

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Reisterstown Rd., 280 ft. * ZONING COMMISSIONER
N of Church Lane * OF BALTIMORE COUNTY
1326, 1328, 1330 Reisterstown Rd *
3rd Election District *
2nd Councilmanic District *
Rikir (Alley Shop Shopping Cen.) * Case Nos. 93-189-A
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property on which are situated the Alley Shops in the center of Pikesville. The Petition is filed by the property owner, Rikir, a business entity. The Petition seeks relief from Section 409.12.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a modified parking plan that allocates 60 spaces to the existing commercial uses and 53 spaces to the proposed restaurant use, all as more particularly shown on the site plan marked as Petitioner's Exhibit No. 1. Also requested is a variance from Section 232.B.4 of the B.C.Z.R. to permit an amenity open space ratio of .0 in lieu of the required .1.

Appearing at the public hearing in support of the Petition was Lawrence C. Rief, a representative of the business entity, Rikir, which owns the property. Also appearing in support of the Petition was Mickey Cornelius of The Traffic Group and David Martin, the Landscape Architect, who prepared the plan. The Petitioner was represented by Robert A. Hoffman, Esquire. Appearing as interested persons were several area merchants who operate their businesses near the site. These included Stephen Zimmerman, Keith A. Oliver and Kenneth Mazer. Also appearing was Sidney Friedman, who submitted a letter on behalf of the Pikesville Chamber of Commerce.

Testimony and evidence presented was that the subject site is 1.539 acres and is split zoned B.L. and B.L.-C.T. As indicated above, it is located in the heart of the Pikesville commercial district and is adjacent to Reisterstown Road. The site features a number of commercial establishments known as The Alley Shops which are well known to the businessmen and patrons of the Pikesville commercial center.

The Petitioner proposes to install an Italian restaurant (Strapazza) in leasable space which was formerly occupied by a bank. The restaurant is at the northeast corner of the site immediately abutting Reisterstown Road. The total area of the restaurant use will be 4,640 sq. ft. It is believed by the property owner that the installation of this restaurant will provide a much needed infusion of a business activity and will benefit other shops on the property and the businesses nearby.

However, due to the installation of this restaurant, the necessary parking requirements for the shopping center, pursuant to Section 409 of the B.C.Z.R., need be recalculated. As is shown on the site plan, 113 parking spaces will be provided in lieu of the 162 mandated by the regulations. In view of this numerical shortage, the subject parking variance is requested.

The proffered testimony from both Mr. Rief and Mr. Cornelius, the property owner's traffic expert, was that the parking provided would be sufficient to accommodate the existing retail uses and proposed restaurant. It was noted that the parking lot is currently under-utilized and frequently many of the spaces thereon are vacant. Further, the businesses which occupy the site will be compatible from a time usage standpoint. That is, the peak hours of business for the restaurant will not conflict with the peak hours for the other retail businesses on site. For these

reasons, the Petitioner avers that 113 spaces provided will be sufficient to accommodate all of the uses on site. Further, the Petitioner and his expert witness note that a denial of the variance requested would cause significant practical difficulty on the property. Specifically, the site is limited by its size and configuration. Particularly, it is to be noted that the parking regulations require that all spaces and parking aisles must be of specific width and area. Due to these regulations, only a limited number of parking rows can be installed in this significantly sized rear lot on the west side of the property. Also, due to the unusual "T" shape of the property, further spaces cannot be provided.

The neighboring businessmen and the witness from the Chamber of Commerce indicated that they are generally supportive of the Petition for so long as certain restrictions are incorporated. These restrictions are geared to improve conditions for patrons of the center and prevent traffic congestion both on site and in the downtown Pikesville area. For these reasons, several restrictions will be imposed as more fully set forth in the Order below.

In addition to the testimony and evidence produced at the hearing, the Petition has been subject to review by the Zoning Plans Advisory Committee. A number of comments have been received relating to the Petition. The Office of Planning and Zoning endorses the project, noting that the Alley Shops are within the Pikesville Revitalization Area of the Reisterstown Road corridor. Further, both the State Highway Administration and the Baltimore County Bureau of Traffic Engineering offered comments regarding suggested improvements to the traffic flow pattern. These comments will also be incorporated as restrictions within this Order.

In addition to the parking variance, the Petitioner has requested a variance from Section 232.B.4 of the B.C.Z.R. as it relates to amenity open space ratio. The relevant regulations require an amenity open space ratio of .1 and the plan provides a .0 ratio. As was noted by the Petitioner, this shopping center has been in existence since 1955 and the variance as to the amenity open space requirements is sought only to legitimize existing conditions. It would clearly cause practical difficulty for the Petitioner to reconfigure the existing Center to comply with the amenity open space regulations.

