PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

1225SITP, a Paryland Limited Partmership

1. or we.8655.PHASKI LIBUXED PART./ legal owner..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 .402.2.b(6) to permit a total of three hundred six (306) parking spaces in lieu of the required three hundred fifty-two (352)

parking spaces for a retail facility, a variance of forty-eight(48) parking space

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

1. Strict compliance with the Regulations would cause the Petitioner practical difficulty and unreasonable hardship.

That the requested variance is in strict harmony with the spirit and intent of the Regulations; and the requested relief will do no injury to the public health, safety and opencal swifare in that the garden storage area and the outdoor storage area will only be used for rotall sales during limited seasons of the year.

> nee attached description to be posted and advertised as prescribed by Zoning Regulation to be posted and advertised as prescribed by Zoning Regulation

Property is to be posted. An advertised as prescribed by Zoning Regulations.

L or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this Little, and further agree to and are to be bound by the zoning regulations and restrictions of tillings County adopted pursuant to the Zoning Law For Billinner County.

8655 FULSKI LIMITED PARTHERISTIP.

8655 FULSKI LIMITED PARTHERISTIP.

Contract purchaser Legal Owner
Address 1940 Buston Boad

Towson, Maryland 21204

Protestant's Attorney

14 W. Pennsylvania Avenue 14 W. Pennsylvania Avenue

of personnes.

197..., that 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 be had before the Zoning County Office Building in Townon, Baltimore

County, on the ... 27th day of ... April ... 197 3, s. 3.40

-p. ... M.

PR 9 71 108

Resing Commissioner of Ballmore (over)

4/27/77

JAMES PETRICA AND ABSOCIATES, INC.

Consulting Engineers

409 JEFFERBON BUILDING
TOWSON, MARYLAND 31304

January 25, 1977

DESCRIPTION OF PROPERTY
TO ACCOMPANY PETITION FOR VARIANCE
FOR PARKING REQUIREMENTS IN EXISTING B.R. ZONE

All that parcel of land in the Fifteenth Election District of Baltimore County,

Beginning for the same at a point on the south side of Pulaski Highway, also U.S. Route 40 (150 feet wide), northeasterly 1,300 feet more or less from the centerline of the Baltimore Beltway (Interstate Route 695) at its intersection with said Pulaski Highway, said point of beginning being the same place of beginning as described in Parcel No. 1 in a deed dated June 5, 1970, conveyed by Glenn F. Gall et al to 8655 Pulaski Limited Partnership, and recorded among the Land Records of Baltimore County in Liber O.T.G. 5110, Polio 683, running thence binding on part of the first or N 53°28'E, 650 foot line of the herein mentioned conveyance and binding on the southeast side of Pulaski Highway as shown on State Roads Commission of Maryland Right-of-Way Plat #1364 the three following courses, as now surveyed, viz: (1) N 44°55'27"E, 553.97 feet, (2) S 45°04' 33"E, 40.00 feet and (3) N 44°55'27"E, 48.00 feet to the end of the 4th or S 44°55'27"W. 105.00 foot line described in a deed dated April 1, 1957 conveyed by Edward Azrael et al to Pete Guerriero et al, and recorded among the Land Records of Baltimore RE: PETITION FOR VARIANCE S/S of Pulaski Hwy. 1300' E o Baltimore Beltway, 15th Distri : BEFORE THE ZONING COMMISSIONER

: Case No. 77-218-A

ORDER TO ENTER APPEARANCE

Mr. Commission

Pursuant to the authority contained in Section 524, I of the Bultimore Crusty
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. Kounts, Jr.
Deputy People's Counsel

John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 19th day of April, 1977, a copy of the aforegoing Order was mailed to James D. Nolan, Esquire and Newton A. Williams, Esquire, 204 West

