IN RE: PETITION FOR VARIANCE
NE/S Reisterstown Road, 140' SE
of Old Milford Mill Road
3rd Election District
2nd Councilmanic District

(201 Reisterstown Road)

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 03-427-A

Frankel Cadillac, Legal Owner
and Safeway, Inc., Contract Purchaser/Lessee*
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the property, Frankel Cadillac and the contract purchaser/lessee, Safeway, Inc. The variance request involves property located at 201 Reisterstown Road in the Pikesville area of Baltimore County. The Petitioners are requesting the following variances:

- 1. from §450.4.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a second wall-mounted sign of 16.2 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #2 "Starbucks Coffee");
- 2. from §450.4.5.d of the B.C.Z.R., to allow a third wall-mounted sign of 8.8 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #4 Pharmacy);
- 3. from §450.4.5.d of the B.C.Z.R., to allow a fourth wall-mounted sign of 12 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #6 "Bergmann's Dry Cleaners"); and
- 4. from §450.4.5.d of the B.C.Z.R., to allow a second canopy sign of 44 sq. ft. in lieu of the one canopy sign permitted (Sign #5 "Safeway" Insignia).

Appearing at the hearing on behalf of the variance request were Sharon Wilson Benjamin, appearing on behalf of Safeway, Inc., William Monk, representing Morris & Ritchie, the engineering firm who prepared the site plan of the property, and David Karceski, attorney at law, representing the Petitioners. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 5.049 acres, more or less, split-zoned BM/BR and BR-AS. The property is

currently being improved with a 55,256 sq. ft. "Safeway" grocery store. The purpose of filing the petition for variance herein is to approve the sign package that is to be installed upon the façade of the new grocery store. The sign package is designed to identify several different entities that will exist within this grocery store. For example, within the Safeway grocery store there is proposed to exist a pharmacy, a "Starbucks" coffee shop and a "Bergmann's Dry Cleaners" business. In addition to these signs, Safeway also proposes to install their store identification signage. In order to proceed with the sign package as proposed, the variance requests as previously stated are necessary.

It should be noted that no one appeared in opposition to the variance requests and the Office of Planning has reviewed and approved the sign package for this site.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to 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 request should be granted.

THEREFORE, IT IS ORDERED, this Haday of May, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variances as follows:

- 5. from §450.4.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a second wall-mounted sign of 16.2 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #2 "Starbucks Coffee");
- 6. from §450.4.5.d of the B.C.Z.R., to allow a third wall-mounted sign of 8.8 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #4 Pharmacy);
- 7. from §450.4.5.d of the B.C.Z.R., to allow a fourth wall-mounted sign of 12 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #6 "Bergmann's Dry Cleaners"); and
- 8. from §450.4.5.d of the B.C.Z.R., to allow a second canopy sign of 44 sq. ft. in lieu of the one canopy sign permitted (Sign #5 "Safeway" Insignia).

be and they are hereby APPROVED.

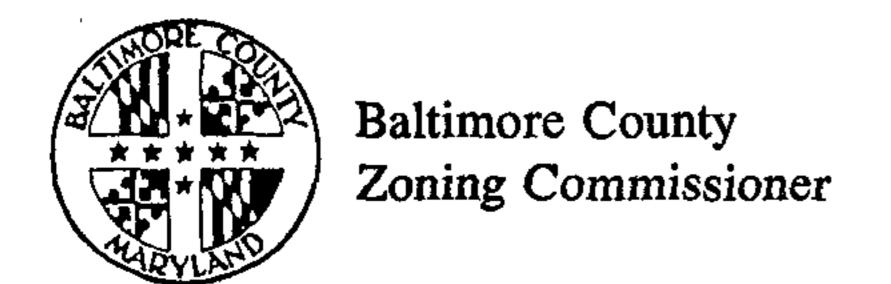
IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

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

May 14, 2003

David Karceski, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petition for Administrative Variance

Case No. 03-427-A

Property: 201 Reisterstown Road

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance 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

luthy Hotroco

TMK:raj Enclosure

Copies to:

Robert E. Frankel, President Frankel Cadillac 10260 York Road Cockeysville, MD 21030

Sharon Wilson Benjamin Safeway, Inc. 4551 Forbes Boulevard Lanham, MD 20706

Bill Monk, P. E. Morris & Ritchie Associates, Inc. 110 West Road, Suite 245 Towson, MD 21204



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 201 Reisterstown Road

which is presently zoned BM, BR, BR-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, lega 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)

See attached.