As with any variance, the Petitioner must show that practical difficulty will result if the variance is not granted. The practical difficulty test is set forth in Section 307 of the B.C.Z.R. and has been comprehensively discussed by the appellate courts of this State in McClean v. Soley, 270 Md. 208, (1973) and Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, the use of this property, as proposed, will not be contrary to the spirit of the B.C.Z.R., and will not result in any injury to the public good. The history of the use of this property, as well as the site constraints, presented by the configuration of the lot, constitute those special circumstances or conditions which justify the granting of the variances. Clearly, strict compliance with the relevant terms of the B.C.Z.R. would unduly restrict the use of this property. For these reasons, the Petition for Variance shall be granted, with restrictions.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 25th day of January, 1993, that a variance from Section 409.12.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a modified parking plan that allocates 60 spaces to the existing commercial uses and 53 spaces to the proposed restaurant use, as more particularly described on Petitioner's Exhibit No. 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 232.B.4 of the B.C.Z.R. to permit an amenity open space ratio of .0, in lieu of the required .1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall install adequate lighting on all parking areas to promote the safety and convenience of its patrons. Further existing lighting shall be rebulbed with energy efficient high lumens bulbs to achieve a uniform lighting pattern.

3. The striping of the parking spaces provided shall be refurbished as necessary so that all spaces are clearly marked as shown on the site plan.

4. To encourage orderly traffic flow, the following improvements shall be required:

a. Appropriate signage shall be placed at the vehicular access point to the property from Reisterstown Road shown on the property as a 12 ft. wide driveway. This signage shall reflect parking availability for uses on the site, including the proposed restaurant. Said driveway shall be limited to a one-way traffic flow accommodating vehicles entering the site from

Reisterstown Road. No exit of vehicles from the site to Reisterstown Road shall be permitted.

b. Curb access control shall be installed at the entrance of the site from Bedford Avenue to clearly define the 30 ft. entrance way.

c. "One-way" and "Do Not Enter" signs shall be installed at the access point to the property from Church Lane. A one-way traffic pattern shall be established for vehicles exiting the site onto Church Lane for the parking lot on the south portion of the site.

d. "One-way" pavement markings and "Do Not Enter" signs shall be installed approximately 295 ft. towards the interior of the site from Bedford Avenue to accommodate the one-way traffic flow on the existing 12 ft. wide driveway.

5. Employee parking of the restaurant and other commercial uses shall be restricted to the western portion of the site and those parking spaces which adjoin Bedford Lane. It is the intent of this restriction to insure availability of interior spaces adjacent to the existing retail and commercial uses to patrons thereof.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 25, 1993

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 W. Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 93-189-A
Petition for Variance
Alley Shop Shopping Center - Rikir, Petitioner

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

att.

cc: Mr. Gabriel W. Rosenbush, Jr., Pikesville Chamber of Commerce
cc: Mr. Lawrence C. Rief, Agent for Rikir
cc: Mr. Stephen Zimmerman



Petition for Variance
to the Zoning Commissioner of Baltimore County

for the property located at 280' NW of intersection of Reisterstown Road and Church Lane
which is presently zoned BL-CT & BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. 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(s)

See Attached

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

To be determined at hearing.

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.

Correct Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zip Code

Attorney for Petitioner

Robert A. Hoffman, Esquire

(Type or Print Name)

Address

City

State

Zip Code

Phone No.

210 Allegheny Avenue

Towson, Maryland 21204

City

State

Zip Code

Phone No.

494-6200

Address

City

State

Zip Code

Phone No.

494-6200

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State

Zip Code

Phone No.

494-6200

93-189-A
The 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 409.12.B of the Baltimore County Zoning Regulations to permit a modified parking plan that allocates 60 spaces to the existing commercial uses and 53 spaces to the proposed restaurant use and such further variance relief as may be deemed necessary by the Zoning Commissioner to effectuate the modified parking plan; and, a Variance from Section 232.B.4 to permit an amenity open space ratio of .0 in lieu of the required .1.

GREENHORNE & O'MARA, INC.

