FILING DELIGHT RECEIVED FOR

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IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE N/S Liberty Road, 147' E centerline of Sussex Road 2nd Election District 2nd Councilmanic District

> Isadore Abrams and Management Petitioners

(7112 Liberty Road)

- BEFORE THE
- DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- CASE NO. 02-581-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Isadore Abrams and Management Investors Corporation, LLC and KFC of America, Inc., the lessee of the property. The Petitioners are requesting special hearing and variance approval for property located at 7112 Liberty Road. The subject property is split zoned BLR/BR & DR 3.5. The property previously received zoning approval to allow the construction of a Kentucky Fried Chicken and A&W Rootbeer use in combination restaurant on the subject site. The Petitioner is requesting special hearing relief herein to amend my previous decision dated August 6, 2001, by granting permission to the two aforementioned restaurants to construct a total of 4 wall-mounted signs on the subject property in lieu of the maximum 3 and to have 2 signs on each façade.

Appearing at the hearing on behalf of the special hearing and variance requests were Isaac Showell, Heather Booth and Wayne Zinn, all appearing on behalf of the Petitioners. The Petitioner was represented by Marvin Singer, attorney at law. There were no Protestants or others in attendance.

As stated previously, the subject property received zoning approval to construct a Kentucky Fried Chicken and A&W Rootbeer restaurant uses in combination. That approval was granted by my Order dated the 6th day of August, 2001. The Petitioner is desirous of constructing their

signage on the site and were advised that a variance was necessary due to their desire to place both a KFC and A&W sign on the site. The details of the sign package to be located on the property are more particularly shown on Petitioner's Exhibit No. 1, the site plan submitted into evidence.

After considering the Petitioner's request and the lack of opposition thereto, I find that the special hearing to amend my previous decision and the variance relief to allow the Petitioner to construct these 4 signs on the property should be granted.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 27 day of August, 2002, that the Petitioner's Special Hearing request, to amend my previous decision dated August 6, 2001, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variance relief to permit a total of 4 wall-mounted signs in lieu of the maximum 3 and to allow 2 signs on each façade, be and is hereby GRANTED.

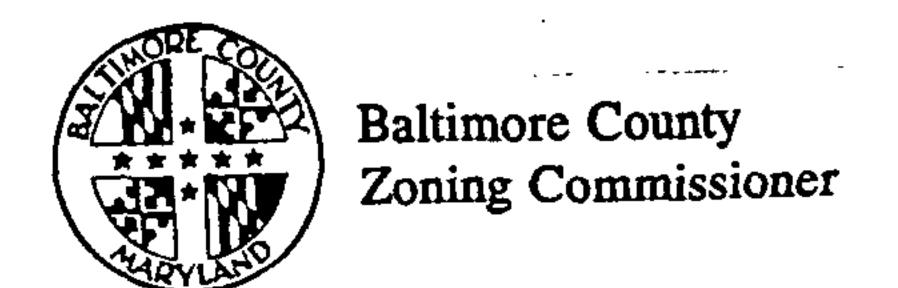
IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

August 27, 2002

Marvin I. Singer, Esquire 10 E. Baltimore Street, Suite 901 Baltimore, Maryland 21202

Re: Petitions for Special Hearing & Variance

Case No. 02-581-SPHA Property: 7112 Liberty Road

Dear Mr. Singer:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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,

Lustly llotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure

Copies to:

Isaac Showell 7250 Parkway Drive Hanover, MD 21076

Heather Booth 7115 Ambassador Road Baltimore, MD 21244

Wayne Zinn 821-P Oregon Avenue Linthicum, MD 21090

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Date

By

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By

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By

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IN RE: PETITION FOR VARIANCE N/S Liberty Road, 147' E

centerline of Sussex Road 2nd Election District

2nd Councilmanic District

(7112 Liberty Road)

Isadore Abrams and Management
Investors Corporation, LLC
c/o Irving Cohen, President/Gen. Partner
Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

CASE NO. 01-508-A

T

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Isadore Abrams & Management Investors Corporation, LLC and the lessee of the site, Tricon Global Restaurants, Inc.

