

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 strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner,

the above Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit 106 off-street parking spaces in lieu of the required 167 spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of December, 1974, that the herein Petition for a Variance to permit 106 off-street parking spaces in lieu of the required 167 spaces should be and the same is GRANTED, from and after the date of this Order, subject to: 1) a four foot high stockade fence and 2) the approval of a site plan by the State Highway Administration, the Department of Public Works, and the 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 Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P.E. CHIEF

November 4, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #78 (1974-1975)
Property Owner: Harvey E. Marshall, Jr.
S/W of Reisterstown Rd., and S/RS of Delight Rd.
Existing Zoning: BL, BL-CNS and D.R. 5-5
Proposed Zoning: Special Hearing for off street parking in a residential zone. Variance from Sec. 409-28.3 to permit 106 parking spaces instead of the required 167 parking spaces.
No. of Acres: Special Hearing 0.68 acre Variance 0.95 acre
District: 4th

Dear Mr. DiNenna:

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.

General:

The submitted plan should be revised to indicate the present continuity of the entrance and driveway which is providing another means of access to and from Reisterstown Road for the parking lot.

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #180 (1973-1974) remain valid and applicable to this Item #78 (1974-1975). Those comments are referred to for your consideration.

This property is tributary to the Jwyns Falls Sewerage System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:PMR:ms

cc: G. Reiter (File in Captain Harvey's Rest. - BLD. 1023-70 (22739))
J. Trenner

T-W Key Sheet
52 & 53 NW 36 Pns. Sheets
13 & 14 NW 1 & J Topo
58 Tax Map



Maryland Department of Transportation
State Highway Administration

Harry B. Hughes
Secretary
Bernard M. Evans
Administrator

October 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Att: Mr. James B. Byrnes III

Re: ITEM 78
Z.A.C. meeting 10/15/74
Property Owner: Harvey E. Marshall, Jr.
Location: SW/S of Reisterstown Road (Route 140), SE/S of Delight Road
Existing Zoning: BL, BL-CNS & DR 5-5
Prop. Zoning: Special Hearing for off street parking in a residential zone. Variance from Sec. 409-28.3 to permit 106 parking spaces instead of the required 167 parking spaces.
No. of Acres: Special Hearing 0.68 Acres Variance 0.95 Acres
District: 4th

Dear Sir:

The existing entrance from Reisterstown Road is acceptable to the State Highway Administration. However, the proposed parking variance could cause on-site traffic problems that would be extended out onto Reisterstown Road; a heavily traveled highway.

The 1973 average daily traffic count on this section of Reisterstown Road is ... 24,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
By: John E. Meyers

CL:JEM:bk

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 19, 1974

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

James B. Byrnes, III
Chairman

James A. Gede, Esq.
11000 Reisterstown Road
Owings Mills, Maryland 21117

RE: Special Hearing Petition and
Item 78 Variance
Harvey E. Marshall, Jr. -
Petitioner

Dear Mr. Gede:

The Zoning Plans 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located at the intersection of the southwest side of Reisterstown Road and the southeast side of Delight Road, in the 4th Election District of Baltimore County. It is presently improved with a one-story restaurant and free standing kitchen and storage building known as Captain Harvey's. An existing 1-1/2 story frame dwelling abuts the property to the southwest and is presently vacant. An office building exists opposite the site on Delight Road.

The petitioner is requesting a Variance to permit 106 parking spaces instead of the required 167 spaces, and additionally request a Special Hearing to permit off street parking in a residential zone.

The Variance is necessitated by the use of the basement area of the structure as restaurant use

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

879-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Harvey E. Marshall, Jr.

Location: SW/S of Reisterstown Rd. & SE/S of Delight Rd.

Item No. 78 Zoning Agenda October 15, 1974

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead-end condition shown at _____

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

6. Site plans are approved as drawn.

7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *H. J. Kelly* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

James A. Gede, Esq.
Re: Item 78
November 19, 1974

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as well as a proposed 30'x56' addition to the ground floor.

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,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Plans Advisory Committee

JBB:JD

Enclosure

cc: Spellman, Larson
& Associates, Inc.
Suite 303, Investment Bldg.
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 30, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 78, Zoning Advisory Committee Meeting, October 15, 1974, are as follows:

Property Owner: Harvey E. Marshall, Jr.
Location: SW/S of Reisterstown Rd. & SE/S of Delight Rd.
Existing Zoning: BL, BL-CNS & DR 5-5
Proposed Zoning: SPECIAL HEARING for off street parking in a residential zone. VARIANCE from Sec. 409-28.3 to permit 106 parking spaces instead of the required 167 parking spaces.

