

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

August 6, 1998

Ms Patricia A Maione Venable Baetjer and Howard LLP 210 Allegheny Avenue Post Office Box 5517 Towson MD 21285-5517

Dear Ms Majone

RE Zoning Verification 1500 Railroad Avenue, Zoning Case Number 72-138-ASHP and 72-250-ASPH 5th Election District

Your letter dated July 27 1998 has been referred to me for reply. Based on determined the information provided by you and our research, the following information has been determined.

The property is shown on the approved site plan is currently zoned Bill. This determination was made by sucting the case limit on the plan using the country grid coordinates. The zone line was recorded using the comprehensive map process and appears that all of the process. If one zoned Bill comprehensive map process and spread bill section of the process and the

The previous zoning hearings include zoning case numbers 72:250-ASPH and 72:135-ASPH. Case number 12:135-ASPH granted a special hearing to cermital parking spaces in a respectful zone and a reduction of the required parking from 60 spaces to 30 states. Zoning case number 72:250-ASPH was an amended request to allow a variance to zerm? 10 January spaces in lieu of the required 84 spaces and to permit these spaces to remain in the previously approved area zoned residential. The required was benied.

Zoning case number 12: 13:45PH is still in effect, although the commercial parking in a residential zone portion is more because the property is now all Bit.

This property may orlange to any use cumently listed in the BiLl zone under Section 230 through 250-12 all long as the cument parking requirement does not exceed 5 parking capacis for every 1000 square feet of gross floor area.

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. # 10.847.3331.

very truly yours

Camerine A Milton Planner II Zoning Review BALTIMORE COUNTY, MARYYL COUNTY OF THE COUNT



210 Alloc, erry Avenue Post Ornce Box 2517 Towers, Mary and 21285-5517 (416) 494-6200, Fax (410) 821-0147 www.venat \u00e4-com



July 27, 1998

HAND-DELIVERED

VENABLE

.......

Mr. Arnold Jablon, Director Department of Permits and Development Management County Office Building 111 W. Chesapeake Avenue Towson, Mar Jand 21204



Re: Zoning Verification Request 1500 Railroad Avenue (Old Royal Furniture Building)

Dear Mr. Jahlon

One of our clients is considering the purchase of the old Royal Furniture building located at 1500 Railonal Avenue on the corner of Seminary Avenue in Lutherville. Maryland. The property is 7500 acres, and we believe is zoned B.L. in its enterery. We have done some research into the zoning history for this property and have learned that a prior owner was granted a parking avariance and approval to permit off-street purking in a residential zone. Win,'e the property may have been ze need a combination of B.L. and D.R. 5,3 at once time, the B.L. zone line appears to have been exceeded to cover that portion of the property previously used for parking as approved in the special bearing.

The prior relief was granted in Case No. 72-138-ASPH. In that case, the property owner proposed a retail building of 12,000 square feet and requested a variance from Section 4/09, 2h (6) of the Baltimore County Zoning Regulations to provide 50 spaces at lieu of the required 60 spaces and requested a special hearing to approve off-street parking in a residential zone. In 1972, Section 409, 2h (6) required that "buildings devoted to retail trade" provided 5 parking spaces for every 1,000 square feet of floor area. The requested relief was granted in an Order dated January 3, 1972 and in an Amended Order dated January 6, 1972. I have enclosed a copy of this prior cose for your convenience.



Mr. Arnold Jablon, Director July 27, 1998 Page 2

Our client would like to confirm, prior to purchase, that this property can be redeveloped for any retail use that would have been permitted within the BL zone in 1972 and that would have been governed by the 5 per 1000 square feet regulation. As you know, the parking requirements contained in Section 400/2 h (6) for a retail use wer uniform and did not vary based on the type of retail use. We would also like to confirm that, under the zoning regulations in effect in 1972, early sout restaurants were considered to be "buildings devoted to retail trade" and that the same parking calculation (5 per 1,000 square feet of floor area with "noticed or any such use.

I would appreciate receive a strine confirmation that our interpretation is 6. rect on both accounts. That e enclosed a copy of the old atomic files (Case Nos 70.438). ASPH and 22-259-ASPH, a portion of the 200 Sealz Zoning May N. N. M. [2A as well as a copy of the last map for your reference. Also enclosed is a che is in the amount of \$40.00 made pay he to Baltimore Counts to exercy your costs.

Once your response has been prepared, please give me a call so that I may make arrangements to have the letter picked up. Thank you for your assistance with this material II you need any bather information in order to review this request, please let me know.

