

IN RE: PETITION FOR SPECIAL HEARING

NE corner E. Joppa Road
and Dixon Avenue
9th Election District
6th Councilmanic District
(2800 E. Joppa Road)

Harry S. Cohen
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-503-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Harry S. Cohen, requesting a special hearing to approve a nonconforming sign which projects into the street right-of-way. The special hearing request involves property located at 2800 E. Joppa Road, which is the site of the "Fire House Tavern". Mr. Cohen has owned the bar and restaurant since 1986. The Fire House Tavern has been at this location for many decades.

Appearing at the hearing on behalf of the special hearing request were Harry S. Cohen, owner of the property, Douglas Kennedy, professional engineer who prepared the site plan of the property and Ed Covahey, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, is located at 2800 E. Joppa Road, in the Parkville/Carney area of Baltimore County. It is the site of the Fire House Tavern. The special hearing request involves an identification sign which is proposed to be constructed on the façade of the building along Joppa Road. Recently, the Fire House Tavern underwent complete renovations due, in part, to an automobile crashing through the side wall of the restaurant. In furtherance of the complete

ORDER RECEIVED FOR FILING

Date

By

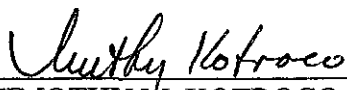
10/6/88
J. P. J. J. J.

renovation of the restaurant and tavern, a new sign is proposed to be installed in the area where the old sign was located. Submitted into evidence as Petitioner's Exhibit No. 5 is a drawing illustrating the location of the old Fire House Tavern sign and the new sign to be attached to the building. The new sign is further removed from the street right-of-way than was the old identification sign. Therefore, it protrudes to a lesser extent into the street right-of-way. The sign in question has always been on the property and does, in fact, satisfy the requirements of a nonconforming use.

After considering the testimony and evidence offered at the hearing and the lack of testimony regarding its nonconforming status, I find that the special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of August, 2001, that the Petitioner's Request for Special Hearing to approve a nonconforming use from the provisions of Sections 450.5.B.6.b and 450.6.A.3 of the Baltimore County Zoning Regulations, to allow the continuation of an existing sign projecting into the street right-of-way, be and is hereby granted.

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


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 8/9/01
By R. Jamerson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 9, 2001

Edward C. Covahey, Jr., Esquire
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing & Variance
Case No.: 01-503-SPH
Property: 2800 E. Joppa Road

Dear Mr. Covahey:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. Harry Cohen
2800 E. Joppa Road
Baltimore, MD 21234

Douglas L. Kennedy, P.E.
3104 Timanus Lane
Baltimore, MD 21244

Ruth Baisden, President
Greater Parkville Community Council
7706 Oak Avenue
Baltimore, MD 21234



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2800 E. Joppa Road
which is presently zoned BL, D.R.-5.5

This Petition shall be filed with the Department of Permits and 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

a non-conforming use from the provisions of §450.5.B.6.b. and §450.6.A.3 of the Baltimore County Zoning Regulations to permit the continuation of an existing projecting sign into the street right-of-way.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print Edward C. Covahey, Jr.

Signature [Signature]

Company Covahey & Rooser, P.A.

Address 614 Bosley Avenue Telephone No. 410-828-9441

City Towson, State MD Zip Code 21204

Legal Owner(s):

Name - Type or Print Harry S. Cohen

Signature [Signature]

Name - Type or Print single owner

Signature _____

Address 2802 E. Joppa Rd. Telephone No. 410-661-3555

City Baltimore State MD Zip Code 21234

Representative to be Contacted:

Name Edward C. Covahey, Jr. day or eve.

