

87-280-SPHA

~~#~~ 158

SE/S of Pulaski Highway, Cor. SW/S of
Stevens Rd. (11175 Pulaski Highway)

11th Elec. Dist.

11/26/86

Special Hearing and Variance - filing fee \$200.00 - Mabel R. Rudolf, et al

11/26/86

Hearing set for 1/5/87, at 11:00 a.m.

1/5/87

Advertising and Posting - \$106.86

1/21/87

Ordered by the Zoning Commissioner that a nonconforming use as a bar/tavern and parking as an accessory use be approved and the Petition for Special Hearing is GRANTED and the Petitions for Zoning Variances to permit 49 parking spaces in lieu of the required 65 spaces and a rear yard setback of 13' in lieu of the required 30' are GRANTED with a restriction.

2/10/87

Appeal filed by People's Counsel for Baltimore County.

4/17/87

Hearing set for 7/8/87, at 10:00 a.m., before the County Board of Appeals.

5/1/87

Ordered by the County Board of Appeals that said appeal is DISMISSED based upon the written request of People Counsel filed on 4/30/87.

IN THE MATTER OF
THE APPLICATION OF
MABEL R. RUDOLF, ET AL
FOR VARIANCE AND SPECIAL
HEARING ON PROPERTY LOCATED
ON THE SOUTHEAST SIDE OF PULASKI
HIGHWAY, CORNER OF THE SOUTHWEST
SIDE OF STEVENS ROAD
11th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-280-SPHA

: : : : : : : : : : : : : : :
ORDER OF DISMISSAL

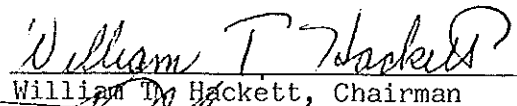
Petition of Mabel R. Rudolf, et al, for special hearing and
variances on property located on the southeast side of Pulaski Highway, corner
of the wouthwest side of Stevens Road, in the 11th Election District and the
5th Councilmanic District of Baltimore County, Maryland, and

WHEREAS, the Board of Appeals is in receipt of an Order of
Dismissal of Appeal filed April 30, 1987 (a copy of which is attached hereto
and made a part hereof) from the People's Counsel for Baltimore County,
Appellant in the above entitled matter, and

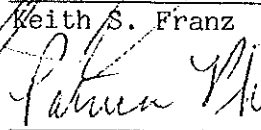
WHEREAS, the said Appellant requests that the appeal filed on
their behalf be dismissed and withdrawn as of April 30, 1987.

IT IS HEREBY ORDERED this 1st day of May , 1987, that
said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


William T. Hackett, Chairman


Keith S. Franz


Patricia Phipps

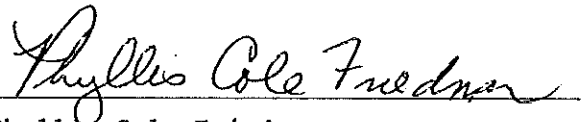
RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD
PETITION FOR VARIANCES : OF APPEALS
SE/S of Pulaski Hwy., Corner : OF BALTIMORE COUNTY
of SW/S of Stevens Rd. (11175 :
Pulaski Hwy.), 11th District : Zoning Case No. 87-280-SPHA

MABEL R. RUDOLF, et al., :
Petitioners :

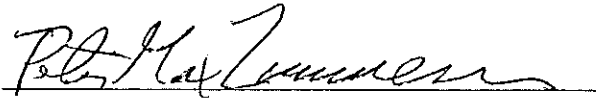
: : : : : :

NOTICE OF DISMISSAL OF APPEAL

People's Counsel for Baltimore County, Appellant, after further review of the above-captioned matter, has determined that the public interest no longer requires prosecution of this appeal and respectfully prays that it be dismissed.



Phyllis Cole Friedman
People's Counsel for Baltimore County



Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 30th day of April, 1987, a copy of the foregoing Notice of Dismissal of Appeal was mailed to C. Michael Magruder, Esquire, 22 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.



Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
1987 APR 30 A 10:07

familiar with the bar's history and use. The property was zoned "B" commercial at that time and was governed by Section VII.A of the 1945 Zoning Regulations.

The bar and its lot, which includes 13 parking spaces were separated from the remainder of the property and sold. Both are now owned by Shepard-Dixon, Inc. Mrs. Rudolf and Mr. Dixon presented evidence from the Board of Liquor License Commissioners supporting the continued existence of the bar/tavern. See Petitioners' Exhibits 2.

Mrs. Rudolf now proposes to lease Lot 2A to Shepard-Dixon for additional parking. She will retain her residence on Lot 2 and continue to reside therein, but in order to do so, a variance to permit a rear yard setback of 13 feet in lieu of the required 30 feet to the common boundary line of Lots 2 and 2A is necessary.

The lot would provide an additional 36 spaces, thereby providing a total of 49 spaces. The Petitioners requested a variance because the size of the bar would require 65 spaces if it is not nonconforming. The Petitioners request the additional parking to eliminate a safety problem which presently exists. They propose to close off the access from Pulaski Highway and provide access from Stevens Lane, better on-site maneuvering, and more parking, thereby eliminating the need for cars to back onto Pulaski Highway as a means of egress while other cars wait to enter those few available spaces.

The Petitioners seek relief from Section 104.1, pursuant to Section 500.7, or in the alternative, from Section 409.2.B.3, pursuant to Section 307, and from Sections 302 and 1062.3.c.(1), Baltimore County Zoning Regulations (BCZR).

The Petitioners moved to amend the parking variance to request 49 spaces in lieu of 40 spaces. The motion was granted.

