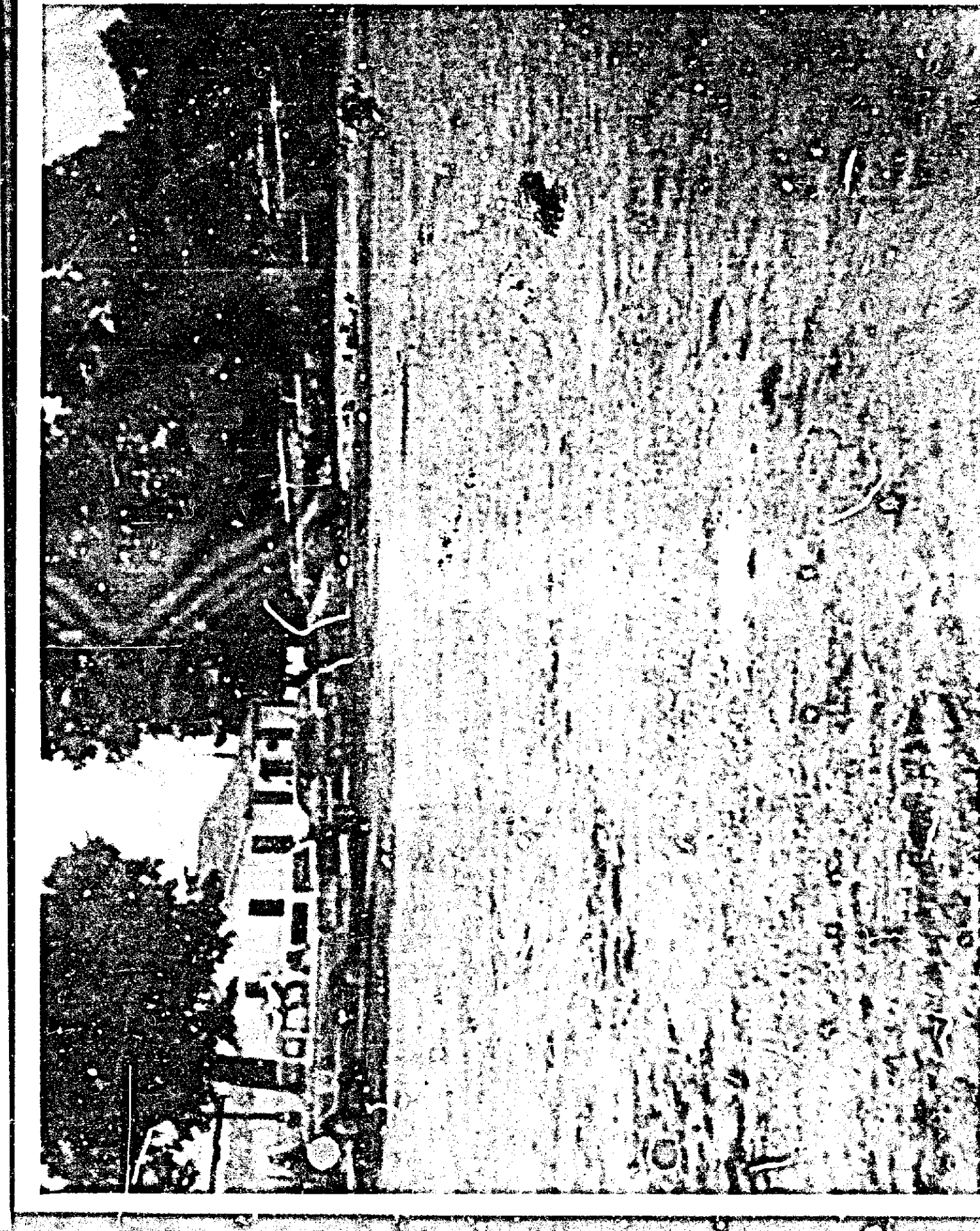
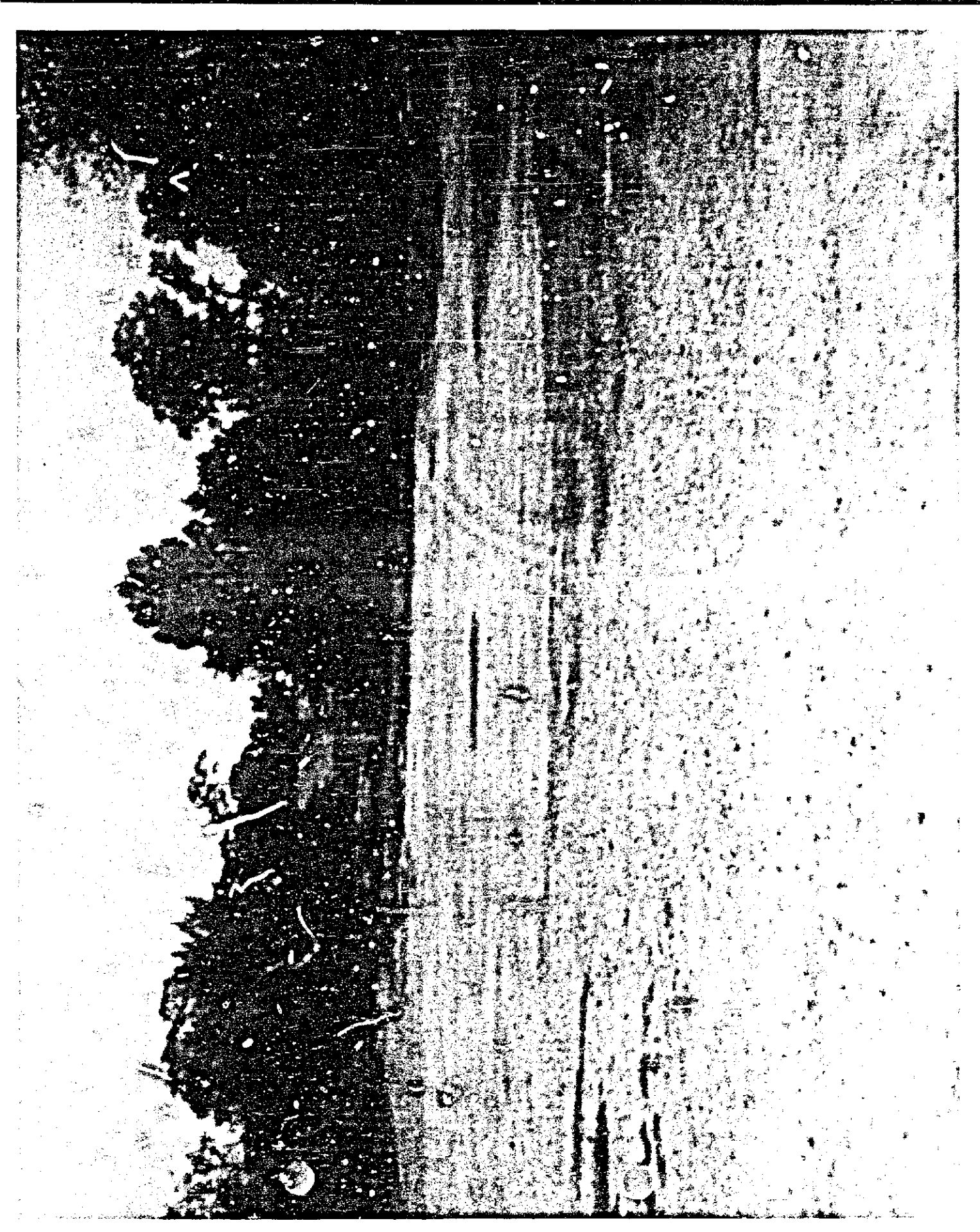