196

93-189-A

ZONING DESCRIPTION FOR THE ALLEY SHOPS
1330, 1328, & 1326 REISTERSTOWN ROAD, PIKESVILLE, MARYLAND

Starting at a point on the Southwest side of Reisterstown Road approximately 280' from the intersection of Reisterstown Road and Church Lane along a course of North 28 degrees 2 minutes West to a Point of Beginning on the Southwest side of Reisterstown Road; thence North 28 degrees 2 minutes West 49.5', thence North 28 degrees 27 minutes West, 49.5', thence South 62 degrees 5 minutes West, 231.68', thence South 73 degrees 3 minutes West 142.86', thence North 16 degrees 57 minutes West, 14.32', thence South 73 degrees 3 minutes West, 288.57', thence South 16 degrees 57 minutes East, 80.0', thence North 73 degrees 3 minutes East, 290.07', thence North 73 degrees 3 minutes East ± 102' to a property corner of Henry Albert Jr. & Co., Inc. 86 Church Lane, Parcel 56, thence South 25 degrees 18 minutes East 252.64', thence North 73 degrees East, 50' thence North 28 degrees 10 minutes West 167', thence North 27 degrees 24 minutes West 87.58', thence North 73 degrees 3 minutes East, ± 5', thence South 27 degrees 38 minutes East ± 34' thence North 62 degrees 18 minutes East, 232.25' back to the Point of Beginning.

Being parcel 627, tax map 78, as recorded in the Land Records of Baltimore County, Liber 4383, Folio 380. Also known as 1330, 1328 & 1326 Reisterstown Road "The Alley Shops" and located in the 3rd election district.

Note: The above shall not be considered as a legal description of the subject property and is to be solely used as a zoning description for a variance request.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

93-189-A
District: 3rd
Posted for: Variance
Petitioner: Rikar
Location of property: 1330, 1328 & 1326 Reisterstown Rd., 280' N of Church Lane
Location of Sign: Facing 2nd Ave - 10' in sign box at front of property
Remarks:
Posted by: [Signature]
Number of Signs: 7
Date of Posting: 12/24/92
Date of return: 12/31/92

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/17, 1992
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 12/17, 1992.

THE JEFFERSONIAN,

S. Zate Orlin
Publisher

\$66.48

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6190

Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6190

Number

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 12/18/92
Rikar
17 W. Pennsylvania Avenue
Towson, Maryland 21204

RE:
CASE NUMBER: 93-189-A (Item 196)
4/S Reisterstown Road, 280' N of Church Lane
1326, 1328, and 1330 Reisterstown Road
Alley Shop Shopping Center
3rd Election District - 2nd Councilmanic
Petitioner(s): Rikar
HEARING: WEDNESDAY, JANUARY 13, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$66.48 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Carl John

ARNOLD JABLON
DIRECTOR

cc: Robert A. Hoffman, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

DEC 09 1992

(410) 887-3353

NOTICE OF HEARING

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-189-A (Item 196)
4/S Reisterstown Road, 280' N of Church Lane
1326, 1328, and 1330 Reisterstown Road
Alley Shop Shopping Center
3rd Election District - 2nd Councilmanic
Petitioner(s): Rikar
HEARING: WEDNESDAY, JANUARY 13, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit a modified parking plan that allocates 60 spaces to the existing commercial uses and 53 spaces to the proposed restaurant use and such further variance relief as may be deemed necessary by the Zoning Commissioner to effectuate the modified parking plan; and to permit an amenity open space ratio of .0 in lieu of the required .1.

Carl John

Arnold Jablon
Director

cc: Rikar
Robert A. Hoffman, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

December 31, 1992

(410) 887-3353

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 93-189-A, Item No. 196
Petitioner: Rikar
Petition for Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 3rd day of December 1992.

Carl John
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Rikar
Petitioner's Attorney: Robert A. Hoffman

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: [Signature] Date: 12/21/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Catherine L. Graham				
DED DEPRM RP STP TE			191	12-14-92 NC
✓ Richard C. and Nancy G. Powell				
DED DEPRM RP STP TE			192	NC
Huntington Development Corporation				
DED DEPRM RP STP TE			193	Comment
Nancy E. and David M. Paige				
DED DEPRM RP STP TE			194	Comment
✓ Albert J. and Marlene C. Riggio				
DED DEPRM RP STP TE			195	NC
✓ Rikar				
DED DEPRM RP STP TE			196	NC
✓ Benjamin J. and Judy B. Hassan				
DED DEPRM RP STP TE			197	NC
✓ Ronald and Shelley Seff				
DED DEPRM RP STP TE			198	NC

COUNT 8

Stonegate at Patapsco (Azeal Property)
90476
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

FINAL TOTALS
COUNT 9

*** END OF REPORT ***



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

December 14, 1992

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
MD 140
Item No: 4-196 (JLL)
Rikar Property

Dear Ms. Winiarski:

This office has reviewed the referenced item and we offer the following:

Although we realize the access labelled "existing 12' driveway" has been operational for several years, we want to go on record that it should be limited to one-way inbound traffic. A field inspection reveals there are no signs at the entrance to designate it as one-way. Additionally, "DO NOT ENTER" signs on site would also encourage one-way traffic flow.

