

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
30th day of January, 1987.

ARNOLD JABLON
Zoning Commissioner

Received by: James E. Dyer

Petitioner: Burry's Tavern, Inc.
Petitioner's Attorney: Leslie M. Pittler, Esquire

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 19, 1987

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

000

Chairman

MEMBERS:

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

Leslie M. Pittler, Esquire
28 Allegheny Avenue, Suite 501
Towson, Maryland 21204

RE: Item No. 293 - Case No. 87-375-A
Petitioner: Burry's Tavern, Inc.
Petition for Zoning Variance

Dear Mr. Pittler:

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:kbb

Enclosures

cc: Spellman, Larson & Associates, Inc.
Jefferson Building, Suite 107
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: February 20, 1987

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

SUBJECT: Zoning Petitions No. 87-375-A and 87-376-SpH

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

Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
FEB 20 1987
ZONING OFFICE

CP5-00a



Maryland Department of Transportation

JAN 30 1987

William K. Hoffmann
Secretary
Kai Kassoff
Administrator

January 23, 1987

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

Attention: Mr. James Dyer

Re: Z.A.C. Meeting
ITEM: #293.
Property Owner: Burry's
Tavern, Inc. (Faball Bowling
Center)
Location: NW/S Pulaski Hwy.
(Route 40) opposite centerline
Holly Drive
Existing Zoning: B.R.-1M
Proposed Zoning: Variance to
permit a side setback of 5 feet
in lieu of the required 30 feet,
and to amend the previous
Variance Hearing, Case #86-392A
Area: 2.79 acres
District: 15th Election
District

Dear Mr. Jablon:

The plan is generally acceptable but any subsequent plan must be revised to include dimensions and show repaving of existing shoulder.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

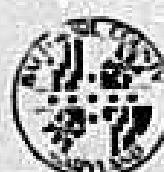
CL:GHC:maw

By: George H. Gosman

cc: Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 505-451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St. Baltimore, Maryland 21203-0717



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

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

FEBRUARY 6, 1987

Re: Zoning Advisory Meeting of January 20, 1987
Item # 293
Property Owner: BURRY'S TAVERN, INC.
Location: NW/S PULASKI HIGHWAY
OPPOSITE & HOLLY DRIVE

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 forward 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
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
A WAIVER OF PLAN (CRG MEETING/PROCESS) WAS GRANTED BY THE PLANNING BOARD - 2/20/87 SEE EUPHIN-86-27.
FOR LANDSCAPE REQUIREMENTS CONTACT ANNE HARRIS 494-3336

David Fields, Acting Chief
Current Planning and Development

cc: James Moswell



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

STEPHEN E. COLLINS
DIRECTOR

February 11, 1987

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

Item No. 293 -ZAC-
Property Owner:
Location: Pulaski Highway E. of Martin Blvd.
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The two angle parking spaces just south of the centerline of the Pulaski Highway access need to be eliminated.

Very truly yours,

Gregory M. Jones
Traffic Engineer III

GMJ:lt

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 293, Zoning Advisory Committee Meeting of 1/20/87

Property Owner: Burry's Tavern, Inc.

Location: NW/S Pulaski Hwy opp centerline Holly Dr. District 15

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety: two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

Zoning Item # 293 Zoning Advisory Committee Meeting of 1/20/87
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (X) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86



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

PAUL H. REINCKE
CHIEF

January 27, 1987

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

RE: Property Owner: Burry's Tavern, Inc.

Location: NW/S Pulaski Hwy. opp. centerline Holly Dr.

Item No.: 293

Zoning Agenda: Meeting of 1/20/87

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.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. (On-site).

() 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.

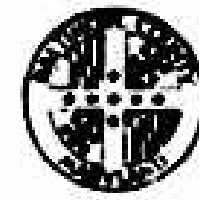
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 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
Planning Group Approved:
Special Inspection Division Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 293 Zoning Advisory Committee Meeting are as follows:

Property Owner: Burry's Tavern, Inc.