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IN RE: PETITIONERS SPECIAL HEARING
AND ZONING VARIANCES
SE/S of Pulaski Highway,
Corner of the SW/S of Stevens
Road (11175 Pulaski Highway) -
11th Election District
Mabel R. Rudolf, et al.,
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-280-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request confirmation of the existence of nonconforming uses as a bar/tavern and parking lot or, in the alternative, a variance to permit 40 parking spaces in lieu of the required 65 spaces and, additionally, a variance to permit a rear yard setback of 13 feet in lieu of the required 30 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by John D. Dixon, President, Shepard-Dixon, Inc., and Mabel R. Rudolf, appeared and testified and were represented by Counsel. William Monk, an expert land planner, testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, located on Pulaski Highway and Stevens Road and zoned M.L., consists of Lots 1, 2, and 2A. Lot 1, located on the southwest corner of Pulaski Highway and Stevens Road, is improved with a bar/tavern; Lot 2 which fronts on Stevens Road, is improved with Mrs. Rudolf's residence; and Lot 2A, which fronts on Pulaski Highway, is unimproved. Mrs. Rudolf testified that she and her family have lived on the property for almost 40 years and that they constructed and began operation of the bar/tavern on Lot 1 in 1950. Although it has been sold often, Mrs. Rudolf can attest to its having operated continuously and without interruption since that time. She has always lived in her home and is obviously intimately

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

The request to provide 49 spaces in lieu of the 65 spaces required, based on the floor area of the bar, appears to be more than adequate. The bar has been in existence since 1950 and has had limited parking. Certainly, more spaces are needed, and the Petitioners propose to provide more. Based on the evidence presented, 49 spaces are all that can be provided; however, they will dramatically improve the total situation that presently exists. In Mr. Dixon's and Mrs. Rudolf's experience, 49 spaces will provide the bar with more parking than it will ever need.

Finally, the requested variance for the rear yard setback will be granted. The home occupied by Mrs. Rudolf is also nonconforming in that a residence is not permitted in an M.L. Zone. Her home, constructed at a time when it was permitted, is nonconforming in that it has been her home continuously for 40 years. However, the legal separation of Lots 2 and 2A requires, pursuant to Section 302, BCZR, that a variance to permit a rear yard setback of 13 feet in lieu of the required 30 feet be obtained.

While Section 302 specifically refers to dwellings constructed after the adoption of the 1955 zoning regulations, it is obvious that any change to

- 4 -

The uncontested testimony, which was amply supported, conclusively indicates that the property has been used continuously and without interruption as a bar/tavern and parking lot since 1950. After due consideration of the testimony and evidence presented, it is clear that a nonconforming use exists.

There is no question that the bar/tavern and existing parking lot are nonconforming uses. However, the request to expand the existing parking lot by adding 36 spaces onto Lot 2A expands the size of the parking lot by more than 25%, thereby negating any advantages a nonconforming status would provide. Section 253.1.7, BCZR, permits accessory uses, including parking, as of right. Certainly, the parking requested here is accessory to the nonconforming bar/tavern, but such accessory use must then comply with all current zoning regulations.

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 3 -

4/17/87-Following have been notified of hearing set for Wednesday, July 8, 1987, at 10 a.m.:

Mabel Rudolf
Shepard-Dixon, Inc.
C. Michael Magruder, Esq.
Phyllis Friedman
William Monk
Norman E. Gerber, J. Howell
Arnold Jablon, J. Jung, J. Dyer, M. duBois



County Board of Appeals of Baltimore County

Room 700 Court House
Towson, Maryland 21204
(301) 494-3100

April 17, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c). COUNTY COUNCIL BILL #59-79.

CASE NO. 87-280-SPHA

MABEL R. RUDOLF, ET AL.

SE/S of Pulaski Highway, corner
SW/S of Stevens Rd.

11th District

1/21/87 - Special Hearing Granted
by Zoning Commissioner and Variances
Granted, subj. to restriction.

ASSIGNED FOR:

cc: Mabel R. Rudolf	Petitioner
Shepard-Dixon, Inc.	
C. Michael Magruder, Esq.	Counsel for Petitioner
Phyllis C. Friedman	People's Counsel
William P. Monk	
Norman E. Gerber	Planning
James Howell	"
Arnold Jablon	Zoning
Jean Jung	"
James Dyer	"
Margaret duBois	"

June Holmen, Secy.

RE: PETITIONS FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
AND ZONING VARIANCES : OF BALTIMORE COUNTY
SE/S of Pulaski Hwy., Corner :
of SW/S of Stevens Rd. (11175 :
Pulaski Hwy.), 11th District :
MABEL R. RUDOLF, et al., : Case No. 87-280-SPHA
Petitioners :

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of January 21, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

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

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of February, 1987, a copy of the foregoing Notice of Appeal was mailed to C. Michael Magruder, Esquire, 22 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

RE: PETITIONS FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
AND ZONING VARIANCES : OF BALTIMORE COUNTY
SE/S of Pulaski Hwy., Corner :
of SW/S of Stevens Rd. (11175 :
Pulaski Hwy.), 11th District :
MABEL R. RUDOLF, et al., : Case No. 87-280-SPHA
Petitioners :

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned matter, under date of January 21, 1987, to the County Board of Appeals and forward all papers in connection therewith to the Board for hearing.

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

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 16th day of February, 1987, a copy of the foregoing Notice of Appeal was mailed to C. Michael Magruder, Esquire, 22 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 18, 1986

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 December 18, 1986

THE JEFFERSONIAN,

Susan Seiden Christ
Publisher

Cost of Advertising

33.00

ZONING DESCRIPTION

11175 Pulaski Highway
Baltimore County, Maryland

- BEGINNING on the east side of Pulaski Highway (Route 40), 150 feet wide, at a distance 20 feet South of the centerline of Stevens Road, (40 feet wide) at its intersection with Pulaski Highway, thence leaving the southernmost side of Stevens Road and running the following courses and distances:
- 1) South 44 degrees 34 minutes East 30.00 feet
 - 2) R=141.03', South 26 degrees 4 minutes East, L=91.10 feet
 - 3) South 7 degrees 34 minutes East 52.00 feet
 - 4) South 7 degrees 34 minutes East 207.76 feet
 - 5) North 44 degrees 33 minutes 47 seconds West 322.35 feet
 - 6) North 45 degrees 26 minutes 13 seconds East 184.70 feet to the point of beginning

Containing 36,197 square feet in the Eleventh Election District



William E. Friedman

The Times

Middle River, Md., Dec 18, 1986

This is to Certify, That the annexed

By L. G. 1/68

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of successive

weeks before the 18th day of

December, 1986

John Brown Publisher.

