

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is defined in the description and lot and block hereinafter made a part hereof, hereby petition for a Variance from Section 409.2-2(3) to permit four (4) off street parking spaces in lieu of the required forty-two (42)

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

1. Puffins, Inc., previously located at 1224 Reisterstown Road, was burned to the ground by an arsonist on 7/27/89 and desires to relocate in the Pikeville area. No other suitable locations being available, an obvious hardship and practical difficulty exists.

2. The Revenue Authority lot across the street from this site was built for the purpose of alleviating parking problems in the immediate area, and grant of this variance will provide usage for that underutilized lot.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and see to it being done 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.

LESSOR: Puffins, Inc. (Type or Print Name)

LEGAL OWNER: Paul Goodman (Type or Print Name)

BY: Donald Goodman (Type or Print Name)

SIGNATURE: [Signature]

4100 Colonial Road (Type or Print Name)

Address: Pikesville, Maryland 21208

City and State: [Signature]

Attorney for Petitioner: Village of Cross Keys 323-6600

Address: [Signature]

Howard J. Needle (Type or Print Name)

Address: Baltimore, Maryland 21210

City and State: [Signature]

422 N. Pennsylvania Avenue (Type or Print Name)

Address: [Signature]

City and State: [Signature]

Towson, Maryland 21284 (Type or Print Name)

Address: [Signature]

City and State: [Signature]

Morrey's Telephone No. 321-0300 (Type or Print Name)

Address: [Signature]

City and State: [Signature]

ORDERED BY THE Zoning Commissioner of Baltimore County, this 14th day of October, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of December, 1987, at 11:00 a.m.

Attest: [Signature]

Zoning Commissioner of Baltimore County

(over)

1987-229-A

Towson, Maryland

District 300 Date of Posting 11-18-87

Posted for: [Signature]

Petitioner: [Signature]

Location of property: [Signature]

Location of Sign: [Signature]

Remarks: [Signature]

Posted by: [Signature]

Number of Signs: [Signature]

Date of return: 11-20-87

88-229-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21284

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

[Signature]

ZONING COMMISSIONER

Petitioner: Paul Goodman Received by: [Signature] Attorney: Howard Needle [Signature] Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 41781 OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 11/27/87 AMOUNT \$ 100.00 RECEIVED BY: [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines To: Zoning Commissioner Date: November 23, 1987

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

SUBJECT: Zoning Petition No. 88-229-A

This office supports the granting of the subject petition for the following reasons:

- 1. The proposal is to relocate a Pikeville restaurant that burned down earlier this year.
2. Most of the daytime customers are already in the area and are within trade.

Pikeville revitalization needs this type of viable business.

NEJ:JGH:ae

cc: Ms. Shirley M. Bess, Legal Assistant, People's Council File

RECEIVED NOV 30 1987 ZONING OFFICE

Baltimore County Fire Department Towson, Maryland 21284-2066 694-6800

Paul M. Binko

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21284

November 25, 1987

Re: Property Owner: Paul Goodman

Location: Int. SW/S Reisterstown Rd. and NW/S Sherwood Rd.

Item No.: 164 Zoning Agenda: Meeting of 11/10/87

Description:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the criteria 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 100 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.

REMOVED: [Signature] Noted and Approved: [Signature] Special Inspection Division

7/31



Maryland Department of Transportation State Highway Administration

Richard M. Trainor Hill Kassoff Administrator

November 12, 1987

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21284 Attn: James Dyer

RE: Baltimore County Item #164 Property Owner: Paul Goodman Location: Int. SW/S Reisterstown Road Maryland Route 140 and NW/S Sherwood Road Existing Zoning: P.S.

Proposed Zoning: Variance to permit four off-street parking spaces in lieu of the required forty two Area: 79 x 120 District: 3rd

Dear Mr. Haines:

On review of the submittal of October 28, 1987, the State Highway Administration, Bureau of Engineering Access Permits finds the concept of this plan generally acceptable with no access to Maryland Route 140.

If you have any questions, please contact Larry Brocato of this office at 333-1350.

