



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 3, 1998

Heilig-Meyers Furniture Company
c/o McGuire, Woods, Battle & Boothe, LLP
One James Center
901 East Cary Street
Richmond, VA 23219-4030

ATTENTION: Kay T. Eaves

RE: Zoning Verification
809 North Point Road
Heilig-Meyers Furniture Company
Zoning Case #71-284-A
15th Election District

To Whom It May Concern:

In response to a letter from Kay Eaves of McGuire, Wood, Battle & Boothe, LLP, the following information has been determined. The property known as 809 North Point Road, and identified by the tax account number 16-00-004487 is currently zoned B.L.-A.S. The B.L.-A.S. zone supports the use of a retail furniture store as of right.

A search of the old zoning case files has revealed that this property was subject in zoning case 71-284-A. I have enclosed microfilm prints for your use. The zoning variance allowed for 38 parking spaces in lieu of the required 145 spaces and a rear yard setback of zero feet in lieu of the required 10 feet. A building permit was issued under permit 32066, C-762-71. This application approved a smaller building that did not need to use the rear yard variance request. The approved site plan shows a layout for 38 parking spaces in accordance with the Deputy Zoning Commissioner's order dated July 28, 1971.

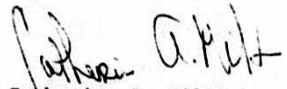
The as-built site plan that accompanied your request indicated only 32 or 34 spaces (it was unclear to me whether the 2 handicapped spaces were included in the count on the row marked 17 spaces). This would indicate non-compliance with an approved site plan and zoning case 71-284-A. It appears that when the owner tried to accommodate the 2 handicapped spaces, the required width eliminated some of the required parking. This deficiency can only be corrected with a special hearing to amend zoning case 71-284-A or a new variance.

The building's setbacks are in accordance with zoning case 71-284-A and/or Section 232 of the Baltimore County Zoning Regulations. This office recognizes that this property is a separate lot of record and no further steps are necessary to comply with Division 2 of the Baltimore County Code (subdivision regulations).

Heilig-Meyers Furniture Company
c/o McGuire, Woods, Battle & Boothe, LLP
February 2, 1998
Page 2

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,


Catherine A. Milton
Planner II
Zoning Review

CAM:rye

c: zoning case 71-284-A

Enclosure





Baltimore County
Department of Permits and
Development Management

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

October 5, 1998

Heilig-Meyers Furniture Company
c/o McGuire, Woods, Battle & Boothe LLP
One James Center
901 East Cary Street
Richmond, VA 23219

Attention: Ashley E. Harwell, Esquire

To Whom It May Concern:

RE: 809 North Point Road, Zoning Case #71-284-A, 15th Election District

The property known as 809 North Point Road, and identified by tax account number 16-00-004487, is currently zoned B.L.-A.S. The B.L.-A.S. zone supports the use of a retail furniture store as of right.

A search of the old zoning case files has revealed that this property was the subject in zoning case number 71-284-A. I have enclosed microfilm prints for your use. The zoning variance allowed for 38 parking spaces in lieu of the required 145 spaces and a rear yard setback of zero feet in lieu of the required 10 feet. A building permit was issued under permit number 32066, C-762-71. This application approved a smaller building that did not need to use the rear yard variance request. The approved site plan shows a layout for 38 parking spaces in accordance with the Deputy Zoning Commissioner's order dated July 28, 1971.

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Heilig-Meyers Furniture Company
October 5, 1998
Page 2

Requests for copies of occupancy permits are handled through the Buildings Engineer. A check with this agency indicates that the original occupancy permit is no longer in Baltimore County's records; occupancy permits are purged from records after approximately 5 years.

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.

Very truly yours,

CAM
Catherine A. Milton
Planner II
Zoning Review

CAM

Enclosure

c: Zoning Case #71-284-A

BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT		No. 058730	
DATE 9/17/98	ACCOUNT 001-6150	PAID RECEIPT	
AMOUNT \$ 40.00 (CAM)		PROCESS DATE 9/21/98 9:51 AM 16:11:17	
RECEIVED FROM McGuire Woods Battle & Boothe		PER 1596 CASHIER NAME MSU DOMER 6	
FOR VERIFICATION #98-3726		5 MISCELLANEOUS CASH RECEIPT	
809 Northpointe Road		PRODUCT # 046320 (FLH)	
DISTRIBUTION		CASHIER'S VALIDATION	
WHITE - CASHIER	PINK - AGENCY	YELLOW - CUSTOMER	