Very truly yours



PAM sm

cc Mr Peter Bosworth

Desert wit Seateur in

FROM AREA AND HEIGHT REGULATIONS 72 38 Hg/h PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: J. Donald Lears KEE we. Cleaner H. Lears JIIlegal owner 2 of the property situate in Baltimore County and which is described in the description and plat attached based and water a part based. description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 2322 to permit a side yard of O' imstead of the required 121, and section MENCE 409 2b (6) to permit 30 parking spaces instead of the required 50. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) See attached description CE Property is to be posted and advertised as prescribed by Zoning Regulations. Lid we, agree to pay expenses of above Variance advertising, posting, etc., upon tion, and further agree to and are to be bound by the zoning regulations and r moral County adopted pursuant to the Zoning Law For Baltimore County. Telement Leasty o Contract purchaser

Petitioner's Attorney

of 171 AMHovember

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd

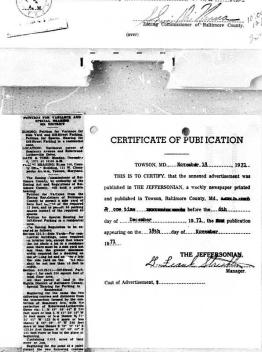
of .7.1 Mileocomber 197 that the subject matter of this petition be advertised, as frequired by the Zening Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zening Commissioner of Baltimore County in Evon 108. County Office Building in Townon, Bultimore

Seminary Ave. & riderwood- lut

Protestant's Attorney

197 1 at 10:00 o'clock

Lutherville, Maryland



OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

DATE Dec. 2, 1971 __ACCOUNT 01-662

AMOUNT \$76.00

75.0 CHE

2 2-/38-A BALTIMORE COUNTY, MARYLAND 6 No. 1425 MITE Crayers, Inc. 18 - ASERCY VELLOW - CUETAMEN ATT N. Howard St. Baltimore, Md. 21201 Advertising and posting of property #72-135-ASDH

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 2. Jonald Lears

k, mx we, -Llemen. M. lears. LU.__legal owner_5 of the property
situate in Bal'imore County and which is described in the description and
plat attached hereto and made a part hereof, hereby petition for a Special
Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County,
to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve ___Off_street_parking in residential zone.____

HARE & France

tition for Special Hearing for Street Parking in a residential

hat parcel of land in the

Special He aring for Parking in

Property is to be posted and advertised as prescribed by Zoning

Regulations, ogree to pay expenses of above Special Hearing advert.ring, 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.

Dareld an ns H. Lears, Tillegal Owner Contract Purchaser Address Seminary Ave. Riderwood-Lutherville Jutherville, Maryland 21093 Petitioner's Attorney Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 2nd ORDERED By the coning Commassioner of satismore county, this—
day of November 19871, that the subject matter of this petition be
advertised, as required by the Zoning Law of Baltimore County, in two
enewspapers of general circulation throughout Baltimore County, that
commissioner of Baltimore County, on the Julius Baltimore County, on the
Commissioner of Baltimore County, on the Julius Baltimore County, on the

_ NOV 2 '71 AM _

(over)

USW HAM

TOWSON, MD. 21204

R. Petition for Variance to Sec. 232, 2 and Sec. 409, 2bf6) of Zoring Regulations of Balto, Co., Petition for Special Hearing : for Off-street parking in Residential Zone - 8th District J. Donald Lears & Clement H. Lears, III, Petiti mers

ING

=

FOR

OR TOTAL

STROMBERG PUBLICATIONS, Inc.

By Part Morgan

AMOUNT_\$25.00

3 5.0 C KK

OFFICEOF

TOWSON IMES

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in the issue of Nevember 18, 1971.

BALTIMORE COUNTY, MARYLAND

DATE Nov. 15, 1971 ACCOUNT 01-662

UNITE - CASHUEN FINE - AGENCY
C. H. Lears, Inc.

417 N. Howard St. Baltimore, Md. 2120! Petition for Yardander # 172-138-ASPH Petition for Special Hearing

DIFFICE OF FINALE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

S. Eric Dinenna Zoning Commissioner of Baltimore County

11/8/1

REFORE

Baltimore County

No. 72-138-ASPH

......... AMENDED ORDER

It in hereby ORDERED by the Zoning Commissioner of Baltimore County this & A day of January 1972, that the Original Order, dated 'anuary 3, 1972, passed in the above captioned matter, should be and the same is hereby AMENDED to read as follows:

- 1. The Variance to Section 409, 2h (6) to permit thirty (30) parking spaces instead of the required sixty (60) spaces, is hereby GRANTED;
- The petition for Special Hearing to permit off-street parking in a residential zone remains as stated in original Order; and
- 3. The Variance to Section 232, 2 to permit side yard setback of zero (0') feet instead of the required twelve (12') feet, he and the same is DISMISSED without prejudice.

Zoning Commiss ioner of Etitimore County.

