

IN RE: PETITION FOR ZONING VARIANCE
SW/S North Point Blvd., 1600'
E of Eastern Avenue
(801 North Point Boulevard)
12th Election District
7th Councilmanic District
ABGLO Associates
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-402-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit 102 parking spaces in lieu of the required 109 spaces for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners, ABGLO Associates, Legal Owner, and Sizzler Restaurants International, Inc., Tenant, were represented by Nancy E. Paige, Esquire. Also appearing and testifying on behalf of Sizzler Restaurants International, Inc. were Paul D. Ashburn, Jr., Project Manager, Dennis Farrell, Store Manager and Michael Saenz, District Manager.

Testimony indicated that the subject property, known as 801 North Point Boulevard, consists of 49,613.36 sq.ft. more or less zoned B.L.-C.S.A., and is improved with a one-story building which is the site of a Sizzler Restaurant. Petitioners propose expanding the existing facility with a 942 sq.ft. addition. As a result of the proposed expansion, the property must be brought into compliance with County building and zoning regulations, including, but not limited to, providing adequate parking. Currently, the site provides 58 parking spaces; however, the proposed addition, which will provide an additional seating capacity for 20 persons, coupled with the existing facility will result in a parking requirement of 109 spaces. Testimony indicated that under the proposed

plans, only 102 parking spaces will be provided. Petitioners argued that the 102 spaces will be more than adequate to serve the restaurant.

Testimony presented by Mr. Farrell indicated that part of the proposed addition will be used for upgrading the existing restroom facilities and expanding the salad bar. Mr. Farrell testified that the additional 44 parking spaces for the 20 seats proposed will be more than adequate to serve the site. He indicated that even during peak days and times, there has never been a parking problem. In Mr. Farrell's opinion the proposed addition will be a benefit to the community as the external changes set forth in Petitioner's Exhibit 2 will be made to further enhance the site.

An area variance may be granted where strict application of the zoning regulations 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).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R.

and would not result in substantial detriment 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 for Baltimore County this 26th day of April, 1989 that the Petition for Zoning Variance to permit 102 parking spaces in lieu of the required 109 spaces for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall landscape the property in compliance with the Baltimore County Landscaping Manual and at a minimum as set forth in Petitioner's Exhibit 3. Petitioner shall submit a landscaping plan for approval by the Baltimore County Landscape Planner within thirty (30) days of the date of this Order. A copy of the approved landscaping plan shall be submitted to this office for inclusion in the case file.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Town, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

April 26, 1989

Nancy E. Paige, Esquire
233 E. Redwood Street
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SW/S North Point Boulevard, 1600' E of Eastern Avenue
(801 North Point Boulevard)
12th Election District - 7th Councilmanic District
ABGLO Associates - Petitioners
Case No. 89-402-A

Dear Ms. Paige:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. Paul D. Ashburn, Jr.
Sizzler Restaurants International, Inc.
5103 Duke Street, Alexandria, Virginia 22304

People's Counsel

File

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 described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 109.6 to permit 102 parking spaces instead of the required 109 spaces.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)

A 942 square foot addition to an existing Sizzler Restaurant is proposed. This addition requires less than 20 additional spaces. However, as part of the renovation, 42 new spaces will be provided, thus greatly enhancing the parking ratio for the restaurant. There is no room on the site to create the 7 additional spaces required by the regulations.

Property is 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 are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Tenant:
Sizzler Restaurants International, Inc.
BY: (Type or Print Name)
Signature Paul D. Ashburn, Jr., Project Manager
5103 Duke Street
Address
Alexandria, Virginia 22304
City and State

Legal Owner(s):
ABGLO Associates, Inc.
BY: (Type or Print Name)
Signature Jane R. Abrams, Partner
218 Pomona Square
Address
Baltimore, Maryland 21208
City and State

Attorney for Petitioner:
Nancy E. Paige
BY: (Type or Print Name)
Signature
233 E. Redwood Street
Address
Baltimore, Maryland 21202
City and State

Attorney's Telephone No.: 430.11.576-4294

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of April, 1989, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of April, 1989, at 10 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

BEGINNING for the same on the Southwest side of North Point Boulevard, 150 feet wide, at a point in and distant 158.04 feet South 70 degrees 12 minutes 57 seconds East from the beginning of the first or South 64 degrees 36 minutes 10 seconds East 270.50 foot line of the seventh tract of land described in a deed dated June 20, 1955 and recorded among the Land Records of Baltimore County in Liber G.L.B. 22720 folio 274 etc., was conveyed by Eastpoint, Inc. to The Moffett Realty Company, and thence binding on the said Southwest side of North Point Boulevard and running with and binding on part of said first line and running with and binding on part of the first or South 64 degrees 36 minutes 10 seconds East 200.00 foot line of the sixth tract of land described in said deed East 200.00 foot line of the said sixth tract, thence running South 70 degrees 12 minutes 57 seconds East 228.00 feet, thence running for lines of division through part of the said sixth tract and through part of the fifth tract of land described in said deed the four following courses and distances:

1. South 25 degrees 12 minutes 57 seconds East 32.53 feet,
2. South 19 degrees 47 minutes 03 seconds West 121.00 feet,
3. North 70 degrees 12 minutes 57 seconds West 118.85 feet and
4. South 21 degrees 18 minutes 15 seconds West 179.85 feet to

the Northeast side of Old North Point Road and to intersect the eleventh or North 65 degrees 22 minutes 40 seconds West 128.24 foot line of the said fifth tract of land described in said deed, thence binding on the said Northeast side of Old North Point Road and running with and binding on part of said eleventh line and running with and binding on the fifth or North 65 degrees 18 minutes 40 seconds West 49.83 foot line of the said seventh tract of land described in said deed the two following courses and distances:

1. North 70 degrees 50 minutes 45 seconds West 20.12 feet and
2. North 70 degrees 46 minutes 15 seconds West 49.83 feet, thence running with and binding on the sixth and part of the seventh lines of the said seventh tract of land described in said deed the two following courses and distances:

1. North 21 degrees 18 minutes 15 seconds East 174.23 feet and
2. North 70 degrees 12 minutes 07 seconds West 62.00 feet, thence for a line of division through the said seventh tract of land described in said deed North 19 degrees 47 minutes 03 seconds East 150.31 feet to the place of beginning.

CONTAINING 1.122 Acres of land more or less.
SUBJECT, however, to a 12.5 foot and 10.00 foot wide sanitary sewer easement as shown on Baltimore County Bureau of Land Acquisition Right of Way Drawing No. 65-210.

SUBJECT, also, to a 30 foot wide Right of Way for a Service Drive and described as follows:

BEGINNING for the same at the end of the third or South 19 degree 47 minutes 03 seconds West 121.00 foot line of the herein described tract of land and running with and binding on the fourth line and a prolongation of land and running with and binding on the fifth line described in said deed North 70 degrees 12 minutes 57 seconds West 251.00 Northwestly thereof North 70 degrees 12 minutes 57 seconds East of land at a point distant 6.31 feet North 19 degrees 47 minutes 03 seconds East from the beginning thereof, thence running with and binding on part of said tenth or last line North 19 degrees 47 minutes 03 seconds East 30.00 feet, thence South 70 degrees 12 minutes 57 seconds East 247.36 feet and Southeastly by a line curving to the East with a radius of 24.00 feet for a distance of 3.66 feet (the chord of said arc being South 74 degrees 34 minutes 43 seconds East 3.65 feet) to intersect the said third line of the herein described tract of land, thence running with and binding on part of said third line South 19 degrees 47 minutes 03 seconds West 30.2 feet to the place of beginning.

CONTAINING 0.173 Acres of land more or less.