Address 614 Bosley Avenue Telephone No. 410-828-9441

City Towson State MD Zip Code 21204

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BR Date 5/23/01

Case No. 01-503-SPH

RECEIVED 5/15/98

ORDER RECEIVED FOR FILING 5/19/01



KCW Engineering Technologies, Inc.
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
(410) 281-0030
Fax (410) 298-0604
www.KCW-ET.com

William K. Woody
President and CEO

Douglas L. Kennedy
Senior Vice President

J. Peter McDonnell
Vice President

Ronald J. Lind
Associate Vice President

Martin J. Lipinski
Associate Vice President

Edwin S. Howe, III
Associate Vice President

Edward M. Shine
Associate

Joseph P. Wood
Associate

William C. Usher
Associate

Reginald C. Roberts
Associate

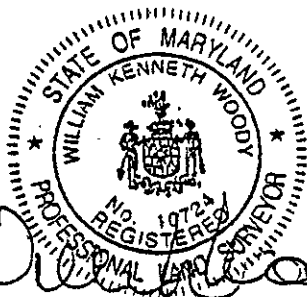
ZONING DESCRIPTION

HARRY S. COHEN PROPERTY
2800 E. Joppa Road
9th Election District
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME on the East side of Dixon Avenue, 40 feet wide, said Point of Beginning being situate 50 feet northerly from the centerlines of Dixon Avenue and E. Joppa Road, 70 feet wide, and running thence the following courses and distances:

1. North 3 degrees 53 minutes 12 seconds East a distance of 93.93 feet to a point,
2. North 86 degrees 22 minutes 45 seconds West a distance of 5.00 feet to a point,
3. North 3 degrees 53 minutes 12 seconds East a distance of 26.00 feet to a point,
4. South 86 degrees 22 minutes 45 seconds West a distance of 154.79 feet to a point,
5. South 3 degrees 37 minutes 15 seconds West a distance of 135.00 feet to a point,
6. North 86 degrees 22 minutes 45 seconds West a distance of 135.35 feet to a point,
7. Along a curve to the right with Radius of 15.00 feet and Length of 23.63 feet to the Point of Beginning.

CONTAINING 20,345 square feet, or 0.47 acre more or less.



[Handwritten Signature] 9/29/99

BALTIMORE COUNTY MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

92968

DATE 5/23/01 ACCOUNT ROD 1-006-6150

AMOUNT \$ 250.00

RECEIVED FROM KCW Engineering Technologies

FOR Special Hearing

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

503

PAID RECEIPT

PAYMENT: 5/23/2001 ACTUAL: 5/23/2001 TIME: 14:20:32
REL: MS04 CASHIER: DDOL DMD: DRAMER
RECEIPT # 142517
PORT: 5 528 ZONING VI REPLICATION
UR NO. 092968

Receipt Tot: 250.00
250.00 LK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

2802 E. Joppa Road
NE Cor. Joppa Road and
Dixon Avenue
9th Election District
6th Councilmanic District
Legal Owner(s): Harry S. Cohen
Special Hearing: to permit
the continuation of an ex-
isting non-conforming pro-
jecting sign into the street
right-of-way.
Hearing: Tuesday, July 24,
2001 at 11:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-
nue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/7/656 July 10 C480386

7/12/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/10/2001.

- ☒ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
☐ NE Booster/Reporter
☐ North County News

D. H. H. Kinsman

CERTIFICATE OF POSTING

RE: Case No. 01-503-SPH

Petitioner/Developer COHEN, ETAL

ED COVAHEY, ESQ

Date of Hearing/Closing 8/8/01

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 N/S ^{EAST} JOPPA RD. EAST SIDE

DIXON AVE. ONSITE - FIREHOUSE TAVERN

The sign(s) were posted on _____

7/20/01
(Month, Day, Year)

Sincerely,

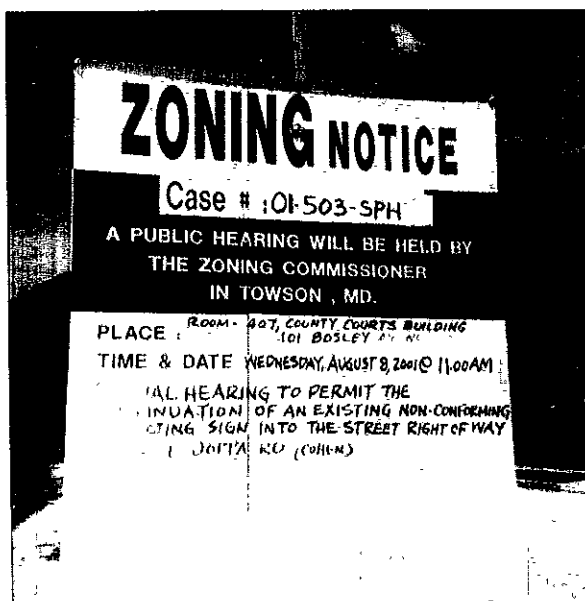
Patrick M. O'Keefe 7/30/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



