

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, **BERNARD SHAPIRO**, legal owner, of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2.D. (3) To permit 186 parking spaces in lieu of the required 288 RR.

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

That Maria's Carry-Out is losing business and customers because of not being able to serve customers who wish to eat-in. Because of the increase costs of operation, such as food costs, increased rent and salaries, a greater utilization of the premises is required which includes eating on the premises for the accommodation of the public. That strict compliance with zoning regulations of the Baltimore County Code 409.2.D. (6) would result in both a practical difficulty and unreasonable hardship to the owners of Maria's Carry-Out. Other customers patronizing other retail stores in the shopping center will also be accommodated by the granting of the variance.

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: **Bernard Shapiro**
 Address: **8521 Liberty Rd, Towson, Md. 21286**
 Legal Owner: **Bernard Shapiro**
 Petitioner's Attorney: **Dennis J. Peoras**
 608 Baltimore Avenue, Towson, Md. 21286

ORDERED By the Zoning Commissioner of Baltimore County, this 15th day of July, 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, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 10th day of October, 1977 at 10:00 o'clock A.M.

(over)

October 25, 1977

Dennis J. Peoras, Esquire
 608 Baltimore Avenue
 Towson, Maryland 21286

RE: Petition for Variance
 SW/8 of Liberty Road, 646' SE of
 Old Court Road - 2nd Election
 District
 Bernard Shapiro - Petitioner
 NO. 78-54-A (Item No. 5)

Dear Mr. Peoras:

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

Very truly yours,

George J. Martinak
 Deputy Zoning Commissioner

GJM/me

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

RE: PETITION FOR VARIANCE : BEFORE THE COUNTY BOARD OF APPEALS
 SW/8 of Liberty Road, 646' SE of : OF BALTIMORE COUNTY
 Old Court Road, 2nd District
 BERNARD SHAPIRO, et al, Petitioners : Case No. 78-54-A

MEMORANDUM OPINION AND ORDER

Although there is some confusion as to the number of parking spaces actually required on this property under the formula contained in the Baltimore County Zoning Regulations, the Petitioner apparently feeling that 208 are needed, the Chairman of the Zoning Plans Advisory Committee feeling that 258 are required, while the Director of Planning computes the requirement at 232 parking spaces, we are here dealing with a requested variance from the Regulations to authorize the provision of 186 parking spaces. The Deputy Zoning Commissioner granted the request, and his Order thereon was appealed to this Board by the People's Counsel for Baltimore County.

During the pendency of the appeal, representatives of the State Highway Administration, having been furnished additional information concerning the proposal by the Petitioner, again reviewed the matter and actually visited the site with the result that there was issued under date of January 19, 1978, a supplemental comment by the State Highway Administration, copy of which is attached to this Memorandum Opinion and Order, wherein the objection of the said State Highway Administration to the grant of the variance is withdrawn, subject to acceptance by the Petitioner of the restrictive condition that said variance be indigent to the restaurant operation proposed by the Petitioner in this proceeding.

The Board was advised by the People's Counsel that if such a restriction was included in any Order that we would pass in the matter, he would maintain no further objection to the grant of the variance.

CARL L. BERNHOLD
 PAUL R. HERRICK
 JOHN F. STEEL
 WILLIAM B. LAMSON
 ROBERT T. LAMSON

GERHOLD, CROSS & ETZEL
 Registered Professional Land Surveyors
 412 DELAWARE AVENUE
 TOWSON, MARYLAND 21204
 823-4470

BERNARD
 PAUL R. HERRICK
 JOHN F. STEEL
 WILLIAM B. LAMSON
 ROBERT T. LAMSON

ZONING DESCRIPTION

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

Beginning for the same in the center of Liberty Road said point being distant 646 feet measured southeasterly along the center of Liberty Road from the center of Old Court Road, thence leaving the center of Liberty Road and running thence and binding on the outlines of the land of the petitioner: a herein the two following courses and distances viz: South 25 degrees 29 minutes 29 seconds West 451.25 feet; and South 58 degrees 41 minutes 15 seconds East 332.33 feet to the westernmost side of Glen Michael Lane, 50 feet wide, thence binding on the westernmost side of said lane the five following lines viz: North 38 degrees 00 minutes 33 seconds East 72.07 feet; northeasterly by a line curving toward the left having a radius of 537.07 feet for a distance of 80.00 feet (the chord of said arc bearing North 33 degrees 44 minutes 30 seconds East 79.93 feet); northeasterly by a line curving toward the right having a radius of 691.03 feet for a distance of 4.73 feet (the chord of said bearing North 35 degrees 28 minutes 30 seconds East 144.47 feet); northeasterly by a line curving toward the left having a radius of 489.36 feet for a distance of 17.39 feet (the chord of said arc bearing North 39 degrees 43 minutes 30 seconds East 131.99 feet); and North 25 degrees 5' minutes 30 seconds East 62.03 feet to a point in the center of Liberty Road, and thence binding in the center of Liberty Road North 64 degrees 30 minutes 40 seconds West 402.33 feet to the place of beginning.