McGUIRE WOODS
BATTLE & BOOTHE LLP

One James Center
901 East Cary Street
Richmond, Virginia 23219-0050
Telephone/TDD (804) 775-1000 • Fax (804) 775-1061
Direct Dial: (804) 775-1370
Direct Fax: (804) 698-2240
asharwei@mbb.com

September 14, 1998

BY FEDERAL EXPRESS

Mr. Arnold Jablon
Director of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Heilig-Meyers, 809 Northpointe Road

Dear Mr. Jablon:

This firm represents Heilig-Meyers Furniture Company. In connection with the refinancing of the property, we have been requested to confirm the zoning applicable to the property located in the County of Baltimore, Maryland.

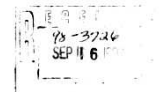
I would appreciate receiving your response in writing via telecopier followed by a hard copy. Closing on the refinancing of this property is scheduled shortly so we would appreciate having your response by September 23, 1998. For your convenience, I have enclosed a draft confirmation letter regarding the zoning of the property. I have also enclosed a copy of a prior zoning letter received of your office earlier this year, as well as your \$40.00 fee for the letter.

We have also been requested to obtain a copy of the certificate of occupancy for this property. Please include this document with your response.

Should you have any questions, please call me.

Very truly yours,
Ashley E. Harwell

AEH/seg
Enclosures
cc: Edmund S. Pittman, Esquire



Come visit the County's Website at www.co.ba.md.us

www.mbb.com
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71-354 A PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: and The Moffett Corporation, Contract Purchaser/Realty Company
I, or we, Reliable Stores, 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.

herby petition for a Variance from Section 409.2(b) (6) to permit 30 parking spaces instead of 145, and Variance from Section 232.1 to permit rear yard setback from the street right-of-way line instead of 10',

pursuant to Section 307 of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (Indicate hardship or practical difficulty) The lot shown on the plat attached hereto lies between two major arterials and having existing B-1 uses on both sides, with access to the main artery over an easement area used in common with others. Practical utilization of the land for the proposed retail furniture use requires placement of improvements along the proposed right-of-way line after provision for future widening of North Point Road. Ingress and egress will be provided to North Point Boulevard over easement area as presently paved. Setback and parking on North Point Road side would be difficult and needless with all vehicular movement planned for opposite side. The number of employees and visitors per 100 square foot is lower for a furniture store than for normal retail uses.

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.

RELIASTORE STORES CORPORATION THE MOFFETT REALTY COMPANY
By: Oliver L. Myers By: Oliver L. Myers
J. H. Peapack, Contract Purchaser J. H. Peapack, Legal Owner
Address: 3002 Druid Park Drive Address: Sun Life Building, Balto., Md. 21201
Baltimore, Maryland 21215
Robert L. Weinberg, Petitioner's Attorney
Weinberg and Green
Address: 10 Light Street, 20th Floor
Baltimore, Maryland 21202

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of June, 1971, 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 23rd day of June, 1971, at 11:00 o'clock.

11:00 AM
6/23/71
17-10-71

MCA MATZ, CHILDS & ASSOCIATES, INC. CONSULTING ENGINEERS
1000 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/623-0600

DESCRIPTION

0.98 ACRE PARCEL, NORTHEAST SIDE OF OLD NORTH POINT ROAD, SOUTH-EAST OF EASTERN BOULEVARD, FIFTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for Yard Variance and Parking Variance in a "B-1" Zone.

Beginning for the same at a point on the northeast side of Old North Point Road, at the distance of 2200 feet, more or less, as measured southeasterly along said northeast side of Old North Point Road from its intersection with the center line of Eastern Boulevard, said beginning point being at the end of the fifth or S 21° 18' 15" W 179.85 foot line of the land conveyed to Ab-Glo Associates by deed recorded among the Land Records of Baltimore County in Liber O.T.G. 4514, page 102, running thence binding on said northeast side of Old North Point Road two courses: (1) S 70° 50' 45" E 108.12 feet, and (2) S 69° 43' 45" E 132.87 feet, thence binding on a part of the fifth or N 19° 47' 03" E 308.73 foot line of the land conveyed to Stephen G. Heaver and wife by deed recorded among said Land Records in Liber O.T.G. 4717, page 313, (3) N 19° 47' 03" E 179.73 feet, thence along the sixth line of the easement containing 0.332 of an acre of land and described in said deed, (4) N 70° 12' 57" W 117.36 feet, thence binding on the fourth and fifth lines of the