Location: NW/S Pulaski Highway opposite centerline Holly Drive

District: B.R. - IM

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.M.S.A. #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.

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 Two Groups except B-1, Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls clear of 6'-0" to an interior lot line. B-1, 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 L01, Section 1107, Section 1106.2 and Table 1102. 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 L01 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: There have been no discussions with the designers as to how the 2'-0" and 5'-0" setbacks may affect the exiting from the structure, the permissible height and area, or the type of construction. Ratings of exterior walls and exterior openings should also be considered.

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.

BY: Charles E. Burman
Chief
Building Plans Rev.

L/22/87

JAN 7 1987

ZONING OFFICE

Leslie M. Pittler

SUITE 501
28 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

December 30, 1986

Arnold Jablon, Zoning Commissioner
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Variance
Faball Enterprises of Maryland, Inc.

Dear Commissioner Jablon:

I am filing a Petition for Variance for Faball Enterprises of Maryland, Inc., relating to the need for a side yard setback of five (5) feet instead of the required thirty (30) feet. The purpose of this letter is to request an emergency hearing.

The reasons for this request are as follows:

a. There has been a prior variance hearing on this matter, i.e., case number 86-392-A at which time, at a public hearing, you granted a rear yard and a side yard variance. There were no protestants and no appeal was taken. However, due to storm water management, constraints and other unforeseeable problems, the petitioner must now modify his plan to request a side variance on the opposite side of the building in lieu of the granted side yard variance.

b. The site in question is to be used for a bowling center. The critical time period for the success of a bowling center relates directly to the ability of the owner to be in actual operation by September 1, 1987. For this to happen construction on this site must commence in February 1987 to give sufficient time to construct. This will only be accomplished by an emergency hearing on the variance petition.

c. The Baltimore County Board of Liquor License Commissioner has granted a liquor license for the site. This license is being held pending the construction of the site. The petitioner fears the additional time delay for a variance hearing could endanger the validity of the liquor license.

d. Should the project not be able to be built, the petitioner faces a loss in excess of \$175,000.00. Evidence of these monies already spent

Arnold Jablon, Zoning Commissioner -2-

December 30, 1986

can be furnished. Without a prompt hearing the project may not be able to go forward.

e. The petitioner has expended \$90,000.00 for air conditioners for the to-be constructed building which he is in endangered of losing if the project cannot continue expeditiously.

f. The petitioner was acting under the assumption that he had obtained a waiver for storm water management, but within the last week, first learned that the waiver had been denied by letter dated September 23, 1986 which he never received. The storm water management is the issue which has prompted the need for a new variance.

g. Should the petitioner not be able to start his bowling leagues by September 1, 1987, which will necessitate construction being complete in August of 1987, the project will not be economically feasible.

The above reasons I believe point out the urgency in this matter. The petitioner therefore, respectfully requests an early hearing date.

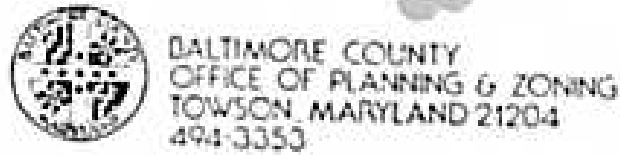
Thank you for your consideration of this matter.

Very truly yours,

Leslie M. Pittler

LMP/rml

cc: Mr. Dennis Baldwin



ARNOLD JADON
ZONING COMMISSIONER

February 25, 1987

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

RE: PETITION FOR ZONING VARIANCE
NW/S Pulaski Highway opposite the c/l of
Holly Dr. (9020 Pulaski Highway)
15th Election District - 6th Councilmanic District
Burry's Tavern, Inc. - Petitioner
Case No. 87-375-A

Dear Mr. Pittler:

This is to advise you that \$67.78 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, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 33053

DATE 2/25/87 ACCOUNT 8-01-015-000

SECTION & POST
ATTACHED
Mr. Dennis Baldwin
AMOUNT \$ 67.78 CASH

RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE #87-375-A

FOR
\$ 8 8116*****077612 00301

VALIDATION OR SIGNATURE OF CASHIER

Leslie M. Pittler, Esquire
Suite 501, 28 Allegheny Avenue
Towson, Maryland 21204

February 5, 1987

REVISED
NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NW/S Pulaski Highway opposite the c/l of
Holly Dr. (9020 Pulaski Highway)
15th Election District
Burry's Tavern, Inc. - Petitioner
Case No. 87-375-A

TIME: 2:00 p.m.