December 5, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
SE/S of Pulaski Highway, Cor. SW/S of Stevens Rd. (11175 Pulaski Highway)
11th Election District
Mabel R. Rudolf, et al - Petitioners
Case No. 87-280-SPHA

TIME: 11:00 a.m.

DATE: Monday, January 5, 1987

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

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
SE/S of Pulaski Hwy., Corner
SW/S of Stevens Rd. (11175
Pulaski Hwy.), 11th District

MABEL R. RUDOLF, et al., Case No. 87-280-SPHA
Petitioners

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
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of December, 1986, a copy of the foregoing Entry of Appearance was mailed to C. Michael Magruder, Esquire, 22 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

State Highway Administration, Maryland Department of Transportation, and the Baltimore County Department of Traffic Engineering.

C. Michael Magruder
Zoning Commissioner of Baltimore County

AJ/stl

cc: C. Michael Magruder, Esquire

People's Counsel

ORDER RECEIVED FOR FILING
Dec 18 1986
By *John Brown*



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

ARNOLD JABLON
ZONING COMMISSIONER

December 30, 1986

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

C. Michael Magruder, Esquire
22 West Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES
SE/S of Pulaski Highway, Cor. SW/S of Stevens Rd. (11175 Pulaski Highway)
11th Election District
Mabel R. Rudolf, et al - Petitioners
Case No. 87-280-SPHA

Dear Mr. Magruder:

This is to advise you that \$106.65 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

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

NS. 025776

DATE 1/5/87 ACCOUNT B-01-615-000

3 SIGNS RETURNED 3 POSTS RETURNED AMOUNT \$ 106.65

John's Suspensions, 11175 Pulaski Highway, White Marsh, Md. 21162

ADVERTISING & POSTING COSTS RE CASE 87-280-SPHA

FOR 9 B 0234****2000010 0238F

VALIDATION OR SIGNATURE OF CASHIER

existing homes. Including lot size, must be governed thereby. Section 302 requires that the height and area regulations of the predominant residential zone immediately adjoining governs or, if none, the D.R.5.5 Zone would be used. Mrs. Rudolf's home was constructed on a parcel consisting of two lots, thereby providing protection from the governing D.R.5.5 area regulations in effect as of 1955 since there is no adjoining residential zone. The dividing of Lot 2 to create the parking lot requires a distinction between the "residential" lot and the parking lot by a lot line. This division creates a new residential lot, thereby creating the need to comply with the area regulations contained in Section 1802.3.C.1, BCZP.

The Petitioners have quite concisely presented their request for a rear yard setback, which is from Mrs. Rudolf's dwelling on Lot 2 to the northwest lot line separating Lot 2 from Lot 2A, and in conformance with the requirements of Section 307, as stated above.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of January, 1987, that a nonconforming use as a bar/tavern and parking as an accessory use be approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petitions for Zoning Variances to permit 49 parking spaces in lieu of the required 65 spaces and a rear yard setback of 13 feet in lieu of the required 30 feet be and are hereby GRANTED, from and after the date of this Order, subject to the following restriction which is a condition precedent to the relief granted herein:

1. A revised site plan, showing revised parking calculations, must be submitted to the Zoning Commissioner for approval and must be approved by the

- 5 -

PETITIONS FOR SPECIAL HEARING AND VARIANCES

11th Election District

Case No. 87-280-SPHA

LOCATION: Southeast Side of Pulaski Highway, Corner Southwest Side of Stevens Road (11175 Pulaski Highway)

DATE AND TIME: Monday, January 5, 1987, at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve a non-conforming bar/tavern and parking in a M.L. Zone and to expand the parking area greater than 25% to bring the parking area in conformance with the zoning requirements

Petition for Zoning Variance to permit a rear yard setback of 13 feet in lieu of the required 30 feet

Petition for Zoning Variance to permit 40 parking spaces in lieu of the required 65 spaces

Being the property of Mabel R. Rudolf, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) 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

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

026068

DATE 10/27/86 ACCOUNT 01-615-000

AMOUNT 200.00

RECEIVED FROM B.H. Mink

FOR SPH + Variations #158

B 0124****2000010 0238F

VALIDATION OR SIGNATURE OF CASHIER

December 1, 1986

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

Item No. 158 -ZAC- Meeting of November 4, 1986
Property Owner: Shepard-Dixon, Inc.
Location: SE/S Pulaski Highway corner SW/S Stevens Road
Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve a non-conforming bar/tavern and parking and to expand the parking area greater than 25% to bring the parking area in conformance with the zoning requirements and Variance to allow 40 spaces in lieu of the required 65 spaces and Variance to rear yard setback of 13 feet in lieu of the required 30 feet
Area: 36,197 square feet
District: 11th Election District

Dear Mr. Jablon:

The Department of Traffic Engineering has reviewed the site plan and has the following comments:

1. The parking space along Stevens Road require vehicles to back into the street, which is dangerous.
2. All entrances should meet the County's or State's entrance standards.
3. The requested variance to parking can be expected to have a negative impact on traffic in the area.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

November 7, 1986

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

Att: Mr. James Dyer

Re: ZAC Meeting of 11-4-86
ITEM: 158.
Property Owner: Shepard-Dixon, Inc.
Location: SE/S Pulaski Highway
Corner SW/S Stevens Rd. Route 40-E
Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve a non-conforming bar/tavern and parking and to expand the parking area greater than 25% to bring the parking area in conformance with the zoning requirements and Variance to allow 40 spaces in lieu of the required 65 spaces and Variance to rear yard setback of 13 feet in lieu of the required 30 feet
Area: 36,197 square feet
District: 11th Election District

Dear Mr. Jablon:

On review of the submittal of August 19, 1986 (field survey) and field inspection, the State Highway Administration - Bureau of Engineering Access Permits offers the following comments.