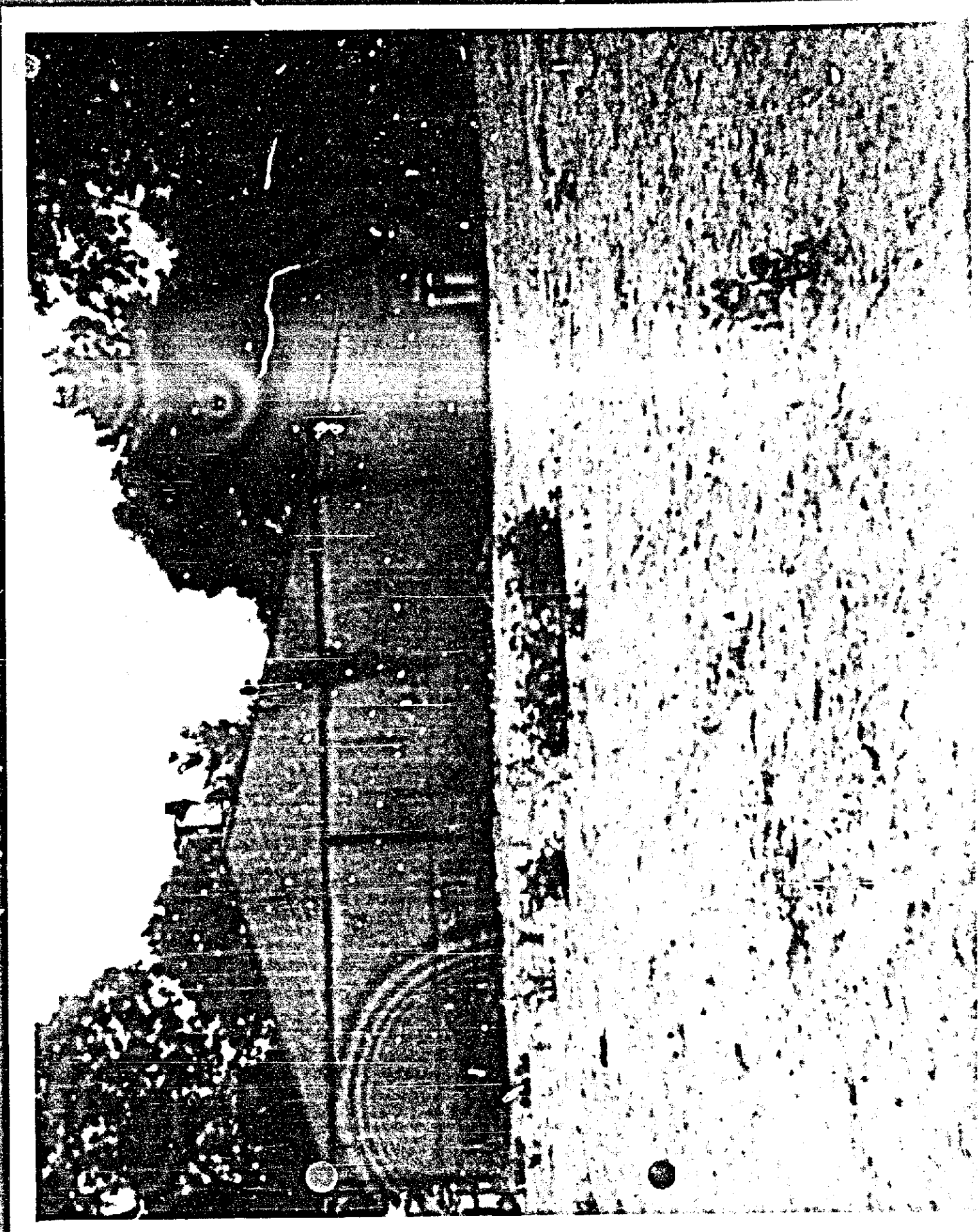






