



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 4, 2001

Sydney M. Cohen
7203 Rockland Hills Drive, Apt. 204
Baltimore, MD 21209

Dear Mr. Cohen:

RE: Spirit and Intent, Case #71-239-A, 1430 Reisterstown Road, Baltimore, MD 212108, 3rd Election District

Your recent letter to Arnold Jablon, Director, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined:

1. This office considers variances available to support up to 100% of the existing building as a restaurant use at 20 parking spaces per 1000 square feet as still applicable to this location. The proposed multi-tenant uses that include a retail jewelry store, a beauty shop, and a restaurant are within the "spirit and intent" of the Baltimore County Zoning Regulations (BCZR), relative to the order and plan contained in the above referenced zoning case.
2. This "spirit and intent" approval is subject to any required change of occupancy permits, interior alteration permits, or other building permits. Contact the Permit Processing Office at 410-887-3900 in that regard.
3. If a permit is required, you must affix (stick-back) a copy of this letter on all plans submitted for review.
4. This "spirit and intent" approval applies to the zoning regulations (BCZR) and policies only and does not apply to regulations enforced by other County and State agencies.

Please prepare a red-lined hearing plan that clearly shows all changes from the original 1971 hearing plan including changes due to the existing and proposed tenant uses, changes in parking calculations, and changes to other zoning standards relevant to the property. The red-lined plan must include a signature block that states:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER IN ZONING CASE #71-239-A.

SIGNED BY _____ DATE _____

This red-lined plan will be recorded and made a permanent part of the zoning case file.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey N. Perlow".

Jeffrey N. Perlow
Planner II
Zoning Review

JNP

**Baltimore County Government
Department of Economic Development**



400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

To: Zoning Commissioner
Zoning Commissioner's Office

From: Andrea Van Arsdale *AVA*
Revitalization Director

Date: December 3, 2001

Re: Variance – Mr. Sydney Cohen (~~File Number 2001-159-A~~)

The Department of Economic Development supports the spirit of intent letter submitted by Mr. Sydney Cohen, property owner of 1430 Reisterstown Road. The spirit of intent letter requests a continuation of the original parking variance approved on March 24, 1971. Mr. Cohen is requesting that the original variance should carry over to allow 13 parking spaces for a restaurant in lieu of the required 27 parking spaces.

The subject property is located within the Pikesville Commercial Revitalization District, an area targeted by the County to receive assistance to promote economic development. The Department of Economic Development has been working with Mr. Cohen to attract a tenant to the vacant space. A possible tenant is close to signing a lease for the space, but would require a parking variance. By permitting the variance, the community and the County will realize a variety of benefits, including:

- strengthening the economic base of the community;
- improving the physical appearance of an important commercial area;
- attracting private investment;
- creating accessible employment opportunities for local residents; and
- generating new income and property tax revenue for the County.

Thank you for your time and attention to this important matter. If you have any questions, please call me at extension 2055.

CC: Sydney Cohen
CC: Peirce Macgill, Commercial Revitalization Specialist

01-4082

Wyer
11/29/01
[Signature]

November 27, 2001

Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Spirit of Intent – Verification Letter

To Whom It May Concern:

On March 24, 1971, the Deputy Zoning Commissioner of Baltimore County approved a petition for a parking variance for the property at 1430 Reisterstown Road, Baltimore, MD 21208 (File #71-239-A). At that time, the entire property (3,410 sq. ft.) was operated as a restaurant, and the variance was necessitated by the proposed addition of 2,000 sq. ft. to the existing building. After final revisions to the plan, the building consisted of 5,230 sq. ft., and under the zoning regulations at that time, it would have needed 108 parking spaces to continue operating as a restaurant, but only 31 parking spaces existed on the property. Therefore, I applied for a parking variance to permit the property's restaurant use with 31 parking spaces, and that variance was permitted.

Since the time of the original variance, the property has transformed from a single user into a multi-tenant, multi-use property. Currently, the property is leased to a jewelry store and a beauty salon with an additional 1,680 sq. ft. of space vacant. Many small restaurants have expressed considerable interest in leasing the available space, and one prospect in particular is entering into the lease stage of negotiations and will likely lease the space. By Code, the existing tenants would require 5 parking spaces per 1,000 sq. ft., which would leave any new tenant with a maximum of 13 available parking spaces. Under current zoning regulations, a restaurant would require 27 parking spaces.

