

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, William F. Chew, owner... of the property situate in Baltimore County and which is described in the description and attached hereto and made a part hereof, hereby petition for a Variance From Section 16-222a) to allow a front set back of 15 feet instead of the required 40 feet more or less.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate hereby or practical difficulty)

Involving front portion of building to protect customers from inclement weather and to improve appearance of building which is over 25 years old.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. Lessee agrees to pay expenses of above Variance 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 of Baltimore County.

Signature of Petitioner: William F. Chew
Address: 6 Garrison View Rd., Owings Mills, Md. 21117

Signature of Attorney: John W. Hession, III
Address: 1015A 416177

RECEIVED By The Zoning Commissioner of Baltimore County, this 2nd day of March, 1977, at 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 to be held before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 5th day of April, 1977, at 10:15 o'clock a.m.



ORDER RECEIVED FOR FILING DATE April 13 1977

70-196-1
Case No. 163

NOTE
3/14/77
V
JH
6/20/77
JH

RE: PETITION FOR VARIANCE : BEFORE ZONING COMMISSIONER
NW/C of Reisterstown & Colonial Rds., : OF BALTIMORE COUNTY
3rd District
WILLIAM F. CHEW, Petitioner : Case No. 77-196-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 534.1 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. : John W. Hession, III
Charles E. Kuntz, Jr. : John W. Hession, III
Deputy People's Counsel : People's Counsel
County Office Building : County Office Building
Towson, Maryland 21284 : Towson, Maryland 21284
494-2188 : 494-2188

I HEREBY CERTIFY that on this 4th day of April, 1977, a copy of the aforesaid Order was mailed to Mr. William F. Chew, 6 Garrison View Road, Owings Mills, Maryland 21117, Petitioner.

John W. Hession, III
John W. Hession, III



SPELLMAN, LARSEN & ASSOCIATES, INC.
1000 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21284
493-3350

ROBERT E. SPELLMAN, P.L.C.
JOSEPH L. LARSON
LOUIS J. PARSONS, P.E.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Eric DiNenna, Zoning Commissioner Date: March 10, 1977

FROM: Norman E. Carber, Acting Director of Planning

SUBJECT: Petition #77-196-A, Petition for Variance for a Front Setback
Northwest corner of Reisterstown Road and Colonial Road
Petitioner - William F. Chew

3rd District

HEARING: Wednesday, April 6, 1977 (10:15 A.M.)

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

Norman E. Carber
Norman E. Carber
Acting Director of Planning

NRB:JDR:rw

DESCRIPTION FOR VARIANCE TO ZONING REISTERSTOWN ROAD AND COLONIAL ROAD, THIRD DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at the corner formed by the intersection of the Southwest side of Reisterstown Road, 66 feet wide, and the Northwest side of Colonial Road, 50 feet wide and running thence and binding on the Southwest side of Reisterstown Road North 44 degrees 40 minutes West 79.53 feet and North 77 degrees 01 minutes 50 seconds West 18.87 feet thence leaving the Southwest side of Reisterstown Road and running South 45 degrees 23 minutes West 116.33 feet and South 44 degrees 21 minutes East 95.37 feet to the Northwest side of Colonial Road herein referred to, thence binding on the Northwest side of Colonial Road North 45 degrees 23 minutes East 114.59 feet to the place of beginning.

Containing 0.26 acres of land, more or less

1-14-77

RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGNS • LAND SURVEYING
LAND PLANNING • SURVEYORS' SERVICES • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21284
(301) 284-3810

JOHN D. SEIFERT
DIRECTOR

April 12, 1977

Henry I. Louis, Esquire
4160 Lowell Drive
Baltimore, Maryland 21208

RE: Petition for Variance
NW corner of Reisterstown and
Colonial Roads - 3rd Election
District
William F. Chew - Petitioner
NO. 77-196-A (Item No. 163)

Dear Mr. Louis:

Comments on Item #163 Zoning Advisory Committee Meeting, are as follows:

Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Address:
District:

The items checked below are applicable:

A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

B. A building permit shall be required before construction can begin.

C. Three sets of construction drawings will be required to file an application for a building permit.

D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

F. No comment.

G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,
Mark E. Burham
Charles E. Burham
Plans Review Chief
02B:lrj

Mr. William F. Chew
4160 Lowell Drive
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received and accepted for filing
this 10th day of March, 1977.