Schedule A
(40-004)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Nancy E. Paige	233 E. Redwood St. Baltimore 21202
Paul D. Ashburn Jr.	5103 Duke Street Alexandria, VA 22304
Jane R. Abrams	218 Pomona Square Baltimore, MD 21208
Michael J. Jorgensen	197 ACORN RD. ANNAPOLIS, MD. 21403

Case # 89-402-A
Item # 298
Re: Abglo Associates

The Petitioner requests a variance to permit 102 parking spaces in lieu of the required 109 spaces in order to construct an addition to an existing restaurant. In reference to this request, staff provides the following comments:

This office supports the requested variance, particularly in view of the fact that they are providing parking to reduce an existing deficiency.

A landscape plan must be submitted for approval prior to the issuance of any building permits. Any landscaping to be done along the North Point Boulevard frontage should be in accordance with the North Point Boulevard Corridor Plan. Add a note on the plan which says that Any landscaping placed within the street right of way shall be maintained by the property owner.

The existing concrete sidewalk should be extended across the entire frontage of North Point Boulevard.

The Petitioner requests a variance to permit 102 parking spaces in lieu of the required 109 spaces in order to construct an addition to an existing restaurant. In reference to this request, staff provides the following comments:

This office supports the requested variance, particularly in view of the fact that they are providing parking to reduce an existing deficiency.

A landscape plan must be submitted for approval prior to the issuance of any building permits. Any landscaping to be done along the North Point Boulevard frontage should be in accordance with the North Point Boulevard Corridor Plan. Add a note on the plan which says that Any landscaping placed within the street right of way shall be maintained by the property owner.

The existing concrete sidewalk should be extended across the entire frontage.

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 17, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 16, 1989

THE JEFFERSONIAN,

S. Zebe Olson

Publisher

PO 10813
reg # 27083
price \$39.40

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:

Case Number: 89-402-A
SUS North Point Blvd., 1600' E Eastern Avenue
801 North Point Blvd.
12th Election District
7th Councilmanic District
Legal Owner: ABGLD Associates
Petitioner(s)/Tenant: Sizzler Restaurants International, Inc.
Hearing Date: Wednesday, April 12, 1989 at 10:00 a.m.

Variance to permit 102 parking spaces instead of the required 109 spaces.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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 in writing and received in the office of the Zoning Commission prior to the date of the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

March 16, 1989

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. - Case #89-402-A - P.O. #10807 - Reg. #M27082 - 90 lines & \$45.00 inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for 1 week, the first publication appearing on March 16, 1989; that is to say, the same was inserted in the issues of March 16, 1989

Kimbel Publication, Inc.
per Publisher.

By K.C. Dicks

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 3/21/89



Dennis F. Rasmussen
County Executive

Sizzler Restaurants International, Inc.
5103 Duke Street
Alexandria, Virginia 22304

ATTN: PAUL D. ASHLEY, JR.

Re: Petition for Zoning Variance
CASE NUMBER: 89-402-A
SUS North Point Blvd., 1600' E Eastern Avenue
801 North Point Blvd.
12th Election District - 7th Councilmanic
Legal Owner: ABGLD Associates
Petitioner(s)/Tenant: Sizzler Restaurants International, Inc.

Gentlemen:
Please be advised that \$99.40 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

March 1, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines,

The Bureau of Traffic Engineering has no comments for items number 290, 297, 298, 209, 310, 311, 315, 317, 319, 320, 321, & 323.

Baltimore County
Fire Department
Towson, Maryland 21204-2386
494-4500

Paul H. Reincke
Chief

February 14, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: ABGLD Associates
Location: SWS North Point Boulevard
801 North Point Boulevard
Item No.: 298
Zoning Agenda: Meeting of February 7, 1989

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals 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.
- (x) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: John Kelly 24547
Planning Division
Special Inspection Division

NOTED & APPROVED: Chris J. Brady
Fire Prevention Bureau

NOTICE OF HEARING

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

March 6, 1989



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-402-A
SUS North Point Blvd., 1600' E Eastern Avenue
801 North Point Blvd.
12th Election District - 7th Councilmanic
Legal Owner: ABGLD Associates
Petitioner(s)/Tenant: Sizzler Restaurants International, Inc.
HEARING SCHEDULED: WEDNESDAY, APRIL 12, 1989 at 10:00 a.m.
Variance to permit 102 parking spaces instead of the required 109 spaces.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: ABGLD Associates
Sizzler Restaurants International, Inc.
Nancy E. Paige, Esq.
File

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

3/6/89
Date

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

Zoning Item # 298, Zoning Advisory Committee Meeting of February 7, 1989

Property Owner: ABGLD Associates District: 12

Location: 301 North Point Blvd Sewage Disposal: metre

Water Supply: metre

COMMENTS ARE AS FOLLOWS:

- () 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, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other generation or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler equipment 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 appendages pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () 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 Material 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 the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Prior to razing of existing structure(s), petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () 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 Water and Sewer 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 portability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a hydrogeological study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3990.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others

John Kelly
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 21, 1989

Nancy E. Paige, Esquire
233 E. Redwood Street
Baltimore, MD 21202

RE: Item No. 298, Case No. 89-402-A
Petitioner: Jane R. Abrams, et al
Petition for Zoning Variance

Dear Ms. Paige:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

February 22, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. James Dyer

Re: Baltimore County
Sizzler Restaurant
International
Zoning Meeting of 2-7-89
W/S North Point Blvd.
(MD 151) 1600 East of
Eastern Avenue
(Item #298)

Dear Mr. Haines:

After reviewing the submittal for a variance to permit 102 parking spaces instead of the required 109 spaces, we find the plan acceptable.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

Gregory J. Mills, Jr.
Gregory J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