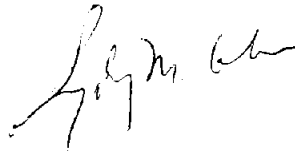
With the facts as stated above, I believe that the spirit of intent of the original parking variance should carry over to the current situation, and a restaurant use should be allowed at the property with 13 parking spaces. My reasons are as follows: (1) the original variance allowed the entire property to be used as a restaurant which meant that instead of requiring 108 parking spaces, it was required to have only 31; in the current situation, only 32% of the entire property will be used as a restaurant, which means that instead of a 77 parking space differential as the original variance entailed, this use will have only a 14 parking space differential. (2) The original variance dealt with a traditional sit-down restaurant; the current interest has come from sub/deli shops which have a large percentage of carryout business and whose sit-down customers stay for

Spirit of Intent – Verification Letter

only a short period of time. (3) The property is located in the heart of Pikesville in a Revitalization District where parking has always been thin; furthermore, the property's use as a restaurant in this location is firmly supported by the Baltimore County Department of Economic Development. For these reasons, I believe that a restaurant use in only a portion of the original building falls more than squarely into the spirit of intent of the original variance.

I appreciate your prompt attention in this matter and hope the situation can be definitively resolved as soon as possible. Enclosed you will find a check for \$40 to cover any processing fees. Please address all correspondence to Sydney Cohen at 7203 Rockland Hills Drive, Apt. 204, Baltimore, MD 21209.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sydney M. Cohen', written in a cursive style.

Sydney M. Cohen

SMC:rls

Enclosure

Cc: Mark Segall – Trout, Segall & Doyle LLC

Cc: Rodney Spies – Trout, Segall & Doyle LLC

Cc: Keith Barnett – KLNB, Inc.

Cc: Peirce Macgill – Baltimore County Department of Economic Development



ROSENBUH

Consultants,
Ltd.

GABRIEL W. ROSENBUH JR. P.O. BOX 10000 BALTIMORE, MD 21208
FAX 653 5019 • HAND

FAX INFO SHEET

TO: CARL RICHARDS, Office of zoning, Balto. County
FAX NUMBER: 887 5708
NUMBER OF PAGES: 2
SUBJECT MATTER: Permit # 165910 @ 1430 Reisterstown Rd.
DATE: 7-15-93 TIME: 4:25 p.m.
FROM: Gabe Rosenbush JR.

Dear Carl:

Here is the letter you requested be sent by Sydney Cohen the owner of 1430 Reisterstown Rd. This is the building wherein a permit to construct a deck is being requested.

I spoke to Arnold Jablon and he is expecting this letter and a review of the file.

Thanks in advance for your valued assistance in moving this project forward.

Warmest regards,

Gabe
Gabriel W. Rosenbush Jr.

PLEASE CONTACT SENIOR IMMEDIATELY IF LESS THAN THE
REQUIRE NUMBER OF PAGES ARRIVES,
OR IF TRANSMISSION ERROR OCCURS.

with base talks w/Arnold
7/15/93
To JFS - Check with w/o. Plan, fine me
approved and the d-m-tel
Cal



ROSENBUH

Consultants,
Ltd.

GABRIEL W. ROSENBUH JR. P.O. BOX 10000 BALTIMORE, MD 21208
FAX 653 5019 • HAND

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TO: CARL RICHARDS, Office of zoning, Balto. County
FAX NUMBER: 887 5708
NUMBER OF PAGES: 2
SUBJECT MATTER: Permit # 165910 @ 1430 Reisterstown Rd.
DATE: 7-15-93 TIME: 4:35 p.m.
FROM: Gabe Rosenbush JR.

Dear Carl:

Here is the letter you requested be sent by Sydney Cohen the owner of 1430 Reisterstown Rd. This is the building wherein a permit to construct a deck is being requested.

I spoke to Arnold Jablon and he is expecting this letter and a review of the file.

Thanks in advance for your valued assistance in moving this project forward.

Warmest regards,

Gabe
Gabriel W. Rosenbush Jr.

PLEASE CONTACT SENIOR IMMEDIATELY IF LESS THAN THE
REQUIRE NUMBER OF PAGES ARRIVES,
OR IF TRANSMISSION ERROR OCCURS.