John W. Hessian, III



County in Liber G.L.B. 3142, Folio 021, running thence binding on the 5th thru the 10th lines of the herein second mentioned conveyance the six following courses, as now surveyed, viz: (4) S 48°12'39"E, 210.33 feet, (5) S 66°28'33"E, 84.12 feet, (6) S 20°15'33"E, 46.80 feet, (7) S 38°07'27"W, 58.20 feet, (8) S 74°03'27"W, 85.00 feet, and (9) S 16°24'33"E, 90.00 feet, running thence binding for part of the distance on the 11th or \$ 65°06'33"E. 45.26 foot line of the herein second mentioned conveyance, as now surveyed, (10) S 65°06'33"E, 55.00 feet to the northwest right-of-way line of the Baltimore and Ohio Railroad, running thence binding on said right-ofway line, as now surveyed, parallel to and 60 feet distant from the center line between the main tracks of said Baltimore and Ohio Railroad, and binding on part of the 10th or S 55° 52'W, 556.11 foot line of the herein first mentioned conveyance, (11) S 47"23'07"W, 469.17 feet, running thence binding for part of the distance on the 3rd or N 36*32'W. 229.26 foot line in a deed dated March 11, 1952 conveyed by The Glenn F. Gall Lumber Company to Industrial Container Corporation of Maryland and recorded among the Land Records of Baltimore County in Liber G.L.B. 20,5, Folio 116, and binding for part of the distance reversely on the 1st or S 36°32'E, 218.54 foot line of Parcel No. 2 of the herein first mentioned conveyance, in all, as now surveyed, (12) N 45°00'01"W, 446.82 feet to the place of beginning.

Containing 6.072 acres of land more or less.

Being part of Parcel No. 1 and all of Parcel No. 2 described in a deed dated June 5. 1970. conveyed by Glenn F. Gall et al

SALTIMORE COUNTY, MAYLAND

INTER-OFFICE CORRESPONDENCE

S. Eric Dillenna
To Zoning Commissioner Date. April 20, 1977.

Norman E. Gerber
FROM: Acting Director of Planning.

Page 1. Acting Director of Planning.

SUBJECT Petition for Verlance for Off-Street Parking
South side of Pulask Highway 1300 feet, more or less, East of
Baltimore Beltsey Delask Limited Partnership
Petitioner - 8655 Pulask Limited Partnership

15th District

HEARING: Wednesday, April 27, 1977 (1:00 P.M.)

This office has reviewed the subject petition and offers no comment.

Norman E. Berber Acting Director of Planning

NEG:JGH:dne



April 28 1977

Newton A. Williams, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Verlance S/S of Pulseki Mighway, 1300' E of Ballimore Beltway - 15th Election District 8655 Pulseki Ltd. Partnership -Petitioner NO. 77-218-A (Item No. 176)

Dear Mr. Williams:

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

OEONE J APATINAK Deputy Zoning Commissioner

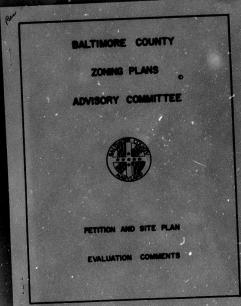
GJM/me

Attachments

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

to 8655 Pulaski Limited Partnership and recorded among the Land Records of Baltimore County in Liber O.T.G. 5110, Folio 683.





ring 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 Petitione 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 e communit to permit 306 off-street parking spaces instead of the required 352 spaces Deputy IS ORDERED by the/Zoning Commissioner of Baltimore County this ..., 197 Z., that the herein Petition for the aforementioned Variance hould be and the same is GRANTED, from and after the date of this Order, subassetted or and the same is warning to the same as the same of the 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 , 197 ..., that the above Variance be and the same is hereby DENIED.

UNITY OFFICE OF PLANNING & ZONING County Office Building and accepted for filing tition has been received

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 * Chesapeake Ave.
Towner, Maryland 21204
icholas, B.
Commod:

ting Chairman

DEPARTMENT OF

STATE BOADS COMP AUREAU OF HEALTH DEPARTMENT PROJECT PLANNING NUMBER OF THE PARTYES BOARD OF EDUCATION ZONING ADMINISTRATE INDUSTRIAL DEVELOPMENT

April 18, 1977

James D. Nolan, Esquire Newton A. Williams, Esquire 204 W. Pennsylvania Ave. Towson, Maryland 21204

RE: Variance Petition Item No. 176 Leroy Merritt

The Joning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has sade an or 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 problems with regard to the zero made problems with regard to the sease. The birector of Planning any statement of the zero from the Zoning and the zero from th

The subject property, currently improved with a McDonal's Bestaurant, is located on the south side of Fulant Highway approximately 1900 northeast of the Baltimore Beltway in the 15th Election District Majacent properties are improved southwest, vacant land to the south, and an extating motel complex to the south.

mis property was the subject of a previous zoning hearth; case 977-35-A, in which setback Variances to permit the proposed retail building, as shown on the substituted site plan, were granted.

It was to construct the wellopened were approved by this office on the substituted site plan, were granted.

On Rarch 16, 1977, however, the parking required of the for the "garden storage culted as storage only, (i.e., proposace for each three employees). The subject Variance is necessitated by your client's proposace for each three employees.

