS PARKING ON
OAK AVENUE (RESIDENTIAL STREET)

PHOTO SHOWS SAME AS ABOVE.

Pot 24

CONDITIONS AT POOR BOYS
SPRING 1999

PHOTO TAKEN FROM TAYLOR & OAK AVENUES LOOKING EAST
PHOTO SHOWS POOR BOYS CUSTOMERS PARKING ON TAYLOR AVENUE
(OVERFLOW PARKING IN RESIDENTIAL AREA)

PHOTO SHOWS SAME AS ABOVE
(EXCEPT ON OAK AVENUE)

CAPTIONS AT POOR BOY
SPRING 1999

PHOTO TAKEN FROM TAYLOR AVENUE LOOKING SOUTH EAST AT POORBOYS PARKING LOT
PHOTO SHOWS CARS & TRUCKS PARKED OFF OF PAVED AREA ON DIRT. (SHOWS NEED FOR VARIANCE)

PHOTO TAKEN FROM TAYLOR AVE. LOOKING SOUTHWEST AT POOR BOYS PARKING LOT
PHOTO SHOWS CARS & TRUCKS OFF OF PARKED THE PAVED AREA ON THE DIRT.

CONDITIONS AT POOR BOYS
SPRING 1999

PHOTO TAKEN FROM FIRST HOUSE ON OAK AVE. LOOKING NORTH TO TAYLOR AVE.
PHOTO SHOWS STORAGE (SHOWN ON PLAN) BEING USED AS A DISPLAY (SALES) AREA

PHOTO SAME AS ABOVE

CAPTIONS AT POOR BOYS
SPRING 1999

Pot Eye

PHOTO TAKEN FROM TAYLOR AVENUE LOOKING SOUTHWEST AT POOR BOYS PARKING LOT
PHOTO SHOWS LARGE TRUCK DELIVERY

PHOTO SAME AS ABOVE

Conditions at Poor Boys

MARCH 1998

PHOTO TAKEN MARCH 1998
↑ VIEW FROM TAYLOR AVENUE LOOKING SOUTH ON POOR BOYS PAVED PARKING LOT.
PHOTO SHOWS TRUCKS & CARS PARKED OFF OF THE PAVED AREA ON THE DIRT
(WHICH IS NOT A DUSTLESS & DURABLE SURFACE.)

Conditions at Poor Boys

MARCH 1998

PHOTO TAKEN MARCH 1998
VIEW FROM THE FIRST HOUSE ON OAK AVENUE LOOKING NORTHWEST ON POOR BOYS PAVED PARKING LOT.
PHOTO SHOWS TRUCKS & CAR PARKED OFF OF THE PAVED AREA ON THE DIRT (WHICH IS NOT A DUSTLESS AND DURABLE SURFACE.)

PHOTO TAKEN MARCH 1998
VIEW FROM TAYLOR AVENUE LOOKING SOUTHEAST ON POOR BOYS PAVED PARKING LOT.
PHOTO SHOWS TRUCK & CARS PARKED OFF OF PAVED AREA ON THE DIRT (WHICH IS NOT A DUSTLESS & DURABLE SURFACE)

Conditions at Poor Boys

MARCH 1998

PHOTOS TAKEN MARCH 1998

VIEW FROM TAYLOR AVENUE LOOKING SOUTHEAST ON POOR BOYS PAVED PARKING LOT.

PHOTO SHOWS TRUCKS AND CARS PARKED OFF OF THE PAVED AREA ON THE DIRT (WHICH IS NOT A DUSTLESS & DURABLE SURFACE.)

Conditions at Poor Boys

MARCH 1998

PHOTOS TAKEN MARCH 1998
VIEW FROM TAYLOR AVENUE LOOKING SOUTH ON POOR BOYS PAVED PARKING LOT.
PHOTO SHOWS TRUCK AND CARS PARKED OFF OF THE PAVED AREA ON THE DIRT. (WHICH IS NOT A DUSTLESS, DURABLE SURFACE.)

