



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 10, 1999

Ms. Pamela Taber
Kaufman and Canoles
700 Pavilion Center
P.O. Box 626
Virginia Beach, VA 23451

Dear Ms. Taber:

RE: Zoning Verification, 7911 Eastern Avenue, 15th Election District

The subject property is zoned B.M.-C.T. (Major Business - Center Town). The use of the property in that zone for restaurant is allowed by right. However, because it is part of a large shopping center complex, it was part of an overall variance hearing that was required in order for the Golden Coral to be built, (Case #93-429-SPHXA and 94-197-A). I have enclosed a copy of the hearing and subsequent appeal and amendment. The variance was granted.

To the best of our knowledge, there are no outstanding violations on the property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Alexander".

John R. Alexander
Planner II
Zoning Review

JRA:kew



Census 2000



For You, For Baltimore County



Census 2000



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on Recycled Paper

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 24, 1997

Ms. Barbara Ormord
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, MD 21285-5517

RE: Zoning Verification
7800 Eastern Avenue
Eastpoint Mall
15th Election District

Dear Ms. Ormord:

Your letter of July 17, 1997 has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, the following has been determined.

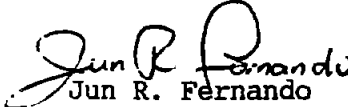
The property known as Eastpoint Mall located at 7800 Eastern Avenue is currently zoned B.M.-C.T. (Business, Major - Commercial, town-center core). The use of the property as a retail shopping center is permitted as a matter of right in the B.M.-C.T. zone.

This property was the subject of zoning hearings, case numbers 4641-X, 73-292-A, 91-199-SPHA, and 93-429-SPHXA. Provided that the property has been improved in accordance with the requirements and restrictions of the above zoning hearing plans, the property as approved is in compliance with all applicable laws and ordinances of the Baltimore County Zoning Regulations.

Further, Baltimore County Code Enforcement has advised that there are no current or outstanding zoning violations of the subject property as of this date.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Jun R. Fernando
Planner I
Zoning Review

JRF:rye

Enclosure



IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCE - * ZONING COMMISSIONER
S/S Eastern Avenue opposite *
Rolling Road * OF BALTIMORE COUNTY
(7800 Eastern Avenue) *
15th Election District * Case No. 93-429-SPHA
5th Councilmanic District *
Eastpoint Partners Ltd. Part. *
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, Eastpoint Partners Limited Partnership, for the future development of the Eastpoint Mall located in the southeast end of Baltimore County between North Point Boulevard and Eastern Avenue. The future development contemplated consists of a double drive-thru Hot 'n Now restaurant and a Golden Corral family style restaurant, both to be located on the north side of the subject site, adjacent to Eastern Avenue. As to the relief sought, the Petitioners seek approval of a restaurant, drive-thru with limited indoor/outdoor seating in a B.M.-C.T. zone, pursuant to the Petition for Special Exception. In the alternative, the Petitioner seeks a special hearing to approve that such a restaurant, drive-thru use is permitted as of right in all business zones, including the B.M.-C.T. zone. Further, within the Petition for Special Hearing, the Petitioner seeks approval of the existing parking setbacks and travelway, pursuant to the previously approved site plan and variances in Case No. 91-199-SPHA, and amendments thereto as noted on the site plan submitted herein, or, in the alternative, to approve the variances requested pursuant to the Petition for Variance filed herein which seeks relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.8.A.2 to per-

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mit an off-street parking facility setback from a public street right-of-way of 2 feet in lieu of the required 10 feet; from Section 409.4 to permit direct access to a travelway from off-street parking facilities; from Section 409.8.A.1 to permit deviation from the screening and landscaping requirements of the Landscape Manual; and from Section 409.6(A)(2) to permit 4,000 parking spaces in lieu of the required 4,309. All of the relief requested is more particularly described on Petitioner's Exhibits 1A, and 2, a site plan (as amended) and landscaping plan for the subject property.

Appearing on behalf of the Petitioners were Robyn J. Clark, the General Manager for Eastpoint Mall, Joh Uhir, William P. Monk, a Land Use Planning and Zoning expert, and Kenneth Colbert, the Professional Engineer who prepared the site plan of the subject property. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 7800 Eastern Avenue, consists of a gross area of 70.1076 acres, more or less, zoned B.M.-C.T. and is the site of a well-known shopping landmark in eastern Baltimore County known as the Eastpoint Mall. Said property is located between and adjoins the intersection of Eastern Avenue and North Point Boulevard. The property is fully developed and has been utilized in its present state for many years. Its improvements consist of a number of diverse retail and commercial uses, including retail stores (Ames, Sears, J.C. Penney, etc.), smaller shops, a bank, a bowling alley, and food court. In addition to the mall use, the property contains a large parking area. On the north side of the site, immediately adjacent to Eastern Avenue, the property owner proposes to add two restaurant facilities, namely, a Hot 'n Now fast food drive-thru restaurant, and a Golden Corral family style

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restaurant. The property and the proposed improvements are more particularly described on the amended site plan submitted as Petitioner's Exhibit 1A and the schematic landscape plan, submitted as Petitioner's Exhibit 2.

The site also enjoys a significant zoning history. In Case No. 4641-X, a Petition for Special Exception was granted for a miniature golf course to be operated on a portion of the subject site. Thereafter, in Case No. 73-292-A, a variance permitting a lesser number of spaces than that required was granted. More recently, in Case No. 91-199-SPHA, a special hearing permitting an amendment to the previously approved site plan and Order in case No. 73-292-A was approved and a variance from Section 409.6A of the B.C.Z.R. was again granted to permit 4,302 off-street parking spaces in lieu of the required 4,772.

Considering first the Petition for Special Hearing, it is to be noted that the Petitioner has requested relief in the alternative. Specifically, approval is sought for a restaurant, drive-thru facility as of right, or in the alternative, that said use should be approved pursuant to the Petition for Special Exception. In reviewing the B.C.Z.R., it is to be noted that Section 230.4 thereof permits restaurants as of right in the B.L. zone and that Section 233.1 incorporates that language for the B.M. zone. Further, Section 233.4 provides that a drive-in restaurant is permitted in a B.M. zone by special exception. Thus, if the proposed use is a restaurant, it is permitted as of right, whereas, if same is considered a drive-thru facility, the special exception test set forth in Section 502.1 of the B.C.Z.R. must be met. Interestingly, Section 101 of the B.C.Z.R. does not define the term "restaurant". A drive-thru restaurant is defined, however, as a "retail outlet where food or beverages are sold to a substantial extent for consumption by customers in parked motor vehi-

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cles." Further, Webster's Third New International Dictionary, which is to be utilized in the absence of definitions in Section 101 of the B.C.Z.R., defines "restaurant" as "an establishment where refreshments or meals may be procured by the public." In addition, William Monk testified of pending legislation before the County Council which, if enacted, will resolve this issue. Specifically, Bill No. 110-93, if passed, will comprehensively define all types of restaurant uses. Clearly under the proposed law, the contemplated Hot 'n Now restaurant would be considered a restaurant, fast-food, drive-thru, only, facility, which is permitted in a B.M. zone as of right. Unfortunately for the Petitioners, that legislation is not yet in place and thus, I cannot consider the request before me in view of same.

Substantial testimony was received as to the proposed facility. As shown on the site plan, the Hot 'n Now restaurant will be a small building featuring two drive-in aisles on either side of the structure and there will be 7 stacked parking spaces on each side. There will be no interior or exterior seating and all food will be sold as carry-out. Apparently this concept has caught on out-of-state and the Hot 'n Now chain may be opening restaurants in Baltimore County. The advantages offered by the restaurant are that food can be prepared and sold quickly at competitive prices without the public leaving their vehicles. Clearly, the concept has some merit in the mobile society in which we live. Particularly since the Hot 'n Now concept relies on business generated from the motoring public, I believe the existing drive-in restaurant definition contained in the B.C.Z.R. is most appropriate. Although, no doubt a number of patrons will consume food purchased at Hot 'n Now off-site, there will be some who will eat while seated in parked motor vehicles. Working with the definitions presently available, I believe that the drive-thru restaurant proposed

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herein is not permitted as of right, and thus the Petition for Special Hearing should be denied in this respect.

Having followed this rationale, consideration must therefore be given to approval of the proposed Hot 'n Now facility pursuant to the Petition for Special Exception. In this regard, testimony from Messrs. Monk and Colbert was uncontradicted and persuasive. A review of the site plan and photographs presented show sufficient area exists on-site to support the restaurant. Indeed, this location appears to be well-suited for such a use. That is, the proposed restaurant will be located on a portion of the existing parking lot and any traffic overflow, should it occur, will not spill out onto the public roadways, but into the interior parking lot of the shopping center. Further, I am convinced that the site plan submitted presents a reasonable and orderly traffic flow. In my view, all of the tests enunciated in Section 502.1 of the B.C.Z.R. have been satisfied by the Petitioner. Thus, the relief requested in the Petition for Special Exception for the proposed Hot 'n Now facility, as shown on Petitioner's Exhibit 1, should be granted.

