PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

77-229-A
#207

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WILLIAM A. & PATRICIA T. SULLIVAN, his wife
I, or we, S. ERIC DILENNA, 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 409.2B (3) to permit 88 parking spaces in lieu of the required 97 spaces and to petition for a variance from Section 232.1 to permit a front setback of 5 feet instead of the required 10 feet and 35 feet from center line of street instead of the required 40 feet

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

In order to improve the appearance of our building and of the overall area, an addition of approximately 450 square feet is proposed. (see attached rendering).

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree 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 for Baltimore County.

Contract purchaser — Legal Owner

Address 9305 Harford Road
Baltimore, Maryland 21234

Petitioner's Attorney — Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of March, 1977, 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 Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 23rd day of May, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

MAY 20 '77 PM

RE: PETITION FOR VARIANCE
NW/S of Harford Rd. 90' SE of 2nd Ave.,
9th District

WILLIAM A. SULLIVAN, et al,
Petitioners

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY

Case No. 77-229-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. Kountz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 19th day of May, 1977, a copy of the aforegoing Order was mailed to Mr. William A. Sullivan, 9306 Harford Road, Baltimore Maryland 21234, Petitioner.

John W. Hessian, III

MAY 20 '77 PM
ZONING

BANQUET FACILITIES

Phone: 655-8200

Bowman Restaurant
9306 Harford Road
Baltimore, Maryland 21234

June 22, 1977

Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE Petition for Variances
NW/S of Harford Rd., 90' SE of
Second Ave. - 9th Election District
William A. Sullivan, et al - Petitioners
NO-77-229-A (Item No. 207)

Dear Mr. Commissioner,

Please be advised that I request an appeal to the decision made by George J. Martinak on the above mentioned variances.

William A. Sullivan
9306 Harford Road
Baltimore, Maryland 21234
(301) 665-8600

JUN 23 '77 PM
OFFICE OF PLANNING & ZONING

jlj

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes, Secretary
Bernard M. Evans, Administrator

March 23, 1977

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, March 22, 1977
ITEM: 207.
Property Owner: Wm. A. Sullivan, et al
Location: NW/S Harford Rd. (Route 147) 90' SW 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

Dear Mr. DiNenna:

At present there are traffic problems at the site caused partly by lack of sufficient parking, partly by the lack of parking space marking and partly by obstructions in the entrance. The problems could be greatly reduced by doing the following:

Paving the lot to provide a smooth surface that can be marked for parking spaces.

Taking positive action to keep the entrance completely clear of parked vehicles.

Removing wheel stops from the center of the entrance so that a vehicle can pass a stopped vehicle.

The plan should be revised accordingly.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CL:JEM:vrd
cc: Mr. J.L. Wimbley
Mr. C.R. Moore

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

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
Nicholas B. Commodari
Chairman

MEMBERS
BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

May 16, 1977

Mr. William A. Sullivan, et al
9306 Harford Road
Baltimore, Maryland 21234

RE: Variance Petition
Item No. 207
Petitioner - William A. Sullivan

Dear Mr. Sullivan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an 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 aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

Located on the northwest side of Harford Road approximately 90' southwest of 2nd Avenue in the 9th Election District, the subject property, partially zoned B.L. and D.R. 5.5, is improved with a combination restaurant/[illegible] and accessory parking area in the rear. The [illegible] properties are zoned B.L. and improved with [illegible] and landscaping company to the southwest and [illegible], respectively.

This property was the subject of a previous zoning hearing, Case # 71-229-A, at which a Variance and Special Hearing to permit 88 parking spaces in lieu of the [illegible] 212 spaces were granted. This present Variance request is necessitated by your proposal to construct an addition in the front of the existing building within 5' of the property line in lieu of the required 10'. This would require additional parking, thereby, a request to allow 88 spaces in lieu of the required 97 is included.

Particular attention should be directed to Section [illegible] of the Office of Planning and Development Planning, which reflects the comments of the State Highway Administration, which should be [illegible] at the scheduled hearing date.

This petition is accepted for [illegible] the date of the hearing set [illegible] it is the responsibility of the petitioner to insure that the property is properly posted and that the required notice is published in the newspaper [illegible] hearing.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:mrf

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baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

May 6, 1977

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

Re: Item #207 (1976-1977)
Property Owner: William A. Sullivan, et al
N/WS Harford Rd. 90' S/W 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96 District: 9th

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:

Comments were supplied in connection with the Zoning Advisory Committee review of this site for item #256 (1975-1976). Those comments are referred to for your consideration.

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.

Additional fire hydrant protection is required in the vicinity.

Very truly yours,

DONALD W. TUCKER, P.E.
Acting Chief, Bureau of Engineering

DWT:EAM:FWR:.

cc: F. Munchel

N-NE Key Sheet
35 NE 17 Pos. Sheet
NE 9 R Topo
71 Tax Map

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baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
494-3211

April 19, 1977

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

Dear Mr. DiNenna:

Comments on Item #207, Zoning Advisory Committee Meeting, March 22, 1977, are as follows:

Property Owner: William A. Sullivan, etal
Location: NW/S Harford Road 90' SW 2nd Avenue
Existing Zoning: B.L. and D.R.5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

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 hearing on this petition.