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

To be determined at hearing.

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.

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Safeway, Inc.	Frankel Cadillac
President, Real Estate Department Signature	Name - Type or Print
4551 Forbes Boulevard (301) 918-6536 Address Telephone No.	Robert E. Frankel, President Name - Type or Print
Lanham, Maryland 20706 City State Zip Code	Signature
Attorney For Petitioner:	10260 York Road (410) 666-6060
Robert A. Hoffman Name - Type or Print	Address Cockeysville, Maryland 21030
Signature Signature	State Zip Code Representative to be Contacted:
Venable, Baetjer and Howard, LIP Company	Robert A. Hoffman
210 Allegheny Avenue (410) 494-6200 Address Telephone No.	210 Allegheny Avenue (410) 494-6200
Maryland 21204 State Zip Code	Towson, Maryland 21204
State Zip Code	City State Zip Code
	OFFICE USE ONLY
Case No. <u>03</u> 427 A	ESTIMATED LENGTH OF HEARING
Son ducies	UNAVAILABLE FOR HEARING Reviewed By

SAFEWAY (Store No. 1994) VARIANCES REQUESTED FOR 201 REISTERSTOWN ROAD

Variance from Section 450.4.5.d of the Baltimore County Zoning Regulations ("BCZR") to allow a second wall-mounted sign of 16.2 square feet in lieu of the one wall-mounted sign permitted (Sign #2 – Starbucks Coffee).

Variance from BCZR Section 450.4.5.d to allow a third wall-mounted sign of 8.8 square feet in lieu of the one wall-mounted sign permitted (Sign #4 – Pharmacy).

Variance from BCZR Section 450.4.5.d to allow a fourth wall-mounted sign of 12 square feet in lieu of the one wall-mounted sign permitted (Sign #6 – Bergmann's Dry Cleaners).

Variance from BCZR Section 450.4.5.d to allow a second canopy sign of 44 square feet in lieu of the one canopy sign permitted (Sign #5 – Safeway Insignia).

TO1DOCS1/#155733 v1

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



ZONING DESCRIPTION

Beginning at a point located on the northeasterly side of Reisterstown Road (Maryland Route 140), which has a 70 foot width at the distance of 140 feet southeasterly of the centerline of the nearest intersecting street, Milford Mill Road which has a width of 50 feet. Thence the following courses and distances:

North 37 degrees 19 minutes 10 seconds West, 154.33 feet; North 52 degrees 43 minutes 22 seconds East, 6.00 feet; North 37 degrees 16 minutes 37 seconds West, 17.00 feet; South 52 degrees 43 minutes 19 seconds West, 6.01 feet; North 37 degrees 19 minutes 10 seconds West, 182.31 feet to a point; North 42 degrees 42 minutes 20 seconds East, 609.85 feet; South 37 degrees 19 minutes 10 seconds East, 379.05 feet; South 45 degrees 04 minutes 20 seconds West, 605.97 feet to the point and place of beginning and being a portion of the lands described in a deed dated March 30, 1983 from Frankel Cadillac Co. to Robert E. Frankel and recorded among the Land Records of Baltimore County, Maryland in Liber E.H.K. Jr. 6635, folio 1.

Containing 219,935 square feet or 5.0490 acres of land, more or less, being known as #201 Reisterstown Road, and being located in the Third Election District of Baltimore County, Maryland.





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

Case. #03-427-A

201 Reisterstown Road

N/east side Reisterstown Road 140 feet southeast of Old

Milford Mill Road

3rd Election District-2nd Councilmanic District

Legal Owner(s): Frankel Cadillac, Robert E. Frankel, President

Contract Purchaser Safeway, Inc., Thomas Castleberry, Vice President

Variance: to permit a second wall-mounted sign of 16.2 square feet in lieu of the one wall-mounted sign. To permit a third wall-mounted sign of 8.8 square feet in lieu of the one wall-mounted sign permitted. To permit a second canopy sign of 44 square feet in lieu of the one canopy sign permitted.