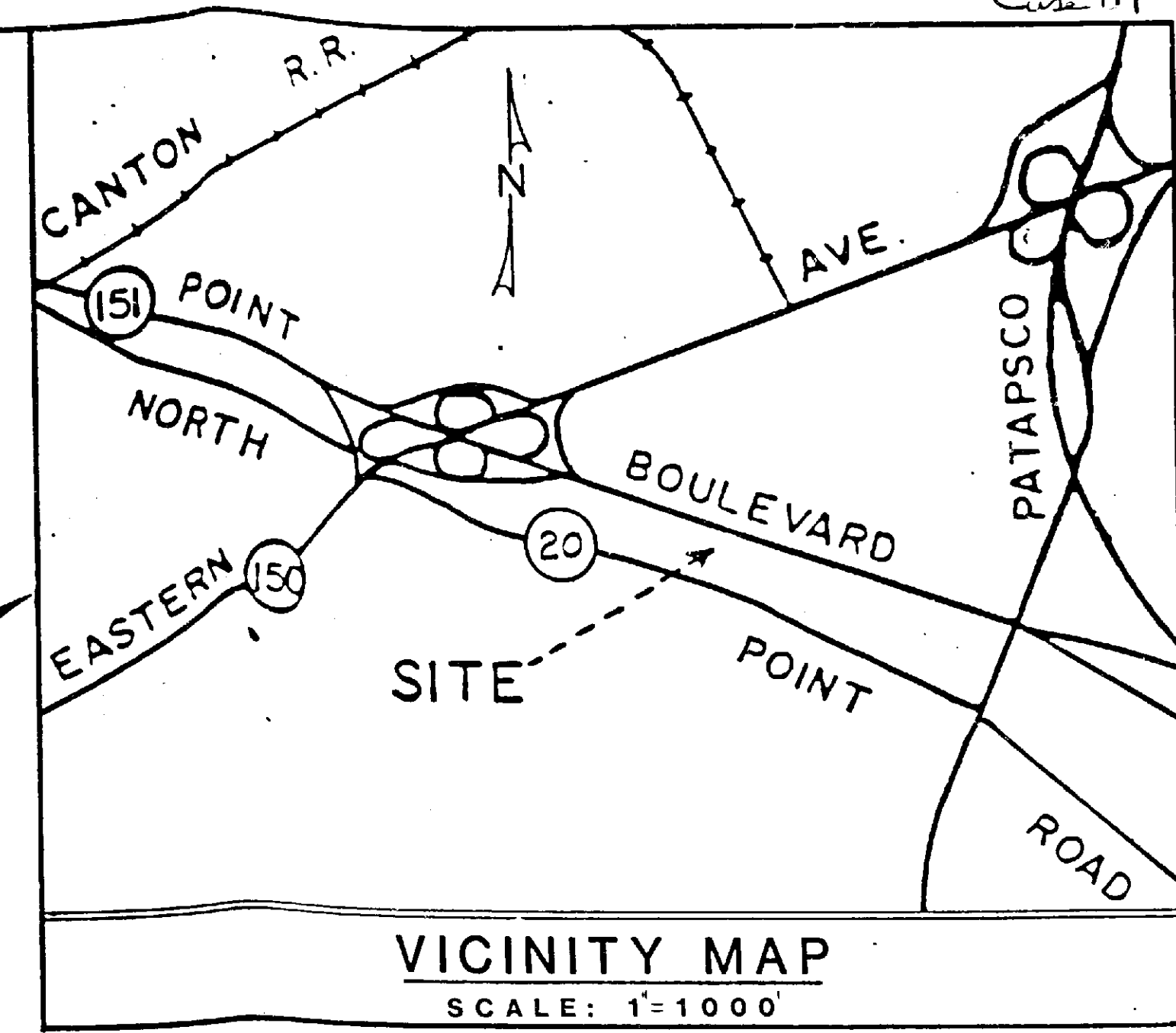
LB:maw

cc: Gridco, Inc.
Mr. J. Ogle

RECEIVED
FEB 27 1989
ZONING OFFICE

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 563-6451 D.C. Metro - 1-800-482-5083 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

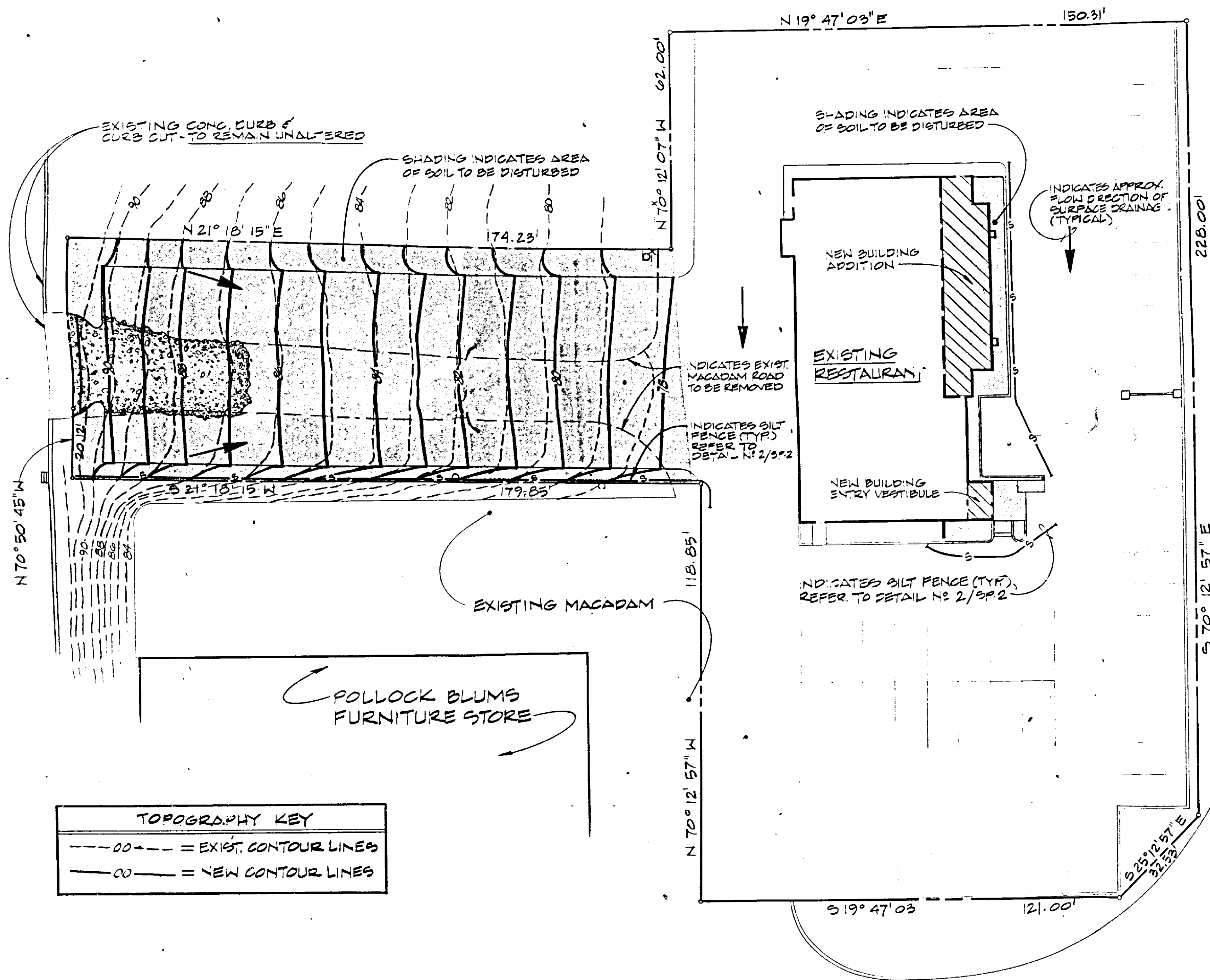


NOTE:
THIS INFO WAS PREPARED FROM INFO TAKEN FROM
REPORTS PREPARED BY KENT JAY, PORTER ASSOCIATES
FBI WFOE MO 6-11-84
REVISED: JAN 20, 1989



N/F PROPERTY OF
MOFFETT REALITY COMPANY
2720/277
ZONED BL-CSA

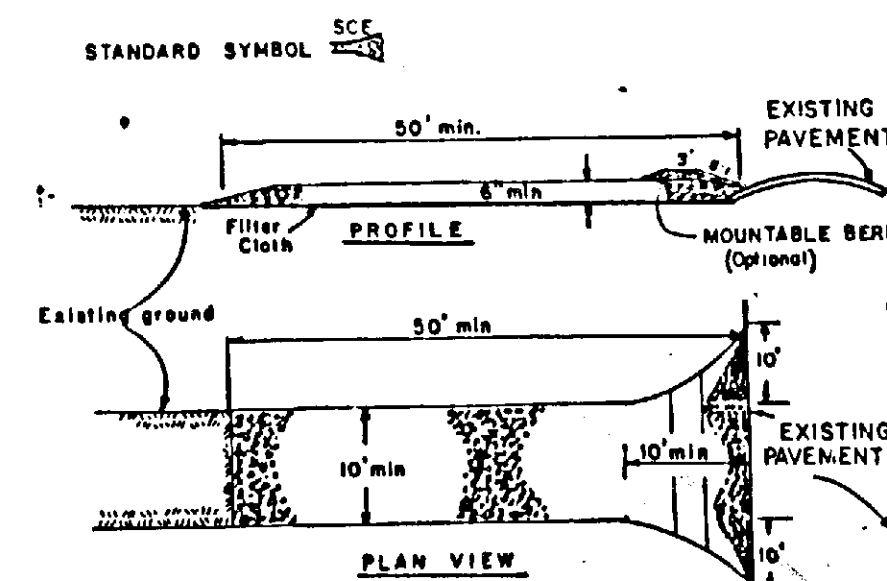
OLD NORTH POINT ROAD



SEDIMENT CONTROL PLAN

SCALE: 1" = 20'

NORTH POINT BLVD.



