

MEMORANDUM

DATE: January 2, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0084-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on December 31, 2018. 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1100 Westminster Pike)		
4 th Election District	*	OFFICE OF
4 th Council District		
Robin L. Buettner	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>		
	*	FOR BALTIMORE COUNTY
Petitioner		
	*	Case No. 2019-0084-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Robin L. Buettner, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR"): (1) to replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone located outside the URDL; and (2) to amend the site plan previously approved in Case No. 2007-0546-SPHX. A site plan was marked and admitted as Petitioner's Exhibit 1.

Robin L. Buettner appeared in support of the petition. Jason Vettori, Esq. represented the Petitioner. Michael Pierce and George Harman opposed the special hearing request concerning the sign. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning ("DOP") and the Department of Environmental Protection and Sustainability ("DEPS"). The DOP opposed the request for an Electronic Changeable Copy (ECC) sign at the site.

Petitioner operates a restaurant at the site, known as Full Moon Pub & Grill. That business in or about 2004 erected an ECC sign at the property, and permits were issued by the County. A vehicle struck and destroyed that sign recently, and the Petitioner seeks special hearing relief to

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Date 11/30/18

By Sen

permit a replacement ECC sign outside the Urban Rural Demarcation Line ("URDL").

As discussed at the hearing, this issue arose in a recent case involving a church on Mt. Carmel Road. See Case No. 2018-0103-SPH. Like the Petitioner, the Church had a sign at the premises for some time until it was struck by a motor vehicle and destroyed. The church sought zoning relief to permit an ECC sign on the property, which request was denied pursuant to BCZR Section 450.7, which prohibits ECC signs outside the URDL. I believe a similar finding is appropriate in this case. The prohibition at issue is explicitly and unambiguously stated; i.e., "changeable copy signs are not permitted...outside the urban rural demarcation line." BCZR §450.7.B.1.d. In light of this regulation I do not believe the ALJ would have authority to approve the request. As also discussed at the hearing, the prohibition outside the URDL is only upon ECC signs. Petitioner would be entitled to have a changeable copy sign at the premises, provided the message aspect comprised no more than 50% of the sign face area and the analog text/copy was changed by hand.

The other aspect of the special hearing request concerned the parking at the restaurant. The lot was restriped recently and some of the spaces are now configured differently than shown on the site plan approved in connection with a 2007 zoning case. See Case No. 2007-0546-SPHX. This is a reasonable request and will assist the County should it need to review an accurate and updated plan for the site.

THEREFORE, IT IS ORDERED this 30th day of **November, 2018** by this Administrative Law Judge, that the Petition for Special Hearing to replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone located outside the URDL, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend the site plan

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previously approved in Case No. 2007-0546-SPHX, to reflect certain changes to the off-street parking as shown on Petitioner's Ex. No.1 admitted herein, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at her own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with the ZAC comment submitted by DEPS, a copy of which is attached.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln

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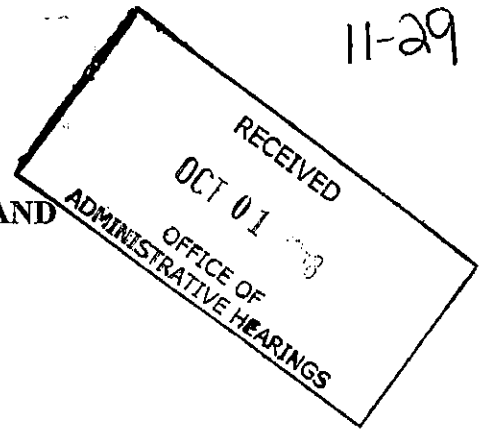
Date 11/30/18

By sen

11-29

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 1, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0084-SPH
Address 1100 Westminster Pike
(Buettner Property)

Zoning Advisory Committee Meeting of **October 1, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Reviewer: Glenn Shaffer

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Date 11/30/18

By sen



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 1100 Westminster Pike

which is presently zoned BL and RC8

Deed References: 14791/00186

10 Digit Tax Account # 0403049880

Property Owner(s) Printed Name(s) Robin L. Buettner

(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

Please see attached.

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

3. ☐ a **Variance** from Section(s)

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)

TO BE PRESENTED AT HEARING

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 bounded 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:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Robin L. Buettner

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1100 Westminster Pike Reisterstown MD

Mailing Address City State

21136

Zip Code Telephone # Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 2019-0084-SPH

Filing Date 9/18/2018

Do Not Schedule Dates:

Reviewer *LM*

REV. 10/4/11

Prop off

Please see attached.

ATTACHMENT TO PETITION FOR ZONING HEARING

1100 Westminster Pike

Special Hearing relief:

1. To replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone located outside the URDL pursuant to BCZR §450.7.B.1(d);
2. To amend the site plan previously approved in Case No. 2007-0546-SPHX; and
3. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

2019-0084-SPH

ZONING DESCRIPTION to Accompany Petition For Special Hearing

Beginning at a point on the northeast side of Westminster Road which is 80-feet wide at the distance of 1117 feet +/- southeast of the centerline of the nearest improved intersecting Glen Falls Road which is 15-feet wide. Thence the following courses and distances:

Chord bearing S 37° 38' 36" E Rc =2904.79' Lc =88.33';

S 36° 46' 08" E 345.18';

N 43° 08' 23" E 200.00';

N 36° 56' 49" W 433.50';

S 43° 08' 23" W 193.35';

To the place of beginning as recorded in Deed Liber 14791, Folio 186/182.

