

122 20-20-1 **PETITION FOR ZONING VARIANCE**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 to permit 416 parking spaces in lieu of 435 required. 440 parking spaces.

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

The granting of the variance will enhance the health, safety, and welfare of the community because it will enable expansion of the Walk-In Clinic, which is adjacent to some 3,600 square feet of unleased second floor office space. The operators of the Medical Walk-In Clinic are interested in acquiring more space because their facility has been several times filled to capacity; the waiting room occasionally overcrowded. Further, consistent interest has been shown by elements of the medical community in leasing second floor space.

The operators of Maria's Restaurant, the southernmost store in the shopping center, report a similar need of dining room space due to community demand on their establishment. The southernmost portion of the parking lot is very seldom occupied to more than 35% capacity. (SEE SECOND PAGE)

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(s):
(Type or Print Name) Turnpike Associates
(Type or Print Name)
Signature: Jeffrey A. Klein, General Partner
Address: Michael F. Klein, General Partner
City and State: Philip E. Klein, General Partner
Address: Jeffrey A. Klein, General Partner
City and State: Philip E. Klein, General Partner
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Jeffrey A. Klein
Name: 6229 North Charles Street
City and State: Baltimore, Maryland, 21212
Address: 377-8600
Phone No.
Attorney's Telephone No.: 377-8600
Address: 377-8600
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of March 1982, 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 106, County Office Building in Towson, Baltimore County, on the 20th day of April 1982, at 9:30 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

Petition for Zoning Variance
by Turnpike Associates

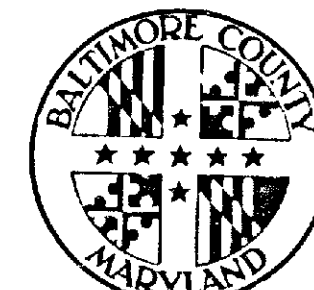
Page 2

Peak hours of office and restaurant use are different from the peak hours of shopping. The restaurant is adjacent to equitable transit, which is closed most of Saturday and all day Sunday, which are periods of peak use for the restaurant.

The Petitioner would like to accommodate the needs of tenants, other prospective medical or dental tenants, and the community. Petitioner is under a hardship due to inability to lease second floor office space to interested doctors and dentists.

In accordance with the laws of the State of Maryland and the Articles of Limited Partnership, the signature of any one General Partner shall suffice on this and any other document regarding the business of the Partnership.

BALTIMORE COUNTY **ZONING ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 8, 1982

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Baltimore, Maryland 21204

Mr. Jeffrey F. Klein
6229 North Charles Street
Baltimore, Md. 21212

RE: Item No. 133

Petitioner - Turnpike Associates
Variance Petition

Gentlemen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 suitability of the requested zoning.

In view of your proposal to expand the existing restaurant on this site and to lease the second floor of the existing building, this variance is needed.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

ENC:bae

Enclosures

cc: D.S. Thaler & Associates, Inc.
11 Warren Road
Baltimore, Md. 21208

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

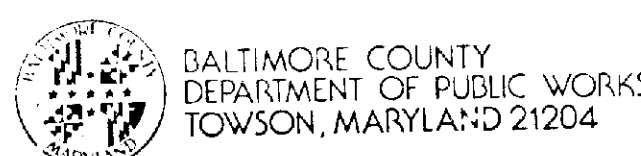
William B. Hammond, Zoning Commissioner
TO: Office of Planning and Control Date: December 26, 1982
FROM: Ian J. Forrest
SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item #118 - Pasquale Bruno
- Item #120 - Burn Allen Stephenson
- Item #126 - Clarence and Irene McNeal
- Item #127 - Roy L. Chiavacci, et al
- Item #128 - Cook United, Incorporated
- Item #129 - Richard S. and Nancy D. Frank
- Item #131 - Harwood Realty Corp.
- ✓ Item #133 - Turnpike Associates

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/ftt



HARRY J. PISTEL P.E.
DIRECTOR

March 3, 1982

Mr. William B. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #133 (1981-1982)
Property Owner: Turnpike Associates
S/W Reisterstown Rd. 980' N/W of Centerline of
Cherry Valley Rd.
Acres: 7.758 District: 4th

Dear Mr. Hammond:

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:

This property comprises "Cherryvale Plaza", recorded E.H.K., Jr. 45, Folio 3.