Very truly yours,

[Signature]

CRESTON J. MILLS, JR. Acting Chief-Bureau of Engineering Access Permits

LB/es

cc: HET Associates Inc. J. Ogles

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

11/15/87 Date

Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21284

Zoning Item # 164 Zoning Advisory Committee Meeting of November 16, 1987 Property Owner: Paul Goodman Location: Int. SW/S Reisterstown Rd and NW/S Sherwood Rd District: 3 Water Supply: m/270 Sewage Disposal: m/270



Consents ARE AS FOLLOWS:

- 1. Prior to approval of a final site plan for construction, retention and/or installation of equipment for any existing or proposed flood control, erosion control, sedimentation, or other equipment to be installed on the Flood Service District, Bureau of Regional Community Services, for final review and approval.
2. Prior to any installation of a full burning equipment, the owner shall contact the Bureau of Air Quality Management, 98-0775, to obtain requirements for such installation before work begins.
3. A permit to construct from the Bureau of Air Quality Management is required for such items as steel pipe, roof, or other equipment that exceeds the Bureau's 15,000 gallons or more and any other equipment or process which vents into the atmosphere.
4. A permit to construct from the Bureau of Air Quality Management is required for any chloride application which has a total chloride surface area of (1) square feet of water.
5. 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 food to be served for the food service operation must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 98-0781.
6. 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.
7. If interior work and all changes are performed at this location, the method provided for the elimination of waste oil must be in accordance with the State Department of the Environment.
8. Prior to raising of existing structures, petitioner must contact the Division of Waste Management at 333-1350, regarding removal and/or disposal of potentially hazardous materials and waste water. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 98-0775.
9. All standard underground drainage tests conducted on pipes, waste oil, asbestos, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly bottled. Prior to removal or abandonment, owner must obtain the location of waste management at the DHEM.
10. Soil percolation tests, have been conducted.
11. The results are as follows:
a) Soil percolation test results have expired. Petitioner should contact the Division of Water and Storm to determine whether additional tests are required.
12. Where water wells are to be used as a source of water supply, a well sitting the minimum Baltimore County Standards must be drilled.
13. In accordance with Section 13-01 of the Baltimore County Code, the water well yield test:
a) shall be well or till.
b) if not available must be retained. This must be accomplished prior to commencing construction.
14. Prior to occupancy approval, the possibility of the water supply must be verified by collection of bacteriological and chemical water samples.
15. If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
16. Others

[Signature] Bureau of Water Quality and Resource Management

CERTIFICATE OF PUBLICATION

TOWSON, MD. Nov. 17, 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 Nov. 19, 1987.

THE JEFFERSONIAN

[Signature]

Publisher

NOTICE TO THE PUBLIC: This is to certify that the above advertisement was published in the Jeffersonian, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Nov. 19, 1987.

My telephone number is (301) 333-1259

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of _____ 19____, that the herein Petition for Variance(s) to permit

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 4, 1987

CITY OFFICE BLDG.
111 W. Chesapeake Ave.,
TOWSON, MARYLAND 21286

Howard J. Needles, Esquire
102 W. Pennsylvania Avenue
TOWSON, MARYLAND 21204

RE: Item No. 164 - Case No. 88-229-A
Petitioner: Paul Goodman
Petition for Zoning Variance

MEMORANDUM

Bureau of Engineering
Bureau of Traffic Engineering
State Parks Commission
Bureau of Park Recreation
Health Department
Building Department
Board of Education
County Administration
Industrial Development

Dear Mr. Needles:

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, Inc.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mb

Enclosures

cc: MT Associates, Inc.
16205 Old Frederick Road
Mt. Airy, Maryland 21171

PETITION FOR VARIANCE * BEFORE THE
PUFFINS, INC. * ZONING COMMISSIONER
Intersection SW/S Reisterstown * OF
Road and NW/S Sherwood Road * BALTIMORE COUNTY
(1000 Reisterstown Road), * Case No. 88-229-A
3rd District
Paul Goodman, Petitioner

PETITION FOR VARIANCE * BEFORE THE
PUFFINS, INC. * ZONING COMMISSIONER
Intersection SW/S Reisterstown * OF
Road and NW/S Sherwood Road * BALTIMORE COUNTY
(1000 Reisterstown Road), * Case No. 88-229-A
3rd District
Paul Goodman, Petitioner

AFFIDAVIT OF PRIVATE PROCESS

The undersigned hereby certifies that she executed the service of process pursuant to the authority granted by the Zoning Commissioner of Baltimore County upon Kenneth Mills at 3:10 p.m. December 3, 1987 at the Baltimore County Revenue Authority, 10 W. Chesapeake Avenue, Towson, Maryland 21204, by delivering and leaving with Kenneth Mills' secretary a copy of the Subpoena issued by the Zoning Commissioner of Baltimore County. The undersigned further certifies that she is over 18 years of age and is not a party to this action.