COVAHEY

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Cases: #01-503-SPH
2802 E. Joppa Road
NE Cor. Joppa Road and
Dixon Avenue
9th Election District
6th Councilmanic District
Legal Owner(s): Harry S.
Cohen

Special Hearing: to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

Hearing: Thursday, August 2, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT7/689 July 17 C482049

CERTIFICATE OF PUBLICATION

7/19/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/17/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 01-503-SPH
Petitioner: HARRY S. COHEN
Address or Location: 2800 E. JOPPA RD., PARKVILLE, MD.
21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: HARRY S. COHEN
Address: 2800 E. JOPPA RD.
PARKVILLE, MD. 21234
Telephone Number: 410-938-2466

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 10, 2001 Issue – Jeffersonian

Please forward billing to:
Harry S Cohen
2800 E Joppa Road
Parkville MD 21234

410 938-2466

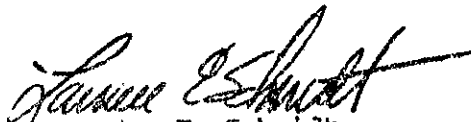
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Tuesday, July 24, 2001, 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 672
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

June 21, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Tuesday, July 24, 2001, 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon GPT
Director

C: Edward C Covahey, Jr, Covahey & Boozer, PA, 614 Bosley Ave, Towson 21204
Harry S Cohen, 2802 E Joppa Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 9, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2001 Issue – Jeffersonian

Please forward billing to:
Harry S Cohen
2800 E Joppa Road
Parkville MD 21234

410 938-2466

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Wednesday, August 1, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

July 16, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Wednesday, August 1, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GDZ
Director

C: Edward C Covahey, Jr, Covahey & Boozer, PA, 614 Bosley Ave, Towson 21204
Harry S Cohen, 2802 E Joppa Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 18, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2001 Issue – Jeffersonian

Please forward billing to:
Harry S Cohen
2800 E Joppa Road
Parkville MD 21234

410 938-2466

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Thursday, August 2, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G72
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

July 12, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Thursday, August 2, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon GDD
Director

C: Edward C Covahey, Jr, Covahey & Boozer, PA, 614 Bosley Ave, Towson 21204
Harry S Cohen, 2802 E Joppa Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 18, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 17, 2001 Issue – Jeffersonian

Please forward billing to:
Harry S Cohen
2800 E Joppa Road
Parkville MD 21234

410 938-2466

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
9th Election District – 6th Councilmanic District
Legal Owner: Harry S Cohen

Special Hearing to permit the continuation of an existing non-conforming projecting sign into the street right-of-way.

HEARING: Wednesday, August 8, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT *GES*
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

July 16, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-503-SPH
2802 E Joppa Road
NE Cor. Joppa Road and Dixon Avenue
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HEARING: Wednesday, August 8, 2001, 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

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

Arnold Jablon *GDZ*
Director

C: Edward C Covahey, Jr, Covahey & Boozer, PA, 614 Bosley Ave, Towson 21204
Harry S Cohen, 2802 E Joppa Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 18, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

August 3, 2001

Edward C Covahey Jr
Covahey & Boozer PA
614 Bosley Avenue
Towson MD 21204

Dear Mr. Covahey:

RE: Case Number: 01-503-SPH, 2800 E Joppa Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Harry S Cohen, 2802 E Joppa Road, Baltimore 21234
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: July 18, 2001

FROM: *Sub* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 2, 2001
Item Nos. 502, 503, 505, 506, 507, 508,
509, 510, 511, 512, 513, 516, 517, 519,
and 520

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

June 25, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 25, 2001

Item No.: See Below

Dear Ms. Stephens:

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

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

502, 503, 504, 505, 508, 510, 511, 512, 513, 515, 516, 517,
518, and 519

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 3, 2001

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

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-503**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. G.