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) 887-3881(1906) 5599536

CERTIFICATE OF PUBLICATION

4/24/,2003
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 422,2003.
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
AND THE PROPERTY OF THE PROPER

LEGAL ADVERTISING

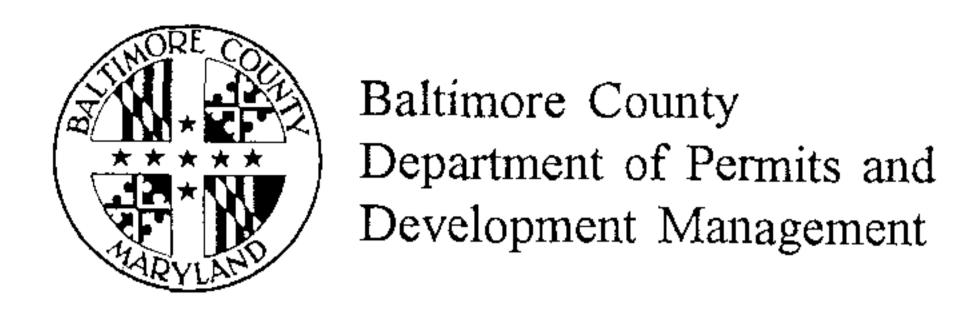
BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT WARYLAND 477 No. 21948
DATE 3 17/03 ACCOUNT 000 006 6150
AMOUNT \$ 325,00
RECEIVED PROM:
FOR: January for 201 Raidentern
The state of the s
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

the transfer interpretation of the state of

CASHIER'S VALIDATION

CERTIFICATE POSTING

	RE: Case No.: 03-427-A
•	Petitioner/Developer: SAFEWAY I
	THOMAS CASTLEBERRY
	Date of Hearing/Closing: 5/7/03
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:	
▼	f perjury that the necessary sign(s) required by law located at ZO/REISTERSTOWN [No. 10]
The sign(s) were posted on	4/19/03
	(Month, Day, Year)
	Sincerely,
Case ** Cas	(Signature of Sign Poster and Date)
Se HEARING WAS A SECOND OF THE PARTY OF THE	SSG ROBERT BLACK
	(Printed Name)
	1508 Leslie Rd
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282~7940
	(Telephone Number)
ratidos	•



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

Fax: 410-887-5708

March 27, 2003

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: 03-427-A

201 Reisterstown Road

N/east side Reisterstown Road 140 feet southeast of Old Milford Mill Road

3rd Election District – 2nd Councilmanic District

Legal Owner: Frankel Cadillac, Robert E. Frankel, President

Contract Purchaser: Safeway, Inc., Thomas Castleberry, Vice President

<u>Variance</u> to permit a second wall-mounted sign of 16.2 square feet in lieu of the one wall-mounted sign. To permit a third wall-mounted sign of 8.8 square feet in lieu of the one wall-mounted sign permitted. To permit a second canopy sign of 44 square feet in lieu of the one canopy sign permitted.

Hearings:

Wednesday, May 7, 2003 at 11:00 a.m. in Rm. 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

C: Frankel Cadillac, Robert Frankel, President, 10260 York Road, Cockeysville 21030 Robert A. Hoffman, Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson 21204 Safeway, Inc., Thomas Castleberry, Vice President, 4551 Forbes Boulevard, Lanham 20706

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 22, 2003.

- (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, April 22, 2003 Issue - Jeffersonian

Please forward billing to:

Amy Dontel Venable, Baetjer & Howard 210 Allegheny Avenue Towson, MD 21204 410-494-6244

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Wednesday, May 7, 2003 at 11:00 a.m. in Rm. 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

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ZONING COMMISSIONER FOR BALTIMORE COUNTY

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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.

For Newspaper Advertising:
Item Number or Case Number: 03-427- A
Petitioner: SAFEWAY, FAXC. FRANKEL CADILLAC
Address or Location: 201 Pristenstonn 2140
PLEASE FORWARD ADVERTISING BILL TO
Name: /my /) NOTELL
Address. 210 Arrestham America
Fowson, MB 21204
Teiephone Number (410) 724-62#44

Revised 2/20/98 - SCJ



Baltimore County Department of Permits and Development Management

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

May 2, 2003

Robert Hoffman Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 03-427-A, 201 Reisterstown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 17, 2003.