The above information is true and correct to the best of my knowledge, information and belief.

Sarah C. King
Sarah C. King
Dated: 12-8-87

AFFIDAVIT OF PRIVATE PROCESS

The undersigned hereby certifies that she executed the service of process pursuant to the authority granted by the Zoning Commissioner of Baltimore County upon J. John Dillon, Jr. at 3:00 p.m. December 3, 1987 at the Office of Planning & Zoning, 4th Floor, County Courts Building, 401 Bowley Avenue, Towson, Maryland 21204, by delivering and leaving with J. John Dillon, Jr. a copy of the Subpoena issued by the Zoning Commissioner of Baltimore County. The undersigned further certifies that she is over 18 years of age and is not a party to this action.

The above information is true and correct to the best of my knowledge, information and belief.

Sarah C. King
Sarah C. King
Dated: Dec 7 1987

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Jack Dillon</i>	<i>OPZ</i>
<i>Irene McDonald</i>	<i>OPZ</i>
<i>Kevin Burns</i>	<i>16205 Old Frederick Rd #2105</i>
<i>Kenneth Mills</i>	<i>Paul G. Revenue Authority</i>
<i>Paul Goodman</i>	<i>Puffins Cafe</i>
<i>Donald Gorman</i>	
<i>Howard Needles Esq</i>	

HOWARD J. NEEDLES
102 W. PENNSYLVANIA AVENUE
TOWSON, MD 21204

December 2, 1987

HENRY A. NEEDLE
MARK MAX ERHNDIN
1000 3RD CROSS

J. Robert Haines, Zoning Commissioner
111 W. Chesapeake Avenue
Room 119
Towson, Maryland 21204

RE: Puffins, Inc.
1000 Reisterstown Road
Paul Goodman, Petitioner
Case No. 88-229-A

Dear Mr. Haines:

I request that you sign the enclosed Subpoenas to be issued to J. John Dillon and Kenneth Mills for their appearance at a hearing on Wednesday, December 9, 1987 at 11:00 a.m.

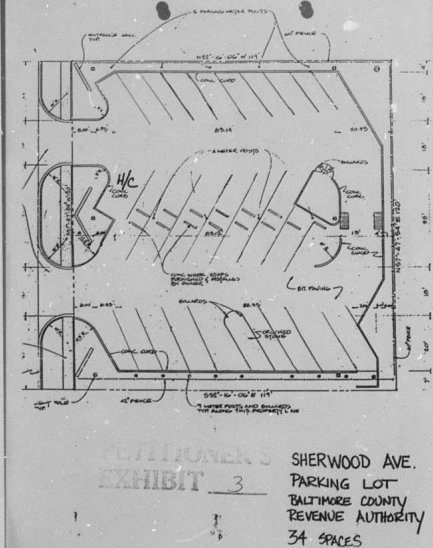
Thank you for your cooperation and assistance.

Very truly yours,

NEEDLE AND ERHDIN

Howard J. Needles
Howard J. Needles

HJN/cef
Enc.
cc: Mr. & Mrs. Donald Gorman



RE: PETITION FOR VARIANCE * BEFORE THE ZONING COMMISSIONER
Intersection SW/S Reisterstown * OF BALTIMORE COUNTY
Rd. & NW/S Sherwood Rd. (1000 * Reisterstown Rd.), 3rd District
PAUL GOODMAN, Petitioner * Case No. 88-229-A

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 23rd day of November, 1987, a copy of the foregoing Entry of Appearance was mailed to Howard J. Needles, Esquire, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and Mr. Donald Gorman, Puffins, Inc., 4100 Colonial Rd., Pikeville, MD 21208, Lessee.

Peter Max Zimmerman
Peter Max Zimmerman

IN RE: PETITION FOR ZONING VARIANCE
 Intersection: SW2 Reisterstown
 Road and NW3 Sherwood Road.
 1000 Reisterstown Road
 3rd Election District
 2nd Councilmanic District

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 88-229-A

Paul Goodman
 Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requested a variance to permit four (4) off-street parking spaces in lieu of the required 42.