Having resolved the issue presented in the Petition for Special Exception and Special Hearing as it relates to the proposed parking arrangement, attention is next turned to the proposed parking arrangement. At the hearing, it was noted that the Petitioners propose leasing space not only to the proposed Hot 'n Now facility, but also for a Golden Corral family restaurant. As noted above, the Golden Corral restaurant (with its interior seating) would be permitted here as of right. However, the addition of these facilities increases the leasable square footage within the shopping center, thereby changing the required amount of parking.

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As noted above, this shopping center has been in operation for many years and the parking lots are fully developed. There is no more space available on the site to provide additional parking. More importantly, Robyn Clark, General Manager for the center, testified that sufficient parking exists for all of the tenants of the center. The photographs presented support this viewpoint and no Protestants from the surrounding communities were present to testify that there is a parking overflow or traffic problem.

As previously noted, a portion of the requested special hearing relates to this issue. Specifically, the Petitioner seeks approval of the existing parking setbacks and variances granted in prior Case No. 91-199-SPHA. That case approved a parking variance to permit 4,302 parking spaces in lieu of the required 4,772. As to this portion of the special hearing request, I disagree with the Petitioner's conclusion that the variance obtained in that case can be coupled with another variance. The variance in the prior case was granted based upon a site plan submitted at that time which showed a certain amount of leasable square footage and certain defined uses. Based on the testimony and evidence presented in that case, a variance permitting 470 fewer spaces than that required was granted. The Petitioner is now submitting a new plan, with different amounts of square footage and uses. This plan must independently meet the test as it relates to parking variances. To permit the Petitioner to utilize a 470-space variance based upon a new plan would be illogical and improper. Followed to its logical conclusion, a property owner could submit multiple variance requests, one after another, and utilizing prior approved variances, would reduce the required number of parking spaces to 0. Thus, I will deny that portion of the Petition for Special Hearing as

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well, and consider the proposed parking arrangement pursuant to the Petition for Variance filed herein.

The first portion of the variance request relates to the number of spaces provided. It is to be noted that at the hearing, Mr. Colbert testified as to his parking calculations. He fully explained the number of spaces required under the regulations, the number provided, etc. Subsequent to the hearing, however, I was advised that the calculations presented were erroneous, due to an improper credit taken for transit facilities near the site. In this respect, an amended site plan was submitted and has been marked as Petitioner's Exhibit 1A. According to this amended plan, 4,309 parking spaces will be required for the entire center, including the proposed Hot 'n Now and Golden Corral facilities. These requirements are based on Section 409.6A2 of the B.C.Z.R. which computes parking requirements for shopping centers based upon the total building area of the center. In this particular case, the total building area is 861,363 sq.ft. and at the 5 spaces per 1,000 sq.ft. ratio, 4,309 spaces are required. The Petitioner proposes to provide 4,000 parking spaces; thus, a variance of 309 spaces is necessary.

It is clear that this variance should be granted. It need only be noted that the requested variance in this case is less than what was previously approved in Case No. 91-199-SPHA. It is equally clear that sufficient parking exists on this site to afford the Petitioner a variance of 309 spaces. Also, as noted above, there is no additional space to provide the required parking. In my view, the Petitioner has met the test set forth in Section 307 of the B.C.Z.R. and the case law.

The other portions of the variance request relate to permission for an off-street parking facility setback from a public right-of-way of 2

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feet in lieu of the required 10 feet and to permit direct access to a travelway from off-street parking facilities. These requests are more clearly shown on the site plan. There was substantial testimony presented by Messrs. Monk and Colbert which is reflected in the record. As to these issues, Messrs. Monk and Colbert indicated that the shopping center parking lot has previously functioned well and continues to function well today. Therefore, it would be a practical difficulty on the Petitioner to have to eliminate parking in order to meet the physical requirements for parking lots under today's standards. Again, the Petitioner has met its burden at law.

The final variance for consideration also relates to Section 409.8.A1 of the B.C.Z.R. The Petitioner seeks deviation from the screening and landscape requirements set forth in the Baltimore County Landscape Manual. At the hearing, the Petitioner submitted a landscape plan, marked as Petitioner's Exhibit 2, which fully depicts existing and proposed landscaping of the subject site. This plan appears to be entirely consistent with the spirit and intent of Section 409.8A1 of the B.C.Z.R. Further, the Petitioner acknowledged its responsibility to landscape any new development, i.e., the proposed Hot 'n Now and Golden Corral restaurants, in strict accordance with the Manual. Under these parameters and restrictions, the Petitioner has obtained the support of the County's Landscape Architect, Avery Harden, as it relates to the schematic landscape plan submitted. As with many old and existing uses, compliance with the current landscape manual is difficult for the Petitioner and constitutes a practical difficulty. Clearly, this site has been built out for many years and interrupting and altering the existing parking lot and traffic pattern to install additional landscaping is unjustified. I am convinced, based

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By [Signature]

CASE NO. : 44-04. X
PETITION FOR A SPECIAL EXCEPTION FOR A MINATURE
GOLF COURSE TO BE OPERATED ON A PORTION OF THE
CLIPPING CENTER.
GRANTED : 5-8-50 RESTRICTIONS : NONE

CASE NO. : 73-202-A
PETITION FOR A VARIANCE FROM SECTION 400.1 TO PERMIT
4124 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED
4534 OFF-STREET PARKING SPACES AT THE EASTPORT MALL
GRANTED : 7-30-73 RESTRICTIONS : SUBJECT TO THE
APPROVAL OF A SITE PLAN BY THE
STATE HIGHWAY ADMINISTRATION,
DEPARTMENT OF PUBLIC WORKS &
THE OFFICE OF PLANNING & ZONING.

CASE NO. : 71-197-5194
PETITION FOR A VARIANCE FROM SECTION 400.6 A (2) TO PERMIT
4372 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED
4772 OFF-STREET PARKING SPACES AS ORIGINALLY APPROVED
IN ZONING CASE 73-202-A.
GRANTED : 2-21-01 RESTRICTIONS : NONE

PETITION FOR A SPECIAL HEARING TO ATTORVE AN AMENDMENT
TO THE ORDER AND THE SITE PLAN IN ZONING CASE 73-20
GRANTED : 2-21-01 RESTRICTIONS : SUBJECT TO THE 30' E

1. A RESTAURANT DRIVE-THRU/ LIMITED
INDOOR/OUTDOOR SEATING AREA USE
TO BE PERMITTED BY RIGHT IN ALL
OF THE BUSINESS ZONES (B2, B3 & B4)
2. THE EXISTING PARKING SETBACKS
& DRIVEWAY MARKING VARIANCES NO. 1
& NO. 2) AS PREVIOUSLY APPROVED
IN CASE NO. 01-100-0314 & THE
AMENDMENTS TO THE PREVIOUSLY
APPROVED PERMITS ALSO NOTED ON
THE PETITIONER'S MAPS OR IN
THE ALTERNATIVE TO APPROVE
THE APPROPRIATIONED VARIANCES

1. VARIANCE TO SECTION 400.8, A.2, TO PERMIT AN OFF-STREET PARKING FACILITY SETBACK OF 2 FEET FROM A PUBLIC STREET R/W IN LIEU OF THE REQUIRED 10 FEET. [V-1]
2. VARIANCE TO SECTION 400.4 TO PERMIT DIRECT ACCESS TO A TRAVELWAY FROM OFF-STREET PARKING FACILITIES. [V-2]
3. VARIANCE TO SECTION 400.9, A.1, TO PERMIT DEVIATION FROM SCREENING AND LANDSCAPING REQUIREMENTS IN ACCORDANCE WITH THE LANDSCAPE MANUAL. [V-3]

1. TO PERMIT A RESTAURANT, DRIVE-THRU w/ LIMITED INDOOR/
OUTDOOR SEATING IN A RM. UT ZONE.

REQUIRED OFF-STREET PARKING -

EXISTING RETAIL	673 280 SQ. FT.
" RESTAURANT	338 870 SQ. FT.
" RANGE	17 051 SQ. FT.
" BUILDING CENTER	3 000 SQ. FT.
" OFFICES	2 2514 SQ. FT.
FUTURE GOLDEN CORRAL	11414 SQ. FT.
" HOTEL N. NOW	825 SQ. FT.

TOTAL BUILDING AREA - 861760 SQ. FT.
IN ACCORDANCE W/ SECTION 6.2.2 (2) THE # OF
REQ'D. OFF-STREET PARKING SPACES IS
(861760 / 1000) x 5 = 4309 SPACES.

