

HER: mh

Pursuant to the advertisement, posting of property, and public hearing on the above 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 Variances requested not adversely affecting the health, safety and general welfare of the community, Variances to permit a side yard setback of 19 feet instead of the required 30 feet, and 127 parking spaces instead of the required 153 parking spaces should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of September, 1976, that the herein Petition for the aforementioned Variances should be and the same are 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.

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 September, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

## BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 2, 1976

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

2.A.C. Meeting of: August 3, 1976

Re: Item 15  
Property Owner: James R. Peak  
Location: N/S Timonium Rd. 172.5' E. Greenspring Dr.  
Present Zoning: M.L. - I.M.  
Proposed Zoning: Variance to permit a side setback of 19' in lieu of the required 30' and to permit 127 parking spaces in lieu of the required 153 spaces.

District: 8th  
No. Acres: 1.247

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

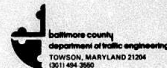
*W. Nick Petrovich*  
W. Nick Petrovich,  
Field Representative.

JOSEPH M. MCCORMACK, PRESIDENT  
T. DAVYDOW, VICE PRESIDENT  
L. H. ROBERTS, SECRETARY

MARTIN W. BOWMAN  
THOMAS M. BOWEN  
WILLIAM L. BOWEN

ROGER B. HARRISON  
ALAN L. LEBACK  
RICHARD M. THOMAS, JR.

JOSEPH A. WHEELER, ALTERNATE



STEPHEN E. COLLINS  
DIRECTOR

August 5, 1976

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

Re: Item 15 - ZAC - August 3, 1976  
Property Owner: James R. Peak  
Location: N/S Timonium Road 172.5' E. Greenspring Dr.  
Existing Zoning: M.L. - I.M.  
Proposed Zoning: Variance to permit a side setback of 19' in lieu of req. 30' and to permit 127 parking spaces in lieu of req. 153 spaces.

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested variance to the side yard.

The requested variance to parking can be expected to cause some problems since the existing parking lot is being used to its capacity.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate

NEF:mc

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 30, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 77-52

Petition for a Variance for Side Yard and Off-Street Parking  
North side of Timonium Road 172.52 Feet East of Greenspring Drive.  
Petitioner - James R. Peak

8th District

HEARING: Wednesday, September 8, 1976 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Acting Director of Planning

NEG:JGH:rw

Robert A. DiCicco, Esq.  
208 West Pennsylvania Avenue  
Towson, Md. 21204

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### BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 27th day of July, 1976.

*S. Eric DiNenna*  
S. Eric DiNenna  
Zoning Commissioner

Petitioner: James R. Peak

Petitioner's Attorney: Robert A. DiCicco  
c/o: Gerhold, Cross & Etzel  
413 Baltimore Avenue  
Towson, Md. 21204

Reviewed by: *Nicholas S. Comodari*  
Nicholas S. Comodari,  
Planning & Zoning  
Associate III

September 15, 1976

Robert A. DiCicco, Esquire  
208 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Variances  
N/S of Timonium Road, 172.52' E of  
Greenspring Drive - 8th Election  
District  
James R. Peak - Petitioner  
NO. 77-52-A (Item No. 15)

Dear Mr. DiCicco:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*George A. Bismar*  
George A. Bismar  
Deputy Zoning Commissioner

GJM/mc

Attachments

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

GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors  
412 DELAWARE AVENUE  
TOWSON, MARYLAND 21204

823-4470

July 19, 1976

### Zoning Description

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same on the north side of Timonium Road at a point North 58 degrees 14 minutes 28 seconds East 172.52 feet measured along the north side of Timonium Road from the center of Greenspring Drive, thence leaving Timonium Road and running and the five following courses and distances: 1st: North 22 degrees 41 minutes 18 seconds East 145.69 feet; North 67 degrees 18 minutes 42 seconds East 1.7 feet; North 22 degrees 41 minutes 18 seconds East 283.64 feet; North 67 degrees 18 minutes 42 seconds East 1.26 feet and South 22 degrees 41 minutes 18 seconds East 407.30 feet to the north side of Timonium Road and thence running and binding on the north side of Timonium Road South 58 degrees 14 minutes 28 seconds East 139.75 feet to the place of beginning.