We have no objection to the variance request subject to the aforementioned comments.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350 (Fax# 333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

93-189-A 1-13-93

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: December 22, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: The Alley Shop

INFORMATION:

Item Number: 196

Petitioner: Rikar

Property Size: 1.5 acres

Zoning: BL - CT and BL

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The petitioner is seeking a variance to permit a modified parking plan that allocates 60 spaces to the existing commercial uses and 53 spaces to the proposed restaurant and to permit an amenity open space ratio of 0 in lieu of the required .1.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's request.

The Alley Shops are located in the "Pikesville Revitalization" area of the Reisterstown Road corridor. The proposed restaurant will enhance the revitalization effort by occupying one of the vacant stores. The Planning Office's area planner made a site inspection and found that the current parking lot seems to be under-utilized. Also, many of the businesses in the Alley Shops close after 5:30 p.m. Restaurants generally anticipate their heaviest concentration of customers after 5:30 p.m.

Prepared by: *Francis Morley*

Division Chief:

PK/FH:rdn

196 ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: December 18, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 14, 1992

ITEM NUMBER: 196

- 1) One-way pavement markings and "DO NOT ENTER" signs must be installed approximately 295 feet in from Bedford Avenue.
- 2) Curb and gutter access control must be provided on Bedford Avenue to define a 10 ft. entrance.
- 3) "ONE WAY" and "DO NOT ENTER" signs must be installed on the access to Church Lane.
- 4) The proposed restaurant will increase the usage of the existing parking facilities. Our agency strongly recommends the above mentioned safety improvements.

RJF/WKL/lvd

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

Rec'd 12/21/92

93-189-A 12/13/92

Development Review Committee Resource Management 12/18/92
Authorized signature *John Contestabile* Date 12-21-92

Project Name Waiver Number Zoning Issue Meeting Date

Albert J. And Marlene C. Riggio 195 12-14-92

DED DEPRM RP STP TE No comments

Rikar

DED DEPRM RP STP TE No comments

Benjamin J. and Judy B. Hassan 197

DED DEPRM RP STP TE In process

Ronald and Shelley Seff

DED DEPRM RP STP TE In process

198

COUNT 8

Breakneck Silver Hill, Inc.

DEPRM RP 180 12-7-92

Satyr Limited Partnership In process

DEPRM RP STP 184 In process

Timothy L. and Meredith L. Scott No comments

DEPRM RP 186

Frank and Joan Eck

DEPRM RP STP 187 In process

Federal Realty Investment Trust

DEPRM RP STP 188 In process

Beatriz M. and Enrique R. Clausen

DEPRM RP 189 Written comments

Shirley A. and Ronda J. Swab

DEPRM RP STP 190 In process

PLEASE PRINT CLEARLY

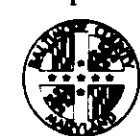
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Sub. Jablon</i>	<i>210 Alhambra</i>
<i>LAURENCE G. REIF</i>	<i>17 WEST REISTERSTOWN RD. - TOWSON</i>
<i>MICKEY CORNELIUS</i>	<i>40 W CHESAPEAKE AVE SUITE 600 TOWSON</i>
<i>DAVID MARTIN</i>	<i>112 WEST RANDOLPH ST. TOWSON</i>

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Stephen Zimmerman</i>	<i>1344 Reisterstown Rd 21208</i>
<i>John A. Reif</i>	<i>1340 Reisterstown Rd 21208</i>
<i>Karl M.</i>	<i>1348 Reisterstown Rd 21208</i>

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

DECEMBER 15, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RIKAR

Location: ALLEY SHOP SHOPPING CENTER

Item No.: 196(JLL) Zoning Agenda: DECEMBER 14, 1992

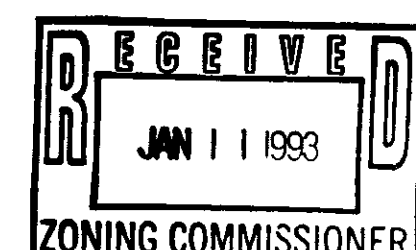
Gentlemen:

