

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, ESSERWEIN'S, INC., legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2b(3) Parking space for existing restaurant to permit the use of 127 parking spaces rather than 171 parking spaces as required.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
The owners are experiencing a financial hardship due to the number of parking places required and are unable to properly utilize the existing building and proposed addition without the variance requested.

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, ESSERWEIN'S, INC.

Contract purchaser Legal Owner
Address 1528 East Joppa Road
Townson, Maryland 21204
THOMAS L. HENNESSEY
Petitioner's Attorney
Address 408 Bosley Avenue, Towson, Md. 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day

of April 1969, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of May 1969, at 11:00 o'clock

Zoning Commissioner of Baltimore County.

Description of property of
Esserweins, Incorporated

Beginning for the same at a railroad spike set on the north side of Joppa Road 70.03 feet wide, 285 feet West of Pleasant Plains Road, said point of beginning being on the first or North 0° 43' West 267.00 foot line of the land conveyed by Orchard Inn, Inc. to Esserweins Incorporated, by deed dated July 27, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3875, folio 534, at a point distant 233.20 feet from the end of said first line, and running thence binding on said north side of Joppa Road the two following courses and distances, viz: first North 81° 12' 25" East 21.33 feet and second North 81° 30' 53" East 101.66 feet to a pipe and to intersect the third line of said deed, thence binding reversely on part of the third all of the second, and part of the first line of said deed as now surveyed the three following courses and distances, viz: first North 80° 29' 07" West 233.09 feet to a pipe, second South 81° 30' 53" West 125.00 feet to a pipe and third South 80° 29' 07" East 233.20 feet to the place of beginning.

Containing 0.669 acres of land more or less.

Being part of the land conveyed by Orchard Inn, Inc. to Esserweins Incorporated, by deed dated July 27, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3875, folio 534.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 25, 1969

FROM: George E. Govey, Director of Planning

SUBJECT: Petition #69-238-A, Variance to permit 127 parking spaces for existing restaurant instead of the required 171 parking spaces. North side of Joppa Road 285 feet west of Pleasant Plains Road, Esserweins, Inc., Petitioners.

9th District

HEARING: Monday, May 5, 1969 (11:00 A.M.)

The staff of the Office of Planning and Zoning notes that the requirements for off-street parking in the Zoning Regulations are minimal and desirably should be exceeded. From a Planning viewpoint, increasing the intensity of use on the subject property without providing the parking could only add to the problems of congestion elsewhere. The petitioner should be required to satisfy his parking requirements elsewhere - possibly by the use of lease parking on adjoining tracts during evening hours.

GEG:am

BUREAU OF ENGINEERING
Zoning Plat - Comm.

231. Property Owner: Esserweins, Inc.
Location: N/S Joppa Rd., 285' W. of Pleasant Plains Rd.
District: 9th
Present Zoning: R-1
Proposed Zoning: Var. Sec. 409.2b (3) parking
No. Acres: 0.669

Since all adjacent roads are improved and all utilities exist, this Office has no further comment.

RGD:rw

N/S N.W. Key Sheet
37 N.E. 9 Position Sheet
N.E. 10 C 2001 Scale Topo

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

April 16, 1969

County Office Building
111 W. Chestnut Ave.
Towson, Md. 21204

George E. Govey
Director
John G. Rose
Zoning Commissioner

Thomas L. Hennessey, Esq.
408 Bosley Avenue
Towson, Maryland 21204

RE: Type of Hearing: Parking Variance
Location: N/S Joppa Rd., 285' W. of Pleasant Plains Rd.
9th District
Petitioner: Esserweins, Inc.
Committee Meeting of April 1, 1969
Item 231

Dear Sirs:

The enclosed departmental comments have been compiled at the direction of the County Administrative Officer. Their purpose is to make the Zoning Commissioner aware of any development problems or conflicts resulting from the petitioner's proposed development plan.

These comments represent facts and data assembled by qualified County employees and subsequently approved by their department heads. Those are materials for consideration by the Zoning Commissioner and can be expected to have a great bearing on his decisions.

Sincerely yours,

James E. Myers
Zoning Supervisor

JED:JD
Enc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 16, 1969

County Office Bldg.
111 W. Chestnut Ave.
Towson, Maryland 21204

Oliver L. Myers
Chairman

MEMBERS
BUREAU OF ENGINEERING
BUREAU OF TRAFFIC ENGINEERING
STATE ROAD COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Thomas L. Hennessey, Esq.
408 Bosley Avenue
Towson, Maryland 21204

RE: Type of Hearing: Parking Variance
Location: N/S Joppa Rd., 285' W. of Pleasant Plains Rd.
9th District
Petitioner: Esserweins, Inc.
Committee Meeting of April 1, 1969
Item 231

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a two story masonry restaurant known as Orchard Inn. The property immediately to the north of the site is improved with a golf driving range, the Orchard Swimming Pool, and a contractor's equipment storage yard. The property immediately to the south is improved with a Gulf Oil Company Service Station; a two story frame dwelling and a Little Tavern Hamburger Restaurant. The property to the east is improved with a furniture store and a Sunoco Service Station. The property immediately to the west is an unimproved place of property. To the west of this unimproved property are one and a half story frame cottages. Joppa Road at this location is presently improved with concrete curb and gutter. The existing parking area for the restaurant at the present time is paved with macadam and lined off for parking.

BUREAU OF ENGINEERING:

Since all adjacent roads are improved and all utilities exist, this office has no further comment.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

- Page 2 -

Thomas L. Hennessey, Esq.
408 Bosley Avenue
Towson, Maryland 21204
Item 231

April 16, 1969

BUREAU OF TRAFFIC ENGINEERING:

The Baltimore County parking regulations are minimum and any variance to this regulation is undesirable.

FIRE DEPARTMENT:

Owner shall be required to comply to all Fire Department regulations when plans are submitted for approval.

BUILDING ENGINEER'S OFFICE:

No comment from this office.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

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

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD
Enc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: April 3, 1969

FROM: PROJECT PLANNING DIVISION

SUBJECT: Zoning Advisory Agenda Item #231

April 1, 1969
Esserweins, Inc.
N/S Joppa Rd., 285' W. of Pleasant Plains Rd.

This plan has been reviewed and there are no site-planning factors requiring comment.

RWB:va

RICHARD B. WILLIAMS
Planner

6-23-70

6-23-70