James D. Nolan, Esq. Newton A. Williams, Esq. Page 2 Item No. 176 April 18, 1977

of parking spaces required.

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 sore than 30 are sore that the date on the filing certificate, will be forwarded to you in the near future.

very truly yours, Micheles B Commoden NICHOLAS B. COMMODARI, Acting Chairman Zoning Plans Advisory Committee

cc: James Petrica & Associates, Inc. 409 Jefferson Building Towson, Maryland 21204

ON MARYLAND 21204 THORNTON M. MOURING, P.E.

March 17, 1977

Mr. S. Eric DiNe Zowing Commissioner County Office Building Towson, Maryland 21204

Re: Itam \$176 (1976-1977)
Property Owner: 6555 Pulsaki Limited Partnership
5/EB Fulsaki Ney., 1300° M/B maltimore melvewy
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 306 parking spaces
in lies of the required 352 spaces.
Acress 6.072 Districts; 1984

Zoning Commissioner of Ealtimore County

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.

Comments were supplied in connection with the Zoning Advisory Committee review of this property for Item #230 (1975-1976) and Item #33 Soning Cycle V (April-October 1973).

Comments were supplied by the Bureau of Engineering May 14, 1975 in connection with Building Permit #317-75 (McDonald's Restaurant).

The Baltimore County Bureau of Public Services supplied comments November 10, 1976 in connection with the preliminary plan for the "Hechinger Hardware" site (Commercial Building Application 1289-76 Project 6223) and supplemented January 25, 1970

All of the above comments are referred to for your consideration. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #176 (1976-1977).

Ellsworth P. Divo/Come ELLSWORTH N. DIVER, P.E.

END: EAM: PWR: SS cc: R. Morton C. Warfield

I-NW Key Sheet 14 NE 25 & 26 Pox Sheets NE 4 G Topo 90 Tax Map

Maryland Department of Transportation

Harry R. Hughes Bernard M. Evans

February 16, 1977

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, Feb. 8, 1977
ITEM: 176.
Property Owner: 8655 Pulaski
Limited Facture 18655 Pulaski
Limited Facture 18655 Pulaski
Hay.
(Koute 40) 1300' NR Baltimore
Beltway
Existing Zoning: B.R.
Existing Zoning: B.R.
Permit 306 parking spaces in
lieu of the required 352 spaces
Acres: 60070 District; 12th

Dear Mr. DiNenna:

Although the proposed parking variance may cause traffic problems on the site, it is not anticipated that there will be any adverse effects to the State highway. This is due to the long entrance drive that will provide considerable stacking for vehicles.

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits

CL:JEM:vrd

By: John E. Meyers

March 8, 1977

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

Comments on Item \$176, Zoning Advisory Committee Meeting, February 8, 1977, are as follows

Property Owner: 8655 Pulaski Limited Partnership Location: 5£/5 Pulaski Hey 1300' NE Boltimore Bethvay Existing Zoning: 8. k. Proposed Zoning: Variance to permit 306 parking spaces in lieu of the required 352 spaces Acres: 6.072 District: 15th

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 an this petition.

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



March 9, 1977

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

Item 176 - ZAC - Pebruary 9, 1977
Property Owner: 8855 Pilanki Limited Partnership
Location: Exp 1897
Locati

Dear Mr. DiNenna;

The requested variance to parking may cause some parking problems

Very truly yours, Truckael & Florisa Michael S. Flanigan Traffic Engineer Associate

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



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

March 8, 1977

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

Dear Mr. DiNenna:

Comments on Item 176, Zoning Advisory Committee Meeting, February 9, 1977, are as follows:

Property Owner: 8655 Pulaski Limited Partnership Location: SE/S Pulaski Hwy. 1300' NE Baltimore

Beltway B.R.

Reltvay
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 306 parking spaces
in lieu of the required 352 spaces.
6 12
District: 15th

Since metropolitan water and sewer are available, no health hazards are anticipated.

Very truly yours,

Them of Duly Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

THD: RJW: MAH @



February 10, 1977

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

Comments on Item # 176Zoning Advisory Committee Meeting, February 8, 1977 are as follows:

Property Owner: 8655 Pulsaki Limited Fartnership Syky's Pulsaki Highway - 1300' K/E Baltimore Betlway Existing Zoning: B.R. Proposed Zoning: Variance to permit 306 parking spaces in lieu of the required 359 spaces.

District:

The items checked below are applicable:

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

(X) 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.