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

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

REVIEWER: *Carl J. Reif*
Planning Group
Special Inspection Division

JP/KEK



January 8, 1993

Mr. Lawrence E. Schmidt
Zoning Commissioner
Suite 113, Courthouse
400 Washington Ave.
Towson, Maryland 21204

Re: Case 93-189 A
Alley Shops Parking Variance
Owner: Rikar

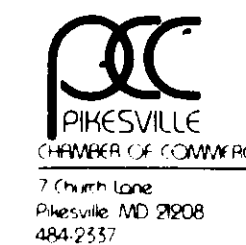
Dear Mr. Schmidt:

The Zoning Committee of the Pikesville Chamber of Commerce met on 12-22-92 with Mr. Lawrence Reif of Rikar Corp. to review the above mentioned variance petition.

We have examined his request for a variance of 11 parking spaces in order to satisfy the requirements of the proposed Strapazza Restaurant. Our committee has made a physical inspection of the Alley Shop Complex with regards to existing tenants and their parking requirements.

The Chamber of Commerce will support a variance for 11 cars subject to the following covenants, which we hope would be incorporated into your order.

- 1) New lights on all the parking areas.
- 2) Rebulbing of all existing fixtures with energy efficient high lumen bulbs.
- 3) Restriping entire parking lot.
- 4) New identification signs directing customers as to traffic flow and parking areas.
- 5) Stipulating in new lease for this restaurant that all employees park off main parking lot. Further enforcing clauses in existing leases that employees of those tenants also park off main parking lot.
- 6) Install rain entrance to the new restaurant on the South side of the leased building facing the driveway.
- 7) Relocate existing planters to North side of driveway in order to protect new entrance to restaurant.
- 8) Property owner enter into an agreement to lease off site parking for either public or private facilities in the event it is adjudged that parking provided as per plan submitted is inadequate to meet the actual needs of the entire complex.



Page 2
Case 93-189 A
Alley Shops Parking Variance
Owner: Rikar

We feel that our recommendations are in the best interest of this project and should help to insure the success of the restaurant and not adversely impact the already insufficient parking facilities in Pikesville.

Very truly yours,

Gabriel W. Roenbush Jr.
Gabriel W. Roenbush Jr.
Chairman Zoning Committee

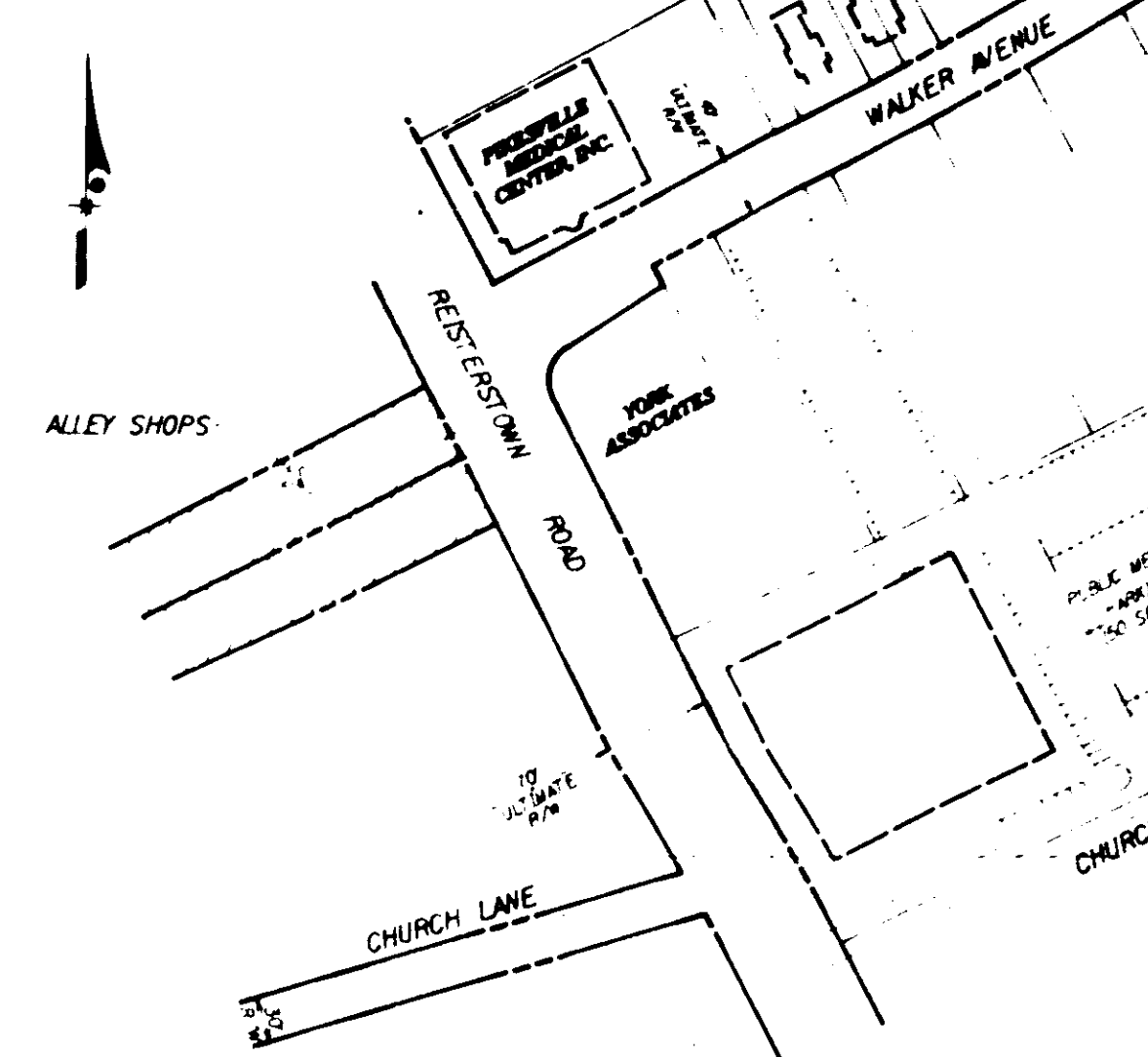
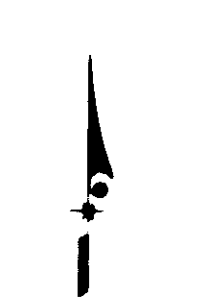
gwr/asf
cc: Lawrence Reif, Rikar