DESCRIPTION - ERRO SIDEYARD IN LIEU OF 12 FEET REQUIRED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. Mr. S. Eric Di Nenno, Zoning Commissione: Date December 6, 1971

FROM George E. Gavrelis, Director of Planning

STREET Petition #72-138-ASPH. Petition for variance for side yard and off-street CT...Retition.72e-jab-astria. retition for variance for see year and arranger parking. Petition for special hearing for off-street parking in a residential zane.

N.E. corner of Seminary Avenue and Riderwood-Lutherville Drive.

J. Donald Lears and Clemens H. Lears, 3rd – Petitioners

8th District

HEARING: Monday, December 6, 1971 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has

The afficial 200 scale maps indicate that the 8.L. zoning line is perpendicular to the centerline of the railroad whereas the 8.L. zoning line location on the petitioners' olat dated October 14, 1971 extends northear to Seminary Avenue, some 225 feet, more or less, from Seminary Avenue acut at right angles to the railroad right of way.

As stated in the Traffic Engineer's comments, the granting of the parking variance As shaded in the Irathic Engineer's comments, the granting of the participal variance will not created a mojer problemy, however, any of the other commercial uses allowed in the B. L. ciassification, and normally found in this type of location, would create serious problems. There are no overflow areas on nearby streets to bendle peak parking needs. There are no improvements to Seninary Avenue or Riderwood-Lutherville Drive in the Country's S-Year Copital Program or the State Highway Administrator's 5-Year Construction Program.

If the parking variance is to be granted, it should be conditioned upon compliance with an approved site plan which also identifies acceptable locations of lighting fixtures. The variance should be limited also to use of the proposed structure for furniture store purposes only.



r. J. Donald Lears Seminary Avenue Riderwood-Lutherville Drive Lutherville, Nd. 21093 1TEM 72 0 BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Petitioners.Donald Loars & Clement H. Lears, III

251608

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland

Posted for VARIANCE & SPECIAL HEARING Petitioner J. DONALS LEADS Location of property N.F./COR OF SEHWARY ANT AND POSERWACE LATHER VILLE DRIVE Location of Signs NE/COB OF SEMINARY AVE AND MISERWOOD LYTHERVILLE DRIVE

Posted by Charles M. Must

Date of return - Que. 3 - 1971

72-138-

Date of Posting NOV. 20-1971

should be granted IT IS ORDERED by the Zoning Commissioner of Baltimora County this 197 that the herein Petition for a Variance should be and the same is cranted from and after the date of this order Zoning Commissioner of Baltimore County Pursuant to the advertisement, posting of property and public hearing on the above petition the Baltimore County Zoning Regulations would adversely affect the health, safety and general welfare IS ORDERED by the Zoning Commissioner of Baltimore County, this

0 0 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 the health, safety or general welfare not being adversely affected, the petition for special hearing to permit 30 parking spaces in a residential zone instead of the required 60 spaces should be GRANTED, IT IS ORDERED by the Zoning Commissioner of Baltimore County this _day of_____Ianuary____, lafe___, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this order, to permit 30 parking spaces in a residential zone instead of the required 60 spaces, subject to compliance wit. plat soproves) by Director of Planning 12/8/71 marked Exhibit "A" attached hereto and made a part hereof. Purther Ordered subject Zoning Commissioner of Saltimore County approval of State Highway Adm. zn Bureau of Public Services. Kee Pags ant to the advertisement, posting of property and public n the above petition and it appearing that by reason of____ Special Hearing should NOT BE GRANTED. TIT IS ORDERED by the Soning Commissioner of Baltimore County, this __day of_____, 196__, that the above S cial Hearing be and the same is hereby DENIED.

MALCOLM E. HUDKINS ASSOCIATED SOS W. CHESAPEAKE AVE.

October 13, 1971

Description to Accompany Special Hearing for Parking in Residential

Beginning for the same at a point distant the two following courses formed by the intersection of the centerline of Seminary avenue, Maryland State Route #131, and the centerline of Riderwood-Lutherville Drive viz: (1) Northeasterly along the center ine of the aforesaid Riderwood-Lutherville Drive N 48009'44" E 236 feet more or less (2) N 41050'16" W 20 feet more or less thence N 71036'05" W 123 feet more or less thence N 48009'44" E 117 feet more or less thence S 41°50'16" E 106 feet more or less thence S 43°09'44" W 55 feet more or less to the point of beginning.

Containing 0.209 acres of land more or less.

יו נרומרה

Malcolm B.

8

December 7, 1971

Description to Accompany Special Hearing for Pageing in Residential

Beginning for the same at a point distant the two following courses formed by the intersection of the centerline of Seminary Maryland State Route #131, and the centerline of Riderwood-Lutherville Drive viz: (1) Northeasterly along the centerline of the aforesaid Riderwood-Lutherville Drive N 48°09'44" E 220 feet (2) N 41°50'16" W 20 feet thence N 41°50'16" W 106.67 rest thence N 48°09'44" E 70 feet thence 5 41°50'16" E 106.6? feet thence S 48°09'44" W 70 feet to the point of beginning.