Eric DiNenna
Eric DiNenna
Zoning Commissioner

Petitioner: Mr. William F. Chew

Petitioner's Attorney: John W. Hession, III Revised by: John W. Hession, III
Nicholas B. Combs, Jr.
Planning & Zoning
Associate III

SEE ATTACHED PLANS & SPECIFICATIONS, ETC.

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following findings 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 a front setback of 13 feet in lieu of the required 46 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of April, 1977, 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 State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

The above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of April, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 W. CHAMBERS ST. TOWSON, MARYLAND 21284

March 31, 1977

Nicholas B. Commodari, Acting Chairman

Mr. William F. Chew, 6 Garrison View Rd. Owings Mills, MD 21117

RE: Variance Petition Item No. 163 William F. Chew

Dear Mr. Chew:

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 or problems with regard to the development plans that may have a bearing on this case.

The subject property, located on the northwest corner of Reisterstown and Colonial Roads, is presently improved with a Carvel Ice Cream store and accessory parking area. Adjacent properties to the north and south, across Colonial Road, are improved with retail stores and an abandoned service station respectively, while property immediately to the west of this site is improved with a two-story brick dwelling.

This Variance is necessitated by your proposal to extend the front of the existing building and thereby increase an already nonconforming setback.

Page 2

The revised plan dated March 1, 1977, was obviously submitted to this office following the comments of the State Highway Administration. I personally presented said plan to Mr. John Meyers, and he indicated that the proposed curb and gutter along Reisterstown Road is satisfactory if constructed as per the State Highway Administration's requirements.

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.

Yours very truly,

Nicholas B. Commodari, Acting Chairman, Zoning Plans Advisory Committee

Enclosure (Blue Slip) Mr. Spellman, Larson & Associates, Inc. Suite 110 Jefferson Bldg. Towson, MD 21204



THORNTON M. HAWKING, P.E. DIRECTOR

March 11, 1977

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

Re: Item #163 (1976-1977) Property Owner: William F. Chew W/C Reisterstown Rd. & Colonial Rd. Existing Zoning: B.L.-C.S. 1 Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'. Acres: 0.26 District: 3rd

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:

Baltimore County highway and utility improvements are not directly involved. Highway right-of-way widening along Colonial Road including a fillet area for right of way at the intersection of Reisterstown Road (U.S. 140) and Colonial Road will be required in connection with any grading or building permit application.

The construction or reconstruction of concrete sidewalks, curbs and gutters, entrances, aprons, etc. will be the full responsibility of the petitioner. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #163 (1976-1977).

Very truly yours, Edward M. Dwyer, Chief, Bureau of Engineering

END:GAM:PM:R:SS CC: J. Somers 0-SW Key Sheet 25 MW 19 Pol. Sheet MW 7 E Page 78 Tax Map



February 9, 1977

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

Re: Z.A.C. Meeting, Feb. 1, 1977 ITEM: 163. Property Owner: Wm. F. Chew Location: W/C Reisterstown Rd. & Colonial Rd. Existing Zoning: B.L.-C.S. 1 Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'. Acres: 0.26 District: 3rd

Dear Mr. DiNenna: There is no barrier between the parking lot and the sidewalk along Reisterstown Road. A permanent barrier, preferably concrete curb, must be erected in this area. The plan must be revised accordingly, prior to the hearing.

Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits

CL:JEM:vvd By: John E. Meyers



March 8, 1977

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

Dear Mr. DiNenna:

Comments on Item #163, Zoning Advisory Committee Meeting, February 2, 1977, are as follows:

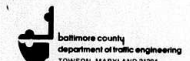
Property Owner: William F. Chew Location: W/C Reisterstown Road and Colonial Road Existing Zoning: B.L.-C.S. 1 Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'. Acres: 0.26 District: 3rd

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, Planner III, Project and Development Planning



STEPHEN E. COLLINS, DIRECTOR

March 8, 1977

Mr. Eric S. DiNenna, Zoning Commissioner, 2nd Floor, Courthouse, Towson, Maryland 21204

Re: Item 163 - SAC - February 2, 1977 Property Owner: William F. Chew Location: W/C Reisterstown Rd. & Colonial Rd. Existing Zoning: B.L.-C.S. 1 Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'. Acres: 0.26 District: 3rd

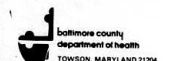
Dear Mr. DiNenna:

No traffic problems are anticipated by the requested variance to the front setback.