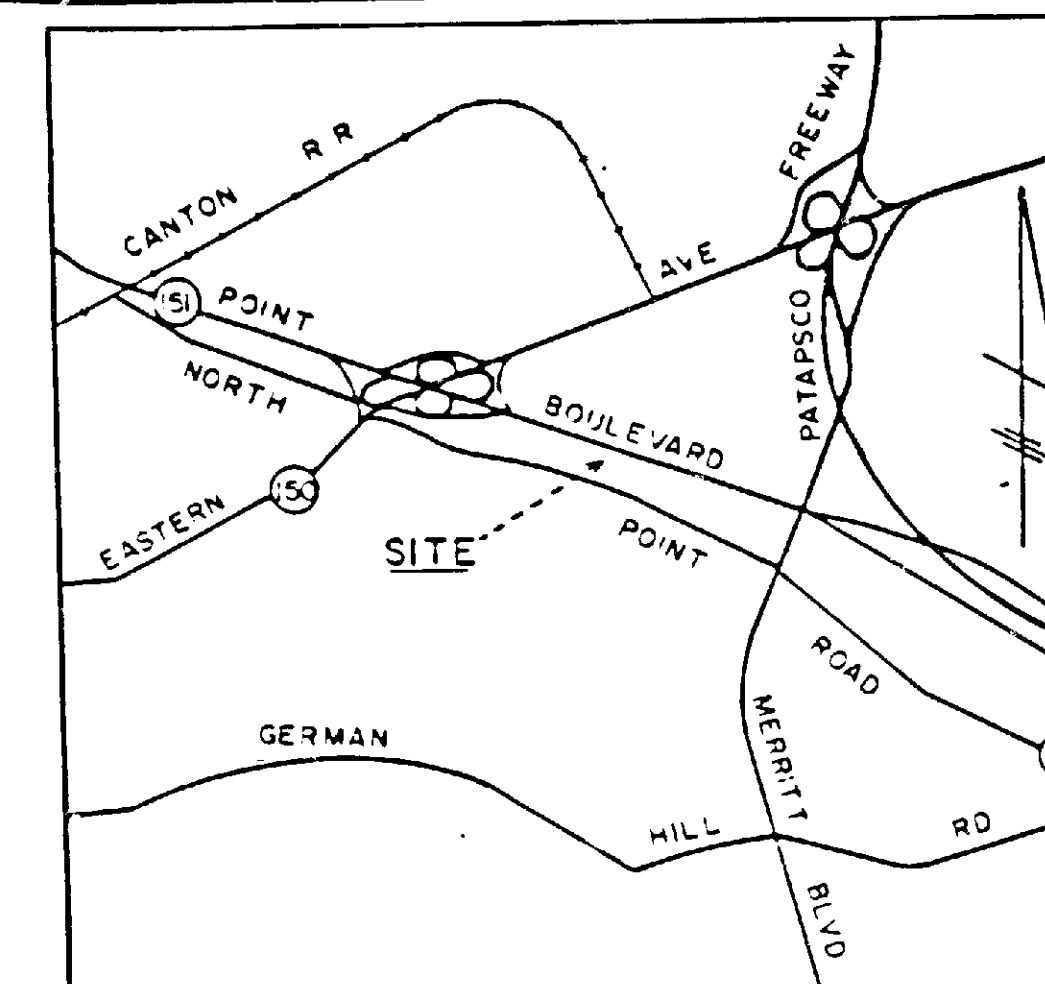
- CONSTRUCTION SPECIFICATIONS**
- Stone Size - Use 3" stone, or reclaimed or recycled concrete equivalent.
 - Length - As required, but not less than 50 feet (except on a single residential lot where a 30 foot minimum length would apply).
 - Thickness - Not less than six (6) inches.
 - Width - Ten (10) foot minimum, but not less than the full width at points where ingress or egress occurs.
 - Filter Cloth - Will be placed over the entire area prior to placing of stone. Filter will not be required on a single family residence lot.
 - Surface Water - All surface water flowing or diverted toward construction entrances shall be piped across the entrance. If piping is impractical, a mountable berm with six slopes will be permitted.
 - Maintenance - The entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanup of any measure used to trap sediment. All sediment spilled, dropped, washed or tracked onto public rights-of-way must be removed immediately.
 - Washing - Wheels shall be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with stone and which drains into an approved sediment trapping device.
 - Periodic inspection and needed maintenance shall be provided after each rain.