At the time of the field inspection, cars were parked blocking one lane of the driveway. No parking or loading is permitted in this area, and his should be strictly enforced.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

[illegible]

[illegible] 97-[illegible]

[illegible] Petition for a variance under Section [illegible] of the Zoning Regulations of Baltimore County, to the zoning commissioner of Baltimore County, for the property located in [illegible] District [illegible]

[illegible] 87 square feet [illegible] variance from Section 238.1 to permit a front setback of 3 feet instead of the required 10 feet and 35 feet from center line of street [illegible]

[illegible] Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

In order to improve the appearance of our building and of the overall area, an addition of approximately 456 square feet is proposed. (see attached rendering).

See attached description

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

I, or we, agree 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 for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract purchaser

Legal Owner

Address 9306 Harford Road

Baltimore, Maryland 21234

Petitioner's Attorney

Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this [illegible] day of March, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the [illegible] day of May, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

10:30 5/23/77

#77-239-A

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Md. 21204

Nicholas B. Commodari
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

May 16, 1977

Mr. William A. Sullivan, et al
9306 Harford Road
Baltimore, Maryland 21234

RE: Variance Petition
Item No. 207
Petitioner - William A. Sullivan

Dear Mr. Sullivan:

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 ensure 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 Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

Located on the northwest side of Harford Road approximately 90' southwest of 2nd Avenue in the 9th Election District, the subject property, partially zoned B.L. and D.R. 5.5, is currently improved with a combination restaurant/night club and accessory parking area in the rear. Adjacent properties are zoned B.L. and improved with a dwelling and lumber company to the southwest and northeast, respectively.

This property was the subject of a previous zoning hearing, Case #77-27-ASPH, in which a Variance and Special Hearing to permit 88 parking spaces in lieu of the required 212 spaces were granted. This present Variance request is necessitated by your proposal to construct an addition to the front of the existing building within 5' of the property line in lieu of the required 10'. This would require additional parking, therefore, a request to

Mr. William A. Sullivan, et al
Page 2
Item No. 207
May 16, 1977

allow 88 spaces in lieu of the required 97 is included.

Particular attention should be afforded the comments of the Office of Project and Development Planning, while revised plans reflecting the comments of the State Highway Administration should be submitted prior to the scheduled hearing date.

This petition is accepted for filing on the date 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. Notice of the hearing date and time, which will be forwarded to you in the near future.

Very truly yours,

NICHOLAS B. COMMODARI,
Chairman
Zoning Plans Advisory Committee

NBC:rf

[illegible]

[illegible] Petition for a variance under Section [illegible] of the Zoning Regulations of Baltimore County, to the zoning commissioner of Baltimore County, for the property located in [illegible] District [illegible]

[illegible] 87 square feet [illegible] variance from Section 238.1 to permit a front setback of 3 feet instead of the required 10 feet and 35 feet from center line of street [illegible]

[illegible] Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

In order to improve the appearance of our building and of the overall area, an addition of approximately 456 square feet is proposed. (see attached rendering).

See attached description

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

I, or we, agree 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 for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract purchaser

Legal Owner

Address 9306 Harford Road

Baltimore, Maryland 21234

Petitioner's Attorney

Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this [illegible] day of March, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the [illegible] day of May, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

10:30 5/23/77

#77-239-A

[illegible] Petition for a variance under Section [illegible] of the Zoning Regulations of Baltimore County, to the zoning commissioner of Baltimore County, for the property located in [illegible] District [illegible]

[illegible] 87 square feet [illegible] variance from Section 238.1 to permit a front setback of 3 feet instead of the required 10 feet and 35 feet from center line of street [illegible]

[illegible] Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

In order to improve the appearance of our building and of the overall area, an addition of approximately 456 square feet is proposed. (see attached rendering).

See attached description

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

I, or we, agree 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 for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract purchaser

Legal Owner

Address 9306 Harford Road

Baltimore, Maryland 21234

Petitioner's Attorney

Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this [illegible] day of March, 1977, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building, in Towson, Baltimore County, on the [illegible] day of May, 1977, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

10:30 5/23/77

#77-239-A

[illegible]

Petition for Variance
NW/S of Harford Rd., 90' SW of Second Ave. - 9th Election District
William A. Sullivan, et al - Petitioners
CB-77-239-A (Item No. 207)

Dear Mr. Commissioner,

Please be advised that I request an appeal to the decision made by George J. Mitchell on the above mentioned variance.

William A. Sullivan
9306 Harford Road
Baltimore, Maryland 21234
(301) 665-6500

MAY 23 '77 PM

ZONING DEPARTMENT

JJJ

NW 20 '77 PM

ZONING DEPARTMENT

By

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, March 22, 1977
ITEM: 207.
Property Owner: Wm. A. Sullivan, et al
Location: NW/S Harford Rd. (Route 147) 90' SW 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

Dear Mr. DiNenna:

At present there are traffic problems at the site caused partly by lack of sufficient parking, partly by the lack of parking space marking and partly by obstructions in the entrance. The problems could be greatly reduced by doing the following:

Paving the lot to provide a smooth surface that can be marked for parking spaces.

Taking positive action to keep the entrance completely clear of parked vehicles.

Removing wheel stops from the center of the entrance so that a vehicle can pass a stopped vehicle.