Containing 4.024 acres of land more or less.

Saving and excepting therefrom the same lying within the right of way of the Liberty Road.

Being the property of the petitioners herein as shown on a plat filed in the office of the Zoning Commissioner.



The Board has now heard testimony and reviewed all of the pertinent exhibits and finds as a fact that a practical difficulty or hardship does exist and that the requested variance to permit the parking of only 196 automobiles on the parking lot described in the proceeding is an appropriate relief, subject, however, to the restrictions and conditions hereinafter imposed.

WHEREUPON, it is this 6th day of February, 1978, by the County Board of Appeals for Baltimore County, ORDERED that pursuant to Section 409.5 of the Baltimore County Zoning Regulations, the variance to permit the provision of 196 parking spaces in lieu of the number usually required under said Regulations be and it is hereby GRANTED subject, however, to the following restrictions:

1. That said variance is indigent to and shall exist only in connection with and for the use of the restaurant proposed to be constructed and operated by the Petitioner, as shown on the development plans received into evidence and contained in the file on this case; and,
2. That said variance is granted subject to approval of a final site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

Any appeal from this decision must be in accordance with Rules 8-1 through 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman
 John A. Miller
 William T. Hockett

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenno, Zoning Commissioner Date: August 22, 1977

FROM: Leslie H. Groat, Director of Planning

SUBJECT: Petition 78-54-A. Petition for Variance for Off-Street Parking
 Southwest side of Liberty Road 646 feet Southeast of Old Court Road.
 Petitioner - Bernard Shapiro

2nd District

HEARING: Monday, August 29, 1977 (10:00 A.M.)

This office shares the concerns expressed by the Department of Traffic Engineering's representative on the Zoning Advisory Committee. Furthermore, there appears to be a discrepancy between the petitioner's application form and plat plan. The form requests a variance from the required 208' parking spaces; the plan notes 232 parking spaces required.

Leslie H. Groat
 Director of Planning

LHG:JHR



January 19, 1978

Mr. John Hessian
 People's Counsel
 County Office Bldg.
 Towson, Md. 21204

Re: Zoning Petition, Item 5
 Bernard Shapiro, Parking
 Variance- S/S Liberty Road
 (Rte. 26)
 East of Old Court Road

Dear Mr. Hessian:

We wish to add our letter to you of January 4, 1978 to include the following.

The withdrawal of our objections to the variance is based on the continuation of the carry-out, restaurant operation as proposed. Any change in this operation or any other parking variance for the shopping center could cause a change in our position.

CL:JEM:dj

Very truly yours,
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits
 John E. Mayers

P.O. Box 717, 305 West Preston Street, Baltimore, Maryland 21203

NICHOLAS J. PISTOLAS
 ATTORNEY AT LAW
 1801 828-8000

608 BALTIMORE AVENUE
 TOWSON, MARYLAND 21286

August 23, 1977

Board of Zoning Commissioners
 County Office Building
 Baltimore County, Maryland 21204

Re: Case No. 78-54A

Dear Sirs:

I would appreciate your postponing the above captioned matter so that public notice can be published.

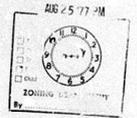
It is my understanding that the notice was published incorrectly, and a corrected notice will be published.

Please notify me of the new hearing date.

Very truly yours,
 Nicholas J. Pistolas

NICHOLAS J. PISTOLAS

NJP/ls



**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 3391
 Gus Kosmakos, Tenant
 I or we, BERNARD SHAPIRO, 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 409.2 b. (6) to permit 196 off-street parking spaces in lieu of the required 238 to permit 196 off-street parking spaces instead of the required 238 spaces

of 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

to permit 196 off-street parking spaces instead of the required 238 spaces should be granted. Deputy Zoning Commissioner of Baltimore County this 23rd day of October, 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, Department of Public Works and the Office of Planning and Zoning.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 23rd day of October, 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, 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 23rd day of October, 1977, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of October, 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 August, 1977, at 10:00 o'clock

A. M. 3:57 PM
 (over)

Eric Dinenna
 Zoning Commissioner of Baltimore County

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 of Baltimore County.

Contract purchaser BERNARD SHAPIRO Legal Owner
 Address 10 Light St. 21202

Dennis J. Poras
 608 Baltimore Avenue 21204
 Petitioner's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of October, 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 August, 1977, at 10:00 o'clock

A. M. 3:57 PM
 (over)

Eric Dinenna
 Zoning Commissioner of Baltimore County

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 of Baltimore County.