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 6.25.01

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

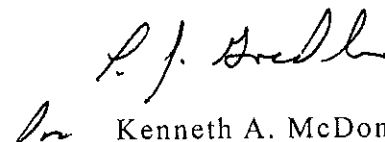
RE: Baltimore County
Item No. 503 BK

Dear Ms. Jackson:

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

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

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

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

RE: PETITION FOR SPECIAL HEARING
2802 E. Joppa Road,
NE Cor Joppa Rd and Dixon Ave
9th Election District, 6th Councilmanic

Legal Owner: Harry S. Cohen
Petitioner(s)

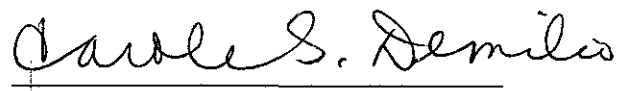
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-503-SPH

* * * * *

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. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of July, 2001 a copy of the foregoing Entry of Appearance was mailed to Edward C. Covahey, Jr., Esq., Covahey & Boozer, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner

July 23, 2003

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
(2802 E. Joppa Road)
Case No. 01-503-SPH
Code Enforcement Case No. 03-3371

Dear Mr. Covahey:

This letter is in response to your letter of July 18, 2003 concerning the above-captioned property, and to follow-up on your conversation with my secretary, Bette, on Monday, July 21, 2003.

You have requested that the zoning case file in the above-captioned matter be made available for an upcoming Code Violation Hearing scheduled in the Department of Permits and Development Management (DPDM) on August 21, 2003. As Bette explained, once a decision is rendered by the Zoning Commissioner's Office, the case file is returned to DPDM, which is responsible for maintaining all zoning and enforcement case files. Therefore, the file in Case No. 01-503-SPH has long-since been returned to DPDM.

In any event, although I note that you have also sent a copy of your letter to Mr. Kotroco, who is now Director of DPDM, I will request herewith that a representative of his office attend the violation hearing and produce the case file in question.

Should you need any additional assistance in this matter, please do not hesitate to call me.

Very truly yours,

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: ~~Mr.~~ Timothy Kotroco, Director of DPDM
Case File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

4/28/01
George
OK
V

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
MICHAEL T. PATE
STACIE D. TRAGESER

FAX 410-823-7530

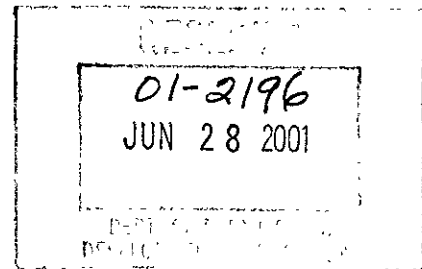
ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE
TOWSON, MD 21204

* ALSO ADMITTED TO D. C. BAR

June 27, 2001

Arnold Jablon, Director
Baltimore County
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 01-503-SPH
2802 East Joppa Road



Dear Mr. Jablon:

Please treat this letter as a request for a continuance or rescheduling of the above-captioned in that the undersigned counsel is a trustee in various mortgage foreclosure sales that are scheduled for sale on Tuesday, July 24, 2001 starting in Worcester County and continuing throughout the Eastern Shore. It would be appreciated if same could be rescheduled.

I am usually in court most mornings and would appreciate it if I could be contacted telephonically with respect to an alternate date.

The County's indulgence is appreciated.

BEST.

Very truly yours,

Edward C. Covahey, Jr.

ECC,Jr./ldr
0627ldr04
cc: Douglas Kennedy, P.E.