The plan should be revised accordingly.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

by: John E. Meyers

CL:JEM:rrd
cc: Mr. J.L. Wimbley
Mr. C.R. Moore

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

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

Re: Item 6207 (1976-1977)
Property Owner: William A. Sullivan, et al
N/WS Harford Rd. 90' S/W 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96 District: 9th

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:

Comments were supplied in connection with the Zoning Advisory Committee review of this site for Item 5256 (1975-1976). These comments are referred to for your consideration.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisance 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.

Additional fire hydrant protection is required in the vicinity.

Very truly yours,

DONALD W. WEBER, P.E.
Acting Chief, Bureau of Engineering

DWW:EEM:FWR:s

cc: W. Hamshal

U-NW Key Sheet
35 NE 17 Tax Sheet
NE 9 & Topo
71 Tax Map

April 19, 1977

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

Dear Mr. DiNenna:

Comments on Item #207, Zoning Advisory Committee Meeting, March 22, 1977, are as follows:

Property Owner: William A. Sullivan, etal
Location: NW/S Harford Road 90' SW 2nd Avenue
Existing Zoning: B.L. and D.R.5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

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 ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

At the time of the field inspection, cars were parked blocking one lane of the driveway. No parking or loading is permitted in this area, and this should be strictly enforced.

Very truly yours,

John L. Wimbley
Planner III
Project and Development Planning

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

March 28, 1977

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

Re: Item 207 - ZAC - March 22, 1977
Property Owner: William A. Sullivan, et al.
Location: NW/S Harford Rd. 90' SW 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.

Acres: 0.96
District: 9th

Dear Mr. DiNenna:

The requested variance to parking can be expected to cause parking problems in the area.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF/slf

baltimore county
department of health
TOWSON, MARYLAND 21204

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

April 4, 1977

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

Dear Mr. DiNenna:

Comments on Item #207, Zoning Advisory Committee Meeting, March 22, 1977, are as follows:

Property Owner: William A. Sullivan, et al
Location: NW/S Harford Rd. 90' SW 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

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

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/RTR/rtn

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. DITTRIGHT
DIRECTOR

Received from Zoning 3-28-77

March 28, 1977

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

Dear Mr. DiNenna:

Comments on Item #207 Zoning Advisory Committee Meeting, March 22, 1977 are as follows:

Property Owner: William A. Sullivan et al
Location: N/W/S Harford Road 90' S/W 2nd Ave.
Existing Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.
Acres: 0.96
District: 9th

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 3'0" of a property line. Contact Building Department if distance is between 3'0" and 5'0" of property line.

( ) F. No comment.

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

Very truly yours,

Charles E. Burnham
Plans Review Chief
CEB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: March 23, 1977

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

Z.A.C. Meeting of: March 22, 1977

RE: Item No: 207
Property Owner: William A. Sullivan, et al.
Location: NW/S Harford Rd. 90' SW 2nd Ave.
Present Zoning: B.L. & D.R. 5.5
Proposed Zoning: Variance to permit 88 parking spaces in lieu of the required 97 spaces and a front setback of 5' in lieu of the required 10' and 35' from the center of the street in lieu of the required 40'.

District: 9th
No. Acres: 0.96

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich,
Field Representative

NNP/bp

JOSEPH N. McGOVERN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. TOTTAS
THOMAS H. BOYER
MRS. LORRAINE F. CHIOCHI
ROGER A. HAYDON
ROBERT Y. DUBEL, SUPERINTENDENT
KEVIN LOBSTEIN
MRS. WILMA S. SMITH, JR.
RICHARD A. SICHER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner
Date: May 20, 1977

FROM: Herman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-229-A. Petition for Variance for Front Setback and Off-Street Parking
Northwest side of Harford Road 90 feet Southwest of 2nd Avenue
Petitioner - William A. Sullivan, et al

9th District

HEARING: Monday, May 23, 1977 (10:30 A.M.)

In view of the existing operation, the proposed addition is of insignificant size and requires no comment with respect to comprehensive planning factors. However, if this petition is granted, it should be conditioned so that development cannot proceed until the developer fully complies with the comments of the Zoning Advisory Committee representatives from the State Highway Administration and the Project and Development Planning Division of this office.

Herman E. Gerber
Acting Director of Planning

HEG:JOH:rw

RE: PETITION FOR VARIANCES
NW/S of Harford Road, 90' SE of Second Avenue - 9th Election District
William A. Sullivan, et al - Petitioners
NO. 77-229-A (Item No. 207)

: BEFORE THE
: DEPUTY ZONING
: COMMISSIONER
: OF
: BALTIMORE COUNTY

::: ::: :::

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for Variances to permit 88 parking spaces in lieu of the required 97 parking spaces, a front yard setback of 5 feet instead of the required 10 feet, and a distance of 35 feet from the center line of the street instead of the required 40 feet.

Testimony presented at the hearing on behalf of the Petitioners indicated that they propose to construct an addition of approximately 453 square feet to the front of an existing restaurant. This property was the subject of a previous Variance and Special Hearing (Case No. 77-27-ASPH), which resulted in the granting of 88 parking spaces in lieu of the required 212 spaces.

The Zoning Plans Advisory Committee comments submitted by the State Highway Administration and the Department of Traffic Engineering indicate the existence of significant parking problems in the vicinity of the subject site.