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,

U. Callibal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel Frankel Cadillac, Robert E. Frankel, President, 10260 York Rd., Cockeysville 21030 Safeway, Inc., Thomas Castleberry, 4551 Forbes Boulevard, Lanham 20706



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Acting Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

3.25.03 Date:

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

RE: Baltimore County

Item No. 427

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 147. 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,

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



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 26, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: March 24, 2003

Item No.:

4 4 4 6

407-418, 420-430 UT

Dear Ms. Hart:

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.

7. The Fire Marshal's Office has no comments at this time.

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

cc: File

Jun

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

DATE: March 26, 2003

RECEIVED

MAR 2 7 2003

SUBJECT:

Zoning Advisory Petition(s): Case(s) 03-414 and 03-42

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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: April 15, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 31, 2003

Item Nos. 407, 408, 410, 411, 412, 414, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, and

430

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

RWB:CEN:jrb

cc: File

RE: PETITION FOR VARIANCE

*

201 Reisterstown Road; NE/side Old Milford

Mill Rd, 140' SE Old Milford Mill Road

3rd Election & 2nd Councilmanic Districts

Legal Owner(s) Frankel Cadillac, Robert

Frankel, President

Contract Purchaser(s): Safeway, Inc by

Thomas Castleberry VP, Real Estate Dept.

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

03-427-A

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 MÁX 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 day of March, 2003, a copy of the foregoing Entry of Appearance was mailed to, Robert A Hoffman, Esquire, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

DAT	E:	June 18, 2003		
TO:		W. Carl Richards, Jr. Zoning Review Supervi	sor	
FRO	M:	Rick Wisnom, Chief Division of Code Inspec	tions & Enforce	ement
SUB	JECT:	Item No.: Legal Owner/Petitioner Contract Purchaser: Property Address: Location Description:		427 Safeway Inc n/a 201 Reisterstown Rd N E/S Reisterstown Rd
Whe	Please		•	03-2333 Frankel Cadilac on is the subject of an active violation case. use notify the following person(s) regarding the
NAM	Æ			ADDRESS
Marg	gie Chapis			7204 Valley Country Ct Apt B Pikesville, Md 21208
the v		tion, please find attached se, for review by the Zon		y of the following pertinent documents relative to ner's Office:
	1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11.	Complaint letter/memo/ Complaint Intake Form/ State Tax Assessment process of the State Tax Parcel Map (in MVA Registration print Deed (if applicable) Lease-Residential or Complete Photographs including of Correction Notice/Code Citation and Proof of Second Certified Mail Receipt (complete Process)	Code Enforcementations out (if applicable) out (if applicable) mmercial (if applicable) lates taken Violation Notice rvice (if applicable)	ent Officer's report and notes (e) plicable)
	12. 13.	Final Order of the Code	Official/Hearin	g Officer (if applicable) tice/Property Lien Sheet (if applicable)

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

Billing Notice/Property Lien Sheet (if applicable).

Complete Chronology of Events, beginning with the first complaint through the

RSW/ph

14.

C: Code Enforcement Officer

03-2333 HOHNE

IN RE: PETITION FOR VARIANCE

NE/S Reisterstown Road, 140' SE

of Old Milford Mill Road

3rd Election District

2nd Councilmanic District

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DEPUTY ZONING COMMISSIONER

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

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- 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 request should be granted.

THEREFORE, IT IS ORDERED, this Hay of May, 2003, by this Deputy Zoning Commissioner, that the Petitioners' request for variances as follows:

- 5. from §450.4.5.d of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow a second wall-mounted sign of 16.2 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #2 "Starbucks Coffee");
- 6. from §450.4.5.d of the B.C.Z.R., to allow a third wall-mounted sign of 8.8 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #4 Pharmacy);
- 7. from §450.4.5.d of the B.C.Z.R., to allow a fourth wall-mounted sign of 12 sq. ft. in lieu of the one wall-mounted sign permitted (Sign #6 "Bergmann's Dry Cleaners"); and
- 8. from §450.4.5.d of the B.C.Z.R., to allow a second canopy sign of 44 sq. ft. in lieu of the one canopy sign permitted (Sign #5 "Safeway" Insignia).

be and they are hereby APPROVED.