SYDNEY COHEN
8 & H HEAVY
7203 Rockland Hills Rd. #201
Baltimore, Md. 21218
410 466-4694

July 15, 1993

Mr. Arnold Jablon
Executive Director
Baltimore County Office of Planning and Zoning
Towson, MD

Re: Permit B1-39410, Proposed Deck @ 1430 Reisterstown Road

Dear Sir:

I am writing to request that the attached revised site plan be approved to replace the site plan which accompanied the zoning variance for parking granted for my property in 1971. I feel the revised plan meets the spirit and intent of the original plan.

The original plan called for a 5230 s.f. restaurant, which would have required 104 parking spaces before the variance was granted reducing the required parking to 31 spaces. The revised plan shows the parking requirement has been reduced to 30 spaces, including the proposed deck, due to changes in use. I therefore request that the 1971 variance for 31 spaces be approved to cover the revised site plan.

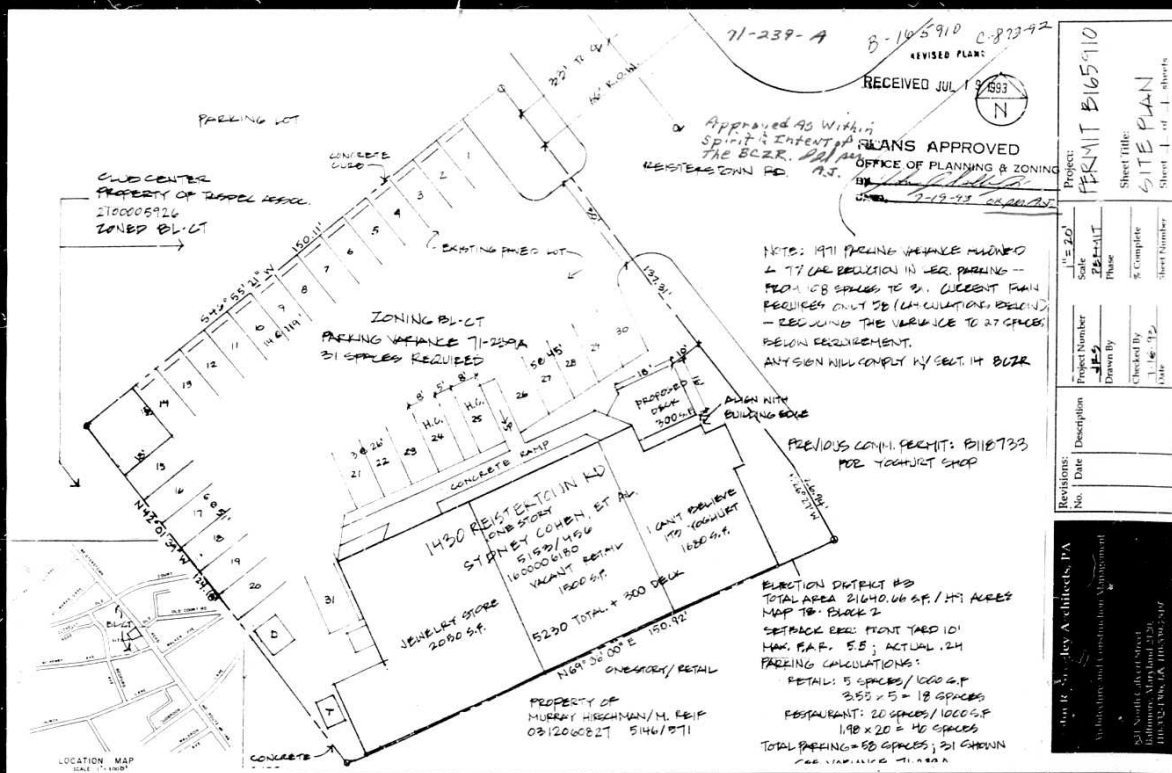
Sincerely yours,

Sydney Cohen
Mr. Sydney Cohen

OK Mr. A.J.

71-239-A

Microfilm with updated zoning plan



PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the undersigned, legal owner(s) 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 409.2 - D.3.

To permit 31 parking spaces instead of required 108 spaces

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

Existing building has been used as Inn since addition to building to house modern kitchen

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 be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Address: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Legal Owner: Sidney M. Cohen
Address: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Contract purchase: 111 W. Chesapeake Avenue, Towson, Maryland 21204

Address: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Protestant's Attorney: 111 W. Chesapeake Avenue, Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of February, 1971, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper 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 24th day of March, 1971 at 11:00 o'clock.