ADK
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10 0 1 2 3 4 5 6 7 8 9 10
PARAGON K&E 56 3242 GERMANY
05 0 05 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100

45 6 70
Palapace
44 6 70
Palapace
44 6 70
Palapace

Date: 12/12/2007

I HEREBY CERTIFY THAT THE REQUIREMENTS AS SET FORTH IN SECTIONS 72A, 72B, 72C & 72D OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND (1939 EDITION) TITLE "CLERKS OF COURTS" AS FAR AS IT CONCERNS THE MAKING OF THIS PLAT AND SETTING OF THE MARKERS HAVE BEEN COMPLIED WITH.

NOTE: THE COORDINATES SHOWN HEREON ARE ASSUMED.
PILES AND BARS SHOWN THUS •

SCALE: 1"=50' JUNE 5, 1947.
DOLLEBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
DUNCAN BLDG TOWSON, MD.
SIGNED *Paul H. Dolleberg*
REGISTERED PROFESSIONAL ENGINEER -
AND LAND SURVEYOR NO. 1371

**PETITIONER'S
EXHIBIT //**

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

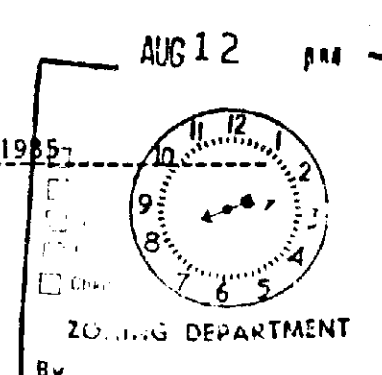
Division of Planning and Zoning
Date of filing (petition)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
SUBJECT: Critical Bay Area Review
Revised Petition No. 86-75-SPH

Date: August 8, 1985



Since the subject of this petition is only for the purpose of determining whether or not the existing facility enjoys non-conforming use status, no comments will be offered. However, if the petitioner would be interested in initiating measures in accordance with the Critical Bay Area program, this office will be quite willing to advise and assist in any way possible.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:slm

cc: Phyllis Friedman
Susan Carrell
J.G. Howell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
SUBJECT: Zoning Petition No. 86-75-SPH

Date: August 8, 1985

In view of the subject matter of this petition, this office offers no comment.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

4040 Beach Road, Baltimore County 15th Election District

Taken from Liquor Board's Records

Leto's Shores Inn 11/4/59 DBW
6/20/60 DBL

Caesar's Palace Inc. 6/25/69

Sandpiper 10/22/70

The Sandpiper Tavern Inc 1979

Wally's Place 1/23/81

Pop A Top 8/23/83

You'll Come Back Lounge

**PETITIONER'S
EXHIBIT** 12

IN RE: PETITION SPECIAL HEARING
NE/S of Beach Road, 85' NW of
Fischer Road (4040 Beach
Road) - 15th Election District
Rebecca P. Puckett,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-75-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to determine the nonconforming use of the subject property as a combination tavern and restaurant, as shown on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. Also appearing and testifying on behalf of the Petitioner were Jack Hofer, who is purchasing one-half interest in the property, and Jesse Mullins, a lifetime resident of the area and customer of the tavern. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and improved with the Petitioner's dwelling and a 63' x 31' tavern-restaurant, fronts on Beach Road and is on Back River. According to the Petitioner and Mr. Mullins, the tavern-restaurant has been used continuously and without interruption for over 40 years. The original building has had two small additions over the past years, i.e., a 15' x 24' kitchen facing Beach Road and a 7' x 13' storage shed on the side.

The Petitioner seeks relief pursuant to Section 104, Baltimore County Zoning Regulations (BCZR).

The uncontroverted testimony, which was amply supported, conclusively indicated that the property has been used continuously and without interruption as a tavern-restaurant since before 1945. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use does exist.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1985, that a nonconforming use for a tavern-restaurant be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the following restriction which is a condition precedent to the relief herein granted:

1. No further expansion shall be permitted since the 25% expansion as limited by law has been previously depleted, except for 37 square feet, unless the site is rezoned to permit the tavern-restaurant as a matter of right or by special exception. In either event, any expansion must comply with the Chesapeake Bay Critical Area legislation and the site must be brought into compliance with the BCZR.

Rebecca P. Puckett
Zoning Commissioner of
Baltimore County

AJ/srl

cc: John S. Mahle, Jr., Esquire

People's Counsel

PETITION FOR SPECIAL HEARING 15th Election District

LOCATION: Northeast side of Beach Road, 85 ft. Northwest of Fischer Road (4040 Beach Road)

DATE AND TIME: Monday, August 19, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations for approval of a non-conforming tavern and parking area in a D.R. 5.5 zone.

Being the property of Rebecca P. Puckett as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

THE SANDPIPER INN 4040 Beach Road 15th District Baltimore County

Property is located on the northeast side of Beach Road, approximately 85 feet northwest of Fischer Road and is known as Lots 1-4, as shown on a plat of Fischer and Schuette Shores, which is recorded among the Land Records of Baltimore County in Book 14, folio 26. Also known as 4040 Beach Road.

ORDER RECEIVED FOR FILING

DATE August 29, 1985
BY [Signature]

ORDER RECEIVED FOR FILING

DATE August 29, 1985
BY [Signature]

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE/S of Beach Rd., 85' NW/
Fischer Rd. (4040 Beach Rd.) : OF BALTIMORE COUNTY
15th District :
REBECCA P. PUCKETT, Petitioner : Case No. 86-75-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 24th day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to John S. Mahle, Jr., Esquire, 1101 Fidelity Building, Baltimore, MD 21201, Attorney for Petitioner; and Mr. Jack L. Hofer, 8317 Kavanagh Rd., Baltimore, MD 21222, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

August 15, 1985

John S. Mahle, Jr., Esquire
1101 Fidelity Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
NE/S of Beach Road, 85' NW of
Fischer Road (4040 Beach Road)
15th Election District
Rebecca P. Puckett, Petitioner
Case No. 86-75-SPH

Dear Mr. Mahle,

This is to advise you that \$ 55.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

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

No. 012565

DATE 9-4-85 ACCOUNT R-01-615-000

AMOUNT \$ 55.00

RECEIVED FROM Rebecca Puckett

FOR Advertising and Posting Case 86-75-SPH

VALIDATION OR SIGNATURE OF CASHIER

John S. Mahle, Jr., Esquire
1101 Fidelity Building
Baltimore, Maryland 21201

July 19, 1985

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
NE/S of Beach Rd., 85' NW of
Fischer Road (4040 Beach Road)
15th Election District
Rebecca P. Puckett, Petitioner
Case No. 86-75-SPH

TIME: 10:00 a.m.

DATE: August 19, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

cc: Jack L. Hofer
8317 Kavanagh Road
Baltimore, Md. 21222

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222 August 7, 1985

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of P.O. #67756 - Req. # 173259 - Petition for Special Hearing, was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 2nd day of August 1985; that is to say, the same was inserted in the issues of August 1, 1985

Kimbel Publication, Inc.
per Publisher.