Being Parcel 138 as shown on Baltimore County, Maryland Property Map No. 39, containing 1.955+/- acres. Also known as 1100 Westminster Pike and located in the 4th Election District

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS



The Daily Record

11 East Saratoga Street
 Baltimore, MD 21202-2199
 (443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11641850
 Case #: 2019-0084-SPH
 Description:

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/9/2018



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

NOTICE OF ZONING HEARING CASE NUMBER:
 2019-0084-SPH

Baltimore County**NOTICE OF ZONING HEARING**

The Administrative Law Judge 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: 2019-0084-SPH

1100 Westminster Pike
 NE/s Westminster Pike, S/East of Glen Falls Road
 4th Election District - 4th Councilmanic District
 Legal Owners: Robin Buettner

Special Hearing to replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone located outside the URDL. To amend the site plan previously approved in Case No. 2007-0546-SPHX; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, November 29, 2018 at 11:00 a.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.

n8



DONALD I. MOHLER III
County Executive

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

October 9, 2018

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0084-SPH

1100 Westminster Pike

NE/s Westminster Pike, s/east of Glen Falls Road

4th Election District – 4th Councilmanic District

Legal Owners: Robin Buettner

Special Hearing to replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone located outside the URDL. To amend the site plan previously approved in Case No. 2007-0546-SPHX; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

Hearing: Thursday, November 29, 2018 at 11:00 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: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Robin Buettner, 1100 Westminster Pike, Reisterstown 21136

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 9, 2018.**
- (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.

JB 11-29-18
11:00 Am

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Tuesday, November 27, 2018 9:16 PM
To: Administrative Hearings
Subject: 2nd Cert. Case # 2019-0084-SPH 1100 Westminster Pike
Attachments: 2nd Cert. Westminster Pike .jpeg

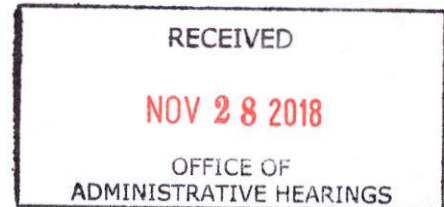
Hi Sherry,

I am attaching the Second Certification for Case # 2019-0084-SPH @ 1100 Westminster Pike. There is only One Sign remaining. The Second sign is missing. The post was still in the ground and the bolts were gone. I believe someone took it.

Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 11/26/2018

Case Number: 2019-0084-SPH

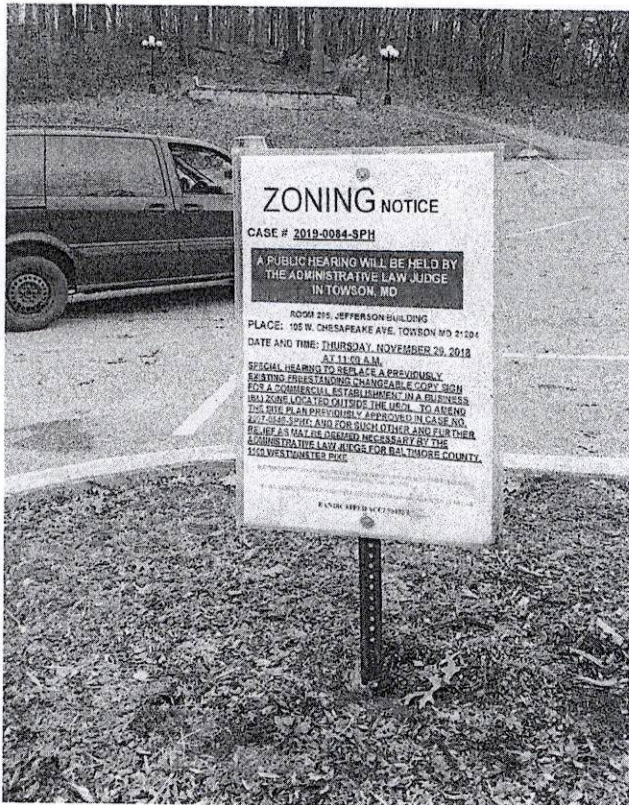
Petitioner / Developer: LAWRENCE SCHMIDT, ESQ.

Date of Hearing: NOVEMBER 29, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1100 WESTMINSTER PIKE

The sign(s) were posted on: **NOVEMBER 8, 2018**

The sign(s) were re-photographed on: **NOVEMBER 27, 2018**



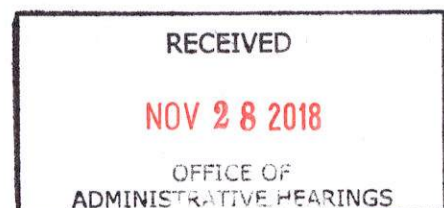
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



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CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 11/8/2018

Case Number: 2019-0084-SPH

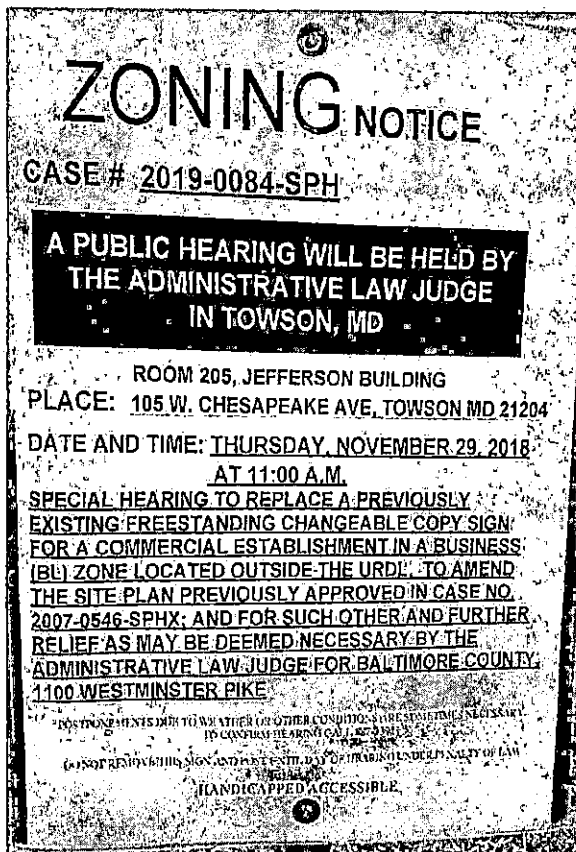
Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~

