

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 Petitioners

the above Variance should be had; and it further appearing that by reason of the existing of the Variance requested not adversely affecting the health, safety and general welfare of the community, a Variance to permit 19 off-street parking spaces in lieu of the required 120 spaces should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12TH day of December 1975, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Deputy Zoning Commissioner of Baltimore County

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 1975, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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 Petitioners' plans meet the requirements set forth in Section 409.4 of the Baltimore County Zoning Regulations, and that the health, safety and general welfare of the locality involved not being adversely affected, the Special Hearing for Off-street Parking in a Residential Zone, in accordance with the plat dated December 27, 1974, and approved December 8, 1975, by John L. Wimbley, Planning Specialist II, Project and Development Division, 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 proceeding and which is incorporated by reference hereto as a part of this Order, should be granted.

Deputy
IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12TH day of December 1975, that the herein Petition for Special Hearing for Off-street Parking in a Residential Zone should be and the same is GRANTED, from and after the date of this Order, subject to compliance with the above mentioned site plan approved on December 8, 1975.

Deputy Zoning Commissioner of Baltimore County

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 day of 1975, that the above Special Hearing 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

March 21, 1975

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

Re: Item #168 (1974-1975)
Property Owner: Marie J. & James J. Jakowski
S/W cor. of Falt Ave. & 46th Street
Existing Zoning: BL - D.R. 5.5
Proposed Zoning: Special Hearing to approve offstreet accessory auto-parking. Variance from Sec. 409.3 to permit 19 parking spaces in lieu of the required 120 spaces.
No. of Acres: 5922 sq. ft. District: 12th

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.

Highways:

Falt Avenue and 46th Street are existing County streets for which no further highway improvements are required. Highway right-of-way widening consisting of a fillet area for sight distance at the intersection will be required in connection with any grading or building permit application. The construction or reconstruction of sidewalk, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner. The submitted plan must be revised to indicate the proposed highway right-of-way widening.

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

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.

Item #168 (1974-1975)
Property Owner: Marie J. & James J. Jakowski
Page 2
March 21, 1975

Storm Drains:

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

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:

Public water supply and sanitary sewerage are serving this property. It appears that additional fire hydrant protection may be required in the vicinity.

Very truly yours,

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

END:EAM:FWR:ss

cc: J. Somers
W. Munchel

B-WE Key Sheet
5 SS 17 Pos. Sheet
SE 2 E Topo
96 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

BARBARA J. CLIFFORD, P.E. Director
Wm. T. MILLER Deputy Traffic Engineer

March 10, 1975

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

Re: Item 168 - ZAC - March 4, 1975
Property Owner: Marie J. & James J. Jakowski
Location: SW/Cor. of Falt Avenue & 46th Street
Existing Zoning: BL - D.R. 5.5
Proposed Zoning: SPECIAL HEARING to approve offstreet accessory auto-parking. VARIANCE from Sec. 409.3 to permit 19 parking spaces in lieu of the required 120 spaces.
No. of Acres: 5922 sq. ft.
District: 12th

Dear Mr. DiNenna:

This petition is for a variance to reduce the required parking from 120 spaces to 19 spaces.

Parking is a necessary part of operating any business and a parking variance of this size can be expected to cause traffic problems in the area.

Very truly yours,

Michael S. Flanigan
Traffic Engineering Assoc.

MSF/bsa

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

February 27, 1975

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

Dear Mr. DiNenna:

Comments on Item 168, Zoning Advisory Committee Meeting, March 4, 1975, are as follows:

Property Owner: Marie J. & James J. Jakowski
Location: SW/Cor. of Falt Avenue & 46th Street
Existing Zoning: BL - D.R. 5.5
Proposed Zoning: SPECIAL HEARING to approve off-street accessory auto-parking. VARIANCE from Sec. 409.3 to permit 19 parking spaces in lieu of the required 120 spaces.

No. of Acres: 5922 sq. ft.
District: 12th

Metropolitan water and sewer are available.