Baltimore County highway and utility improvements exist per Project 8010-110016, and are not directly involved.

Reisterstown Road (Md. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 133 (1981-1982).

Very truly yours,

[Signature]
ROBERT A. MORROW, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley
Paul Koch

T-W Kly Sheet
53 & 54 NW 37 Pos. Sheets
NW 14 J Tojo
57 & 58 Tax Maps

Maryland Department of Transportation

State Highway Administration

James J. O'Donnell
Secretary
M. S. Caltrider
Administrator

January 29, 1982

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of Jan. 26, 1982
ITEM: 133.
Property Owner: Turnpike Associates
Location: SW/S Reisterstown Road, Route 140, 980' N/W of centerline of Cherry Valley Road
Existing Zoning: B.L. & B.L. CS-1
Proposed Zoning: Variance to permit 416 parking spaces in lieu of the required 435 spaces.
Acres: 7.758
District: 4th

Dear Mr. Hammond:

On review of the revised site plan of January 15, 1982 and field inspection, the State Highway Administration offers the following comments.

The plan presented shows 416 parking spaces, however, it should be noted that a section of the parking lot was constructed within an area that becomes flooded during severe rain storms.

Signs are posted in the parking areas affected by the flooding to warn motorists of the possible condition.

The S.H.A. feels these areas should be shown on a revised plan prior to a hearing date.

Very truly yours,

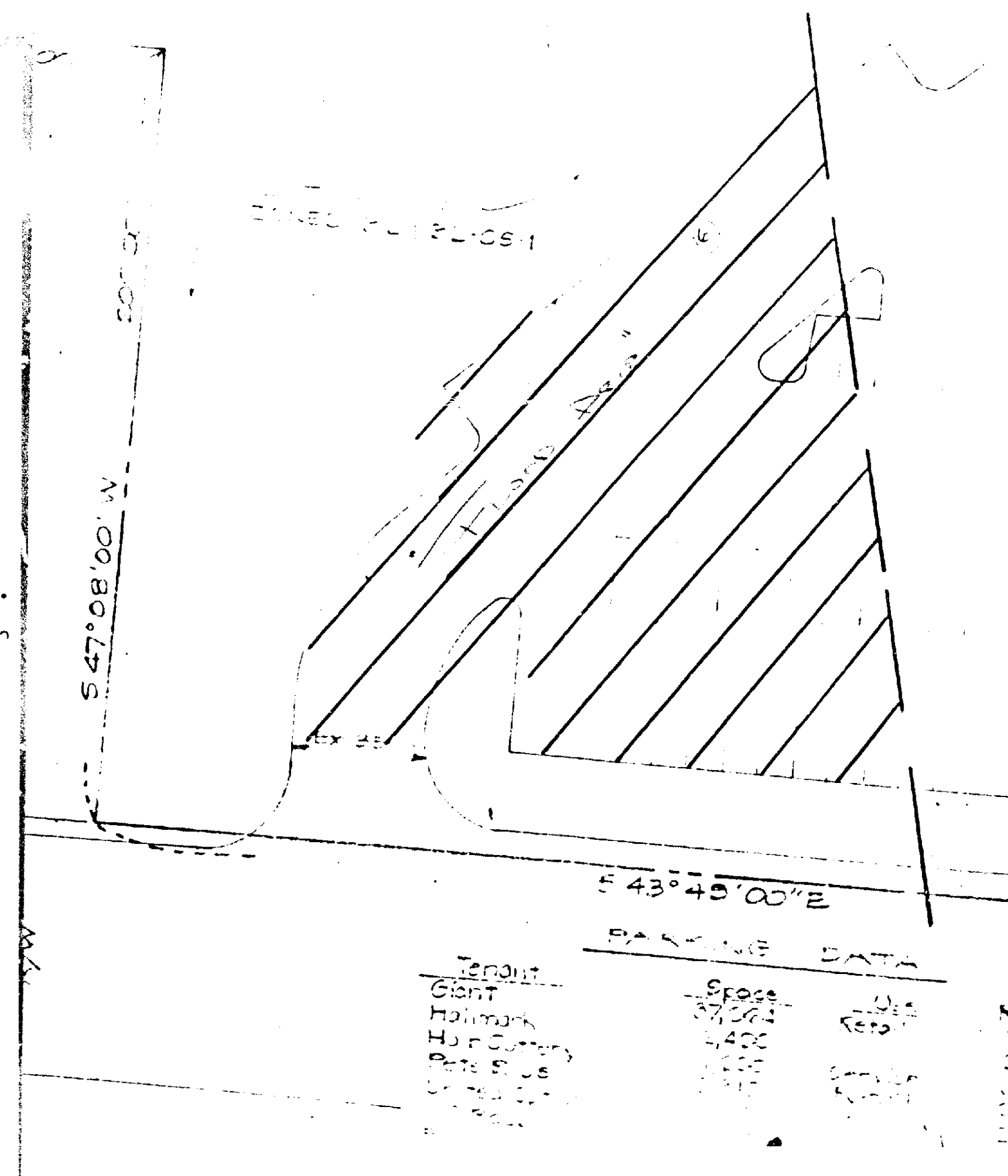
[Signature]
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Wimbley