ROBIN BUETTNER

Date of Hearing: NOVEMBER 29, 2018

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
1100 WESTMINSTER PIKE

The sign(s) were posted on: **NOVEMBER 8, 2018**



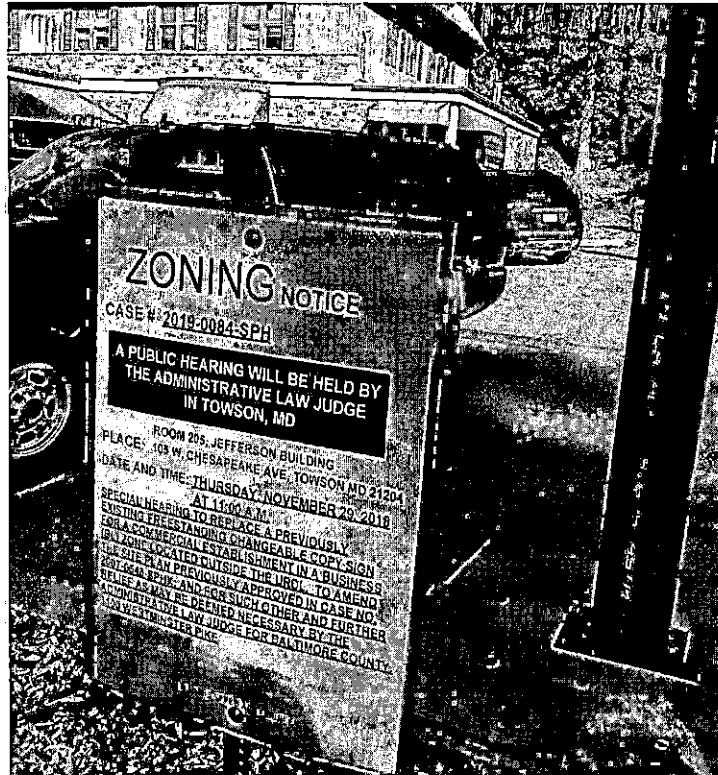
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



1st Sign Posted @ 1100 Westminster Pike – 11/8/2018



2nd Sign Posted @ 1100 Westminster Pike – 11/8/2018
CASE # 2019-0084-SPH

TO: THE DAILY RECORD
Friday, November 9, 2018 - Issue

Please forward billing to:
Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

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CASE NUMBER: 2019-0084-SPH

1100 Westminster Pike
NE/s Westminster Pike, s/east of Glen Falls Road
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Hearing: Thursday, November 29, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
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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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
1100 Westminster Pike; NE/S Westminster *
Pike, 1117' SE of c/line of Glen Falls Road * OF ADMINISTRATIVE
4th Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Robin L. Buettner * BALTIMORE COUNTY
Petitioner(s) *
* 2018-084-SPH

* * * * *

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.

RECEIVED
SEP 25 2018

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 25th day of September, 2018, a copy of the foregoing Entry of Appearance was mailed to Lawrence Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0084-SPH

Property Address: 1100 Westminster Pike

Property Description: _____

Legal Owners (Petitioners): Robin L. Buettner

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/9/2015

**CASHIER'S
VALIDATION**

11-29

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: 11/19/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-084

INFORMATION:

Property Address: 1100 Westminster Pike
Petitioner: Robin Buettner
Zoning: BL
Requested Action: Special Hearing

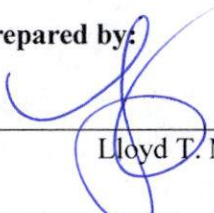
The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve the replacement of an existing freestanding changeable copy sign for a commercial establishment in a BL and RC8 zone located outside the Urban Rural Demarcation Line (URDL) and to amend the site plan previously approved in Case No. 2007-0546-SPHX.

A site visit was conducted on October 1, 2018. The property is approximately 1.5 miles outside the URDL.

The Department has no objection to a replacement sign having the height and area dimensions as shown on the site plan submitted in support of the petition. That notwithstanding, the Department sees no remedy to the requirements of BCZR §450.7.B.1(d) which prohibits electronic changeable copy (ECC) signs outside of the URDL and therefore cannot support the use of an ECC sign on the subject property. BCZR§ 413.5e (circa 1966) placed prohibitions on business signs that flash or employ rotating illumination. The Department recommends said prohibition would apply to any ECC predating 2008.

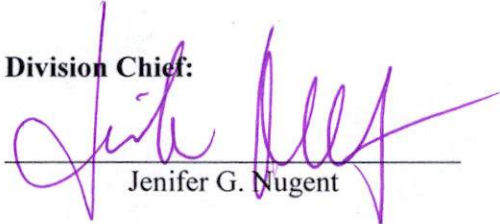
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



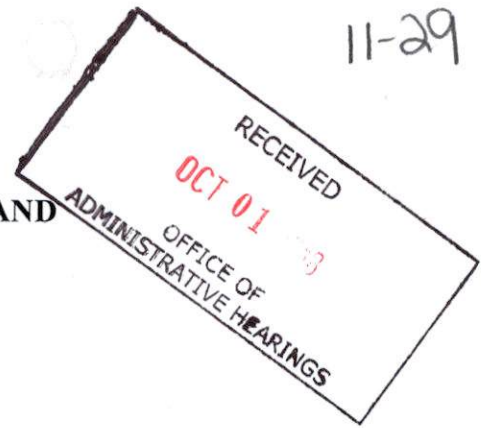
Jenifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 1, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0084-SPH
Address 1100 Westminster Pike
(Buettner Property)

Zoning Advisory Committee Meeting of **October 1, 2018**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