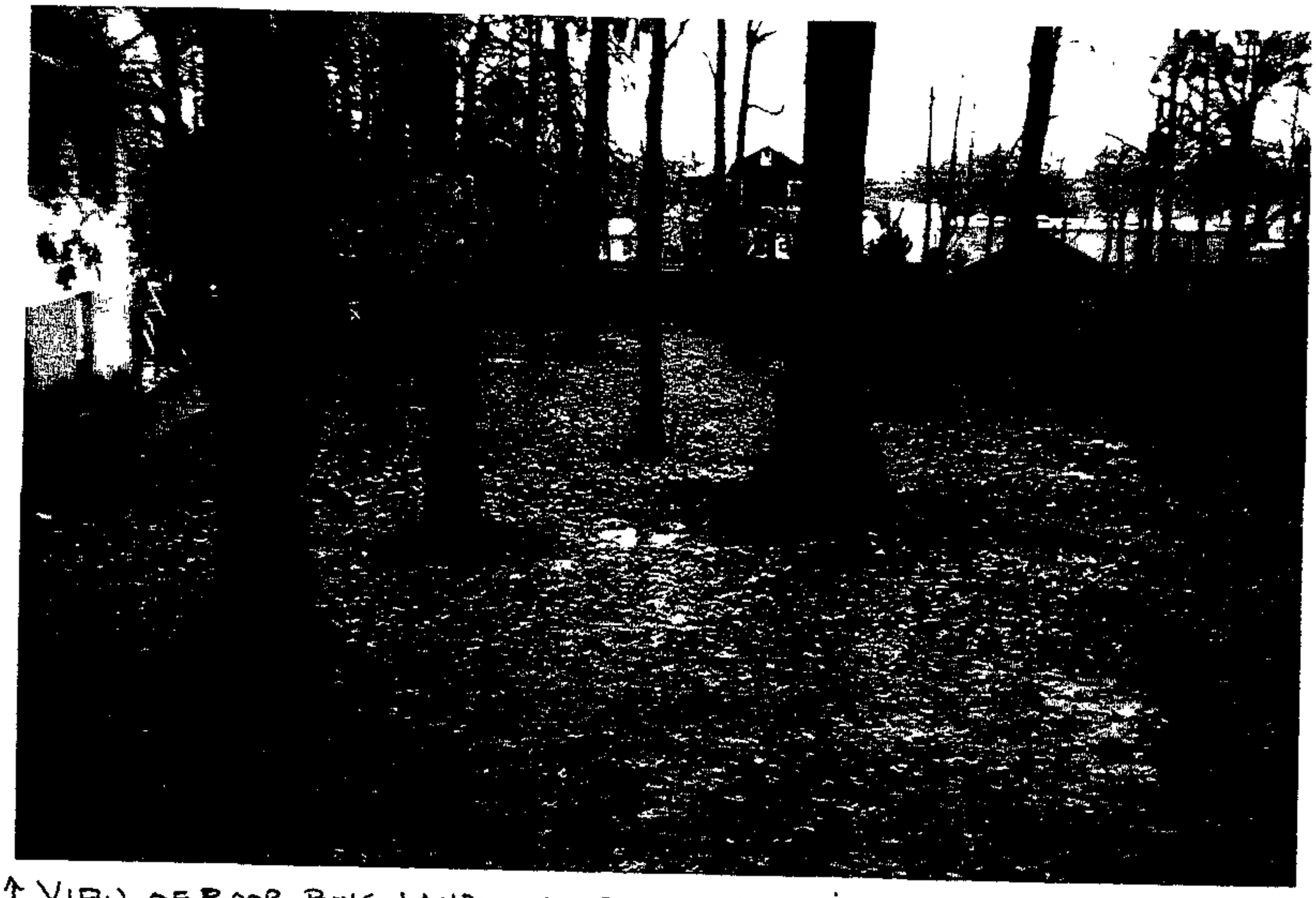
CONDITIONS AT POOR BOYS
SPRING 1999

PHOTO TAKEN FROM TAYLOR AVENUE LOOKING SOUTHWEST AT POORBOYS PARKING LOT.
PHOTO SHOWS PILES OF MULCH BEING SPREAD IN DISPLAY / STORAGE AREA