My telephone number is (301) 652-1350

Teletypewriter for Impaired Hearing or Speech By: George Wittman
383 7555 Baltimore Metro - 362 0451 D.C. Metro - 1 800 492 5062 Statewide Toll Free
P.O. Box 717, 707 North Calvert St., Baltimore, Maryland 21203-0717



BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR VARIANCE 4th DISTRICT

ZONING: Petition for Variance
LOCATION: Southwest side of Reisterstown Road, 980 ft.
Northwest of Cherry Valley Road
DATE & TIME: Tuesday, April 20, 1982 at 9:30 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 permit 418 parking spaces
in lieu of the required 440 spaces
The Zoning Regulation to be expected as follows:
Section 409.2b - minimum required parking spaces
All that parcel of land in the Fourth District of Baltimore

Containing 7.758 acres of land more or less,
beginning for the same on the southwest side of Reisters-
town Road, 66 feet wide, at a point measured approximately
980 feet northwest of the centerline of Cherry Valley Road and
running thence and binding on the southwest side of
Reisterstown Road, South 43°49'00" East 600.00 feet thence
leaving Reisterstown Road and running South 47°08'00" West
200.00 feet, thence South 43°49'00" East 150.00 feet, thence
North 47°08' East 200.00 feet to the southwest side of
Reisterstown Road, 66 feet wide, thence binding on same South
43°49'00" East 26.00 feet, thence leaving Reisterstown Road
and running South 47°08'00" West 200.00 feet, thence South
43°49'00" East 155.06 feet to the north side of Cherry Valley
Road, 60 feet wide, thence binding on same South 57°16'27"
West 117.55 feet, thence 133.50 feet along the arc of a curve to
the left having a radius of 700 feet, thence leaving Cherry Valley
Road and running North 43°49'00" West 799.52 feet, thence
North 47°08'00" East 150.00 feet, thence North 43°49'00" West
100.00 feet, thence North 47°08'00" East 300.05 feet to the
place of beginning.

Containing 7.758 acres of land more or less,
g the property of Turnpike Associates as shown on plat
planned with the Zoning Department.

Hearing: Tuesday, April 20, 1982 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

