

Re: Petition for Zoning Variance
for Parking under Section
409.2b (3) to permit 74 parking
spaces instead of required
169 parking spaces - SE/s of
Old Frederick Road, 114 feet
NE of Ingleside Avenue
1st District, Baltimore County
: : : : :
BEFORE
: ZONING COMMISSIONER
: OF
: BALTIMORE COUNTY
: No. 68-226-A

The Petitioners seek a variance to permit 74 parking spaces instead of 169 parking spaces as provided in Section 409.2b (3) of the Baltimore County Zoning Regulation.

The Petitioners have shown that they will be utilizing for public use only 4900 square feet of the total floor area of 8400 square feet which would require 98 parking spaces in lieu of 74 parking spaces actually provided, and do further show that they now have a variance granted by the Zoning Authority wherein 43 parking spaces are provided in lieu of 129 required and in spite of this variance, experience has shown that there has been no substantial injury to the public health, safety, and general welfare; and further that there are only two properties which use the dead-end street on which the subject restaurant property is situated, the other being an automatic car wash which is not operating at the time the restaurant reaches its peak business; and further that some of the business of the restaurant generates as walk-in business from the bowling alley which is nearby and which has ample parking facilities.

The Petitioners have shown that the present granted variance on the subject property is a greater ratio than the Petition now being considered and further that strict compliance with existing regulations with respect to parking would result in practical difficulty and unreasonable hardship to the Petitioners; and that the granting of the requested variance would not cause substantial injury to the public health, safety, and general welfare.

The Petitioners further show that they are willing to provide an attendant on the lot which will thereby permit them to park an additional 10 cars which is in excess of the number required for 1900 square feet actually used by the public.

It is, therefore, this 3rd day of April, 1968, by the Zoning Commissioner of Baltimore County ORDERED, That a variance be and it is hereby granted to permit 74 parking spaces instead of the required 169 parking spaces under Section 409.2b (3) of the Baltimore County Zoning Regulation, subject, however, to the restriction that the basement of the building not be used by or accessible to the public and further that a parking attendant be provided.

OFFICE OF THE BALTIMORE COUNTEAN

THE COMMUNITY NEWS
Rutherford, Md.
THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

March 20, 1968

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose, Zoning
Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTEAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for one ~~successive~~ week before
the 20th day of March, 1968, that is to say
the same was inserted in the issues of
March 14, 1968.

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editor and Manager

PETITION FOR A
VARIANCE
1st DISTRICT
ZONING Petition for Vari-
ance for Parking.
LOCATION: Southeast side of
Old Frederick Road 114.20 feet
Northeast of Ingleside Avenue.
DATE & TIME: WEDNESDAY,
APRIL 3, 1968 at 10:00 A.M.
PUBLIC HEARING: Room
108, County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Regula-
tions of Baltimore County, will
hold a public hearing.
Petition for Variance from the
Zoning Regulations of Baltimore
County to permit 74 parking
spaces instead of the required
169 parking spaces.
The Zoning Regulation to be
excepted as follows:
Section 409.2b (3) - (g) -
Street Parking-Dance Hall,
night club or restaurant. For
each 50 square feet of lot floor
area.
All that parcel of land in the
First District of Baltimore
County.
BEGINNING for the same at a
point on the southeast side of
Old Frederick Road, said point being
situated 114.20 feet measured
northerly along the south-
west side of Old Frederick Road
from the corner formed by the
intersection of the southeast
side of Old Frederick Road with
the northeast side of Ingleside
Avenue, thence, leaving said
place of beginning and running
and binding on said southeast
side of Old Frederick Road, re-
turning all courses of this de-
scription to the true meridian
as established by the Baltimore
County Metropolitan District,
the 3 following courses and dis-
tances, to-wit: North 74 degrees
13 minutes East 145.47 feet and
thence North 63 degrees 13
minutes East 48.95 feet, thence
leaving the southeast side of
Old Frederick Road and running
across the bed of Old Frederick
Road North 64 degrees 32
minutes East 112.76 feet, thence
South 63 degrees 14 minutes
West 164.30 feet to the place of
beginning.
Containing 49,000 square feet
of land, more or less.
Being the property of Theo-
dore S. Kuchta and Ann M.
Kuchta, as shown on plat plan
filed with the Zoning Depart-
ment.
Hearing Date: Wednesday,
April 3, 1968 at 10:00 A.M.
Public Hearing: Room 108,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Md.
BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY
March 14.