Very truly yours,

Nicholas J. Flanagan, Traffic Engineer Associate

NSF/114



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

February 7, 1977

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

Dear Mr. DiNenna:

Comments on Item 163, Zoning Advisory Committee Meeting, February 2, 1977, are as follows:

Property Owner: William F. Chew Location: W/C Reisterstown Rd. & Colonial Rd. Existing Zoning: B.L.-C.S. 1 Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'. Acres: 0.26 District: 3rd

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.

Metropolitan water and sewer exist, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Devlin, Director, Bureau of Environmental Services

TED/SJM/tts

cc: L. A. Schuppert

OWNER RECEIVED FOR FILING DATE: April 13, 1977

Baltimore County
Department of Permits and Licenses
TOWSON, MARYLAND 21284
3011-64-300

JOHN D. SEYBERT
DIRECTOR

January 31, 1977

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

Dear Mr. DiNenna:
Comments on Item # 163 Zoning Advisory Committee Meeting, February 2, 1977 are as follows:

Propy Owner: William F. Chew
Location: W/C Reisterstown Road & Colonial Road
Kisting Zoning: B1w - C-3, 1
Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'.

Acres: 0.26
District: 3rd

The items checked below are applicable:

- A. Structure shall conform to Baltimore County Building Code (B.C.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.
- B. A building permit shall be required before construction can begin.
- C. Three sets of construction drawings will be required to file an application for a building permit.
- D. Three sets of construction drawings with a registered Maryland Architect or engineer's original seal will be required to file an application for a building permit.
- E. Wood frame walls are not permitted within 30" of a property line. Contact Building Department if distance is between 30" and 60" of property line.
- F. No comment.
- J. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,
Mark E. Burnham *CEB*

Charles E. Burnham
Plans Review Chief
CEB:irj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 1, 1977

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

Z.A.C. Meeting of: February 2, 1977

RE: Item No: 163
Property Owner: William F. Chew
Location: W/C Reisterstown Rd. & Colonial Rd.
Present Z'ing: B1w-C-3, 1
Proposed Zoning: Variance to permit a front setback of 13' in lieu of the required 42'.

District: 3rd
No. Acres: 0.26

Dear Mr. DiNenna:
No hearing on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative

WNP/djp
JOSEPH N. WOODMAN, PRESIDENT
THOMAS M. BOYER
ALVIN LOBECK
W. BAYARD WELLS, JR., VICE-PRESIDENT
W. L. LORAN, JR., CHAIRMAN
WES. WILTON B. SMITH, JR.
ROGER B. HAYDEN
RICHARD W. TRACY, D.V.M.
MARCUS M. SC. JAMES
ROBERT V. DUREL, SUPERINTENDENT

Vertical text on the left side of the newspaper clipping, possibly a date or page number.



OFFICE OF
TOWSON, MD. 21204 Mar. 16, 1977

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

- Catonsville Times
- Dundalk Times
- Essex Times
- Suburban Times East
- Towson Times
- Arbutus Times
- Community Times
- Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the day of April 19, 77, that is to say, the same was inserted in the issues of Mar. 16, 1977.

STROMBERG PUBLICATIONS, INC.
BY: *John Smule*

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 17, 1977

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 for one time successive weeks before the 5th day of April 19, 77, that is to say, the same publication appearing on the 17th day of March 19, 77.

THE JEFFERSONIAN
L. Leach
Manager

Cost of Advertisement, \$.....

Vertical text on the right side of the newspaper clipping, possibly a date or page number.

1-SIGN 77-196-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: MARCH 19, 1977
Posted for: PETITION FOR VARIANCE
Petitioner: W.F. CHEW
Location of property: NW CORNER OF REISTERSTOWN & COLONIAL RDS.
Location of Sign: NW CORNER OF REISTERSTOWN & COLONIAL RDS.
Remarks: INSIDE ICE CREAM STORE FRONT WINDOW
Posted by: J. George N. Belmont Date of return: MARCH 24, 1977

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 18th day of January 1977. Filing Fee \$25.00 Received Cash Other

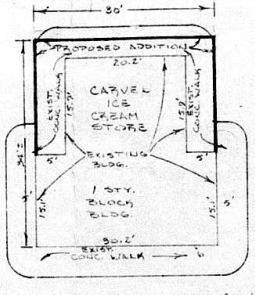
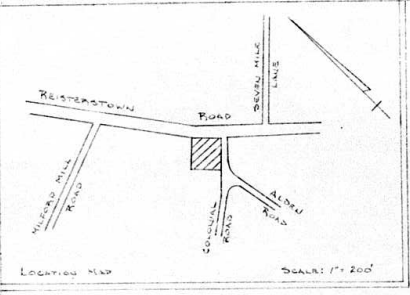
S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner: *Dillon Chew* Submitted by: *Bob Kusinski*
Petitioner's Attorney: _____ Reviewed by: *Diane Attie*