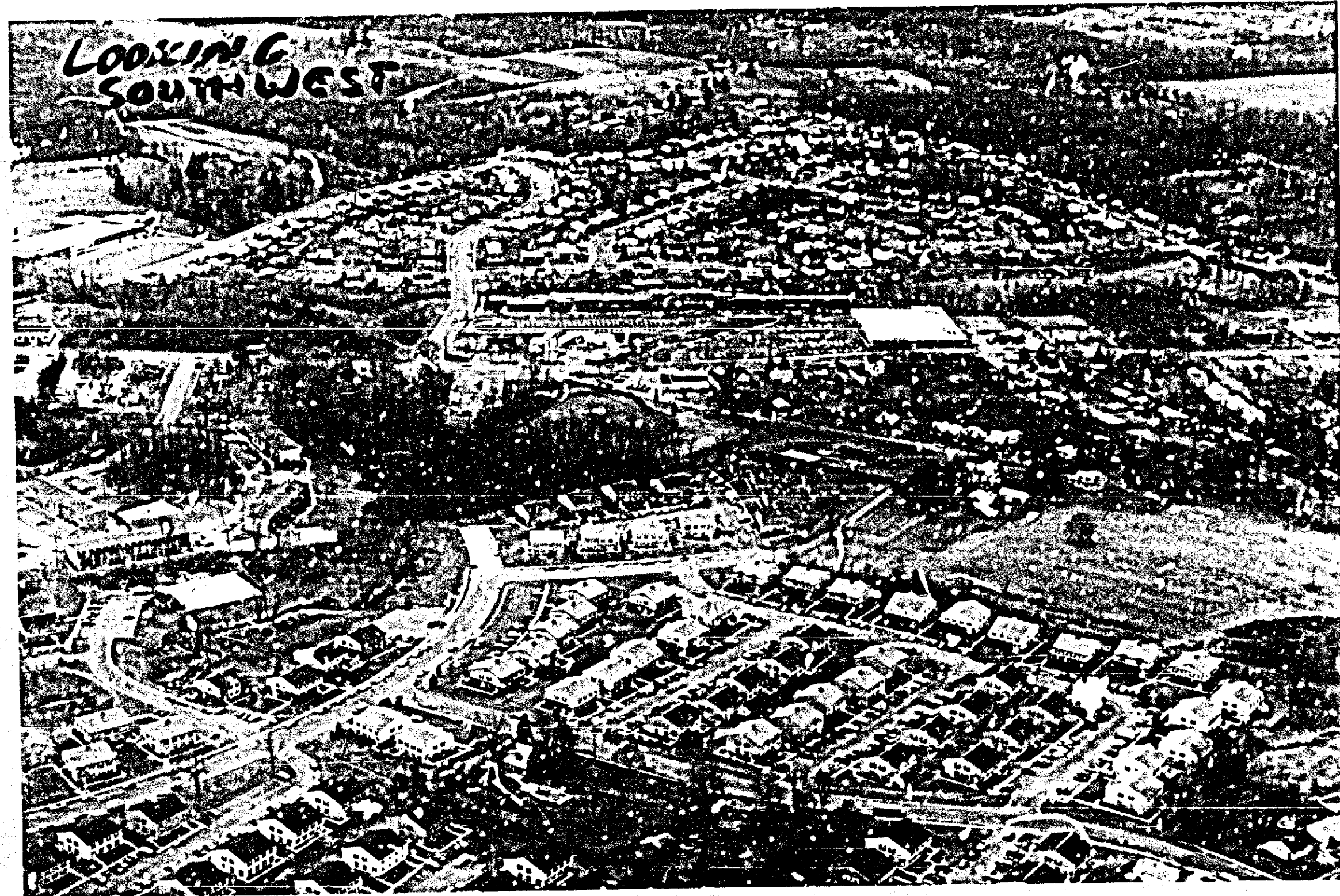
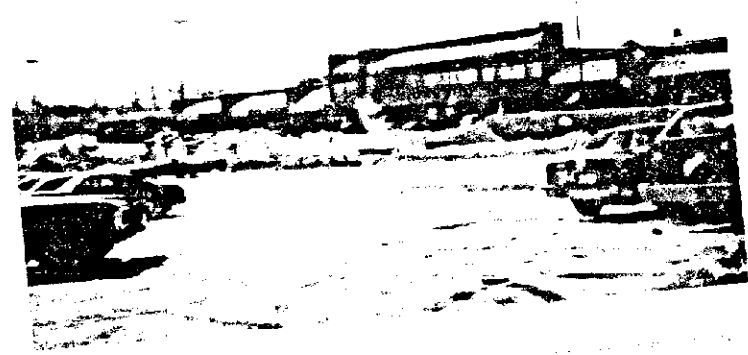
