

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Whereas, Hardee's Properties, Inc., 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 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 a residential (R-5) zone.

see attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. Hardee's Properties, Inc., agree to pay expenses of above Special Hearing 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.

Contract Purchaser: Hardee's Properties, Inc. Legal Owner
Address: 1233 North Church Street
Rocky Mount, N. Carolina 27801
Petitioner's Attorney: _____
Protestant's Attorney: _____

ORDERED BY the Zoning Commissioner of Baltimore County, this 5th day of April, 1972, 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 25th day of May, 1972, at 1:00 o'clock P.M.

John R. Hanna
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 5, 1972

COUNTY OFFICE BLDG.
1119 Chestnut Ave.
Towson, Maryland 21204

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROAD COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

Hardee's Properties, Inc.,
1233 North Church Street
Rocky Mount
North Carolina 27801

Attention: Mr. Ralph F. Champa

RE: Type of Hearings: Special Hearing
Location: N/E Cor. Harford Road and
Parktowne Road
Petitioner: Hardee's Properties, Inc.
14th District
Item 151

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 located at the intersection of the southeast side of Harford Road and the northeast side of Parktowne Road and is presently unimproved.

The northeast and adjoining the subject parcel is an existing four-story building. To the southeast of the site, along both sides of Parktowne Road are various one and one-half story residences. Southwest of the site and across Parktowne Road is an unimproved commercial lot. Opposite the site on Harford Road is a two story brick dwelling. There is existing curb and gutter at this location.

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:

Harford Road (Md. 147) is a State road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Hardee's Properties, Inc.
Item 151
Page 2
April 5, 1972

Parktowne Road, an existing County street, is proposed to be improved in the future along the frontage of this property, as a 36-foot closed-type roadway cross section, reducing to the existing 24-foot closed-type roadway cross section at the easterly end of this property, on the existing 50-foot right-of-way. Highway improvements, including highway right-of-way widening contingent upon State Highway Administration requirements consisting of a fillet area for sight distance at the northeast corner of the Harford Road and Parktowne Road intersection, will be required in connection with any grading or building permit application.

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:

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

Drainage 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.

Harford Road (Md. 147) is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the State Highway Administration.

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenno, Zoning Commissioner Date: May 22, 1972
FROM: George E. Gervelis, Director of Planning
SUBJECT: Petition 72-272-SPH. Northeast side of Parktowne Road 235 feet east of Harford Road.
Petition for Special Hearing for Off-Street Parking in a residential zone.
Hardee's Properties, Inc. Petitioner

14th District

HEARING: Thursday, May 25, 1972 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer:

We have no objection to the use of this land for parking purposes. However, we note that the site plan does not indicate location of lighting standards. We suggest that the lighting standards be limited to 8' in height.

Any use of this property should be conditioned to conformance to a plan approved by the appropriate agencies.

GEG:NEG:bms

HARDEE'S FOOD SYSTEMS, INC. - 5401 WESTBARD AVENUE - WASHINGTON, D.C. 20016 - 202/638-0000
WASHINGTON DISTRICT OFFICE



June 9, 1972

Mr. Robert J. Griffin
3000 Parktowne Road
Parktowne, Maryland 21234

Re: Hardee's Restaurant
Harford Road at Parktowne Road
Parkville, Maryland

Dear Mr. Griffin:

Reference our meeting regarding the above mentioned location. As a result of our meeting, Hardee's will do the two things we have agreed upon:

1. We will remove your white picket fence and replace it with a five foot high chain link type fence.
2. We will also construct and erect a free standing light pole base and light pole approximately thirty feet high, located adjacent to your bathroom window in the two foot wide residential strip adjoining your property. The lighting fixture will be installed to face one hundred and eighty degrees from your westerly wall so no light will be shining in the direction of your home.

I'm sure the above will meet with your approval since we were in full agreement at the time of our meeting. Please sign two copies of this letter and return to me at the above address, retaining the third copy for your files.

Thank you for your cooperation in this matter. We are looking forward to being your neighbor.

Sincerely,

Ralph F. Champa
Ralph F. Champa
Regional Construction Manager

RJC:hp
cc: J. Moore, J. Cooper, J. Porter

Date: _____
Robert J. Griffin
Robert J. Griffin

Date: June 14 - 1972
Ruth H. Griffin
Ruth H. Griffin

HOME OFFICE: 1233 N. CHURCH ST. - ROCKY MOUNT, N. C. 27801 - 919/446-5141

Hardee's Properties, Inc.
Item 151
Page 3
April 5, 1972

Major public storm drainage facilities exist within this site, see Drawing #19-0157, A-3, File 4. It is the responsibility of the Petitioner to ascertain and clarify all rights-of-way and easements within this property and to indicate same on a revised plan in connection with this petition.

No encroachment by construction of any structure, including footings, will be permitted within such rights-of-way or easements as traverse this site. During the course of grading or construction on this property protection must be afforded by the contractor to prevent damage to the existing public storm drainage system and any damage sustained would be the full responsibility of the Petitioner.