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

Enforcement - Closing Report

ispector - HOHNE

Activity

Date Closed 4/22/2003

sea Case # Location

Zip Apt

Date Rec

Reinsp Dt

03-2333 201 15

REISTERSTOWN RD

21208 4/18/2003

1x Acct #: 000000000

Complainant Name: (Last) CHAPIS

(First) MARGIE

Addr: 7204

VALLEY COUNTRY CT APTB

Str # Dir

Street Name

Type Apt

21208

City

ST Zip

Phone: (Home) 410/486-7571 (Work)

Problem:

"NEW SAFEWAY" NEW EQUIPMENT RUNNING 24HRS/DAY 7DAYS/WK ON

BUILDING. MAKING LOUD NOISE (UNDER CONSTR) B479387

Notes:

4/22/03 STOPPED AT JOB SITE TO SPEAKE TO BUILDER ABOUT NOISE . SUPER SAID NOISE WAS FROM A GENERATOR THAT HAD BEEN LEFT R UNNING BY MISTAKE. WILL SEE TO IT THAT GEN IS TURNED OFF AT END OF DAY. CALLED COMPLAINANT, LEFT MESSAGE. CLOSE CASE.

P.HOHNE/NS***

Extend us	DE ENFORCEMENT REPO	RT (13
DATE: 4/8/03 INTAKE B	Y: A CASE #: 03-	2333 INSPEC: 135
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+1/1/	11/ 1 11-11/11	CODE: 2/208 DIST:
COMPLAINANT NAME: MARGIE	4/0-4/ PHONE #: (H)	86-757/ (W)
ADDRESS: 7204 Valley	Country Ct- A	Ot. B. ZIP CODE: 21208
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IS THIS A RENTAL UNIT? YE	Moise Conden	Const
IS THIS A RENAL UNIT? IF YES, IS THIS SECTION 8? OWNER/TENANT /		
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REINSPECTION:		

Robert L. Ehrlich, Jr.



Audrey E. Scott Secretary

Florence E. Burian Deputy Secretary

Michael S. Steele Lt Governor

March 25, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 03/31/03 re: case numbers 03-407-SPH, 03-408-SPH, 03-409-A, 03-410-A, 03-411-A, 03-412-A, 03-413-A, 03-414-SPH, 03-415-A, 03-416-SPH, 03-417-SPH, 03-418-SPH, 03-419-SPHX, 03-420-A, 03-421-A, 03-422-A, 03-423-A, 03-424-SPH, 03-425-SPH, 03-426-SPH, 03-427-A, 03-428-SPHAHSA, 03-429-A, 03-430-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 03/25/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