Donald Gorman, one of the Stockholders in Puffins, Inc., the Lessee, appeared and testified on behalf of himself and his wife, Renee Gorman, the other stockholder. Also testifying on behalf of the Petitioner were the following: John J. Dillon, Jr., Northwest Area Planner from the Baltimore County Office of Planning and Zoning; Kenneth Mills, Deputy Director of Baltimore County Revenue Authority; and Evelyn Burns, Executive Director of both the Pikeville County Growth Corporation, hereinafter referred to as PCGC, and of the Pikeville Chamber of Commerce. There were no Protestants.

It should be noted that the Plat of the property marked as Petitioner's Exhibit 1 reflects, and testimony explained, that one structure covers the properties known as 1000, 1002 and 1004 Reisterstown Road, which have, respectively, 2,080 square feet of proposed restaurant space, 1,360 square feet of retail space, and 3,670 square feet of retail space. They require, respectively, 42, 7 and 19 parking spaces under the Baltimore County Zoning Regulations (B.C.Z.R.), for a total requirements of 131 spaces. However, the narrow issue presented concerns the property at 1000 Reisterstown Road to be utilized by Puffins, Inc., a restaurant previously located two blocks north of the subject property at the intersection of Reisterstown Road and Church Lane.

Mr. Gorman testified that he and his wife have lived in the Pikeville area all their lives, with the exception of one (1) year in Boston where they studied natural cooking and restaurant operations. The restaurant they previously operated was located two blocks north of the subject property at the intersection of Reisterstown Road and Church Lane. Testimony indicated that Puffins was an extremely popular neighborhood restaurant, catering to primarily families in the evening, and serving natural foods, largely of a vegetarian nature. Most unfortunately, a fire destroyed those premises on July 27, 1987 and the Gormans have been searching since then for another suitable location in the Pikeville vicinity. It wasn't until the occupant of the subject property, Pauline Moses, Inc., decided to move that Puffins was able to relocate to what the Gormans believe is a suitable building for their operation in the heart of Pikeville.

Mr. Gorman testified that he is the chief cook and his wife manages the restaurant operation. As such, and due to limited kitchen facilities and the nature of the food served, they always have limited seating capacity. Mr. Gorman testified they could not serve more than 60 customers at any one time, and therefore seating would be limited to that number, even though the 2,080 sq.ft. on the premises would permit seating for 80. Therefore, the Petitioner contends that the proposed parking need is actually three-fourths (3/4) of that required by the B.C.Z.R., which is 31 rather than 42. Mr. Gorman testified that without the requested zoning variance, he and his wife would not be able to open the restaurant at this location, creating a practical difficulty or unreasonable hardship upon the Petitioner.

John Dillon, the Area Planner in the Pikeville area for approximately the last six years, testified as to the desirability of attracting first class restaurants to Pikeville. He testified that the Pikeville Revitalization Plan was adopted as official County policy in 1979 for the purpose of pro-

viding a blue print for the revitalization and development of Pikeville so that it could withstand economic pressures from the Owings Mills Mall and other developing shopping centers and areas north of the Beltway. The stabilization of the 1000 block of Reisterstown Road has become a particular problem in the implementation of that plan, in view of the closed movie theaters and other businesses relocating in Owings Mills. The prospect of six or seven restaurants in this block, including Puffins, Jilly's, Gordon's, La Sagraia, Mr. Chan, Suburban House, and a possible seventh, yet unnamed, should bring new life and vitality to the Pikeville business district, especially in the evening hours. Mr. Dillon testified that such development was in accord with the Pikeville Revitalization Plan and with good planning principles. He testified that, in his opinion, there would be adequate parking at the Sherwood Avenue Revenue Authority lot and across Reisterstown Road at what is known as the Pikes Theater lot; the merchants in this block, including Puffins, contribute to leasing the aforesaid lot on Reisterstown Road with 90 spaces for their customers. The Revenue Authority lot has 34 spaces. Mr. Dillon further testified that the denial of the requested zoning variance would constitute a practical difficulty or unreasonable hardship on the Petitioner and its granting would not constitute a substantial injury to the health, safety or general welfare of the community.

Kenneth Mills testified that the Revenue Authority had very recently completed a parking study of the entire Pikeville area. He described the parking facilities and demands in the vicinity of the 1000 block of Reisterstown Road, indicating that there was adequate parking for current needs, including, in his opinion, the proposed restaurant operation by Puffins. In fact, Mr. Mills stated that the Sherwood Avenue public lot was grossly under-utilized with an average of 26 spaces available between 11:00 AM and 2:00 PM on the Wednesday studied, and an average of 43 spaces available during those hours on the Saturday studied.