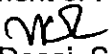
Reviewer: Glenn Shaffer

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: October 4, 2018

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 1, 2018
Item No. 2019-0055-A, 0062-A, 0081-A, 0082-A, 0083-A, 0084-SPH, 0085-A and 0086-SPH

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

*

*

*

*

*

VKD: cen
cc: file

Date: 9/24/18

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

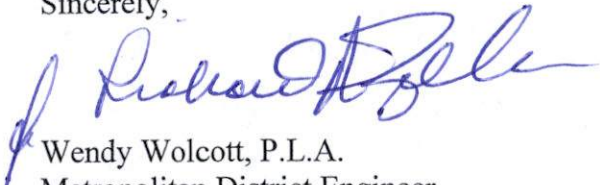
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 9/24/18. A field inspection and internal review reveals that an entrance onto MD140 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing, Case Number 2019-0084-SPH.

Robin Buettner
1100 Westminister Pike
MD140

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME _____
CASE NUMBER 2019-0084-SPH
DATE Nov 29 2018

[illegible]

CASE NAME 1100 Westminister Pike
CASE NUMBER 2019-0084-SPH
DATE 11/29/18

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>10/4</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO COMMENT</u>
<u>10/1</u>	DEPS (if not received, date e-mail sent _____)	<u>Comment</u>
_____	FIRE DEPARTMENT	_____
<u>11/19</u>	PLANNING (if not received, date e-mail sent _____)	<u>NO Objection w/ comment</u>
<u>9/24</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>11/9/18</u>	
SIGN POSTING (1 st)	Date: <u>11/8/18</u>	by <u>O'Keefe</u>
SIGN POSTING (2 nd)	Date: <u>11/27/18</u>	by <u>O'Keefe</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:			NONE						
Account Identifier:			District - 04 Account Number - 0403049880						
Owner Information									
Owner Name:		BUETTNER CALVIN C BUETTNER ROBIN L				Use:		COMMERCIAL	
						Principal Residence:		NO	
Mailing Address:		1100 WESTMINSTER PIKE REISTERSTOWN MD 21136-4621				Deed Reference:		/14791/ 00186	
Location & Structure Information									
Premises Address:		1100 WESTMINSTER PIKE REISTERSTOWN MD 21136-4621				Legal Description:		1.955 AC NS WESTMINSTER PIKE	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0039	0020	0138		0000				2017	Plat Ref:
Special Tax Areas:			Town:				NONE		
			Ad Valorem:						
			Tax Class:						
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1951		5860				1.9500 AC		23	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation		
		RESTAURANT							
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2017		07/01/2018		07/01/2019	
Land:		163,700		163,700					
Improvements		399,500		404,500					
Total:		563,200		568,200		566,533		568,200	
Preferential Land:		0						0	
Transfer Information									
Seller: STEVE & DEVON INC				Date: 11/03/2000			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /14791/ 00186			Deed2:		
Seller: FOREST HOLDING INC				Date: 03/24/1997			Price: \$261,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /12094/ 00713			Deed2:		
Seller: CORNELL EDWARD F				Date: 04/13/1984			Price: \$150,000		
Type: ARMS LENGTH IMPROVED				Deed1: /06695/ 00388			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Tax Exempt:			Special Tax Recapture:						
Exempt Class:									

NONE

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**



DONALD I. MOHLER III
County Executive

November 20, 2018

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

Robin L. Buettner
1100 Westminster Pike
Reisterstown, MD 21136

Dear Ms. Buettner:

RE: Case Number: 2019-0084SPH, Address: 1100 Westminster Pike

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 18, 2018. 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 a circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC 600 Washington Ave. Ste 200 Towson, MD 21204

ATTACHMENT TO PETITION FOR ZONING HEARING

1100 Westminster Pike

Special Hearing relief:

1. To replace a previously existing freestanding changeable copy sign for a commercial establishment in a business (BL) zone pursuant to BCZR § 450.8 - Table of Sign Regulations Section 1(c); and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County.

450.7.B.1(d)

located
outside of
the UNDL

FIRST DRAFT
CHGES.
REQ'D BY
L. WASILEWSKI
HES

on plan
- C BCA
- 1st floor plan
- Henry
- Hinton



\$100

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204
410-887-3391

B
A 781167
The applicant is authorized to affirm that there are no current violations at this site pursuant to Section 112.7 BCC
Initials JS

SIGN USE PERMIT

Permit Fees are Non-Refundable; Make Check Payable to "Baltimore County, Maryland"

PROPERTY ADDRESS 1100 Westminister Pike Reisterstown MD ZIP CODE 21136
BUSINESS NAME FULL MOON PUB ZONING BL
OWNER'S NAME BUETTNER CALVIN C PHONE NO. _____ HISTORIC DISTRICT ☐ Yes ☒ No
MAILING ADDRESS BUETTNER ROBIN L
1100 WESTMINSTER PIKE REISTERSTOWN MD 21136-4621
APPLICANT/OWNER'S AGENT Jerry Sterling PHONE NO. 410 355 5400
SIGN COMPANY NAME PASADENA Sign Company PHONE NO. 410 355 5400
TYPE OF SIGN: ☐ Window Sign TAX ACCOUNT NO. 040130419880

☐ Temporary- Including Real Estate/Construction/Event Temporary Signs in the Last Year: ☐ Yes ☐ No

☒ Permanent ☐ Changeable Copy ☐ Wall ☐ Face Change Only ☐ Non-Illuminated

☒ Freestanding ☒ Pylon ☐ Monument ☒ Illuminated (separate electrical permit required)

Size: 6'5" feet x 7' feet = 45 1/2 square feet Height: 15' feet (freestanding signs)

Property Line/Street Right-of-Way Setbacks: front 5', sides 100 and 150, and rear 200.