1 STABILIZED CONST. ENTRANCE

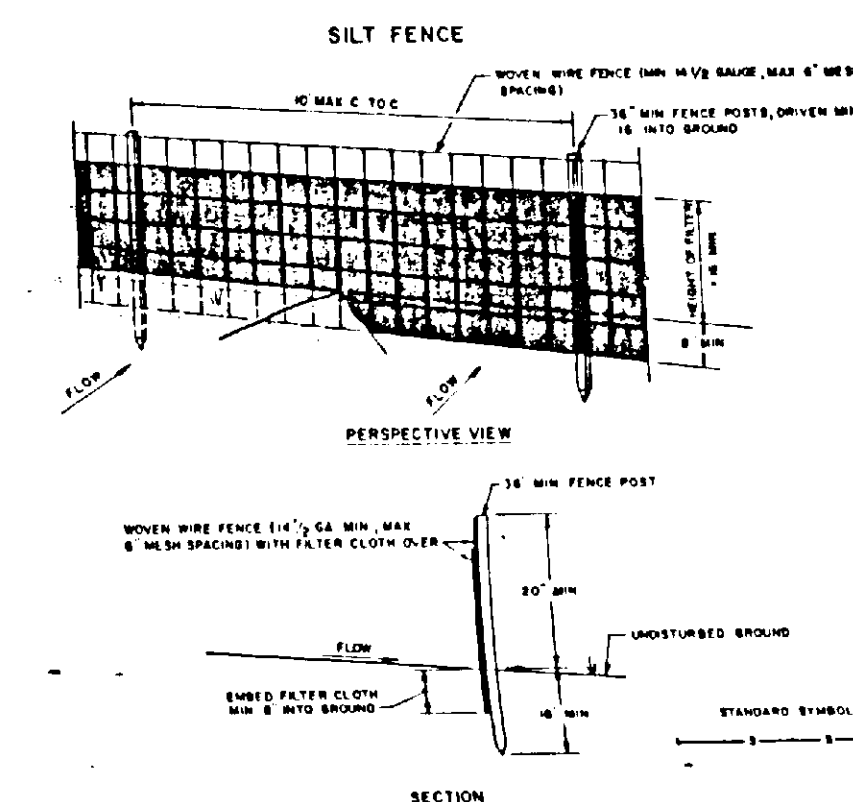
SP2 NOT TO SCALE

SEDIMENT CONTROL NOTES

- All sediment control measures to be adjusted to meet field conditions at the time of construction and be constructed prior to any grading or disturbance of existing surface material.
- Periodic inspection and maintenance of all sediment control structures must be provided to insure intended purpose is accomplished.
- Contractor installing the above shall obtain and follow the Standards and Specifications for Soil Erosion in Developing Areas.
- All disturbed areas will be stabilized immediately following final grading in accordance with USDA-SCS-ND Standards and Specifications for Critical Area Stabilization as found in Standards and Specifications for Soil Erosion in Developing Areas for permanent seedings (Sec.51) and permanent sodding (Sec. 54).
- All points of construction ingress and egress will be protected to prevent tracking of mud onto public ways.
- All areas disturbed but not the site of active construction after 14 days shall be stabilized immediately in accordance with USDA-SCS-ND Standards and Specifications for Soil Erosion in Developing Areas for Temporary seedings (Sec. 50).
- Following initial soil disturbance or redistribution, permanent or temporary stabilization shall be completed within:
 - (a) Seven calendar days as to the surface of all perimeter concrete, ditches, swales, ditches, perimeter slopes, and all slopes greater than 3 horizontal to 1 vertical (3:1) and
 - (b) Fourteen days as to all other disturbed or graded areas on the project site.
 - (c) Maintenance shall be performed as necessary to ensure that the stabilized areas continuously meet the appropriate requirements of the "Current Maryland Standards and Specifications for Soil Erosion and Sediment Control."
- The sediment control inspector has the option of requiring additional sediment control measures, including traps.
- All proposed sediment control measures are temporary measures unless specified otherwise on the plans.
- Prevent all sediment from entering any constructed storm drainage structure by providing standard inlet protection.



VICINITY MAP
SCALE 1" = 2000'



- CONSTRUCTION NOTES FOR FABRICATED SILT FENCE**
- When wire fence is to be fastened securely to fence posts with wire ties or staples.
 - Filter cloth to be fastened securely to fence posts with wire ties or staples.
 - When two sections of filter cloth are joined, the joint shall be overlapped by six inches and folded.
 - Maintenance shall be performed as needed and material removed when needed to develop in the silt fence.
- POSTS:** STEEL EIGHT (8) OR TEN (10) TYPE OR 2" WOODEN
FENCE: WIRE FENCE, 12 GA. 6' MAX. PEST DENTING
FILTER CLOTH: FILTER X, PERMANENTLY STAPLED TO POSTS OR APPROVED EQUAL
PREFABRICATED UNIT: GEOTEX, EQUIVALENT, OR APPROVED EQUAL

2 SILT FENCE DETAIL

SP2 NOT TO SCALE

GRADING SCHEDULE

- ALL SEDIMENT CONTROL MEASURES SHALL BE DONE IN ACCORDANCE WITH THE MOST RECENT "STANDARDS & SPECIFICATIONS" FOR SOIL EROSION & SEDIMENT CONTROL FOR THE STATE OF MARYLAND 1983.
- INSTALL ALL UNDERGROUND UTILITIES.
- CONSTRUCT CONCRETE CURBS, ISLANDS, WALKS, ETC., AND RELOCATE SILT FENCE.
- INSTALL PAVING.
- FINE GRADE AND LANDSCAPE SITE.
- REMOVE REMAINING SEDIMENT CONTROL DEVICES & STABILIZE ANY REMAINING DISTURBED AREAS.

GENERAL NOTES

- SPECIFICATION FOR PAVEMENT OF PARKING AREAS AS FOLLOWS: SIX INCHES OF CONCRETE, SIX INCHES OF BITUMINOUS CONCRETE OR SIX INCHES OF COMPACTED GRAVEL AND TWO INCHES OF BITUMINOUS CONCRETE.
- FOR MORE SITE/LANDSCAPING INFORMATION REFER TO DWG. #SP-1 (WHICH IS TO BE USED IN CONJUNCTION WITH THIS PLAN).

PROJECT TITLE
SIZZLER RESTAURANT ADDITION
501 NORTH POINT BLVD.
BALTIMORE, MD.

DRAWING TITLE
SEDIMENT CONTROL PLAN

SEAL

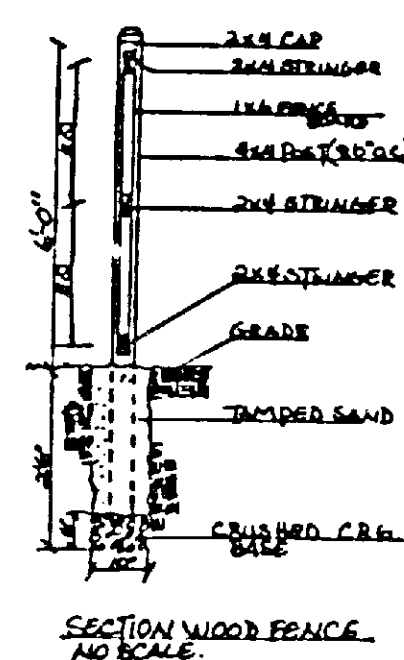
DRAWING NUMBER

SP-2

2007 CARLTON RD. WEST
LAW CENTER, LA 70017
(504) 581-1111

GRIDCO
ASSOC.
INC.