Food Protection 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.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:ncg

CC--L.A. Schuppert

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



Maryland 13, 1975

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

Dear Mr. DiNenna:

Comments on Item #168, Zoning Advisory Committee Meeting, March 4, 1975, are as follows:

Property Owner: Marie J. & James J. Jakowski
Location: SW/Cor. of Falt Avenue & 46th Street
Existing Zoning: B.L. - D.R. 5.5
Proposed Zoning: Special Hearing to approve offstreet accessory auto-parking. Variance from Sec. 409.3 to permit 19 parking spaces in lieu of the required 120 spaces.
No. of Acres: 5922 sq. ft.
District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-2211 ZONING 484-2201

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 27, 1975

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

Z.A.C. Meeting of: March 4, 1975

Re: Item 168
Property Owner: Marie J. & James J. Jakowski
Location: SW/Cor. of Falt Avenue & 46th Street
Present Zoning: BL - D.R. 5.5
Proposed Zoning: Special Hearing to approve offstreet accessory auto-parking. Variance from Section 409.3 to permit 19 parking spaces in lieu of the required 120 spaces.

District: 12th
No. Acres: 5922 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative.

WNP/ml

EMSLIE PARKS, President
EUGENE C. HESS, Vice President
MRS. ROBERT L. BERNET

MARCUS M. BOHANNAN
JOSEPH N. MCGOWAN
ALVIN L. DRECK
JOSHUA W. WHITELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, VMD
MRS. RICHARD K. WUCHTEL

FEB 19 1976

JAMES J. JAKOWSKI AND MARIE J. JAKOWSKI
PROPERTY ZONED (B-L) BUSINESS LOCAL
12TH ELECTION DISTRICT OF BALTIMORE COUNTY
IN THE STATE OF MARYLAND

BEGINNING for the same at the intersection of the west side of Forty-Sixth Street, as laid out fifty feet wide and the south side of Fait Avenue as laid out forty feet wide, running thence and binding on the west side of Forty-Sixth Street in a southerly direction one hundred twenty feet (120'), thence in a westerly direction and parallel with Fait Avenue one hundred fifteen feet (115'), thence in a northerly direction and parallel with Forty-Sixth Street forty-five feet (45'), thence in an easterly direction and parallel with Fait Avenue seventy feet (70'), thence in a northerly direction and parallel with Forty-Sixth Street seventy-five feet (75') to the south side of Fait Avenue, thence binding thereon in an easterly direction forty-five feet (45') to the place of beginning

CONTAINING 8,550 square feet $\pm$ or 0.20 acres $\pm$

BEING known and designated as Lot No. 53 and part of Lot Nos. 49, 50, 51, and 52 as shown on plat of Harbor View recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5, folio 30. The improvement thereon being known as No. 600 South Forty-Sixth Street, as shown on the property plat dated December 1974 made by Henry V. Oheim, Registered Surveyor, attached hereto and made a part hereof

JAMES J. JAKOWSKI AND MARIE J. JAKOWSKI
PROPERTY ZONED RESIDENTIAL
12TH ELECTION DISTRICT OF BALTIMORE COUNTY
IN THE STATE OF MARYLAND

Description for Special Hearing
Advertisement

BEGINNING at a point on the southwest corner of Fait Avenue and 46th Street, and being lot Nos. 49, 50, 51 and 52 on Harbor View Plat, recorded in Plat Book W.P.C. No. 5, Folio 80, also known as 6915 Fait Avenue.

Saving and excepting that portion of the property now classified as a Business, Local Zone.

RE: PETITION FOR VARIANCE and
PETITION FOR SPECIAL HEARING
Southwest corner of 46th Street and Fait
Avenue, 12th District
JAMES J. JAKOWSKI, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 76-126-ASP

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kauntz, Jr.
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I hereby certify that on this 26th day of November, 1975, a copy of the foregoing was mailed to Mr. James J. Jakowski, 600 South 46th Street, Baltimore, Maryland 21224, Petitioner.



CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 November 26, 1975

THIS IS TO CERTIFY that the annexed advertisement of Zoning Commissioner of Baltimore County in matter of petition of James J. Jakowski was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week, on the 14th day of November, 1975; that is to say, the same was inserted in the issue of November 13, 1975

Kimbel Publication, Inc.