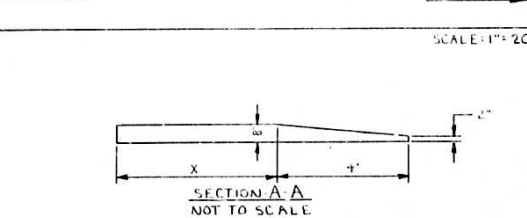
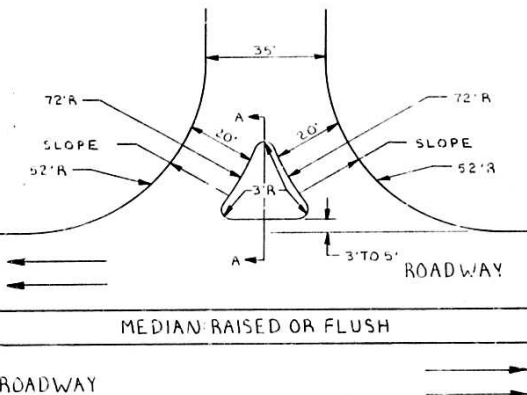
If the existing tavern is approved as a non-conforming use with existing parking, only, the State Highway Administration will not require State Highway Administration improvement (concrete channelized entrance) for the existing facility. Be advised that no parking is allowed within the existing State Highway Administration Right-of-Way, 75' from the centerline of Route 40-E.

However, the use of the expanded parking area will require improvements in the form of a channelized directional Right Turn In and Right Turn Out access to Pulaski Highway-Route 40-E.

My telephone number is (301) 659-1350

Teleprinter for long distance hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

CHANNELIZATION OF COMMERCIAL ENTRANCES
A TYPICAL DIRECTIONAL ENTRANCE DUAL HWY.



DECEMBER 8, 1986

Re: Zoning Advisory Meeting of NOVEMBER 4, 1986
Item # 158
Property Owner: SHEPARD-DIXON, INC.
Location: SE/S PULASKI HIGHWAY
SW/S STEVENS 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.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on 11/17/86.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by 8111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- () The property is located in a traffic area controlled by a "D" level intersection as defined by 8111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Additional comments:
X ANY FUTURE EXPANSION OF THIS SITE MUST COMPLY WITH APPLICABLE COUNTY ZONING AND LANDSCAPE REQUIREMENTS. CONTACT ANNE HARRIS - 494-4335

David Fields, Acting Chief
Current Planning and Development

cc: James Hoswell

Mr. A. Jablon -2- November 7, 1986

State Highway Administration Type "A" concrete curb and gutter must be constructed from the west property line to the proposed 30' radius at Stevens Road.

A Standard State Highway Administration concrete curb section must be constructed on or in back of the existing State Highway Administration Right-of-Way line.

It is requested the site plan be revised prior to a hearing date being set, if the developers intent is to use the proposed parking area west of the existing site.

All work within the State Highway Administration - Right-of-Way must be through State Highway Administration permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogilvie
Mr. B. Monk

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 23, 1986

COUNTY OFFICE BLDG.
131 W. Chesapeake Ave.
Towson, Maryland 21204

cc:

Chairman
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Finance Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

C. Michael Magruder, Esquire
22 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 158 - Case No. 87-280-SPHA
Petitioner: Hael R. Rudolf
Petitions for Special Hearing and Zoning Variance

Dear Mr. Magruder:

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: William P. Monk
P.O. Box 11615
Baltimore, Maryland 21239

January 12, 1987

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

Att: Mr. James Dyer

Re: ZAC Meeting of 11-4-86
ITEM: #158. (Proposed Site Plan)
Property Owner: Shepard-Dixon, Inc.
Location: SE/S Pulaski Highway
Corner SW/S Stevens Rd. Route 40-E
Existing Zoning: ML-CS-1
Proposed Zoning: Special Hearing to approve a non-conforming bar/tavern and parking and to expand the parking area greater than 25% to bring the parking area in conformance with the zoning requirements and Variance to allow 40 spaces in lieu of the required 65 spaces and Variance to rear yard setback of 13 feet in lieu of the required 30 feet.
Area: 36,197 Square Feet
District: 11th Election District

Dear Mr. Jablon:

On receipt of Mr. William P. Monk's letter of 1-7-87 and revised site plan of 1-2-87, the State Highway Administration finds the concept of all access to the site by way of Stevens Road generally acceptable.

With the developers representative showing proposed curb construction (State Highway Administration Type "A" concrete curb and gutter and removal of Bituminous paving, all work within the State Highway Administration Right-of-Way must be through SHA permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogilvie
Mr. J. Mackle
Mr. W. Monk

My telephone number is (301) 333-1350

Teleprinter for long distance hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: December 9, 1986

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

SUBJECT: Zoning Petition No. 87-280-SPHA and 87-286-SPH

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

Norman E. Gerber
Norman E. Gerber AICP
Director

NEG:JGH:sib



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3100
May 1, 1987

Phyllis C. Friedman
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Md. 21204

Dear Mrs. Friedman: Re: Case No. 87-280-SPHA
Mabel R. Rudolf, et al.