Without reviewing the evidence further in detail, but based on all of the evidence presented at the hearing, in the judgment of the Deputy Zoning Commissioner, the subject Variances cannot be countenanced on the basis of unusual hardship or practical difficulty, nor is the Petitioners' argument that the proposed addition, which would extend 12 feet out from the front of his building, would improve the appearance of the building a valid reason for granting the Variances.

ORDER RECEIVED FOR FILING
DATE June 17, 1977
BY [signature]
ADMINISTRATIVE ASSISTANT

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of June, 1977, that the aforementioned Variances be and the same are hereby DENIED.

Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE June 17, 1977
BY [signature]
ADMINISTRATIVE ASSISTANT

June 17, 1977

Mr. William A. Sullivan
9306 Harford Road
Baltimore, Maryland 21234

RE: Petition for Variances
NW/S of Harford Road, 90' SE of Second Avenue - 9th Election District
William A. Sullivan, et al - Petitioners
NO. 77-229-A (Item No. 207)

Dear Mr. Sullivan:

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

Very truly yours,

GEORGE J. MARTIN
Deputy Zoning Commissioner

GJM/mc

Attachments

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

RE: PETITION FOR VARIANCES
from Sections 409.2b(3)
and 232.1 of the Baltimore
County Zoning Regulations
NW/S Harford Road 90'
SE of 2nd Avenue
9th District
William A. Sullivan, et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 77-229-A

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Deputy Zoning Commissioner denying certain requested variances at the subject property. The subject property is Bowman's Restaurant, which is located at 9306 Harford Road in the Ninth Election District of Baltimore County.

The Petitioner requested a variance from Section 409.2b(3) to allow eighty-eight (88) off-street parking spaces instead of the required ninety-seven (97), and a variance from Section 232.1 requesting a five (5) foot front yard setback instead of the required ten (10) feet. The variances are requested in order to accommodate a proposed garden room addition to the front yard of the existing restaurant. This addition would contain approximately 453 square feet.

The Petitioner, without counsel, was the sole source of testimony and evidence in the furtherance of this petition.

After carefully considering the testimony and evidence, it is the judgment of the Board that there is insufficient evidence of practical difficulty and/or unreasonable hardship to grant the requested variances. As has been many times set out by the courts, a variance from strict compliance with the existing zoning regulations is not to be granted unless there is clear and commanding evidence of practical difficulty and/or unreasonable hardship. A careful scrutiny of the Petitioner's testimony and evidence reveals no such burden having been proven to the Board. Therefore, the variances will be denied.

ORDER

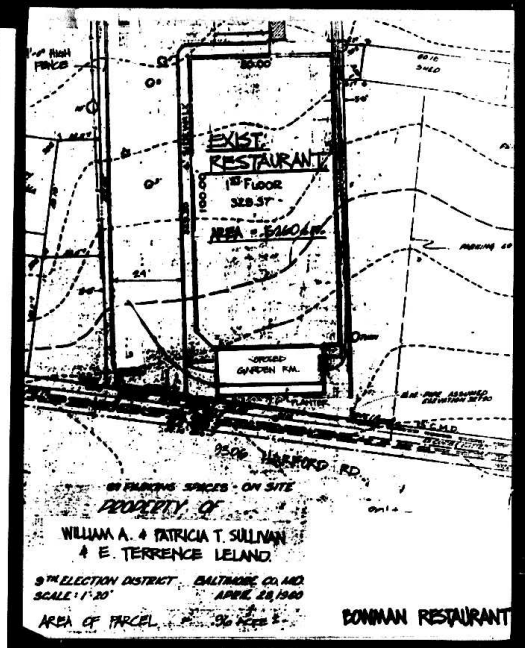
For the reasons set forth in the aforegoing Opinion, it is this 18th day of October, 1977, by the County Board of Appeals, ORDERED that the variances petitioned for, be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