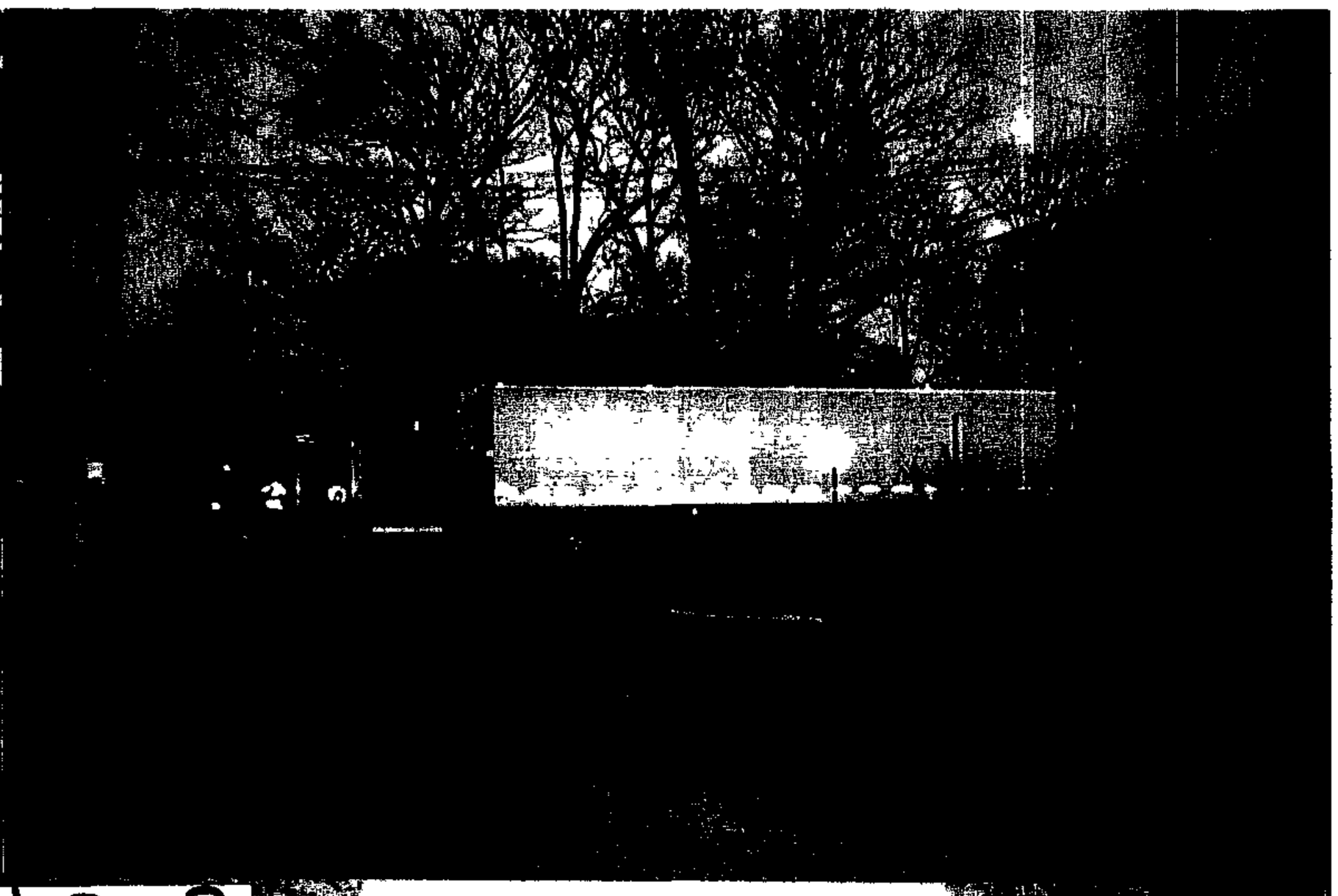
PHOTO SAME AS ABOVE

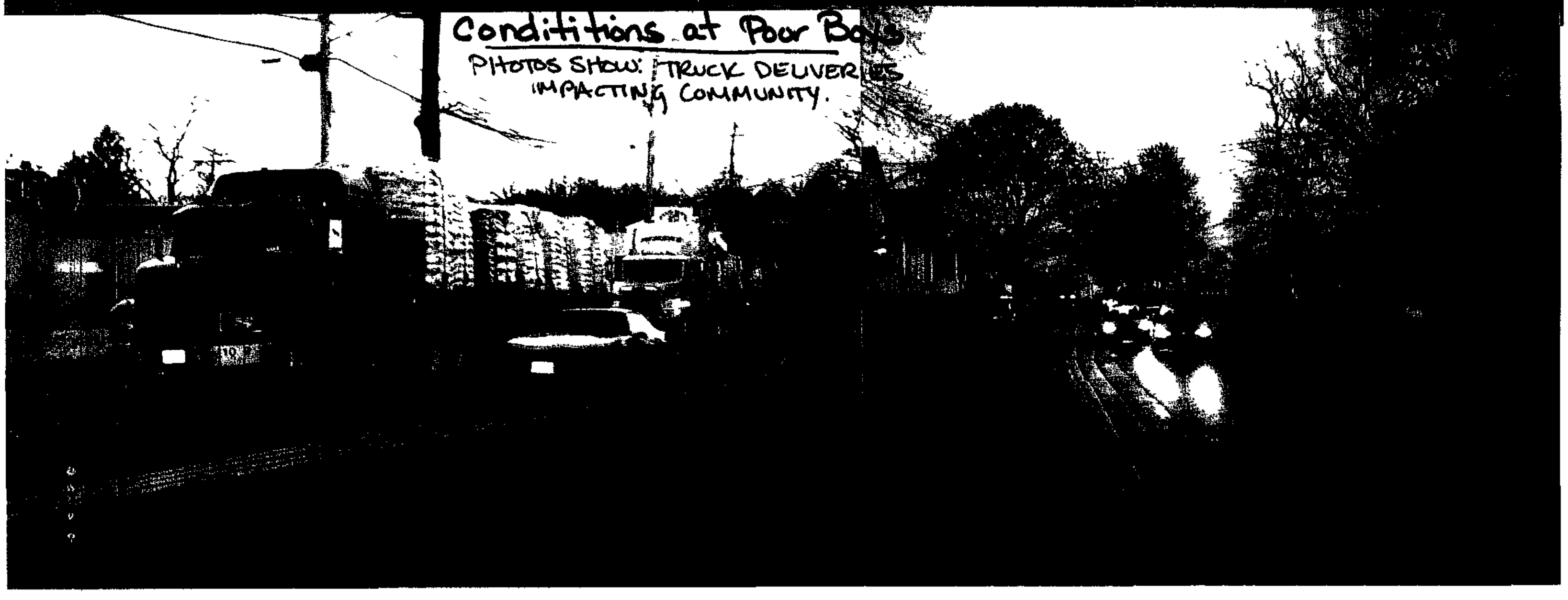
VIEW OF POOR BOYS LANDSCAPE BOFFER AREA & SURROUNDING PROPERTY FLOODING.