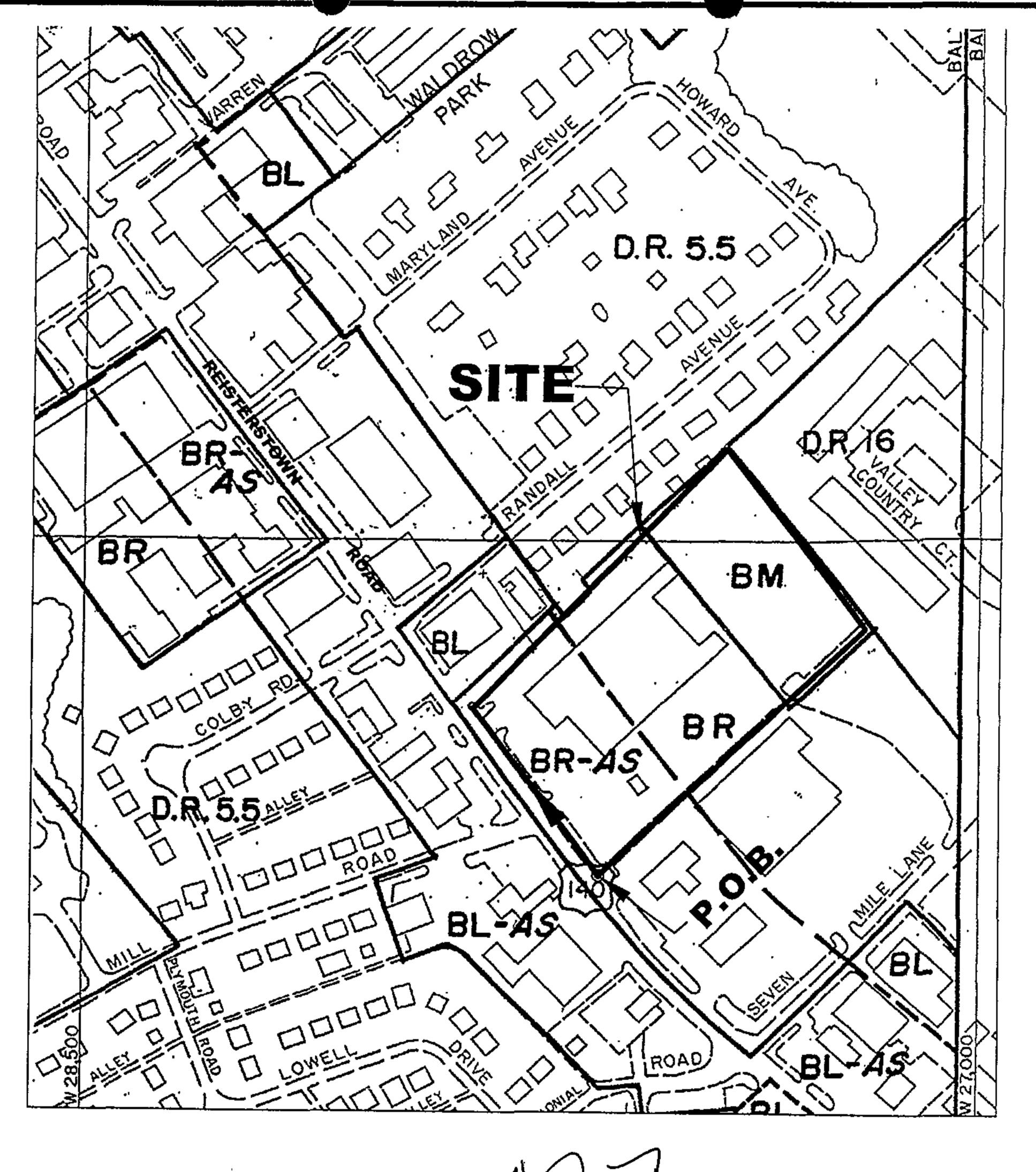
PLEASE PRINT CLEARLY

CASE NAME 03-427-A
CASE NUMBER

DATE 5 7/13

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
BICC MONC	MODITUSA PENEURIES HEN & Are		WManle@Miagta.com 24 Karceski@vervake.a
DAVIN ICHROCHIESICI 5/ARON MICSON/BENTAN	111 5 A TEU/AI TNC =	4 VB+ CANHAM MO. 2010	
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MORRIS & RITCHIE ASSOCIATES, INC

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS
110 WEST ROAD, SUITE 245
TOWSON, MARYLAND 21204
(410) 821-1690
FAX: (410) 821-1748

PIKESVILLE

SHEET # NW 7-E

BALTIMORE COUNTY, MARYLAND

SCALE: 1"=200"

