

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE
15th Election District *
7th Councilmanic District *
(7938 Eastern Avenue) *
Baltgem Development Corp., et al, *
 Legal Owners *
Golden Ring Hip Hop Fish & Chicken LLC, *
 Lessee *
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2013-0161-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Francis X. Borgerding, Jr., Esquire, on behalf of the legal owners, Baltgem Development Corp., et al, and the lessee, Golden Ring Hip Hop Fish & Chicken, LLC ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve an existing pad site within a shopping center. In addition, a Petition for Variance was filed pursuant to § 450.4 Attachment 5(b) of the B.C.Z.R., to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint identification sign in lieu of the permitted 0 enterprise signs. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Noor Hammad and Mohammed Mufti with Mufti & Associates, Inc., the firm that prepared the site plan. Francis X. Borgerding, Jr., Esquire appeared and represented the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

ORDER RECEIVED FOR FILING

Date 4-19-13

By DW

There were no substantive Zoning Advisory Committee (ZAC) comments received from any County agencies.

The subject property is approximately .7 acres, and is situated within a 19.4 acre shopping center (Eastpoint Center). The property is zoned BM-AS.

The Petitioner operates a Hip Hop Chicken restaurant at the location, in the space formerly occupied by a KFC. The Petitioner wants to erect a freestanding enterprise sign within the same support structure and the same size as that previously used by the KFC. See Petitioners' Exhibit 2. The Petitioner indicated the County also requested it obtain confirmation that the premises qualifies as a pad site under the B.C.Z.R. Finally, there was some question as to whether Petitioner would be entitled to be included on the joint identification sign for the overall strip center, and County zoning officials apparently advised that six (6) tenants already were identified on the sign, and that the regulations would not permit any other tenant signs.

With respect to the petition for Special Hearing, it seems readily apparent the property qualifies as a "pad site." Although (as is frequently the case) "pad site" is not defined in the regulations, the photographs and plan demonstrate that the premises are in fact a freestanding "pad site," as that term is commonly understood. The site for many years accommodated a KFC restaurant, and a nearly identical use is proposed in this case. As such, the Petition for Special Hearing will be granted.

Based upon the testimony and evidence presented, I will also grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (0) The property is unique; and
- (0) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. people's Counsel, 407 Md. 53, 80 (2008).

ORDER RECEIVED FOR FILING

Date 4-19-13

By WJ

The Petitioners have met this test. The property has irregular dimensions and is shaped like a "dog leg." Petitioners' Exhibit 1. As such, the property is unique for zoning purposes. If the regulations were strictly construed, the Petitioners would experience a practical difficulty, given they would be unable to erect a sign announcing the location of this new business.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. The sign would simply replace the former one at the location, and the relief would in no way lead to clutter or confusion, which are the evils the sign legislation aims to address.

The final issue concerns the joint identification sign shown in the photographs. Petitioners' Exhibit 2. As I explained at the hearing, whether or not the landlord/shopping center owner will allow the Petitioner to be listed on the joint identification sign is a private matter in which the County is not involved. But assuming the owner was willing to accommodate the Petitioner and list his business on the sign, I do not believe anything in the B.C.Z.R. would prevent it from doing so. The table of sign regulations (Class 7) provides height and size limitations for freestanding joint identification signs in the BM zone (including a requirement that each tenant name listed use copy at least 8 inches high, with no more than 5 lines of copy); there is no limitation on the number of tenant names that may be listed.

Pursuant to the advertisement, posting of the property, and the public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 19th day of April, 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to § 500.7 of the Baltimore

ORDER RECEIVED FOR FILING

Date 4-19-13

3

By low

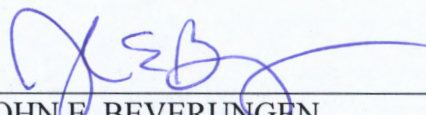
County Zoning Regulations ("B.C.Z.R."), to approve an existing pad site within a shopping center, be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' Variance request from § 450.4 Attachment 5(b) of the B.C.Z.R., to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint identification sign in lieu of the permitted 0 enterprise signs, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioners may apply for their appropriate permits 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, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 4-19-13

By dlw



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 19, 2013

Francis X. Borgerding, Esquire
409 Washington Avenue
Suite 600
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Case No.: 2013-0161-SPHA
Property: 7938 Eastern Avenue

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

FLOOD PLAIN



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 7938 Eastern Ave.

which is presently zoned ML-IM, BM-AS

Deed References: 7648/688

10 Digit Tax Account # 1507151110

Property Owner(s) Printed Name(s) _____

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner should approve an existing pad site within a shopping center

2. _____ a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a Variance from Section(s) 450.4 Attachment 5b to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint ID sign in lieu of the permitted 0 enterprise signs

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Golden Ring Hip Hop Fish & Chicken LLC

Name - Type or Print

Hasan Hammad

Signature

7938 Eastern Avenue, Baltimore, MD

Mailing Address

City

State

21224

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Francis J. Borgerding, Jr.

Name - Type or Print

Signature

609 Washington Ave., #600, Towson, MD

Mailing Address

City

State

8104

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Baltgem Development Corp., et al

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

9986 Manchester Road

St. Louis

MO

Mailing Address

City

State

63122

314-878-5545

Zip Code

Telephone #

Email Address

Representative to be contacted:

Tamara J. Avery

Name - Type or Print

Signature

9986 Manchester Road

St. Louis

MO

Mailing Address

City

State

63122

314-878-5545

tavery@nremgmt.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0161-SPHA Filing Date 1/10/2013

Do Not Schedule Dates: _____ Reviewer TH

REV. 10/4/11

2013-0161-SPHA

**LEGAL DESCRIPTION OF
THE LEASE AREA AT
7938 EASTERN AVENUE
BALTIMORE COUNTY, MARYLAND**

Being part of those parcels of land which were granted and conveyed from Canton Company of Baltimore to Benberg Development Corporation, et al, by deed dated April 26, 1962 and recorded among the Land Records of Baltimore County, Maryland in Liber 3982, folio 148, more particularly described as follows,

Beginning for the same at a point on the north side of Eastern Avenue located 270.42 feet easterly measured reversely along the last lines of the first and second parcels of the abovementioned property, thence running with a portion of said last line of said second parcel and along the north curb of Eastern Avenue

1. South 70 degrees 13 minutes 20 seconds West, 60.03 feet to a point of curvature, thence leaving said last line of said second parcel and running for the following nine (9) lines of division through said property
2. 18.06 feet along the arc of a curve to the right having a radius of 30.00 feet and a chord bearing and distance of South 87 degrees 27 minutes 58 seconds West, 17.79 feet to a point of tangency, thence
3. North 75 degrees 17 minutes 24 seconds West, 3.49 feet to a point of curvature, thence
4. 14.68 feet along the arc of a curve to the left having a radius of 25.00 feet and a chord bearing and distance of South 87 degrees 53 minutes 16 seconds West, 14.47 feet to a point of tangency, thence
5. South 71 degrees 03 minutes 56 seconds West, 67.20 feet to a point of curvature, thence
6. 62.34 feet along the arc of a curve to the right having a radius of 40.00 feet and a chord bearing and distance of North 64 degrees 16 minutes 59 seconds West, 56.22 feet to a point of tangency, thence
7. North 19 degrees 37 minutes 54 seconds West, 112.28 feet to a point, thence
8. North 70 degrees 13 minutes 20 seconds East, 170.00 feet to a point of curvature, thence
9. 47.13 feet along the arc of a curve to the right having a radius of 30.00 feet and a chord bearing and distance of South 64 degrees 46 minutes 40 seconds East, 42.43 feet to a point of tangency, thence
10. South 19 degrees 46 minutes 40 seconds East, 135.00 feet to the point of beginning, containing 30,996 square feet or 0.7116 acre of land, more or less.