Contract purchaser BERNARD SHAPIRO Legal Owner
 Address 10 Light St. 21202

Dennis J. Poras
 608 Baltimore Avenue 21204
 Petitioner's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of October, 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 August, 1977, at 10:00 o'clock

A. M. 3:57 PM
 (over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/5 of Liberty Rd. 646' SE of : OF BALTIMORE COUNTY
 Old Court Rd., 2nd District : Case No. 78-54-A
 BERNARD SHAPIRO, Petitioner

ORDER TO ENTER APPEARANCE

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

Charles E. Kountz, Jr.
 Charles E. Kountz, Jr.
 Deputy People's Counsel

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

I HEREBY CERTIFY that on this 5th day of August, 1977, a copy of the foregoing Order was mailed to Dennis J. Poras, Esquire, 608 Baltimore Avenue, Towson, Maryland 21204, Attorney for Petitioner.

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

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
 SW/5 of Liberty Road, 646' SE of : OF BALTIMORE COUNTY
 Old Court Road, 2nd District : Case No. 78-54-A
 BERNARD SHAPIRO, et al, Petitioners

ORDER FOR APPEAL

Please note an Appeal from the decision of the Deputy Zoning Commissioner in the above-entitled matter, under date of October 25, 1977, to the County Board of Appeals and forward all papers in connection therewith to said Board for hearing.

Charles E. Kountz, Jr.
 Charles E. Kountz, Jr.
 Deputy People's Counsel

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

I HEREBY CERTIFY that on this 23rd day of November, 1977, a copy of the foregoing Order was mailed to Dennis J. Poras, Esquire, 608 Baltimore Avenue, Towson, Maryland 21204, Attorney for Petitioners.

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: August 22, 1977
 FROM: Leslie H. Groel, Director of Planning
 SUBJECT: Petition #78-54-A, Petition for Variance for Off-Street Parking
 Southwest side of Liberty Road 646 feet Southeast of Old Court Road.
 Petitioner - Bernard Shapiro

2nd District
 HEARING: Monday, August 29, 1977 (10:00 A.M.)

This office shares the concerns expressed by the Department of Traffic Engineering's representative on the Zoning Advisory Committee. Furthermore, there appears to be a discrepancy between the petitioner's application form and plot plan. The form requests a variance from the "required 208" parking spaces; the plan notes 232 parking spaces required.

Leslie H. Groel
 Leslie H. Groel
 Director of Planning

LHG:JGH:mv

Maui Magic, Inc.
 1515 Liberty Road
 Randallstown Maryland
 21133
 October 7, 1977

To Whom It May Concern:
 This is to advise you that we feel that there is sufficient parking facilities to accommodate the expansion of Maui's as well as the existing business. In fact, most of the shops are closed during Maui's business hours. Such an expansion will benefit our shopping center rather than harm it. Thank you for your consideration in this matter.

Paul Peterson
 Owner

Ed Whittle
 PZC
 Myra Koble
 PETITIONER'S Commission Expires July 1, 1978
 EXHIBIT 2

October 6, 1977

Baltimore County Office of Planning and Zoning
 Towson, Maryland 21204
 ATTENTION MR. S. ERIC DINENNA

Re: Petition for Variance for Bernard Shapiro, et al No. 78-54-A

Dear Sir:
 I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.
 I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.
 Very truly yours,

Elliot Hession
 Elliot Hession
 Maui Magic, Inc.

October 6, 1977

Baltimore County Office of Planning and Zoning
 Towson, Maryland 21204
 ATTENTION Ms. S. ERIC DINENNA

Re: Petition for Variance for Bernard Shapiro, et al No. 78-54-A

Dear Sir:
 I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.
 I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.
 Very truly yours,

Elliot Hession
 Elliot Hession
 Maui Magic, Inc.

ORDER RECEIVED FOR FILING
 DATE October 11, 1977
 BY John W. Hession, III

EXHIBIT "A"

1. That the Savoy Plaza Shopping Center is located at Liberty Road and Glen Michael Lane and has 14,600 square feet of total retail floor area. That the present tenants are Toy Barn, Shapiro's Food Market, Fashions First, Optical Center, Margo Lynn Beauty Shop, Duron Paint, Fireplace Shop, Maria's Carry-Out and Camera Craft.

2. That under the Baltimore County Zoning Code - Zoning Regulations - Section 409.2.b (6), the required ratio for parking is one space for each 200 square feet of total floor area, thereby requiring 208 parking spaces. That the entire parking area consists of 196 parking spaces. That Maria's Carry-Out is desirous to obtain a seven-day Beer, Wine and Liquor License and use the premises as a restaurant which would require parking spaces at a ratio which would require one parking space for fifty (50) feet of total floor area (Section 409.2.B (3)).

3. That Maria's Carry-Out presently has 1,720 square feet of floor area which under the retail trade requirement of the Code would require nine (9) spaces. That under the restaurant requirement of the Code, the number of spaces required would be thirty-three (33) thereby leaving a deficit of twenty-four (24) spaces.