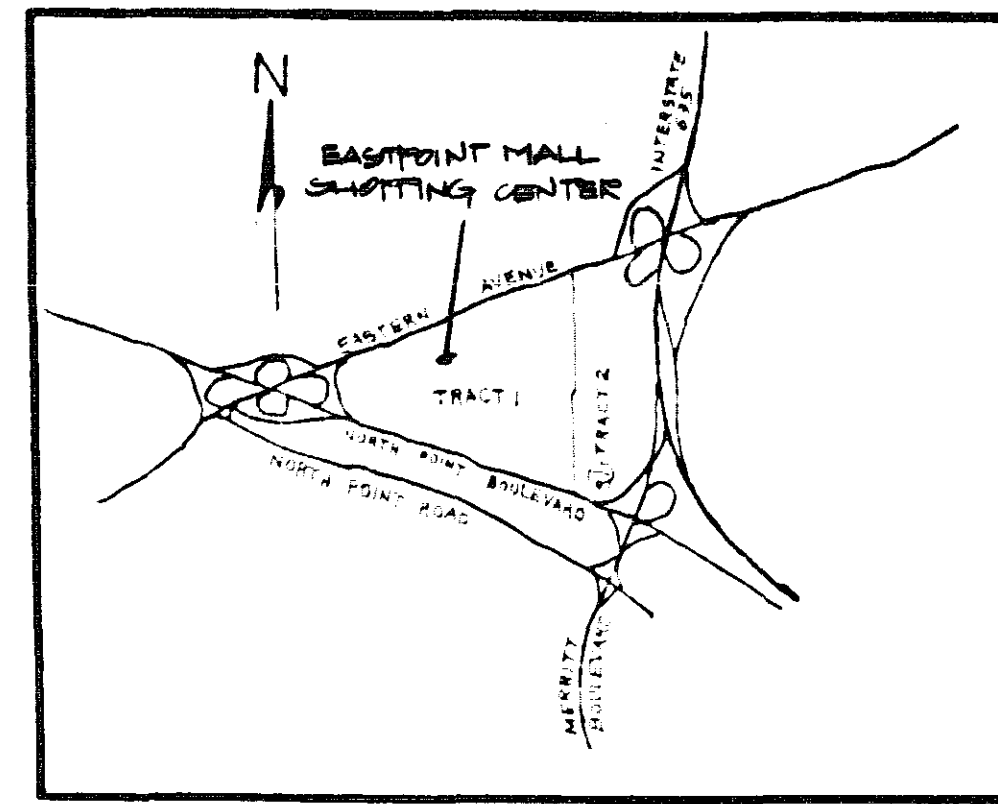
5% TRANSIT ADJUSTMENT = LESS 215 SPACES
PREVIOUS ZONING CASE 73-202-A = LESS 400 SPACES
PREVIOUS ZONING CASE 91-197-SPHA = LESS 70 SPACES

TOTAL REQUIRED = 3624 SPACES

TOTAL PROPOSED = 3873 SPACES (INCLUDES 2 SERVICE BAYS)

ALL PARKING SPACES ARE 8'6" x 18' MINIMUM W/ 22' MINIMUM
DRIVE ISLES FOR ONE-WAY PARKING. ALL TWO-WAY TRAVELWAYS
ARE A MINIMUM OF 20' WIDE.

COLBERT ENGINEERING, INC.
DUMFRIES SQUARE SHOPPING CENTER
3723 OLD COURT ROAD - STE. 206
BALTIMORE, MARYLAND 21208
(410) 653-3830



SCALE : 1" = 2000'

1. PLAN PREPARED BY: COLBERT ENGINEERING, INC.
3723 OLD CRYST ROCK ROAD, STE 200
BALTIMORE, MARYLAND 21208
(410) 652-3535
2. OWNER/APPLICANT: TRACT 1
EASTPOINT PARTNERS, L.P., c/o SHOPCO MGMT. CORP
1250 BROADWAY
NEW YORK, NEW YORK 10001
(212) 504-5400
DEED REF.: 6057/557, 8304/224 (N/F)
TAX ACT. NO.: 15A50005-0, 2100007854
TRACT 2
EASTPOINT PARTNERS, L.P., c/o SHOPCO MGMT. CORP
7830 EASTPOINT MALL - SITE 10
BALTIMORE, MARYLAND 21224
(301) 284-0344
DEED REF.: 6057/357 (N/F)
3. TOTAL AREA OF SITE: TRACT 1: 60,440.2 AC.
TRACT 2: 1,428.1 AC.
TOTAL - 61,868.3 AC. (NET)
TOTAL SITE ZONED: 170,107.6 AC. (GRASS)
4. TOTAL SITE ZONED: PD-1-C1
5. SEE ZONING HISTORY. THIS SHEET.
6. ELECTION DISTRICT: 15 CONKLIHANIC DISTRICT. 7
7. PREVIOUS COMMERCIAL PERMIT: B070606/22007-00
8. FLOOR AREA RATIO:
ALLOWED: .55 OR 107306378.81 SQ. FT.
PROPOSED: 801763 / 3055857.1 = 0.26 O.K.
(INCLUDES FUTURE GARDEN CORRAL &
HOTEL NOW RESURFACED)
9. AMENITY OPEN SPACE:
REQUIRED: 21,000.00 SQ. FT. (MIN. 5% & 10% ASSESS)
PROPOSED: 22,000.00 SQ. FT. (MIN. 5% & 10% ASSESS)
10. SEE PARKING TABULATION THIS SHEET.
11. THE ENTIRE PARKING LOT IS PAVED W/ A BITUMINOUS CONCRETE SURFACE & ALL SPACES ARE PERMANENTLY STRIPED.
12. NO ADDITIONAL SIGNAGE IS PROPOSED AT THIS TIME. ANY FUTURE SIGNS (INCLUDING MENU BOARDS) WILL COMPLY WITH SECTION 43.2 & 43.3 & 400.10 OF THE PDZ OR A ZONING VARIANCE WILL BE REQUIRED.
13. ALL AMENITY OPEN SPACE AREAS ARE A MINIMUM OF 7' WIDE & WILL BE SUITABLY LANDSCAPED.

PLAN TO ACCOMPANY
VARIANCE, SPECIAL EXCEPTION &
SPECIAL HEARING PETITIONS

EASTPOINT MALL SHOPPING CENTER

7800 FLOCK EASTERN AVENUE - MD. RTE. 150
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: MAY 24, 1993 SCALE: 1"=100'

SHEET 1 OF 1

TAX MAP: 96 BLOCK: 17 PARCEL: 21, 490

$\angle 40^{\circ}11'07''$
 $16.89'$
 $\angle 40^{\circ}28'24''$

CEI No. 99-071

ZONING HISTORY

CASE NO.: 404-X
PETITION FOR A SPECIAL EXCEPTION FOR A MINUTURE
SHELF COURSE TO BE OPERATED ON A PORTION OF THE
SHOPPING CENTER.
GRANTED: 5-8-57 RESTRICTIONS: NONE

CASE NO.: 75-222-A
PETITION FOR A VARIANCE FROM SECTION 400.1 TO PERMIT
4134 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED
4534 OFF-STREET PARKING SPACES AT THE EASTPOINT MALL.
GRANTED: 7-20-73 RESTRICTIONS: SUBJECT TO THE
APPROVAL OF A SITE PLAN BY THE
STATE HIGHWAY ADMINISTRATION
FORWARDING IT OF PUBLIC WORKS &
THE OFFICE OF PLANNING & ZONING.

CASE NO.: 51-100-SHA
PETITION FOR A VARIANCE FROM SECTION 400.6 (2) TO PERMIT
4502 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED
4772 OFF-STREET PARKING SPACES AS ORIGINALLY APPROVED
IN ZONING CASE 75-222-A.
GRANTED: 2-21-81 RESTRICTIONS: NONE

PETITION FOR A SPECIAL HEARING TO APPROVE AN AMENDMENT
TO THE ORDER AND THE SITE PLAN IN ZONING CASE 75-222-A.
GRANTED: 2-21-81 RESTRICTIONS: SUBJECT TO THE 30 DAY
APPEAL PROCESS.

VARIANCES REQUESTED:

- VARIANCE TO SECTION 400.6 A. 2. TO PERMIT AN OFF-STREET PARKING FACILITY
SETBACK OF 2 FEET FROM A PUBLIC STREET R/W IN LIEU OF THE
REQUIRED 10 FEET. [V]
- VARIANCE TO SECTION 400.4 TO PERMIT DIRECT ACCESS TO A TRAVELWAY
FROM OFF-STREET PARKING FACILITIES. [V]
- VARIANCE TO SECTION 400.6 A. 1. TO PERMIT DEVIATION FROM
SCREENING & LANDSCAPING REQUIREMENTS IN ACCORDANCE WITH THE
LANDSCAPE MANUAL. [V]

SPECIAL EXCEPTION REQUESTED:

- TO PERMIT A RESTAURANT, DRIVE-THRU W/LIMITED INDOOR/
OUTDOOR SEATING IN A RM-1 CT ZONE.