M. W. Perry
12/14/2012



MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



April 3rd, 2012

ZONING DESCRIPTION FOR SPECIAL HEARING AND VARIANCE REQUEST

Beginning at a point 448.12 feet in the northeasterly direction from the intersection of Rolling Mills Road and Eastern Avenue, in a northerly direction from Eastern Avenue a line North 20°16'55" West for 525.16 feet; continuing South 69°49'04" West for 532.48 feet toward Rolling Mill Road; along Rolling Mill Road North 25°58'35" East for 569.44 feet; in a Northeasterly direction from Rolling Mill Road continuing North 64°56'35" East for 969.28 feet; heading Southeasterly toward Eastern Avenue with a line South 20°16'55" East 1170.21 feet; heading along Eastern Avenue South 69°43'05" West 444.29 feet to the point of beginning having an address of 7938 Eastern Avenue located on the Northerly side of Eastern Avenue .

Containing 848,056 square feet or 19.4687 acres of land, more or less and being located in the Fifteenth Election District, Seventh Councilmanic District, of Baltimore County, Maryland.

Michael Coughlin
Professional Engineer No. 38291



2012-0246-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **88927**

Date: **1/10/13**

PAID RECEIPT

BUDGERS ACTUAL TDE
1/11/2013 1/10/2013 10:07:34
REC 2005 WALKIN 0001 0001
RECEIPT # 88927 1/10/2013
5 520 LARSEN VERIFICATION
DEPT 000000
Recpt Tot 770.00
4770.00 CL 1.00 00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				770.00

Total: **770.00**

Rec From: **SHAKE H. HAMMAD**
KARAM SH HAMMAD

For: **7938 Eastern Ave**
21224

2013-0161-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2013-0161-SPHA

7938 Eastern Avenue

N/s Eastern Avenue, 508 ft. N/e centerline of Rolling Mill Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Baltgem Development Corp., et al

Contract Purchaser: Golden Ring Hip Hop Fish & Chicken, LLC

Special Hearing to approve an existing pad site within a shopping center. **Variance** to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint ID sign-in lieu of the permitted 0 enterprise signs.

Hearing: Thursday, March, 14, 2013 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
02/24/13 February 21 905745



501 N. Calvert Street, Baltimore, MD 21278

February 21, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on February 21, 2013.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 21, 2013 Issue - Jeffersonian

Please forward billing to:

Francis Borgerding, Jr.
409 Washington Avenue, Ste. 600
Towson, MD 21204

410-296-6820

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0161-SPHA

7938 Eastern Avenue

N/s Eastern Avenue, 508 ft. N/e centerline of Rolling Mill Road

15th Election District – 7th Councilmanic District

Legal Owners: Baltgem Development Corp., et al

Contract Purchaser: Golden Ring Hip Hop Fish & Chicken, LLC

Special Hearing to approve an existing pad site within a shopping center. Variance to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint ID sign in lieu of the permitted 0 enterprise signs.

Hearing: Thursday, March 14, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

March 29, 2013

Re:

Case Number: 2013- 0161-SPHA

Petitioner / Developer: Baltgem Development Corp., et al

Date of Hearing: April 18, 2013

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

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 **7938 Eastern Avenue**.

The sign(s) were posted on **March 27, 2013**.

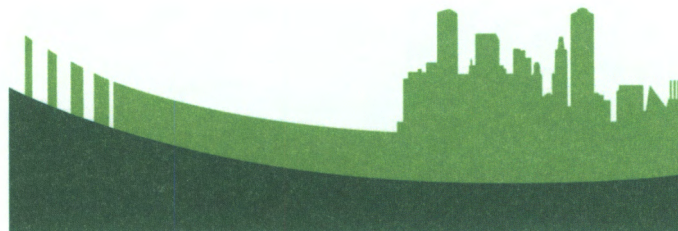
Sincerely,



Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2013-0161-SPHA

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Thursday April 18, 2013 10:00AM

**SPECIAL HEARING TO APPROVE AN EXISTING PAD SITE WITHIN A
SHOPPING CENTER.**

**VARIANCE TO PERMIT AN EXISTING ENTERPRISE SIGN ON A PAD
SITE IN A SHOPPING CENTER IN ADDITION TO THE PERMITTED JOINT
ID SIGN IN LIEU OF THE PERMITTED 0 ENTERPRISE SIGNS.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391. THE HEARING IS
HANDICAPPED ACCESSIBLE**

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



ZONING NOTICE

CASE NO. 2013-0161-SPHA

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON
MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Thursday April 18, 2013 10:00AM



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 20, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0161-SPHA

7938 Eastern Avenue

N/s Eastern Avenue, 508 ft. N/e centerline of Rolling Mill Road

15th Election District – 7th Councilmanic District

Legal Owners: Baltgem Development Corp., et al

Contract Purchaser: Golden Ring Hip Hop Fish & Chicken, LLC

Special Hearing to approve an existing pad site within a shopping center. Variance to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint ID sign in lieu of the permitted 0 enterprise signs.

Hearing: Thursday, April 18, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204
Hasan Hammad, 7938 Eastern Avenue, Baltimore 21244
Baltgem, 9986 Manchester Road, St. Louis MO 63122

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 29, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 13, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0161-SPHA

7938 Eastern Avenue

N/s Eastern Avenue, 508 ft. N/e centerline of Rolling Mill Road

15th Election District – 7th Councilmanic District

Legal Owners: Baltgem Development Corp., et al

Contract Purchaser: Golden Ring Hip Hop Fish & Chicken, LLC

Special Hearing to approve an existing pad site within a shopping center. Variance to permit an existing enterprise sign on a pad site in a shopping center in addition to the permitted joint ID sign in lieu of the permitted 0 enterprise signs.

Hearing: Thursday, March 14, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204
Hasan Hammad, 7938 Eastern Avenue, Baltimore 21244
Baltgem, 9986 Manchester Road, St. Louis MO 63122

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 22, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2013-0161-SPHA
Petitioner: Beltgepa Development Corporation et al.
Address or Location: 7938 Eastern Ave

PLEASE FORWARD ADVERTISING BILL TO:

Name: Hasan Hammed
Address: 7938 Eastern Avenue
Baltimore, MD 21224
Telephone Number: (410) 296-6820 C/O

Francis X. Borgersding, Jr.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 6, 2013

Baltgem Development Corporation, et al
9986 Manchester Road
St. Louis MO 63122

RE: Case Number: 2013-0161 SPHA, Address: 7938 Eastern Avenue

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 10, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Tamara J. Avery, 9986 Manchester Road, St. Louis MO 63122
Golden Ring Hip Hop Fish & Chicken LLC, Hasan Hammad, 7938 Eastern Avenue, Baltimore MD 21224
Francis X. Borgerding, Esquire, 409 Washington Avenue, # 600, Towson MD 21204

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-25-13

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

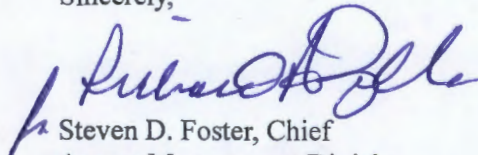
RE: Baltimore County
Item No. 2013-0161-SPHA
Variance
Baltgem Development Corp.
7938 Eastern Avenue.
110150

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 1-23-13. A field inspection and internal review reveals that an entrance onto MD150 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2013-0161-SPHA.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,


Steven D. Foster, Chief
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: January 30, 2013

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 28, 2013
Item Nos. 2013-0151,0153,0154,0156,0157,0158,0159,0160,0161,0162,
0163,0164,0165,0166,0167,0168,0169, and 0172.