4. That because of the nature of the business of the other retail stores located in the Savoy Plaza Shopping Center, taking into account the times of operation and traffic that is generated and the total parking area is never used to capacity. That even during the peak business hours of the shopping center, the peak hours of Maria's Carry-Out would not coincide with the peak hours of the other stores in the shopping center.

5. That strict compliance with zoning regulations of Baltimore County Code 409.2.b (6) would result in both practical difficulties and unreasonable hardship.

October 6, 1977

Baltimore County Office
of Planning and Zoning
Towson, Maryland 21204

ATTENTION MR. S. ERIC DINENNA

Re: Petition for Variance
for Bernard Shapiro, et al
No. 78-54A

Dear Sir:

I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.

I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.

Very truly yours,

Edward J. Peoras
Chairman
Toy Barn

October 6, 1977

Baltimore County Office
of Planning and Zoning
Towson, Maryland 21204

ATTENTION MR. S. ERIC DINENNA

Re: Petition for Variance
for Bernard Shapiro, et al
No. 78-54A

Dear Sir:

I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.

I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.

Very truly yours,

Edward J. Peoras
Chairman
Optical Center, Inc.

October 6, 1977

Baltimore County Office
of Planning and Zoning
Towson, Maryland 21204

ATTENTION MR. S. ERIC DINENNA

Re: Petition for Variance
for Bernard Shapiro, et al
No. 78-54A

Dear Sir:

I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.

I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.

Very truly yours,

Edward J. Peoras
Chairman
M's Diana Ritter

LAW OFFICE
OF ERIC DINENNA
100 BALTIMORE AVENUE
TOWSON, MARYLAND 21204
801-9900

October 6, 1977

Baltimore County Office
of Planning and Zoning
Towson, Maryland 21204

ATTENTION MR. S. ERIC DINENNA

Re: Petition for Variance
for Bernard Shapiro, et al
No. 78-54A

Dear Sir:

I am familiar with the Petition for the Parking Variance that Mr. Bernard Shapiro and his tenant, Gus Kosmakos, applied for and I wish to advise you at this time that I/we have no objections to their request.

I am employed full time at the shopping center and from my observations, the parking lot is never filled to more than one-third (1/3) of its' capacity.

Very truly yours,

Edward J. Peoras
Chairman
M's Diana Ritter

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 12, 1977

COUNTY OFFICE BLDG.
111 W. Calverton Ave.
Towson, Maryland 21204

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

Indus. Bldg. Development

Dennis J. Peoras, Esquire
608 Baltimore Avenue
Baltimore, Maryland 21204

RE: Variance Petition
Item No. 5
Petitioner - Bernard Shapiro
Gus Kosmakos

Dear Mr. PEORAS:

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

The subject property is located on the southwest side of Liberty Road, 646 feet southeast of Old Court Road in the 2nd Election District. This A.R. zoned property is currently improved with a shopping center. The adjacent A.R. zoned properties to the north and west are improved with a shopping center and restaurant respectively, while adjacent B.R. 16 zoned properties to the south and east are improved with apartments and an office building.

This Variance to permit 196 parking spaces in lieu of the required 208, is necessitated by the desire to convert a combination carryout/restaurant into a restaurant.

Dennis J. Peoras, Esquire
Page 2
Item No. 5
August 12, 1977

Parking is inadequate for the current operation of the carry out/restaurant.

Particular attention should be afforded to the comment made by the Office of Project and Development Planning and the Department of Traffic Engineering.

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.

Very truly yours,

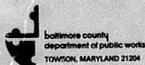
Nicholas B. Conrodari

NICHOLAS B. CONRODARI
Chairman
Zoning Plans Advisory Committee

Diana Ritter
M'S DIANA RITTER
Planning & Zoning Associate III

NRCD:Drf

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



THURNTON M. MOURNING, P.E.
DIRECTOR

July 27, 1977

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

Re: Item #5 (1977-1978)
Property Owner: Bernard Shapiro
8065 Liberty Rd. 646' SE Old Court Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 196 parking spaces
in lieu of the required 208 spaces.
Acres: 4.024 District: 2nd

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.

This property is tributary to the Owens Falls Sanitary Sewer System, subject to State Health Department regulations.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item #5 (1977-1978).

Very truly yours,

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

END: EAM: PWR: ss

P-SW Key Sheet
23 SW 31 Pos. Sheet
SW 6 H Topo
77 Tax Map



Maryland Department of Transportation

State Highway Administration

Herman K. Sorenson
Secretary
Edward M. Evers
Administrator

July 11, 1977

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

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, July 5, 1977
Item: 5
Property Owner: Bernard Shapiro
Location: SW/S Liberty Rd. (Rte. 26)
646' SE Old Court Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit
196 parking spaces
in lieu of the required 208 spaces.
Acres: 4.024
District: 2nd

Dear Mr. DiNenna:

Normally we would be concerned about a parking variance, however, considering the relatively small number of spaces involved, no particular problems are anticipated.

