

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I. or we SHOPCO NORTHPOINT ASSOCIATES, legal owner of a leasehold 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. 409.2-7466110w 689 parking

spaces in lieu of the required 833 parking spaces.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Agreements of substantial economic value have been entered into which would have to be forfeited in the absence of the said variance; and the best and/or most practical use of the property cannot be realized unless the said variance is granted; and for other reasons to be set forth at the public hearing.

See attached description

pperty is to be posted and advertised as prescribed by Zoning Regulations. or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this is and further agree to and are to be bound by the zoning regulations and restrictions of the County adopted pursuant to the Zoning Law For Ballimore County.

)	NOR	THPOINT	ASSO	CIATES	;
•	1	1.7			
	fl	ona	Wos		
		Owne	r of	Lease	hol
1	1133	Avenue	of t	he Amo	ric
-		•			

WT 13 EU C.

ONDER REC.

Leslic M. Pittler

Pikesville, Maryland 21208

, 197 5, that the subject matter of this petition be advertised, as ang Law of Baltimore County, in two newspapers of general circulation through-it, that property be posted, and that the public hearing be had before the Zoning taplimore County in Room 106, County Office Building in Towson, Baltimore County, on the ME day of Pebruary 197 6, at 10:15 clock

THE IRVAL CORPORATION

Mr When

Garrett Building -8th Floor

Baltimore, Maryland 21202

February 19, 1976

Leslie M. Pittler, Esquire 1726 Reisterstown Road Pikesville, Maryland 21208

> RE: Petition for Variance SE/corner of North Point Boulevard and Baltimore Street - 15th Election District
> The Irval Corporation - Petitioners
> NO. 76-149-A (Item No. 109)

Dear Mr. Pittlert

I have this date passed my Order in the above captioned matter in

MARTINAN

GJM/me

cc: John W. Hessian, III, Esquire People's Counsel

RE: PETITION FOR VARIANCE The Irval Corporation - Petitioners NO. 76-149-A (Item No. 109)

BEFORE THE COMMISSIONER

OF

BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition filed by The Irval Corporation and Shopco Northpoint Associates requesting a Variance from Section 409. 2b to allow 689 parking spaces in lieu of the required 833 parking spaces, on a parcel of property containing 11.975 acres of land, more or less, at the above location,

Evidence on behalf of the Petitioners indicated that considerations of terrain and inability to develop the site for the originally proposed uses requiring lesser off-street parking density were factors leading to the Variance

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgement of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petirs and, therefore, the Variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1978 day of February, 1976, that the Variance to ermit a total of 689 parking spaces in lieu of the required 833 spaces, 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 State Highway Administration. Departme of Public Works and the Office of Planning and Zoning.

RE: PETITION FOR VARIANCE Southeast corner of North Point Boulevard and Baltimore Street, 15th District

SHOPCO NORTHPOINT ASSOCIATES

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 76-149-A

ORDER TO ENTER APPEARANCE

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

Charles E. Van Charles E. Kountz, Jr.

Jan Willer TI John W. Hessian, III People's Counsel County Office Building Towson, Haryland 21204 494-2188

I hereby certify that a copy of the foregoing Order was mailed to Leslie M. Pittler, Esquire, 1726 Reisterstown Road, Pikesville, Maryland 21208, Attorney for Petitioner.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO S. Eric Dillenna, Zoning Commissioner Date. January 27, 1976

FROM William D. Fromm, Director of Planning

SUBJECT Petition #76-149-A. Petition for Variance for Off-Street Parking Southeast corner of North Point Boulevard and Baltimore Street
Petitioner - The Irval Corporation

15th District

HEARING: Monday, February 9, 1976 (1-:15 A.M.)

The staff of the Office of P^1 anning and Zoning has reviewed the subject petition and has the following comment to offer.

The parking standards contained in Section 409.2b(6) should be viewed as minimum. There are no opportunities nearby to accommodate overflow parking demands.

WDF : NEG : TW



e, Maryland 21204 - Tel. (301) 823-0900

DESCRIPTION

11.9750 ACRE PARCEL, SOUTHEAST SIDE OF BALTIMORE STREET, SOUTHWEST SIDE OF FIFTY-FIRST STREET, FIFTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for Parking Variance.

Beginning for the same at the intersection of the southeast side of Baltimore Street, sixty feet wide, and the southwest side of Fifty-first Street, sixty feet wide, running thence binding on said southwest side of Fifty-first Street, (1) S 24° 32' 50" E 649.30 feet to the center line of the fifteen foot alley running parallel with and northwest of Gough Street, as shown on the plat of "Defense-Heights" recorded among the Land Records of Baltimore County in Plat Book C. W.B. Jr. 12, page 117, thence binding on the center line of said alley, (2) S 65° 29' 10" W 476.01 feet to the northeast right of way line of North Point Boulevard, 150 feet wide, thence binding on said right of way line, (3) N 70° 12' 50" W 873.23 feet, thence along the gusset line connecting said right of way line of North Point Boulevard with the southeast side of Baltimore Street, seventy feet wide, (4) N 04* 46' 40" W 35.90 feet, thence binding on the southeast side of Baltimore Street, seventy feet wide, (5) N 65° 27' 10" E 382.61 feet, thence (6) N 24° 32' 50" W 5.00 feet to a Water Supply ■ Sewerage ● Dra.: sge ➤ Highways ■ Structures ● Developments ➤ Planning ■ Report



point on the southeast side of Baltimore Street, sixty feet wide, and thence binding thereon, (7) N 65° 27' 10" E 705.87 feet to the place of beginning. Containing 11.9750 acres of land.