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

DAK:CEN
Cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 11, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0161-SPHA
Address 7938 Eastern Avenue
(Baltgem Development Corporation Property)

Zoning Advisory Committee Meeting of Jan 21, 2012.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

The subject property is located outside of the Chesapeake Bay Critical Area

Reviewer: *Glenn Shaffer – Environmental Impact Review*

RECEIVED

MAR 11 2013

OFFICE OF ADMINISTRATIVE HEARINGS

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
7938 Eastern Avenue; N/S Eastern Avenue,	*	OF ADMINISTRATIVE
508' N/E of c/line Rolling Mill Road		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Baltgem Development Corp		
Contract Purchaser(s): Golden Ring Hip Hop	*	BALTIMORE COUNTY
Fish & Chicken LLC		
Petitioner(s)	*	2013-161-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Tamara Avery, 9986 Manchester Road, St. Louis, MO 63122 and Francis Borgerding, Esquire, 409 Washington Avenue, Suite 600, Towson, Maryland 21204, Attorney for Petitioner(s).

RECEIVED

JAN 24 2013

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

MEMORANDUM

DATE: May 28, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0161-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on May 20, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: *Case File*
Office of Administrative Hearings

Sherry Nuffer - 2013-0161-SPHA

From: Sherry Nuffer
To: Livingston, Jeffrey
Date: 3/11/2013 12:17 PM
Subject: 2013-0161-SPHA

In reviewing the case file it appears there is no ZAC comment from your department; CBCA area.
Hearing Date is 3/14/2013 @ 1:30.

Thank you,

Sherry Nuffer
Legal Assistant
Office of Administrative Hearings
105 W. Chesapeake Avenue
Room 103
Towson, Maryland 21204
410-887-3868
Fax: 410-877-3468

Maryland Department of Assessments and Taxation
Real Property Data Search (vwl1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 15 Account Number - 1507151110

Owner Information

Owner Name: GEM OF BALTIMORE - EAST INC **Use:** COMMERCIAL
Mailing Address: C/O NAT'L REAL ESTATE MGT CORP **Principal Residence:** NO
9986 MANCHESTER ROAD **Deed Reference:** 1) /07648/ 00688
ST LOUIS MO 63122-1934 2)

Location & Structure Information

Premises Address **Legal Description**
7938 EASTERN AVE 19.469 AC NWS
BALTIMORE MD 21224-2115 EASTERN AV
429 NE ROLLING RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0096	0017	0133		0000				3	

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1996	42238	19.4600 AC	18

Stories **Basement** **Type** **Exterior**
CINEMA

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	5,692,000	5,692,000		
Improvements:	5,472,600	4,420,200		
Total:	11,164,600	10,112,200	10,112,200	10,112,200
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

✓ JB
5-23-16

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE

N/side of Eastern Avenue, 448.12' NW
of c/line of Rolling Mills Road
(7933 Eastern Avenue)
15th Election District
7th Council District

BaltGem Development Corp., et al
Legal Owners
Redner's Markets, Inc., *Lessee*
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0246-SPHA

* * * * *

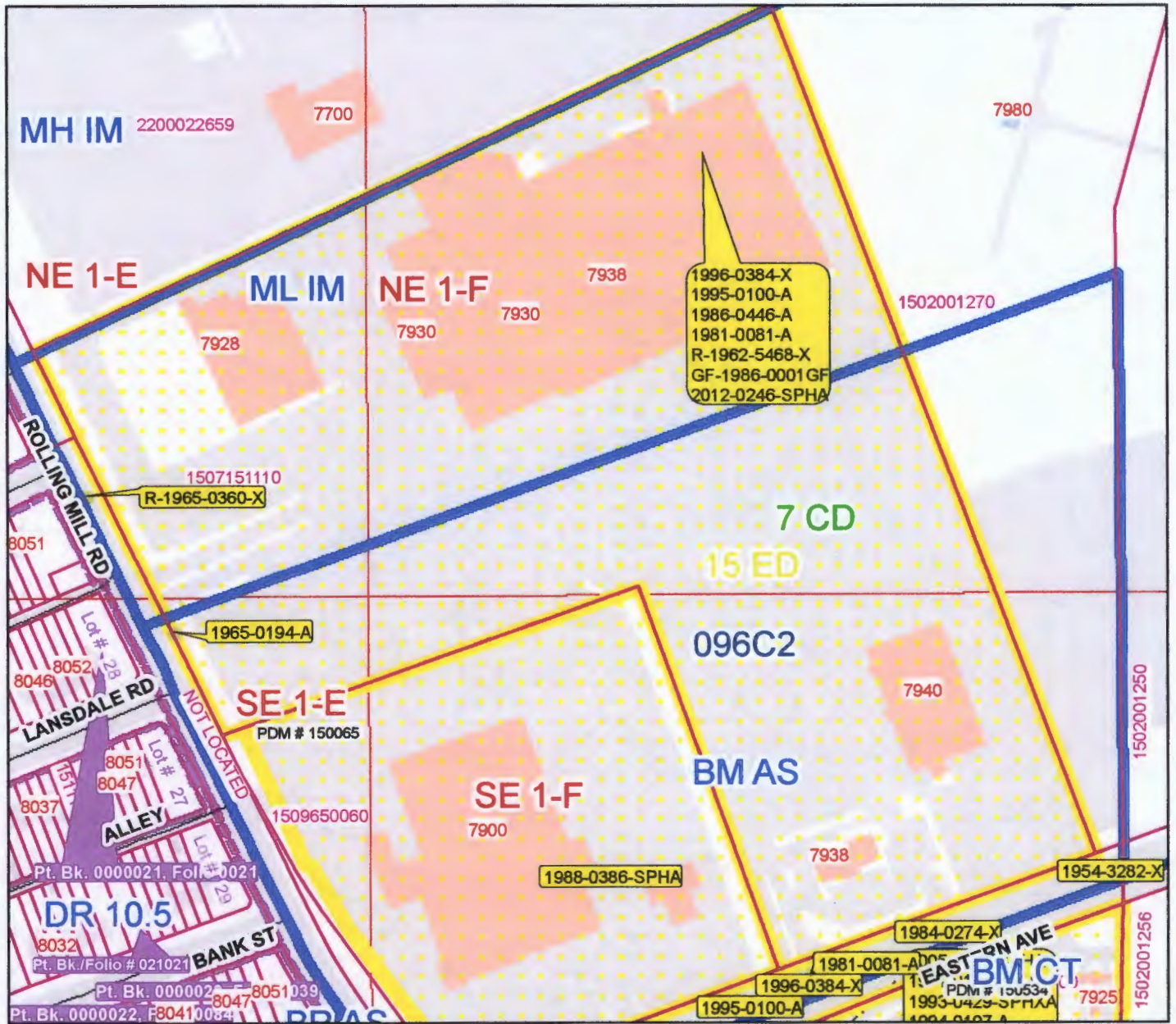
ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Hearing and Variance filed by the legal owners of the subject property, BaltGem Development Corp., et al, by Matthias D. Renner, Authorized Representative, and lessee, Redner's Markets, Inc. by Mark Hallacher, Authorized Representative ("Petitioners"). The Petitioners are requesting Special Hearing relief pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a modified parking plan pursuant to § 409.12, and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County. The Petitioners are also seeking variance relief from § 450.4 Attachment 1.5(d)(vi) of the B.C.Z.R., to permit three wall-mounted enterprise signs for the façade of Redner's Market (a separate commercial entity of a multi-tenant retail building with an exterior customer entrance) in lieu of the permitted one sign, and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibits 1A and 1B.