By P. C. O'Brien

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 8/1/85
Posted for: Special Hearing
Petitioner: Rebecca P. Puckett
Location of property: NE/S of Beach Rd., 85' NW of Fischer Rd., 4040 Beach Rd.
Location of Signs: Beach Rd. & Fischer Rd. Signs, 85' x 11' each
Remarks: advertising signs + 80 posts, 80' x 11' each, on property of Petitioner
Posted by: M. J. Jablon Date of return: 8/1/85
Number of Signs: 1

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

No. 007296

DATE 8/1/85 ACCOUNT R-01-615-000

AMOUNT \$ 100.00

RECEIVED FROM Rebecca Puckett

FOR P.L. to Mr. Hofer - 390
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

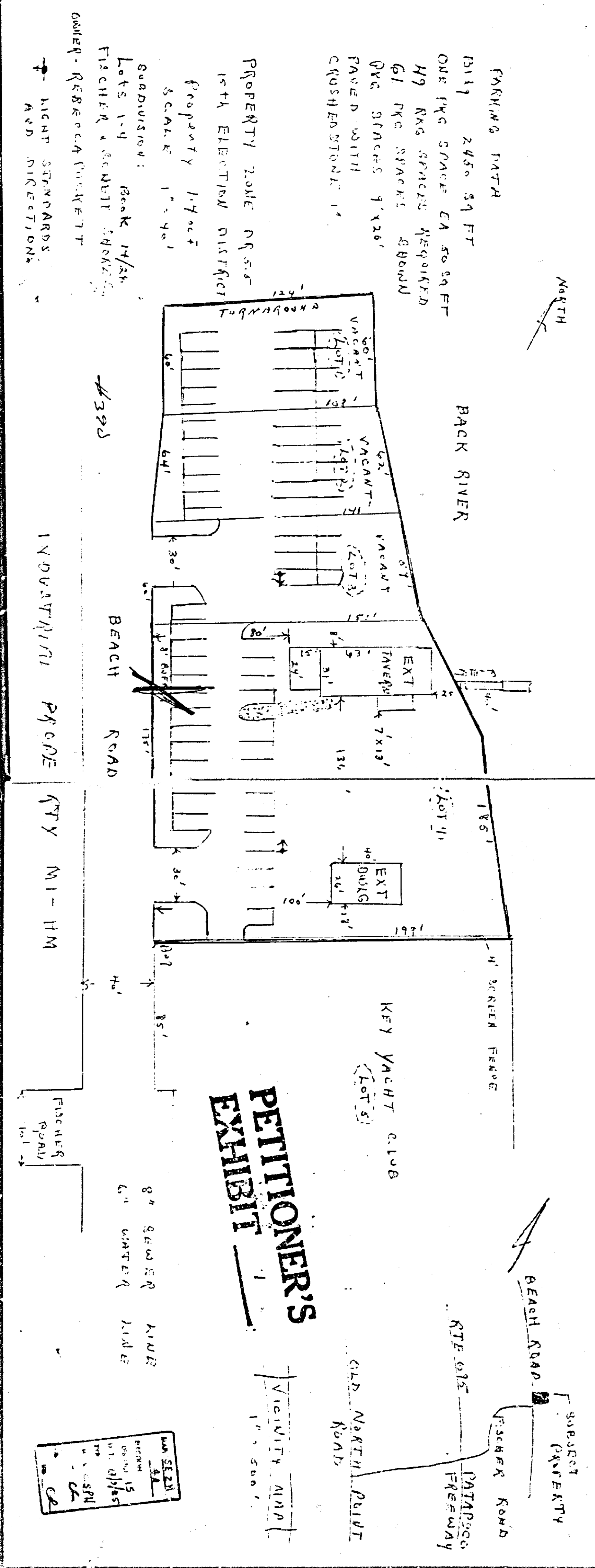
TOWSON, MD. August 1, 1985

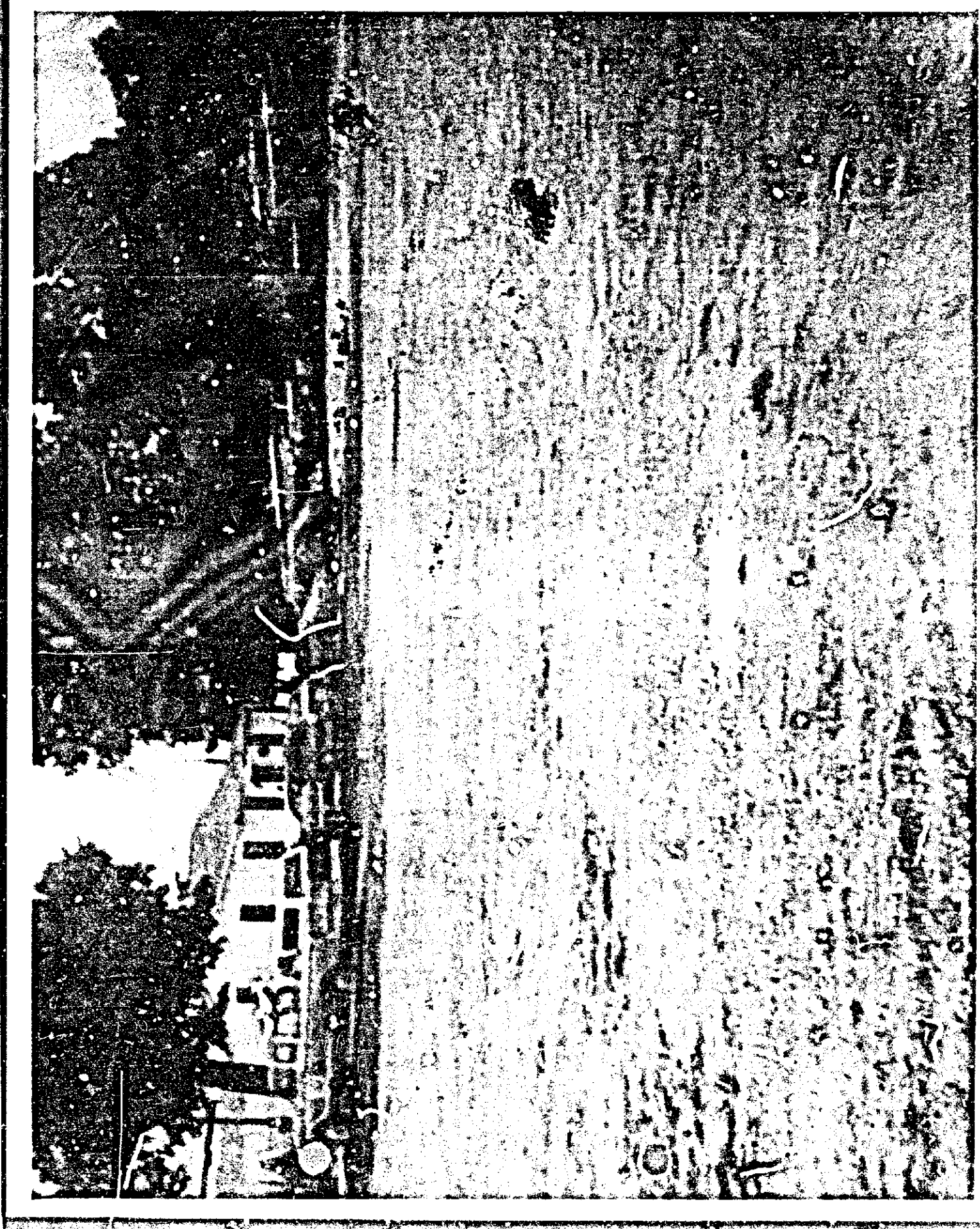
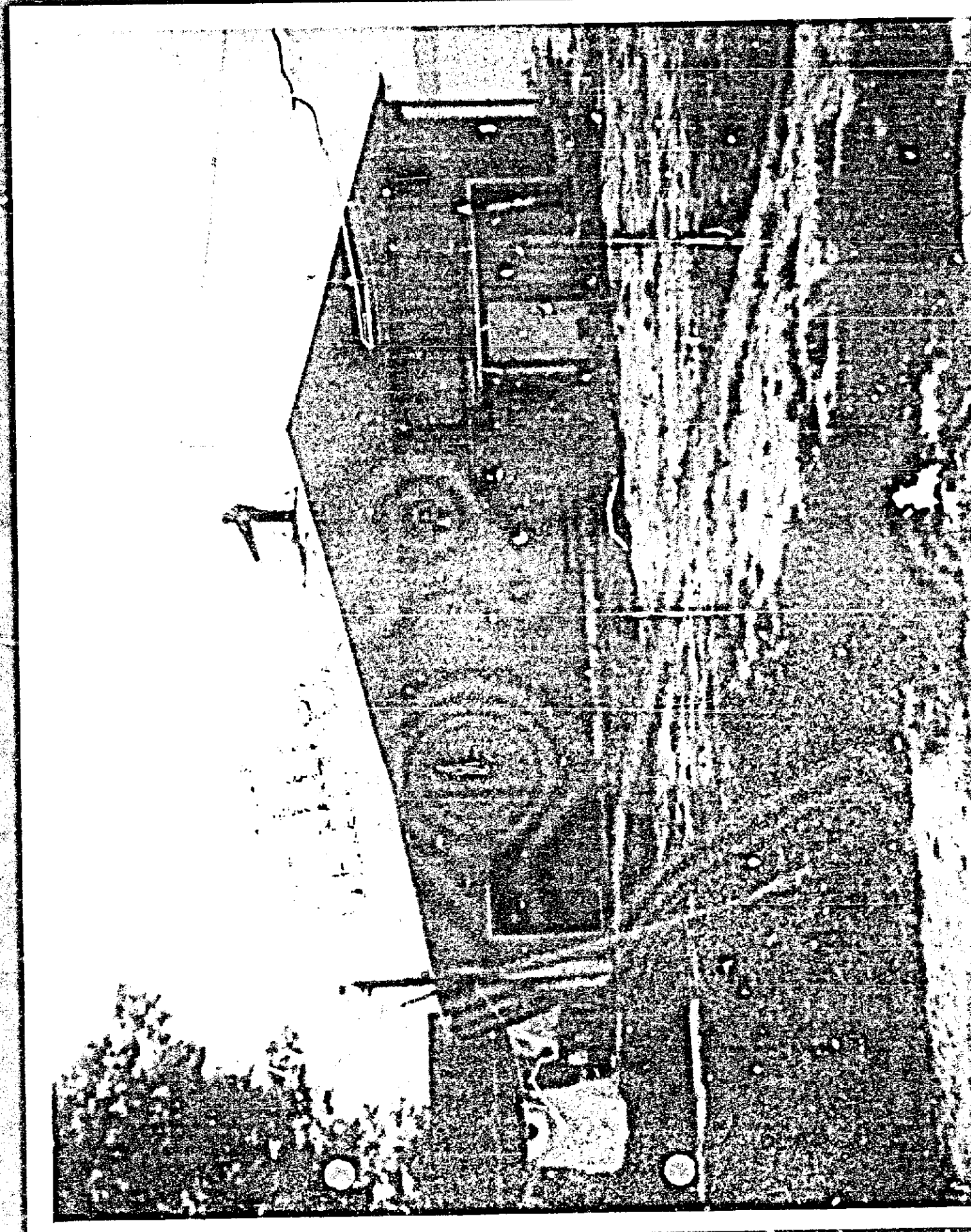
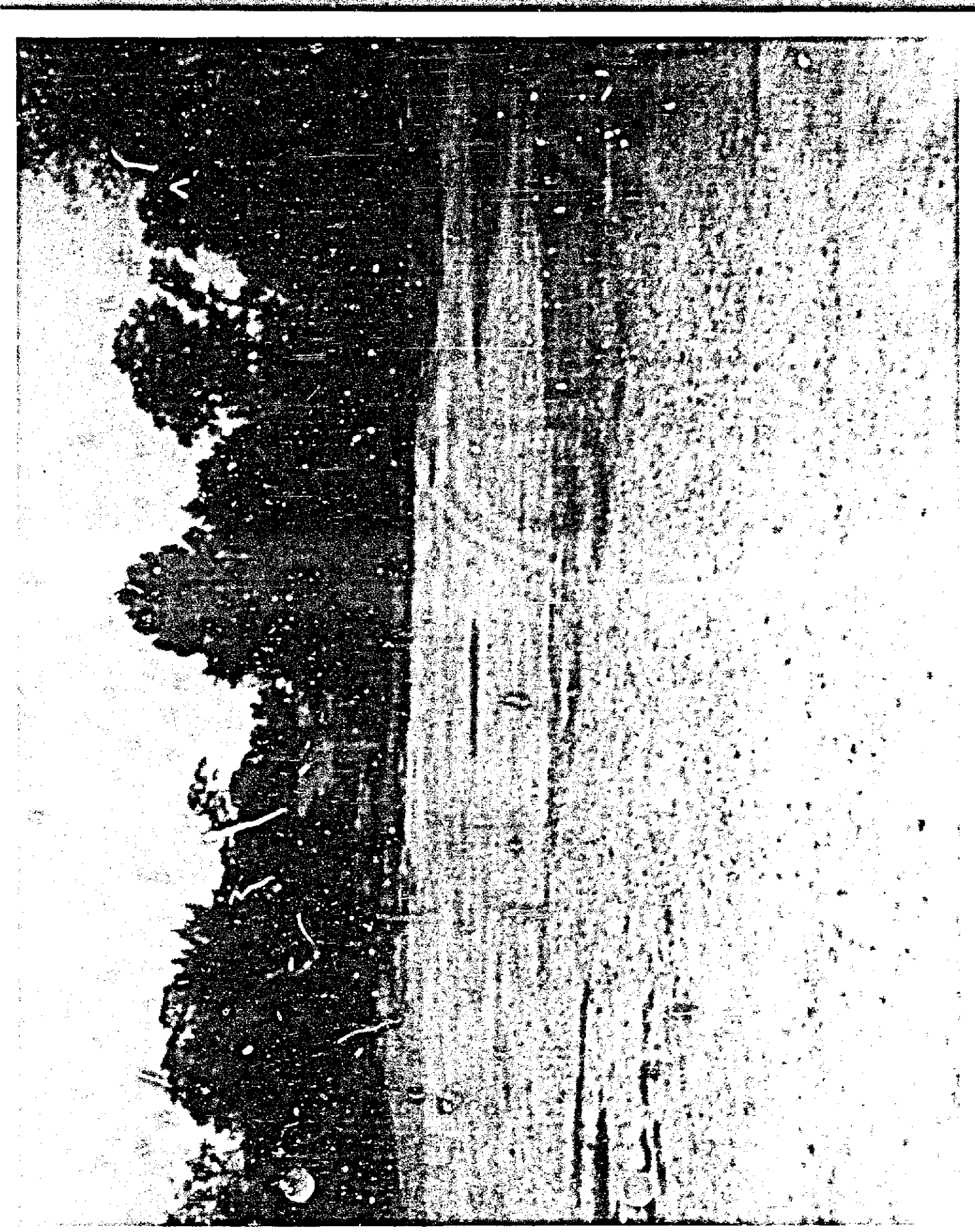
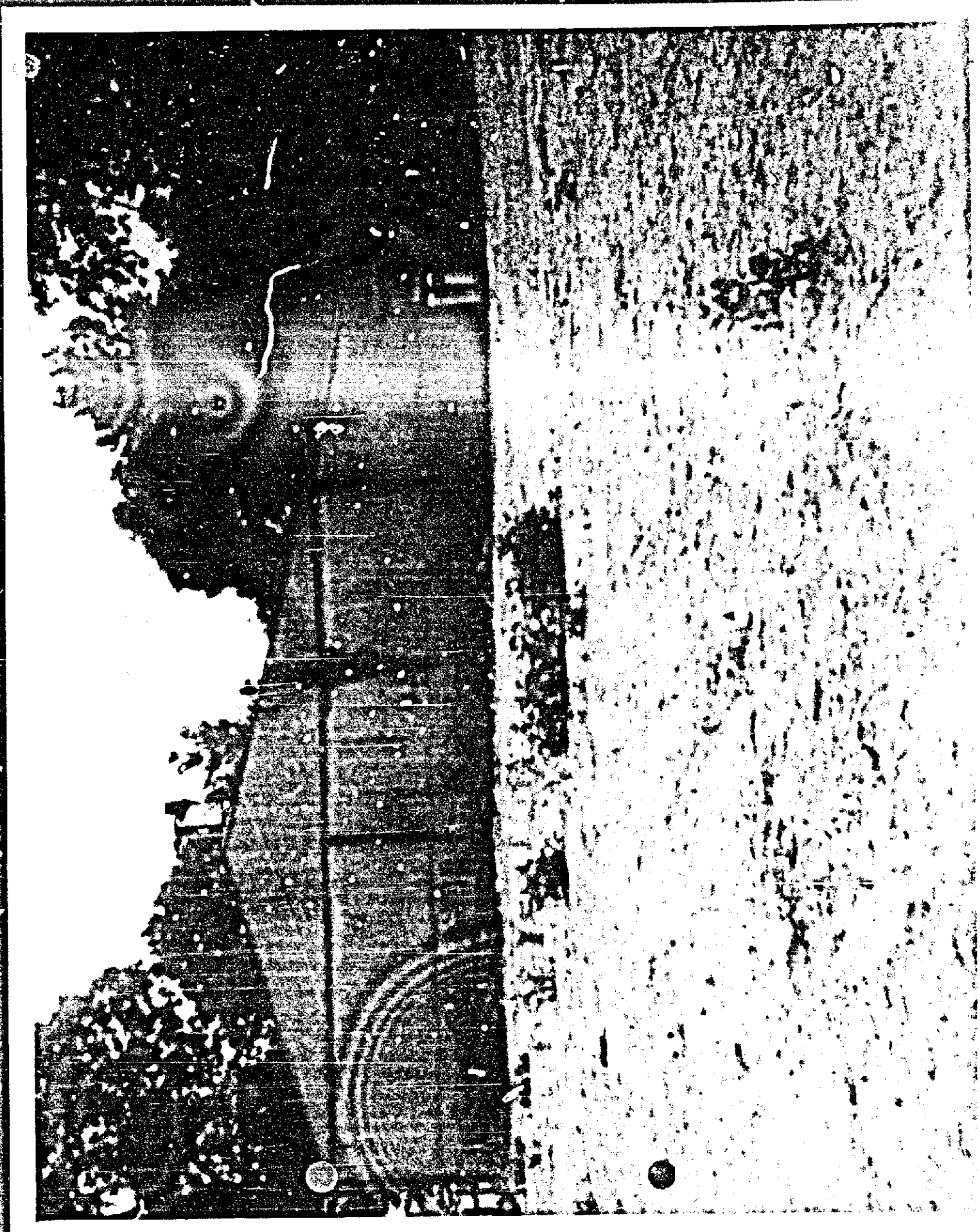
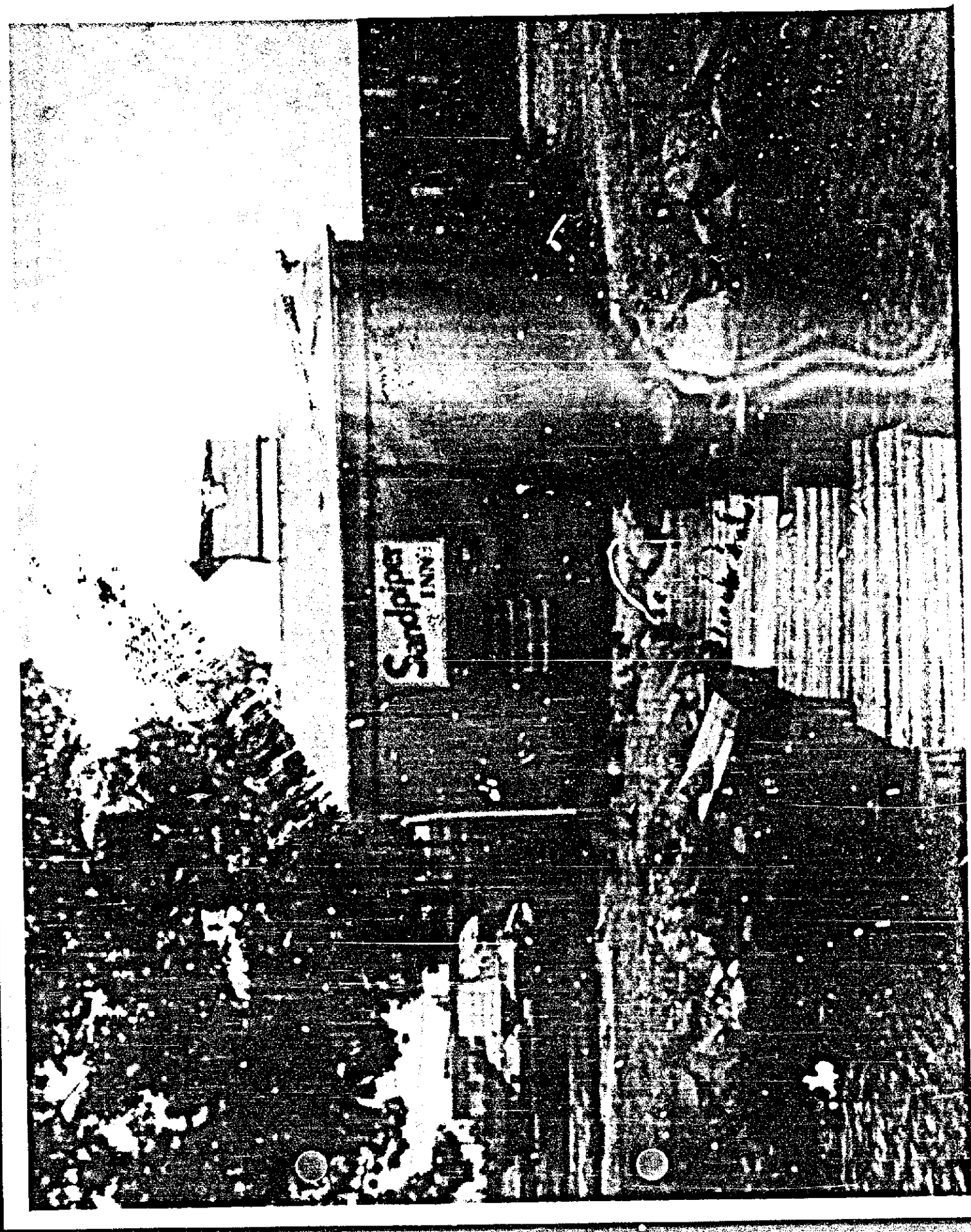
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 1, 1985