Containing U.171 acres of land more or less.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 17, 1971

Mr. J. Donald Lears Seminary Avanua Bidenwood-Lutherville Drive Lutherville, Maryland 21093

RE: Type of Hearing: Special Hearing Location:Int, of the MN/S of Ricarend-Lutherville Patitionari J. Doneld Lears & Clement N. Lears, Ill Committee Thatting of Howesher 2. 1971 8th District

Dear Sirt

Charmer

BUREAUTOV ENGINE CRING DEPARTMENT OF TRAFFIC ENGINEERIN

STATE BOADS COM

BUREAU OF THE PREVENTION

HEALTH DEPARTMENT

PROJECT DI ANNO.

DOARD OF EDUCATION

INDUSTRIAL DEVELOPMENT

The Zoning Advisory Committee has reviewed the plans submitted with the thowa referenced patt from and has made an en site field inspection of the property. The following commants are a result of this review and impection,

The subject property is located on the northwast side of Senfanry Avenue and Richard-during the Property is proceed. The subject is the surface of Senfanry Avenue and Richard-during the subject is the surface of repair. There is under the subject of single of the subject is the subject in the subject is the subject in the subject is the subject in the subject is subject in the subject in the subject in the subject is subject in the subject in the subject in the subject is subject in the subject in the subject in the subject is subject in the subject

BUPEAU OF ENGINEERING:

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

Highway Comments:

Seminary Avenus (Md. 131) is a State read; therefore, all improvements, intersections, and entrances on this read will be subject to State Highmay Administration requirements.

Rideruned Avenus (Refluond Avenus), an existing County read, is proposed to be ultimately improved as a 30-feet closed type reading cross section on a 50 feet right-of-way.

Hr. J. Donald Lears Page 2 Item 72 November 17, 1971

0

Highway improvements, including highway right-of-way and widening and any necessary revertible slope escenats will be required in connection with any grading or building permit Leptication.

Numerous rights-of-any were established in this area on recorded plats of busine-vities. It shall be the responsibility of the Politionar's engineer to in-right and the responsibility of the Politionar's engineer to in-right and the responsibility of the restriction of the responsibility of the Political State of the responsibility of the subdission of all necessary plats and for all costs of equitation and/or absommant of twee rights-of-any,

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control Comments:

Overlopment of this property through stripping, grading and attabilization could result in a sedicant pollution "chien, changing private and public holdings demostrates of the property. A grading parent is, therefore, necessary for all grading, including the stripping of top seil.

Broinage studies and sodiment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building peraits.

Storm Drain Comments:

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

The Petitiener must provide messagery drainage facilities (temporary or personant) to prevent creating any mulsances or drainages to adjected properties, expectally by the concentration of surface which can be adjected to the conference of the conference of the conference of the conference of the personal contract of the period of the p

Water and Senitary Squer Comments:

Public vater supply and sanitary sewerego are available to serve

Hr. J. Donald Lears Item 72 Page 3 Kovember 17, 1971

778 TATTE

FIRE DEPARTMENT:

The site shall be made to comply with all applicable requirements of the "ational Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code prior to occupancy or communication of operations.

STATE HIGHMAY ADMINISTRATION:

0

The subject plan should indicate the radius of the proposed curb

Improvements along Seminary Avenue will be subject to State Highway Administration approval and permit.

DEPT. OF TRAFFIC ENGINEERING:

Parking is not expected to create any problems if the site is used for a furniture store. Problems can be expected with any other use. There is a sight distance problem on Riderwood-Lutherville Orive to the northwest of the site.

HEALTH DEPARTMENT:

Hetropolitan water and sewer are available to the site. $\kappa_{\rm b}$ health hazards anticipated.

Air Follution Communts: The building or buildings on this site may be subject to registration and compliance with the Paryland State Health Air Follution Centrel Regulations. Additional information may be obtained from the Givision of Air Follution, Buildness County Department of Health.

ZONIND ADMINISTRATION DIVISION:

The plat submitted does not indicate the requirements of Section togs, b of the Zoning Regulations. This should be added to the patitionar's plan prior to the hearing.

This polition is accepted for filling on the date of the enclosed filling cartifleste, believe of the hearing date and time, which will be held not less than 30, nor some time 30 days after the date on the filling cartifleste, will be forwarded to you in the near future.

Very truly years, CLIVER L. MYERS, Confirm of

Official Lac.

Zoning Commissioner of Baltimore County

Ust War I and

0