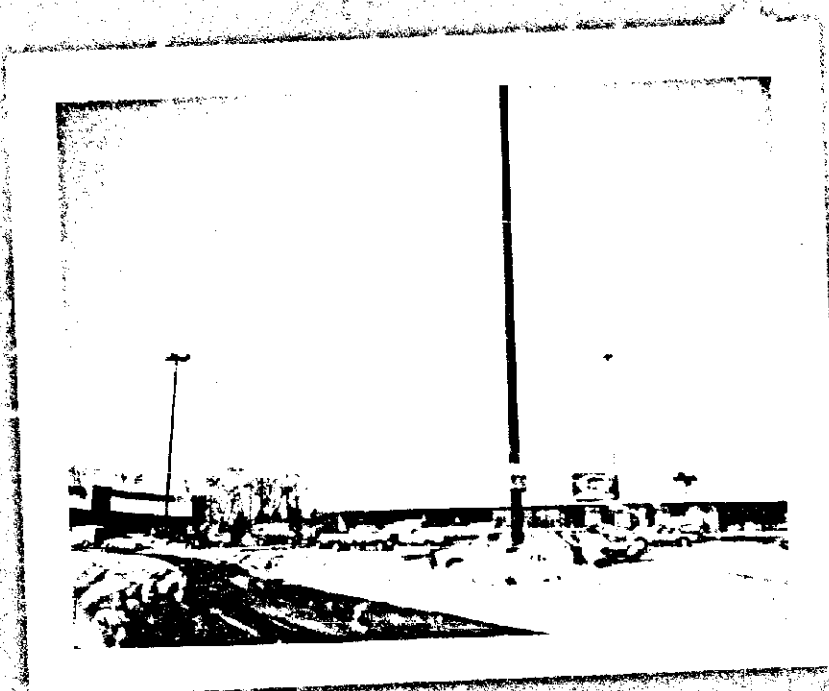
Office of The Carroll County Times