DATE: Monday, March 2, 1987

PLACE: Room 301, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 30457

DATE 1/14/86 ACCOUNT 01-615-004

AMOUNT \$ 100.00

RECEIVED FROM
Leslie Pittler

FOR
Variance #293

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 26, 1987

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 February 26, 1987.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

32.18

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th
Date of Posting 2/16/87

Posted for Larsson

Petitioner Burry's Tavern, Inc.

Location of property NW/S Pulaski Hwy, opposite Holly Dr.

2920 Holly Dr. Hwy

Location of Sign NW/S Pulaski Hwy, opposite Holly Dr.

on property of Petitioner

Remarks

Posted by M. H. Jung Date of return 2/16/87

Number of Signs 1

PETITION FOR
ZONING VARIANCE

15th Election District
Case No. 87-375-A

LOCATION: Northwest Side of
Pulaski Highway opposite the Centerline
of Holly Drive (9020 Pulaski Highway)

DATE AND TIME: Monday, March
2, 1987, at 2:00 p.m.

PUBLIC HEARING: Room 301,
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 Zoning Variance to permit
a side yard setback of 5 feet in lieu
of the required 10 feet and to amend
the order of Case No. 86-392-A.

Being the property of Burry's Tavern,
Inc., as shown on plat plan filed
with the Zoning Office.

In the event that this Petitioner 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
not above or more than 10 days before the hearing.

BY ORDER OF
Arnold Jadon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., Feb 12 1987