ENGINEERS
ARCHITECTS
CONSTRUCTION MANAGERS



Signature of Applicant _____ Date _____

LANDSCAPE PLAN NOV. 14 1988
SCALE 1"=20' DESIGNER MADY ELLEN PARKER

GRIECO
ASSOC. INC.
• ARCHITECTS • ENGINEERS • CONSULTANTS

SIZER RESIDENTIAL ADDITION
801 NORTH POINT BLVD
BALTIMORE, MD

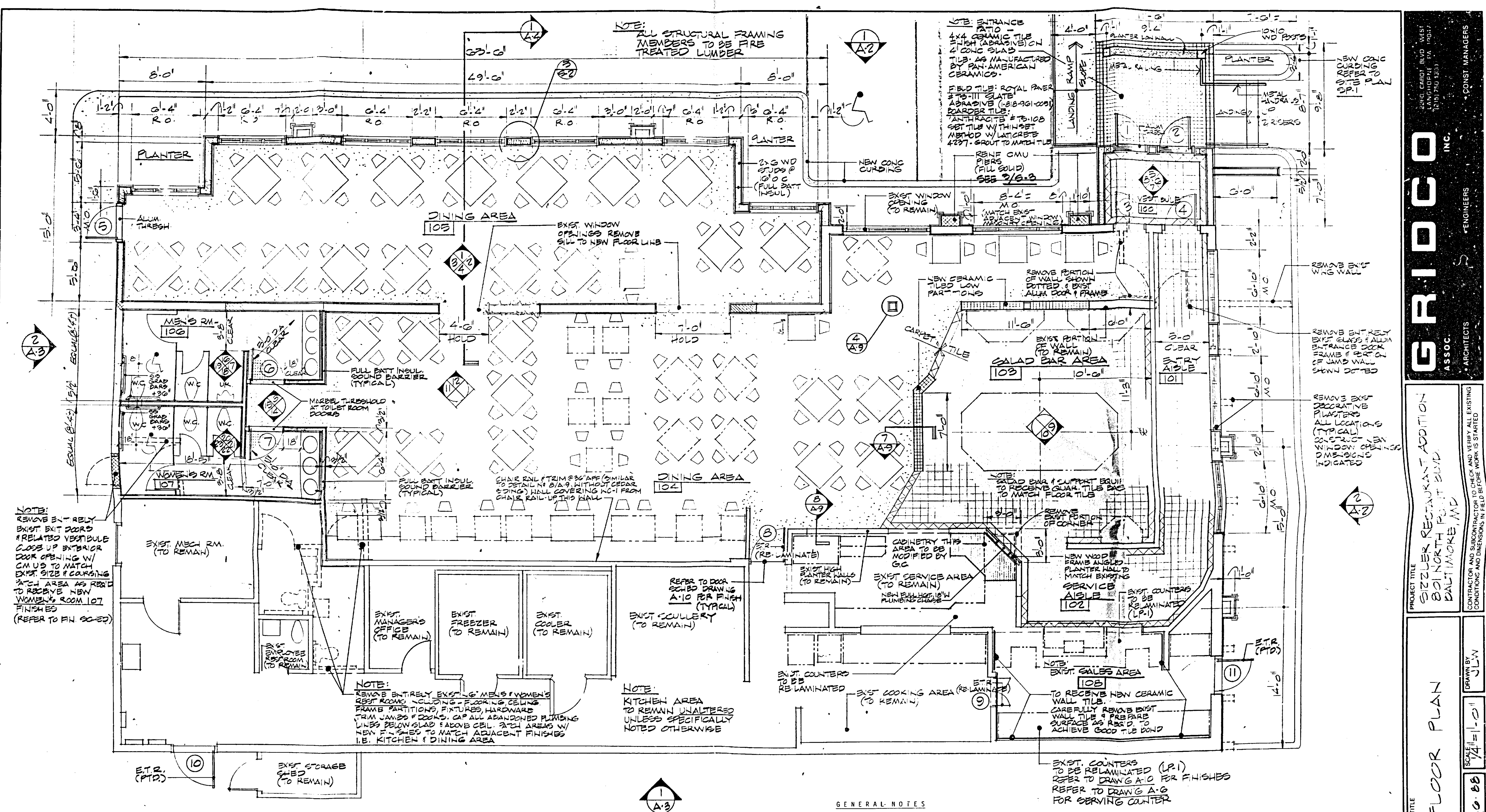
LANDSCAPE PLAN

M.D.

201

38 72.0

LP.1



NOTE: REMOVE ENTIRELY EXIST. EXIT DOORS & RELATED VESTIBULE CLOSE UP EXTERIOR DOOR OPENING W/ CM US TO MATCH EXIST. SIZE & COURSE PATCH AREA AS REQ'D TO RECEIVE NEW WOMEN'S ROOM 107 FINISHES (REFER TO FIN. SCHEDULE)

NOTE: REMOVE ENTIRELY EXIST. MEN'S & WOMEN'S REST ROOMS, INCLUDING FLOORING, CEILING, FRAME PARTITIONS, FIXTURES, HARDWARE, TRIM, JAMBES & DOORS. CAP ALL ABANDONED PLUMBING LINES BELOW GLASS ABOVE CEIL. PATCH AREAS W/ NEW F.L. SHEET TO MATCH ADJACENT FINISHES I.E. KITCHEN & DINING AREA

NOTE: KITCHEN AREA TO REMAIN UNALTERED UNLESS SPECIFICALLY NOTED OTHERWISE

FLOOR PLAN
SCALE: 1/4" = 1'-0"

GENERAL NOTES

1. GENERAL CONTRACTOR (G.C.) SHALL VISIT THE SITE AND INSPECT THE EXISTING BUILDING & CONDITIONS PRIOR TO CONSTRUCTION. ANY DISCREPANCIES OR CONDITIONS THAT DIFFER FROM WHAT IS SHOWN ON THE DRAWINGS MUST BE REPORTED TO THE OWNER AND ARCHITECT/ENGINEER BEFORE ANY WORK BEGINS.
2. ALL EXISTING CARPET TO BE REMOVED AND CONCRETE SLAB PREPARED TO RECEIVE NEW CARPET.
3. ALL EXISTING QUARRY TILE IN ENTRANCE VESTIBULE, 1ST L & SALAD BAR AREA IS TO BE REMOVED.
4. EXISTING PUBLIC TOILET ROOMS TO BE REMOVED AS INDICATED ON DRAWING A-1.
5. EXISTING EXIT VESTIBULE TO BE REMOVED AS INDICATED ON DRAWING A-1.
6. EXISTING HANDICAPPED RAMPS AND CONCRETE ENTRANCE PAD TO BE REMOVED.
7. EXISTING WINDOWS TO BE REMOVED AND NEW MASONRY OPENINGS PROVIDED AS INDICATED ON DRAWING A-1.
8. THE G.C. SHALL PROVIDE ALL NECESSARY SHORING & BRACING FOR THE ROOF STRUCTURAL SYSTEM TO ENSURE COMPLETE STRUCTURAL INTEGRITY AND SAFETY PRIOR TO REMOVING ANY BEARING WALLS OR PORTIONS THEREOF.
9. ALL NEW INTERIOR WOOD TRIM TO BE CONSTRUCTED OF CLEAR FIR OR POPLAR.

SEATING ANALYSIS

EXISTING (22) PARTIES OF 2'S = 44 SEATS
(27) PARTIES OF 4'S = 108 SEATS
TOTAL EXIST. SEATING = 152 SEATS

SEATING LOSS DUE TO ENLARGED SALAD BAR AREA = 10
SEATING LOSS DUE TO ENLARGED TOILET ROOMS = 24

SUB TOTAL = 112 SEATS

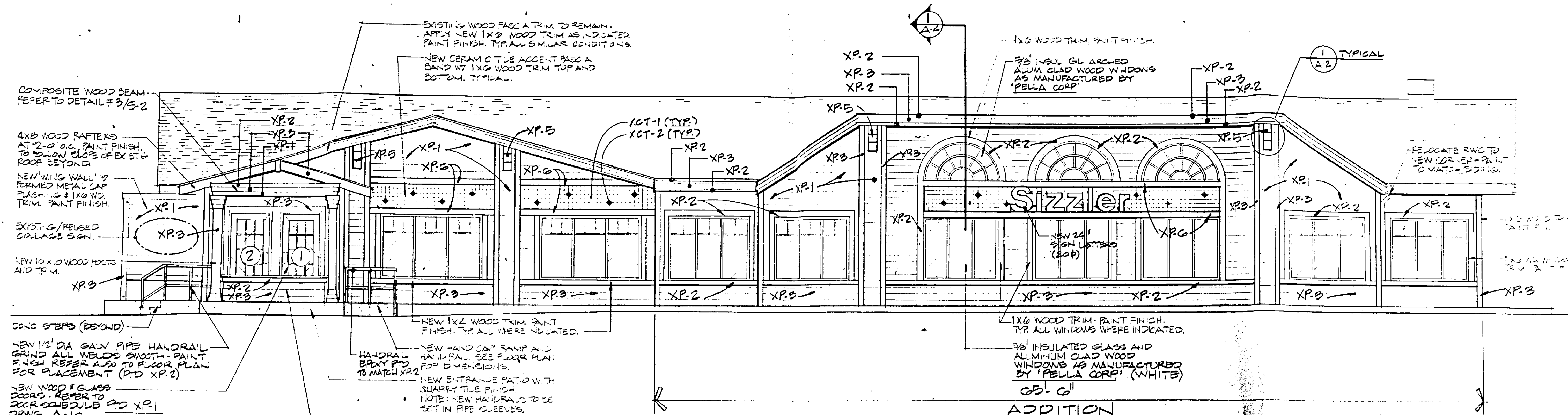
SEATING GAIN DUE TO BUILDING ADDITION & REVISED LAYOUT = 60 SEATS
TOTAL SEATING = 172 SEATS