Publisher

Kimbel J. Nicks

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 13, 1975

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, on the 13th day of November, 1975, the same publication appearing on the 13th day of November, 1975

THE JEFFERSONIAN

Cost of Advertisement, \$

The Zoning Commission of Baltimore County, Maryland, is hereby giving notice that it will hold a public hearing on the petition of James J. Jakowski for a variance from the Zoning Ordinance of Baltimore County, Maryland, in the matter of the proposed rezoning of the property located at the southwest corner of 46th Street and Fait Avenue, 12th District, from its present zoning of B-L (Business Local) to B-1 (Business Medium Density). The hearing will be held on the 26th day of November, 1975, at 10:00 A.M. in the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland. The petition is being filed with the Zoning Department of Baltimore County, Maryland, on the 26th day of November, 1975.

DESCRIPTION FOR SPECIAL HEARING
BEGINNING at a point on the southwest corner of 46th Street and Fait Avenue, and being lot Nos. 49, 50, 51 and 52 on Harbor View Plat, recorded in Plat Book W.P.C. No. 5, Folio 80, also known as 6915 Fait Avenue. Saving and excepting that portion of the property now classified as a Business, Local Zone.

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

DATE Nov. 3, 1975 ACCOUNT 01-662

AMOUNT \$90.00

RECEIVED FROM James J. Jakowski (Cash)
FOR Advertising and posting of property

384 126 3 9.0000

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

76-126-ASP

District 12th
Posted for Hearing Nov. 3, 1975 at 10:00 A.M.
Petitioner James J. Jakowski
Location of property 46th St. & Fait Ave.
Location of Sign 2 Signs on 46th St. 2 Signs on Fait Ave.
Remarks
Posted by Mark H. Hession
Date of return 11-20-75

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

DATE Nov. 10, 1975 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Johnson Bros., Inc., Legal Federal Building,
Towson, Md. 21204
FOR Petition for Variance and Special Hearing
for James J. Jakowski 76-126-ASP

384 126 10 25.0000

VALIDATION OR SIGNATURE OF CASHIER

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

Legislative Session 1975, Legislative Day No. 18

RESOLUTION NO. 38-75

Mr. O'Rourke, Councilman

By the County Council, September 2, 1975

WHEREAS, James J. Jakowski, a Deputy Sheriff for Baltimore County, is the owner of a parcel of land at the southwest corner of Fait Avenue and 46th Street known as Lots 49, 50, 51 and 52 on the Plat of Harbor View, and

WHEREAS, James J. Jakowski has filed a Petition for a Special Hearing and Variance with the Office of Zoning in connection with certain improvements to said property, and

WHEREAS, pursuant to Section 1001 (a) and (b) of the Baltimore County Charter, James J. Jakowski, has by this resolution made a full public disclosure of all pertinent facts to the respective members of the County Council of Baltimore County.

BE IT RESOLVED by the County Council of Baltimore County, Maryland, that, based solely on the foregoing facts, the interest of James J. Jakowski, does not violate the public interest.

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: J.P.H.	Revised Plans: Change in outline or description Yes									
Previous case:	Map #									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 21st day of Feb 1975 Item #

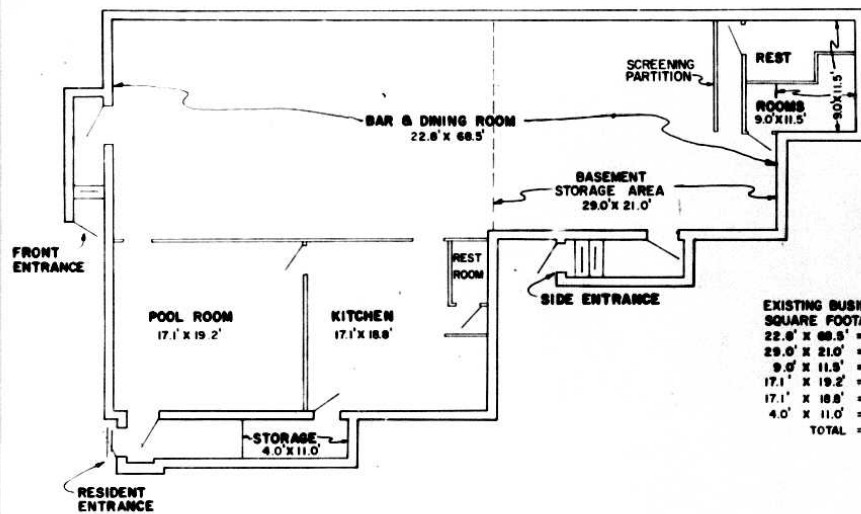
Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Jakowski Submitted by Long
Petitioner's Attorney Long Reviewed by F.H.