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
MICHAEL T. PATE
STACIE D. TRAGESER
BRUCE EDWARD COVAHEY
JENNIFER MATTHEWS HERRING

410-828-9441
FAX 410-823-7530

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE.
TOWSON, MD 21204

*ALSO ADMITTED TO D.C. BAR

July 18, 2003

Timothy M. Kotroco, Director
Baltimore County Department of
Permits & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Lawrence E. Schmidt, Zoning Commissioner
for Baltimore County
County Courts Building
401 Bosley Ave., Suite 405
Towson, Maryland 21204

Re: Code Inspections & Enforcement Case No. 03-3371
2802 Joppa Road

Gentlemen:

Please be advised this office represents Harry S. Cohen and Cynthia L. Cohen, the owners of the above-captioned property, in connection with a Code enforcement hearing scheduled for August 21, 2003 with respect to claimed violations concerning a changeable copy sign at the referenced location. The sign that is the subject of the complaint is the exact sign that was the subject of a Petition for Special Hearing and was approved as a non-conforming sign by the then Deputy Zoning Commissioner. The premises is occupied by the Firehouse Tavern that was virtually destroyed by a stolen car that smashed into the improvements, resulting in the reconstruction of the bar and tavern.

In connection with my representation for the violation, I will need the file in Case No. 01-503-SPH wherein Mr. Kotroco, as Deputy Zoning Commissioner, approved the non-conforming use after reviewing the exhibits that were introduced into evidence that depict the actual sign that is situate on the premises.

Instead of issuing subpoenas for each of you, I would appreciate it if you could provide me with assurances that the entire file will be at the referenced hearing.

RECEIVED
JUL 21 2003
ZONING COMMISSIONER

411

July 18, 2003
Page 2

Thank you for your attention to this matter.

Best regards.

Very truly yours,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Edward C. Covahey, Jr.

ECC,Jr./ldr
0717ldr09
cc: Mr. Harry S. Cohen

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
THOMAS P. DORE
MICHAEL T. PATE
STACIE D. TRAGESER
BRUCE EDWARD COVAHEY
JENNIFER MATTHEWS HERRING

410-828-9441

FAX 410-823-7530

ANNEX OFFICE
SUITE 302
1006 BALTIMORE AVE.
TOWSON, MD 21204

RECEIVED

JUL 26 2003

July 23, 2003

ZONING COMMISSIONER

*ALSO ADMITTED TO D.C. BAR

Timothy M. Kotroco, Director
Baltimore County Department of
Permits & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Code Inspections & Enforcement Case No. 03-3371
2802 Joppa Road
Hearing Date: August 21, 2003

Dear Mr. Kotroco:

Betty from the Zoning Commissioner's office called me with respect to the above-captioned and advised that you are the custodian of the files once they leave the Zoning Commissioner's office. Pursuant to my letter dated July 18, 2003, I would appreciate it if it could be ensured that the file could be present at the above-referenced hearing.

THANKS.

BEST.

Very truly yours,



Edward C. Covahey, Jr.

ECC, Jr./ldr
0722ldr14

cc: Lawrence E. Schmidt, Zoning Commissioner

Greater Parkville Community Council

Send
8/8/01

August 3, 2001

Baltimore County Zoning Commissioner
Fourth Floor
County Courts Building
401 Bosley avenue
Towson, MD 21214

AUG -- 6

RE: Special Hearing for 2802 E. Joppa Road - Legal Owner Harry S. Cohen
To permit the non-conforming projecting sign into the street right-of-way.

Dear Sir:

01-583-SPH

This letter is written on behalf of the Greater Parkville Community Council (GPCC) to request a denial of the non-conforming use of the sign listed in the above case.

The non-conforming projecting sign is located along a residential section of Joppa Road. Prior to recent renovations to the subject business, a number of variances were granted to allow for business parking in a residential zone, less parking spaces than required, and reduce required buffer area and setbacks between residential and commercial property (case # 00-212-SPHA & 00-211-SPHA). The owner, Mr. Cohen, testified at the hearings that it was not his intention to impact his neighbors. However, the end result was an overcrowded development, which is out of scale and character when compared to its residential surroundings. The GPCC has received a number of complaints concerning the size and location of the sign, which is intruding on to Joppa Road and is out of character with the residential community. In an effort to maintain the residential character of the community the sign should be reduced in size, set back from the road, or eliminated all together.

In addition, Joppa Road is a well-traveled road and the County has the responsibility of protecting its citizens from any potential safety hazards. This is why Section 3-1 (5) of the County Code prohibits signs to protrude into the right-of-way so as not to pose a hazard to motorists, pedestrians, or cyclists. Denying the nonconforming use of this sign will help ensure the future safety to those who travel this road and reduce the liability of the County.