SPECIAL HEARING REQUESTED:

- A RESTAURANT, DRIVE-THRU W/LIMITED INDOOR/
OUTDOOR SEATING AS A USE TO BE PERMITTED BY RIGHT IN ALL
OF THE BUSINESS ZONES (B2, B1 & B3)
- THE EXISTING PARKING SETBACKS & TRAVELWAY ACCESS (VARIANCE NO. 1
& NO. 2) AS PREVIOUSLY APPROVED IN CASE NO. 01-100-SHA & THE
AMENDMENTS TO THE PREVIOUSLY APPROVED PLAN AS NOTED ON
THE PETITIONER'S SITE PLAN OF IN THE ALTERNATIVE TO APPROVE
THE APPROPRIATED VARIANCES.

PARKING TABULATION:

REQUIRED OFF-STREET PARKING:
EXISTING: 37,220 SQ. FT.
RESTAURANT: 3,587 SQ. FT.
ROCKERS: 17,551 SQ. FT.
SHOPPING CENTER: 3,000 SQ. FT.
OFFICES: 2,514 SQ. FT.

FUTURE GOLDEN CORRAL: 11,414 SQ. FT.
HOT N' NOW: 825 SQ. FT.

TOTAL BUILDING AREA: 261,763 SQ. FT.
IN ACCORDANCE WITH SECTION 400.6 (A) (2) THE # OF
REQD. OFF-STREET PARKING SPACES IS
(261,763 / 1,000) X 5 = 4,300 SPACES.

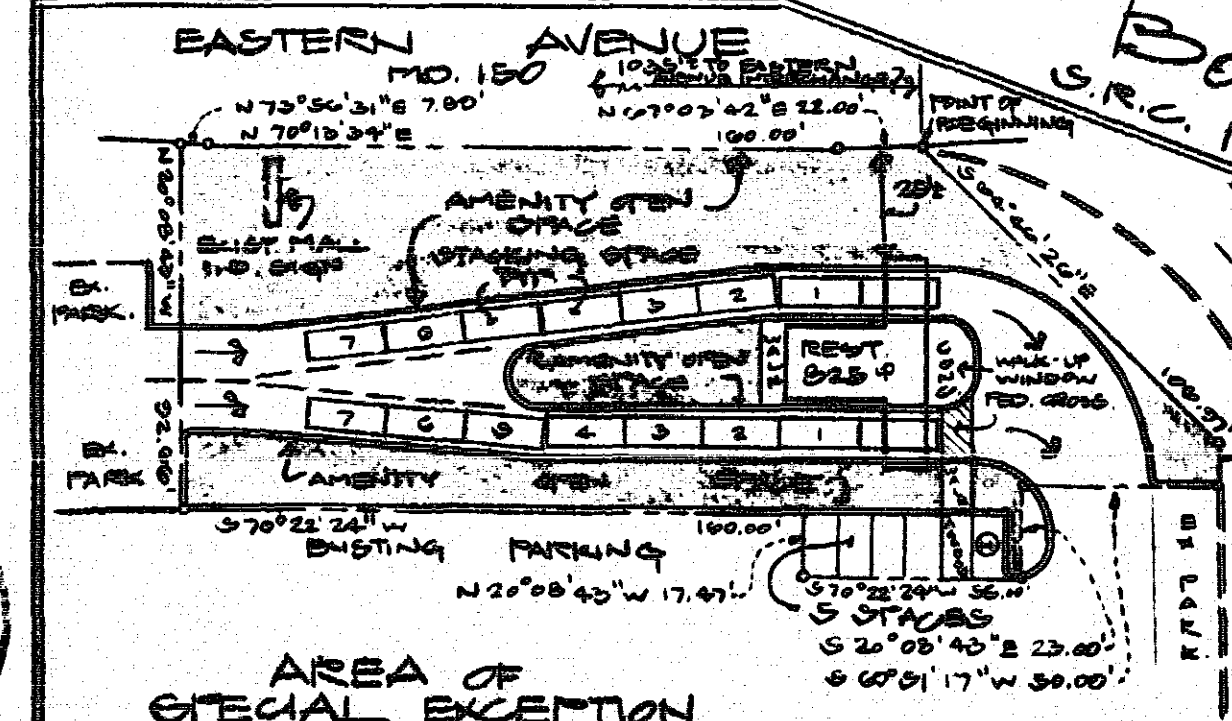
PREVIOUS ZONING CASE 75-222-A: LESS 400 OFFICES
PREVIOUS ZONING CASE 51-100-SHA: LESS 70 OFFICES

TOTAL REQUIRED: 4,900 SPACES
TOTAL PROPOSED: 4,900 SPACES (INCLUDES 5 SERVICE BAYS)

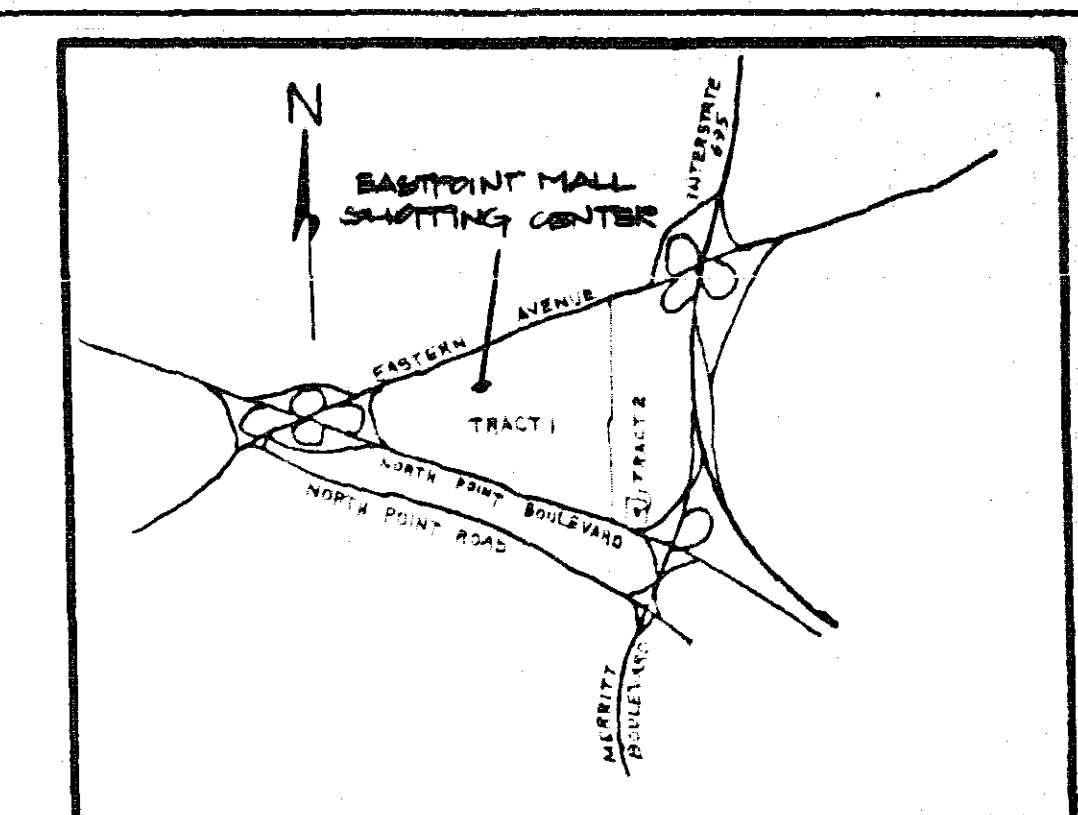
ALL PARKING SPACES ARE 8.5' X 18' MINIMUM W/ 22' MINIMUM
DRIVE AISLES FOR 90° PARKING. ALL TWO-WAY TRAVELWAYS
ARE A MINIMUM OF 20' WIDE.

NO	DATE	REVISION	BY
2	7-23-78	ELIMINATE FUTURE RETAIL BUILDING; REV. PARKING TAB, PAK AND A.D.S.	CEI
1	5-29-78	ADDED INT. RET. BLDG.; REV'D PARK LAYOUT AT INT. RET. BLDG.; REV'D OFFICE BLDG. LAYOUT	C.E.I.