NOTE: A construction plan, drawn to scale and clearly showing that all requirements have been met, must be attached; a site plan also must be attached for freestanding signs.

Table of Sign Regulations: 450.4. Attachment 1, 1.- An Electronic Changeable Copy Sign may only have a maximum Frequency of one instantaneous message change per 15 second cycle.

450.6.B.3 Changeable copy signs must operate at a constant intensity and not give the appearance of movement by flashing, blinking, strobing, scrolling, oscillating, or alternating lights.

PROHIBITIONS: including roof signs (Sections 450.5.B.7 and 450.6.A, Baltimore County Zoning Regulations):

1. Signs cannot impair motorist's clear view of traffic or government signs. All signs are subject to Section 102.5, BCZR.
2. Signs cannot imitate or resemble government signs, except for private traffic control and notice signs.
3. Signs cannot be placed in or project into or above street right of way or governmental property.
4. Sign or framework cannot obstruct window or opening for light and air or access to building, fire hydrant, or stand pipe.
5. Vehicle cannot be parked for the purpose of displaying an attached sign.
6. Except for flags exempted, flags, pennants, ribbons, streamers, tethered balloons, laser projections, and similar objects are prohibited.
7. Portable signs are prohibited, except for A-frame and sandwich board signs issued a use permit in B.M. - C.T. zones.
8. There can be no display or simulation of moving parts or message, except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a thermometer, barometer, weather vane, barber pole, or clock.
9. No sign may emit sound

Work Description (including number of signs, special conditions, materials, locations and size):

INSTALL ONE FREE STANDING SIGN : 15' HIGH
6'5" X 7' = 45.5 SQ FT , DOUBLE SIDED

CORNER LOT ☐

OWNER/AGENT CERTIFICATION

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above are true and further agree to locate the proposed sign such that it will not violate Baltimore County laws and regulations.

Signature

Date

Print/Type Name

☐ Require Planning Signature

Date

Copies: White-Office; Yellow- Applicant (keep this Copy for your permanent records)

REV 10/14

Authority under Section 500.4, BCZR PAI Approval (SIGN ONLY)

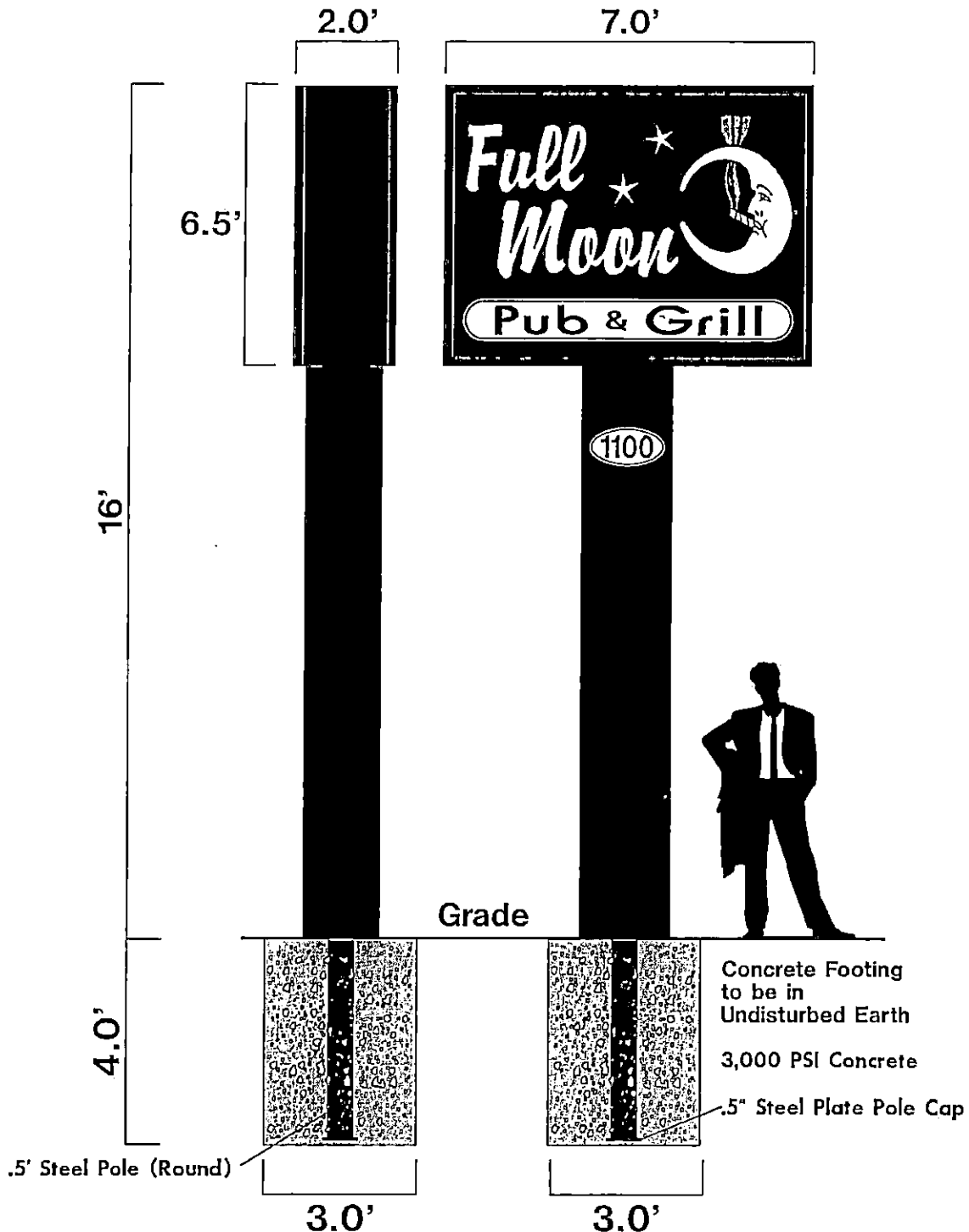
Signature

Initials

Date

PET. #2

45.5' Sq. Ft.



