

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

JUL 19 1971

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **THE MOFFETT REALTY COMPANY**, 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 409.2 of the Zoning Regulations to allow 70 parking units instead of the required 71 units.

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 the parking space requirements would cause practical difficulty as well as unreasonable and undue hardship, and the modification hereunder as submitted pursuant to the provisions of Section 409.2 of the Zoning Regulations.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. If 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.

THE MOFFETT REALTY COMPANY
by: *[Signature]*
Contract purchaser
Address: 22 Light Street
Baltimore, Md. 21202
James D. Nolan, Esq.
204 W. Pennsylvania Avenue
Towson, Maryland, 21204
Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of August, 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 through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of October, 1971, at 10:30 o'clock.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1000 Fremont Bridge Rd., Baltimore, Md. 21204, Tel. 301/923-0000

DESCRIPTION

0.9151 ACRE PARCEL, SOUTHWEST SIDE OF NORTH POINT BOULEVARD,
SOUTHEAST OF EASTERN BOULEVARD, FIFTEENTH ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND.

This Description is for Variance
to Off-Street Parking Regulations

Beginning for the same at a 3/4 inch pipe set on the southwest side of North Point Boulevard, 150 feet wide, at the distance of 1443.5 feet, more or less, as measured southeasterly along said southwest side of North Point Boulevard from its intersection with the center line of Eastern Boulevard, running thence binding on said southwest side of North Point Boulevard, (1) S 70° 10' 50" E 292.00 feet, thence binding reversely on the last 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 152, (2) S 19° 49' 10" W 150.01 feet, thence binding on a part of the seventh line and all of the eighth line of the seventh parcel of the land conveyed to The Moffett Realty Company by deed recorded among said Land Records in Liber C.L.B. 2720, page 274, (3) N 70° 12' 45" W 83.44 feet, and (4) N 29° 19' 50" E 32.00 feet, thence binding on a part of the first line of the ninth parcel of said last mentioned land, (5) N 76° 57' 05" W 215.35 feet, and thence, (6) N 19° 49' 10" E 143.89 feet to the place of beginning.

Containing 0.9151 of an acre of land.
Wet Supply Coverage Drainage Highways Other Developments Planning Reports
HGW:mpd J.O. #67167-P 11/4/70



Lester H. H. P. E. S.
John P. Childs, P.E., E. S.
Associates
Ronald W. Dwyer, J. S.
George W. Bantley, J. S.
Robert W. Cezan, P.E.
Leonard M. Glass, P.E.
Norman F. Herrmann, L. S.
Paul Lee, P.E.
Paul S. Smeton

PETITION FOR VARIANCE FOR DISTRICT

FOR THE VARIANCE FOR DISTRICT
LOCATION: South side of North Point Boulevard, 150 feet wide, at the distance of 1443.5 feet, more or less, as measured southeasterly along said southwest side of North Point Boulevard, (1) S 70° 10' 50" E 292.00 feet, thence binding reversely on the last 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 152, (2) S 19° 49' 10" W 150.01 feet, thence binding on a part of the seventh line and all of the eighth line of the seventh parcel of the land conveyed to The Moffett Realty Company by deed recorded among said Land Records in Liber C.L.B. 2720, page 274, (3) N 70° 12' 45" W 83.44 feet, and (4) N 29° 19' 50" E 32.00 feet, thence binding on a part of the first line of the ninth parcel of said last mentioned land, (5) N 76° 57' 05" W 215.35 feet, and thence, (6) N 19° 49' 10" E 143.89 feet to the place of beginning.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and the Zoning Regulations of Baltimore County, will hold a public hearing on the petition for a Variance from the Zoning Regulations of Baltimore County to permit 70 parking units instead of the required 71 units.

The Zoning Commission will be held on the 19th day of October, 1971, at 10:30 o'clock, at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and the Zoning Regulations of Baltimore County, will hold a public hearing on the petition for a Variance from the Zoning Regulations of Baltimore County to permit 70 parking units instead of the required 71 units.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and the Zoning Regulations of Baltimore County, will hold a public hearing on the petition for a Variance from the Zoning Regulations of Baltimore County to permit 70 parking units instead of the required 71 units.