No. of Acres: SPECIAL HEARING 0.68 Acres VARIANCE 0.95 Acres
District: 4th

Revised plot plan showing location of utilities needed.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

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

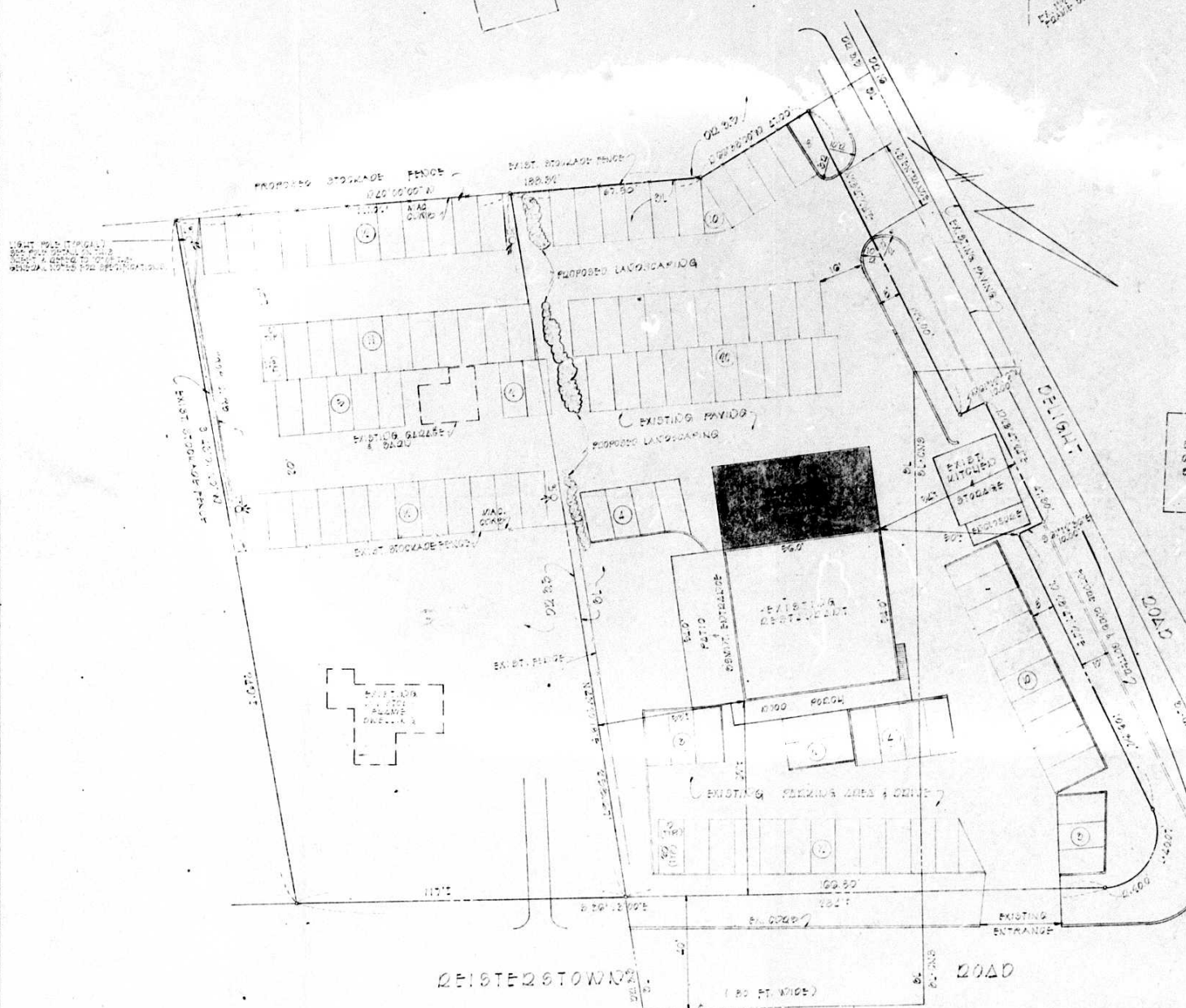
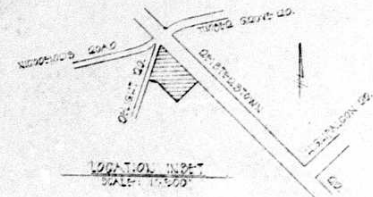
Very truly yours,

Thomas H. Devlin
THOMAS H. DEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:nc

CC--W.L. Phillips
L.A. Schuppert

1987 100 ST
PACIFIC



GENERAL NOTES
 1. EXISTING CONCRET
 2. EXISTING CONCRET
 3. WITH A GRADE OF 2 TO ALLOW OFF-STREET PARKING IN A RESIDENTIAL AREA
 4. ALSO MAKE TO THE PARKING REQUIREMENTS (2004) TO ALLOW 100 SPACES
 5. OUTSIDE OF THE REQUIRED 100

[illegible]

PLAT F00

VARIANCE TO ZONING &

TO ALLOW

PARKING IN A DESIGNATED AREA

AT

MISD DISTRICT NO 00

STREET LIGHT SMOKE SIGNAL

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: John L. Winkler
DATE: 12-10-74

2C
NW 1/4, 44T
4
10-17-74
✓
SE
1-16-75
44T



SPILLMAN, LARSON & ASSOCIATES
 300 5th Ave. S.E.
 Union, Mo. 64604
 821-1511
 5-22-74

POLE DETAIL

JAN. 22, 1975