B-B



.5"x1/4"
Round Steel Tube
Schedule 40



watchfire		☒ Double Sided ☐ Single Sided	
AUTHORIZED DEALER		Accepted As Is ☐	
Accepted As Noted ☐		Signature _____	
Visit Us at Pasadenasigns.com		Date _____	
Like us on Facebook		designer Alex	
client Full Moon Pub & Grill	sales exec. Jerry Sterling Jr.	scale NTS	permit
date August 15, 2018	revision #	prod. time 4wks	file FullMoonPub.plt

This Original Design Is The Property Of Pasadena Sign Company Inc. (PSC Inc.) And Is Protected By Federal Copyright Laws. Any Construction Or Reproduction Of A Display Product Similar To The One Embodied Herein Is Expressly Forbidden. Should Such Construction Occur, PSC Inc. Is Due \$1,000.00 As Compensation For The Time And Effort In Creating Each Individual Design. All Rights Reserved.



Pasadena Sign Company
6300 Arundel Cove Avenue
Baltimore, MD 21226
ph. 410.355.5400
fax 410.355.8343
email: Design@pasadenasigns.com

Contract: 1- 16369
Printed 6/22/2018 4:33:05PM
PO #: 2018

Description: **Replace sign due to vehicle damage for Full Moon Pub**
Prepared For: Attn: Robin
Company: Full Moon Pub & Grill

ph: (410) 526-5565

email: fullmoonpub@gmail.com

Attn: Robin

Thank you for considering Pasadena Sign Company for your advertising needs. If you have any questions, please do not hesitate to call me at 410-355-5400.

Sincerely,

Jerry Sterling, Jr.
President

Product	Font	Qty	Sides	Height	Width	Unit Cost	Item Total
1 fabrication		1	0	0	0	\$6,875.00	\$6,875.00
Color:							
Description: Item 1. Pasadena Signs to fabricate (1) 5'x8' double sided sign display to match original. New display will be fabricated with an aluminum frame aluminum body. Display will be illuminated with LED lighting and have a one piece lexan sign panel with copy to match original.							
Text:							
2 LED Display		1	0	0	0	\$38,365.00	\$38,365.00
Color:							
Description: Item 2. Pasadena Signs to supply (1) 4'-5" x 7'-3" color double face twin pack LED board with 4G wireless cellular data plan same as original.							
Text:							
3 pole		1	0	0	0	\$935.00	\$935.00
Color:							
Description: Item 3. Pasadena Signs to supply (1) 8" x 20' schedule 40 steel round pole to match original.							
Text:							
4 Concrete Foundation		1	0	0	0	\$5,250.00	\$5,250.00
Color:							
Description: Item 4. Pasadena signs to supply new foundation 3' x 6' with 2 yards of concrete and steel bracing as needed to match original and remove dirt.							
Text:							
5 paint		1	0	0	0	\$550.00	\$550.00
Color:							
Description: Item 5. Charges for painting new pole black to match original.							
Text:							

"Providing Your Signage Needs Since 1964"

PET. 3



Pasadena Sign Company
6300 Arundel Cove Avenue
Baltimore, MD 21226
ph. 410.355.5400
fax 410.355.8343
email: Design@pasadenasigns.com

Contract: 1- 16369

Printed 6/22/2018 4:33:05PM
PO #: 2018

Product	Font	Qty	Sides	Height	Width	Unit Cost	Item Total
6 Service		1	0	0	0	\$1,280.00	\$1,280.00

Color:

Description: Item 6. Pasadena Signs to bring electrical service to new sign base.

Text:

7 Installation		1	0	0	0	\$2,850.00	\$2,850.00
----------------	--	---	---	---	---	------------	------------

Color:

Description: Item 7. Pasadena Signs to install all items as described in items 1,2,3,4,5, and 6.

Text:

Notes:

Option(s) Chosen: 1. 2. 3. 4. 5. 6. 7. A 50% deposit is required and balance is due upon completion of work as outlined above. Please allow 45 business days from date of deposit and signed contract received for completion of work as outlined above. All signs to have a one-year lighting warranty from date of completed installation and to be UL Listed. Accepted payments are check, cash and credit card. Please contact our office to pay by credit card. We accept Visa, MasterCard, Discover, American Express. Terms: Payments for servicing signs or installation due and payable within 10 days of billing date. Title to the above sign(s) shall remain in the name of Pasadena Sign Company until any remaining balance is paid in full. Sign(s) may not be sold or moved without our written permission. In the event that payment is not made within 30 days from billing date, Pasadena Sign Company may repossess sign(s) or material(s) without legal action. Repossession shall in no way satisfy or negate the outstanding balance. A service charge of 1.5% per month (18% per year) will be added to any outstanding balance, commencing 30 days following completion. If service work is placed for collection, collected by suit or through any court, attorney's fees shall be added and due therein. All work is guaranteed one year against defects in materials and / or workmanship. Act of God, and vandalism is not covered. Your signature below will indicate you have read the above and are in agreement with all specifications, conditions, and terms.