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]

- 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 relation 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).

It is clear from the testimony that if the variance was 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 variance was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 17th day of December, 1987, that four (4) off-street parking spaces in lieu of the required 42, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however Petitioner is hereby made aware that proceeding at this time

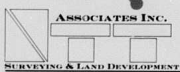
is at his own risk until such time as the applicable applicable process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner will be required to return, and be responsible for returning, said property to its original condition.

Ann M. Baltazar
 ANN M. BALTAZAR
 Deputy Zoning Commissioner
 of Baltimore County

AMR:js

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]

ORDER RECEIVED FOR FILING
 Date Filed: 11/18/87
 By: [Signature]



J Carl Haglin
 Surveyor

This is to certify that I have surveyed the property known as 1000, 1002, 1004 Reisterstown Road located at the intersection of the southwest side of Reisterstown Road (sixty-two feet wide) and the northwest side of Sherwood Road (fifty foot wide) and being known as Lot Nos. 377 and 378 as shown on the "Plat of Palaton Annex" which is recorded in the Land Records of Baltimore County in Plat P - 24 JMD No. 1, Part 2, Folio 276 for the purpose of locating the improvements thereon and said survey is shown on the plat of survey dated October 28, 1987 attached hereto.



Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 405
 Towson, Maryland 21284
 481334

December 2, 1987

Mr. J. Robert Haines
 Zoning Commission
 County Office Building
 Towson, Maryland 21284



Item No. 164
 Property Owner:
 Location:
 Existing Zoning:
 Proposed Zoning:
 Acre:
 District:

-ZAC-
 Meeting of November 10, 1987
 Paul Goodman
 Int. SW/3 Reisterstown Road
 and SW/3 Sherwood Road
 B1-C2E
 Variance to permit four off-street parking spaces in lieu of the required forty-two
 79 x 120
 3rd Election District

Dear Mr. Haines:

The Pikeville area is an area with a bad problem at this time and this parking variance to parking can only add to that problem.

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

MSF:sh

88-229-A
 174

MILDER COUNTY, MARYLAND
ZONING - OFFICE CORRESPONDENCE

TO: Robert Haines
Zoning Commissioner
DATE: October 30, 1987
FROM: Melvin C. Hines
Councilman, Second District
SUBJECT: Hardship, Variance #164

RECEIVED
OCT 30 1987
ZONING OFFICE

The purpose of this memo is to ask for expeditious handling due to hardship of Item #164, a variance for parking for 1000 Reisterstown Road in the heart of the Pikeville revitalization area. The property referenced is owned by Paul Goodman.

Adjacent to 1000 Reisterstown Road is a heavily underutilized parking lot, owned and operated by the Revenue Authority. The largely empty parking facility is both a financial drain on the Revenue Authority and is contributing to the areas perceived and actual problems.

The business requiring the variance represents a hardship situation. Puffins, the restaurant operator, was located about two blocks north of 1000 Reisterstown Road. The business, which was rapidly becoming a significant attraction in Pikeville, was burnt to the ground along with three other businesses in a major fire in the Pikeville area this summer. The business has suffered significantly from the disruption. The owners were underinsured and have no disruption insurance and, therefore, are suffering serious personal income losses. Unless they recover shortly they will suffer further from the loss of their employees and, perhaps, will never be able to reopen.

Relocation of some of the other businesses within Pikeville, also destroyed by the fire, was relatively easy. However, this is not the case with Puffins. The Pikeville Growth Corporation spent an extensive amount of staff time and energy, with the help of Baltimore County, in finding a suitable building for a restaurant the size of Puffins.

Puffins has a strong desire to remain in Pikeville, if it can be accomplished quickly. If not, they have the opportunity to also go to the Ocean Mills area. For reasons described, they must reopen soon. It is my belief that we need to expedite the process quickly so that Puffins benefits and Pikeville, in general, benefits.

As a result of both the hardship to the business and the area, I am requesting that you expedite the hearing for the variance. I do believe that the situation is critical and that the created hardship is severe and important to me and my constituency.