J.O. 01-72270-B W.O. 11638-C

October 24, 1975

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



Item 109

Chairman, Zoning Advisory Committee

Leslie M. Pittler, Beq. 1726 Releterstown Reed Pikeswills, Md. 2120 LTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for

Zoning Commissioner

Petitioner Shopes Northpoint Associates

Petitioner's Attorney realis M. Pittler Reviewed by Franklin T. Hooms fr.

Frankliff'T: Hogan XXXXXXXXXXXXXXX

Leslie M. Pittler, Esq. 1726 Reisterstown Road Pikesville, Maryland 21208

> RE: Variance Petition Shopco Northpoint Associates -

Dear Mr. Pittler:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on size field inspection of the property. The following comments are a result of this review and image

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

The subject property is located on the southeast corner of North Point Blvd. and Baltimore Street, and is currently the site of a shopping center. The petitioner is requesting a Variance to permit 689 parking spaces in 1500 of the required B33 parking spaces, in order that a movie theatre may be located within a building presently under construction on the site. The proposed theatre is to contain 1400 seats and will comprise a tenant area of 18,000 square feet.

The site plan indicates that the total number of parking spaces existing and proposed on the site is 686. The petitioner's request indicates that 689 spaces will be provided. Either the site plan

CAUSE ADMINISTRATION DEALTH DEPARTMENT TABLEST OF

- of encaster

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 21, 1976

Petitioners

Leslie M. Pittler, Esq. Re: Item 109 January 21, 1976 Page 2

or petition must be revised to indicate the correct

This petition is accepted for filing on the date This petition is accepted for filling on the date of the enclosed filling certificate. Notice of the hearing date and time, which will be held not less then 30, nor more than 90 days after the date on the filling certificate, will be forwarded to you in the near future.

> Freikle . Hogard FRANKLIN T. HOGANS, JI., Chairman, Zonine Plans Advisory Committee

PTH. ID

Enclosure

cc: MCA 1020 Cromwell Bridge Road Baltimore, Md. 21204

Very truly yours,

A Seni w MALTENBACH, P.E.

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in consection with the subject item.

January 14, 1976

partment of public works TOWSON, MARYLAND 21204

Mr. S. Eric DiNenna

Zoning Commissioner

Dear Mr. DiNenna:

Towson, Maryland 21204

Baltimore County utilities and highway improvements are as secured by Public Works Agreement 157314, executed in conjunction with the development of "K-Mart Plaza" Project 3065-11011.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 109 (1975-1976).

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

Re: Item 109 (1975-1976)

Property Owner: Shopco Northpoint Assoc. SE/C of North Point Blvd. & Balto. Street

Existing Zoning: BR-IM
Proposed Zoning: Variance from Sec. 409.2

to allow 689 parking spaces in lieu of the required 833 parking spaces. No. of Acres: 11.9750 District: 15th

END: FWR: ag

F - N.E. - Key Sheet 1 S.E. - 18 - Position Sheet S.E. 1-E - Topo 96 - Tax Map

cc: Bureau of Public Services (K-Mart Plaza Project 3065-110111).

more county OWSON, MARYLAND 2120

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

December 11, 1975

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning

Dear Mr. DiNenna:

Comments on Item #109, Zoning Advisory Committee Meeting, December 9, 1975, are as follows:

Property Owner: Shopco Northpoint Associates Location: SE/C of North Point Blvd. & Balto. St. Exiating Zoning: BR-IM Proposed Zoning: Variance from Sec. 409.2 to allow 689 parking spaces in lieu of the required 833 parking spaces.
No. of Acres: 11.9750

This is a variance for parking spaces and since metropolitan water and sever are available, no health hazard is anticipated.

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

Very truly yours,

Tolom A Lenen Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

RJW:dlsc



Harry R. Hughes Bernaid M. Evans

December 17, 1975

Mr. S. Eric DiNenna Zoning Commissioner County Office Hldg. Towson, Maryland 2120k Re: Z.A.C. meeting; 12-9-75 ITEM: 109 Prop. Owner: Shonco Northpoint TOP. Usmer: Shomeo Northpoint Associates Location: SE/C of North Point Blvd. (Rt. 151) & Balto, Street Existing Zoning: BR-IM Proposed Zoning: Variance from Se. 109.2 to allow 689 parking spaces in the second Section of Section 1 to 100. spaces in lieu of the required 833 parking spaces. No. of Acres: 11.9750 District 15th

Dear Mr. DiNenna:

The proposed parking variance could cause interior traffic pro-

blems: however, if is not anticipated that it will cause problems on North Point Blvd.

