

KATHERINE A. KLAUSMEIER County Executive

C. PETE GUTWALD, AICP Director, Department of Permits, Approvals and Inspections

July 29, 2025

Jason Vettori Smith Gildea & Schmidt, LLC 600 Washington Avenue Suite 300 Baltimore, Maryland 21204

RE:

Spirit and Intent Request 2013-0171-SPHXA & 1971-0269-SPH

Zaxby's

2027 York Road

8th Election District, 3rd Council District

Mr. Vettori,

This refers to your letter to Mr. Jeff Perlow, Chief of Zoning. Your letter stated that your client would like to confirm that the relief granted in Zoning Cases 2013-0171-SPHXA and 1971-0269-SPH is still applicable in relation to the opening of a new Zaxby's fast-food restaurant, and that Zaxby's use will fall within the original spirit & intent of the previous zoning cases.

Based upon the Final Orders of cases 2013-0171-SPHXA and 1971-0269-SPH, the provided preliminary red-lined plan of the property and the current zoning of the property, the Zoning Office has determined that the use of the property as a fast-food restaurant with drive-thru is a permitted use by right in the BL zone. As such, the previous Special Exception relief for a drive-in restaurant is no longer necessary. The Zoning Office has further determined that RTA concerns will not need to be readdressed, and that the modified parking plan granted via Use Permit in case 1971-0269-SPH is still valid. Overall, the Zoning Office agrees that your proposed use of the property falls within the spirit & intent of the previous orders.

Please be advised that this letter does not constitute approval of the submitted red-lined plan. The Zoning Office will perform a full review of the plan during the permitting process.

This letter is strictly limited to the application of the BCZR as applied to the Spirit & Intent request presented in your letter, and does not represent verification or approvals for any other Local, State or other Regulations that may apply to this property.

Sincerely,

(JSS25-0788)

Jason Seidelman Zoning Review

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we <u>/Crowther.dec'd.</u> legal owner_of the property
situate in Baltimore County and which is described in the description and
plat attached hereto and made a part to describe property
Hearing Under Section 200.7 owner.

C determine whether or not the Zoning Commissioner and/or Deputy Zoning

Commissioner should approve off street parking in a residential zone

_____(DR-5-5

See attached description

Petitioner's Attorney

Property is to be posted and advertised as prescribed by Zoning

Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, letc., upon filing of this jettiton, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted marsuant to the Zoning Law for Baltimore County.

P. R. I Toods, Inc.

Saunders M. Almond, Jr., Trustee of the Estate of Samuel T. Crowther, dec

the Estate of Samuel T. Crowther, dec'd.

Paul Baacs, Presiden

Address Jenifer Building, Townen, Md.

Protestant's Attorney

269

ESTATE OF SANUEL T. CROWTHER North side of Belfast Rd. 221 ft. East of York Rd.

V

ORDERED By the Zoning Commissioner of Baltimore County, this 13th owners by cut coming commissioner of materials country from the advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be permit and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of 1967. at_1:00_o'clock_____PLM

RE

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 26, 1971

Saunders M. Almond, Jr., Esq. Jenifer Building Towson, Ma. yland 2120

RE: Type of hearing: Special Mearing Location: E/S Tork Md., Opp. Sew Mill Avo. Location: Sunders M., Almond, Trustee for Estate of S. T. Crowther Committee Meating of April 13, 1971 Bth District Item 140

B1.8.

to Maria and

PRO11-1

The Zoning Advisory Committee has reviewed the plans substitted with the above referenced satisfies and has made an on site field inspection of the property. The following commits are a result of the review and inspection.

commits are a result of the review and inspection.

The subject property is presently improved with a deciling, with the property to the west improved with a Psy. Regers beef carryout restaurant. The property to the cast is reproved with residences, the property to the south improved with a trailer perky the property to the morth improved with a trailer perky the property to the morth improved residences. Belfast Road in this location is not improved insofar as concrete curb and gutter are concerned when the property the property in the borders the Roy Rogers carryout restaurant is improved insofar as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

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

York Road (ND, 45) is a State road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Compission requirements.

Refers hand, an existing County rend, is precosed to be improved as a fol-foot closed-type highesy cross-section within a fol-foot reject-of-say. Highesy represents, including highesy reject-of-say, widening, will be required in constitutions to add that any such permit ray be the provided by the section of the say such permit ray be the section of the say such permit ray be the section of the

March 24, 1971

BEGINNING for the same at a point on the north side of Belfast Road at a distance easterly 221 ft. : from the intersection formed by the north side of Belfast Road and the east side of York Road running thence and binding on the north side of Belfast Read N88°45'30"% 50.00 ft. thence leaving the north side of Belfast Road K1*14*10"E 150.00 ft. therce \$88*45.30"E 50.00 ft. thence S1*14*30"W 150.00 ft. to the place of beginning.

CONTAINING 7500 square feet more or less.



Saunders M. Almond, Jr. Esq.