Thank you for your consideration in this matter.

Sincerely,



Ruth Baisden, President
Greater Parkville Community Council
7756 Oak Ave
Balto. MD 21234

*Please find
letter concerning
hearing to be
held on August
8, 2001.*



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

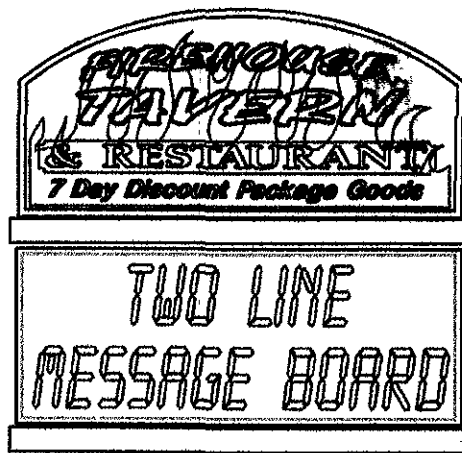
NAME

330 COUNTY
Harry Chen
DOUGLAS L. KENNEDY

ADDRESS

614 BOSLEY AVE
TOWSON MD 21204
2800 E Joppa Rd 21234
3104 TIMANUS LA. BALTO, MD 21244





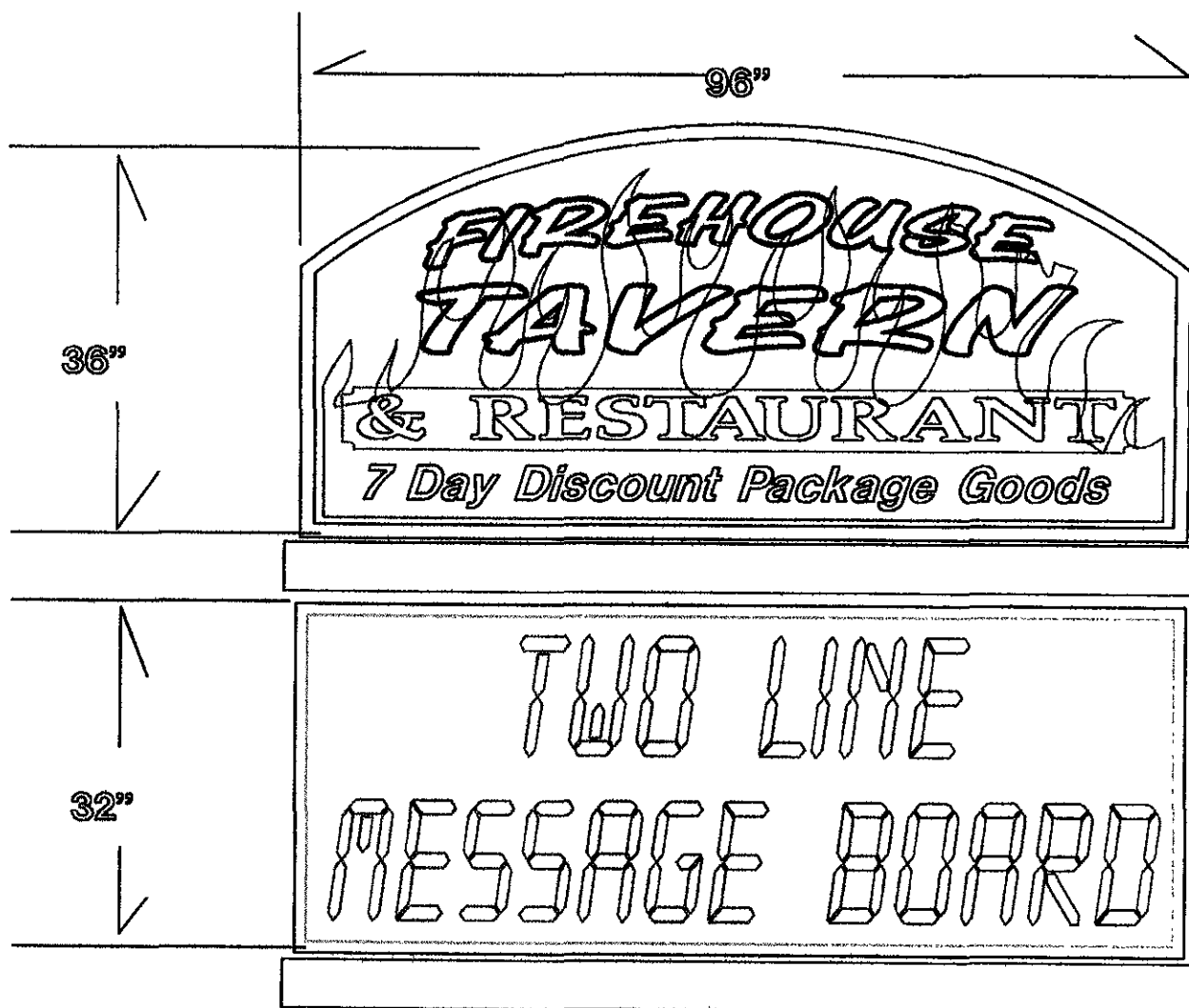
12'
TO GRADE

8'