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

28 N. Dundalk Ave.
Dundalk, Md. 21222

Oct. 7, 1971

THIS IS TO CERTIFY, that the annexed advertisement of ZONING COMMISSIONER OF BALTIMORE COUNTY IN MATTER OF re Moffett Realty Co. for Zoning Variance was inserted in **The Dundalk Eagle**, a weekly newspaper published in Baltimore County, Maryland, once a week for one (1) successive weeks before the 1st day of October 1971; that is to say, the same was inserted in the issue of September 30, 1971

Kimbel Publication, Inc.

Publisher.

[Signature]

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 30, 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., once a week for one (1) successive weeks before the 1st day of October 1971; that is to say, the same was inserted in the issue of September 30, 1971.

THE JEFFERSONIAN
[Signature]
Manager.

Cost of Advertisement, \$.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 7, 1971

James D. Nolan, Esq.
204 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Type of Hearings: Variance
Location: S/S North Pt. Blvd., 1043' E. of Eastern Ave.
Petitioners: Moffett Realty Company
Committee Meeting of August 10, 1971
15th District
Item 30

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 an existing restaurant, with the property to the north improved with the Eastpoint Shopping Center. The property to the south is improved with dwellings, 20 to 30 years of age, in fair repair. The property to the east is improved with another restaurant. The property to the west is residential, with no use. North Point Blvd. in this location is improved insofar as concrete curb and gutter is 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.

Highways

North Point Boulevard (Md. 151) is a State road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Storm Drainage

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damage to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to drainage

James D. Nolan, Esq.
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grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

Water and Sanitary Sewer

Public water supply and sanitary sewerage are available and serving this property. The water connection is via a private fee simple access employing a master meter at North Point Road (Md. 20). To provide fire hydrant protection, in accordance with Baltimore County Standards, a public water main extension is required from the 36-inch main in North Point Boulevard (Md. 151) easterly along the entire frontage of this property.

HEALTH DEPARTMENT

Public water and sewer is available to the site.

Food Control Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health for review and approval.

DEPT. OF TRAFFIC ENGINEERING

The subject parking variance to reduce the parking requirement from 77 spaces to 70 spaces should not create any major problem. However, any future reduction could create severe hardships to all the uses in this development.

BOARD OF EDUCATION

No bearing on student population.

FIRE DEPARTMENT

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

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 121, "The Life Safety Code", 1957 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

STATE HIGHWAY ADMINISTRATION

The existing entrance to the subject site is acceptable to the State Highway Administration and no further improvements will be required.

James D. Nolan, Esq.
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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,

[Signature]
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

BALTIMORE COUNTY, MARYLAND		No. 224
OFFICE OF FINANCE - REVENUE DIVISION		
MISCELLANEOUS CASH RECEIPT		
DATE	Oct. 19, 1971	ACCOUNT 01-662
AMOUNT \$53.30		
WHITE - CASHIER	BLUE - AUDITOR	YELLOW - CUSTOMER
RECEIVED: Nolan, Plumhoff and Miller		
204 W. Penna. Ave.		
Towson, Md. 21204		
Advertising and posting of property for The Moffett Realty		
#72-104-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 strict compliance with Section 409.2 of the Baltimore County Zoning Regulations, would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without adversely affecting the public health, safety or general welfare of the locality involved, a variance to permit seventy (70) parking spaces instead of the required seventy-seven (77) spaces, should be GRANTED.

~~the above Variance should be GRANTED and the Petitioner appearing that by reason of the following finding of facts strict compliance with Section 409.2 of the Baltimore County Zoning Regulations, would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without adversely affecting the public health, safety or general welfare of the locality involved, a variance to permit seventy (70) parking spaces instead of the required seventy-seven (77) spaces, should be GRANTED.~~

~~the above Variance should be GRANTED and the Petitioner appearing that by reason of the following finding of facts strict compliance with Section 409.2 of the Baltimore County Zoning Regulations, would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without adversely affecting the public health, safety or general welfare of the locality involved, a variance to permit seventy (70) parking spaces instead of the required seventy-seven (77) spaces, should be GRANTED.~~

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 29th day of October, 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 seventy (70) parking spaces instead of the permitted seventy-seven (77) spaces, subject to approval of site plan by State Highway Administration, Bureau of Public Services 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 following finding of facts strict compliance with Section 409.2 of the Baltimore County Zoning Regulations, would result in practical difficulty and unreasonable hardship upon the petitioner and the requested variance would give relief without adversely affecting the public health, safety or general welfare of the locality involved, a variance to permit seventy (70) parking spaces instead of the required seventy-seven (77) spaces, should be GRANTED.