CLigge

Very truly yours,

Charles Lee, Chief



January 5, 1975

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

Comments on Item #109, Zoning Advisory Committee Meeting, December 9, 1975, are as follows:

Property Owner: Shopco Northpoint Associates Location: SE/C of North Point Blvd and Baltimore St. Existing Zoning: B.R.-I.M.
Proposed Zoning: Variance from Sec. 409.2 to allow 689 parking spaces in lieu of the required 833 parking spaces No. of Acres: 11.9750 District: 1th

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

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

Very truly yours, John Z Wembles

John L. Wimbley Planning Specialist II Project and Development Planning



January 7, 1976

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

Re: Item 109 - 2AC - December 9, 1975
Property Owner: Shopco Northpoint Associates
Location: SE/C of North Point Blvd, & Balto, St.
Existing Zoning: BB-IM
Proposed Zoning: Var. from Sec. 409.2 to allow 689 parking spaces
in lieu of the required 833 parking spaces
No. of Acres: 11,9750
District: 15th

Baltimore County parking regulations are based on a proven need and the variance to parking of this site can be expected to causa traffic

muchael S. Honerie Michael S. Flanigan Traffic Engineer Associate

Very truly yours,

MSF:ne

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 2 204

Date: December 12, 1975

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

Z.A.C. Meeting of: December 9, 1975

Re: Item

Property Owner:

Shopco Northpoint Associates

SE/C of North Point Blvd. & Balto. St.

Present Zoning:

Proposed Zoning:

Variance from Sec. 409.2 to allow 689 parking spaces in lieu of the required 833 parking spaces.

15th

11.9750

Dear Mr. DiNenna:

No bearing on student population.

W. Nick Petrovich.,
Field Representative.

No. 31610

78.50 KG

AMOUNT_ \$78.50

Leglie M. Pittler, Rec. Suite 200 Hilton Place 1726 Reisterstoam Rd., Pikesville, Md. 21208

VALIDATION OR SIGNATURE OF CASHIER

284 0 1 RFG 17

Very truly yours,

WNP/ml

ALVIN LEGECT

RICHARD W TRACEY, VMC

PETITION MAPPING PROGRESS SHEET Tracing 200 Sheet FUNCTION Descriptions checked and Petition number added to outline Granted by ZC, BA, CC, CA Change in outline or description___Yes Previous case;

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT Peb. 13, 1976 ACCOUNT 01-662

000000	North more a start a s	Point Bo truct. TIME: TO at 14 CEABING	Donate Do
1	The Ec	Avenue, on the same of the sam	Torque materies syller
	The Zemore Corrections A more County Pertition Zonling County Parking quired a The Zempled as Section Porking-	et and Rocky, will ally, will a for V Regulation to permit Spo. on 1 37 Partie	Toward milesion mylles myll
	Section Porking- of total All the teenth D	fallows 100.2 b -1 for er floor are at parcel fatrict of Descript	of land
	Begins terrection Seltimer and the Street, thence side of	ing for the grant of the grant	service glatty of side or sal
	line of ning per Gough I of a none C Jr. 12, 1	the fifte edict with troot, so pressure it the Land punty in page 117	district Plat these
	car em car em northes Point thence line, is feet, th connect	t right of radioses of the state of the stat	
	North southers writed writed sout so seventy E 181.6	reget to part with feet, the part with part with part with part with part with	d Bolt s, (4) d Ball s, (5)
	souther sixty for therees feet in Confe Bets Corpor		4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	cirty for the receipt from Campus Filed w House Office Avenue By C	To at 10 miles of the second s	House House Hill V
	Jan. 11		Comments of the

District 15#

CERTIFICATE OF PUBLICATION

TOWSON MD January 22 19-76 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., onescinceach day of February 19.76., the first publication appearing on the 22nd day of January 19. 76

CERTIFICATE OF POSTING

Town, Maryland

Posted for Hearthy Menday Pela 9 4 1974 18:15 D.M.

Location of property A 18 / Cole of Mouth But Blest + Butte St

Location of Signs I Sign Good on Wall Part Blad I Sugar

Posted by Mark H Hesse Date of return: 1-29-26

Ported on South St.

PARTMENT OF BALTIMORE COUNTY #76-149-F

Date of Posting 1-22-74

DATE
PEBRUARY 9th, 1976
A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,

Kimbe! Publication, Inc. Vimbel & Celle

CERTIFICATE OF PUBLICATION

OFFICE OF

Dundalk Eagle

THIS IS TO CERTIFY, that the annexed advertisement of Zoning Commissioner of Baltimore County in matter of Petition of Irval Corp.

was inserted in The Duralank Engle a weekly news-

paper published in Baltimore County, Maryland, once

Jan. 29, 1976

1976 : that is to say,

38 N. Dundelk Ave. Dundelk, Md. 21222

23rd day of January,

the same was inserted in the issuesso

January 22,1976

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

	Your	Petition	has	been	received	*	this_	26	day of
November	197	Fil	ing	Fee \$	25 .4		Re	ceived	Check

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

___Cash Other

Submitted by Louise Petitioner's Attorney rela Pette Reviewed by

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







