FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Der Tell Bin and Der Yee Shew Yune, his wife,

Dor wgf.

Legal owners of the property situate in Baltimore

Count: and which is described in the description and plat attached hereto and made a part hereof.

hereby petition for a Variance from Section. 400.2 b (3) To permit 34 parking spaces instead of the required/parking spaces. 232.3 to permit a

15 foot reas yard instead of the required 20 foot.

of the Zoming Regulations of Baltimore County, to the Zoning Liw of Baltimore County; for the following reasons: findicate hardship or practical difficulty.

The mronoused building, as shown on the attached plats, will contain a rotal of 1375 square feet; the race devoted to servine of customers (dining area) totals 1970 square feet; the race devoted the reservation of customers for 40,00 cars. It is represented by the practical parking spaces for 40,00 cars. It is restricted by the support of the building erected space of the building erected space of the building erected by the scanner foot area to be used by the customers, exclusive witchen and storage facilities.

See attached description

Property	is to be	posted and	d advertised	as preser	bed by	Zoning Regu	lations.	
1. or we,	agree to	pay expens	es of above V	ariance as	ivertima	g, posting, et	c., upon filtr	g of this
petition, and f							Anu resur	ctions of

Der Tett 810

Lee Geo Clean Green PM.

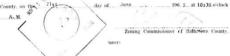
Der Yee Shew Yunn Legal Owners PM. Address 3504 Lynne Haven Drive

				-	- 3				
reston	A.	Pa	ro	- p	etitio	er's	Attor	ney	
		800	Con	irt	Se.	81	le	752-460	C

Baltimore, Maryland, 2120

Halt fuore, Maryl and, 21202

of LINES. Hay 106.5, that Pc subject matter of this petition be advertised, as required by the Zoning Lay of Baltimore county, in two newspapers of general circulation through and Baltimore countyfalsh property be posted, and that the puble hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Toxson, Baltimore



BALTIMORE COUNTY, MARYLAND [38411 65

INTER-OFFICE COERESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date June 11, 1965

FROM George E. Gayrelis, Director

SUBJECT Petition No. 65-373-A "Variance to permit a rear yard of 15 feet instead of the required 26 feet; and to permit 34 parking spaces instead of the required 88 parking spaces. Southeast comer of Liberty Road and Millvale Avenue. Being the property of Der Tell Bin and Der Yee Siew Yung."

> 2nd District HEARING:

Monday, June 21, 1965 (10:30 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- (1) We are unable to remment upon whatever aliegations of practical difficulty or unnecessary hardship may be made by the patitioner, but do feel that the subject petition is grossly contrary to the intent of the Zoning Regulations. Subsection 409.2 of the Regulations states, "It is the intent of the Zonnig Regulations that odequate offstreet parking spaces be growthed for all buildings, and that the requirements hereinafter set forth are and shall be taken as absolute minimums, to be exceeded
- (2) The petitioner's plot shows a dining room area of approximately 26% of the total area of the main building and for that matter, less than one-half the size of the kitchen. We question whether this might be an error and, thus, extremely misloading when determining parking needs.
- The plan also shows a one-stary building "for auxiliary use." Taking this at face value, the total floor area of both buildings would be 5,188 square feet, requiring 104 parking spaces.
- If, contrary to the assumption of item 3, the existing building is not be to auxiliary to the restourant but, rather, a "separate and stine" command in the observable to the restourant but, rather, a "separate and stine" commarcial use, then the plan must be approved by this office and the Department of Public Works as is required in paragraph 200.12 or of the Zoning Regulations. It will, of course, be necessary to know the exact nature of the use before we can process the plan under that paragraph.
- In view of the extent of the variances requested (or required), we are led to the In view of the extent of the variances requested (or required), we are led to the conclusion that the development plan for the subject parcel is one which would result in overcrowding of land, insufficient parking area, and, generally, a violation of the spirit of the zoning regulations.

and it appearing that by reason of the following finding of fact: of practical difficulty to permit a rear yard of 15 feet instead of the required 20 feet; and to permit 34 parking spaces instead of the required 38 parking spaces IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of _________, 196 _ 5, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, to purmit a rear yard of 15 feet instead of the required 20 feet; and to permit 31 parking-paces, instead of the required 88 parking spaces;