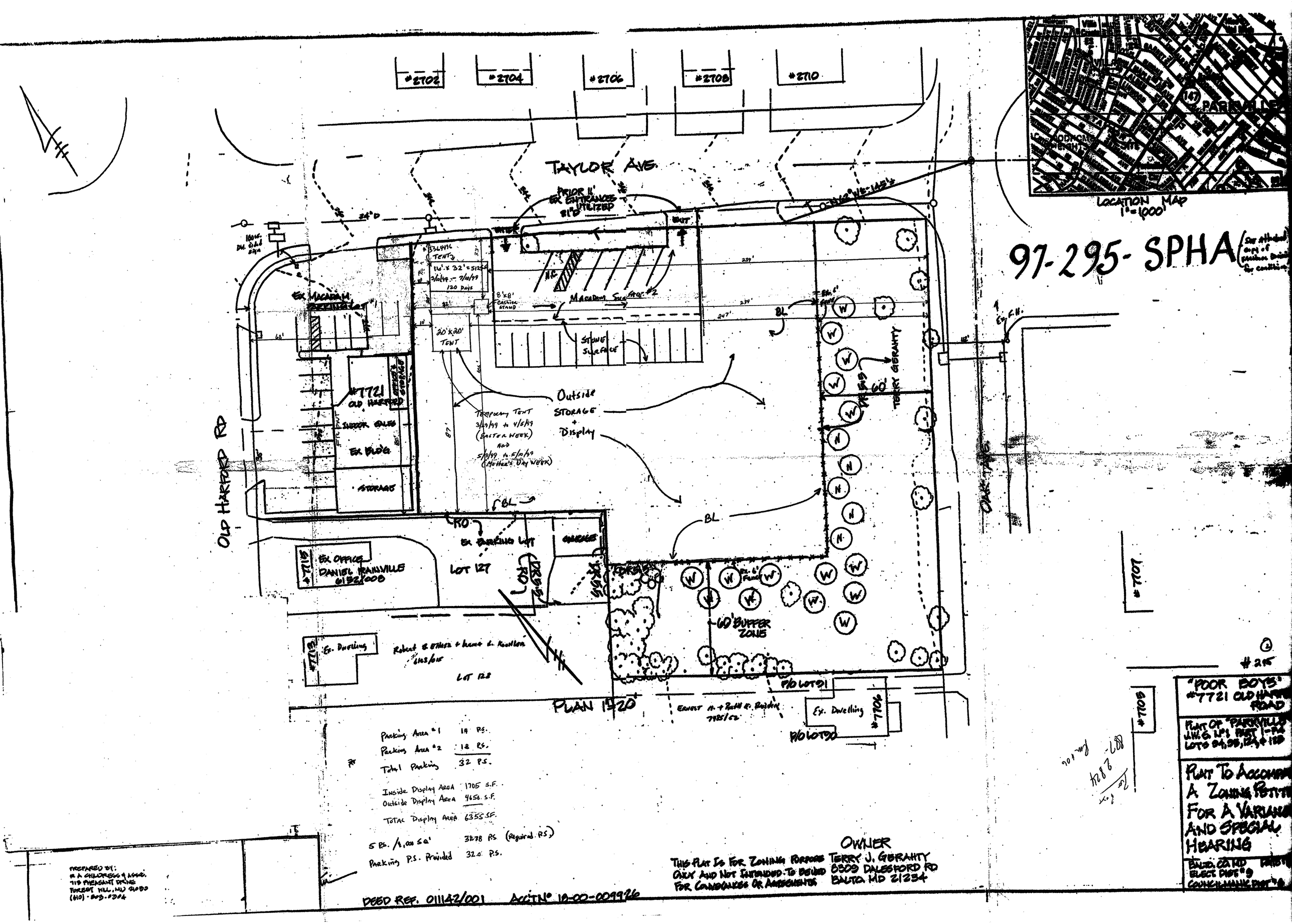
VIEW OF SURROUNDING PROPERTIES FLOODING



↕ VIEW OF POOR BOYS LANDSCAPE BUFFER AREA & FIRST PROPERTY ON OAK AVENUE
PHOTO SHOWS FLOODING CAUSED BY POOR BOYS FILLING ACTIVITIES.




Conditions at Poor Boy
PHOTOS SHOW: TRUCK DELIVERIES
IMPACTING COMMUNITY.



Parking Area #1	14 P.S.
Parking Area #2	18 P.S.
Total Parking	32 P.S.
Inside Display Area	1705 S.F.
Outside Display Area	4650 S.F.