COLDERT ENGINEERING, INC.
DUMARTON SQUARE SHOPPING CENTER
3723 OLD COURT ROAD - STE. 200
BALTIMORE, MARYLAND 21208
(410) 683-5838



SPECIAL EXCEPTION DATA:
TOTAL AREA: 0.513 AC. OR 22,047.72 SQ. FT.
(GROSS) COVER: 5 OR 22,047.72 SQ. FT.
ZONED: RM-1 CT
AMENITY OPEN SPACE:
REQUIRED: 0.01 AC. OR 52,500 SQ. FT.
PROPOSED: 11,000 SQ. FT.
PARKING TABULATION:
REQUIRED: (261,763 / 1,000) X 5 = 4,300
JAY 5 SPACES
PROPOSED: 4,900 SPACES

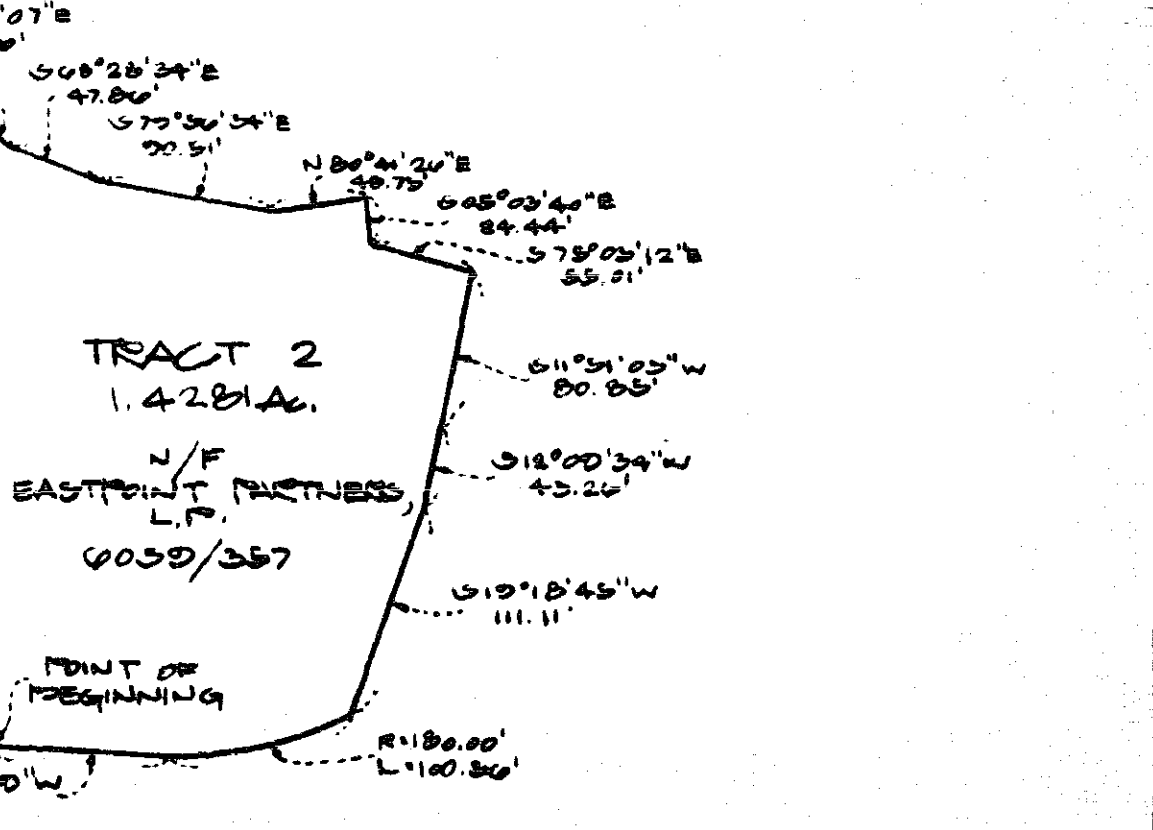


GENERAL NOTES

- PLAN PREPARED BY: COLDERT ENGINEERING, INC.
3723 OLD COURT ROAD - STE. 200
BALTIMORE, MARYLAND 21208
(410) 683-5838
- OWNER/APPLICANT: TRACT 1
EASTPOINT PARTNERS, L.P., c/o SHOTCO MGMT. CORP.
1230 BROADWAY
NEW YORK, NEW YORK 10001
(212) 504-5400
DEED REF.: 0090/557, 8304/204 (N/F)
TAX ACCT NO.: 1505000000, 210007054
TRACT 2
EASTPOINT PARTNERS, L.P., c/o SHOTCO MGMT. CORP.
7800 EASTPOINT MALL - STE. 10
BALTIMORE, MARYLAND 21224
(301) 284-0524
DEED REF.: 0090/357 (N/F)
- TOTAL AREA OF SITE: TRACT 1: 66,440 AC.
TRACT 2: 1.4281 AC.
TOTAL: 67,868 AC. (NET)
TRACT 1: 70,107 AC. (GROSS)
- TOTAL SITE ZONED: RM-1 CT
- SEE ZONING HISTORY - THIS SHEET.
- ELECTION DISTRICT: 15 CONSUMMATION DISTRICT, 7
- PREVIOUS COMMERCIAL PERMIT: B070063/02007-00
- FLOOR AREA RATIO:
ALLOWED: 3.5 OR 1,073,937.81 SQ. FT.
PROPOSED: 261,763 / 3,052,587.1 = 0.18, O.K.
(INCLUDES FUTURE GOLDEN CORRAL &
HOT N' NOW RESTAURANTS)
- AMENITY OPEN SPACE:
REQUIRED: 0.01 AC. OR 52,500 SQ. FT. (MIN. 5% OF TOTAL AREA)
PROPOSED: 11,000 SQ. FT.
- SEE PARKING TABULATION THIS SHEET.
- THE ENTIRE PARKING LOT IS PAVED W/ A BITUMINOUS
CONCRETE SURFACE & ALL SPACES WILL BE
PERMANENTLY STRIPED.
- NO ADDITIONAL SIGNAGE IS PROPOSED AT THIS TIME
ANY FUTURE SIGNS (INCLUDING MENU BOARDS) WILL
COMPLY WITH SECTION 413.2 & 413.5 & 400.10 OF
THE POZZI OR A ZONING VARIANCE WILL BE REQD.
- ALL AMENITY OPEN SPACE AREAS ARE A MINIMUM OF 5'
WIDE & WILL BE SUITABLY LANDSCAPED.

PLAN TO ACCOMPANY VARIANCE, SPECIAL EXCEPTION & SPECIAL HEARING PETITIONS

EASTPOINT MALL SHOPPING CENTER
7800 BLOCK EASTERN AVENUE - MD. RTE. 150
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: MAY 24, 1993 SCALE: 1"=100'
SHEET 1 OF 1
TAX MAP: 30 BLOCK: 17 PARCEL: 21,420



ZONING HISTORY

CASE NO. : 4641-X
 PETITION FOR A SPECIAL EXCEPTION FOR A MINIATURE GOLF COURSE TO BE OPERATED ON A PORTION OF THE SHOPPING CENTER.
 GRANTED : 5-8-57 RESTRICTIONS : NONE

CASE NO. : 73-202-A
 PETITION FOR A VARIANCE FROM SECTION 400.1 TO PERMIT 4124 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4034 OFF-STREET PARKING SPACES AT THE EASTPOINT MALL.
 GRANTED : 7-30-73 RESTRICTIONS : SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE STATE HIGHWAY ADMINISTRATION DEPARTMENT OF PUBLIC WORKS & THE OFFICE OF PLANNING & ZONING.

CASE NO. : 21-197-SHA
 PETITION FOR A VARIANCE FROM SECTION 400.6 A (2) TO PERMIT 4772 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 4772 OFF-STREET PARKING SPACES AS ORIGINALLY APPROVED IN ZONING CASE 73-202-A.
 GRANTED : 2-21-81 RESTRICTIONS : NONE

PETITION FOR A SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE ORDER AND THE SITE PLAN IN ZONING CASE 73-202-A.
 GRANTED : 2-21-81 RESTRICTIONS : SUBJECT TO THE 30 DAY APPEAL PERIOD.

VARIANCES REQUESTED :

- VARIANCE TO SECTION 400.6 A. 2. TO PERMIT AN OFF-STREET PARKING FACILITY DETACHMENT OF 2 FEET FROM A PUBLIC STREET R/W IN LIEU OF THE REQUIRED 10 FEET. [V1]
- VARIANCE TO SECTION 400.4 TO PERMIT DIRECT ACCESS TO A TRAVELWAY FROM OFF-STREET PARKING FACILITIES. [V2]
- VARIANCE TO SECTION 400.6 A. 1. TO PERMIT DEVIATION FROM SCREENING & LANDSCAPING REQUIREMENTS IN ACCORDANCE WITH THE LANDSCAPE MANUAL.