Appearing at the hearing on behalf of the variance request were Kevin Jones, appearing on behalf of Tricon Global Restaurants, David Thaler, professional engineer with D. S. Thaler & Associates and Paul A. Tiburzi, attorney representing the Petitioner. Appearing as interested citizens in the matter were Benjamin Holmes, Joan Alston and Elizabeth Matthews.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 1.14 acres, more or less, split-zoned BLR, BR & DR 3.5. The subject property is currently improved with a Kentucky Fried Chicken (KFC) fast food restaurant. The property is located on the north side of Liberty Road near its intersection with Sussex Road in the Lochearn area of Baltimore County.

Testimony demonstrated that the property has been the site of a Kentucky Fried Chicken for approximately 20 years. The lessees of the property are interested in tearing down the old restaurant building and constructing a new KFC and A&W Root Beer Restaurant on the site.

Apparently, Tricon Global Restaurants, the parent company of KFC, A&W and other restaurant chains are interested in converting older restaurant sites into new jointly occupied restaurants. This particular property is one location upon which this conversion is proposed. The lessee intends to not only tear down the old restaurant and construct a new building, but also will convert the entire parking lot, as well as the curb and gutters into a new facility. In order to proceed with the renovation of the property, the variance requests are necessary. Specifically, the Petitioners are requesting variance relief as follows:

- 1. from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 36 parking spaces in lieu of the required 51 spaces.
- 2. from Section 229.6.D of the B.C.Z.R., to allow a 7 ft. parking lot setback from the ultimate street right of way in lieu of 20 ft.;
- 3. from Section 409.10.B of the B.C.Z.R., to allow a drive-thru lane to cross a principal pedestrian access;
- 4. from Section 409.10.B of the B.C.Z.R., to permit the required stacking lane to encroach into the required drive lane;
- 5. from Section 409.4.B of the B.C.Z.R., to allow parking on a travel way; and
- 6. from Part III, Condition F Services Lanes, 2. (Baltimore County Landscape Manual), to allow 3 ft. of landscape space between paved surfaces and lot line in lieu of the required 6 ft.

The variance relief being requested was discussed with the several residents who attended the hearing. The residents did not oppose the renovation of the subject property. However, Ms. Alston did have a concern as to whether the public sewer line had sufficient capacity to handle any additional sewage that may be generated by this new restaurant. Mr. Thaler assured the citizens that the main sewer line, which this restaurant will utilize, has more than sufficient capacity to handle any additional sewage from this property. As to the variances being requested in order for the renovation to occur, I find the testimony sufficient for them to be granted.

Date Mela FOR FILING

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Ey M. Camary

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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 variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' variance requests should be granted.

THEREFORE, IT IS ORDERED this 6 day of August, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variances from: (1) Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 36 parking spaces in lieu of the

required 51 spaces; (2) from Section 229.6.D of the B.C.Z.R., to allow a 7 ft. parking lot setback from the ultimate street right of way in lieu of 20 ft.; (3) from Section 409.10.B of the B.C.Z.R., to allow a drive-thru lane to cross a principal pedestrian access; (4) from Section 409.10.B of the B.C.Z.R., to permit the required stacking lane to encroach into the required drive lane; (5) from Section 409.4.B of the B.C.Z.R., to allow parking on a travel way; and (6) from Part III, Condition F – Services Lanes, 2. (Baltimore County Landscape Manual), to allow 3 ft. of landscape space between paved surfaces and lot line in lieu of the required 6 ft., be and they are hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

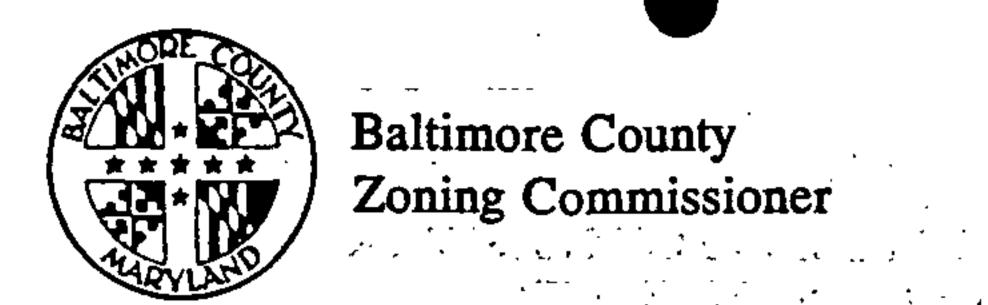
TIMOTHY M./KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