CASE NAME HipHopChicken
CASE NUMBER 2013-161
DATE 4-18-13

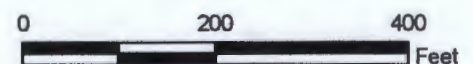
[illegible]

7938 Eastern Avenue 2013-0161-SPHA



Publication Date: January 10, 2013
Publication Agency: Permits, Approvals and Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes



1 inch = 200 feet

JB 4/18
10 AM

Case No.: 2013-0161-SPHA

Exhibit Sheet

Petitioner/Developer

DW
A-19-13

Protestants DW
S-28-13

No. 1	Sitz Plan	
No. 2	Color Photos	
No. 3	Aerial Map	
No. 4	Sitz Plan in Redner's 2012-246 Market Case	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

New HIP-HOP Restaurant Existing Freestanding Sign Requires Variance



PETITIONER'S
EXHIBIT NO. 2

Subject Freestanding Sign Requires Variance Shopping Center Sign Beyond



21

Other Tenant Freestanding Sign on Same Property





Plan Sheet: 096C2

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

- | | | | | | |
|--|-----------|--|---------|--|------------|
| | Buildings | | Streams | | Vegetation |
| | Zoning | | Roads | | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

096B1	096C1	097A1	097B1
096B2	096C2	097A2	097B2
096B3	096C3	097A3	097B3

Scale

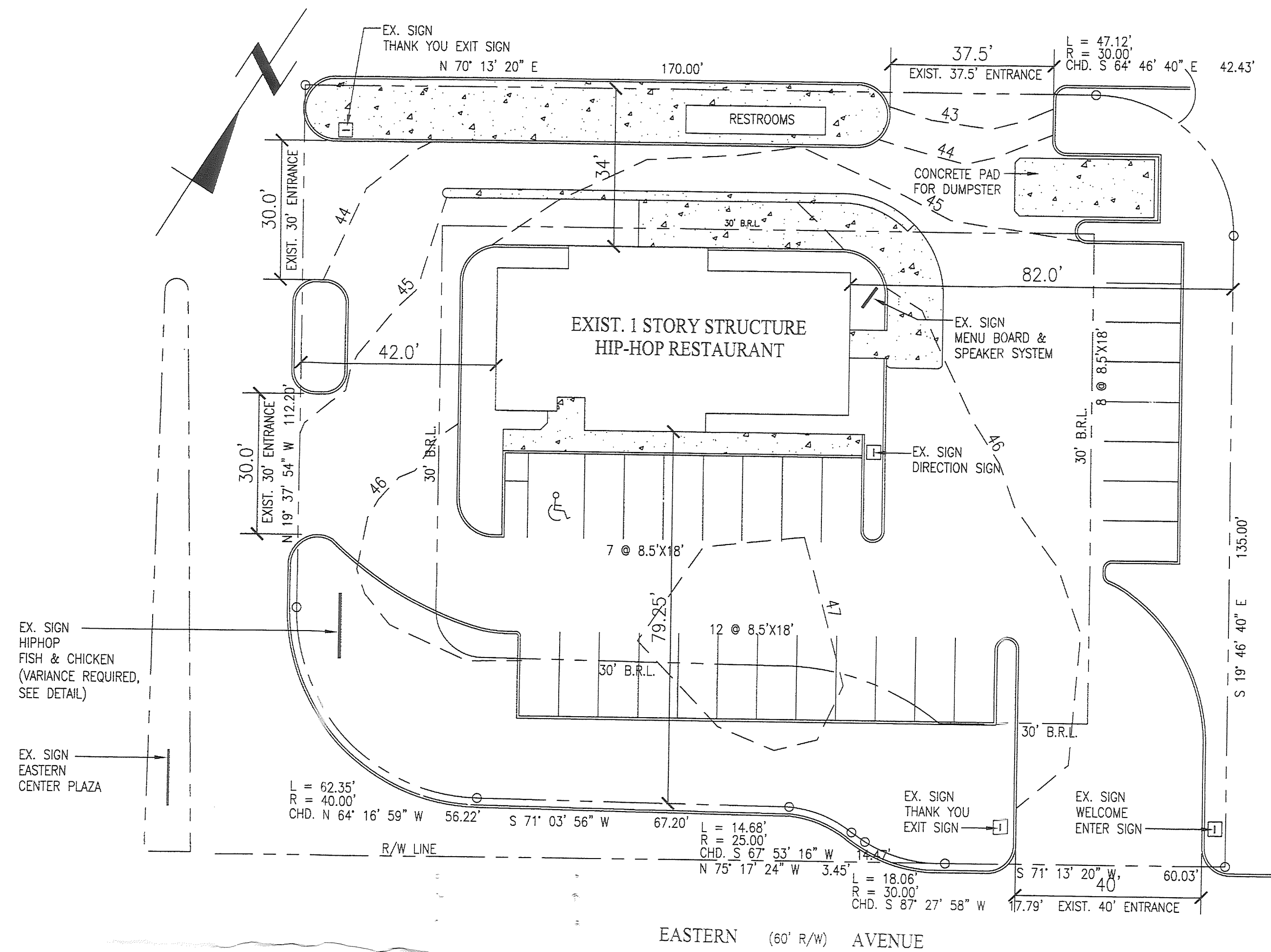
1" = 200'

0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

2013-0161-SPHA

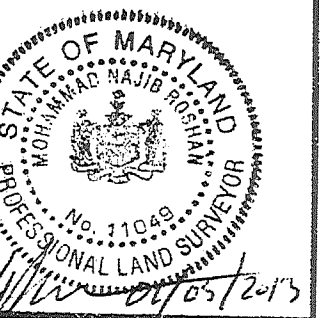
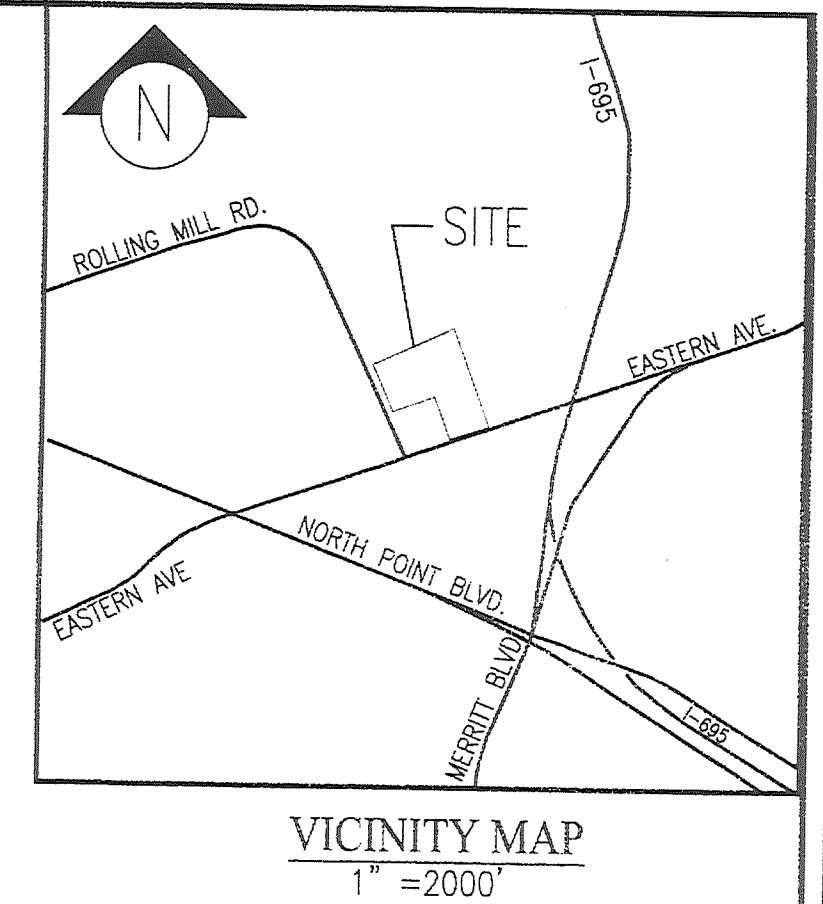