CLJEM:dj

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

John E. Meyers
By: John E. Meyers

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



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 484-2211

August 11, 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 #5, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Bernard Shapiro
Location: SW/S Liberty Road 646' SE Old Court Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 196 parking spaces in lieu of the required 208 spaces
Acres: 4.024
District: 2nd

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.

Landscaping should be provided in all possible areas.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 23, 1977

COUNTY OFFICE BLDG.
1117 CHURCHMAN AVE.
TOWSON, MARYLAND 21204
Nicholas B. Commodari
CHAIRMAN

Commodari

MEMBERS

BUREAU OF ENGINEERING

DEPARTMENT OF HEALTH ENGINEERING

STATE BOARD COMMISSION

BUREAU OF FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

GENERAL DEVELOPMENT

Dennis J. Prooras, Esquire
608 Baltimore Avenue
Baltimore, Maryland 21204

RE: Variance Petition
Item Number 5
Petitioner - Bernard Shapiro
Gus Kosmakos

Dear Mr. Prooras:

Subsequent to our recent meeting, I have rescheduled this petition for October 10, 1977.

Because there was a definite change on the new site plans and more parking was required, I have received revised comments from both the State Highway Administration and the Department of Traffic Engineering. These are enclosed for your review.

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:rif

Enclosures

cc: Gerhold, Cross & Ibsel
412 Delaware Avenue
Towson, Maryland 21204



Herman K. Sorenson
Secretary
Edward M. Evers
Administrator



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3600

STEPHEN E. COLLINS
DIRECTOR

September 13, 1977

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

Attention: Mr. N. Commodari

Dear Mr. DiNenna:

The original petition reviewed in July of 1977 was for a parking variance from required 208 spaces to 196 spaces. Subsequent to our comments of July 11, 1977, the plan was revised (August 31, 1977) to indicate a requirement of 238 spaces. The lack of 42 spaces will undoubtedly cause traffic problems in the shopping center which could extend out onto the highway.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CLJEM:vr

John E. Meyers
By: John E. Meyers



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3600

STEPHEN E. COLLINS
DIRECTOR

September 2, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Revised Comments - Item 5 - EAC -
Property Owner: Bernard Shapiro
Location: SW/S Liberty Road 646' SE Old Court Road
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 196 parking spaces in lieu of the required 208 spaces.

Acres: 4.024
District: 2nd

Dear Mr. DiNenna:

The requested variance to parking from the required 208 parking spaces to 196 spaces can be expected to cause problems in the area.

Sincerely,

Michael S. Flanigan
Michael S. Flanigan
Associate Traffic Engineer

MSF/31f



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3600

STEPHEN E. COLLINS
DIRECTOR

July 26, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
1st Floor, County Office Building
Towson, Maryland 21204

Re: Item 5 - EAC - July 26, 1977
Property Owner: Bernard Shapiro
Location: SW/S Liberty Rd. 646' SE Old Court Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 196 parking spaces in lieu of the required 208 spaces.
Acres: 4.024
District: 2nd

Dear Mr. DiNenna:

The requested variance to parking may be expected to cause some parking problem in the surrounding area.

Sincerely,

Michael S. Flanigan
Michael S. Flanigan
Associate Traffic Engineer

MSF/31f



Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

July 25, 1977

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

Dear Mr. DiNenna:

Comments on Item #5, Zoning Advisory Committee Meeting, July 5, 1977, are as follows:

Property Owner: Bernard Shapiro
Location: SW/S Liberty Rd. 646' SE Old Court Rd.
Existing Zoning: B.R.
Proposed Zoning: Variance to permit 196 parking spaces in lieu of the required 208 spaces.
Acres: 4.024
District: 2nd

Metropolitan sewer and water are available.

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.

Very truly yours,

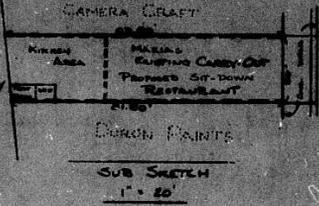
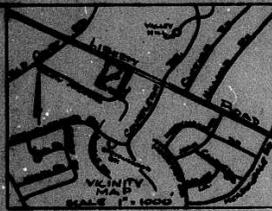
Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/MS/rub