Total Display Area	6355 S.F.
5 P.S. / 1,000 S.F.	32.78 P.S. (Required P.S.)
Parking P.S. Provided	32.0 P.S.

THIS PLAT IS FOR ZONING PURPOSE ONLY AND NOT INTENDED TO BE USED FOR CONDEMNATION OR ASSESSMENTS

OWNER
TERRY J. GERAHTY
8509 DALESFORD RD
BALTO MD 21234

PREPARED BY:
R. A. CHILDRESS & ASSOC.
119 PHEASANT DRIVE
FOREST HILL, MD 21050
(410) - 803-0304

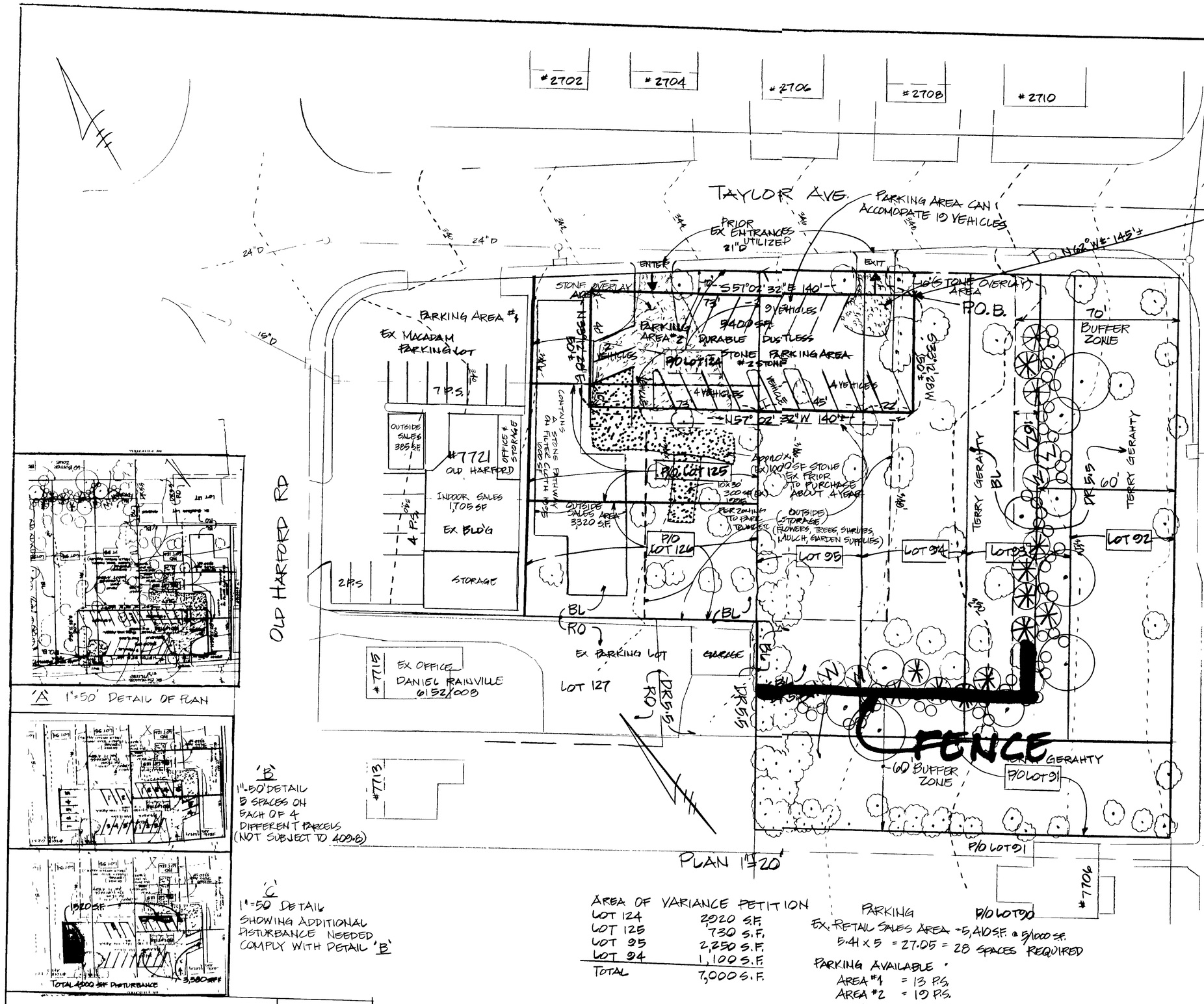
DEED REF. 01142/001 ACCT.N° 10-00-009926