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

FEB 19 1976

FLOOR PLAN "A"

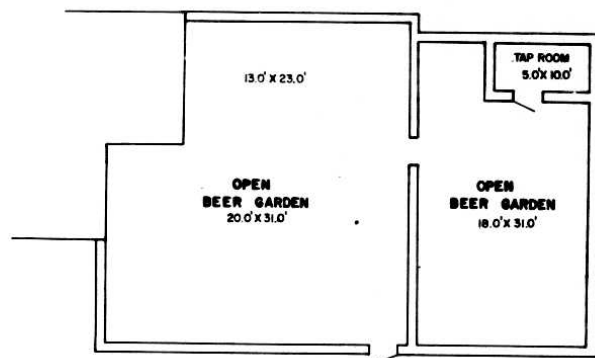


SEE FLOOR PLAN "B"
FOR EXISTING BEER
GARDEN, BASEMENT
AND PROPOSED 1ST.
FLOOR EXTENSION

EXISTING BUSINESS SQUARE FOOTAGE	
22.0' X 68.5'	= 1507.0 SQ. FT.
29.0' X 21.0'	= 609.0 SQ. FT.
9.0' X 11.5'	= 103.5 SQ. FT.
17.1' X 19.2'	= 328.3 SQ. FT.
17.1' X 18.8'	= 321.5 SQ. FT.
4.0' X 11.0'	= 44.0 SQ. FT.
TOTAL	= 2,968.1 SQ. FT. = 59.36

SCALE 1/8" = 1.0'

FLOOR PLAN "B"

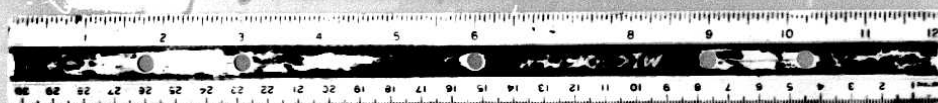


PROPOSED 1ST. FLOOR
EXTENSION OVER BEER GARDEN
AREA = 1477/50 SQ. FT. ± 29.54

EXISTING BUSINESS SQUARE FOOTAGE BEER GARDEN	
20.0' X 31.0'	= 620.0 SQ. FT.
13.0' X 23.0'	= 299.0 SQ. FT.
18.0' X 31.0'	= 558.0 SQ. FT.
PLAN B TOTAL	= 1477.0 SQ. FT.
PLAN A TOTAL	= 1477.0 SQ. FT.
EX. BUS. TOTAL	= 4445.1 SQ. FT.
PROPOSED EXTENSION	1477.0 SQ. FT.
	5922 SQ. FT.
	50