SPECIAL EXCEPTION REQUESTED :

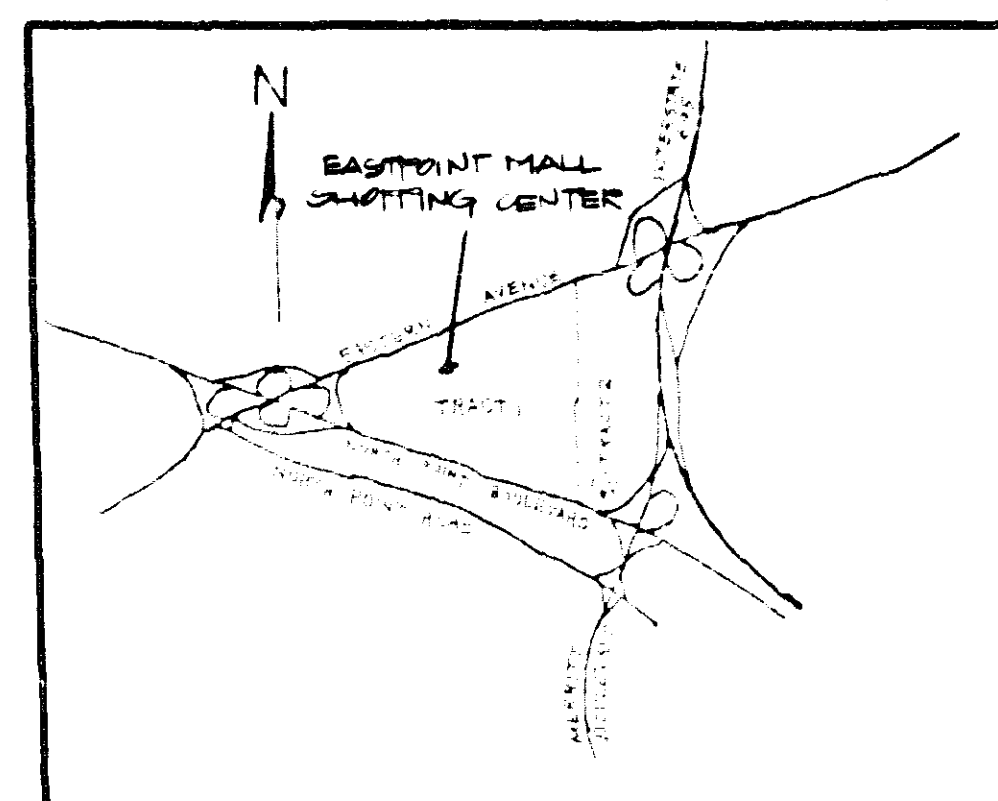
- TO PERMIT A RESTAURANT, DRIVE-THRU W/ LIMITED INDOOR/ OUTDOOR SEATING IN A RM. CT ZONE.

SPECIAL HEARING REQUESTED :

- A RESTAURANT DRIVE-THRU W/ LIMITED INDOOR/ OUTDOOR SEATING AS A USE TO BE PERMITTED IN ALL OF THE BUSINESS ZONES (B-1, B-2 & B-3).
- THE EXISTING PARKING SETBACKS & TRAVELWAY ACCESS (VARIANCE NO. 1 & NO. 2) AS PREVIOUSLY APPROVED IN CASE NO. 01-100-SHA & THE AMENDMENTS TO THE PREVIOUSLY APPROVED PLAN AS NOTED ON THE PETITIONER'S SITE PLAN OR IN THE ALTERNATIVE TO APPROVE THE APPROPRIATE VARIANCES.

SPECIAL EXCEPTION AND SPECIAL HEARING

Petitioners #1



VICINITY MAP
 SCALE : 1" = 200'

GENERAL NOTES

- PLAN PREPARED BY : GOLDBERT ENGINEERING, INC. 3723 OLD COURT ROAD, STE. 200 BALTIMORE, MARYLAND 21208 (410) 633-3830
- OWNER/ APPLICANT : TRACT 1 EASTPOINT PARTNERS, L.P., c/o SHOPCO MGMT. CORP. 1250 BROADWAY NEW YORK, NEW YORK 10001 (212) 504-9400 DEED REF. : 0050/357, 0054/204 (N/F) TAX ACCT. NO. : 1505000500, 2100007054 TRACT 2 EASTPOINT PARTNERS, L.P., c/o SHOPCO MGMT. CORP. 7000 EASTPOINT MALL, STE. 10 BALTIMORE, MARYLAND 21224 (301) 584-0934 DEED REF. : 0050/357 (N/F)
- TOTAL AREA OF SITE : TRACT 1 : 66.4402 AC. TRACT 2 : 1.4281 AC. TOTAL : 67.8683 AC. (NET) TRACT 1 : 70.1076 AC. (GROSS)
- TOTAL SITE ZONED : RM-1, CT
- SEE ZONING HISTORY, THIS SHEET.
- ELECTION DISTRICT : 15 CONSUMERS DISTRICT, 7
- PREVIOUS COMMERCIAL PERMIT : R070000/02007.00
- FLOOR AREA RATIO : ALLOWED : 0.5 OR 16734375 SQ. FT. PROPOSED : 303200/303200, 1 : 0.20 O.K. UNLESS FUTURE GOLDEN CORRAL & HOT N. NOW RESTAURANTS (FUTURE)
- AMENITY OPEN SPACE : REQUIRED : 21.08 80028.8 SQ. FT. PROPOSED : 23000.00 SQ. FT. (IN L.P. & FROM AREAS)
- SEE PARKING TABULATION THIS SHEET.
- THE ENTIRE PARKING LOT IS PAVED W/ A BITUMINOUS CONCRETE OVERLAY & ALL SPACES WILL BE PERMANENTLY STRIPED.
- NO ADDITIONAL SIGNAGE IS PROPOSED AT THIS TIME. ALL FUTURE SIGNS (INCLUDING MENU BOARDS) WILL COMPLY WITH SECTION 413.2 & 413.3 & 400.10 OF THE PDZ OR A ZONING VARIANCE WILL BE REQ'D.
- ALL AMENITY OPEN SPACE AREAS ARE A MINIMUM OF 7' WIDE & WILL BE SUITABLY LANDSCAPED.

PLAN TO ACCOMPANY VARIANCE, SPECIAL EXCEPTION & SPECIAL HEARING PETITIONS

EASTPOINT MALL SHOPPING CENTER

7800 BLOCK EASTERN AVENUE - MD. RTE. 150
 15TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND
 DATE : MAY 24, 1993 SCALE : 1" = 100'
 SHEET 1 OF 1
 TAX MAP 36 BLOCK 17 PARCEL 21, 420

PARKING TABULATION :

REQUIRED OFF-STREET PARKING :
 EXISTING : 703,003 SQ. FT. (NOL. FUT. RETAIL)
 RESTAURANT : 30,970 SQ. FT.
 PARKING : 17,851 SQ. FT.
 BUILDING CENTER : 30,000 SQ. FT.
 OFFICES : 22,514 SQ. FT.

FUTURE : GOLDEN CORRAL - 11,414 SQ. FT. HOT N. NOW - 825 SQ. FT.

TOTAL BUILDING AREA : 808,288 SQ. FT. IN ACCORDANCE W/ SECTION 400.6 A (2) THE # OF REQ'D OFF-STREET PARKING SPACES IS (808,288/1000) x 5 = 4041.44 SPACES.

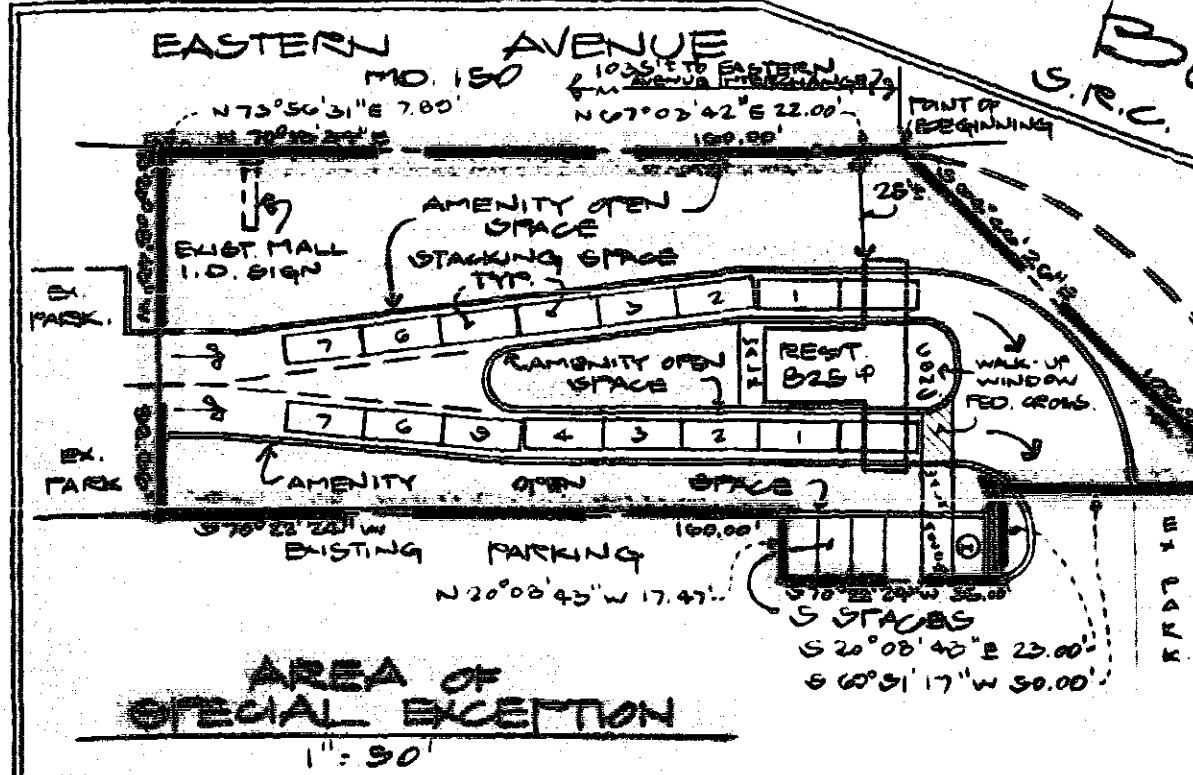
5% TRANSIT ADJUSTMENT : LESS 205 SPACES
 PREVIOUS ZONING CASE 73-202-A : LESS 400 SPACES
 PREVIOUS ZONING CASE 01-100-SHA : LESS 10 SPACES
 3788 TOTAL