Customer's Acceptance:

Company: Full Moon Pub & Grill
1100 Westminster Road
Reisterstown, MD 21136

Line Item Total:	\$56,105.00
Tax Exempt Amt:	\$4,130.00
Subtotal:	\$56,105.00
Taxes:	\$3,118.50
Total:	\$59,223.50

Deposit Required: \$29,611.75

"Providing Your Signage Needs Since 1964"



PET. 4

NOTES

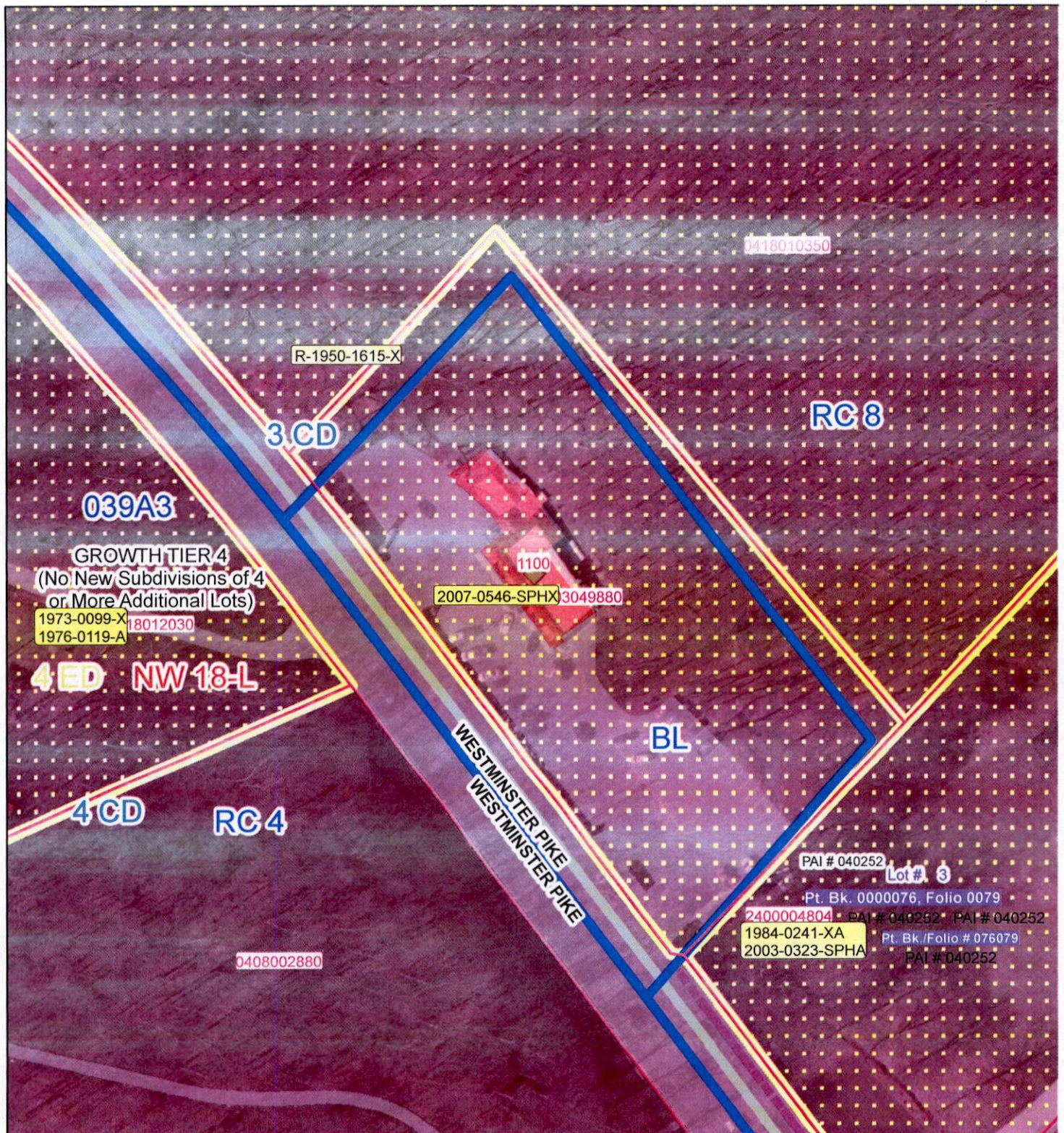
1) SITE AREA AND ZONING:

Zoning	Gross Area	Net Area
BL	96,402-sf+/--(2.213-ac+/-)	83,561-sf+/--(1.918-acres+/-)
RC-8	1,743-sf+/--(0.040-ac+/-)	1,592-sf+/--(0.036-ac+/-)
Total	98,145-sf+/--(2.253-ac+/-)	85,153-sf+/--(1.955-ac+/-)