DATE RECEIVED FOR FILING DATE RECEIVED FOR FILING By A. D. Comments



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

Fax: 410-887-3468

August 27, 2002

Marvin I. Singer, Esquire 10 E. Baltimore Street, Suite 901 Baltimore, Maryland 21202

Re: Petitions for Special Hearing & Variance

Case No. 02-581-SPHA Property: 7112 Liberty Road

Dear Mr. Singer:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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

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TMK:raj Enclosure

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Copies to:

Isaac Showell 7250 Parkway Drive Hanover, MD 21076

Heather Booth 7115 Ambassador Road Baltimore, MD 21244

Wayne Zinn 821-P Oregon Avenue Linthicum, MD 21090



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7112 Liberty Road which is presently zoned BLR. BR, & DR 3.5

UNAVAILABLE FOR HEARING

Reviewed By Con Date C

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

l, 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.

Property is to be posted and advertised as prescribed by the zoning regulations.

Case No. 07-581-5814A

REV 9/15/98

the attached Petition for Variance for the above-mentioned property as an Amendment to the Order of the Deputy Zoning Commissioner dated August 6, 2001 in Case No. 01-508-A. The information on the attached Petition for Variance is incorporated herein by reference.

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): Isadore Abrams and Contract Purchaser/Lessee: Management Investors Corporation, LLC c/o Irving Cohen. President and General Partner Signature Signature Irving Cohen Telephone No. Name - Type of Print Address Zip Code Signature City State 2305 Velvet Valley Way (410) 363-6591 Attorney For Petitioner: Telephone No. Address Marvin I. Singer 21117 Owings Mills MD Zip Code State City Name - Type or Print Representative to be Contacted: Signature I 40 East Baltimore Street Suite 901 <u>Marvin I. Singer</u> Name Company 410) 685-1111 21202 MD Baltimore, 10 E. Baltimore St. Suite 901 685-1111 Address 7 Telephone No. Telephone No. Address 21202 <u>Baltimore</u> MDZip Code State State Zip Code CHORD OFFICE USE ONLY ESTIMATED LENGTH OF HEARING



REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7112 Liberty Road which is presently zoned BLR, BR & DR 3.5

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

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 Variance from Section(s) 450.4 I.5.(a) VI, to permit a

total of four (4) wall mounted signs in lieu of the maximum three (3) signs allowed, with no more than two (2) signs on each facade, the total square footage of all signs not to exceed the maximum allowed.

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

See attached statement.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, 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.

	is the subject of this Petition.		
Contract Purchaser/Lessee:	Legal Owner(s): Isadore Abrams and Management Investors Corporation, LLC		
·	c/o Irving Cohen, President & General		
Name - Type or Print	Name - Type or Print Partner		
Signature	Signature		
	Irving Cohen		
Address Telephone No.	Name - Type or Print		
City State Zip Code	Signature		
Attorney For Petitioner:	2305 Velvet Valley Way (410) 363-659 Address Telephone No.		
Marvin I. Singer	Owings Mills, MD 21117		
Name - Type or Print	City State Zip Code		
- Longing .	Representative to be Contacted:		
Signature			
Company	Marvin I. Singer		
10 East Baltimore St. Suite 901	10 East Baltimore St. 685-1111		
Address Telephone No.	Address Telephone No.		
Balto., MD 21202 (410) 685-1111	Baltimore, MD 21202		
City - State Zip Code	City State Zip Code		
•	OFFICE USE ONLY		
Cara Nia a a a a a a a a a a a a a a a a a	ESTIMATED LENGTH OF HEARING		
Case No. 02-581-517HA	UNAVAILABLE FOR HEARING		

Reviewed By LTM

Date Ce

STATEMENT IN SUPPORT OF PETITION FOR VARIANCE

The property has been the site of a Kentucky Fried Chicken restaurant for over 20 years. A new and improved building has been erected, adding an A&W Root Beer franchise to the location. The operation of dual franchises requires separate identification for each on two of the facades of the building, in order to provide safe and adequate sight lines to motorists on the roadway.