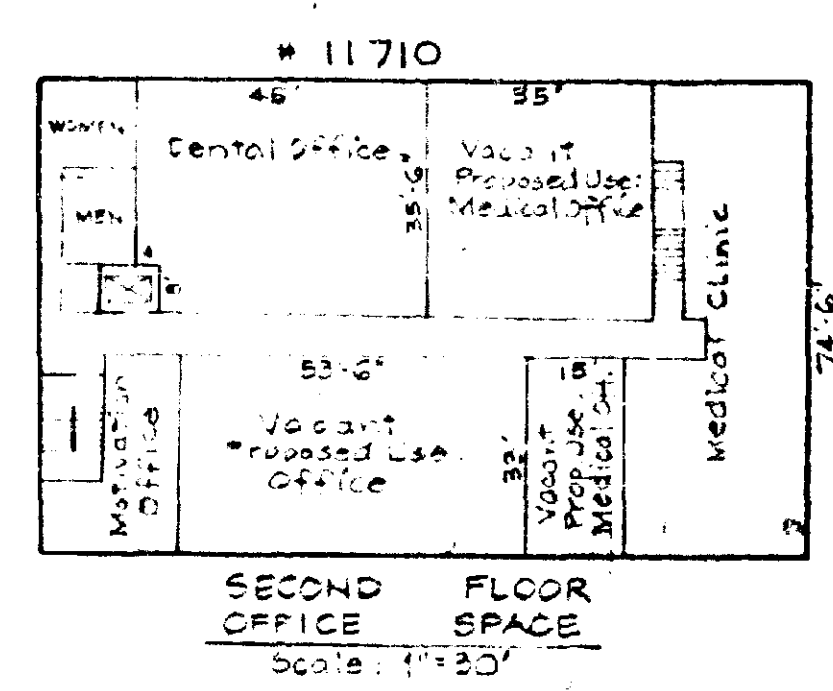
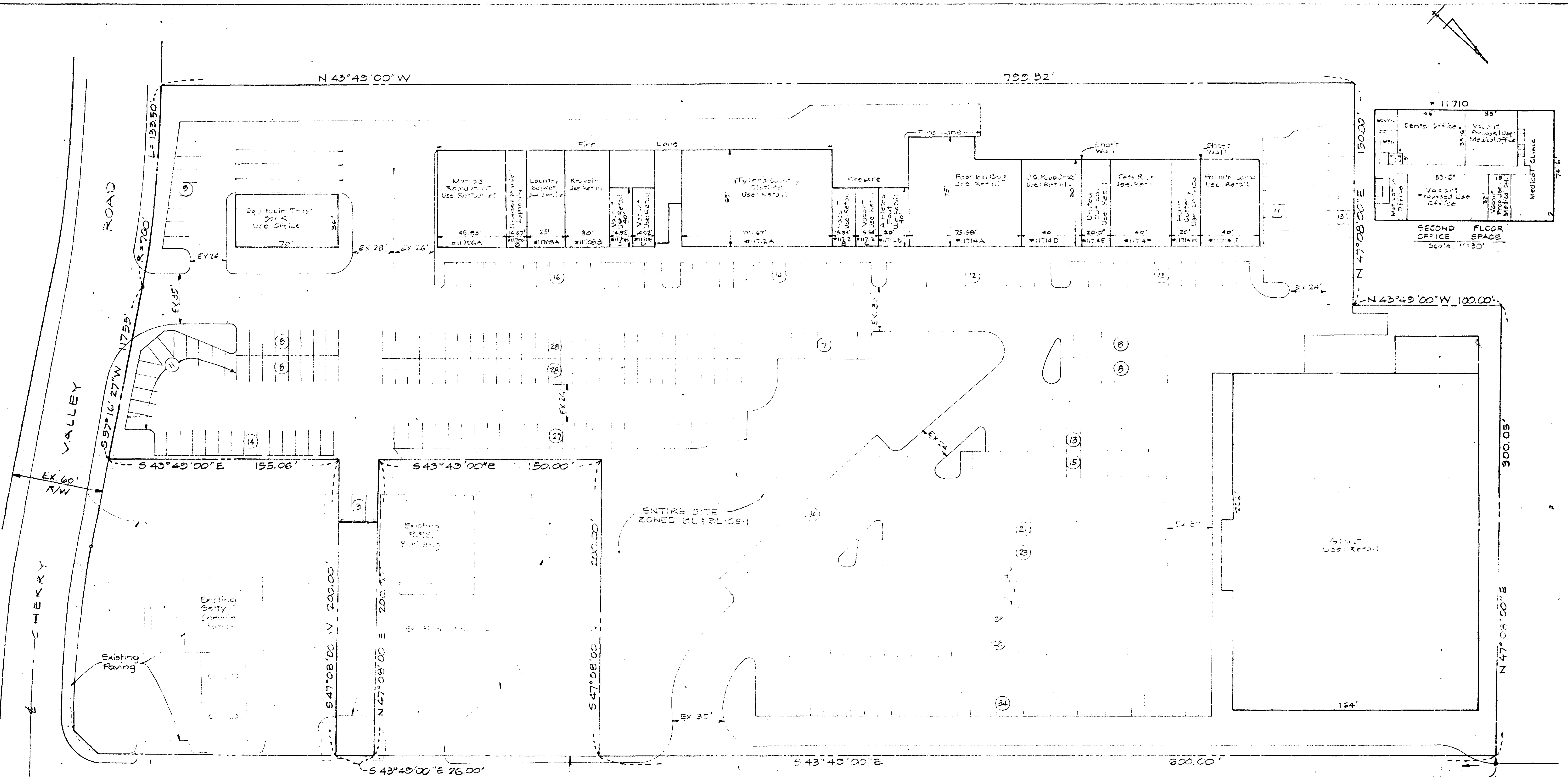
Westminster, Md. *April 1, 1982*