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

BALTIMORE COUNTY, MARYLAND No. 46471
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: MARCH 21, 1977 ACCOUNT: 03-662
AMOUNT: \$25.00
RECEIVED: Milton Britton, 600 Loxlydale Terrace, Baltimore, Md. 21208
*Petition for Variance for William F. Chew #77-196-A
897 APR 15 250 PM '77
VALIDATION OR SIGNATURE OF CLERK

BALTIMORE COUNTY, MARYLAND No. 46528
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: April 5, 1977 ACCOUNT: 03-662
AMOUNT: \$53.75
RECEIVED: Milton Britton, 4/a Carvel Ice Cream Store, 202 Baltimore Ave., Baltimore, Md. 21208
*Advertising and Posting of sympathy for Mr. F. Chew #77-196-A
897 APR 6 5375 PM '77
VALIDATION OR SIGNATURE OF CLERK



GENERAL NOTES
 VARIANCE TO SECTION 302.2 TO PERMIT A 13 FT. FRONT YARD INSTEAD OF THE REQUIRED 41.2 FT. FRONT YARD.

ZONING
 EXISTING: BL-CS-1
 PROPOSED: BL-CS-1

USE
 EXISTING: ICE CREAM STORE
 PROPOSED: ICE CREAM STORE

AREA OF BUILDING
 PRESENT: 777 SQ. FT.
 FUTURE: 2800 SQ. FT.
 TOTAL: 1027 SQ. FT.

PARKING REQUIREMENTS
 REQUIRED: 1 SPACE FOR EACH 50 SQ. FT. (1027/50 = 21 SPACES)
 PROPOSED: 21 SPACES

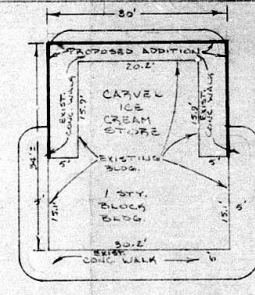
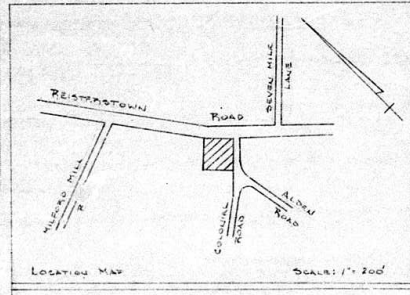
AREA OF TRACT
 0.26 AC

PLAT FOR VARIANCE TO ZONING
 CARVEL ICE CREAM STORE
 REISTERSTOWN & COLONIAL ROADS
 3RD ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 SCALE: 1" = 50' JAN. 14, 1997

NO. 777
 DATE 1-19-97
 BY [Signature]
 FOR [Signature]



APPLICANT: JEFFREY J. CARVEL
 SUITE 110 JEFFERSON BLDG.
 1000 MARYLAND AVE.
 BALTIMORE, MD 21201



GENERAL NOTES
 VARIANCE TO SECTION 302.2 TO PERMIT A 13 FT. FRONT YARD INSTEAD OF THE REQUIRED 41.2 FT. FRONT YARD.

ZONING
 EXISTING: BL-CS-1
 PROPOSED: BL-CS-1

USE
 EXISTING: ICE CREAM STORE
 PROPOSED: ICE CREAM STORE

AREA OF BUILDING
 PRESENT: 777 SQ. FT.
 FUTURE: 2800 SQ. FT.
 TOTAL: 1027 SQ. FT.

PARKING REQUIREMENTS
 REQUIRED: 1 SPACE FOR EACH 50 SQ. FT. (1027/50 = 21 SPACES)
 PROPOSED: 21 SPACES

AREA OF TRACT
 0.26 AC

PLAT FOR VARIANCE TO ZONING
 CARVEL ICE CREAM STORE
 REISTERSTOWN & COLONIAL ROADS
 3RD ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 SCALE: 1" = 50' JAN. 14, 1997

NO. 777
 DATE 1-19-97
 BY [Signature]
 FOR [Signature]



APPLICANT: JEFFREY J. CARVEL
 SUITE 110 JEFFERSON BLDG.
 1000 MARYLAND AVE.
 BALTIMORE, MD 21201