DATE: 02/27/03


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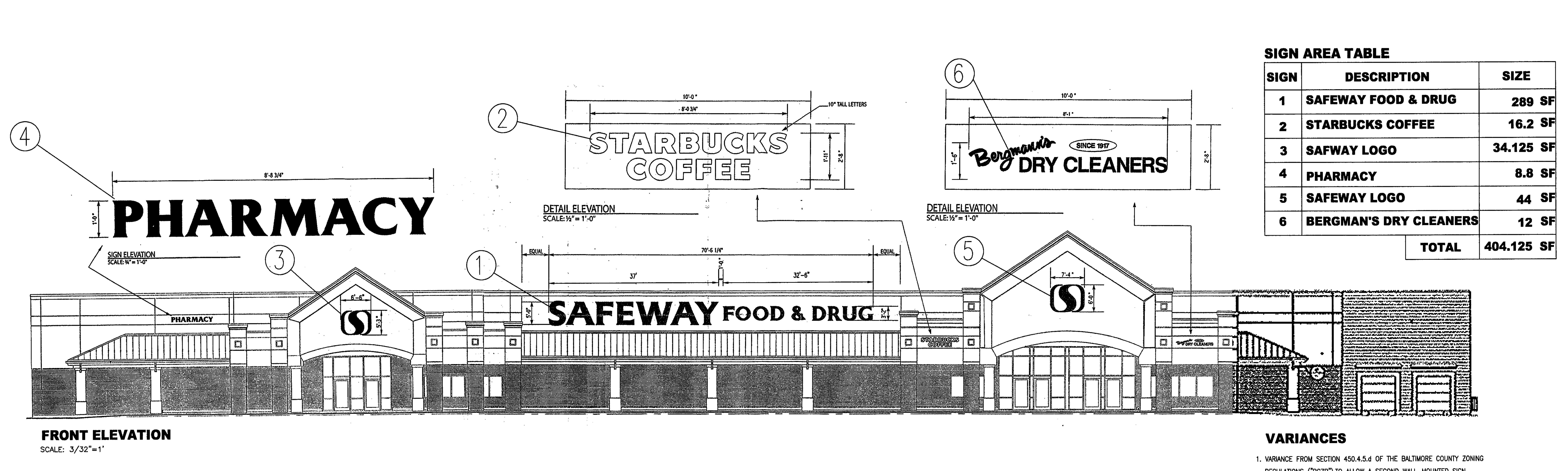
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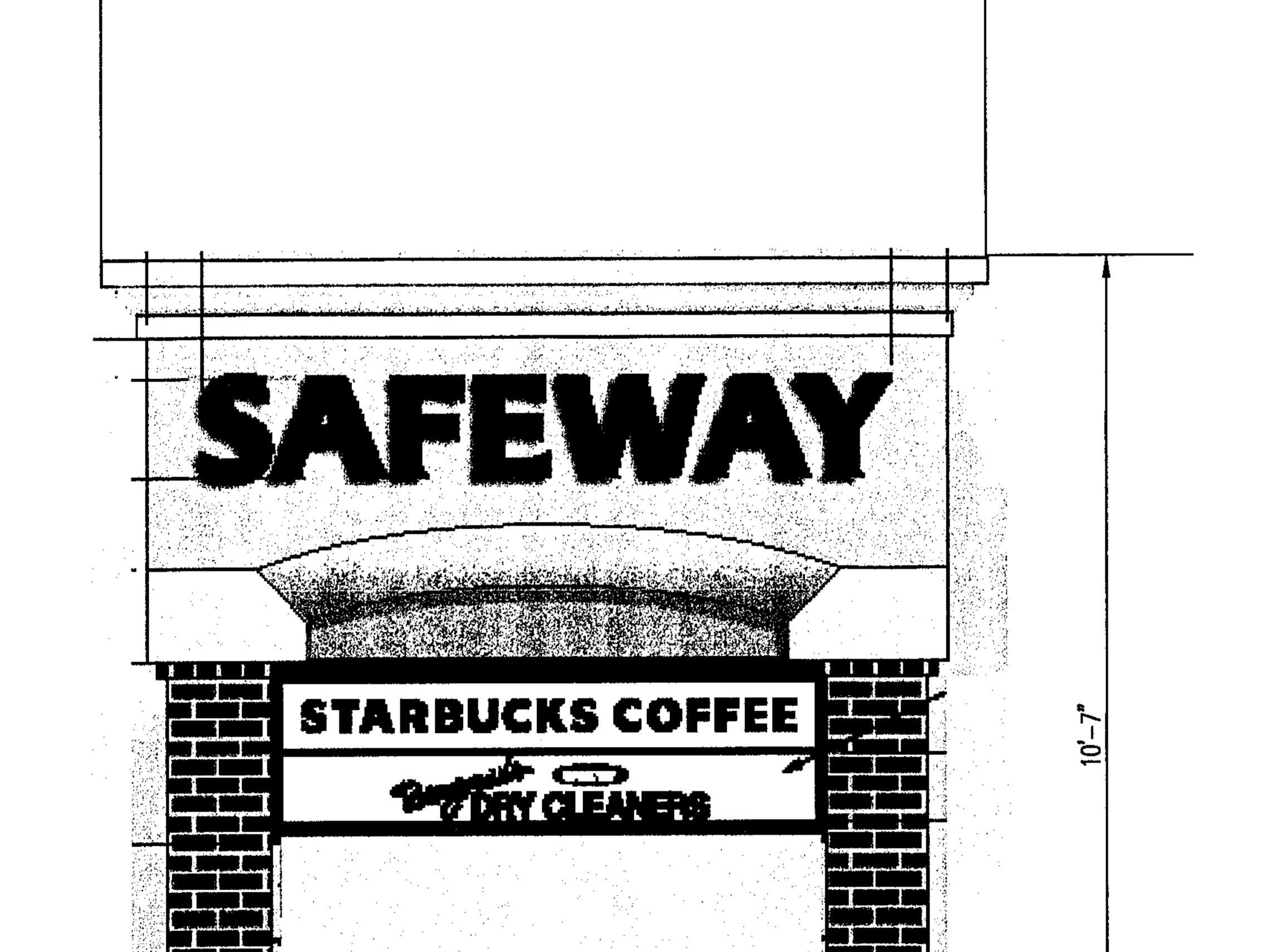
REVIEW BY: WM