MEM:dy

cc: POC
Howard Needle, Tammen
Howard Kohn, Community Development
Ervin Kleinman, CFC

11-2-87

FROM THE DESK OF J. ROBERT HAINES

- TO: Ann Bantorowicz
- James R. Dyer
- W. Carl Richards
- James H. Thompson
- ✓ Kobayashi

- See me immediately
- Discuss ASAP
- Prepare draft memo
- Please draft response
- Collect \$200.00 fee
- Please handle
- Prepare written report
- Set up conference
- ASAP - see me immediately
- response due 11/2/87

NOTICE OF HEARING
PENDING VARIANCE
#164

LOCATION: Intersection of 3rd
Election District and
Conciliamatic District
DATE AND TIME: Wednesday, December 9, 1987 at 11:00 AM
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County is hereby giving notice that a public hearing will be held on the above-captioned variance on the date and at the time specified above. The purpose of the hearing is to receive testimony from interested parties and to make a decision on the variance.

IN WITNESS WHEREOF
I, J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

December 11, 1987

HOWARD NEEDLE, TAMMEN
102 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21284

RE: Petition for Zoning Variance
Intersection of 3rd/2nd Election District and 2nd/3rd Conciliamatic District
Paul Goodman - Petitioner
Case No. 86-229-A

Dear Mr. Needles:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restriction noted in the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ARM H. BALTIMORE
County Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 45770

DATE: 11/2/87
AMOUNT: \$200.00
PAID FOR: 86-229-A
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21284
404-3333

NOTICE OF HEARING

J. ROBERT HAINES
ZONING COMMISSIONER

Petition for Zoning Variance
Case No. 86-229-A

3rd Election District; 2nd Conciliamatic District
LOCATION: Intersection 3rd/2nd Election District and 2nd/3rd Conciliamatic District
(1000 Reisterstown Road)

DATE AND TIME: Wednesday, December 9, 1987 at 11:00 AM
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 Zoning Variance to permit four (4) off-street parking spaces in lieu of the required forty-two (42) spaces.

HOWARD J. NEEDLES, Esquire
102 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21284

RE: Petition for Zoning Variance
Intersection 3rd/2nd Election District and 2nd/3rd Conciliamatic District
(1000 Reisterstown Road); 3rd Election District; 2nd Conciliamatic District
Case No. 86-229-A Paul Goodman - Petitioner

Dear Mr. Needles:

This is to advise you that \$2315 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 WILL 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 111, County Office Building, Towson, Maryland 21284, before the hearing.

Sincerely,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

cc: Puffins, Inc.
4100 Colonial Road
Pikeville, Maryland 21209
Attn: Donald Green

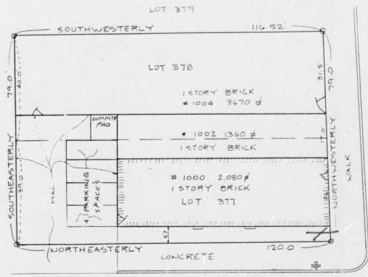
Being the property of Paul Goodman as shown on plot plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said 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.

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

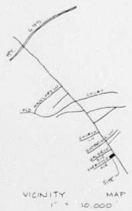
cc: Howard J. Needles
102 W. Pennsylvania Avenue, Towson, Maryland 21284

Puffins, Inc.
4100 Donald Green
4100 Colonial Road, Pikeville, Maryland 21209





SHERWOOD AVENUE
50' R/W



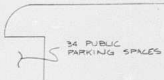
REISTERSTOWN ROAD
60' R/W

PARKING TABULATION

Building Use	Sq. Ft.	Req. Parking	Zoning Status
#1004 Retail	3670	19	Nonconforming
#1002 Retail	1360	7	Nonconforming
#1000 Proposed Restaurant	2080	42	Building being applied for

TOTAL SPACES REQUIRED 42
 TOTAL SPACES SUPPLIED 4
 VARIANCE REQUESTED 38

Note: All property shown on this plat is zoned RL-2MS



NTT ASSOCIATES, INC.
 16205 Old Frederick Rd.
 Mt. Airy, MD 21771
 (301) 442-2031

I. Segin
 Plat Of
 1000 Reisterstown Road &
 Lots 377 & 378
 Plat of Ralston Annex
 Plat Book JWS #1 Part 2-276
 3rd Election District
 Baltimore County, Maryland
 Scale 1"=20' Date 10/28/87

PLATTONER'S EXHIBIT 1