The site plan for the development of said property is
subject to the approval of the Bureau of Public Services and
the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 22, 1968
FROM: Leslie H. Crael, Deputy Director of Planning
SUBJECT: Petition #68-226-A. Variance to permit 74 parking spaces instead of
the required 169 spaces. Southeast side of Old Frederick Road 114.20
feet northeast of Ingleside Ave. Being the property of Theodore S. Kuchta.
1st District
HEARING: Wednesday, April 3, 1968 (10:00 A.M.)

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

There is already an insufficiency of parking area in the vicinity of the subject
property granting of the variance requested would only aggravate the situation.
We strongly recommend that the variance not be granted.

TELEPHONE
463-3000
EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 53035

DATE: April 11, 1968

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

FILED
BY:

Zoning Dept. of Balto. Co.

TO: Westview Lounge, Inc.
5653 Old Frederick Road
Baltimore, Md. 21228

DEBIT TO ACCOUNT NO. 01-622

QUANTITY:

Petition for Variance for Theodore S. Kuchta
#68-226-A

TOTAL AMOUNT
\$25.00

TELEPHONE
463-3000
EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 53073

DATE: April 11, 1968

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

FILED
BY:

Zoning Dept. of Balto. Co.

TO: Westview Lounge, Inc.
5653 Old Frederick Road
Baltimore, Md. 21228

DEBIT TO ACCOUNT NO. 01-622

QUANTITY:

Advertising and posting of property for Theodore S. Kuchta
#68-226-A

TOTAL AMOUNT
\$9.75

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Theodore S. Kuchta & Ann M. Kuchta, his wife
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 409.2b (3) To permit 74 parking spaces

instead of the required 169 parking spaces

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the
following reasons: (Indicate hardship or practical difficulty)

Strict compliance with existing regulations with respect to
parking would result in practical difficulty and unreasonable
hardship to the Petitioner, and the granting of such variance
would not cause substantial injury to the public health, safety,
and general welfare.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this
petition, 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.

Ralph E. Deitz
212 Washington Ave, Towson, Md.
Waf 2900
Vas 7905

Theodore S. Kuchta
Ann M. Kuchta
Legal Owner

Address: 201 Rollingfield Rd;

Baltimore County, Md. 21228

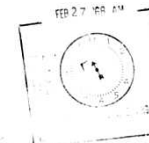
Petitioner's Attorney

Protestant's Attorney

Address 220 E. Lexington St
Baltimore, Md. 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day

of February 1968, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore
County, on the 3rd day of April, 1968, at 10:00 o'clock
A.M.



(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st Date of Posting: 3/11/68
Posted for: Theodore S. Kuchta
Petitioner: Theodore S. Kuchta
Location of property: 5653 Old Frederick Rd - NE of Ingleside Ave
Location of Sign: 155 Old Frederick Ave - SE of Frederick Rd
Remarks: [Signature]
Posted by: [Signature] Date of return: 3-21-68

February 6 1968.

Outline Description of Westview Lounge Property

BEGINNING for the same at a point on the southeast side of Old Frederick Road, said
point being situated 114.20 feet measured northerly along the southeast side of Old
Frederick Road from the corner formed by the intersection of the southeast side of Old
Frederick Road with the northeast side of Ingleside Avenue, thence leaving said place of
beginning and running and binding on said southeast side of Old Frederick Road, referring
all courses of this description to the true meridian as established by the Baltimore County
Metropolitan District, the 3 following courses and distances, to-wit: North 74 degrees 13
minutes East 145.47 feet, thence North 63 degrees 13 minutes East 48.95 feet and thence
North 63 degrees 14 minutes East 48.95 feet, thence leaving the southeast side of Old
Frederick Road and running across the bed of Old Frederick Road North 64 degrees 32
minutes East 112.76 feet, thence South 63 degrees 14 minutes West 164.30 feet to the place of
beginning and binding on the northwest side of Old Frederick Road North 63 degrees 32 minutes
East 49.00 feet, thence leaving the northwest side of Old Frederick Road and running South 10 degrees
51 minutes 12 seconds East 192.76 feet, thence South 63 degrees 14 minutes West 226.40
feet, thence North 26 degrees 46 minutes West 164.30 feet to the place of beginning.
Containing 49,000 square feet of land, more or less.