A previous petition (Case No. 01-508-A) was granted on August 6,2001, but through inadvertence the relief requested in the present petition was not included.

The variance requested herein is necessary due to the configuration and topography of the property and the special circumstances and conditions which exist that are peculiar to the property. Strict compliance with the requirements would unreasonably prevent proper use of the site, and will result in practical difficulty or unreasonable hardship if the variance is not granted.

May 1, 2001

KFC/A&W ROOTBEER AT LIBERTY ROAD ZONING DESCRIPTION

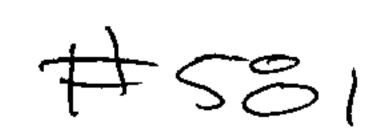
Beginning at a point on the north side of Liberty Road (Maryland Route 26) (100' wide), said point being easterly 147 feet, more or less, from the centerline of Sussex Road (50' wide) thence running the following courses and distances:

- 1. North 24°30'01" East 187.59 feet, more or less, to a point; thence,
- 2. North 08°06'29" West 75.00 feet, more or less, to a point; thence,
- 3. North 81°53'31" East 74.28 feet, more or less, to a point; thence,
- 4. South 27°53'23" East 31.51 feet, more or less, to a point; thence,
- 5. South 38°59'01" East 79.82 feet, more or less, to a point; thence,
- 6. South 38°59'01" East 131.37 feet, more or less, to a point; thence,
- 7. South 24°51'23" West 26.69 feet, more or less, to a point; thence,
- 8. North 65°38'37" West 50.00 feet, more or less, to a point; thence,
- 9. South 24°51'23" West 150.00 feet, more or less, to a point; thence,
- 10. North 65°38'37" West 185.00 feet, more or less, to the point of beginning.
 Containing 49,847 square feet or 1.14 acres of land, more or less.

H:\CORRESPONDENCE\PROJECTS\TRICON\7112 LIBERTY ROAD\DESCRIPTION FOR ZONING 7112 LIBERTY ROAD BL GF'5 4 01.DOC

Known as 7112 Liberty Road located in the 2nd Election District of Baltimore

County, Maryland.



BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 14443	
DATE 6/28/0-2 ACCOUNT 12001	0066150	
AMOUNT \$ 50		
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FOR:	7-1A	

YELLOW - CUSTOMER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

PAID RECEIPT
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Baltimore County, Maryland

CASHIER'S VALIDATION

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 <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

Case: #02-581-SPHA
7112 Liberty Road
N/side Liberty Road 147 east of centerline Sussex Road
2nd Election District - 2nd Councilmanic District
Legal Owner(s): Isadore Abrams and Management in-

Variance: to allow four wall-mounted signs in lieu of the maximum three signs allowed, with no more than two signs of each facade, the total square footage of all signs not to exceed the maximum allowed. Special Hearing: to approve the attached Petition for Variance for the above mentioned property as an Amendment to the Order of the Deputy Zoning Commissioner dated August 6, 2001 in case no. 01-508A.

Hearing: Monday, August 12, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NDTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Com-

missioner's Office at (410) 887-4386.