William T. Hackett



DESCRIPTION FOR VARIANCE

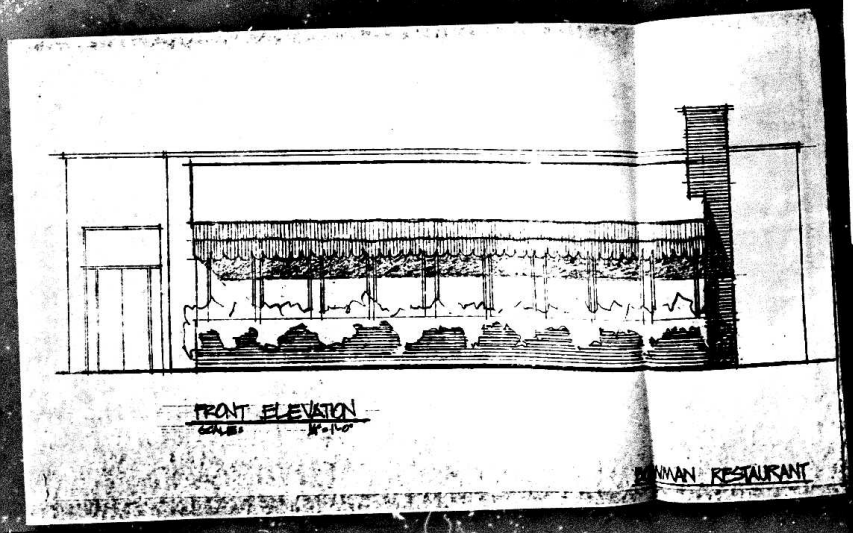
PROPERTY OF WILLIAM A. & PATRICIA T. SULLIVAN & E. TERRENCE LELAND

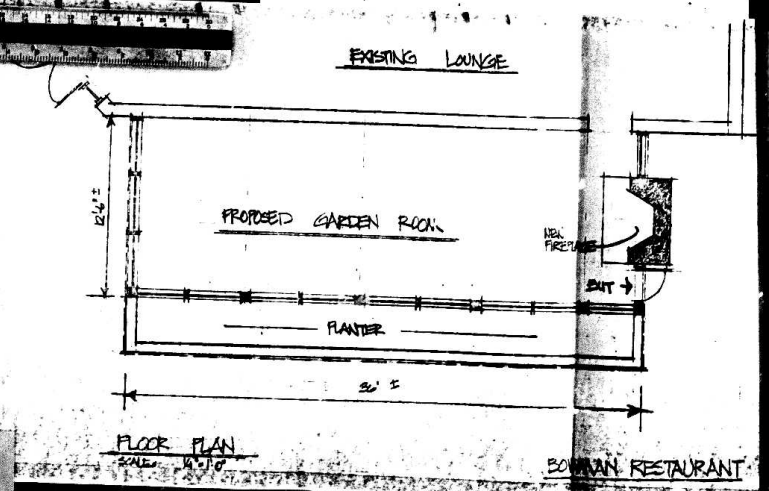
Beginning on the Northwest side of Harford Road approximately 90 feet Southeast of 2nd Avenue and running North 63 degrees 10 minutes 20 seconds West, 494.56 feet, thence South 35 degrees 40 minutes 16 seconds west, 84.41 feet, thence South 63 degrees 01 minutes 20 seconds East, 494.13 feet, thence North 35 degrees 57 minutes 40 seconds East, 84.48 feet to the place of beginning.

Also Known as 9306 Harford Road.

CERTIFICATE OF POSTING #77-229-A
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 5-5-77
Posted for Hearing Monday May 23rd 1977 - 10:30 A.M.
Petitioner Wm. A. Sullivan
Location of property N/W/S of Harford Rd. 90' S.E. of 2nd Ave.
Location of Signs Sign Posted in front of Existing Rest. @ 9306 Harford Rd. Facing Harford Rd.
Remarks
Posted by Mark H. Hess Signature Date of return 5-12-77





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 28 day of March, 1977.

Petitioner William A. Sullivan
Petitioner's Attorney

ZONING PLANS

ADVISORY COMMITTEE

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 11 day of March 1977 Filing Fee $ _____ Received ✓ Check ___ Cash ___ Other

S. Eric DiNenna,
Zoning Commissioner

Petitioner _____ Submitted by _____

Petitioner's Attorney _____ Reviewed by _____

* 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 77-229-A
Towson, Maryland

District 9th Date of Posting 6-3-77

Posted for: _____

Petitioner: William A. Sullivan

Location of property: N W/S of Harford Rd 90 ft S E of 2nd Ave

Location of Signs: 1 Sign Posted on Front of Existing Road @ 9306 Harford Rd

Remarks: _____

Posted by: Mel H. Hess Date of return: 7-2-77

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

No. 51679

DATE May 9, 1977 ACCOUNT 01-662

AMOUNT $25.00

RECEIVED FROM Donna Restaurant, Inc. 9306 Harford Rd.

FOR Petition for Variance for Wm. A. Sullivan, et al 77-229-A

VALIDATION OR SIGNATURE OF CASHIER

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

No. 51804

DATE June 23, 1977 ACCOUNT 01-662

AMOUNT $60.00

RECEIVED Donna Restaurant, Inc., 9306 Harford Rd.,
FROM Baltimore, Md. 21234

FOR Cost of Appeal
77-229-A

VALIDATION OR SIGNATURE OF CASHIER

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

No. 51759

DATE May 25, 1977 ACCOUNT 01-662

AMOUNT $50.00

RECEIVED Donna Restaurant, Inc. 9306 Harford Rd., Balto. Md. 21234
FOR Advertising and posting of property
77-229-A

VALIDATION OR SIGNATURE OF CASHIER

ZONING
CASE #
77-229-A
PETITIONER
WILLIAM A. SULLIVAN
LOCATION
NW/S HARFORD RD. 90' SE OF
SECOND AVE.
DATE & TIME: MONDAY, MAY
23, 1977 AT 9:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of
Baltimore County, by authority of
the Zoning Act and Regulations of
Baltimore County, will hold a
public hearing:
Petition for Variance: to wit: to
allow Restaurant with parking
spaces in lieu of the required
parking spaces; and for such
other and further relief as may be
deemed appropriate by the
Zoning Commissioner in
accordance with the
Baltimore County Zoning Regulations to be
posted and advertised as
prescribed by Zoning Regulations.
Section 500.2 BCZR - Continuance
of Hearing - If the property is not
posted or not in proper
condition for posting or if the
signs are not posted thereon
on the day of hearing or
within a reasonable time
thereafter, the hearing may be
postponed or continued at any
time at the discretion of the
Zoning Commissioner.
PROPERTY OF WILLIAM A.
SULLIVAN, ET AL LOCATED IN THE
NINTH DISTRICT
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF
BALTIMORE COUNTY

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD 21204 May 0 19 77

Petition for Variance-9th Dist.