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled matter.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Mabel R. Rudolf
Chepard-Town, Inc.
C. Michael Magruder, Esq.
William F. Nove
Norman E. Gerber
James Howell
Arnold Jablon
Jean M. H. Jung
James E. Dyer
Margaret E. duBois

IN THE MATTER OF
THE APPLICATION OF
MABEL R. RUDOLF, ET AL.
FOR VARIANCE AND SPECIAL
HEARING ON PROPERTY LOCATED
ON THE SOUTHWEST SIDE OF PULASKI
HIGHWAY, CORNER OF THE SOUTHWEST
SIDE OF STEVENS ROAD
11th ELECTION DISTRICT
5th COUNCILLMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-280-SPHA

ORDER OF DISMISSAL

Petition of Mabel R. Rudolf, et al. for special hearing and variances on property located on the southwest side of Pulaski Highway, corner of the southwest side of Stevens Road, in the 11th Election District and the 5th Councillmanic District of Baltimore County, Maryland, and

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed April 30, 1987 (a copy of which is attached hereto and made a part hereof) from the People's Counsel for Baltimore County, Appellant in the above entitled matter, and

WHEREAS, the said Appellant requests that the appeal filed on their behalf be dismissed and withdrawn as of April 30, 1987,

IT IS HEREBY ORDERED this 1st day of May, 1987, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman
Keith S. Franz
Keith S. Franz
Patricia Phillips
Patricia Phillips

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCES
SE/S of Pulaski Hwy., Corn.
of SW/S of Stevens Rd. (11175
Pulaski Hwy.), 11th District
Zoning Case No. 87-280-SPHA
MABEL R. RUDOLF, et al.,
Petitioners

NOTICE OF DISMISSAL OF APPEAL

People's Counsel for Baltimore County, Appellant, after further review of the above-captioned matter, has determined that the public interest no longer requires prosecution of this appeal and respectfully prays that it be dismissed.

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 30th day of April, 1987, a copy of the foregoing Notice of Dismissal of Appeal was mailed to C. Michael Magruder, Esquire, 22 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
APR 30 1987

STATE OF MARYLAND
THIS CERTIFICATE, That on the 30th day of April, 1987, at the County of Baltimore, personally appeared Phyllis Cole Friedman, of the State of Maryland, owner(s), landholder(s) and tenant(s) of the above mentioned premises and acknowledged the execution of the foregoing statement to be true and correct.
WITNESS my hand and official seal.

(The Following Certificate Must Be Signed By At Least Ten Persons)

We, the undersigned owners of real estate, and registered voters of the precinct in which the applicant proposes to do business, certify that each of us has been personally acquainted with the applicant, and that we have good reason to believe that all of the statements contained therein are true; that we are of the opinion that the applicant is a suitable person to obtain the license applied for, and that we are familiar with the premises upon which the proposed business is to be conducted, and believe said premises are suitable for the conduct of the business of a retail dealer in alcoholic beverages.

Name	Voting Residence	Precinct	District
John J. Jones	44	11	5
James S. Larr	44	11	5
Charles E. Blumgren	44	11	5
Clifford A. Stone	44	11	5
Albert A. Stone	44	11	5
James P. Hackett	44	11	5
Robert P. Hackett	44	11	5
Michael R. Hackett	44	11	5
R. D. Edwards	44	11	5
Frank D. Apple	44	11	5

BALTIMORE COUNTY FIRE PREVENTION BUREAU
P. O. Box 6022
Towson 4, Maryland

TO: Liquor Board
Mr. Korman

The place of business listed below, owned by
Ante Rudolph
and operated by same
as a tavern
has been inspected and
approved by the Baltimore County Fire Prevention Bureau.

Rudolph's Bar
Pulaski Highway
White Marsh
File No. 51-72
15th District

Inspected by Capt. Nelson S. Williams Date 3/22/81
Approved by same Date 4/30/81

William F. Nove
William F. Nove, Chief

(Extract from the provisions of any affidavit or oath required under provisions of this Act shall contain any false statement, the offender shall be deemed guilty of perjury, and upon indictment and conviction thereof, shall be subject to the penalties provided by law for that crime).

Affidavit

STATE OF MARYLAND, Baltimore County, ss:
THIS CERTIFICATE, That on the 30th day of April, 1987, before the subscriber, a _____ of the State of Maryland, personally appeared _____ the applicant named in the foregoing application, and made oath in due form of law that the statements therein are true to the best of his knowledge and belief.
WITNESS my hand and official seal.

(Statement of owner or owners of premises required in connection with Alcoholic Beverages Law of Maryland)

WE HEREBY CERTIFY, That _____ the owner(s) of property _____ named in the application made by _____ to the State of Maryland, for a license to sell alcoholic beverages, do hereby authorize the State Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners for Baltimore County, its duly authorized agents and employees, and any peace officer of Baltimore County to inspect and search, without warrant, the premises upon which said business is to be conducted, and any and all parts of the building in which said business is to be conducted, at any and all hours.

WITNESS _____ day of _____ 1987
_____ Owner
_____ Applicant

NOTE - All Persons Having An Interest In The Premises Must Sign

APPLICANT OF
CLARK B. HACKETT
15th District
1987
APR 30 1987
11:00 A.M.

PETITIONER
EXHIBIT 2
INDIVIDUAL FORM
State of Maryland
ALCOHOLIC BEVERAGES LAW

Application for _____ License
Date: 4/30/87

Clerk of the Court for Baltimore County:
Application is made by the undersigned under the provisions of Article 21 of the Annotated Code of Maryland as amended, title "Alcoholic Beverages" for a license to sell alcoholic beverages, and the applicant submits and certifies to the following information required by the Article:
1. Name: _____
Age: _____ years, Sex: _____, Date of Birth: _____, Per. of residence: _____ years.
Place of birth: _____, Naturalized at: _____ Year: _____
2. Applicant is a citizen of the United States and has been for two years next preceding the filing of this application a resident of the County.
3. The trade name of the applicant is: _____ and the location where a license is desired is: _____