- 2) PRIOR PERMITS: NONE KNOWN
- 3) PRIOR ZONING HISTORY: NONE KNOWN
- 4) PRIOR CRG, AND/OR DEVELOPMENT PLAN HISTORY: NONE KNOWN
- 5) PRIOR DRC ACTIONS: NONE KNOWN
- 6) PRIOR WAIVERS: NONE KNOWN
- 7) TAX ACCOUNT NUMBER: 04-0304-9880
- 8) TAX MAP 39; PARCEL 138
- 9) DEED REFERENCE: 14791/182 & 14791/186
- 10) EXISTING USE: RESTAURANT, ARCADE, AND 1-APARTMENT 2 BEDROOM UNIT
- 11) PROPOSED USE: RESTAURANT, ARCADE, AND 1-APARTMENT 2 BEDROOM UNIT
- 12) THERE ARE NO BUILDINGS WITHIN 100-FT OF THE SIDE PROPERTY LINES.
- 13) DRAWING AND FUTURE PLANS TO BE BASED ON MCS AND NAVD 88
- 14) THIS SITE DOES NOT FALL IN A FAILING OR NEAR FAILING TRAFFIC SHED.
- 15) ALL PARKING AND DRIVE AISLES WILL BE PAVED WITH MACADAM AND PERMANENTLY STRIPED.
- 16) UTILITIES SHALL BE PRIVATE UNLESS OTHERWISE NOTED.
- 17) EXISTING SIGNS ON SITE TO REMAIN. NO ADDITIONAL SIGNAGE IS PROPOSED AT THIS TIME; HOWEVER ANY FUTURE SIGNAGE TO COMPLY WITH SECTION 450 BCZR AND ALL ZONING SIGN POLICIES, OR A VARIANCE REQUESTED PURSUANT TO BCZR SECTION 307.
- 18) THE SITE IS NOT LOCATED WITHIN A DEFICIENT ZONE PER THE BALTIMORE COUNTY 2006 BASIC SERVICES MAPS, WATER SUPPLY AREA MAP, SEWAGE AREA MAP, AND TRANSPORTATION MAP.
- 19) THE BUREAU OF TRAFFIC ENGINEERING AND PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- 20) FLOOR AREA RATIO (FAR):
Adjusted Gross Floor Area of Buildings = 11,731-sf
FAR = 11,731-sf/98,145-sf Gross Site Area = 0.12
- 21) LOCATION OF FIRE HYDRANTS: RURAL AREA, 8,000-FT+/- TO FH.
- 22) PARKING CALCULATIONS:
7,165-sf Restaurant @ 16 spaces per 1,000-sf = 114.64 Spaces Required
3,033-sf Basement Used for Storage of Excess Restaurant Supplies, None Required
1,533-sf Apartment 2 Bedroom Unit, 1.5-Spaces Required.
Total Required = 117 Parking Spaces
Total Provided = 93 Passenger Vehicle Spaces, and 14 Motorcycle Spaces
- 23) ANY FOREST CONSERVATION EASEMENT AND FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
- 24) THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN ANY FOREST BUFFER EASEMENT OR FOREST CONSERVATION AREA EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY OFFICE OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- 25) THIS SITE DOES NOT LIE WITHIN THE LIMITS OF THE CHESAPEAKE BAY CRITICAL AREA.
- 26) THIS SITE IS IN FEMA FLOOD ZONE C.
- 27) LIGHTING: ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED TO REFLECT LIGHT AWAY FROM ADJACENT RESIDENTIAL AREAS AND PUBLIC STREETS.

2019-0084-SPH

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Publication Date: 9/18/2018



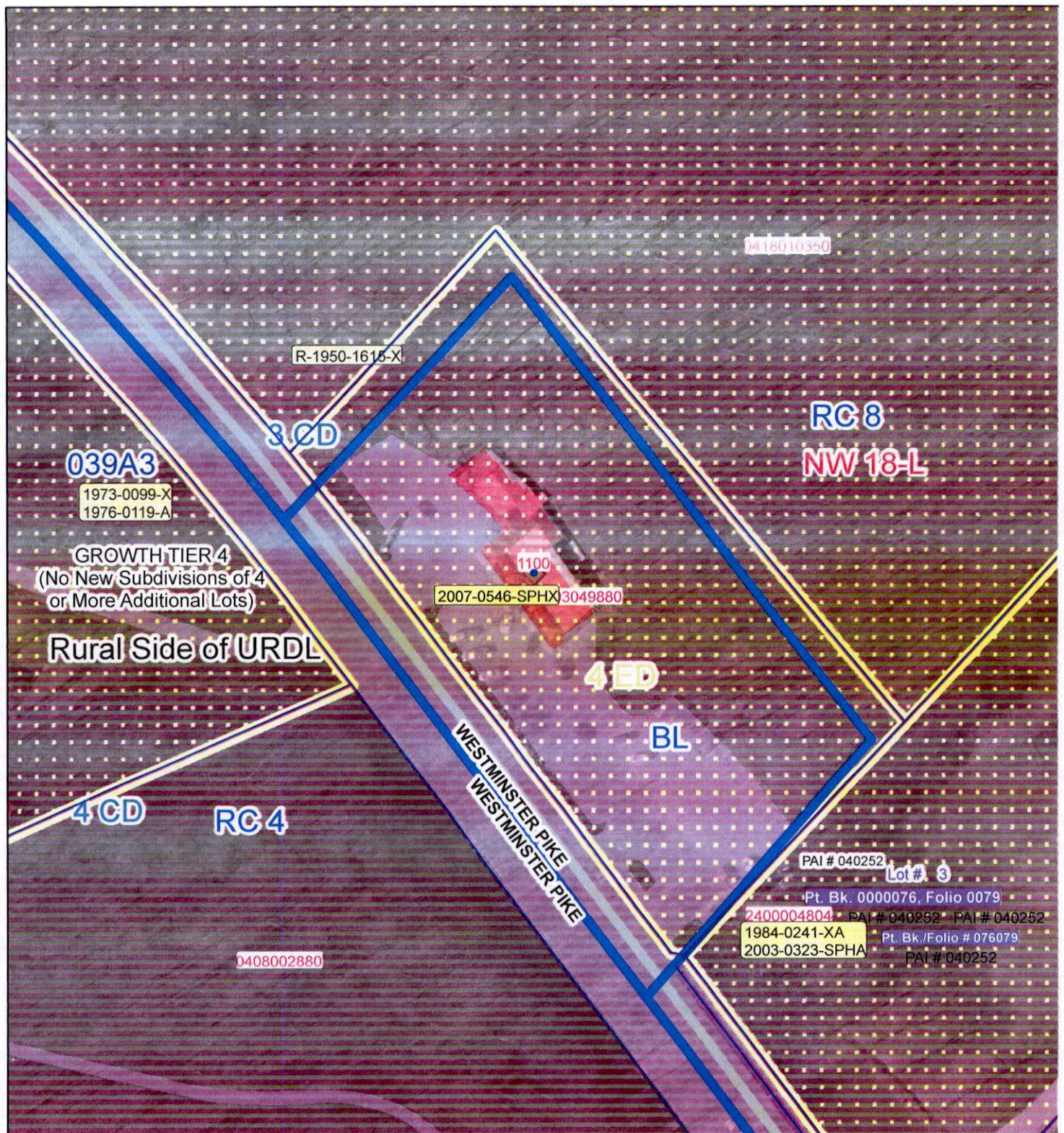
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 25 50 100 150 200 Feet

1 inch = 100 feet

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