SIDE WALK

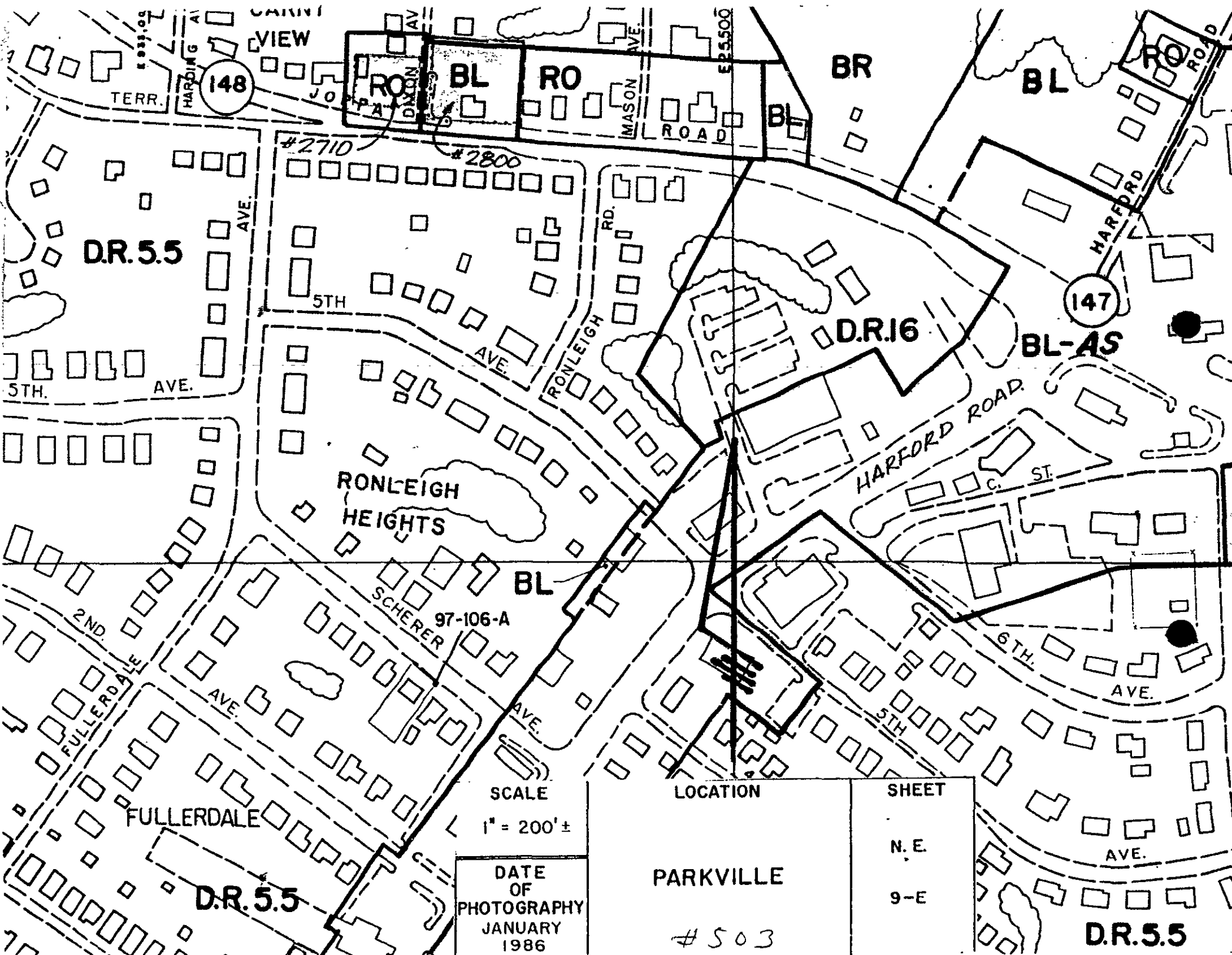
EAST SIDE WALL

REC'D 4-10-2001
KCM-ET



SIGN 1.

REC'D 4-10-2001
KCW-ET



148

147

D.R. 5.5

D.R. 16

BL-AS

RONLEIGH
HEIGHTS