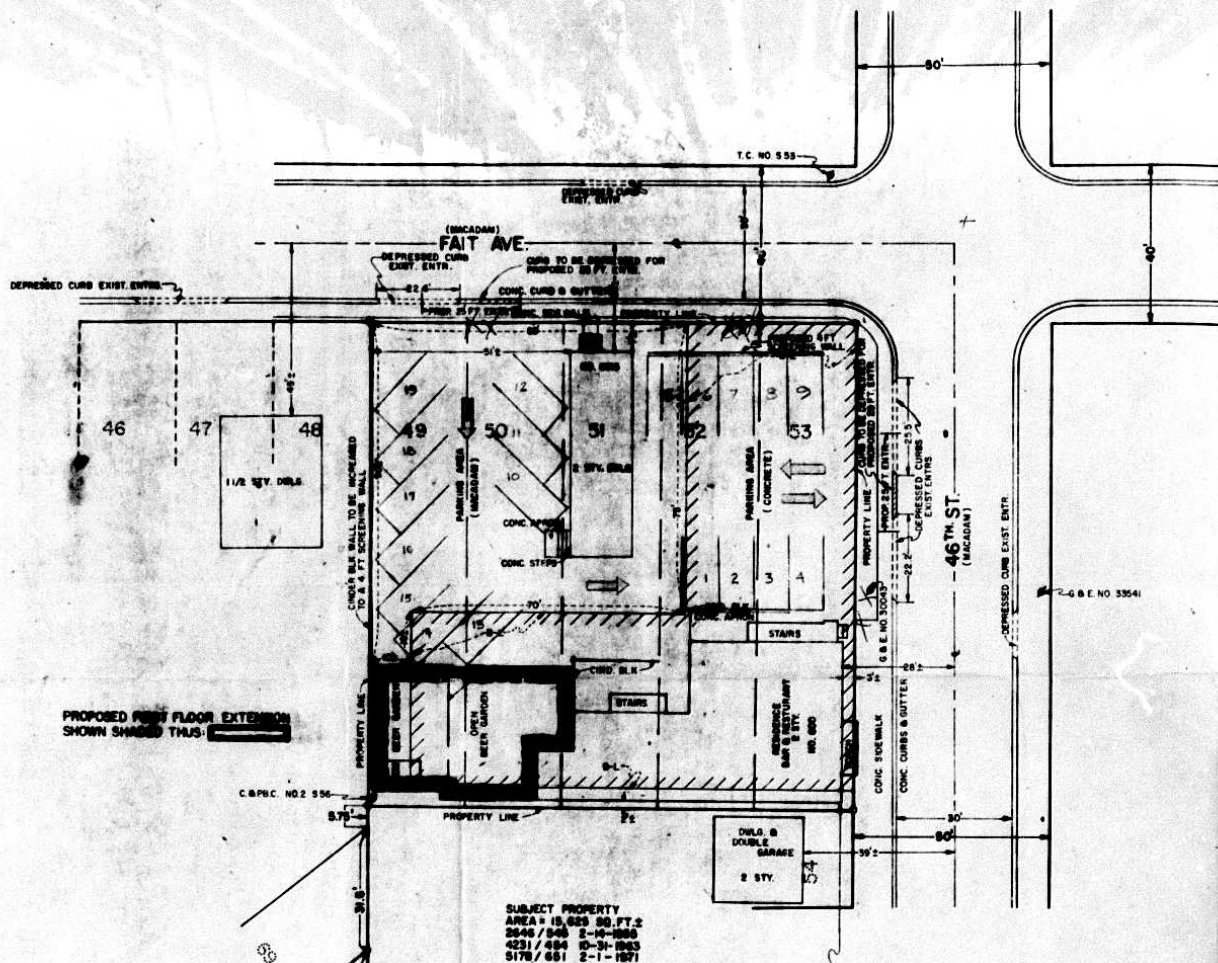
118 PARKING STALLS PLUS 2 PARKING STALLS
FOR RESIDENCES EQUALS 120 TOTAL PARKING
STALLS REQUIRED.

SCALE 1/8" = 1.0'



SECTION 409.4 BUSINESS OR INDUSTRIAL PARKING IN RESIDENCE ZONES

- RESIDENTIAL PROPERTY ADJOINS FAIT AVE.
- PARKING WITHIN AREA ZONED RESIDENTIAL IS FOR THE USE OF PASSENGER VEHICLES, EXCLUDING BUSES.
- LOADING SERVICE OR ANY USE OTHER THAN PARKING WILL NOT BE PERMITTED.
- LIGHTING WILL BE REGULATED AS TO LOCATION DIRECTION HOURS OF ILLUMINATION, GLARE AND INTENSITY AS REQUIRED.
- SCREENING CINDER BLOCK WALL (4 FT.) WILL BE CONSTRUCTED ALONG PROPERTY LINE AS INDICATED (WEST LINE OF LOT NO. 49).
- PARKING AREA PAVED MACADAM, SURFACE DRAINAGE RUN OFF AT EXISTING ENTRANCE ON FAIT AVE.
- PROPOSED PARKING ARRANGEMENT AND VEHICULAR ACCESS AS INDICATED.
- PERMITTED HOURS OF USE WILL BE REGULATED TO CONFORM WITH OPENING OF BUSINESS 9:00 AM TO CLOSING AT 2:00 AM.