TOTAL REQUIRED : 3667 SPACES

TOTAL PROPOSED : 3817 SPACES (INCLUDES 8 SERVICE BAYS)

ALL PARKING SPACES ARE 8.5' x 18' MINIMUM W/ 22' MINIMUM DRIVE AISLES FOR 90° PARKING. ALL TWO-WAY TRAVELWAYS ARE A MINIMUM OF 20' WIDE.

GOLDBERT ENGINEERING, INC.
 DUMFRIES SQUARE SHOPPING CENTER
 3723 OLD COURT ROAD - STE. 200
 BALTIMORE, MARYLAND 21208
 (410) 633-3830



SPECIAL EXCEPTION DATA :
 TOTAL AREA : 0.515 AC. OR 22477.72 SQ. FT. (GROSS) 0.406 AC. OR 17600.10 SQ. FT. (NET)
 ZONED : RM-1, CT
 AMENITY OPEN SPACE : REQUIRED : 01.08 80,800 SQ. FT. PROPOSED : 11000 SQ. FT. O.K.
 PARKING TABULATION : REQUIRED : (825/1000) x 5 = 4.13, 21 SPACES PROPOSED : 3 SPACES

Petitioner's #2

2

INTERCHANGE RAMP
S.R.C. PLAT 10087

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
BUREAU OF PUBLIC SERVICES

LANDSCAPE ARCHITECT'S AND OWNER'S
SIGNATURE AND CIRCULAR STAMP

"I certify that I have reviewed this Schematic Landscape Plan, that I am aware of the landscape regulations presented in the Baltimore County Landscape Manual, latest edition, and I agree to comply with these regulations and all applicable policy, guideline, and ordinances."

Signature of Applicant

Date 6/29/93

Joseph A. Giantomasso

Print Name

Signature of Landscape Architect

Karen L. Ferguson

Print Name

PLANTING TABULATIONS:

PLANTING REQUIRED:

A VARIANCE IS REQUESTED TO SECTION 408.8.A.1 TO PERMIT DEVIATION FROM SCREENING AND LANDSCAPING EQUIREMENTS IN ACCORDANCE WITH THE LANDSCAPE MANUAL. THE TWO OUT PARCELS FRONTING EASTERN AVENUE SHALL SUBMIT SEPARATE LANDSCAPE PLANS.

PLANTING PROPOSED: TOTAL 126 PLANTING UNITS

- 90 MAJOR DECIDUOUS TREES = 90 PUS
- 170 SHRUBS = 34 PUS

EXISTING OPEN SPACE
(TREES AND GRASS)



OUT - PARCEL
FUTURE DOUBLE
DRIVE THRU
RESTAURANT
825 SQ. FT.

OUT - PARCEL
FUTURE
GOLDEN CORRAL
1144 SQ. FT.

ROUTE 150
S.R.C. PLAT 4057

EASTERN AVENUE - MD.
S.R.C. PLAT 4006

S.R.C. PLAT 15875

EXIST. STAPLES
OFFICE SUITE
(RETAIL)

EXIST. AMES
(RETAIL)

EXIST. AMES
(RETAIL)

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

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EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

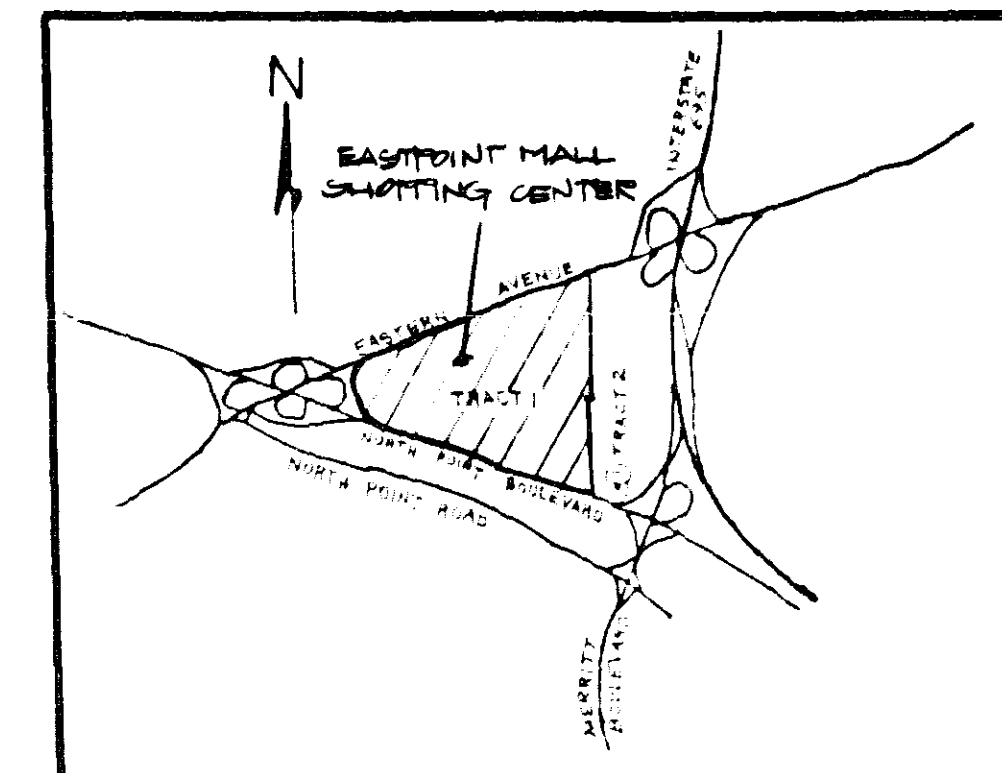
EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS

EXIST. TREES/SHRUBS



VICINITY MAP
SCALE: 1" = 2000'

OWNER/APPLICANT:
EASTPOINT PARTNERS, L.P.
C/O SHOPCO MANAGEMENT CORP.
1250 BROADWAY
NEW YORK, NEW YORK 10001
212-594-9400