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

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#72-104-A

District: 15-4
Posted for: Heavy Tax Oct. 19, 1971 @ 10:30 A.M.
Petitioner: J. J. Haffet Realty Co.
Location of property: 515 & N. Ct. Blvd. 1443.5' From the SE/8 of Centerline - 1443.5'
Location of Signs: 1 Sign - Front Aprx. 1443.5' on S. Ct. & N. Ct. Blvd. from Centerline -
Remarks:
Posted by: Phil K. Haffet Date of return: Oct-2-71

MICROFILMED

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition Number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: CFM	Revised Plans: Change in outline or description Yes Previous case: _____ Map # 15-4A									

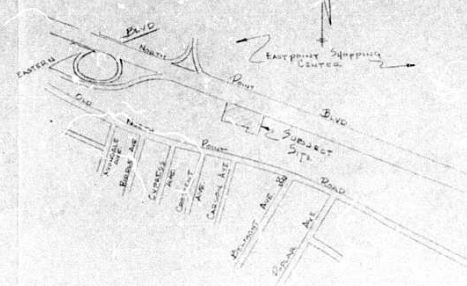
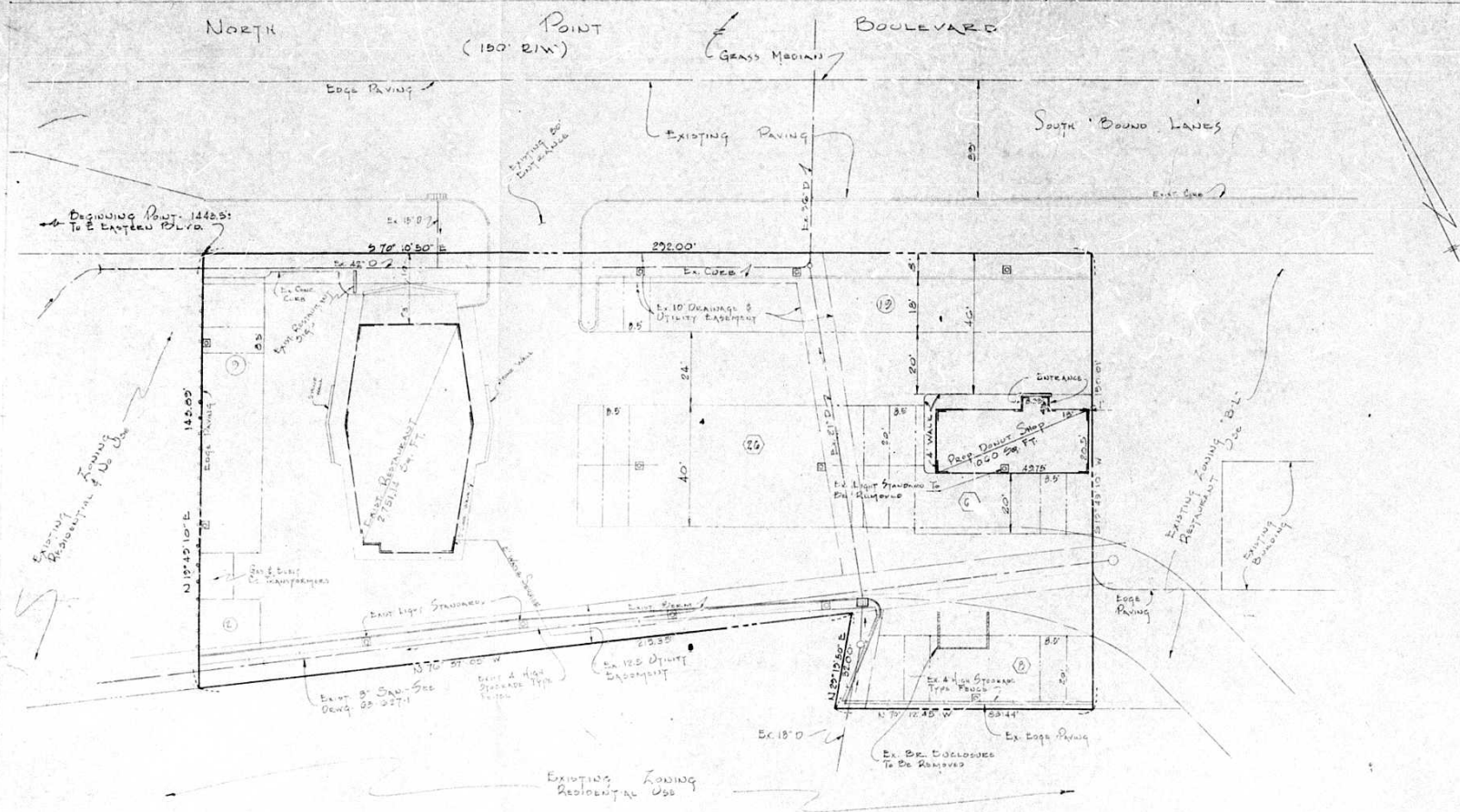
MICROFILMED