Water and Sanitary Sewers

Public water supply and sanitary sewerage are available and serving this site.

PROJECT PLANNING DIVISION:

The Office of Planning has reviewed the subject site plan and offers the following comments:

Before the site plan can be approved by this office, the 409.4 rates must be completely assured. Also, an elevation of 1' free standing light poles must be shown on the site plan.

HEALTH DEPARTMENT:

retention water and sewer are available to the site.

Food Service Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: 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.

BOARD OF EDUCATION:

No hearing on student population.

Hardee's Properties, Inc.
Item 151
Page 4
April 5, 1972

DEPT. OF TRAFFIC ENGINEERING:

Parktowne Road should be widened along the frontage of this site.

STATE HIGHWAY ADMINISTRATION:

The subject plan must be revised to indicate new curbing at the corner on a 30' radius return. The entrance must be of a depressed curb type with 36" depression transitions.

It is our opinion that the plan should be revised prior to a hearing date being assigned.

The entrance will be subject to State Highway Administration approval and permit.

FIRE PREVENTION:

The Fire Department has no comment on the proposed site.

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing; however, revised plans reflecting the comments of the Project Planning office and the State Highway Administration should be submitted prior to the hearing date.

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
OLIVER L. MYERS, Chairman

OLN:JBB:JD

Enc.

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 public health, safety, and general welfare of the locality involved not being adversely affected,

the above Special Hearing for Out-street Parking in a Residential Zone in accordance with the plat dated November 3, 1971, revised April 5, 1974 and May 5, 1974, and approved June 28, 1972, by George E. Gavrelis, Director of the Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit

"A" in this proceeding, and which is incorporated by reference hereto as a part of this order, should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th day of July, 1972, that the herein Petition for Special Hearing should be and the same is granted, from and after the date of this order, to permit Out-street Parking in a Residential Zone, subject to the approval of a site plan by the State Highway Administration, Bureau of Public Services and the Deputy Zoning Commissioner of Baltimore County Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of July, 1972, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County



Mr. James E. Dyer
Deputy Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Proposed Hardee's Restaurant
8311 Harford Road
Parkville, Maryland

Dear Commissioner:

Reference the hearing held on May 25, 1972 at 1:00 p.m. regarding the parking variance for the above site.

Porter Brothers Construction Company has informed me that they cannot start construction at this above location for thirty days after you have written your order.

Hardee's are anxious to start this project and have it completed before the winter months are upon us. In order to expedite the building permit we are willing to accept full financial responsibility in the event of any appeal within the thirty day waiting period.

Thank you for your help in this matter.

Sincerely yours,
Ralph F. Champa
Ralph F. Champa
Regional Construction Manager

RFC:hyp
cc: Jim Porter



HOME OFFICE: 1233 N. CHURCH ST. • ROCKY MOUNT, N.C. 27801 • 919/446-5141

PETITION MAPPING PROGRESS SHEET

FUNCTION	Well Map		Original		Duplicate		Tracing		300 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: <u>MRB</u>	Revised Plans: Change in outline or description Yes _____ No _____									
Previous case: _____	Map # _____									

Hardee's Properties, Inc.,
1233 North Church Street
North Carolina 27801

Item 151

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

Your Petition has been received and accepted for filing

this 5th day of April 1972

Eric Dinenia
S. ERIC DINENIA
Zoning Commissioner

Petitioner: Hardee's Properties, Inc.

Petitioner's Attorney

Reviewed by Eric Dinenia
Chairman,
Advisory Committee

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 2174

DATE May 1, 1972 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
HCC Construction Co.
1233 North Church St.
Rocky Mount, N.C. 27801
Petition for Special Hearing for Hardee's Properties, Inc.
#72-272-SFH

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 4, 1972.

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, 25th day of May, 1972, the latest publication appearing on the 1th day of May, 1972.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

CERTIFICATE OF PUBLICATION

OFFICE OF

Essex Times

880 Eastern Blvd
Essex, Md. 21221

MAY 8 - 1972

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenia, Zoning Commissioner of Baltimore County was inserted in ESSEX TIMES a weekly newspaper published in Baltimore County, Maryland, once a week for one successful week before the 8th day of MAY 1972; that is to say, the same was inserted in the issue of May 4, 1972.

Stromberg Publications, Inc.

Publisher.

By Ruth Morgan
May 4

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#72-272-SFH

District 14th Date of Posting 5-4-72

Posted for: Hardee's Properties, Inc.

Petitioner: Hardee's Properties, Inc.

Location of property: N.C. 154 Parktown Rd. 255 S. of Harford Rd.

Location of Sign: 1 sign on Parktown Rd.

Remarks: _____

Posted by: Eric Dinenia Date of return: 5-11-72

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 3680

DATE June 6, 1972 ACCOUNT 01-662

AMOUNT \$43.25

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER
Hardee's Food Systems, Inc.
1233 North Church St.
Rocky Mount, N.C. 27801
Advertising and posting of property
#72-272-SFH