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Planning • Reports

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 1, 1971

Robert L. Weinberg, Esq.,
Weinberg and Green
10 Light Street, 20th Floor
Baltimore, Maryland 21202

RE: Type of Hearing: Variance
Location: N/S North Point Blvd.,
750' E of Eastern Blvd.
Petitioner: The Moffett Realty Corp.
Committee Meeting of May 4, 1971
15th District
Item: 157

Dear Sir:

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 a vacant tract of land, with the properties to the west, north and east all improved with commercial uses. The property to the south is improved with dwellings. Old North Point Road in this location is not improved for use as a concrete curb and gutter are provided, however, North Point Blvd. is.

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.

Highways:

Old North Point Road (Md. 20) and North Point Boulevard (Md. 151) are State Roads. Therefore, all improvements, intersections and entrances on these roads will be subject to State Roads Commission requirements.

North Point Road must be protected by construction of a retaining wall, or the proposed building must be designed to provide the required support for the road.

Robert L. Weinberg, Esq.
Item 157
Page 2

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Storm Drains:

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

Old North Point Road (Md. 20) and North Point Boulevard (Md. 151) are State Roads. Therefore, drainage requirements as they affect these roads 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 Sewer:

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

The Petitioner is advised of the relatively high invert elevation out of the existing 8-inch sanitary sewer at Inchoke 3503 (E1, 75.63). See Drawing 855-527 (1).

Department of Traffic Engineering:

The subject petition is requesting a variance to permit 30 parking spaces instead of the required 145. This appears to be extreme and is considered very undesirable to allow this variance.

Also the plan does not show how access is to be gained to the 14 spaces along the side of the building.

Robert L. Weinberg, Esq.
Item 162
Page 3

BUILDINGS ENGINEER'S OFFICE:

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

FIRE PREVENTION BUREAU:

Fire hydrants for proposed site are required and shall be in accordance with Baltimore County Standards.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1957 edition, and the Fire Prevention Code when construction plans are submitted for approval.

BOARD OF EDUCATION:

No bearing on student population.

STATE ROADS COMMISSION:

The existing curb and gutter at the entrance on Old North Point Road must be extended along the frontage of the site.

The proposed building will be against or into a high steep bank along Old North Point Road. It appears that a retaining wall will be necessary. See note to this effect should be indicated on the plan.

The plan should be revised prior to a hearing date being assigned.

ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans prior to the hearing indicating the items that were commented on by the State Roads Commission, Department of Traffic Engineering, and Bureau of Engineering.

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

ELMJD
Enc.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15
Posted for: Henry W. d. Jones
Petitioner: The Moffett Realty Co.
Location of property: N/S of Old North Point Rd. 2200'
Location of Sign: 1 Sign - Road along side of N. Pt. Rd. behind City of Balto. on N. Pt. Rd.
Remarks: Must be New
Posted by: Paul H. New
Date of Posting: June 3-21
Date of return: 6/11/71

land first herein mentioned two courses: (5) N 70° 12' 57" W 118.85 feet, and (6) S 21° 18' 15" W 179.85 feet to the place of beginning.

Containing 0.98 of an acre of land, more or less.

HGW:mp1 J.O. #71024 April 13, 1971

TELEPHONE 484-2413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

TO: Robert L. Weinberg and Green
10 Light Street
Baltimore, Md. 21202

DATE: June 1, 1971

RETURN THIS PORTION WITH YOUR REMITTANCE

DEBIT TO ACCOUNT NO. 81-422

QUANTITY 1

UNIT PRICE 25.00

TOTAL AMOUNT 25.00

Position for Variance for Moffett Realty Co.
#71-354-A

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

TELEPHONE 484-2413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

TO: Reliable Stores Corp.
3002 Druid Park Drive
Baltimore, Md. 21202

DATE: July 23, 1971

RETURN THIS PORTION WITH YOUR REMITTANCE

DEBIT TO ACCOUNT NO. 81-422

QUANTITY 1

UNIT PRICE 25.00

TOTAL AMOUNT 25.00

Advertising and posting of property for The Moffett Realty Co. #71-354-A

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



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 strict compliance with Sec. 409.2 (b)(6) would result in practical difficulty and unreasonable hardship and the requested variance would give relief without substantial injury to the public health, safety and general welfare, a variance to permit 38 parking spaces instead of the required 145 spaces; and a rear yard of zero feet from the street right-of-way instead of the required 10 feet, should be Granted.