Rec 12/16/92



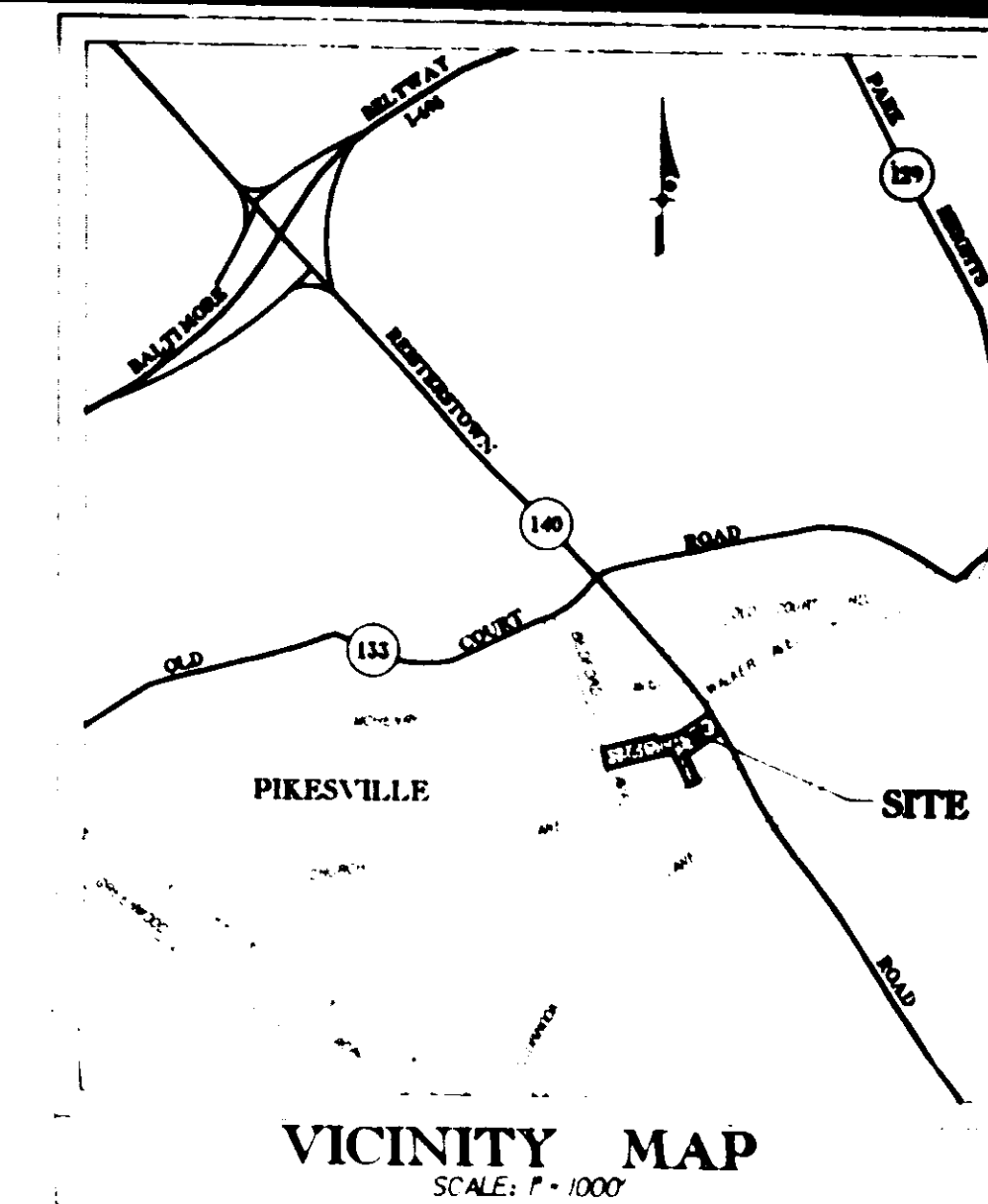
Printed on Recycled Paper

OFFSITE SUPPLEMENTAL
PARKING LOCATION PLAN
SCALE 1"=100'



Alley Shops Tenant / Use Tabulation

Sharon Savings / retail	3,235 s.f.
Custom Monogram / retail & manufacturing	3,200 s.f.
Galley Restaurant	1,440 s.f.
Diet Workshop / office	1,160 s.f.
Travel Go Round / office	1,130 s.f.
Hector Tailoring / office	816 s.f.
Ritchell Jewelry Repair / office	1,000 s.f.
Kamanita, Unfelder (dead storage)	500 s.f.
Clean Team / office	0 s.f.
Autoservice / office	400 s.f.
C.P. Services / office	400 s.f.
Management / office	275 s.f.
Proposed Restaurant	175 s.f.
Retail / vacant	4,640 s.f.
Office / vacant	1,775 s.f.
Office / vacant	350 s.f.
Office / vacant	850 s.f.



LOCATION INFORMATION:

COUNCILMANIC DISTRICT: 2ND.
ELECTION DISTRICT: 3RD.
ZONING: BL-CT - Q537 Ac.
BL - 1.002 Ac.

PARKING ALLOCATED TO THE PROPOSED RESTAURANT USE - 536 SPACES
PARKING ALLOCATED TO THE EXISTING ALLEY SHOP TENNANTS - 60 SPACES
TOTAL PARKING EXISTING ON SITE - 113 SPACES

VARIANCE REQUEST LIST

- SECTION 409.12.B - BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT A MODIFIED PARKING PLAN THAT ALLOCATES 60 PARKING SPACES TO THE EXISTING COMMERCIAL USES AND 53 PARKING SPACES TO THE PROPOSED RESTAURANT, AND SUCH FURTHER VARIANCE RELIEF AS DEEMED NECESSARY BY THE ZONING COMMISSIONER TO EFFECTUATE THE MODIFIED PARKING PLAN.
- SECTION 232.B.4 - REQUEST A REDUCTION OF THE MINIMUM PERMITTED AMENITY OPEN SPACE RATIO OF 0.1 TO 0.0

ZONING NOTE:

THE ENTIRE ALLEY SHOP COMMERCIAL CENTER WAS APPROVED AND CONSTRUCTED PRIOR TO 1955 AS VERIFIED BY THE BALTIMORE COUNTY TAX ASSESSMENT OFFICE