Water and Sanitary Sewers

DEPARTMENT OF TRAFFIC ENGINEERING:

of this property (B.L.O. 53-69), as set forth in Public Works Agreement 86901. He is further advised to consult with the Chief of the Beltinore County Bureau of Public Services in regard thereto.

The entrance locations are subject to approval by the Department of Traffic Engineering. Entrances along Belfast Road shall be constructed in accordance with Baltimore County Standards.

Provisions for accommodating storm water or drainings have not been indicated on the submitted plan.

As York Road is a State road, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission,

The Patitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or dimages 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 derimage facilities, would be the full responsibility of the Patitioner.

Both public water supply and sanitary sewerage are available and are serving the present restaurant.

The Petitioner shell be responsible for the costs of capping the existing water main service connection and plugging the existing fanitary sever house connection for the adjoining property on the east (dwelling razed, or to be razed).

The plan as shown appears to be satisfactor, provided that the 12 foot drive to the morth of the existing building is swrked and signed One kay. The open area in front of the patic evy create problems, on site, for the developer and possibly be closed.

The existing entrance channelization at the subject site is acceptable to the State Roads Countingion.

April 26, 1971

ZORDIO Perilian for Special Bearing for Orditred Parking in a
Residential Zone.
LOCATION: North inde of Residential
Read (2) feet more ev loss, Zone
of York Band.
1975 1181 P. Benday, May
1975 1181 P.
1975 1181 P.

CERTIFICATE OF PUBLICATION

Tims IS TO CERTIFY, that the annexed advertisement was day of May , 19.21, the most publication appearing on the 6th day of May

YOWSON, MD ... May 6.

G. Leank Strictor

Cost of Advertisement, \$.

TOWSON IMES TOWSON MD 21204

THIS IS TO CERTIFY, that the annexed advertise Edward D. Hardesty Zoning Commissioner of Haltimore County

was inserted in THE TOWSON TIMES, a weekly newspaper published in Balumore County, Maryland, once a week for one

weeks before the 10thday of Kay serted in the issues of May 6, 1971.

STROMBERG PUBLICATIONS, Inc.

By Buth Morgan

1 Sign

CERTIFY'ATE OF POSTING

Date of Posting May 6 1971 Potted for Showing Monday May 2.4.2 18.21. 6. 1. 20 Self march Location of property M/S # Bufford Round 271' East of MIL RA

Location of Signs D. Rostel on Corner of Ind When Sprating House Strates appray 221 Earl of Jak Rd on Buffeel Leb

Posted by Mark K. Hass Date of return: 1944 13. 1971.

#71-264-5PH

BALTIMORE COUNTY, MARYLANY Nº 81230 OFFICE OF FINANCE

COURT HOUSE

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO OFFICE OF FINANCE, REVENUE DIVISION

Since this petition is for additional parking, no health hazards are anticipated. ZONING ADMINISTRATION DIVISION:

No bearing on student population.

Seunders M. Almond, Jr., Esq. Item 149 Page 3

BUILDINGS ENGINEER'S OFFICE:

BOARD OF EDUCATION:

HEALTH DEPARTMENT:

The petitioner will be required to submit revised plans to this ce prior to the hearing. The notes as required by Section 409,44 2h be indicated on this revised plan.

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and regulations when plans are submitted, Also, see Parking Lots, "Section (409,10H".

This petition is accepted for filing on the data of the enclosed filing certificate. Notice of " hearing date and ties, 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. Mour X Ligar OLIVER L. MYERS, Chairman