Note: This description has been prepared for zoning purposes only and
is not intended to be used for conveyance.



L. Alan Evans

February 29, 1968

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Ralph E. Deitz, Esq.,
212 Washington Avenue
Towson, Maryland 21204

SUBJECT: Parking variance for Theodore S. Kuchta,
located SE/s Old Frederick Road, 114'
NE of Ingleside Avenue
2nd District
(Item 110, February 27, 1968)

Irvin L. Fishbein, Esq.,
220 E. Lexington Street
Baltimore, Maryland 21202

Gentlemen:

The Zoning Advisory Committee has reviewed the subject petition and has
the following comments to offer:

BUREAU OF ENGINEERING:

Under - Existing 12" water in Old Frederick Road
Adequacy of existing utilities to be determined by developer or his engineer.
Sewer - Existing 8" sanitary sewer in Old Frederick Road
Road - Old Frederick Road is to be developed as a 30' road on a 40' R/W.
Studies currently under consideration indicate the possible closing of one of the
Old Frederick Road intersections with either Ingleside Ave. or Route 40.

BUREAU OF TRAFFIC ENGINEERING:

This office will review and make any necessary comments at a later date.

HEALTH DEPARTMENT:

Prior to approval of the proposed addition for this food service facility, complete
plans and specifications must be submitted to the Division of Food Control of
Baltimore County Health Department for approval.

ZONING ADMINISTRATION DIVISION:

If the petition is granted, no occupancy may be made until such time as plans have
been submitted and approved and the property inspected for compliance to the approved plan.

The above comments are not intended to indicate the appropriateness of the
zoning action requested, but to assure that all parties are made aware of plans or
problems that may have a bearing on this case. The Director and/or the Deputy Director
of the Office of Planning and Zoning will submit recommendations on the appropriateness
of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Project Planning Division Bureau of Fire Prevention
State Roads Commission
Building Engineer
Board of Education
Industrial Development

Very truly yours,

[Signature]
JOHN G. ROSE, Zoning Supervisor

JEH:jc

cc: Carolee Brown-Bur, of Engr., (Richard Moore-Bur, of Traffic Engr.) William
Groomit-Health Department

PETITION FOR A VARIANCE IN DISTRICT

ENDING: Petition for Variance for
 Part of, southeast side of Old
 Frederick Road 11.15 feet North
 Frederick Road, April 1,
 DATE & TIME: Wednesday,
 1968 at 10:00 A.M., in the
 PUBLIC HEARING Room, 115 W. Ches-
 ter Avenue, Towson, Maryland

The undersigned Commissioners of Bal-
 timore County, in accordance with the
 zoning act and regulations of Bal-
 timore County, and a public hearing
 more fully, and a public hearing
 more fully, and a public hearing

Section 10.15 feet North
 Frederick Road, April 1,
 DATE & TIME: Wednesday,
 1968 at 10:00 A.M., in the
 PUBLIC HEARING Room, 115 W. Ches-
 ter Avenue, Towson, Maryland

The undersigned Commissioners of Bal-
 timore County, in accordance with the
 zoning act and regulations of Bal-
 timore County, and a public hearing
 more fully, and a public hearing
 more fully, and a public hearing

Section 10.15 feet North
 Frederick Road, April 1,
 DATE & TIME: Wednesday,
 1968 at 10:00 A.M., in the
 PUBLIC HEARING Room, 115 W. Ches-
 ter Avenue, Towson, Maryland

The undersigned Commissioners of Bal-
 timore County, in accordance with the
 zoning act and regulations of Bal-
 timore County, and a public hearing
 more fully, and a public hearing
 more fully, and a public hearing

Section 10.15 feet North
 Frederick Road, April 1,
 DATE & TIME: Wednesday,
 1968 at 10:00 A.M., in the
 PUBLIC HEARING Room, 115 W. Ches-
 ter Avenue, Towson, Maryland

CERTIFICATE OF PUBLICATION

TOWSON, MD., MAR 14 1968 19...

THIS IS TO CERTIFY, that the annexed advertisement was
 published in THE JEFFERSONIAN, a weekly newspaper printed
 and published in Towson, Baltimore County, Md., once in each
 of one time ~~successive times~~ before the 3rd
 day of April 1968, the first publication
 appearing on the 1st day of March
 1968.

THE JEFFERSONIAN,
H. L. Smith
 Manager.

Cost of Advertisement, \$.....