Containing 1.247 Acres of land more or less.



William B. Hession, III

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 30, 1976

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition 77-52

Petition for a Variance for Side Yard and Off-Street Parking  
North side of Timonium Road 172.52 Feet East of Greenspring Drive.  
Petitioner - James R. Peak

8th District

HEARING: Wednesday, September 8, 1976 (10:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Acting Director of Planning

NEG:JGH:rw



RE: PETITION FOR VARIANCE  
N/S of Tontown Rd. 172.52 feet E. of  
Greenspring Dr., 8th District  
JAMES R. PEAK, Petitioner

BEFORE THE ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 77-52-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

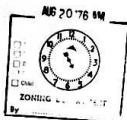
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in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

*Charles E. Kuntz, Jr.*  
Charles E. Kuntz, Jr.  
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 20th day of August, 1976, a copy of the foregoing Order was mailed to Robert A. DiCicco, 203 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

*John W. Heslian, III*  
John W. Heslian, III



OFFICE OF  
**THE TIMES**  
NEWSPAPERS  
TOWSON, MD. 21204 Aug. 18, 1976

THIS IS TO CERTIFY, that the annexed advertisement of  
Petition for a Variance--Peak  
was inserted in the following:

- |                                              |                                                  |
|----------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Catonsville Times   | <input checked="" type="checkbox"/> Towson Times |
| <input type="checkbox"/> Dundalk Times       | <input type="checkbox"/> Arbutus Times           |
| <input type="checkbox"/> Essex Times         | <input type="checkbox"/> Community Times         |
| <input type="checkbox"/> Suburban Times East | <input type="checkbox"/> Suburban Times West     |

weekly newspapers published in Baltimore, County, Maryland, once a week for 5 successive weeks before the 18th day of August, 1976, that is to say, the same was inserted in the issues of Aug. 18, 1976.

STROMBERG PUBLICATIONS, INC.  
BY *Val S. Sink*

CERTIFICATE OF PUBLICATION

TOWSON, MD. AUGUST 12, 1976  
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, viz. one time, successive weeks before the 18th day of September, 1976, the last publication appearing on the 18th day of August, 1976.

THE JEFFERSONIAN,  
*L. L. Sink*  
Manager

Cost of Advertisement, \$.....

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 20 day of August, 1976. Filing Fee \$ 25. Received Cash Other

*S. Eric DiCicco*  
S. Eric DiCicco,  
Zoning Commissioner

Petitioner: *Peak* Submitted by: *D. Cicco*  
Petitioner's Attorney: *D. Cicco* Reviewed by: *Peak*

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

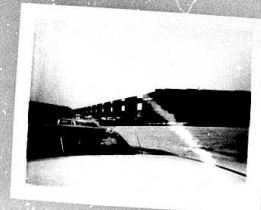
CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