PAD SITE - SITE PLAN
SCALE: 1" = 20'

GENERAL NOTES:

- PROPERTY INFORMATION:
EXISTING SITE ADDRESS:
7938 EASTERN AVENUE
BALTIMORE, MD 21224-3001

ELECTION DISTRICT 15
DEED REF: 07648/00688
MAP 0096, GRID 0017
PARCEL 0133
TAX ID# 1507151110
- OWNER:
GEM OF BALTIMORE - EAST INC.
C/O NATIONAL REAL ESTATE MGT. CORP.
9986 MANCHESTER ROAD
ST. LOUIS, MO 63122-1934
PHONE:
- ZONED: BM-AS
- SITE AREA: 19,4600.0 AC, (SHOPPING CENTER), 0.7116 AC. (PAD SITE)
- EXISTING AND PROPOSED USE:
EXISTING: RESTAURANT
PROPOSED: RESTAURANT
- EXISTING BLDG. AREA:
MAIN BLDG: 2,566 SFT
- MAX. BLDG. HEIGHT:
ALLOWED: 50 FEET
EXISTING: 15 FEET
- PARKING CALCULATIONS:
EXISTING/PROPOSED: 28 SPACES
INCLUDING 1 HANDICAP SPACE
- SITE IS SERVED WITH PUBLIC WATER AND SEWER.
- BOUNDARY AND TOPOGRAPHY SHOWN HERE IS BASED ON MARYLAND COORDINATE SYSTEM.
- BOUNDARY SURVEY WAS PERFORMED FOR THIS SITE.
- THIS PROPERTY IS NOT IN CBCA.
- THIS PROPERTY IS NOT IN FLOOD PLAIN.
- PREVIOUS HEARING 2012-246, APPROVED, COPIES ATTACHED.



Mufti & Associates, Inc.
6413 Windsor Mill Rd
Baltimore, Md 21207

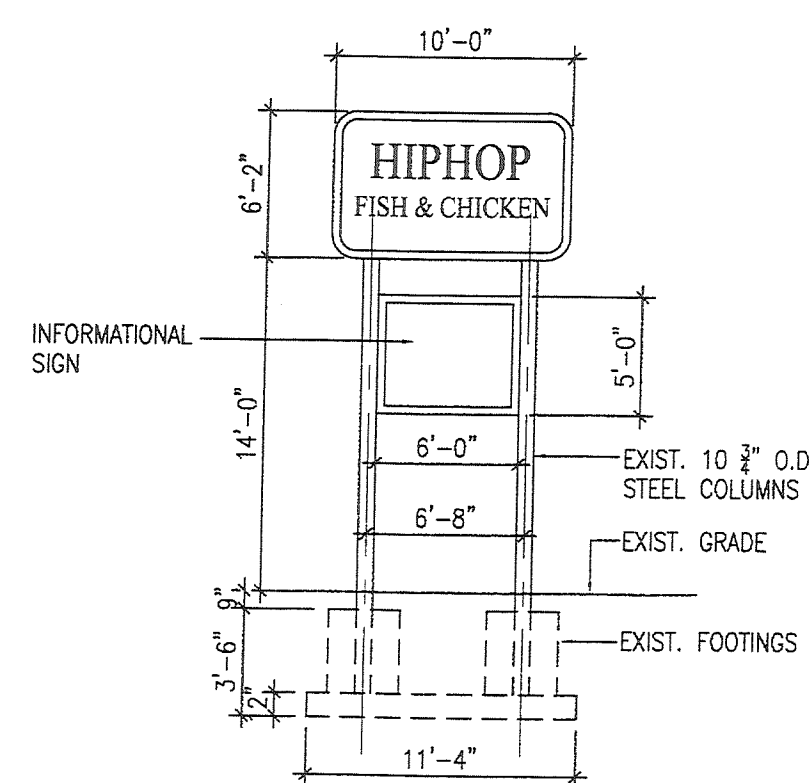
Phone: 443-604-3127

HIPHOP FISH & CHICKEN
7938 EASTERN AVENUE
BALTIMORE, MD 21224

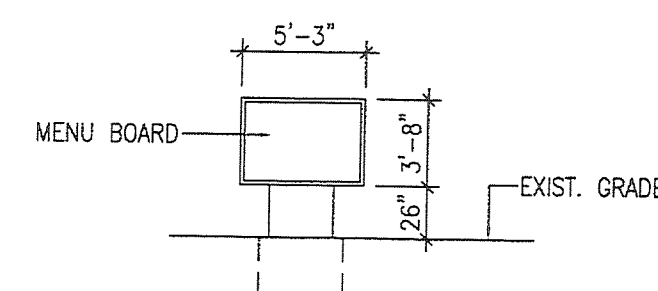
Revisions:	Date:
Drawn by: GV	12/16/12
Designed by: MM	12/16/12

Sheet Title:
PLOT PLAN
Scale: 1"=10'

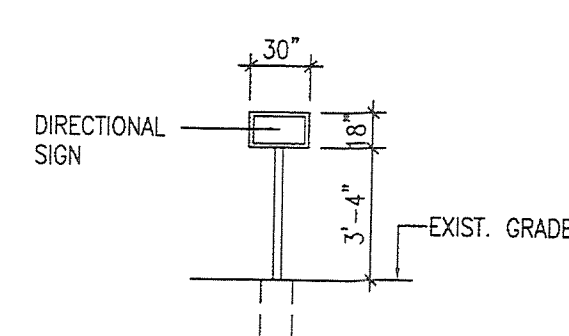
C-1



EXIST. PYLON SIGN
PYLON SIGN = (62 SQ. FT.)
INFORMATIONAL SIGN = (30 SQ. FT.)