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in the following:

☐ Catonsville Times ☒ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for 1 successive weeks before the 23 day of May 19 77, that is to say, the same was inserted in the issues of

5, 5/77

STROMBERG PUBLICATIONS, INC

BY

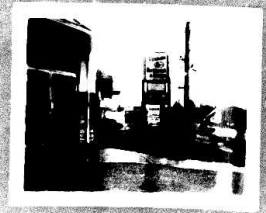
CERTIFICATE OF PUBLICATION

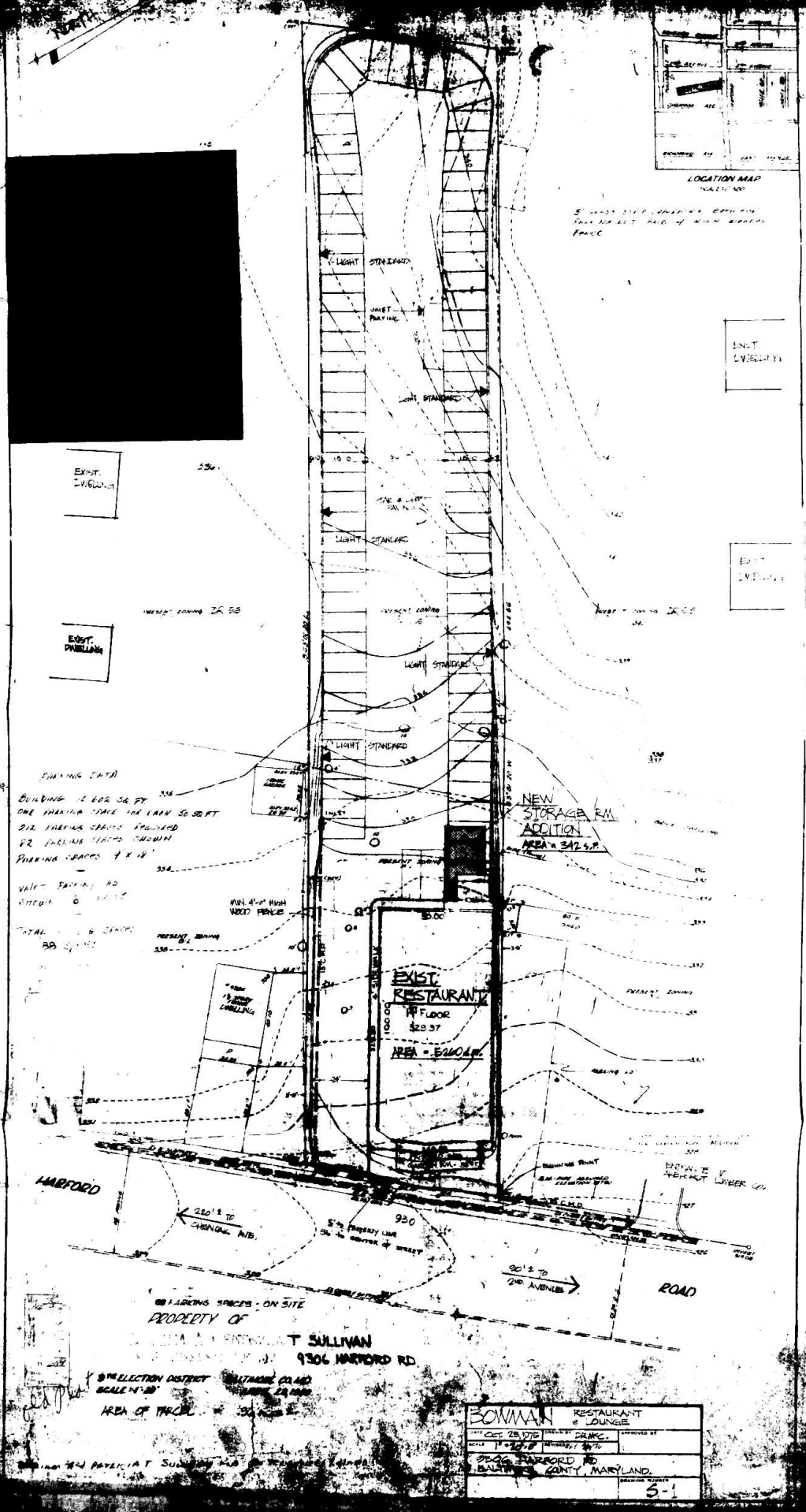
TOWSON, MD., May 5, 1977

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 in each of one time successive weeks before the 23rd day of May 1977, the first publication appearing on the 5th day of May, 1977.