Wherefore it is requested that the above petition be granted.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 28th day of July 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 38 parking spaces instead of the required 145 spaces and rear yard of zero feet instead of the required 10 feet from the street right-of-way. The site plan is subject to approval of the State Roads Commission, Bureau of Public Works and Office of Planning & Zoning. 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 28th day of July 1971 that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

MICROFILMED

NOTICE OF VARIANCE
Baltimore County, Maryland
The undersigned, Robert L. McHenry, Esq., Attorney and Counsel for The Jeffers Realty Co., Inc., do hereby certify that the following is a true and correct copy of the petition for a variance from the provisions of the Zoning Ordinance of Baltimore County, Maryland, as amended, filed with the Zoning Commission of Baltimore County, Maryland, on June 11, 1971, and that the same is being filed for the purpose of being published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on or before the 23rd day of July, 1971, the first publication appearing on the 23rd day of July, 1971.

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 11, 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 or before the 23rd day of July, 1971, the first publication appearing on the 23rd day of July, 1971.

THE JEFFERSONIAN
By Frank A. Smith
Manager.

Cost of Advertisement \$

MICROFILMED

Robert L. McHenry, Esq.,
Attorney and Counsel
10 Light Street, 20th Floor
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 N. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

day of July, 1971

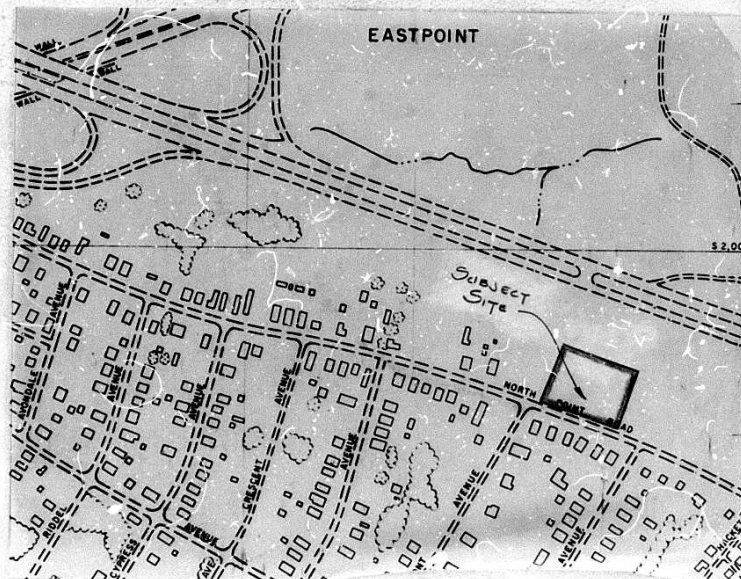
Edward D. Hardisty
Zoning Commissioner

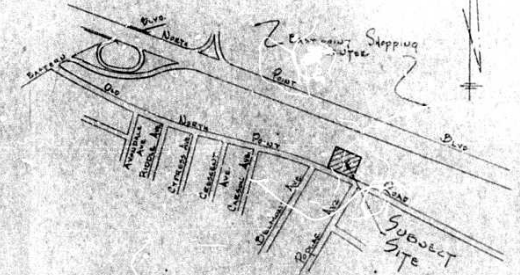
Petitioner: The Jeffers Realty Corp.

Petitioner's Attorney: Robert L. McHenry

Reviewed by: Charles A. Myers
Chairman of the
Advisory Committee

MICROFILMED





JUN 25 '71 AM

☐ Aard
☐ Bree
☐ Ward
☐ Eard
☐ Oard

ZONING DEPARTMENT

By _____

PLAT TO ACCOMPANY PETITION
FOR
YARD & PARKING VARIANCE
VICINITY
OLD NORTH POINT RD & BELMONT AVE
ELECTION DISTRICT
SCALE 1"=50'
BENTON COUNTY, MO.
April 2, 1971