Decuty Zoning Commissioner of Baltimore Quanty Pursuant to the advertisement, posting of property and public hearing on the above petition the above Variance should NOT BE GRANTED. IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 196 that the above Variance be and the same is hereby DENIED. Zoning Commissioner of Baltimore County

MICROFILMED

Preston A. Pairo, Esq. 800 Court Square Building Baltimore, Nd. 21262

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson 4. Muryland

Your petition has been received and accepted for filing this

_____, 1964- 1965 // day of MXY

Owners Name: Der Tell Bin, et al Reviewed by Janus Z Kyn

BALTIMOLE COUNTY, MARYLAND OFFICE OF FINANCE

DATE 5/28/65 COURT HOUSE
TOWSON 4. MARYLAND

No. 30640

Patition for Variance for Der Tell Bras at al #65-373-A BING - BULLOW CHEN, INC. - CRIME OF FOR 6-1 45 6429 . 38640 HP-2500

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE

AMERICAN ENGINEERING

February 27, 1965.

Description of Property 8100 Block Liberty Road.

Situate in the Second Election District of Baltimore County, State of Maryland, being more particularly described as follows:

Teginning for the same at a point on the contract side of Hillvale around 50 real vide) before same is intersected by the demand dividing line between the contract of Hillvale strength in Pathods (J.B., 17 Cale 55, and place of beginning being located 137.55 feet assumed in a southwesterly direction from the course found by the intersection of the endemions of the said southeast side of Hillvale strength and the systems of the endirection of the analysis of the contract of Perinning for the same at a wint on the cout' east side of Hillyale Arrow

Being all of Ist 39 as shown on revised Fish of Hillvale (5.1,8. 17 folio 50) and the same two late of ground described in deed ground described in the first process of Der when the first process of Late of State of the Control of State of Process of Late of State of Late of



CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY. That the annexed advertisement was

 $.19^{\,65}$, the first publication

THE TIMES

published in THE TIMES, a weekly newspaper printed and pub-

BALTIMORE COUNTY, MD. 3111.4 3

lished in Baltimore County, Md., once in each of

appealing on the 3rd day of June

sucessive weeks before the 21st

Cost of Advertisement, \$ 23.00

PETITION FOR VARIANCE and DISTRICT

ONING: Petition for Vari-

Large State and Militaries
Accessory — 1988. MNNDAY
Large MNNDAY
Large

New 11. 1965

The Loning Advisory Countities has reviewed the subject petition and sales

OFFICE OF PLANETHO AND ZORING: The use of the actisting one-story building, which

BURGAU OF THAPPIC ENGLISHATED: Will review and submit comments at a later date

OUNCE OF MININGS NO.

Welligher No owners, no constitute improved road.

Index to the proof of a State road.

Storm Brain: Drain systems exist in Militade Road, Liberty Road and Militade Militade.

The following members had no comment to offer:

Buildings Department Endominial Development Commission

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY. That the annexed advertisement was

day of . n.a

THE TIMES.

Manager

published in THE TIMES, a weekly newspaper printed and pub-

lished in Baltimore County, Md., once in each of Unio

BALTIMORE COUNTY, MD.

sucessive weeks before the Blot

appearing on the

Yours way truly,

James N. Nyer, Oder Fetition and Permit Accessing

2nd DISTRICT

of Liebry Rood and Milvake
Activa.

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Cost of Advertisement, S

#65-373-A

DATE 7/2/65

66.50 -

3--200 azze - 31927 HP-4450

IMPORTANT MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TC SISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

Ma. 31927

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Dirtrict. 2 ND

Posted for: Variance

Petitioner wer tell pen, it al

Location of property: 5 E/cor of Letuty Red & Muliale are

teration at Signer St. flow of Liberty led of Millerale are @ to fi millerale. Wer 50 32 of Liberty Rel

Date at return June 10, 1965

2 signs

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 4. 1965...

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oncexin-each

of 1 time ... xuccessive weeks before the ... 21st day of ______lane ______, 19.65__, the first publication

appearing on the 4th day of Jane

THE JEFFERSONIAN.

Cost of Advertisement, \$....

65-373-A

Date of Posting LIME 5 1965