PROJECT TITLE
**SIZZLER RESTAURANT ADDITION
801 NORTH POINT BLVD.
BALTIMORE, MD**

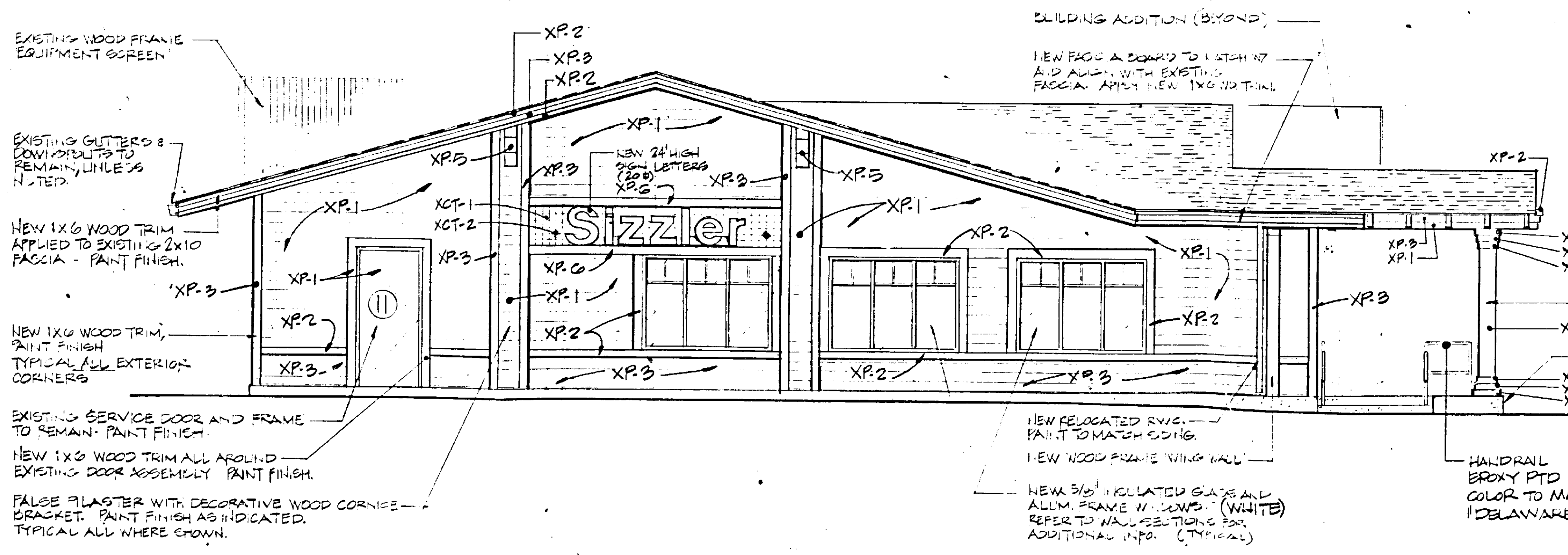
DRAWING TITLE
FLOOR PLAN

DATE: 10.20.88
SCALE: 1/4" = 1'-0"
DRAWN BY: J.L.W.
SEAL: [Signature]
DRAWING NUMBER: **A.1**

GRIDCOO INC.
ASSOC. ARCHITECTS
ENGINEERS
CONST. MANAGERS
2240 CAMOT BLVD. WEST
LANGFORD, PA 15057
(717) 750-1231

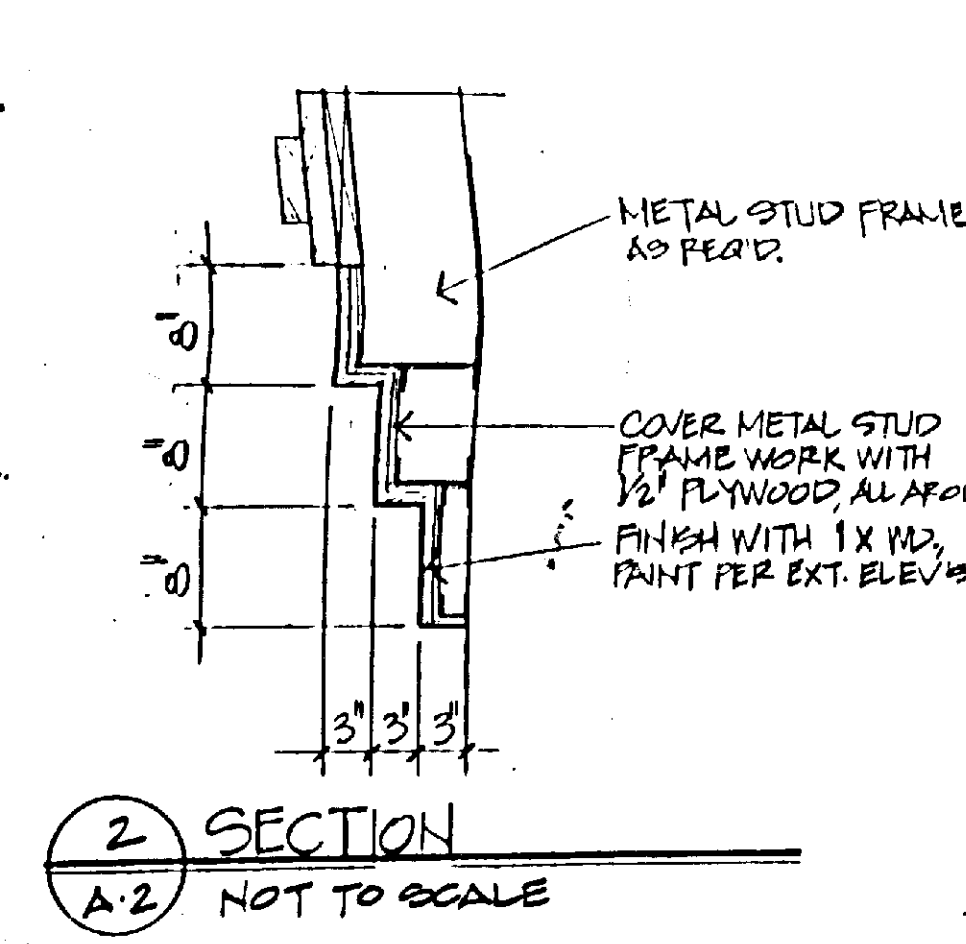
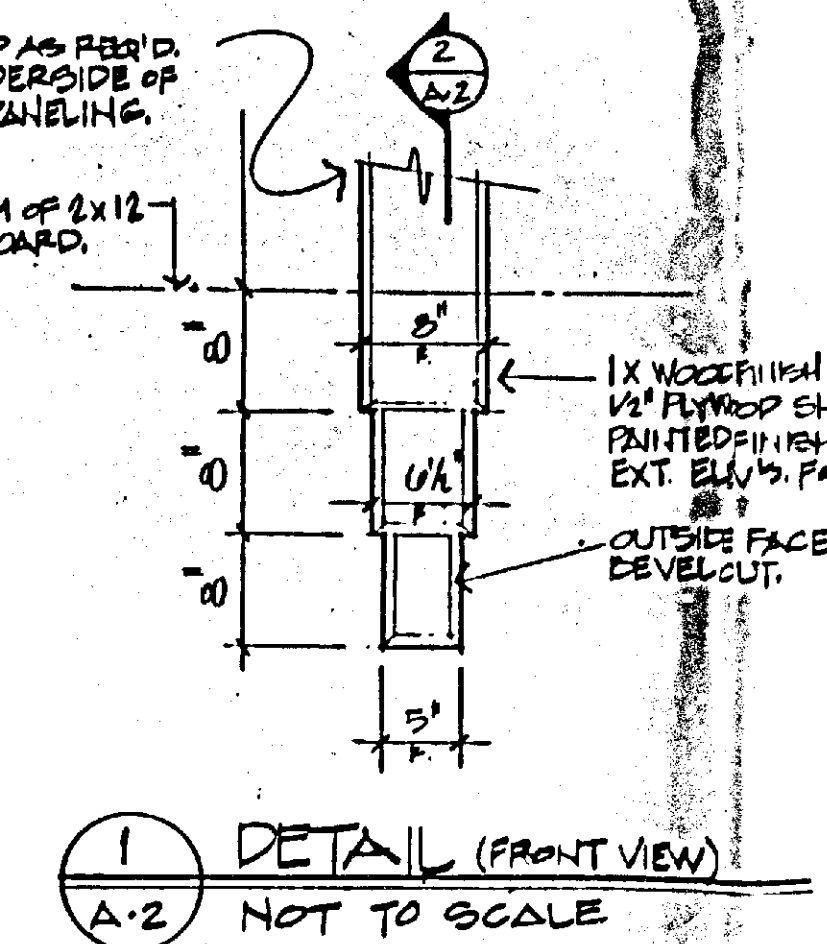