THE JEFFERSONIAN,
13 Kenton
Publisher

Cost of Advertising
22.

PETITION FOR SPECIAL HEARING
15th Election District
LOCATION: Northeast side of Beach Road, 85' NW of Fischer Road (4040 Beach Rd.)
DATE AND TIME: Monday, August 19, 1985 at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West 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 on the Petition for Special Hearing under Section 507 of the Baltimore County Zoning Regulations for approval of a non-conforming signs and parking signs on the property of Rebecca P. Puckett as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner is duty of the community of and persons shall receive notice of the hearing in writing by the date of the hearing and shall be made at the hearing.
By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Aug. 1, 1985







ADK
R

10 0 1 2 3 4 5 6 7 8 9 10
PARAGON K&E 56 3242 GERMANY
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45 6 70
Palapace
44 6 70
Palapace
44 6 70
Palapace

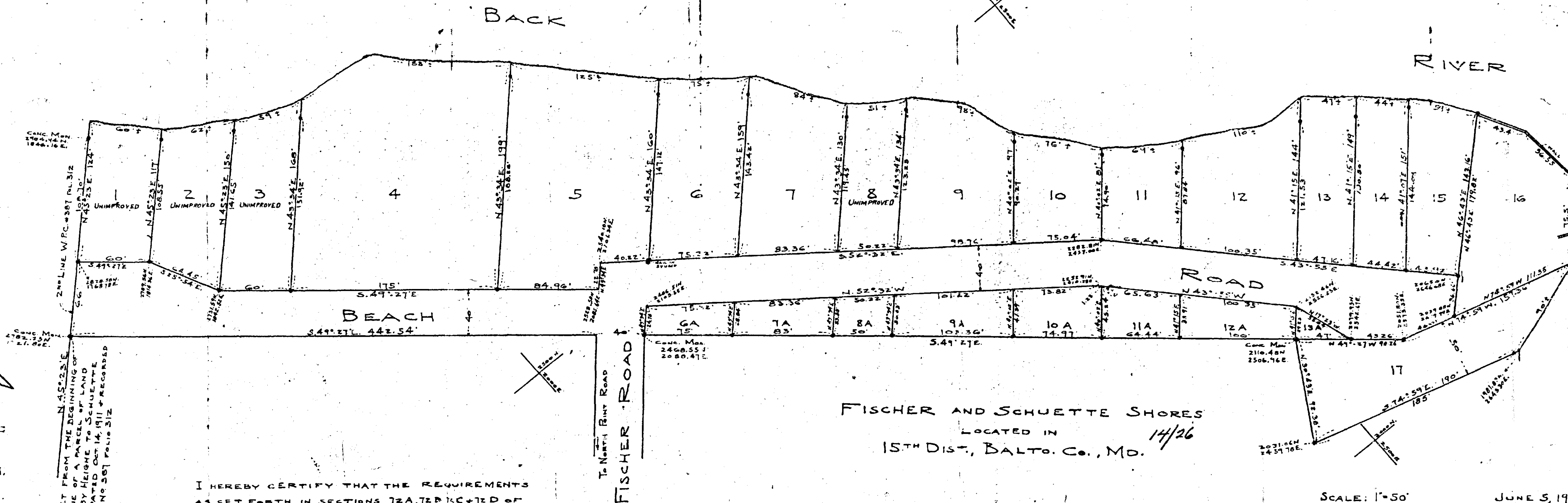
HIGHWAYS DEPARTMENT OF
BALTIMORE COUNTY.
STREET ALIGNMENT AND LOCATION.