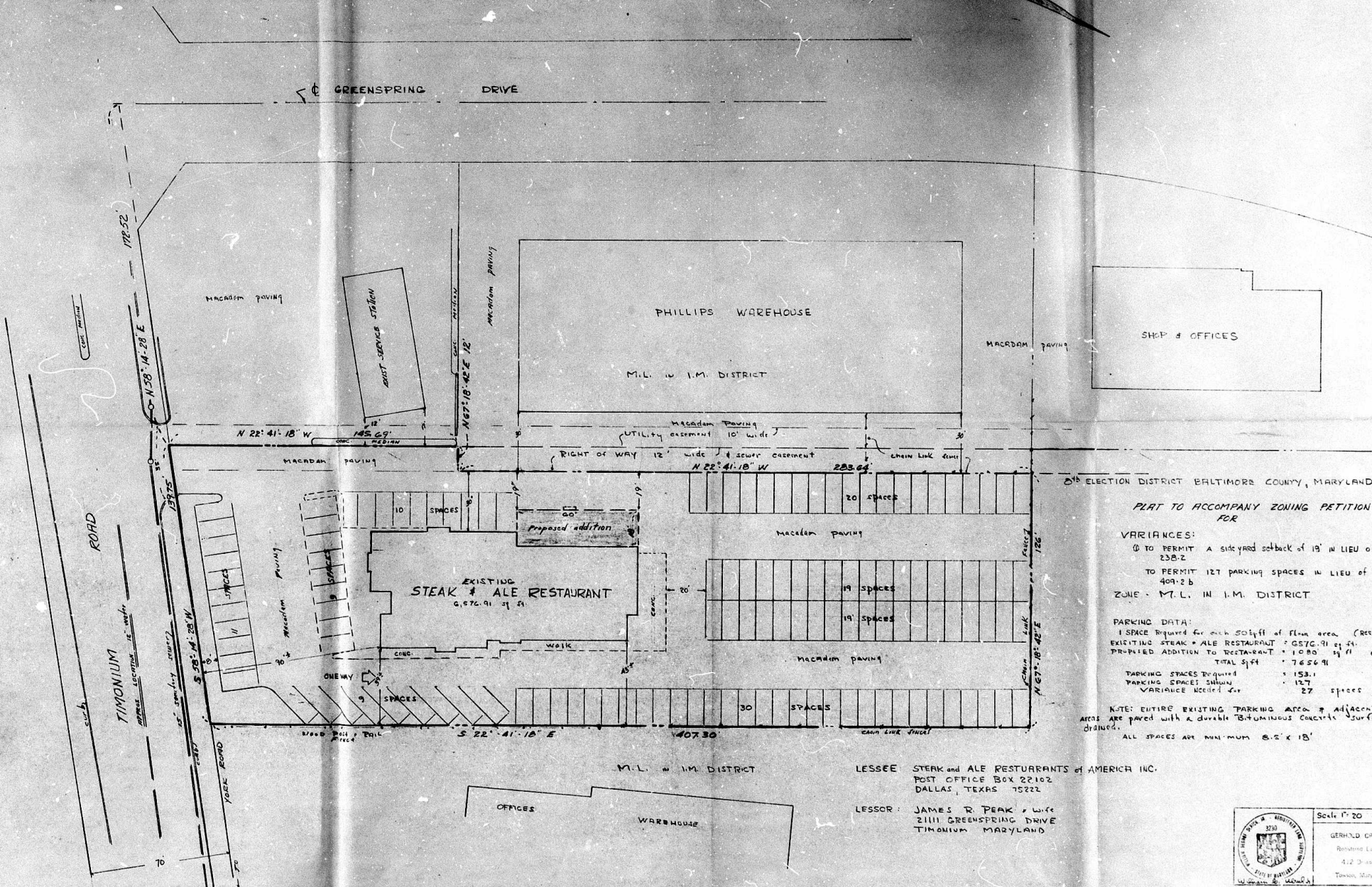
District: 8th Date of Posting: Aug. 21, 1976  
Posted for: PETITION FOR VARIANCE  
Petitioner: JAMES R. PEAK  
Location of property: N/S. of TOWSON RD. 172.52 ft. E. of GREENSPRING DR.  
Location of Sign: N/S. of TOWSON RD. 172.52 ft. E. of GREENSPRING DR.  
Remarks:  
Posted by: *Glenn B. Ireland* Date of return: Aug. 21, 1976  
Signature