BL

97-106-A

SCALE

1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

PARKVILLE

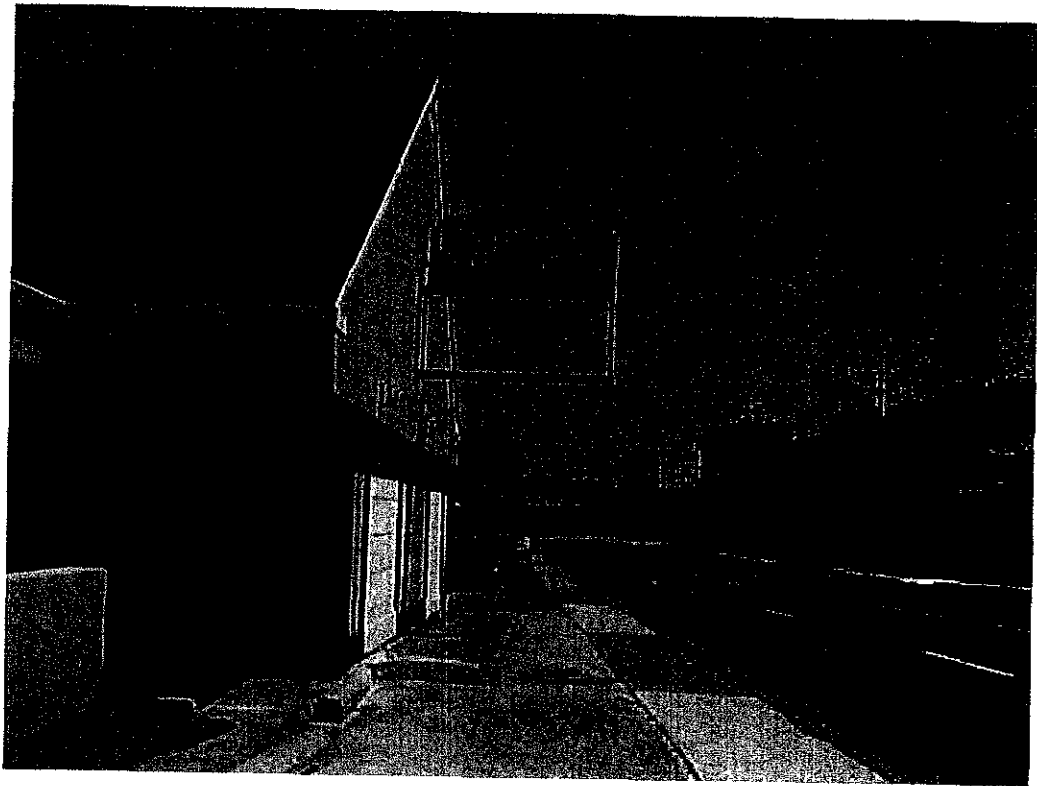
#503

SHEET

N.E.

9-E

D.R. 5.5



Reflex 2

5-8-2001