(X) 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 0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

(Z) G. Requested setback variance may conflict with the Baltimore County Building Code. See Section 302.2. of 1971 B.O.C.A. Supplement Table 5 and Table 6 - Contact Building Department.

Mark E. Sunham (> B

Charles E. Burnham Plans Review Chief

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY #77-218 17

District 15 M Posted for Maring Med Gr 2.70 19726 / coll M. Petitioner States Technolic State Date of Possing 4-2-77 Lo ation of property 5/5 of Bulaste Highway 1328 6. J. Boll Rett location of Signe I Lyn Routed on Board and Land Andry Stantes May & Me Donalds Tent

Posted by Mild H. Hear Date of return 4-14-27

BALTIMORE COUNTY, MARYLAND OFFICE OF PIN REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE April 1, 1977 ACCOUNT 01-662 AMOUNT \$25.00 4841 TEN 4 25.00 kg VALIDATION OF SIGNATURE OF CASHIER

0 BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this ______day of 1977. Filing Fee \$ 25 . Received Check

Eric Di Neppa

Petitioner's Attorney Reviewed by

69

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

No. 51672 BALTIMORE COUNTY, MARYLAND OFFICE OF FIN - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT CATE April 27, 1977 ACCOUNT 01-662 Mesurs. Holan, Flumboff & Williams, 20h.
From Aver, Foresm, Mt. 2120;
Advertising and posting of property for8655
Fit-215-A 100 9 9 ND HR 20 7325 HG VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson Baltimore County, Md. ones to much day of __April ________ 19 77, the first publication 19.77

THE JEFFERSONIAN.