County of the 24th day of March, 1971 at 11:00 o'clock

Zoning Commissioner of Baltimore County.

(over)

71-239-A

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E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
301 COUNTRYLAND AVENUE
TOWSON, MARYLAND 21204

OFFICE 828-9300

RESIDENCE 771-4500

December 24, 1970

DESCRIPTION TO ACCOMPANY PLAT FOR
PETITION FOR PARKING VARIANCE

BEGINNING for the same at a point on the southwest side of Reisterstown Road at a distance of 81' from the intersection formed by the southwest side of Reisterstown Road and southeast side of Clovelly Road, said point being in the first or N34°33'W 140 ft. of the land which by deed dated May 19, 1965 and recorded among the Land Records of Baltimore County in SRR 4462 folio 047 was conveyed by Max Feldman and wife to Paul G. Stamas at a distance of 6.42 ft. from the end of said line, thence leaving the southwest side of Reisterstown Road S54°24'00"W 150.10 ft. to the northeast side of a 20' alley running thence and binding on the northeast side of the 20' alley S34°33'00"E 123.94 ft. thence leaving the northeast side of aforesaid alley N6°36'00"E 150.92 ft. to the southwest side of Reisterstown Road, running thence and binding on the southwest side of Reisterstown Road the two following courses and distances N26°27'W 26.54 ft. and N34°33'00"W 137.3 ft. to the place of beginning.

CONTAINING 0.96 acres of land more or less.
BEING the property of Paul Stamas and wife.



E. F. RAPHEL
Registered Professional
Land Surveyor No. 6

John A. Hargis, Esq.
Baltimore County Office of Planning and Zoning
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this _____ day of _____, 1970

Petitioner: Sidney M. Cohen

Petitioner's Attorney: John A. Hargis

Reviewed by:

Charles D. Hardisty
Zoning Commissioner

Chairman of the
Advisory Committee

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd
Date of Posting: March 6, 1971
Posted for: VARIANCE
Petitioner: Sidney M. Cohen
Location of property: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Location of Signs: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Remarks: 111 W. Chesapeake Avenue, Towson, Maryland 21204
Posted by: Charles D. Hardisty
Date of return: March 12, 1971

TELEPHONE 464-3438

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COUNTY HOUSE
TOWSON, MARYLAND 21204
DATE: March 4, 1971

TO: County Clerk
Baltimore County
111 W. Chesapeake Avenue
Towson, Md. 21204

FROM: Planning Dept. of Baltimore County

RE: Petition for Variance for Sidney M. Cohen, et al
#1-370-A

RECEIVED THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT \$25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

ORIGINAL

THE COMMUNITY TIMES
P.O. BOX 267
RANDALLSTOWN, MD. 21133
PHONE - 922-7500

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardisty, Zoning Commissioner of Baltimore County, was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for ONE WEEK, before the 6th day of March, 1971, that is to say, the same was inserted in the issue of March 4, 1971.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

PETITION FOR A VARIANCE OF DISTRICT

BOARDING: Petitioner for Variance for 108 Spaces Parking, 111 W. Chesapeake Avenue, Towson, Maryland 21204. Being the southwest side of Reisterstown Road at a distance of 81' from the intersection formed by the southwest side of Reisterstown Road and southeast side of Clovelly Road, said point being in the first or N34°33'W 140 ft. of the land which by deed dated May 19, 1965 and recorded among the Land Records of Baltimore County in SRR 4462 folio 047 was conveyed by Max Feldman and wife to Paul G. Stamas at a distance of 6.42 ft. from the end of said line, thence leaving the southwest side of Reisterstown Road S54°24'00"W 150.10 ft. to the northeast side of a 20' alley running thence and binding on the northeast side of the 20' alley S34°33'00"E 123.94 ft. thence leaving the northeast side of aforesaid alley N6°36'00"E 150.92 ft. to the southwest side of Reisterstown Road, running thence and binding on the southwest side of Reisterstown Road the two following courses and distances N26°27'W 26.54 ft. and N34°33'00"W 137.3 ft. to the place of beginning.

CONTAINING 0.96 acres of land, more or less.

Being the property of Sidney M. Cohen, et al, as shown on plat filed with the zoning department, Planning Dept. of Baltimore County, 111 W. Chesapeake Avenue, Towson, Maryland 21204, on March 4, 1971.