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

7/231 July 25

C552156

CERTIFICATE OF PUBLICATION

$\frac{7}{26}$, $\frac{2002}{}$
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 725,2002.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

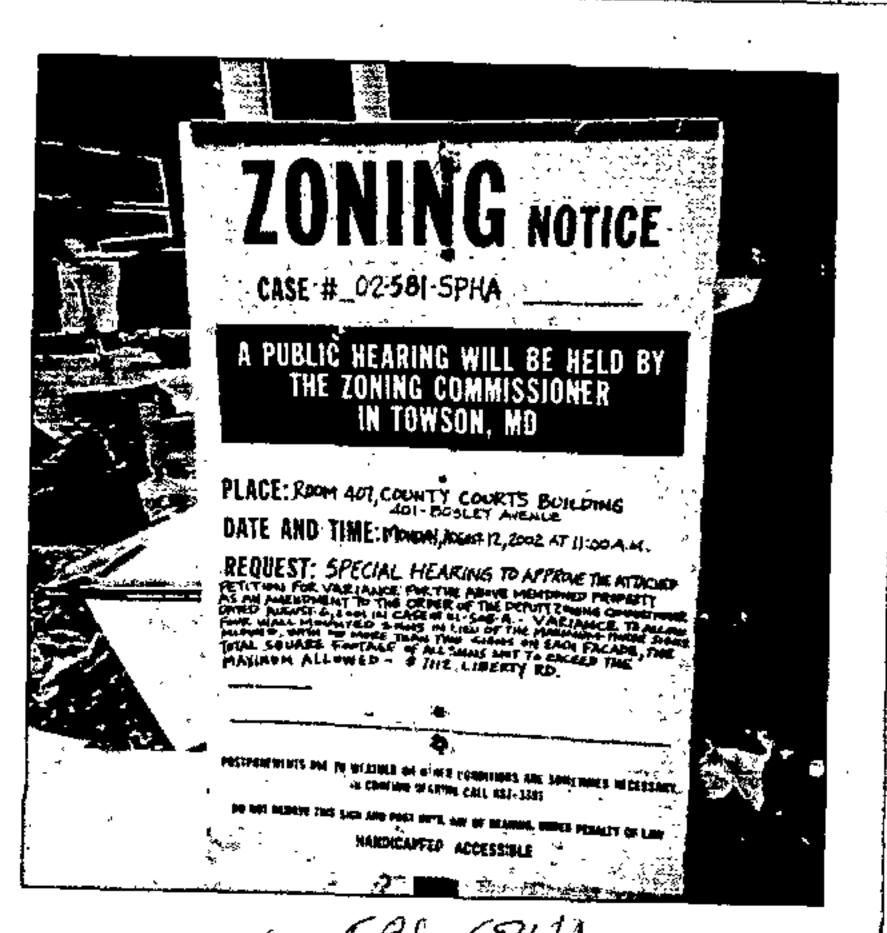
CERTIFICATE OF POSTING

RE: Case No.: 02-581-SPHA Petitioner/Developer: K.F.C., ETAL Date of Hearing/Closing:

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

Attention: Gentlemen: # B S E The sign(s) were posted on 7671

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 #7/12 - LIBERT Sincerely, Post-It* Fax Nota



1112 LIBERTY RD SINGER

(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)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

Item Numbe	er or Case Number: 02-581-5PMA
Petitioner: -	ISADORE ABRAMS AND MAHAGEMERIT INVESTORS CORF
Address or	Location: 7112 Liberty Road
PLEASE FO	DRWARD ADVERTISING BILL TO:
PLEASE FO	DRWARD ADVERTISING BILL TO:MARVIN_ISINGER,_ESQ
	•

PATUXENT PUBLISHING COMPANY TO:

Thursday, July 25, 2002 Issue – Jeffersonian

Please forward billing to:

Marvin I. Singer, Esquire

410-685-1111 10 East Baltimore Street, Suite 901

Baltimore, MD 21202

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: 02-581-SPHA

7112 Liberty Road

N/side Liberty Road 147 east of centerline Sussex Road

2nd Election District ~ 2nd Councilmanic District

Legal Owner: Isadore Abrams and Management Investors Corporation, LLC

<u>Variance</u> to allow four wall-mounted signs in lieu of the maximum three signs allowed, with no more than two signs on each façade, the total square footage of all signs not to exceed the maximum allowed. Special Hearing to approve the attached Petition for Variance for the above mentioned property as an Amendment to the Order of the Deputy Zoning Commissioner dated August 6, 2001 in case no. 01-508A.