1 FRONT ELEVATION
A-2 SCALE: 1/4" = 1'-0"



EXTERIOR TILE SCHEDULE

XCT-1	CUSTOM EXTERIOR PEACH 4" X 4"	BARBARA BEALL STUDIO 20309 GRAMERCY PLACE TORRANCE, CA 90501 213/618-8878
XCT-2	CUSTOM EXTERIOR DARK PEACH 2" X 2" - KEY	BARBARA BEALL STUDIO
XCT-3	GROUT - #180 SANDSTONE	CUSTOM BUILDING PRODUCTS



NOTE:
ALL WINDOWS AS MANUFACTURED BY PELLA CORP

EXTERIOR PAINT FINISH SCHEDULE

CODE	DESCRIPTION	COLOR	NO.
XP.1	DECE PAINT * LOUISVILLE, KY. *	CHAMPAGNE BUBBLE	2H25P
XP.2	"	DELAWARE	1D24C
XP.3	"	CAMEO TAUPES	1H47F
XP.4	"	TAUPES	1H49F
XP.5	"	TURK	2M48D
XP.6	"	BALSM BEGE	2M48E

* DEVOS & RAYNOLDS CO.
DIV. OF GROW GROUP INC.
LOUISVILLE, KENTUCKY

PETITIONER'S
EXHIBIT 2

GRIDCOO INC. ASSOC. ARCHITECTS ENGINEERS

PROJECT TITLE: SIZZLER RESTAURANT ADDITION
801 NORTH POLE BLVD
BALTIMORE, MD.

CONTRACTOR AND SUBCONTRACTOR TO CHECK AND VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD BEFORE WORK IS STARTED

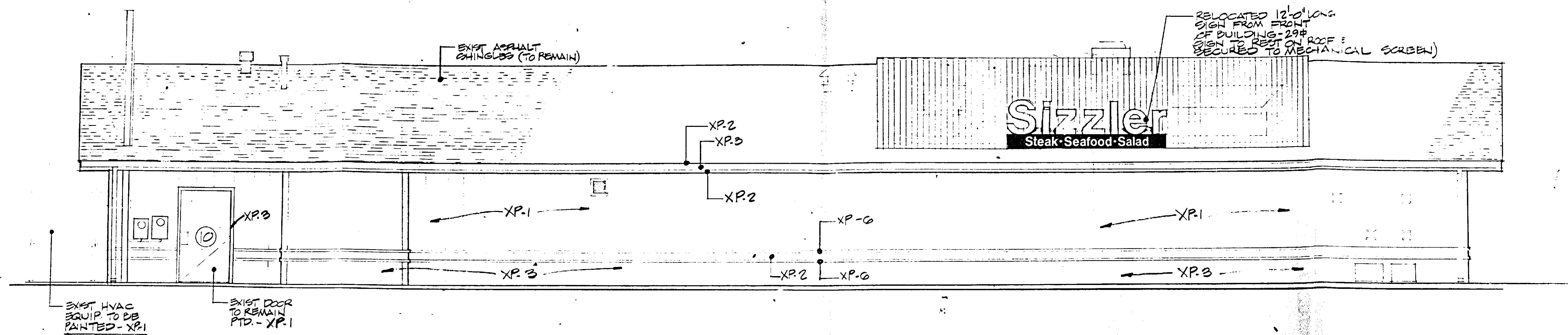
DRAWING NUMBER: A-2

DATE: 10.26.88

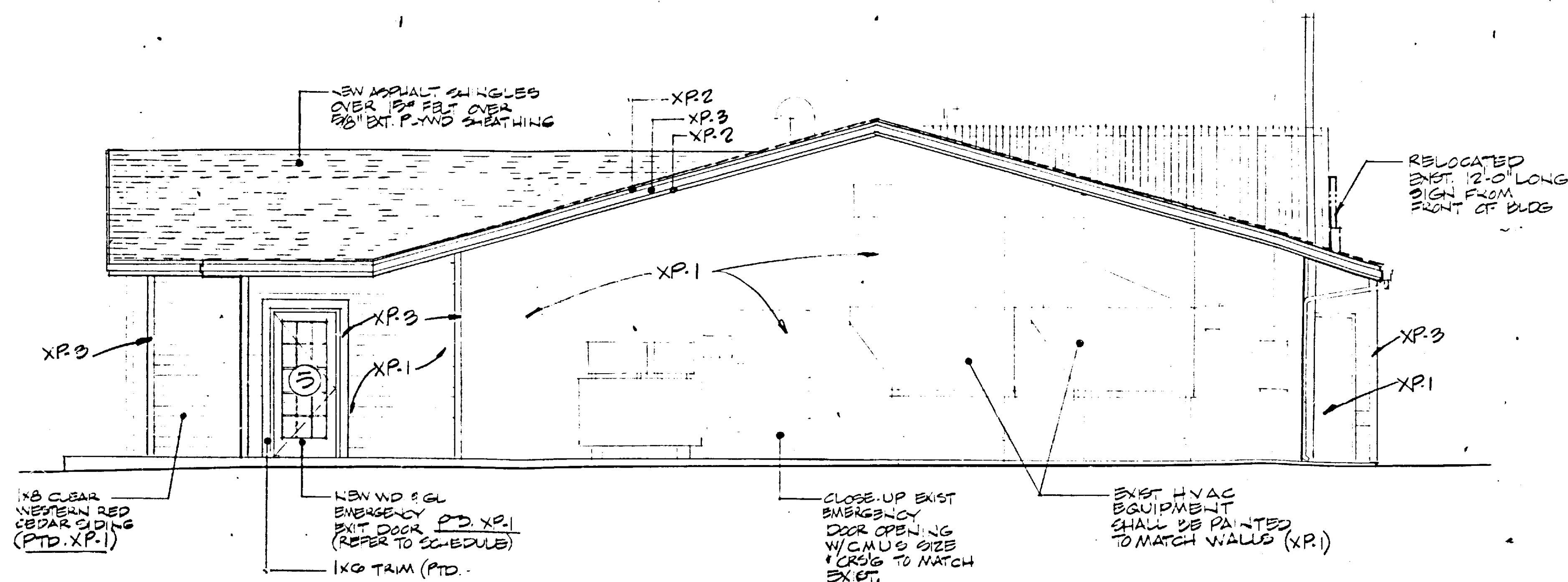
SCALE: 1/4" = 1'-0"

DRAWN BY: E.D.

SEAL: [Signature]



1 REAR ELEVATION
A.3 SCALE: 1/4" = 1'-0"



2 RIGHT SIDE ELEVATION
A.3 SCALE: 1/4" = 1'-0"

PROJECT TITLE
SIZZLER RESTAURANT ADDITION
801 NORTH POINT BLVD
BALTIMORE, MD

DRAWING TITLE
EXTERIOR ELEVATIONS

SEAL

DRAWING NUMBER

A.3

CONTRACTOR AND SUBCONTRACTOR TO CHECK AND VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN FIELD BEFORE WORK IS STARTED

DRAWN BY
E

SCALE
1/4" = 1'-0"

DATE
10.20.88

GRIDCO
ASSOC.
INC.

ARCHITECTS

ENGINEERS

CONST. MANAGERS