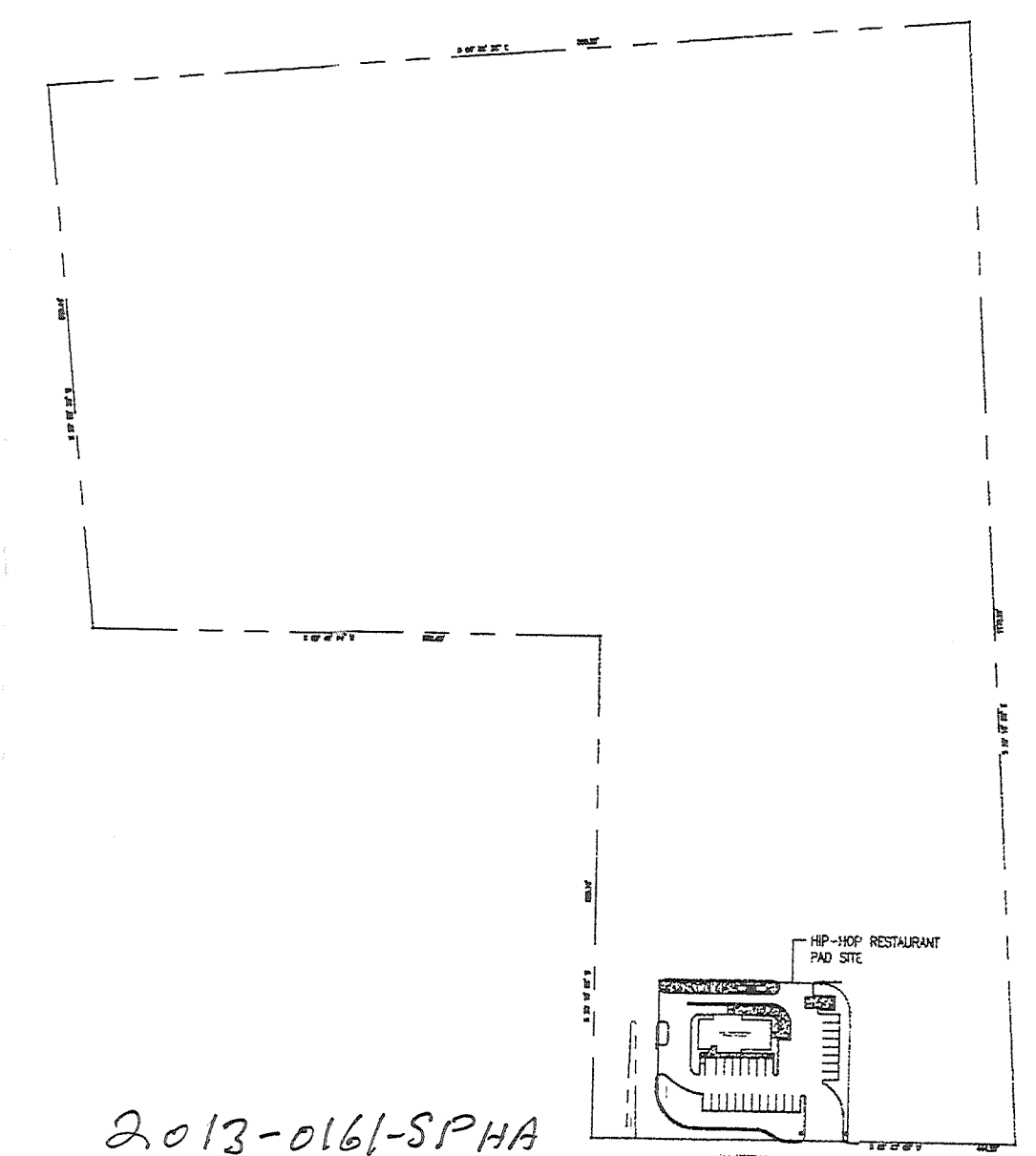


EXIST. MENU BOARD
(20 SQ. FT.)



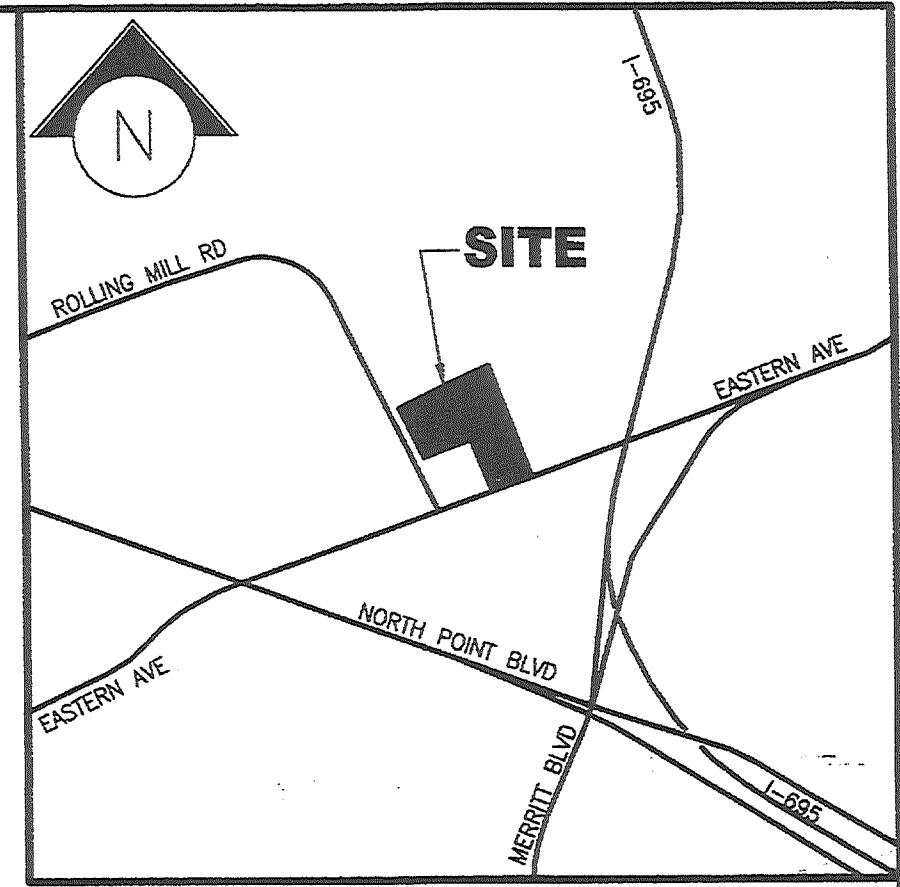
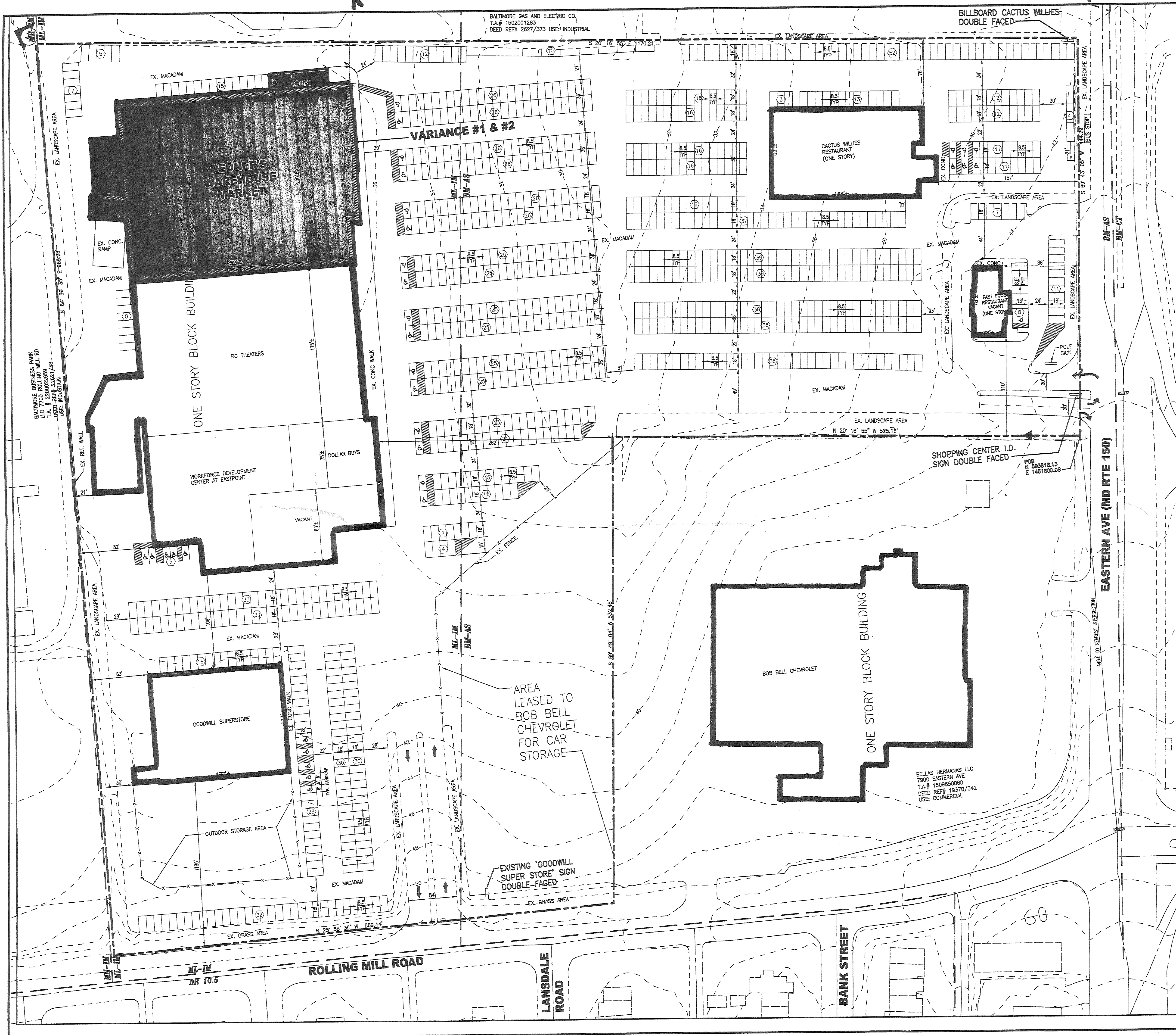
**EX. TYP. WELCOME SIGN,
DIRECTIONAL SIGN**
(3.7 SQ. FT.)

**PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE**



SHOPPING CENTER PLOT PLAN

Petition No. 1



SITE NOTES

- OWNER:
GEM OF BALTIMORE - EAST INC.
1830 CRAIG PARK CT. SUITE 101
ST LOUIS, MO 63146-4146
PHONE #
ADDRESS - 7938 EASTERN AVE
- PLAN PREPARED BY:
MORRIS & RITCHIE ASSOCIATES, INC.
1220-C E. JOPPA RD, SUITE 505
TOWSON, MD 21286
(410) 821-1690
ATTN: BILL MONK
- SITE DATA:
A. LOCATION ADC MAP 4820, GRID J-3
B. ELECTION DISTRICT 15TH
C. COUNCILMANIC DISTRICT 7TH
D. BALTIMORE COUNTY SOILS SURVEY MAPS 96
E. TAX MAP 96
F. PARCELS 133
G. TAX ACCOUNT # 1507151110
H. DEED REFERENCES 7648/688
I. CENSUS TRACT 4523.00
J. WATERSHED 21 BACKRIVER
K. SUBWATERSHED 40
L. EXISTING ZONING: ML-IM, BM-AS
M. PROPOSED BUILDING HEIGHT: NOT TO EXCEED 40'
N. ZONING MAP # 96C2
O. LOT AREA:
NET: 848,056 SF (19.5 AC±)
GROSS: 872,639 SF (20.1 AC)
- BUILDING AREA AND PARKING REQUIREMENTS
GOODWILL (RETAIL) 19,033 SF @ 5/1000 95
REDNER'S (RETAIL) 56,130 SF @ 5/1000 280
STATE OF MD (OFFICE) 20,141 SF @ 3.3/1000 67
DOLLAR GENERAL (RETAIL) 7,531 SF @ 5/1000 38
VACANT (RETAIL) 11,089 SF @ 5/1000 55
RC THEATER (THEATER) 42,039 SF @ 1/8 SEATS 531
CACTUS WILLIES (RESTAURANT) 17,800 SF @ 16/1000 285
VACANT (RESTAURANT) 3,057 SF @ 16/1000 49
TOTAL BUILDING 176,820 SF TOTAL PARKING REQUIRED 1,400
TOTAL PARKING PROVIDED 1,106
- FLOOR AREA RATIO
MAXIMUM PERMITTED 2.0
PROPOSED 0.22
- BUILDING SETBACKS (NO EXPANSION/ALTERATION OF BUILDING(S) ARE PROPOSED)
REQUIRED PROVIDED
FRONT 70± 268'
INTERIOR SIDE 30' 105'
REAR 30' 21'
CORNER SIDE 30' 47'
- * PER ZONING CASE NO. 95-100-A
- MASS TRANSIT ADJUSTMENT: N/A
- AMENITY OPEN SPACE: N/A
- PREVIOUS COMMERCIAL PERMITS: B193746 4/11/94 FOR INTERIOR ALTERATIONS FROM RETAIL TO MOVIE THEATER, B770386 09/02/11 INTERIOR DEMO & ALTERATIONS; B771771 09/26/11 CONSTRUCT COOLER ADDITION TO SIDE AND COOLER ADDITION TO REAR.
- A VARIANCE TO THE FOREST CONSERVATION LAW WAS GRANTED BY BALTIMORE COUNTY DEPS TO BASE AFFORESTATION REQUIREMENTS ON THE LIMIT OF DISTURBANCE RATHER THAN THE ENTIRE SITE. ALL FOREST CONSERVATION REQUIREMENTS SHALL BE MET PRIOR TO ISSUANCE OF ANY PERMIT. ANY FUTURE DEVELOPMENT ACTIVITY AT THE PROPERTY MAY REQUIRE FULL COMPLIANCE WITH THE COUNTY'S FOREST CONSERVATION LAW.
- THIS SITE IS NOT IN ANY FAILED BASIC SERVICE AREAS.
- THIS SITE IS NOT WITHIN THE 100 YEAR FLOODPLAIN.
- THIS SITE IS NOT WITHIN THE CRITICAL AREA.
- THIS SITE HAS NO ACTIVE ZONING VIOLATIONS.
- ALL PRIOR ZONING CASES ARE NOTED ON SHEET 2 OF 2.