April 26, 1971

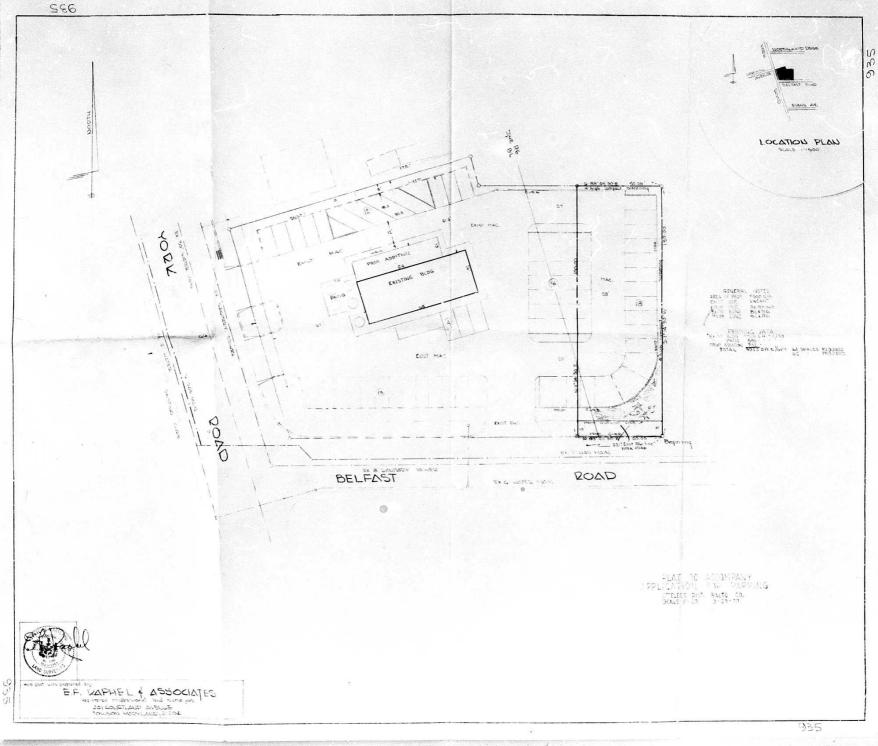
County Office Building

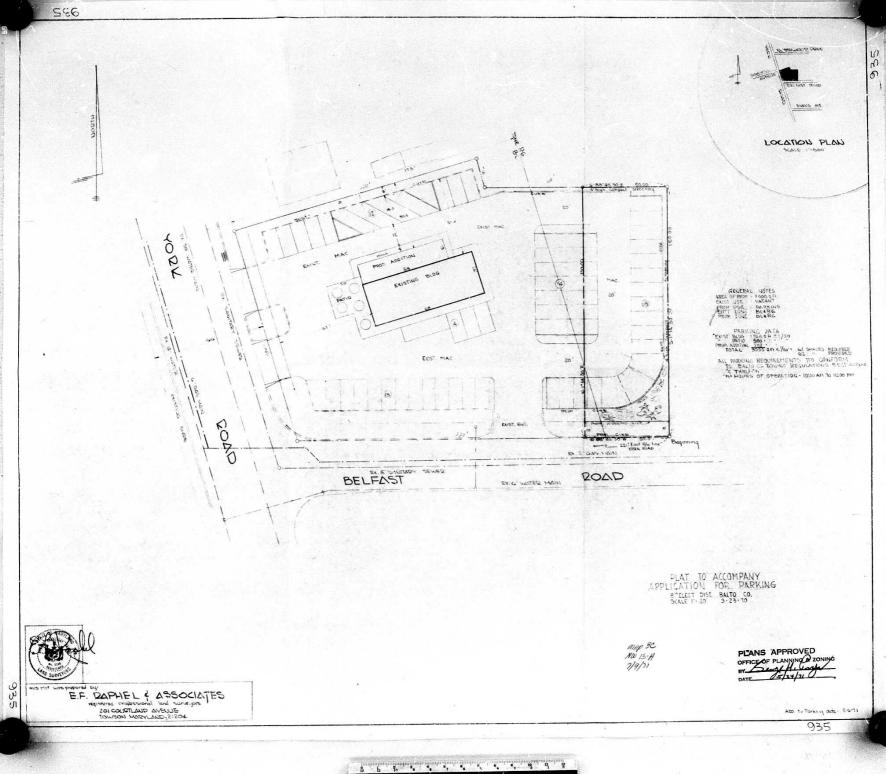
Your Petition has been received and accepted for filing this

Pursuant to the advertisement, posting of property, and public	
bearing on the shows metition and it appearing that by reason of the	
following finding of facts that the nubric health, safety and general welfare of	ſ
the locality involved not being adversely affected.	
the locality involved not being adversed, and read	
	_
the above Special Hearing for Off-Sixect Parking in a Residential LOBE-IRLE- cordance with the plat dated March 23, 1970, revised May 6, 1971, and approved by the control of the Control	V.
Man 24 1971 by George H. Pryot. II. Assistant Chief of the Processing year	٠
having been filed as Exhibit "A" in this processor was a second of the contract of the contrac	cox
reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted, reference hereto as a part of this Order, should be granted.	8
2 day of, 196.71, that the herein Petition for	
Special Hearing should be and the same is Granted, from and after the	
date of this 3rder, to permit Off-Street Parking in a Residential Zoro, subject	
to the approval of the site plan	_
who Bareau of Public Services Zoning Commissioner	
and the Office of Planning and Zoning	
Parsuant to the advertisement, posting of property and public	
bearing on the above petition and it appearing that by reason of	-
- Inches - I	-
	-
4 1	-
the above Special Hearing should NOT BE GRANTED.	
YO AS	hi
IT IS ORDERED by the Zoning Commissioner of Baltimore County, t	
day of, 1, _, that the above Special Hearing be	
and the same is hereb/ DENIED.	

MICROFILMED

Zoning Commissioner of Baltimore County







20 EXIST MAC TAOK EXISTING (8) PARKING DATA
PLUS TRUS THE BATE / SOPROF PAIDS
PROF P EXIST MAC DONO BELFAST ROAD EXIC WATER HANS

PLAT TO ACCOMPANY

APPLICATION FOR PARKING

BELLET DIST. BALTO CO.

SCALE 11-40 3-23-70

PLANS APPROVED #71-269-SA

Also to Parking data - Fig. 71

955

LOCATION PLAN

935