THE JEFFERSONIAN,
Manager

Cost of Advertisement, $




NORTH
LOCATION MAP
LIGHT STANDARD
INLET PARKING
EXIST. DWELLING
EXIST. DWELLING
EXIST. DWELLING
EXIST. DWELLING
PRESENT ZONING DR 5.5
PRESENT ZONING DR 5.5
PARKING DATA
BUILDING - 6602 SQ FT
ONE PARKING SPACE PER EACH 50 SQ FT
132 PARKING SPACES REQUIRED
72 PARKING SPACES SHOWN
PARKING SPACES 9 X 18'
VAULT PARKING AREA
TOTAL PARKING SPACES
38 SPACES
MIN. 4'-0" HIGH WOOD FENCE
NEW STORAGE RM. ADDITION
AREA = 342 S.F.
EXIST. RESTAURANT
1ST FLOOR
$28.37
AREA = 6260 S.F.
PRESENT ZONING
BEGINNING POINT
PRIVATE HERCHOT OWNER CO.
HARFORD
ROAD
220'± TO CHERRY AVE.
5'± PRESENT LINE 30'± CENTER OF STREET
90'± TO 2ND AVENUE
38 PARKING SPACES - ON SITE
PROPERTY OF
T SULLIVAN
9306 HARFORD RD.
9TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE 1" = 20'
AREA OF PARCEL = .92 ACRE
BOWMAN
RESTAURANT & LOUNGE
DATE OCT. 28, 1976
DRAWN BY D.R.W.C.
APPROVED BY
SCALE 1" = 20'-0"
REVISED
9306 HARFORD RD
BALTIMORE COUNTY, MARYLAND.
DRAWING NUMBER
S-1

BUSINESS PARKING IN RESIDENTIAL ZONES

a.) The land used for parking adjoins (and is on the same property) as the business (restaurant/lounge) involved (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

b.) The parking area is used by passenger vehicles only (B.C.Z.R. 1955; Resolution: Nov.21, 1956.)

c.) The parking area is used for parking only - (no other services). (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

d.) Parking area lighting is located so as not to be a glare. The lights are shaded [illegible] and in [illegible] with [illegible] (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

e.) The fence screening the parking area from adjoining properties is of the height and type indicated on the site plan drawing (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

f.) A bar and chain paved curbing is provided as required by Baltimore County. (B.C.Z.R. 1955; Paragraph 409.4.c; Resolution: Nov. 21, 1956.)

g.) The site plan drawing shows the parking arrangement and access. (Resolution: Nov. 21, 1956.)

h.) The restaurant/lounge is in operation from 10 A.M. to 2 A.M. (B.C.Z.R. 1955; Paragraph 409.4.e; Resolution: Nov. 21, 1956.)

LOCATION MAP

EXIST. DWELLING

EXIST. DWELLING

EXIST. DWELLING

EXIST. DWELLING

EXIST. DWELLING

LIGHT STANDARD

INLET PARKING

LIGHT STANDARD

LIGHT STANDARD

LIGHT STANDARD

LIGHT STANDARD

PARKING DATA

BUILDING 16,602 SQ. FT.

ONE PARKING SPACE FOR EACH 50 SQ. FT.

212 PARKING SPACES REQUIRED

92 PARKING SPACES SHOWN

PARKING SPACES 9 X 18'

VARIANCE #77-27 to PERMIT 88 PARKING SPACES INSTEAD OF the REQUIRED 212 PARKING SPACES WAS GRANTED ON OCT 17 1976

VARIANCE PETITION TO TOTAL 88 PARKING SPACES INSTEAD OF the REQUIRED 91 PARKING SPACES for the PROPOSED 458 SQUARE FOOT ADDITION to EXISTING LOUNGE

MIN. 4'-0" HIGH WOOD FENCE

NEW STORAGE RM. ADDITION

AREA = 342 S.F.

EXIST. RESTAURANT

1st FLOOR

5289 SF

AREA = 5660 S.F.

4' SIDEWALK

HARFORD

ROAD

BEGINNING POINT

BRIDGE TO ABERDEEN WEEK

220'± TO CHENGAL AVE.

5'± PROPERTY LINE 35'± to CENTER OF STREET

90'± TO 2ND. AVENUE

88 PARKING SPACES ON SITE

PROPERTY OF

WILLIAM A. & PATRICIA T. SULLIVAN

& E. TERRENCE LELAND 9306 HARFORD RD.

REVISED PLANS

NOV 29 '77

BOWMAN RESTAURANT & LOUNGE

DATE OCT. 20 1976 DRAWN BY DRWG. APPROVED BY

SCALE 1" = 20' MAY 1976

HARFORD COUNTY, MARYLAND

531

BUSINESS PARKING IN RESIDENTIAL ZONES

a.) The land used for parking adjoins (and is on the same property) as the business (restaurant/lounge) involved (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

b.) The parking area is used by passenger vehicles only (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

c.) The parking area is used for parking only - (no other services). (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