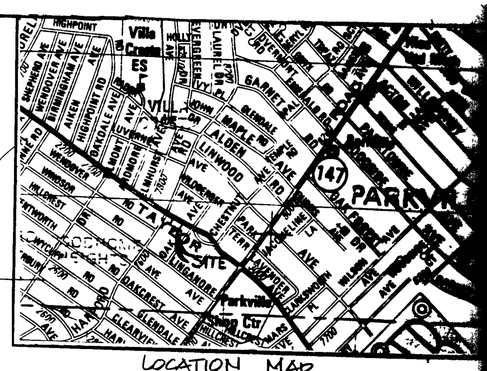
"POOR BOYS"
#7721 OLD HARFORD ROAD

PLAT OF "PARKVILLE"
J.W.G. 1/2 PART 1-2
LOTS 94, 95, 126 & 128

PLAT TO ACCOMPANY A ZONING PETITION FOR A VARIANCE AND SPECIAL HEARING

BALTO. CO. RD. PARCEL
ELECT. DIST. 9
COUNCILMANIC DIST. 6





LOCATION MAP
1"=1000'

POSSIBLE LANDSCAPE MATERIALS

- MAJOR DECIDUOUS
- FLOWERING TREES
- WHITE PINE
- NORWAY SPRUCE
- SHRUBS
- EXISTING TREES

'A' 1"=50' DETAIL OF PLAN

'B'
1"=50' DETAIL
B SPACES ON EACH OF 4 DIFFERENT PARCELS
(NOT SUBJECT TO 409.8)

'C'
1"=50' DETAIL
SHOWING ADDITIONAL DISTURBANCE NEEDED TO COMPLY WITH DETAIL 'B'

AREA OF VARIANCE PETITION

LOT 124	2,020 S.F.
LOT 125	730 S.F.
LOT 95	2,250 S.F.
LOT 94	1,100 S.F.
TOTAL	7,000 S.F.

PARKING

EX. RETAIL SALES AREA = 5,410 S.F. @ 5/1000 S.F.
5.41 x 5 = 27.05 = 28 SPACES REQUIRED

PARKING AVAILABLE
AREA #1 = 13 P.S.
AREA #2 = 10 P.S.
TOTAL = 33 P.S.

409.2 Plan

At the time of application for a building permit for the erection or enlargement of any building for which off street parking or loading spaces are required a plan shall be provided at an appropriate level of detail showing such parking or loading spaces including the means of access and interior circulation both from the standpoint of the project itself and in relation to its surroundings

409.7--Location of Parking

All required off-street parking spaces shall be located either on the same lot as the structure or use to which they are accessory or off-site as provided for below

A Off-site parking spaces for residential uses and lodging uses shall be located within 300 feet walking distance of a building entrance to the use that such spaces serve