HEARING:

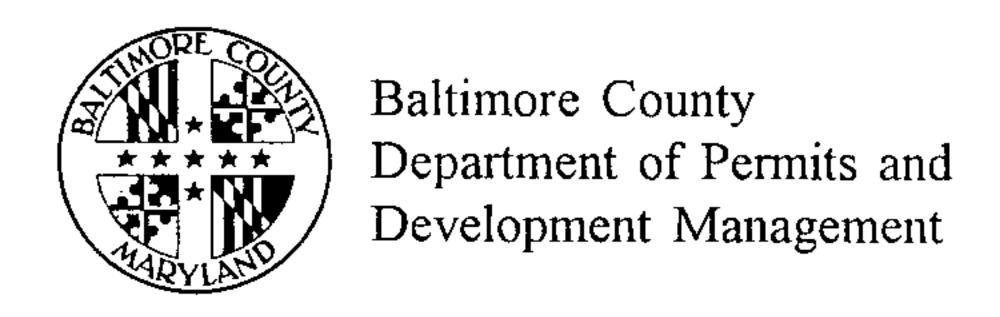
Monday, August 12, 2002 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 8, 2002

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: 02-581-SPHA

7112 Liberty Road

N/side Liberty Road 147 east of centerline Sussex Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Isadore Abrams and Management Investors Corporation, LLC

<u>Variance</u> to allow four wall-mounted signs in lieu of the maximum three signs allowed, with no more than two signs on each façade, the total square footage of all signs not to exceed the maximum allowed. <u>Special Hearing</u> to approve the attached Petition for Variance for the above mentioned property as an Amendment to the Order of the Deputy Zoning Commissioner dated August 6, 2001 in case no. 01-508A.

HEARING:

Monday, August 12, 2002 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

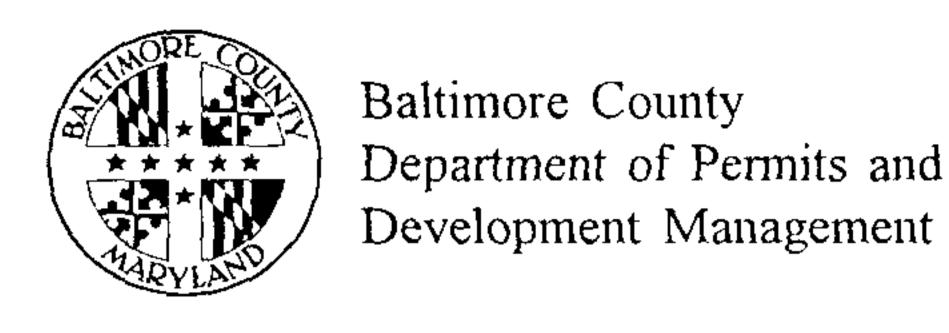
Arnold Jablon Director

C: Marvin I. Singer, 10 East Baltimore Street, Baltimore 21202 Isadore Abrams and Management Investors Corporation, LLC, 2305 Velvet Valley Way, Owings Mills 211117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 27, 2002.

- (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.

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



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

August 9, 2002

Marvin I Singer 10 E Baltimore Street Suite 901 Baltimore MD 21202

Dear Mr. Singer:

RE: Case Number: 02-581-SPHA, 7112 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 28, 2002.

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 Ir 627

W. Carl Richards, Jr. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Isadore Abrams & Management Investors Corp, Irving Cohen President & General Partner, 2305 Velvet Valley Way, Owings Mills 21117 People's Counsel



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

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

July 2,2002

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 8, 2002

Item No.: See Below

Dear Mr. Zahner:

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.

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

575-582

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

cc: File

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OF A COUNTY OF PERSONS AND

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 5, 2002

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor
Breau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting

For July 15, 2002

Item Nos. 575, 576, 577, 578, 579, 580,

581,)and 582

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley

DATE:

August 7, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of July 8, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

575-577, 579, 581,582

HP 2

DATE: July 8, 2002

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 02-580 & 02-581

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:

Section Chief:

AFK/LL:MAC

,



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: 7.3.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 58/

LTM

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 24. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

1-

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division RE: PETITION FOR SPECIAL HEARING

& VARIANCE

N/side Liberty Rd /147 east of

centerline Sussex Rd.