(Give street and number or other accurate description)
The building at the place just described is _____
The name of the owner of the premises described above is _____ whose address is: _____
The applicant has never been convicted of a felony or adjudged guilty of violating the laws governing the sale of alcoholic beverages, or for the prevention of gambling in the State of Maryland.
The applicant has not been adjudged guilty of any offense against the laws of the United States. (If applicant has been so convicted attach record thereof).
The applicant has not had a license for the sale of alcoholic beverages revoked.
The applicant has not previously held a license for the sale of alcoholic beverages. (If applicant has held such license attach record thereof).
The applicant is not peculiarly interested in any other place of business in Baltimore County.
No person except the applicant is in any way pecuniarily interested in the license applied for, or the business to be conducted thereunder during the continuance of the license applied for; and the applicant certifies that no manufacturer, brewer, distiller, or wholesaler has any financial interest, directly or indirectly, in the premises or business of the applicant and that the applicant will not therewith convey or grant to any such manufacturer, brewer, distiller or wholesaler any such interest; and that the applicant at the time of making this application has no indebtedness or other financial obligations, and will not thereafter incur any such indebtedness or financial obligations to any manufacturer, brewer, distiller or wholesaler other than for the purpose of alcoholic beverages.
10. The applicant will, if granted a license, conform to all laws and regulations relating to the business in which the applicant proposes to engage.
11. The applicant submits herewith a statement duly executed and acknowledged by the owner or owners of the premises in which the business is to be conducted, assenting to the granting of the license applied for, authorizing the Comptroller, his duly authorized deputies, inspectors and clerks, the Board of License Commissioners of Baltimore County, its duly authorized agents and employees, and any peace officer of said County to inspect and search, without warrant, the premises upon which the business is to be conducted, and any or all parts of the building in which said business is to be conducted, at any and all hours.

STATE OF MARYLAND
Alcoholic Beverages Law
COST OF LICENSE \$1,000.00

NEW # 2255
Beer, Wine and Liquor License. Class "B". (On Sale) Hotels and Restaurants
Baltimore County, to wit:
THIS IS TO CERTIFY, That: Anton J. Rudolf, Jr.
A/a Rudolf's Bar
Pulaski Hwy & Stevens Rd White Marsh, Md.

is licensed by the STATE OF MARYLAND to keep for sale, and to sell all alcoholic beverages at retail at the hotel or restaurant herein described, for consumption on the premises or elsewhere.

The hours during which the privilege conferred by this license may be exercised shall be from 3 A. M. to 2 A. M. on the day following, except the day of any general, special or primary election in Baltimore County on which day sales may be made one hour after the polls close until the regular closing hour, 3 A. M. on the day following; and on New Year's Eve when the closing hour is eliminated.

Issued under authority of Article 2B of the Acts of the General Assembly of Maryland, inclusive of the 1965 Regular Session.

This License shall continue in force until the first day of May next.

TEST: Walter J. Raschussen
WALTER J. RASCHUSSEN
Clerk of the Circuit Court for Baltimore County

Date Issued: 5/2/66

May 2, 1961

Mr. Lewis C. Pender
Mrs. Dorothy E. Pender
50-0 Oak Drive
Baltimore 20, Maryland

Re: Application for transfer of Class B (on sale) Beer, Wine & Liquor License for the use of Rudolf's Bar, Inc.

Dear Mr. & Mrs. Penders:

This is to confirm the Board's decision of approval of the above referred to application for the premises at Pulaski Highway and Stevens Road, White Marsh, Maryland, subject to the receipt in this office of a letter from the Harford County Liquor Board stating that Mr. Pender's name no longer appears on a liquor license in that county.

The law provides that protestants, if any, have thirty days from the date of this letter in which to appeal to the Circuit Court for Baltimore County, the decision of this Board.

Very truly yours,

Anna M. Kierman,
Secretary

cc: Mr. James L. Carr

STATE OF MARYLAND
Alcoholic Beverages Law
COST OF LICENSE \$1,000.00
Beer, Wine and Liquor License. CLASS "D" (On Sale) Taverns

Baltimore County, to wit:
THIS IS TO CERTIFY, That: Kenneth E. Robertson & Nexil K. Stadding
T/A Corner Bar
Pulaski Hwy. & Stevens Rd. White Marsh, Md.

is licensed by the STATE OF MARYLAND to keep for sale, and to sell all alcoholic beverages at retail at the hotel or restaurant herein described, for consumption on the premises or elsewhere.

The hours during which the privileges conferred by this license may be exercised shall be from 6 A. M. to 2 A. M. on the day following, except the day of any general, special or primary election in Baltimore County on which day sales may be made after the polls close until the regular closing hour, 2 A. M. on the day following; and on New Year's Eve, when the closing hour is eliminated.

Issued under authority of Article 2B of the Acts of the General Assembly of Maryland, inclusive of the 1964 Regular Session.

This License shall continue in force until the first day of May next.

TEST: Orville T. Farrell
Orville T. Farrell
Clerk of the Circuit Court of Baltimore County

Date Issued: 6/17/66-0

License changed to Office of Public Health - 11/1/66 - C.D. Gorman



PAUL H. REINCKE
CHIEF

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

November 18, 1986

RE: Property Owner: Shepard-Dixon, Inc.

Location: SE/S Pulaski Highway corner SW/S Stevens Road

Item No.: 158 Zoning Agenda: Meeting of Nov. 4, 1986

Comments:

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 of _____ 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.

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.

REVIEWED BY: [Signature] Noted and Approved:
Planning Group
Special Inspection Division

John F. O'Neill
Fire Prevention Bureau



TED ZALESKI, JR.
DIRECTOR

November 10, 1986

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

Dear Mr. Jablon:

Comments on Item # 158 Zoning Advisory Committee Meeting are as follows:

Property Owner: Shepard-Dixon, Inc.
Location: SE/S Pulaski Highway corner SW/S Stevens Road
District: 11th.

APPLICABLE ITEMS ARE: 100-101

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-86, the Maryland Code for the Building Code and Amendments (1986) and other applicable codes and standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered professional architect or engineer is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered professional architect or engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All One Group except 8-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. Two 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 103.1, Section 103.2 and Table 103.3. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permitted height/area. Reply to the requested variance by this office shall be furnished until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 and have your architect/engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