THIS IS TO CERTIFY that the annexed *P.A. 3873 Petition for Variance*
was published for *ONE (1)* successive weeks previous to the *1st*
day of *April* 19*82* in The Carroll County Times a daily
newspaper published in Westminster, Carroll County, Maryland.

THE CARROLL COUNTY TIMES

Per *C. D. Daniels*



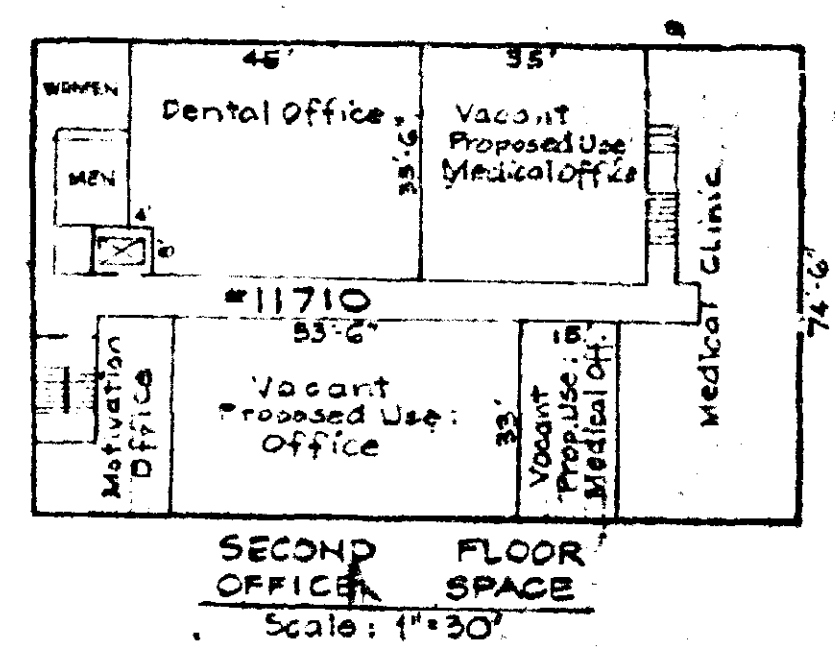
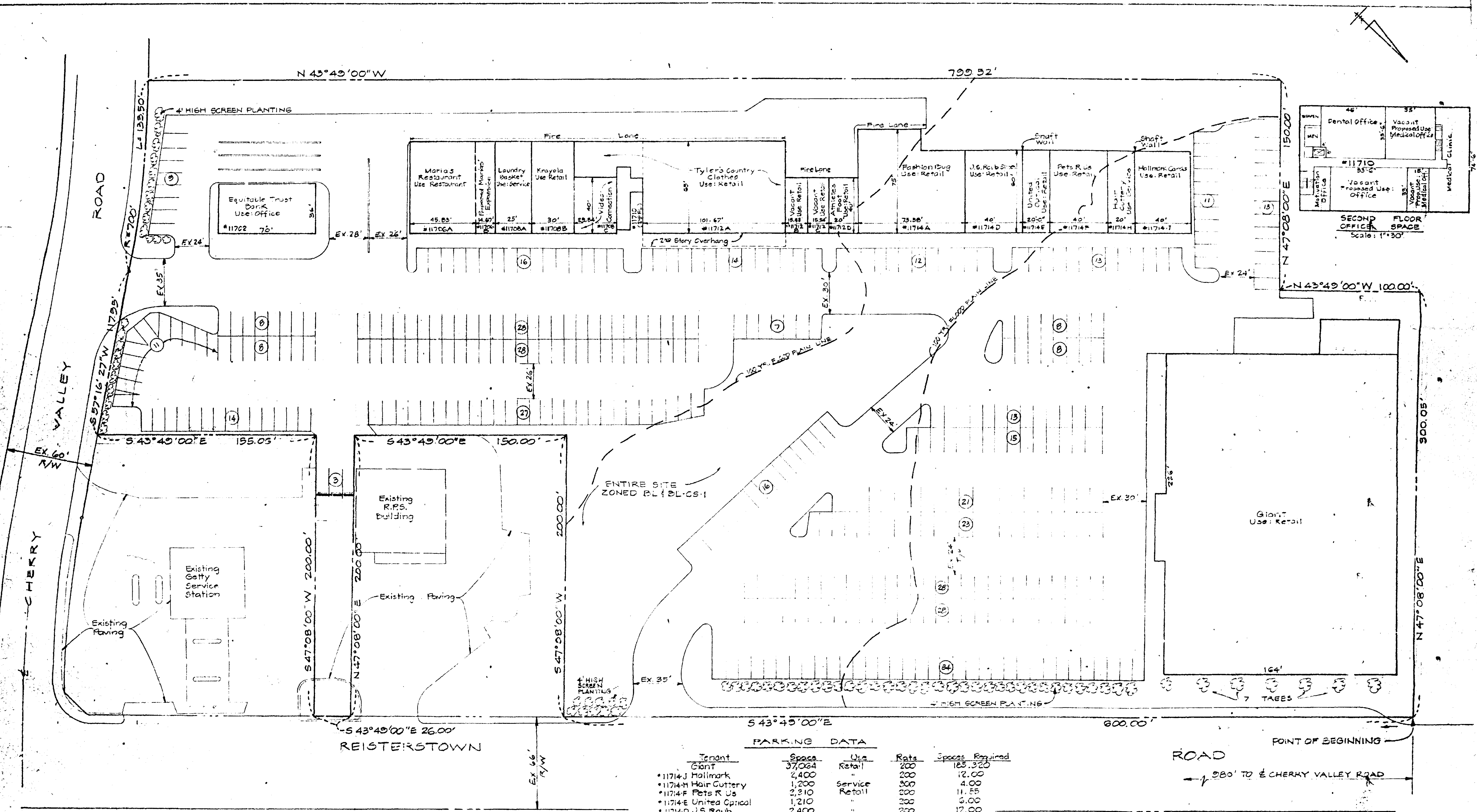