TELEPHONE 484-2413 INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204
DATE Sep. 29, 1971
No. 84987
To: J. J. Haffet Realty and Offices
200 N. Pennsylvania Avenue
Towson, Md. 21204
Billing Dept. of Baltimore County
DETACH ALONG PERFORATION AND ATTACH THIS STITCH TO YOUR RETURN
QUANTITY 1
RETAIL PRICE \$1.00
NET PRICE \$0.50
4 MICROFILMED
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

James B. Haffet, Esq.
200 N. Pennsylvania Avenue
Towson, Maryland 21204
Item 30
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 10th day of August 1971
ERIC DYERMAN, Zoning Commissioner
Petitioner: Haffet Realty Company
Petitioner's Attorney: James B. Haffet, Esq.
Reviewed by: Oliver T. Haffet, Jr.
Chairman of Advisory Committee
MICROFILMED

ORDER RECEIVED FOR FILING

DATE 10/29/71 BY J. J. Haffet



MAP	10/77
ELECTION	10/77
DISTRICT	10/77
DATE	10/77
TITLE	10/77
REVISION	10/77
BY	10/77
FINAL	10/77

GENERAL NOTES

1. Total Area of Property equals 0.20 Acres ±
2. Existing Zoning of Property "B-1"
3. Existing Use of Property "Restaurant"
4. Proposed Zoning of Property "B-1" with Off-street Parking Variance
5. Proposed Use "Restaurant & Donut Shop"
6. Off-street Parking:
 - a. Existing Parking - 63 Units
 - b. Parking Required for Restaurant - 55 Units
 - c. Parking Required for Donut Shop - 22 Units
 - d. Total Parking Required - 77 Units
 - e. Parking Proposed - 70 Units
 - f. Petitioner is requesting a Variance to Section 4002, (b) to permit Parking of 70 Units instead of the required 77 Units (Short 7 Units)
7. Hours of Operation for Restaurant are 10:00 A.M. to 12:00 P.M. except Friday & Saturday which is 10:00 A.M. to 1:00 P.M.
8. Hours of Operation for Donut Shop are 24 Hours. Major Business is from 6:00 A.M. to 2:00 P.M. & from 10:00 P.M. to 2:00 A.M.

PLAN TO ACCOMPANY PETITION
FOR
OFF-STREET PARKING VARIANCE
AT
717 NORTH POINT BOULEVARD
ELECTION DISTRICT 13 BALTIMORE COUNTY, MD.
Scale: 1" = 20' JULY 28, 1971

MATZ, CHILDS & ASSOCIATES
1020 OROSBELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204
I.C. NO. 1020 OROSBELL BRIDGE ROAD
DESIGNED BY TRACED BY CHECKED BY
DATE: 7/28/71