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 38940  
DATE: Aug. 13, 1976 ACCOUNT: 00-662  
AMOUNT: \$25.00  
RECEIVED FROM: Hessley, Andrew, Wilson & McGinnis, 203 W. Penna. Ave., Towson, Md. 21204  
FOR: Petition for Variance for James Peak  
USG 67-11-13 250 CASH  
VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 38979  
DATE: Sept. 2, 1976 ACCOUNT: 01-662  
AMOUNT: \$22.25  
RECEIVED FROM: Hessley, Andrew, Wilson & McGinnis, 203 W. Penna. Ave., Towson, Md. 21204  
FOR: advertisement and posting of property for James R. Peak  
USG 67-11-13 2 522 5 CASH  
VALIDATION OR SIGNATURE OF CASHIER





5th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PLAT TO ACCOMPANY ZONING PETITION FOR

VARIANCES:

TO PERMIT A sideyard setback of 19' in lieu of required 30' 238.2

TO PERMIT 127 parking spaces in lieu of required 153 409.26

ZONE - M.L. in I.M. DISTRICT

PARKING DATA:

1 SPACE Required for each 500 sq ft of floor area (RESTAURANT)  
 EXISTING STEAK & ALE RESTAURANT 6,976.91 sq ft  
 PROPOSED ADDITION TO RESTAURANT 10,800 sq ft 60' x 18'  
 TOTAL sq ft 17,776.91  
 PARKING SPACES Required 153.1  
 PARKING SPACES SHOWN 127  
 VARIANCE Needed for 27 spaces

NOTE: ENTIRE EXISTING PARKING AREA & ADJACENT PARKING AREAS ARE PAVED WITH A DURABLE BITUMINOUS CONCRETE SURFACE & ARE DRAINAGE.

ALL SPACES ARE MINIMUM 8.5' x 15'

