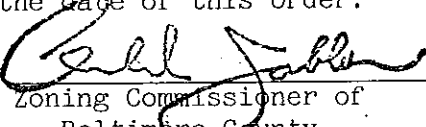


87-119-SPH	SE/S of Pulaski Highway (Rt. 40), 1639.85' NE of Middle River Rd. (9727 Pulaski Highway)	15th Elec. Dist.
#27		
8/1/86	Special Hearing - filing fee \$100.00 - Ataollah Golpira, et ux	
8/1/86	Hearing set for 9/22/86, at 10:45 a.m.	
9/22/86	Advertising and Posting - \$65.00	
9/24/86	Ordered by the Zoning Commissioner that the nonconforming use for a tavern and parking lot in an M.L.-C.S.1 Zone is approved and the Petition for Special Hearing is GRANTED.	

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 that to approval a nonconforming use for a tavern and parking lot in an M.L.-C.S-1 Zone would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and would not be detrimental to the health, safety, and general welfare of the community; and therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of September, 1986, that the nonconforming use for a tavern and parking lot in an M.L.-C.S-1 Zone be approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.


Zoning Commissioner of
Baltimore County

AJ/srl

cc: Charles E. Brooks, Esquire

People's Counsel

27 87-119-SPH PETITION FOR SPECIAL HEARING 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a non-conforming tavern and parking lot located in a M.L.-C.S.-1 zone.

A non-conforming tavern and parking lot located in a M.L.-C.S.-1 zone.

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

I, or we, agree to pay expenses of the above Special Hearing 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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Ataollah Golpira

(Type or Print Name)

Signature

Maryam Golpira

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contractor, purchaser or representative to be contacted

Walter T. Parr / Spotts, Stevens & McCoy

Name

618 Fairmount Avenue

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

PETITIONER'S EXHIBIT

VICINITY MAP 1"=200'

McMANN'S CRAB HOUSE

NOTES

(U.S. RT. 40) PULASKI HIGHWAY (60' R/W, 99' PAVING)

1. PLAT FOR ZONING VARIANCE FOR McMANN'S TAVERN, U.S. RT. 40, DIVISION 12, EXISTING ZONING IS M-L-1. EXISTING UTILITIES IN U.S. RT. 40 AREA = 0.91 ACRE ± SCALE = 1"=40'

2. BUILDING IS PRESENTLY USED AS TAVERN. NO CHANGE IN USE IS PROPOSED.

3. PARKING: 5702 ± 50 = 116 P.S. REQUIRED. 64 P.S. ARE LOCATED ON SITE, THUS 2.

PLAT TO ACCOMPANY A PETITION FOR SPECIAL HEARING

McMANN'S TAVERN

9727 PULASKI HWY (U.S. RT. 40)

BALTIMORE CO., MD.

SPOTTS, STEVENS and MCCOY, Inc.

CONSULTING ENGINEERS

WYOMISSING, PENNSYLVANIA 19610

MICROFILMED 7.16.86

MADE CHECK 1"=40' 8787 - L-000

APPROVALS DATE

SCALE DRAWING NUMBER REV

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: August 27, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

Petition No. 87-119-SPH
SUBJECT:

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

NEG:JGH:slm

MICROFILMED

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

August 21, 1986

Re: Zoning Advisory Meeting of July 29, 1986
Item # 27
Proposed Owner: **ATAOLLAH GOLPIRA**
Location: **SE/S PULASKI HWY. (RT. 40), 1639.85' NE MIDDLE RIVER RD.**

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

(X) There are no site planning factors requiring comment.
(X) A County Review Group meeting is required.
(X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
(X) The access is not satisfactory.
(X) The circulation on this site is not satisfactory.
(X) The parking arrangement is not satisfactory.
(X) This property contains soils which are defined as wetlands, and development on or alteration of the floodplain is prohibited.
(X) The development of this site may constitute a potential conflict with the Baltimore County Master Plan.
(X) The Amended Development Plan was approved by the Planning Board.
(X) The property is located in a deficient service area as defined by §111.175-179. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service area is located in a traffic area controlled by a "D" level intersection as defined by §111.175-179, and as conditions change the intersection may become more limited. The Basic Services Areas are defined by the County Council.

ANY FUTURE EXPANSION OF SITE MUST COMPLY WITH APPLICABLE COUNTY REGULATIONS.

CC: James Howell
Eunice A. Rober
Chief, Current Planning and Development

MICROFILMED

RECEIVED
August 12, 1986
Maryland Department of Transportation
State Highway Administration
W. K. Hollman
ZONING OFFICE

August 7, 1986

RE: Baltimore County
Item # 27
Property Owner: **ATAOLLAH GOLPIRA**
Location: **SE/S PULASKI Highway (Route 40E) 1639.85' NE Middle River Road**
Existing Zoning: **M.L. CS-1**
Proposed Zoning: **Spec.**
Hearing for a non-conforming tavern and parking lot
Acres: 0.91
District: 15th

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ATT: James Dyer

Dear Mr. Jablon:

On review of the submittal of 7/16/86, and field inspection, the State Highway Administration finds the site plan does not match existing conditions in the field.

Access to the site from Pulaski Highway-Route 40E is by way of Three points of access, not two, with the S/W entrance (not shown) serving the adjoining parcel for parking.

In addition, the existing Right-of-Way for Pulaski Highway-Route 40-E is 150' (75' & section) not 60' as shown.

It is requested the site plan be revised to meet the above comments prior to a hearing date being set.

Very truly yours,
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL-GW:es
cc: J. Ogle

MICROFILMED

My telephone number is 301-659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

The Times

Middle River, Md., Sept 4, 1986

This is to Certify, That the annexed
Re: L 94927
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of 4 successive weeks before the 4th day of Sept, 1986.

J. P. Smith
Publisher

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 26, 1986

Mr. Ataollah Golpira
104 Gypsy Lane West
Towson, Maryland 21204

RE: Item No. 27 - Case No. 87-119-SPH
Petitioner: **ATAOLLAH GOLPIRA, et ux**
Petition for Special Hearing

Dear Mr. Golpira:

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.

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,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:kkb
Enclosures

cc: Spotts, Stevens and McCoy, Inc.
345 N. Wyomissing Blvd.
P.O. Box 6307
Reading, PA 19610-0307

MICROFILMED

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

August 13, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: **ATAOLLAH GOLPIRA**
Location: **SE/S Pulaski Hwy. (Rt. 40), 1639.85' NE Middle River Road**
Item No.: 27
Zoning Agenda: Meeting of 7/29/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: **John F. O'Neill**
Noted and Approved: **John F. O'Neill**
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

MICROFILMED

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

August 11, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 21, 22, 25, 26, 27, 28, 29, 30, and 31.

Very truly yours,
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

9/22/86
87-119-SPH
MICROFILMED



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3310

August 14, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 27 Zoning Advisory Committee Meeting are as follows:

Property Owner: Ataollah Golpira
Location: SE/S Pulaski Highway (Rte. 40), 1639.85 ft. NE Middle River Road
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

- ☒ A. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.
- ☒ B. A building and other miscellaneous permits shall be required before the start of any construction or alterations.
- C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.
- F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.
- G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.
- H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____. See Section 312 of the Building Code.
- I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- ☒ J. Comments: It appears Section 103.1 as amended by Council Bill #17-85 is applicable. Signs shall comply to Article 19 as amended.
- K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Burnham
BY: C. E. Burnham, Chief
Building Plans Review