2nd Election District, 2nd Councilmanic

District

Legal Owner: Irving Cohen

Petitioner

BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 02-581-SPHA

ENTRY OF APPEARACE

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

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 17th day of July, 2002, a copy of the foregoing Entry of Appearance was mailed to Marvin I. Singer, Esquire, 10 East Baltimore Street Suite 901, Baltimore, Maryland 21202: Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



Je 3/12

August 6, 2002

AUG | 2 2002

Zoning Commissioner of Baltimore County County Courts Building, 4th Floor 401 Bosley Avenue Towson, MD 21204

Re:

Petition for Variance 7112 Liberty Road Case No. 02-581-SPHA

Dear Sir:

This letter is written on behalf of the Baltimore County Chamber of Commerce. I would like to communicate this organization's support for the variance petition filed in the above-mentioned case. It is my understanding that the applicant is requesting permission to erect four signs on the building, rather than the three that are permitted, and that this request is for an amendment to the order granting variances, which was issued last year.

The restaurant at this location will be a combination Kentucky Fried Chicken and A&W Root Beer operation, and represents a major investment in the community. It will also provide important employment opportunities for local residents, as well as enhancing economic development in the Liberty Road area. I understand that no objection has been filed by the Baltimore County Department of Planning.

The public hearing on this petition is scheduled for August 12, 2002. Please contact me if you have any questions regarding this matter.

Thank you for your consideration.

Towns Clark Wayne

President

Sincerely,

Chamber Sponsors...Comcast Cablevision, LCG Technologies Corp., and MIE Properties, Inc.

LAW OFFICES

MARVIN I. SINGER

SUITE 901
W.R. GRACE BUILDING
10 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

(410) 685-1111

FACSIMILE (410) 625-4709

June 10, 2002

Lloyd T. Moxley Baltimore County Office of Zoning Review 111 West Chesapeake Avenue Towson, Maryland 21204

Re: KFC-A&W Restaurant 7112 Liberty Road

Dear Mr. Moxley:

As a follow-up to our recent meeting I enclose for filing copies of the Petition for Variance and Petition for Special Hearing which you had requested. Also enclosed is a copy of the Opinion and Order of the Deputy Zoning Commissioner dated August 6, 2001, entered in the previous variance case, and the required number of engineering documents.

The Petition for Special Hearing has been signed by me solely, as it incorporates all of the information and signatures contained on the Petition for Variance, and I did not see the necessity for duplicating that information. Lastly, I also enclose a check for the sum of \$500.00 in payment of the applicable filing fees.

I trust that this filing is complete and I will await notification of a hearing date. Thank you for your cooperation.

Yours very truly,

Marvin I. Singer

MIS/m Encls.

LAW OFFICES MARVIN I. SINGER

SUITE 901 10 East Baltimore Street Baltimore, Maryland 21202

FACSIMILE (410) 685-2372

(410) 685-1111

June 25, 2002

Lloyd T. Moxley Baltimore County Office of Zoning Review 111 West Chesapeake Avenue Towson, Maryland 21204

Re: KFC-A&W Restaurant 7112 Liberty Road

Dear Mr. Moxley:

Per your request, I enclose three copies of the Petition for Special Hearing, with original signatures, which should be added to the documents previously filed with you. Also enclosed is a copy of the Advertising Notice. I believe that these submissions complete the application, and that the petitions may now be scheduled for hearing.

Thank you for your attention to this matter.

Yours very truly,

Marvin I. Singer

Copy to: Heather K. Booth (w/encl)

MIS/m Encls.

in in

JUN 26 2002

OQ-1943

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Case Number	02-581-5PHA
	8/12/02

PLEASE <u>PRINT</u> LEGIBLY

PETITIONER'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
MARVIN I. SM	EM 10 E. Colprace St. 21202	150/15-M1-	21202
15AAC SHOWELL	7250 PARKHAY DRIVE, HAMOVER T	mD	21076
Heather Booth	7115 Ambassador Rd, Balt. Mi		;
Wayne Zinn		Linthicum, MD	21090
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