Approved _____ ROAD ENGINEER

Date _____

1649.82 FEET FROM THE BEGINNING OF
THE 2ND LINE OF A PARCEL OF LAND
CONVEYED BY HEIGHE TO SCHUETTE
BY DEED DATED OCT 14, 1911 & RECORDED
IN W.P.C. NO. 387 FOLIO 312

I HEREBY CERTIFY THAT THE REQUIREMENTS
AS SET FORTH IN SECTIONS 72A, 72B, 72C & 72D OF
ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND
(1939 EDITION) TITLE "CLERKS OF COURTS" AS FAR AS IT
CONCERNS THE MAKING OF THIS PLAT AND SETTING
OF THE MARKERS HAVE BEEN COMPLIED WITH.
SIGNED _____



NOTE: THE COORDINATES SHOWN HEREON ARE ASSUMED.
PIPES AND BARS SHOWN THUS.

SCALE: 1"=50' JUNE 5, 1947.
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
DUNCAN BLDG. TOWSON, MD.
SIGNED Paul H. Dolken
REGISTERED PROFESSIONAL ENGINEER
AND LAND SURVEYOR NO. 1371

PETITIONER'S
EXHIBIT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

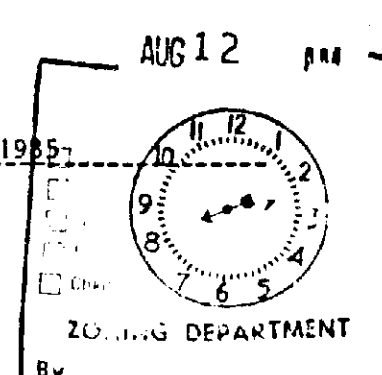
Division of Planning and Zoning
Date of filing (petition)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
SUBJECT: Critical Bay Area Review
Revised Petition No. 86-75-SPH

Date: August 8, 1985



Since the subject of this petition is only for the purpose of determining whether or not the existing facility enjoys non-conforming use status, no comments will be offered. However, if the petitioner would be interested in initiating measures in accordance with the Critical Bay Area program, this office will be quite willing to advise and assist in any way possible.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:slm

cc: Phyllis Friedman
Susan Carrell
J.G. Howell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
FROM: Norman E. Gerber, Director
SUBJECT: Zoning Petition No. 86-75-SPH

Date: August 8, 1985

In view of the subject matter of this petition, this office offers no comment.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:slm

4040 Beach Road, Baltimore County 15th Election District

Taken from Liquor Board's Records

Leto's Shores Inn 11/4/59 DBW
6/20/60 DBL
Caesar's Palace Inc. 6/25/69
Sandpiper 10/22/70
The Sandpiper Tavern Inc 1979
Wally's Place 1/23/81
Pop A Top 8/23/83
You'll Come Back Lounge

**PETITIONER'S
EXHIBIT**

IN RE: PETITION SPECIAL HEARING
NE/S of Beach Road, 85' NW of
Fischer Road (4040 Beach
Road) - 15th Election District
Rebecca P. Puckett,
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-75-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to determine the nonconforming use of the subject property as a combination tavern and restaurant, as shown on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. Also appearing and testifying on behalf of the Petitioner were Jack Hofer, who is purchasing one-half interest in the property, and Jesse Mullins, a lifetime resident of the area and customer of the tavern. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and improved with the Petitioner's dwelling and a 63' x 31' tavern-restaurant, fronts on Beach Road and is on Back River. According to the Petitioner and Mr. Mullins, the tavern-restaurant has been used continuously and without interruption for over 40 years. The original building has had two small additions over the past years, i.e., a 15' x 24' kitchen facing Beach Road and a 7' x 13' storage shed on the side.

The Petitioner seeks relief pursuant to Section 104, Baltimore County Zoning Regulations (BCZR). The uncontroverted testimony, which was amply supported, conclusively indicated that the property has been used continuously and without interruption as a tavern-restaurant since before 1945. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use does exist.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of August, 1985, that a nonconforming use for a tavern-restaurant be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject to the following restriction which is a condition precedent to the relief herein granted:

1. No further expansion shall be permitted since the 25% expansion as limited by law has been previously depleted, except for 37 square feet, unless the site is rezoned to permit the tavern-restaurant as a matter of right or by special exception. In either event, any expansion must comply with the Chesapeake Bay Critical Area legislation and the site must be brought into compliance with the BCZR.

Rebecca P. Puckett
Zoning Commissioner of
Baltimore County

AJ/srl

cc: John S. Mahle, Jr., Esquire
People's Counsel

PETITION FOR SPECIAL HEARING 15th Election District

LOCATION: Northeast side of Beach Road, 85 ft. Northwest of Fischer Road (4040 Beach Road)

DATE AND TIME: Monday, August 19, 1985 at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations for approval of a non-conforming tavern and parking area in a D.R. 5.5 zone.

Being the property of Rebecca P. Puckett as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ZONING DESCRIPTION

THE SANDPIPER INN 4040 Beach Road 15th District Baltimore County

Property is located on the northeast side of Beach Road, approximately 85 feet northwest of Fischer Road and is known as Lots 1-4, as shown on a plat of Fischer and Schuette Shores, which is recorded among the Land Records of Baltimore County in Book 14, folio 26. Also known as 4040 Beach Road.

ORDER RECEIVED FOR FILING

DATE August 29, 1985

BY [Signature]

ORDER RECEIVED FOR FILING

DATE August 29, 1985

BY [Signature]