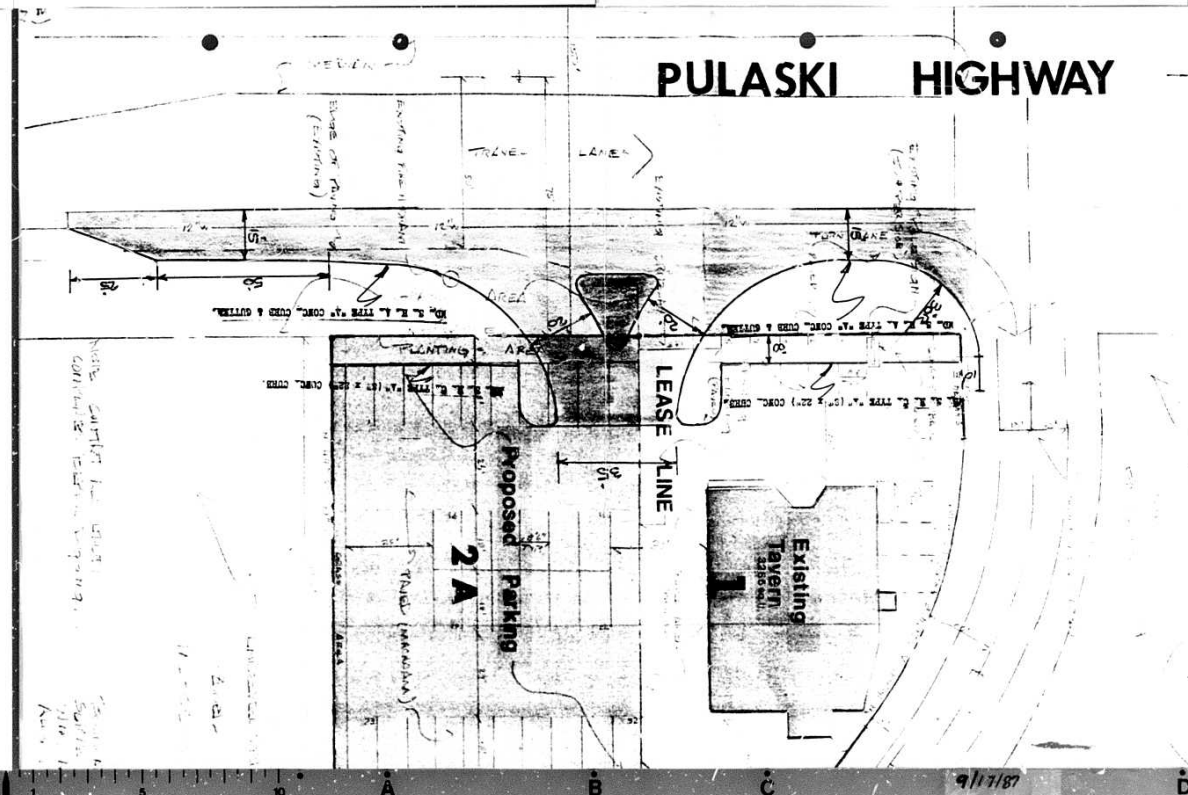
8. When filing for a required change of Use/Grouping Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____ See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 103.1 of the Building Code as adopted by Bill #17-86. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

10. Comments: Section 103.1 appears to be applicable. Should the structure not be in compliance with the existing and fire safety requirements of the Code, those items shall be corrected under a legitimate alteration permit. Provide two approved handicapped parking spaces as per the State Handicapped Code.

11. 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 review of any permit. The applicant may obtain additional information by contacting Room 128 of the County Office Building at 111 S. Chesapeake Avenue, Towson, Maryland 21204.

By: [Signature]
Building Plans Review



87-280-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
26th day of November, 1987.

Arnold Faslon
ARNOLD FASLON
Zoning Commissioner

Petitioner Habel R. Dwyer
Petitioner's Attorney C. Michael Magruder, Esquire

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-280-SPHA

District: 1176 Date of Posting: 2/27/87
Posted for: Appeal
Petitioner: Habel R. Dwyer et al
Location of property: 5413 Polaris Way, Carver, Md
Shore Rd - 11175 Polaris Way
Location of Signs: 5413 Polaris Way, Carver, Md
Remarks: 5413 Polaris Way, Carver, Md
Posted by: *Arnold Faslon* Date of return: 2/27/87
Number of Signs: 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

87-280-SPHA

District: 1176 Date of Posting: 12/1/87
Posted for: Special Meeting & Variance
Petitioner: Habel R. Dwyer et al
Location of property: 5413 Polaris Way, Carver, Md
11175 Polaris Way
Location of Signs: 5413 Polaris Way, Carver, Md
Remarks: 5413 Polaris Way, Carver, Md
Posted by: *Arnold Faslon* Date of return: 12/1/87
Number of Signs: 3

SWA Pulaski Hwy, Corner SWA Stevens Rd.
(11175 Pulaski Highway)
Habel R. Dwyer, et al
3 SIGNS