REQUESTS FOR RELIEF FROM BCZR VARIANCE

- 450.4 ATTACHMENT 1.5(d)(VI) OF THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) TO PERMIT (3) WALL-MOUNTED ENTERPRISE SIGNS FOR THE FACADE OF REDNER'S MARKET (A SEPARATE COMMERCIAL ENTITY OF A MULTI-TENANT RETAIL BUILDING WITH AN EXTERIOR CUSTOMER ENTRANCE) IN LIEU OF THE PERMITTED (1) SIGN; AND
 - FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- SPECIAL HEARING
- A MODIFIED PARKING PLAN PURSUANT TO SECTION 409.12 OF THE BCZR; AND
 - FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

**PLAN TO ACCOMPANY
SPECIAL HEARING AND VARIANCE APPLICATION
EASTPOINT CENTER
7938 EASTERN AVE.**

BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	PETITIONER'S	JOB NO.: 17418
		EXHIBIT NO. 1A	SCALE: 1" = 50'
			DATE: 04/02/2012
			DRAWN BY: MLE
			DESIGN BY: WPM
			REVIEW BY: WPM
			SHEET: 1 OF 2

Client: Redner's Warehouse Markets
Location: Eastern Avenue, Maryland
Date: 10-13-2011
Dwg. By: D.R.W.
Dwg. No.: Redner's Warehouse Markets, 101532011
Revised: 10-25-2011

Partial Storefront Elevation with Proposed Signage
Scale: 3/16"=1'-0"

Channel Letters Details:
12" REDNER'S ILLUMINATED CHANNEL LETTERS AND 18" "WAREHOUSE MARKETS" ILLUMINATED CHANNEL LETTERS FABRICATED FROM .040 ALUMINUM
INTERNAL ILLUMINATION BY MULTIPLE-ROW OF RED LED'S
LETTER FACES FABRICATED FROM 3/16" RED PLEXIGLAS WITH 1" GOLD TRIP CAP EDGING
ALL POWER SUPPLIES AND LOW VOLTAGE WIRING TO BE CONCEALED IN CLOSED ALUMINUM HOUSINGS BEHIND THE STORE FRONT
SIGNAGE AND COMPONENTS TO BE FABRICATED TO U.L. SPECIFICATIONS LISTED AND LABELED U.L. #90921 FILE #58967

110V Power Supply-Input Line
Aluminum Letter Enclosure
1" Trim-Cap Edging
LED Lighting Modules
120 V LED Power Supply
Reinforcement Channel (Optional)
1/2 x 20 Stainless Steel Thru Bolts
12 V Power Supply (1 in Shielding)

Typical LED Lighted Channel Letter Installation Detail

Barbush Signs

Client: Redner's Warehouse Markets
Location: Eastern Avenue, Maryland
Date: 10-13-2011
Dwg. By: D.R.W.
Dwg. No.: Redner's Warehouse Markets, 101532011
Revised: 10-25-2011

Partial Storefront Elevation with Proposed Signage
Scale: 3/16"=1'-0"

Sign Cabinet Details:
3'-0" HIGH BY 12'-0" LONG SINGLE-FACE ILLUMINATED SIGN CABINETS FABRICATED FROM ALUMINUM EXTRUSION
INTERNAL ILLUMINATION BY 800 mA HIGH-OUTPUT LIGHTING
SIGN FACES FABRICATED FROM 3/16" FLAT LEXAN WITH COPY WITH GRAPHICS APPLIED TO FIRST SURFACE USING 3M TRANSLUCENT VINYL
SIGNAGE AND COMPONENTS TO BE FABRICATED TO U.L. SPECIFICATIONS LISTED AND LABELED U.L. #90921 FILE #58967

EMPLOYEE OWNED

Barbush Signs

Client: Redner's Warehouse Markets
Location: Eastern Avenue, Maryland
Date: 10-13-2011
Dwg. By: D.R.W.
Dwg. No.: Redner's Warehouse Markets, 101532011
Revised: 10-25-2011

Partial Storefront Elevation with Proposed Signage
Scale: 3/16"=1'-0"

Increased Square Footage Option

VARIANCES #1 & #2
(SEE DETAILS ON SHEET 2 OF 2)

Barbush Signs

ZONING HISTORY

PURSUANT TO BILL NO. 89-1997, THE COUNTY'S SIGN REGULATIONS WERE CHANGED. THE NEW SIGN REGULATIONS (BCZR & 450) PROVIDED THAT ZONING RELIEF FOR SIGNAGE WHICH WAS APPROVED UNDER THE PRIOR SIGN REGULATIONS (BCZR & 413) MUST BE REMOVED, AT NO EXPENSE TO THE COUNTY, NO LATER THAN 15 YEARS FROM THE EFFECTIVE DATE OF BILL NO. 89-1997. THEREFORE, PROVIDED THERE IS NO CHANGE TO THE AFOREMENTIONED ABATEMENT PERIOD, ALL SIGNAGE WILL NEED TO BE REMOVED OR BROUGHT INTO COMPLIANCE WITH THE CURRENT SIGN REGULATIONS NO LATER THAN 15 YEARS FROM THE EFFECTIVE DATE OF BILL NO. 89-1997.

81-81-A

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONERS OF BALTIMORE COUNTY:

I, we, Redner's Warehouse Markets, legal owner of the property situated 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 413.2.2, to allow a total of 170 square feet in lieu of the permitted 150 square feet for a shopping center identification sign.

at the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County for the following reasons (Indicate locality or parcel address):

The sign is required to identify a business in the shopping center, that is located in a store that was subdivided from a larger area.

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

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

DATE: 10/25/2011 BY: Barbush Signs

PURSUANT TO THE advertisement, posting of property, a public hearing on the Petition and its supporting facts was held on the following date: 10/25/2011 at 10:00 AM at the County Office Building in Towson, Baltimore County, Maryland.

It is ORDERED by the Zoning Commissioners of Baltimore County, this 25th day of October, 2011, that the Petition for Variance(s) to permit a shopping center identification sign of 170 square feet in lieu of the permitted 150 square feet should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

DATE: 10/25/2011 BY: Barbush Signs

86-446-A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONERS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 413.2.2, to allow a total of 170 square feet in lieu of the permitted 150 square feet for a shopping center identification sign.

at the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County for the following reasons (Indicate locality or parcel address):

The sign is required to identify a business in the shopping center, that is located in a store that was subdivided from a larger area.

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DATE: 10/25/2011 BY: Barbush Signs

86-446-A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONERS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 413.2.2, to allow a total of 170 square feet in lieu of the permitted 150 square feet for a shopping center identification sign.

at the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County for the following reasons (Indicate locality or parcel address):

The sign is required to identify a business in the shopping center, that is located in a store that was subdivided from a larger area.

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

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

DATE: 10/25/2011 BY: Barbush Signs

95-100-A

ZONING HISTORY

IN RE: PETITION FOR ZONING VARIANCE. BEFORE THE ZONING COMMISSIONERS OF BALTIMORE COUNTY. Case No. 95-100-A. Legal Owner: Redner's Warehouse Markets, Inc. Petitioner: Redner's Warehouse Markets, Inc.

ORDER RECEIVED FOR FILING

96-384-X

PETITION FOR SPECIAL EXCEPTION. BEFORE THE ZONING COMMISSIONERS OF BALTIMORE COUNTY. Case No. 96-384-X. Legal Owner: Redner's Warehouse Markets, Inc. Petitioner: Redner's Warehouse Markets, Inc.

ORDER RECEIVED FOR FILING

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

PLAN TO ACCOMPANY
SPECIAL HEARING AND VARIANCE APPLICATION
EASTPOINT CENTER
7938 EASTERN AVE.
BALTIMORE COUNTY, MARYLAND

15 TH ELECTION DISTRICT 7 TH COUNCILMANIC DISTRICT

DATE	REVISIONS	JOB NO.: 17418
		SCALE: 1"= 50'
		DATE: 04/02/20
		DRAWN BY: MLE
		DESIGN BY: WPM
		REVIEW BY: WPM
		SHEET: 2 OF 2

PETITIONER'S
EXHIBIT NO. 13