PARKING DATA				
Tenant	Space	Use	Rate	Spaces Required
Giant	37,061	Retail	200	185,305
Hallmark	2,400	"	200	12,000
Hair Cuttery	1,200	Service	100	4,000
Pete R Us	2,310	Retail	200	11,550
United Optical	1,210	"	200	6,050
J.S. Raub	2,400	"	200	12,000
Fashion Bug	5,175	"	200	25,875
Athletes Foot	800	"	200	4,000
Vacant	300	"	200	3,000
Vacant	200	"	200	2,000
Tyler's	7,600	"	200	38,000
Vacant	1,200	"	200	6,000
Kroyda	1,050	"	200	5,250
Laundry basket	1,025	Service	300	3,415
Marion's (Proposed)	354	Restaurant	50	1,770
Marion's (Existing)	2,979	Restaurant	50	14,895
Equitable Trust	2,520	Office	200	12,600
2ND FLOOR				
Dentist	1,500	Medical	200	7,500
Motivation	547	Office	200	2,735
Clinic	1,800	Medical	200	9,000
Vacant (Proposed)	1,728	Medical	300	5,760
Vacant (Proposed)	1,728	Office	500	8,640
Total Spaces Required				434,575
Total Spaces Provided				416

ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTO. MD. 21208

PLAT TO ACCOMPANY
PETITION FOR PARKING VARIANCE
CHERRYVALE PLAZA
2ND ELECTION DISTRICT BALTIMORE COUNTY MD.
DATE: DEC. 3, 1981
SCALE: 1"=30'
REVISED: JAN. 15, 1982

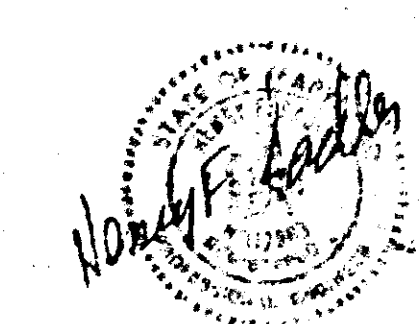
ITEM #123
old Plat



PARKING DATA					
Tenant	Spaces	Use	Rates	Spaces Required	
Giant	3,700	Retail	200	18,500	
*11714-J Mallmark	2,400	"	200	12,000	
*11714-H Hair Cutters	1,200	Service	300	4,000	
*11714-F Pets R Us	2,310	Retail	200	11,550	
*11714-E United Optical	1,210	"	200	6,000	
*11714-D J.S. Raub	2,400	"	200	12,000	
*11714-A Fashion Bug	5,175	"	200	25,875	
*11712-D Athletes Foot	800	"	200	4,000	
*11712-C Vacant	600	"	200	3,000	
*11712-B Vacant	600	"	200	3,000	
*11712-A Tyler's	7,800	"	200	39,000	
*11708-C Vacant	1,200	"	200	6,000	
*11708-B Krayola	2,550	"	200	12,750	
*11708-A Laundry Basket	1,225	Service	300	4,016	
*11706-A Marias (Proposed)	954	Restaurant	50	19,075	
*11706-B Marias (Existing)	2,979	Restaurant	50	59,580	
*11702 Equitable Trust	2,520	Office	300	8,400	
11710 FLOOR	Dentist Motivation Clinic Vacant* (Proposed Use) Vacant* (Proposed Use)	7,174	Medical	300	23,910
	1,766	Office	500	8,530	
Total Spaces Required			439,675		
Total Spaces Provided			416		

NOTE:
1. LAYOUT SHOWN REFLECTS EXISTING USE AND TENTATIVE FUTURE USE. USES SHOWN ARE SUBJECT TO CHANGE AS TENANTS DESIRE.

ENGINEERS
D.S. THALER & ASSOCIATES, INC.
11 WARREN ROAD
BALTO. MD. 21208



PETITIONER'S
EXHIBIT 2

PLAT TO ACCOMPANY
PETITION FOR PARKING VARIANCE
CHERRYVALE PLAZA
4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
DATE: DEC. 31, 1981
REVISED: JAN. 15, 1982
REVISED: MAR. 2, 1982

DDM #133