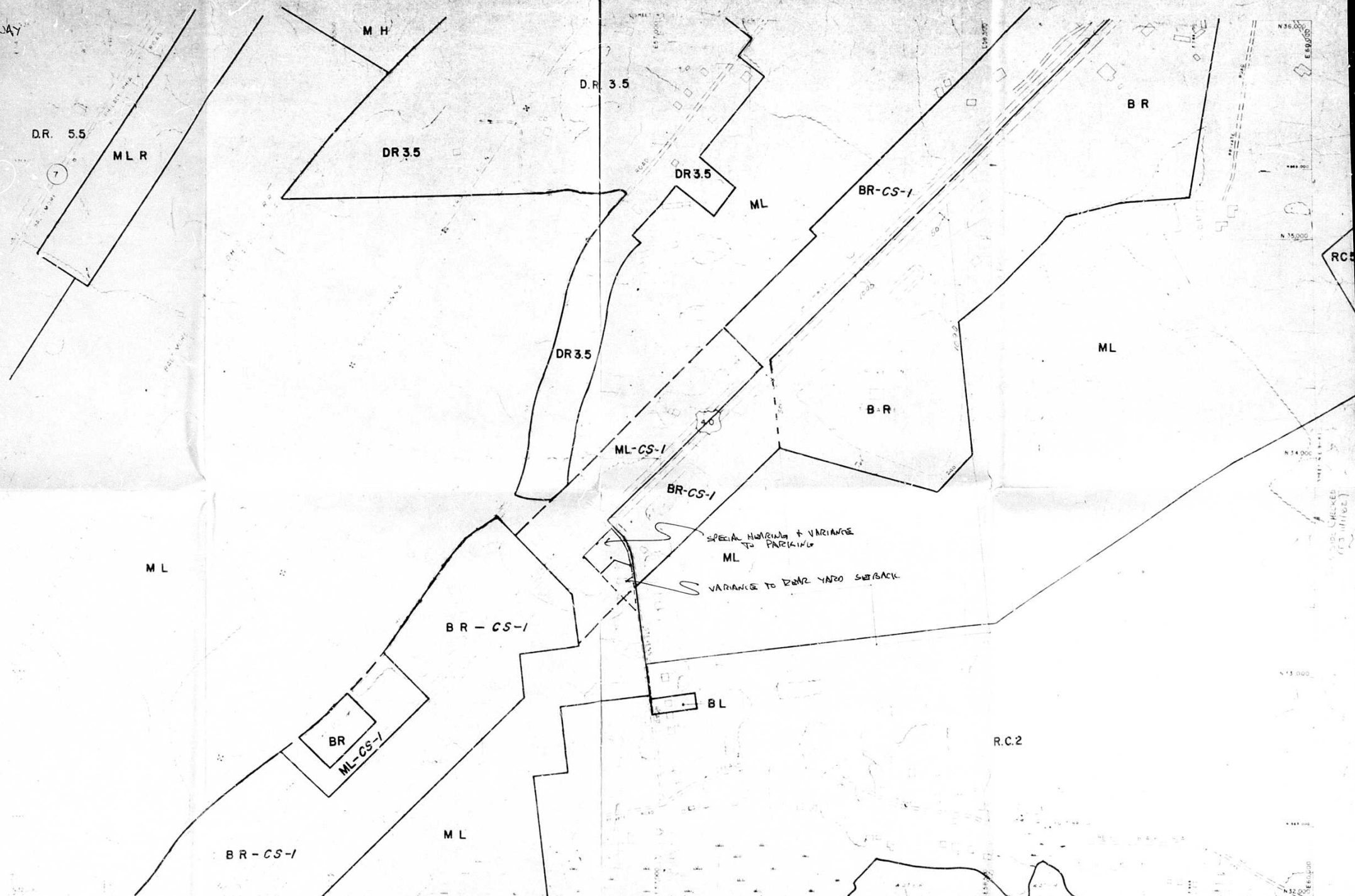
87-280-SPHA

1176 District



9/17/87

ITEM 158
11175 PILASKI HIGHWAY
1/2" = 200'



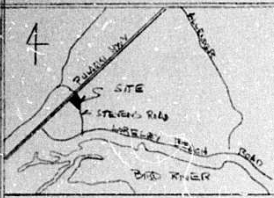
1984 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
NOV. 13, 1984
BILL NOS. 155-84, 156-84, 157-84,
158-84, 159-84
[Signature]
CHAIRMAN, COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
OFFICIAL ZONING MAP

REVISIONS
DATE
SCALE
1" = 200'
DATE OF
PHOTOGRAPHY
APRIL 1953
Compiled By Photogrammetric Method
AERO SERVICE CORPORATION-PHILADELPHIA, PA.

LOCATION
LORELEY
WHITEMARSH
AREA
SHEET
N.E.
9-J
V-OK

#158
84-286-SPHA



VICINITY MAP

PULASKI HIGHWAY

SITE PLAN

For
Special Hearing

11175 PULASKI HWY.
BALTIMORE, MARYLAND

SCALE 1"=20'

NOTES

- 1) ZONING: ML-CS-1
- 2) LOT AREA
- LOT 1 (EXISTING): 11,174 #
- LOT 1 + 2A (FOR SPECIAL HEARING + VARIANCE TO PARKING) = 23,074 #
- LOT 2 + 2A = 25,003 #
- LOT 2 (FOR VARIANCE TO REAR YARD SETBACK) = 13,123 #
- 3) EXISTING USE - TAVERN (EXISTING LOT 1)
- 4) PROPOSED USE - TAVERN AND OFF STREET PARKING LOT
- 5) BUILDING AREA
EXISTING: 3,225 #
PROPOSED: 3,225 #
- 6) PARKING
EXISTING - LOT 1: 8
PROPOSED - LOT 2A: 32
TOTAL: 40
REQUIRED (@ 1/50 # GLA) = 65
- 7) DENSED TRACT: 4113.02
- 8) COMMERCIAL DISTRICT: 5
- 9) ELECTION DISTRICT: 11
- 10) LOT 2A: 2,706 + LOT 2: 1,555
TOTAL: 4,261, NEW LOT TO BE CREATED.
- 11) PUBLIC WATER AND PRIVATE SEPTIC SYSTEMS
SERVE BOTH PLOTS.

Zoning Issues

1. A SPECIAL HEARING IS REQUIRED TO ESTABLISH THE NON-CONFORMING STATUS OF TAVERN IN A ML ZONING DISTRICT
- 1A. A SPECIAL HEARING IS REQUIRED TO ALLOW EXPANSION OF A PARKING AREA GREATER THAN 25% OF THE EXISTING PARKING AREA
2. A VARIANCE IS REQUIRED TO ALLOW 40 PARKING SPACES IN LIEU OF THE REQUIRED 65
3. A VARIANCE IS REQUIRED TO ALLOW A REAR YARD SETBACK (FROM A LEASE LINE) OF 13' FOR A BUILDING (EXISTING) IN AN ML ZONE IN LIEU OF 30' REQUIRED.

NOTE: CONTACT ALL UTILTY COMPANIES BEFORE DIGGING.

BOUNDARY INFORMATION FROM SURVEY PREPARED BY Wm. M. MANNING JR. SUPERIOR AUG 19 1960

APPLICANT

JOHN SMON
11175 PULASKI HWY
WHITEHALL, MD 21162

TREATED BY

BILL MANN
LAND PLANNING & ZONING
CONSULTANT
P.O. BOX 11415
BALTIMORE, MD 21237
201-444-8931

3 Signs
87-28
#158
OFFICE COPY