EDWARD D. HARDISTY
Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 9, 1971

Louis J. Segner, Esq.
Suite #440, Tower Building
Baltimore, Maryland 21202

RE: Type of Hearing: Variance
Location: 301 S Reisterstown Rd., B1 SE of Clovelly Road
Petitioner: Sidney M. Cohen
Committee Meeting of January 26, 1971
3rd District
Item 105

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 the Old Court Inn restaurant, with surrounding properties being commercial in character, with the exception of the properties on the westernmost outline. This is developed with a residential dwelling. However, the rear looks like it's a cutting area for a stone mason or bricklayer. Reisterstown Road in this location is improved with concrete curb and gutter.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Reisterstown Road (U.S. 140) is a State road; therefore, all improvements, intersections and entrances on this road will be subject to State Road Commission requirements.

The alleyway adjacent to the site is for residential use only. Therefore, the petitioner shall provide means to prevent ingress or egress of vehicular traffic.

Louis J. Segner, Esq.
Item 105

February 9, 1971

Storm Drains:

Reisterstown Road (U.S. 140) is a State road; therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water and Sanitary Sewers:

Both public water supply and sanitary sewerage are available to serve this property.

DEPT. OF TRAFFIC ENGINEERING:

The plan as shown is not satisfactory, since it would be impossible to get a vehicle into space #28.

At the present time, there are 40 parking spaces on the site and each space is used during peak periods. A reduction in the number of parking spaces or a variance to parking can only compound the parking problem.

HEALTH DEPARTMENT:

The proposed addition must comply with the regulations required by the Division of Food Control, Baltimore County Department of Health.

Air Pollution Control:

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

BOARD OF EDUCATION:

No bearing on student population.

Louis J. Segner, Esq.
Item 105

February 9, 1971

STATE ROAD'S COMMISSION:

The proposed roadside curb at the subject site must be 28' from the center line of Reisterstown Road at the north property line and thence to the existing curb near the south property line. The aforementioned dimension scales 21' on the plan.

There are two large utility poles fronting the site that would have to be relocated.

The entrances must be depressed curb type, must be at 90° to the road and must maintain a minimum width of 20' at least to the right of way line.

The plan must ultimately be revised.

The entrances will be subject to State Road's Commission approval and permit.

FIRE DEPARTMENT:

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

ZONING ADMINISTRATION DIVISION: This office is withholding a hearing date on the subject site until such time as petitioner revised his plan in accordance with the State Road's Commission and Department of Traffic Engineering comments in the foregoing. Also, when the site plan is revised the petition must reflect any change in the request for parking.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JO

Enc.

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 4, 1971.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on one time, before the 24th day of March, 1971, that is to say, the same publication appearing on the 14th day of March, 1971.

THE JEFFERSONIAN
S. Leach, Jr., Manager

Cost of Advertisement: \$

05-14-71

71-239-A

Pursuant to the advertisement, posting of property, and public hearing on the above petition

and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and and unreasonable hardship upon the petitioner and a variance to Sec. 409.2 - b 3 would give relief without substantial injury to the public health, safety or general welfare of the locality involved, a variance to permit 31 parking spaces instead of the required 108 spaces, should be Granted.

~~the above Variance should be hereby and it further appearing that by reason of~~

~~XXXXXX~~ Deputy

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24th day of March, 1971, that the herein Petition for a Variance should be and the

same is granted, from and after the date of this order, to permit 31 parking spaces instead of the required 108 spaces should be GRANTED, subject to approval of the site plan by the State Roads Commission, Bureau of Public Works and the Office of Planning and Zoning.