cc: V. Cambill

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

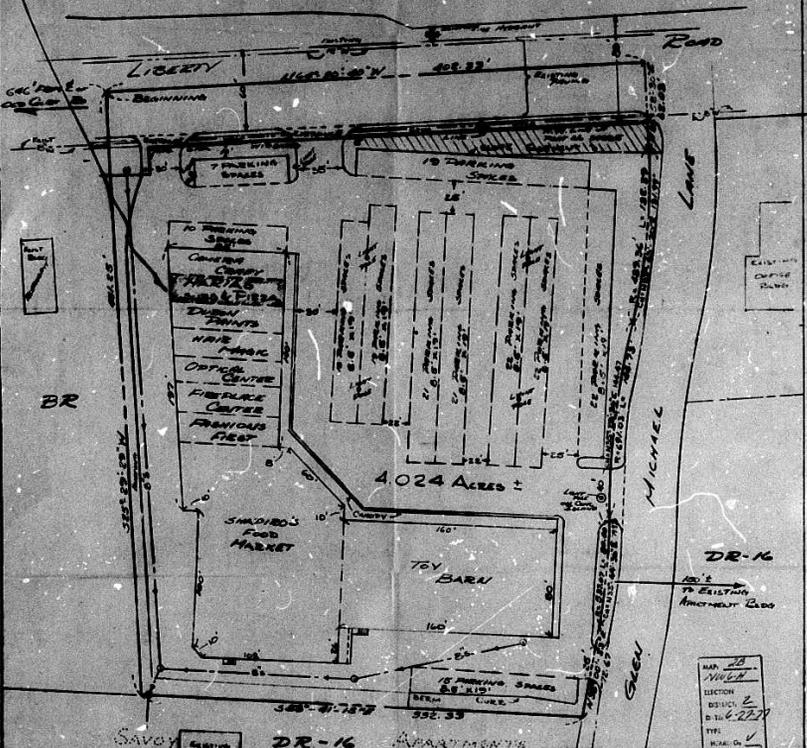
PROPERTY LOCATED
IN
2ND ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND



PARKING CALCULATIONS

TOTAL SQUARE FEET OF RETAIL AREA	21850	2000' x 10850'
TOTAL	21850	2000' x 10850'
TOTAL PARKING SPACES REQUIRED	258	
TOTAL	258	

BR (SHOPPING CENTER)



MAP	22
DATE	6/22/77
BY	DR
REVISION	
DATE	
BY	

**PLAT TO ACCOMPANY
ZONING PETITION**

FOR A VARIANCE OF PARKING
SPACES FOR A SIT-DOWN RESTAURANT

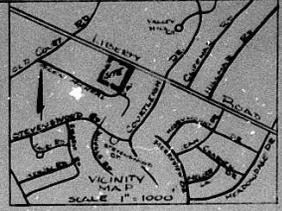
REVISED JUNE 23, 1977



SCALE 1" = 50'
JUNE 4, 1977
GERHOLD, CROSS & ETELL
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON MARYLAND 21284

NOTE:
EXISTING ZONING - BR
EXISTING PUBLIC WATER
& PUBLIC SEWER
BR-DRV - Dist # 47-0677
-Dist # 72-0786

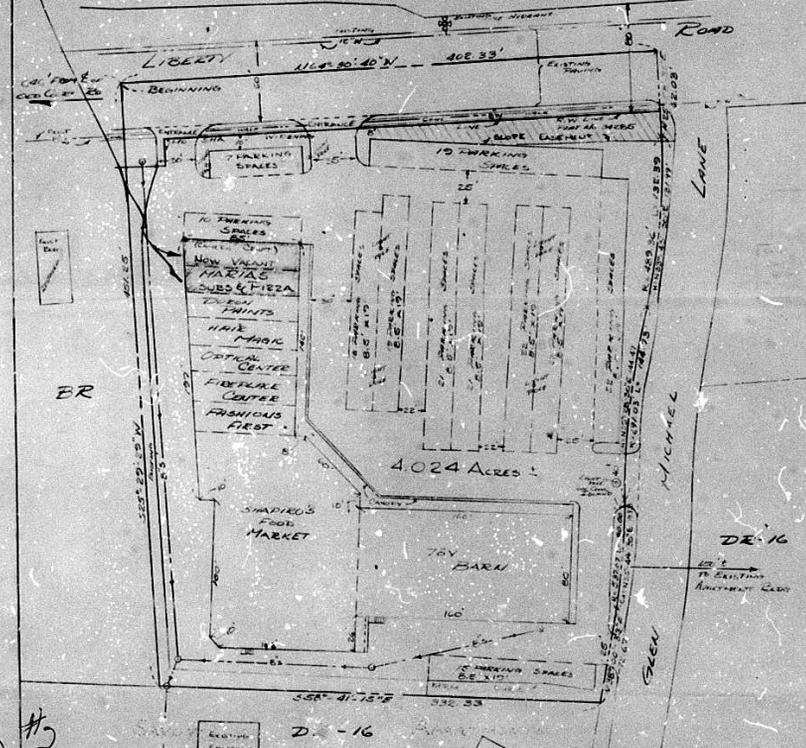
PROPERTY LOCATED
IN
2ND ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND



PARKING CALCULATIONS

TOTAL SQUARE FEET OF RETAIL AREA	21830	2000' x 10915'
TOTAL	21830	2000' x 10915'
TOTAL PARKING SPACES REQUIRED	258	
TOTAL	258	

BR (SHOPPING CENTER)



**PLAT TO ACCOMPANY
ZONING PETITION**

FOR A VARIANCE OF PARKING
SPACES FOR A SIT-DOWN RESTAURANT

REVISED JUNE 23, 1977



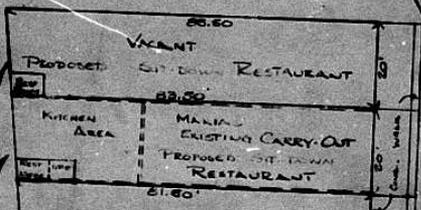
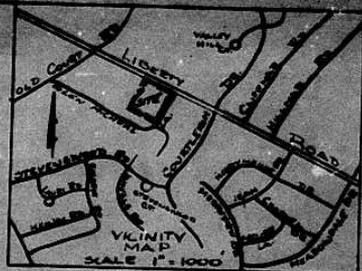
SCALE 1" = 50'
JUNE 4, 1977
GERHOLD, CROSS & ETELL
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON MARYLAND 21284

NOTE:
EXISTING ZONING - BR
EXISTING PUBLIC WATER
& PUBLIC SEWER
BR-DRV - Dist # 47-0677
-Dist # 72-0786

Plot #2

*old Plat
see same Plat
by 3/1/77*

PROPERTY LOCATED
IN
2ND ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND



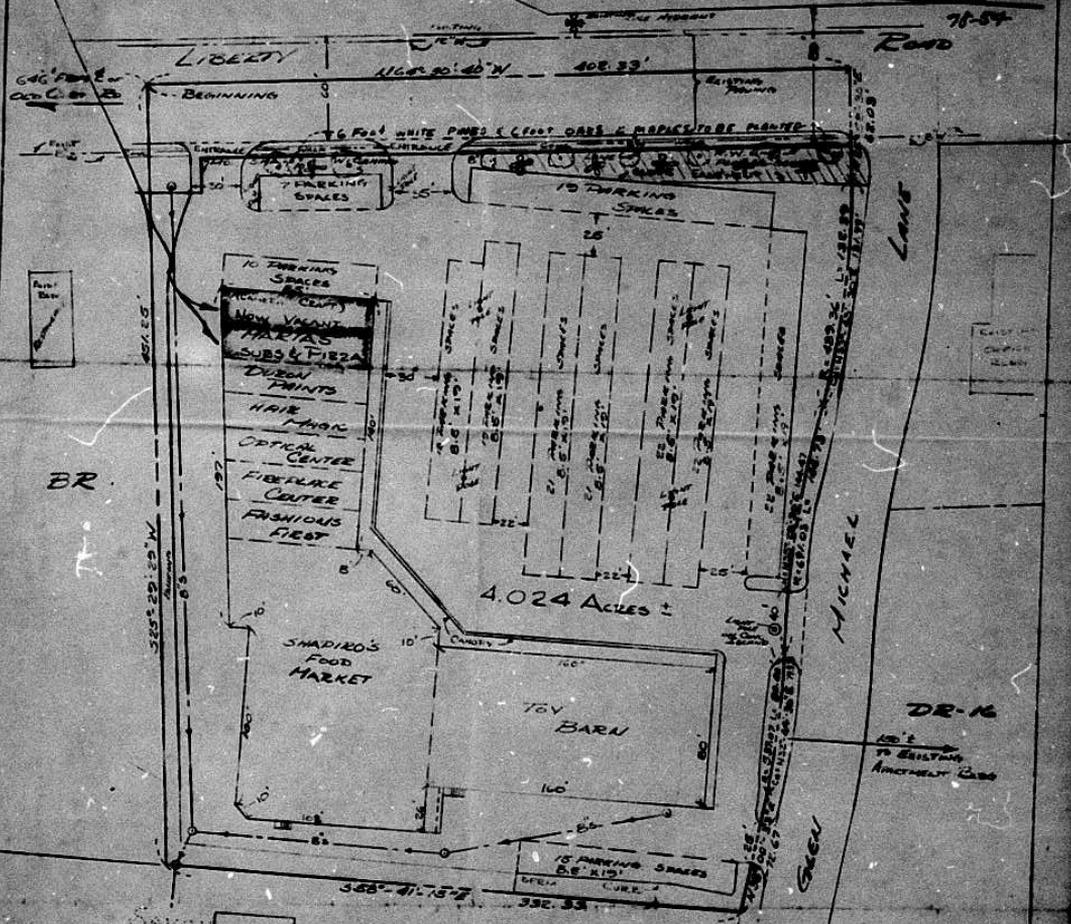
PARKING CALCULATIONS

TOTAL SQ. FOOTAGE OF RETAIL AREA	30130	1200 = 151
TOTAL " " " RESTAURANT "	3,840	50 = 67
TOTAL PARKING SPACES REQUIRED		218
TOTAL " " PROVIDED		224