JOB NO. : 11808.01







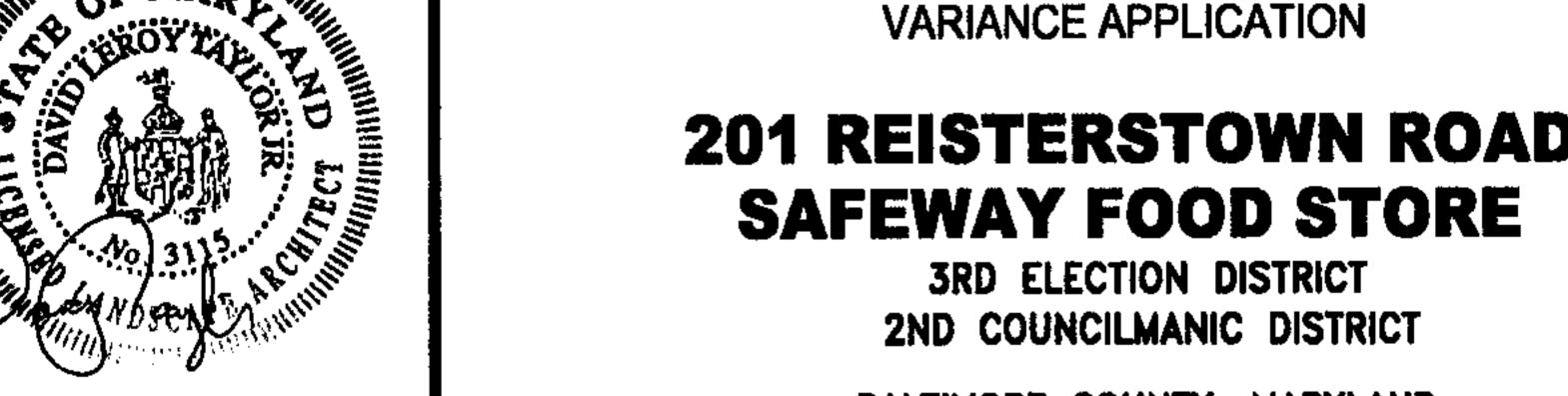


12'-0"

PROPOSED DOUBLE FACE MONUMENT SIGN SCALE: 1/2' =1' 127 SQ. FT.

- 1. VARIANCE FROM SECTION 450,4.5.d OF THE BALTIMORE COUNTY ZONING REGULATIONS ("BCZR").TO ALLOW A SECOND WALL-MOUNTED SIGN 16.2 SQUARE FEET IN LIEU OF THE ONE WALL-MOUNTED SIGN PERMITTED (SIGN #2 STARBUCKS COFFEE).
- VARIANCE FROM BCZR SECTION 450.4.5.d TO ALLOW A THIRD WALL-MOUNTED SIGN OF 8.8 SQUARE FEET IN LIEU OF THE ONE WALL-MOUNTED SIGN PERMITTED (SIGN #4 - PHARMACY).
- 3. VARIANCE FROM BCZR SECTION 450.4.5.d TO ALLOW A FOURTH WALL-MOUNTED SIGN OF 12 SQUARE FEET IN LIEU OF ONE WALL-MOUNTED SIGN PERMITTED (SIGN #6 BERGMANN'S DRY CLEANERS).
- VARIANCE FROM BCZR SECTION 450.4.5.d TO ALLOW A SECOND CANOPY SIGN OF 44 SQUARE FEET IN LIEU OF THE ONE CANOPY SIGN PERMITTED (SIGN #5 — SAFEWAY INSIGNIA).





:	BALTIMORE COUNTY, MARYLAND		
DATE	DATE REVISIONS	JOB NO.:	11808.01
		SCALE:	AS SHOWN
	," , · , · · · · · · · · · · · · · · · ·	DATE:	02/26/03
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		DESIGN BY:	WM
		REVIEW BY:	WM
		SHEET: 2 (OF 2