B 1 Except in C T districts and R-O-A and R-O zones, off-site parking spaces for uses other than residential and lodging shall be located within 500 feet walking distance of a building entrance to the use that such spaces serve In C T districts, such spaces shall be permitted within 1,000 feet walking distance of the building entrance In the C T district of Towson such spaces shall be permitted within 1,500 feet walking distance of the building entrance, provided they are located within the town center boundary [Bill No 155 1988, Bill 170, 1991]

409.8--Design Standards

A Requirements for Parking Facilities in all Zones - All off-street parking facilities shall be subject to the following requirements

1 Design, Screening and Landscaping - Design, screening and landscaping shall be provided in accordance with the landscape manual and all other manuals adopted pursuant to Section 22-105 of the Baltimore County Code

2 Surface - A durable and dustless surface shall be provided and shall be properly drained so as not to create any undesirable conditions

3 Lighting - Any fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets Light standards shall be protected from vehicular traffic by curbing or landscaping

4 Distance to Street Line - No parking space in a surface parking facility for a nonresidential use shall be closer than 10 feet to the right-of-way line of a public street excluding vehicle overhang except that in the C T district of Towson such setback is not required if the parking facility is screened from the street in accordance with the landscape manual

5 Dead Ends - All dead end aisles shall be designed to provide sufficient back-up area for the end parking spaces

6 All parking spaces must be striped Striping shall be maintained so as to remain visible

ZONING COMMISSIONER'S POLICY MANUAL PARKING

409.8.A DESIGN STANDARDS

All parking lots for more than 5 vehicles for any use must meet the requirements of Section 409.8.A B.C.Z.R. or request a variance.

Pet Ex #4

"POOR BOYS"
#7721 OLD HARFORD ROAD

PLAT OF "PARKVILLE"
J.W.S. No's PART 1-24
LOTS 94, 95, 124, & 125

PLAT TO ACCOMPANY A ZONING PETITION FOR A VARIANCE AND SPECIAL HEARING

BALTO. CO. MD DATE: 7/18/
ELECT. DIST. #9
COUNCILMANIC DIST #6

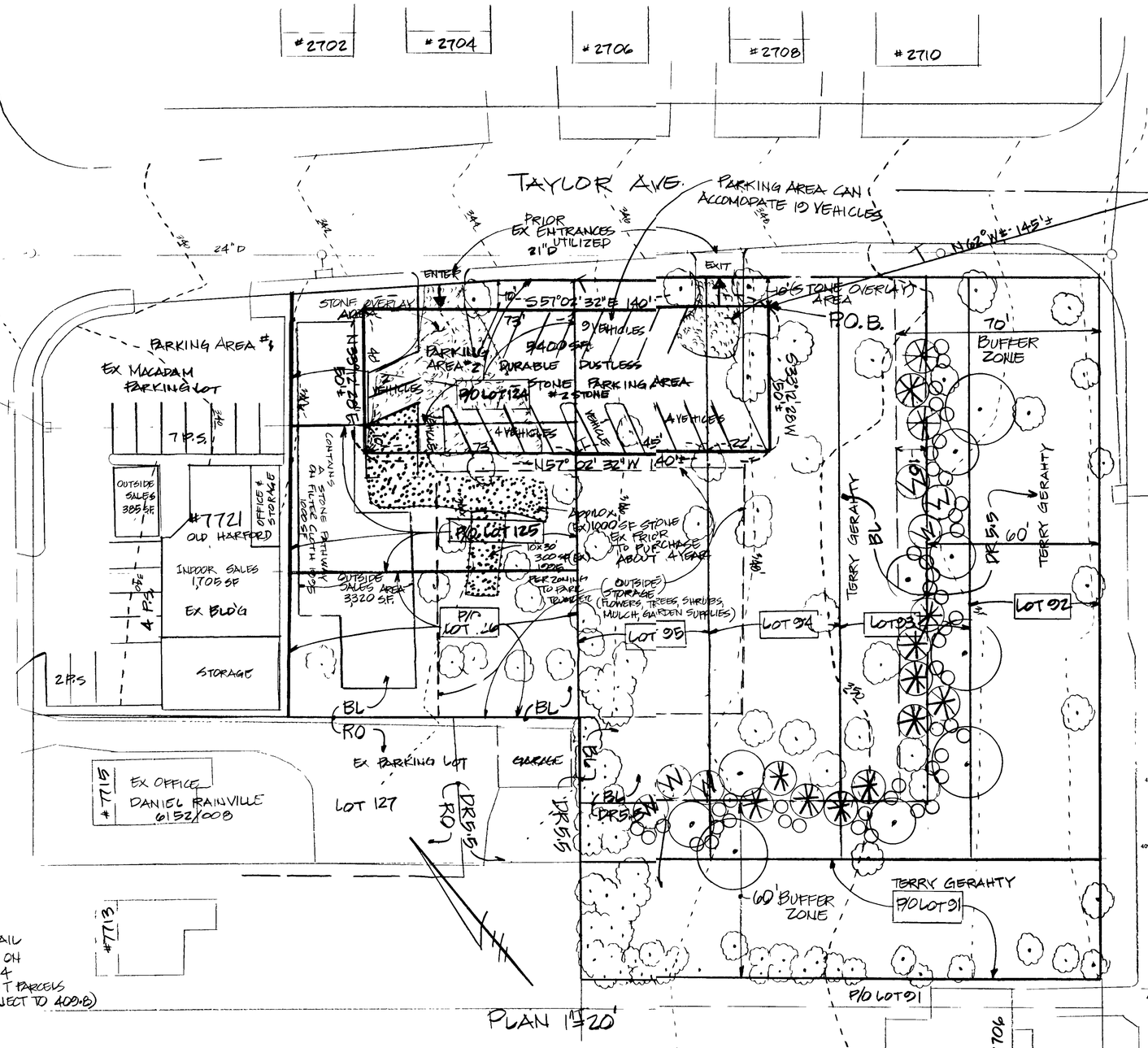
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON MARYLAND 21204
(410) 825-8120