SUBJECT PROPERTY
AREA = 15,625 SQ. FT. ±
2546 / 945 2-14-1955
6231 / 484 3-30-1955
5178 / 651 2-1-1971

PART OF
HARBOR VIEW
FORMERLY
SECTION NO. 4 GRACELAND PARK
W.P.C. NO. 5/80
JAMES J. & MARIE J. JAKOWSKI PROPERTY
12 TH. ELECTION DISTRICT
BALTIMORE COUNTY MD.
SCALE 1"=20'
HENRY V. OHEIM
8484 LINWOOD DRIVE
ELLICOTT CITY MD. 21043

PROPERTY ZONED - BUSINESS LOCAL & RESIDENTIAL
TOTAL AREA OF BAR-RESTAURANT BUSINESS = 5922 SQ. FT. ±
PARKING RATIO 1/50 SQ. FT. OF BUSINESS
PARKING REQUIRED = 120 SEE FLOOR PLANS
PARKING SHOWN = 19 "A" & "B"

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY
KNOW AS:

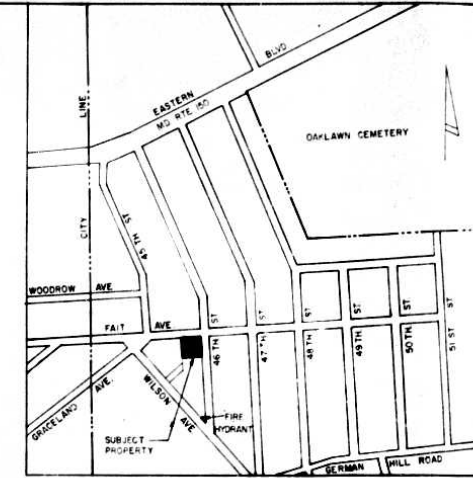
NO. 600 46 TH. ST. AND NO. 6915 FAIT AVE. BALTO. CO. MD.

FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS AND THE
IMPROVEMENTS ARE LOCATED AS SHOWN. THIS PLAT IS NOT
INTENDED TO BE USED FOR THE PURPOSE OF ESTABLISHING
PROPERTY LINES.

DATE 12/27/74
HENRY V. OHEIM MD. P.L.S. NO. 4156

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE 12-8-75

VICINITY MAP
1" = 500'



FEB 19 1976

SECTION 408.4 BUSINESS OR INDUSTRIAL PARKING IN RESIDENCE ZONES

- RESIDENTIAL PROPERTY ADJOINS FAIT AVE.
- PARKING WITHIN AREA ZONED RESIDENTIAL IS FOR THE USE OF PASSENGER VEHICLES, EXCLUDING BUSES.
- LOADING SERVICE OR ANY USE OTHER THAN PARKING WILL NOT BE PERMITTED.
- LIGHTING WILL BE REGULATED AS TO LOCATION DIRECTION HOURS OF ILLUMINATION, GLARE AND INTENSITY AS REQUIRED.
- SCREENING CINDER BLOCK WALL (4 FT.) WILL BE CONSTRUCTED ALONG PROPERTY LINE AS INDICATED (WEST LINE OF LOT NO. 49).
- PARKING AREA PAVED MACADAM, SURFACE DRAINAGE RUN OFF AT EXISTING ENTRANCE ON FAIT AVE.
- PROPOSED PARKING ARRANGEMENT AND VEHICULAR ACCESS AS INDICATED.
- PERMITTED HOURS OF USE WILL BE REGULATED TO CONFORM WITH OPENING OF BUSINESS 8:00 AM TO CLOSING AT 2:00 AM.
- (2) TWO FAMILY RESIDENCE NO. 6915 FAIT AVE. 2 STORY DWLG. PRESENT AND FUTURE TO REMAIN.