SUB SKETCH
1" = 20'

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: [Signature]
DATE: 7-5-77

BR (SHOPPING CENTER)



**PLAN TO ACCOMPANY
ZONING PETITION**

FOR A VARIANCE OF PARKING
SPACES FOR A SIT-DOWN RESTAURANT

NOTE: THE VARIANCES APPROVED IN THIS ZONING
PETITION SHALL APPLY TO MARIA'S SUBS
PIZZA SHOP ONLY. IF OPERATION IN STORE
IS CHANGED, VARIANCES BECOME NULL AND
VOID.

EXISTING ZONING - BR
EXISTING PUBLIC WATER
& PUBLIC SEWER
B.C. D.W. - Div. # 67-0677
- Div. # 77-0786



SCALE 1" = 50' JUNE 1, 1977
GURNEO, CROSS & EYER
REGISTERED LAND SURVEYORS
512 DEANWIRE AVENUE
TOWSON MARYLAND 21284

APPROVED
REVISION
DATE: JUL 30, 1977
DATE: JUL 31, 1977
DATE: JUL 30, 1977

MARIA'S REST & CARRY-OUT
 SUN-THURS - 11AM-12PM
 FRI + SAT 11AM-2PM

MARIA'S REST & CARRY-OUT
 SUN-THURS 11AM-12PM
 FRI + SAT 11AM-2PM

DURAN PAINT STORE
 MON-SAT 7AM-5PM
 THURS 8PM - CLOSED SUNDAY

MARIC HAIR STORE
 8AM-4PM MON-SAT
 CLOSED SUNDAY

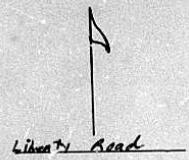
OPTICAL CENTER
 MON-SAT 9AM-5PM
 CLOSED SUNDAY

FIRE PLACE CENTER
 MON-SAT 10AM-6PM
 CLOSED SUNDAY

FASHION FURS
 MON-SAT 9AM-7PM
 CLOSED SUNDAY

SHAPIRO'S FOOD MARKET
 OPEN 9AM-8PM MON-
 THURS - CLOSED SAT
 FRI + SUN 9AM-3PM
 KOSHER MARKET

TOY BARN
 MON-SAT 9AM-
 6 P.M. SAT. 11'
 9PM CLOSED SUN.



D2C
**PETITIONER'S
 EXHIBIT 1**

PETITION FOR VARIANCE CASE # 78-54A

10/14/77 N.J. Pistolis

MON	MU. - CARS	TUE	NO. OF CARS	WED	MU. - CARS	THU	NO. OF CARS	FRI	MU. - CARS	SAT	MU. - CARS	SUN	MU. - CARS
10-12	38	10-12	27	10-12	39	10-12	57	10-12	62	10-12	14	10-12	69
12-2	73	12-2	63	12-2	57	12-2	92	12-2	109	12-2	33	12-2	47
2-4	39	2-4	28	2-4	33	2-4	49	2-4	89	2-4	42	2-4	35
4-6	94	4-6	76	4-6	83	4-6	96	4-6	37	4-6	52	4-6	24
6-8	48	6-8	43	6-8	30	6-8	58	6-8	27	6-8	39	6-8	9
8-10	24	8-10	19	8-10	28	8-10	26	8-10	25	8-10	40	8-10	23
10-12	9	10-12	13	10-12	17	10-12	23	10-12	23	10-12	19	10-12	7
								12-2 ^{AM}	18	12-2	33		

D2C
**PETITIONER'S
 EXHIBIT 3**

OPEN.
Sun. to Thu. 11^{AM} - 12^{PM}
Fri to Sat. 11^{AM} - 2^{PM}

MARIA'S EXT.

MARIA'S REST

MON TO SAT.
7^{AM} - 5^{PM}
Thu 7^{AM} - 8^{PM}

DURO-PAINT.

Tue to SAT.
8^{AM} - 4^{PM}

MAGIC HAIR STORE

MON TO SAT
8^{AM} to 5^{PM}

OPTICAL center

MON. TO SAT.
10^{AM} - 6^{PM}

Fire Place Center

MON TO SAT.
9^{AM} - 7^{PM}

FASHION Furs.

SHAPPIROS

TOY BARN

SUN TO FRI
9^{AM} - 8^{PM} MON-TUE-WED-THU.
FRI AND SUN OPEN 11^{AM} - 3^{PM}
SAT CLOSED

MON TO SAT.
9^{AM} - 6^{PM}
SAT OPEN to 9^{PM}