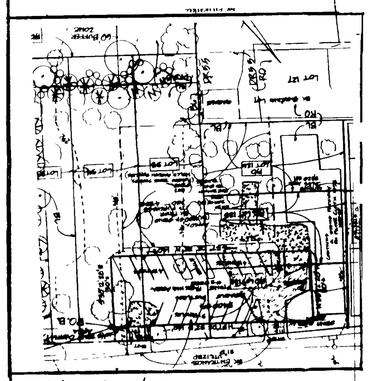
J.S. KLINE

THIS PLAT IS FOR ZONING PURPOSES ONLY AND NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS.

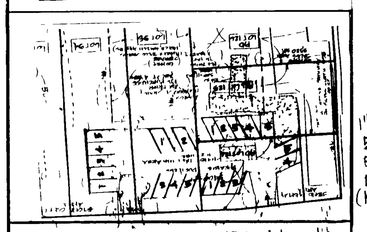
OWNER
TERRY J. GERAHTY
8309 DALESFORD RD
BALTO. MD 21234

DEED REF. 01142/001 ACCT.No 18-00-009926





'A' 1"=50' DETAIL OF PLAN



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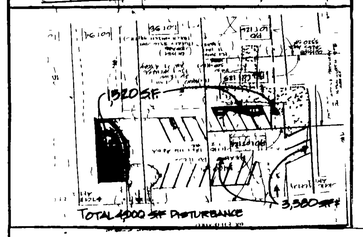

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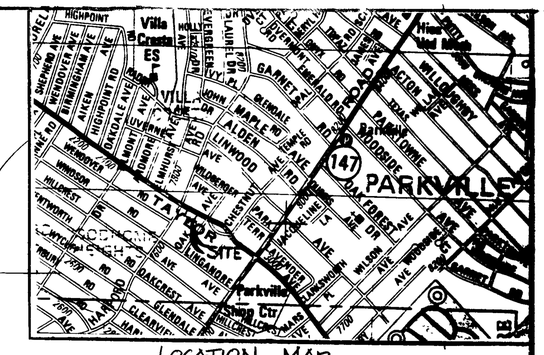

LOCATION MAP
1"=1000'

97-295-SPHA

POSSIBLE LANDSCAPE MATERIALS

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#1295

"POOR BOYS" #7721 OLD HARFORD ROAD

PLAT OF "PARKVILLE" J.W.S. No. PART 1-34 LOTS 94, 95, 124, & 125

PLAT TO ACCOMPANY A ZONING PETITION FOR A VARIANCE AND SPECIAL HEARING

BALTO. CO. MD DATE: 1/15/97
ELECT. DIST. "9
COUNCILMANIC DIST "6

AREA OF VARIANCE PETITION	
LOT 124	2,020 S.F.
LOT 125	730 S.F.
LOT 95	2,250 S.F.
LOT 94	1,100 S.F.
TOTAL	7,000 S.F.

PARKING

EX. RETAIL SALES AREA = 5,410 S.F. @ 5/1000 S.F.
5.41 x 5 = 27.05 = 28 SPACES REQUIRED

PARKING AVAILABLE
AREA #1 = 13 P.S.
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CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
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DEED REF. 01142/001 ACCT.No 18-00-009926