LESSEE STEAK and ALE RESTAURANTS of AMERICA INC.  
 POST OFFICE BOX 22102  
 DALLAS, TEXAS 75222

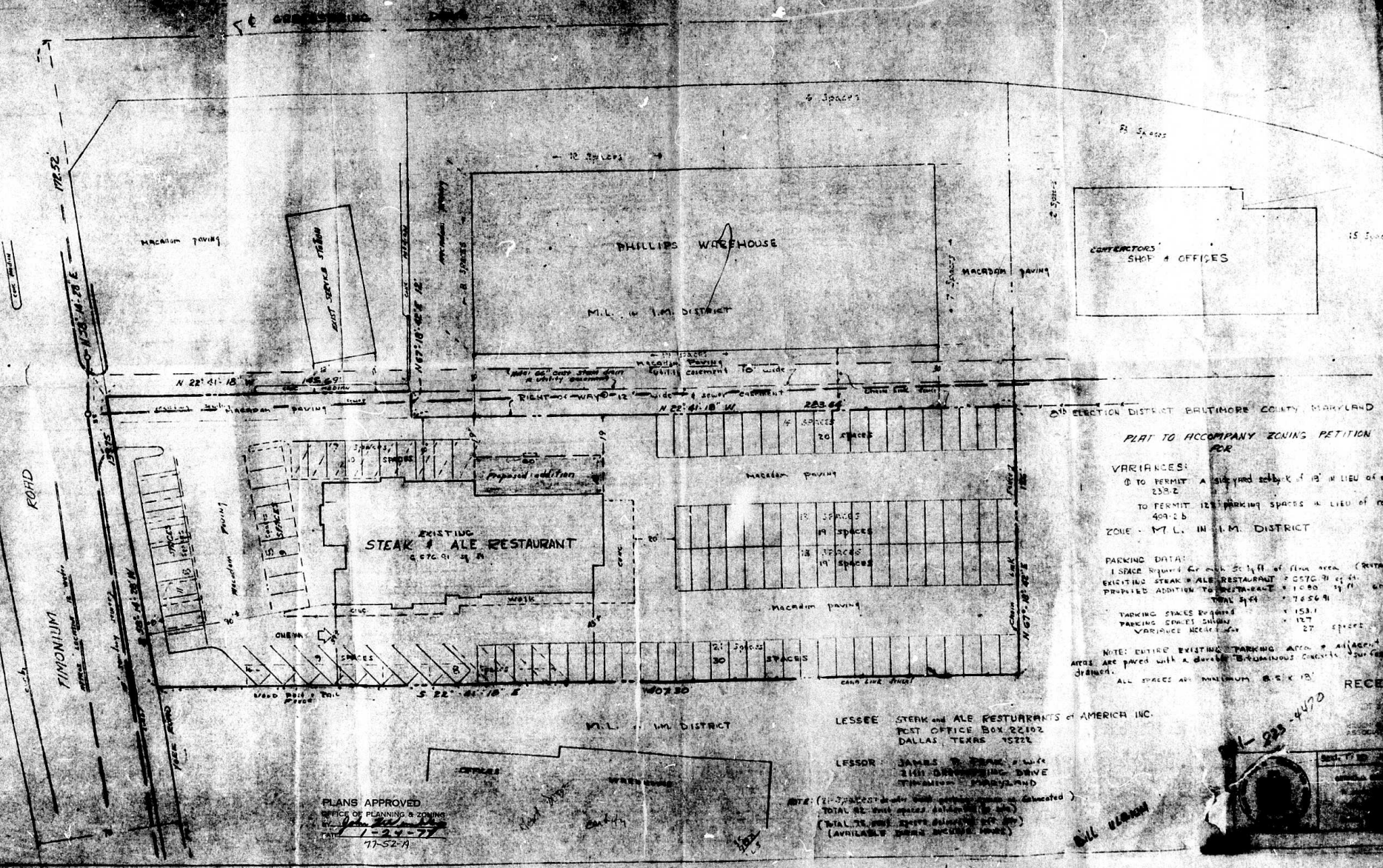
LESSOR: JAMES R. PEAK & wife  
 21111 GREENSPRING DRIVE  
 TIMONIUM MARYLAND



Scale 1" = 20' July 15, 1976

GERHOLD GRESS & EITZEL  
 Notaries Public  
 412 D. State Avenue  
 Towson, Maryland 21204





CONTAINERS  
SHOP & OFFICES

PLAT TO ACCOMPANY ZONING PETITION FOR

**VARIANCES:**  
 1. TO PERMIT A 15' WIDE SIDEWALK IN LIEU OF REQUIRED 20' WIDE SIDEWALK.  
 2. TO PERMIT 125 PARKING SPACES IN LIEU OF REQUIRED 150 SPACES.  
**ZONE - M.L. IN 1st DISTRICT**

**PARKING DATA:**  
 1 SPACE REQUIRED FOR EACH 500 SF OF FLOOR AREA (RESTAURANT)  
 EXISTING STEAK & ALE RESTAURANT 6,576 SF x 1/500 = 13.15 SPACES  
 PROPOSED ADDITION TO RESTAURANT 1,000 SF x 1/500 = 2 SPACES  
**TOTAL 15.15 SPACES**  
 PARKING SPACES REQUIRED 153.1  
 PARKING SPACES SHOWN 127  
**VARIANCE REQUIRED 26 SPACES**

NOTE: ENTIRE EXISTING PARKING AREA & ALL ADJACENT PARKING AREAS ARE PAVED WITH A Durable Bituminous Concrete Surface.  
 ALL SPACES ARE MINIMUM 8'6" X 18'

RECEIVED

LESSEE STEAK AND ALE RESTAURANTS OF AMERICA INC.  
 POST OFFICE BOX 22102  
 DALLAS TEXAS 75222

LESSOR JAMES B. FRANK JR.  
 2141 DORCHESTER DRIVE  
 TIMONIUM MARYLAND

NOTE: (21 PARKING SPACES SHOWN IN EXISTING ZONING MAP)  
 TOTAL 21 SPACES SHOWN IN MAP  
 (TOTAL 21 SPACES SHOWN IN MAP)  
 (AVAILABLE SPACES SHOWN IN MAP)

PLANS APPROVED  
 OFFICE OF PLANNING & ZONING  
 1-24-77  
 17-52-A