ALLEY SHOPS
PARKING VARIANCE PLAN

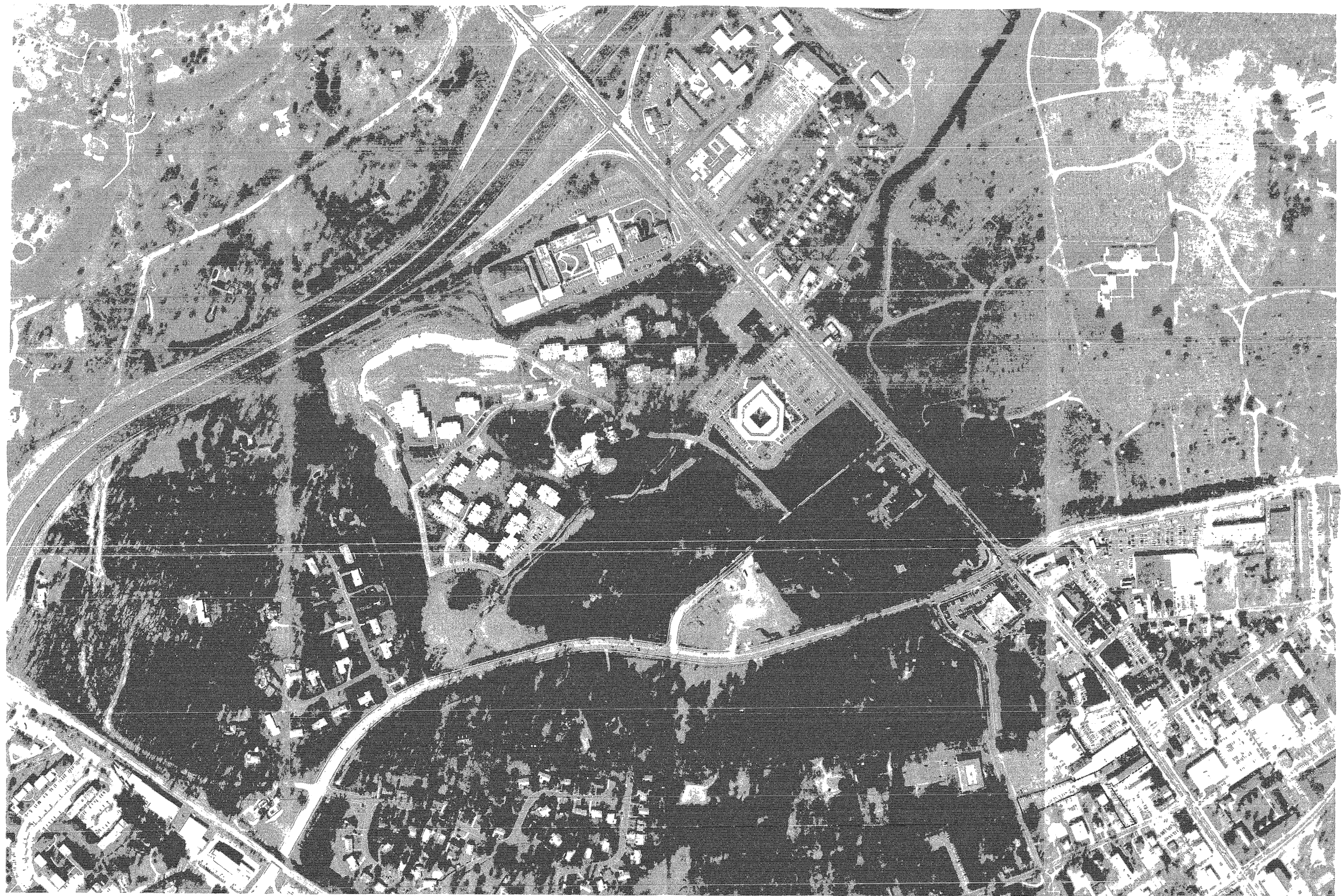
OWEN PIKER
OO LAWRENCE REEF
17 W. PENNSYLVANIA AVENUE
TOWSON, MD. 21204

PETITIONER'S
EXHIBIT No. 1

PREPARED BY: GREENHORNE & O'MARA, INC. PLANNING /LANDSCAPE ARCHITECTURE
113 WEST ROAD, SUITE 208
BALTIMORE, MD. 21204

DATE: 11-25-92

SUBJECT PROPERTY IS ACTUALLY COMPOSED OF THREE (3) PARCELS
PROPERTY DIMENSIONS TAKEN FROM REAL ESTATE DATA, INC. - RECD MAPS - 1991
THIS PLAN WAS PREPARED FROM PROPERTY DEEDS, AND LOCATION SURVEYS PREPARED BY WILLIAM H. LEE, LAND SURVEYOR AND HAS BEEN UTILIZED AT THE DIRECTION OF THE CLIENT.



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PETITIONER'S
EXHIBIT No 2

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

BUMBARTON
PIKEVILLE

SHEET

N.W.
8-F

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

MICROFILM



P-SE
P-NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
B.C. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
PIKESVILLE

SHEET
N. W.
8-F

196
93-89-A