[Signature]
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition

and it appearing that by reason of

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

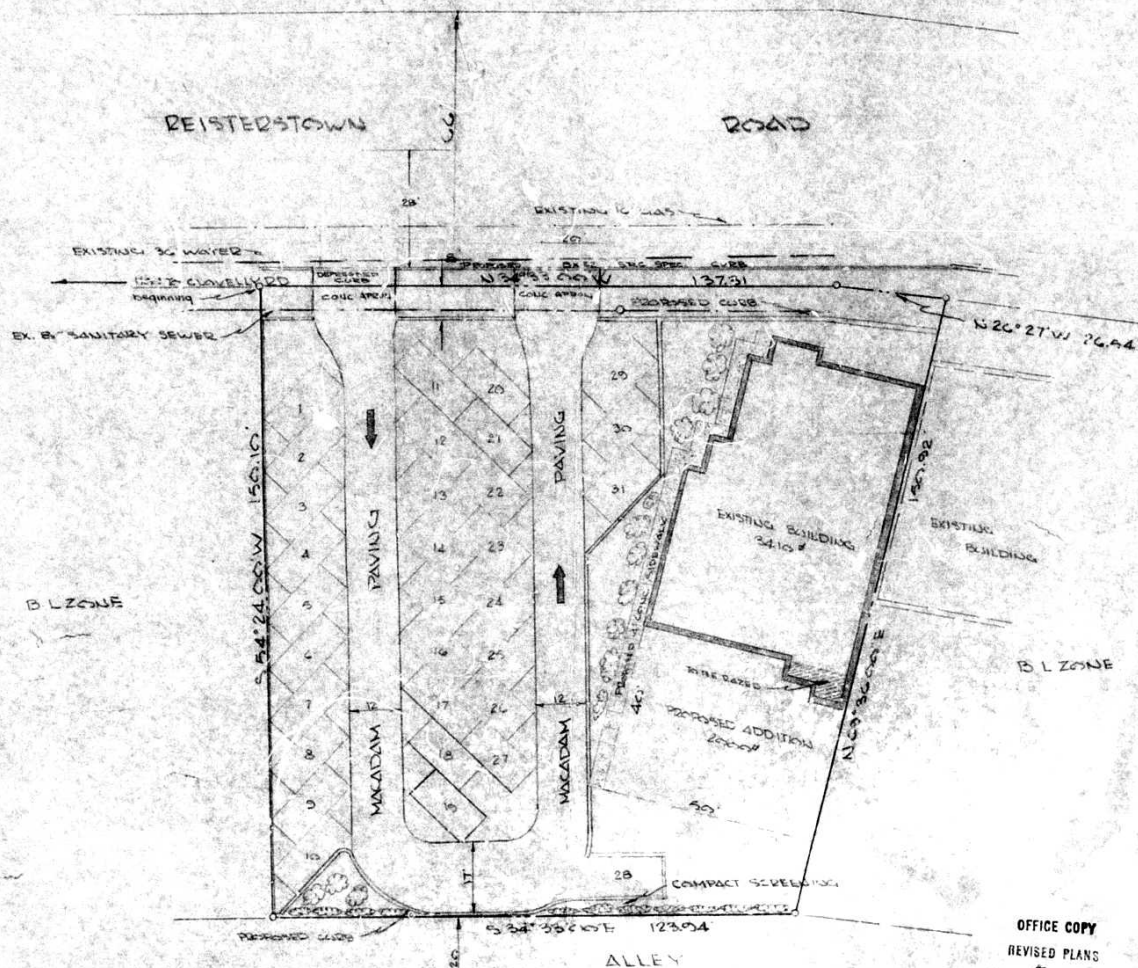
ORDER RECEIVED FOR FILING

DATE 3/24/71
BY J.C. HARRIS

71-239-A

SIDNEY W. COHEN, et al
SM/S of Reisterstown Road Bldg
3rd
#71-239-A

MICROFILMED



VARIANCES:

- 1 TO PERMIT 33 PARKING INSTEAD OF 2000 (100).

GENERAL NOTES:

1. AREA OF PROPERTY ———— 0.496 AC.
 2. EXISTING USE ———— RESTAURANT
 3. PROPOSED USE ———— ADDITION
 4. EXISTING ZONE ———— B L ZONE

PARKING NOTES:

1. EXISTING BUILDING ———— 2410 sq. ft.
 2. PROPOSED ADDITIONS ———— 2000 sq. ft.
 3. EXISTING ———— 1 PER 50' 65
 4. ADDITION ———— 1 PER 50' 40
 TOTAL 100% ———— 31

THIS PLAN WAS PREPARED BY

E.F. RAPHAEL & ASSOCIATES

REGISTERED PROFESSIONAL LAND SURVEYORS

201 COLUMBIA AVENUE

TOWSON, MARYLAND 21204

PLAT TO ACCOMPANY PARKING VARIANCE
OLD COURT INN

3RD ELECTION DISTRICT

SCALE 1" = 20'

BALTIMORE CO., MD.

DECEMBER 14, 1970

REV. PER COMMENTS 12-16-70

OFFICE COPY
 REVISED PLANS

705

FR 2671 JH