Cost of Advertisement S



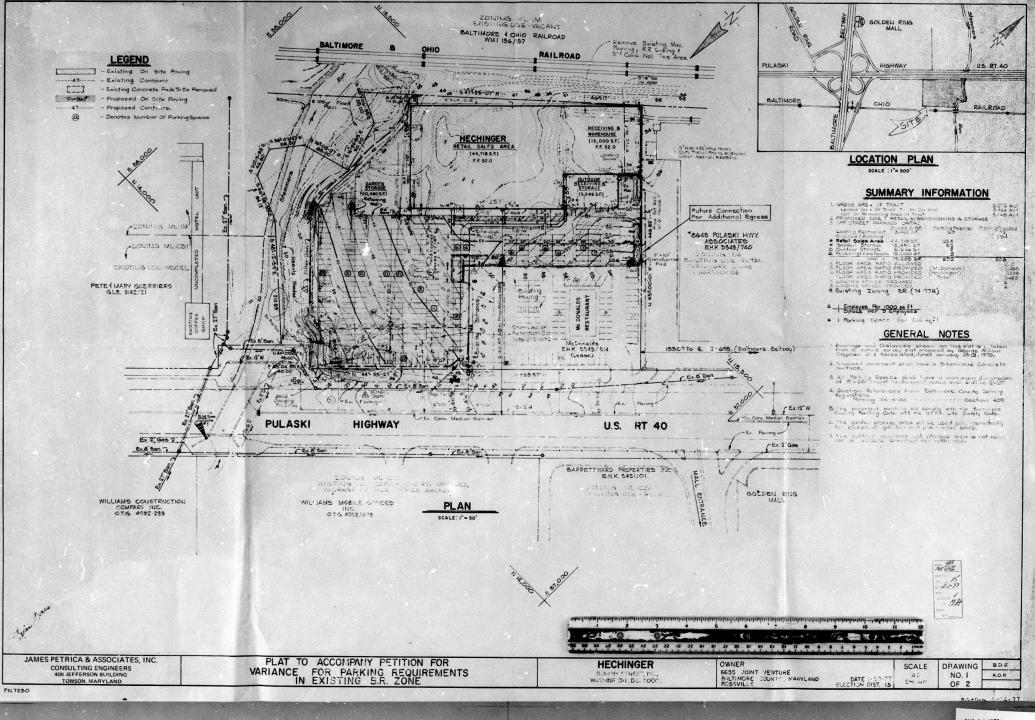


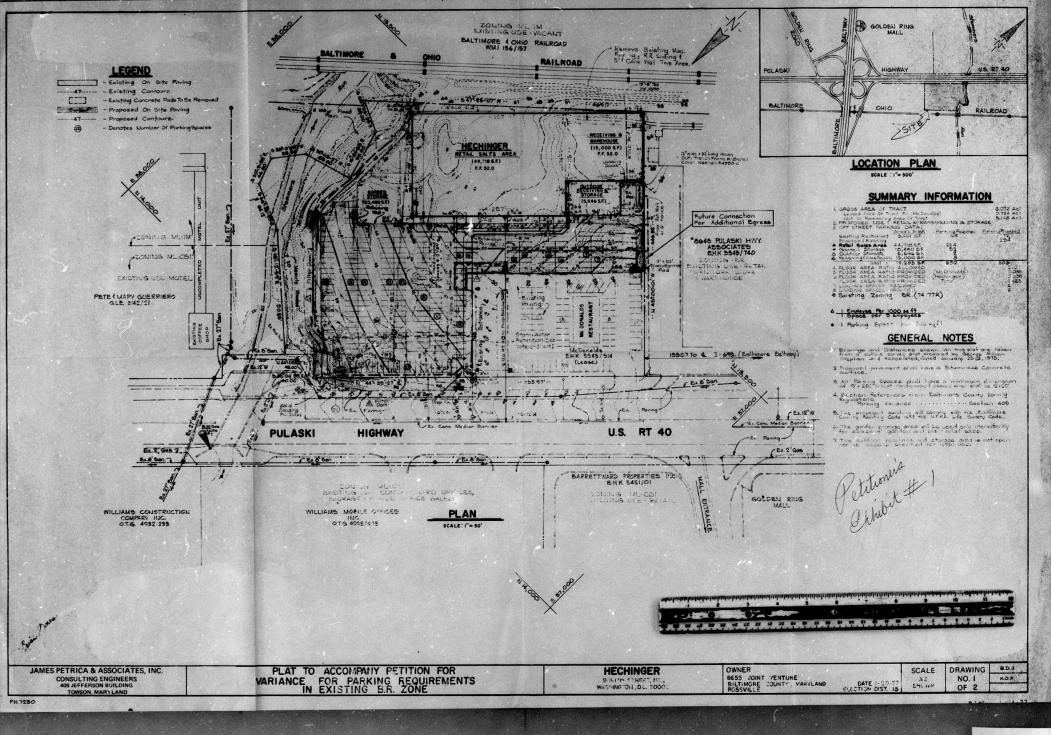


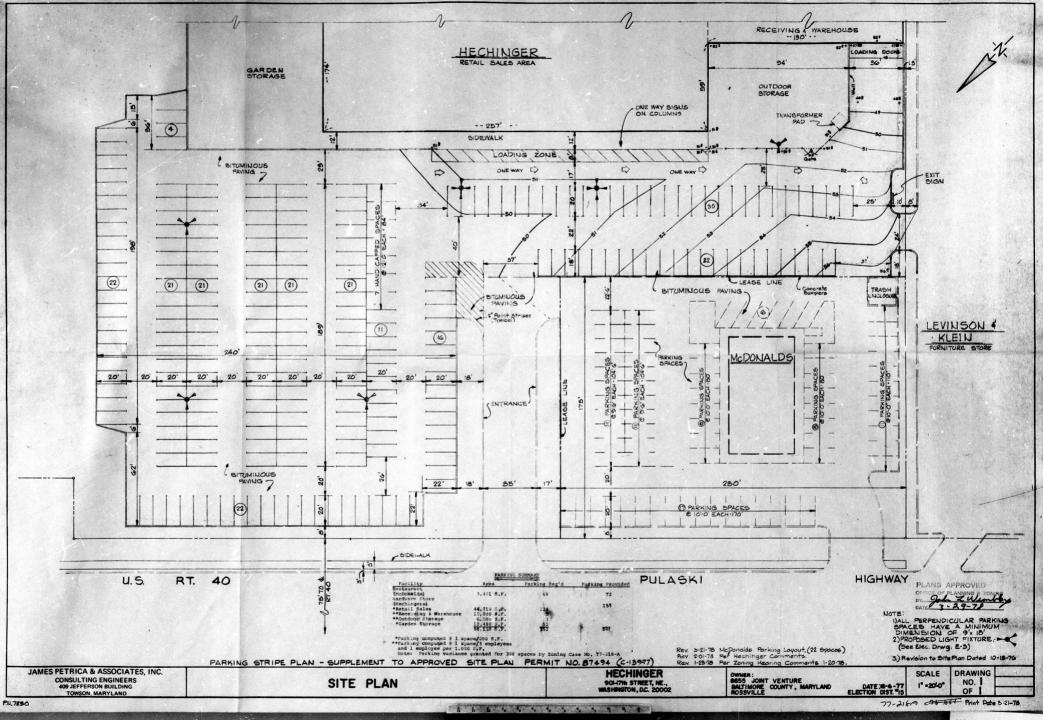












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