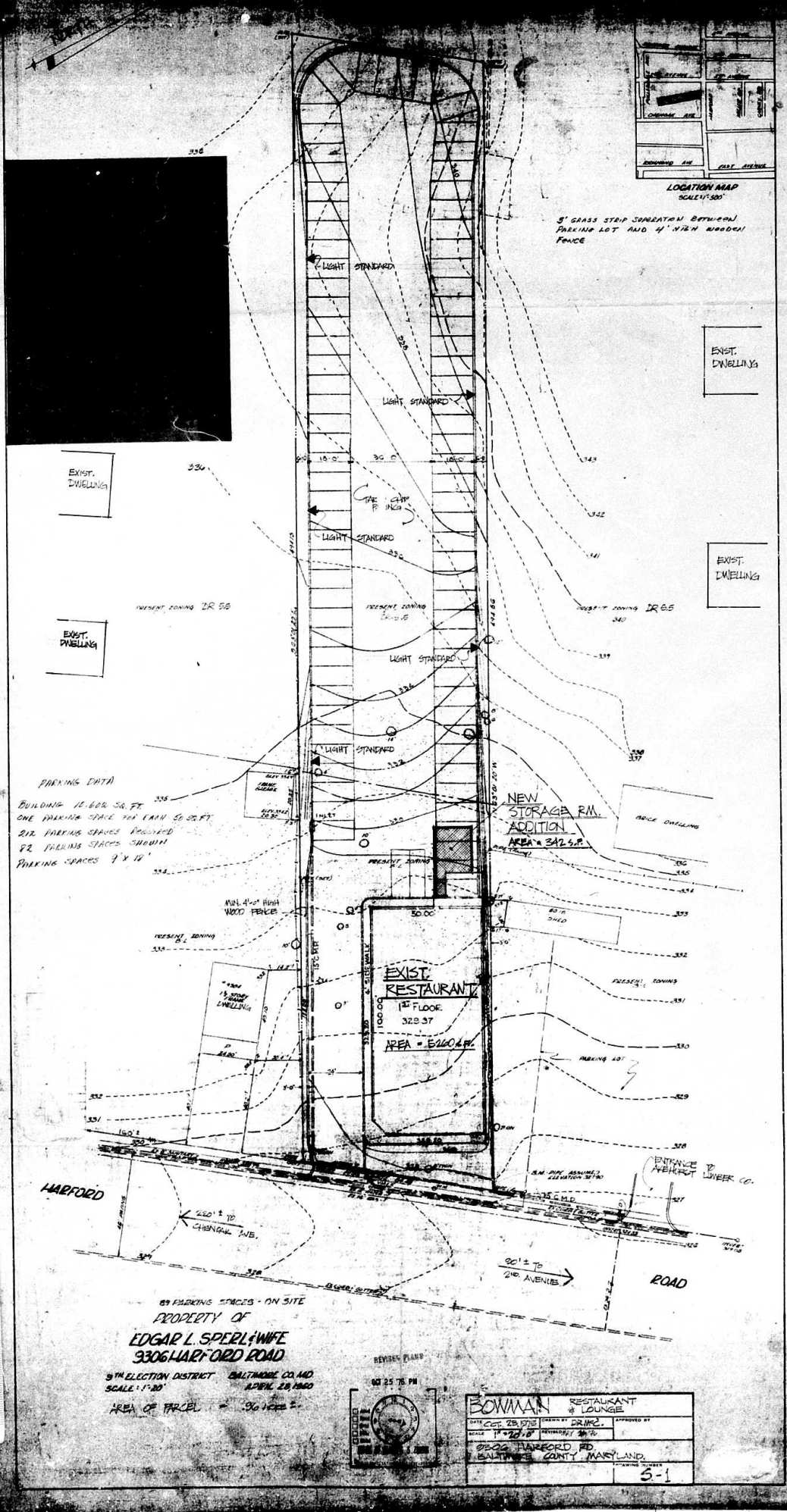
d.) [illegible] is to be used by those on the [illegible] and [illegible] dark [illegible] color. (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

e.) The fence surrounding the parking area from adjoining properties is of the height and type indicated on the site plan drawing (B.C.Z.R. 1955; Resolution: Nov. 21, 1956.)

f.) A hard and fully paved surface is provided as required by Baltimore County. (B.C.Z.R. 1955; Paragraph 409.4.e; Resolution: Nov. 21, 1956.)

g.) The site plan drawing shows the parking arrangement and access. (Resolution: Nov. 21, 1956.)

h.) The restaurant/lounge is in operation from 10 a.m. to 2 a.m. (B.C.Z.R. 1955; Paragraph 409.4.e; Resolution: Nov. 21, 1956.)


LOCATION MAP
SCALE 1"=500'
CHENGAL AVE
BOWMAN AVE
EAST AVENUE
5' GRASS STRIP SEPARATION BETWEEN PARKING LOT AND 4' HIGH WOODEN FENCE
LIGHT STANDARD
EXIST. DWELLING
EXIST. DWELLING
EXIST. DWELLING
EXIST. DWELLING
PRESENT ZONING DR 5.5
PARKING DATA
BUILDING 12,602 SQ. FT.
ONE PARKING SPACE FOR EACH 50 SQ. FT.
212 PARKING SPACES REQUIRED
82 PARKING SPACES SHOWN
PARKING SPACES 9' X 18'
NEW STORAGE RM. ADDITION
AREA = 342 S.F.
MIN. 4'-0" HIGH WOOD FENCE
EXIST. RESTAURANT
1ST FLOOR
32,837
AREA = 6260 S.F.
PARKING LOT
ENTRANCE TO AVERHOLT LUMBER CO.
HARFORD
ROAD
260' ± TO CHENGAL AVE.
90' ± TO 2ND. AVENUE
89 PARKING SPACES - ON SITE
PROPERTY OF
EDGAR L. SPERL & WIFE
3306 HARFORD ROAD
9TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE: 1"=20' APRIL 28, 1960
AREA OF PARCEL = .96 ACRE ±
REVISED PLANS
03 25 76 PM
BOWMAN RESTAURANT & LOUNGE
DATE OCT. 28, 1975
DRAWN BY DR. WZ.
APPROVED BY
SCALE 1"=20'-0"
3306 HARFORD RD
BALTIMORE COUNTY, MARYLAND.
DRAWING NUMBER
S-1