This is to Certify, That the annexed

Petition - Burry's Tavern
Reg. 9859K

was inserted in The Times, a newspaper printed

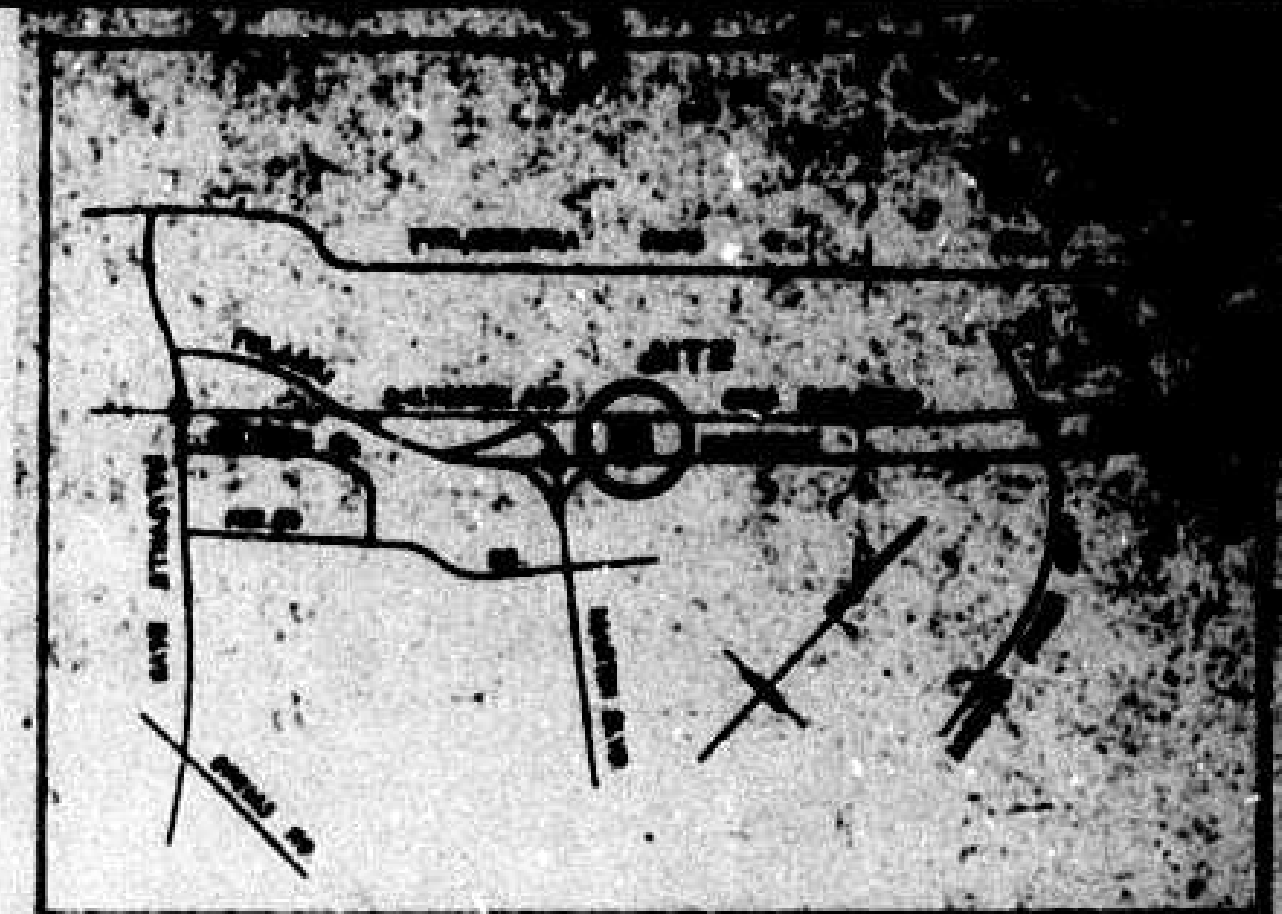
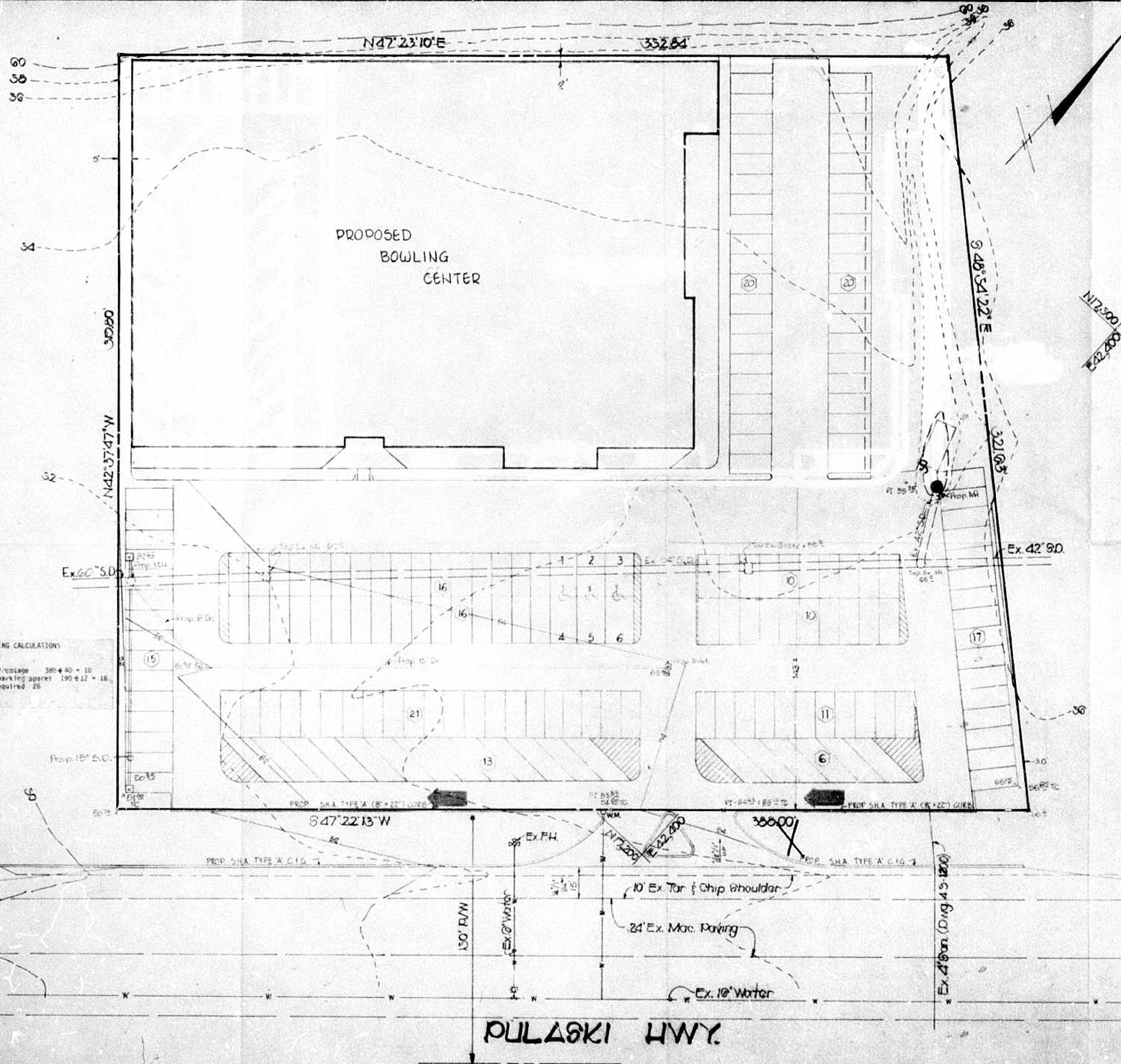
and published in Baltimore County, once in each

of two successive

weeks before the 11th day of

Feb, 1987

Paul Brown Publisher



VICINITY MAP
SCALE 1"=200'

GENERAL NOTES

1. Councilmanic District: 6
2. Census Tract: 4512
3. Watershed: 22
4. Subwatershed: 4
5. Site Acreage: Net 2.719 Ac.± Gross: 3.39 Ac.±
6. Existing zoning: ~~RM-1~~ **RM-2**
7. There are no Historic Buildings on this property.
8. There are no critical areas, archeological sites, endangered species habitats or hazardous materials sites or wetlands on this property.
9. Land reference:
10. Property Numbers:
11. Estimated ADT = $(\frac{39910}{1,000} \times 39.91 \times 115.1) = 4622$
12. Local open space is not required.
13. Floor Area Ratio = 0.34
14. Parking calculations: 3 spaces/Lane x 40 lanes = 120
Restaurant area = 2000 S.F. ÷ 50 = 40
Total spaces required = 160
No. of spaces provided = 181

NOTE: The subject property has been granted a Zoning Variance to permit a sideyard setback of 5' and a rear yard setback of 0' in lieu of the required 30'. See Case #80-392-A

OWNER'S
EXHIBIT 1

REVISIONS	
NO.	DATE

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE 823-3536

OWNER/DEVELOPER
FABALL ENTERPRISES OF MD.
4401 EASTERN BLVD.
BALTIMORE, MD. 21224
PHONE 752-6380

OFFICE COPY
FLAT TO ACCOMPANY ZONING PETITION
FABALL BOWLING CENTER
1080 PULASKI HIGHWAY

15th Election District Baltimore Co. MD.

SCALE: 1"=20'
DATE: DEC 29, 1986
DES. BY: [Signature]
CHK. BY: [Signature]
SHT. 1 OF 1

LANDSCAPING CALCULATIONS

One tree per each 40' of road frontage $380 \div 40 = 10$
One tree per each group of 12 parking spaces $190 \div 12 = 16$
Total no. of trees required 26