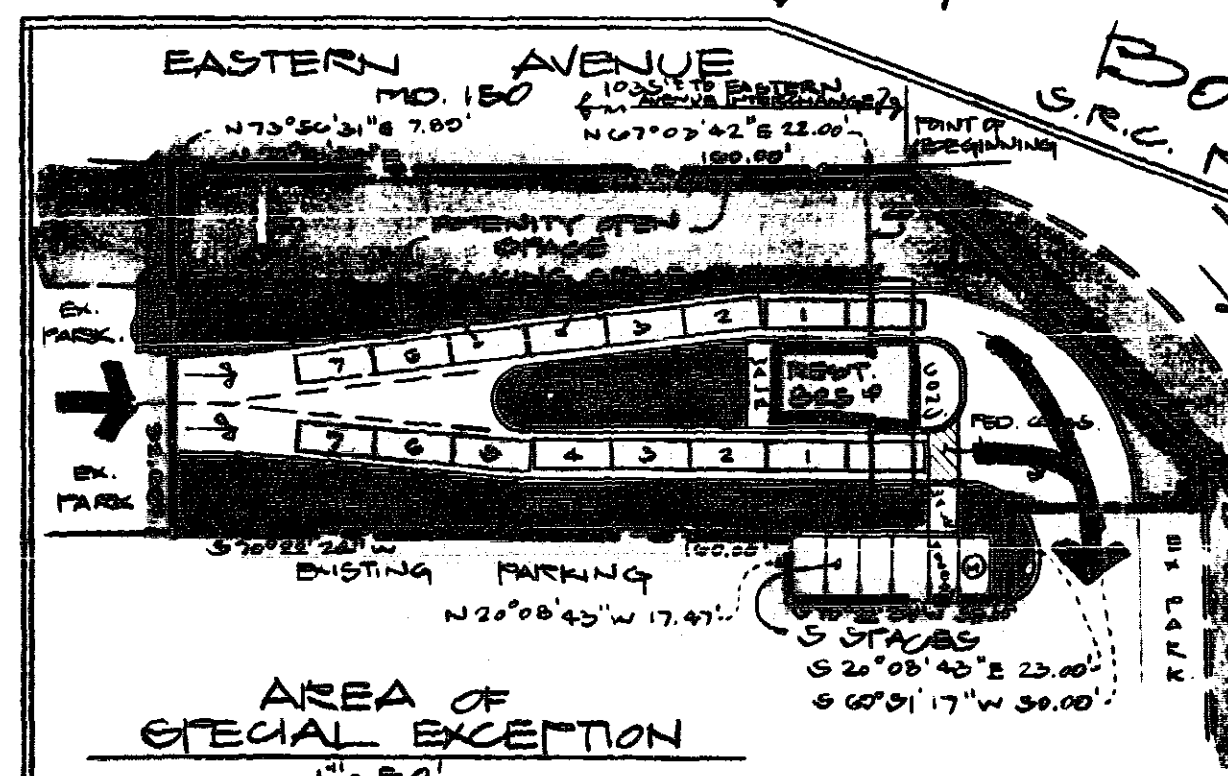
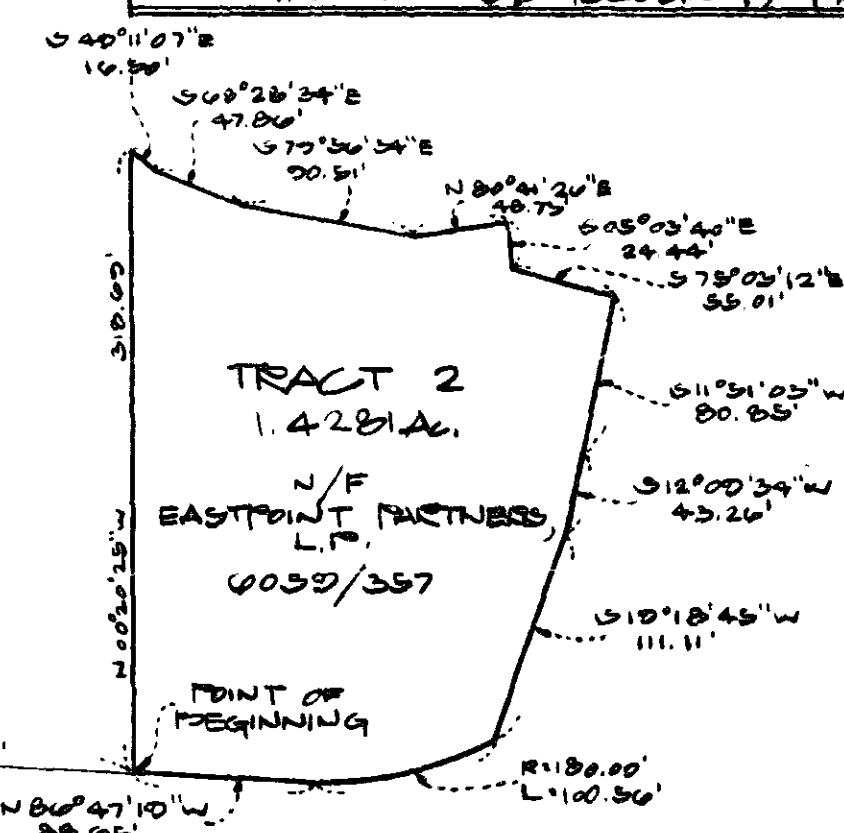
THIS IS NOT A FINAL LANDSCAPE PLAN. APPROVED FOR SCHEMATIC PURPOSES ONLY.

SIGNED _____ DATE _____

WILLIAM MONK, INC
PLANNING • LANDSCAPE DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
COURTHOUSE COMMONS
222 BOSLEY AVENUE, SUITE B-7
TOWSON, MARYLAND 21204
(410) 494-8931

SCHEMATIC LANDSCAPE PLAN EASTPOINT MALL SHOPPING CENTER

7800 BLOCK EASTERN AVENUE - MD. RTE. 150
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
DATE: JUNE 29, 1993 SCALE: 1" = 100'
SHEET 1 OF 1
TAX MAP: 30 BLOCK 17 PARCEL: 21, 400



SPECIAL EXCEPTION DATA:
TOTAL AREA: 0.315 AC. OR 21,400 SQ. FT.
(GROSS) 0.060 AC. OR 2,810 SQ. FT.
ZONED: B.M.-CT
MINIMUM OPEN SPACE:
REQUIRED: 0.1 AC. OR 4,200 SQ. FT.
PROPOSED: 11,000 SQ. FT.
PARKING TABULATION:
REQUIRED: (825/100) = 8.25, 4-13,
DAY 5 SPACES
PROPOSED: 3 SPACES

GEN. NO. 00-071

upon the landscape plan submitted, that the existing and proposed landscaping is sufficient for this site. Further, this relief will be granted with the caveat that the Petitioner must comply with the Manual as it relates to future development onsite.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the special hearing shall be denied, and the special exception and variances shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of August, 1993 that the Petition for Special Hearing to approve a restaurant, drive-thru with limited indoor/outdoor seating as a use permitted as of right in all business zones, including the B.M.-C.T. zone, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking approval of existing parking setbacks and travelway, pursuant to the previously approved site plan and variances in Case No. 91-199-SPHA, and amendments thereto as noted on the site plan submitted herein, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking permit a restaurant, drive-thru, with limited indoor/outdoor seating in a B.M.-C.T. zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.8.A.2 to permit an off-street parking facility setback from a public street right-of-way of 2 feet in lieu of the required 10 feet; from Section 409.4 to permit direct access to a travelway from off-

- 9 -

street parking facilities; from Section 409.8.A.1 to permit deviation from the screening and landscaping requirements of the Landscape Manual, and from Section 409.6(A)(2) to permit 4,000 parking spaces in lieu of the required 4,309, in accordance with Petitioner's Exhibits 1A, and 2, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners 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) All future development on the subject site shall strictly adhere to the landscape requirements set forth in the Baltimore County Landscape Manual.
- 3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/2/93
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

August 2, 1993

(410) 887-4386

Ms. Robyn J. Clark
General Manager
Eastpoint Mall
7839 Eastpoint Mall, Suite 10
Baltimore, Maryland 21224

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
S/S Eastern Avenue, opposite Rolling Mill Road
(7800 Eastern Avenue)
15th Election District - 5th Councilmanic District
Eastpoint Partners Limited Partnership - Petitioner
Case No. 93-429-SPHXA

Dear Ms. Clark:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, and the Petitions for Special Exception and Variance have 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

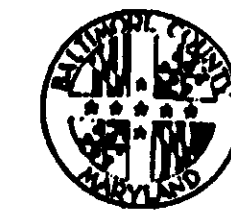
LES:bjs

cc: Mr. Joseph A. Giantomaso, Director of Construction
Eastpoint Partners Ltd. Part., Shopco Management Corporation
1250 Broadway, New York, New York 10001

Mr. William P. Monk
222 Bosley Avenue, Suite B-7, Towson, Md. 21204

People's Counsel; File

Printed on Recycled Paper



Petition for Special Hearing
93-429-SPHXA
to the Zoning Commissioner of Baltimore County
for the property located at EASTPOINT MALL

which is presently zoned BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 502.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

1. a restaurant, drive-thru with limited indoor/outdoor seating as a use to be permitted by right in all of the business zones (BR, BM, and BL).
2. the existing parking setbacks and travelway [Variance No. 1 and No. 2] as previously approved in Case #91-199SPHA and the amendments to the previously approved plan as so noted on the petitioner's Site Plan or in the alternative to approve the aforementioned variances.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

Contract Purchaser, Lessee
Type of Petition Name
Signature
Address
City State Zip
Attorney for Petitioner
Type of Petition Name
Signature
Address
City State Zip
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE

Legal Owner(s)
EASTPOINT PARTNERS LIMITED PARTNERSHIP
Type of Petition Name
Signature
Joseph A. Giantomaso, Director of Construction
SHOPCO MANAGEMENT CORP., AGENT
Type of Petition Name
Signature
1250 BROADWAY (212) 594-9400
NEW YORK N.Y. 10001
City State Zip
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
WILLIAM MONK, INC.
222 Bosley Ave., B-7
TOWSON, MD 21204 (410) 484-8931
City State Zip
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE



Petition for Special Exception
93-429-SPHXA
to the Zoning Commissioner of Baltimore County
for the property located at EASTPOINT MALL

which is presently zoned BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

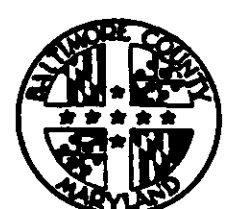
a restaurant, drive-thru with limited indoor/outdoor seating.

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

I, or we, agree to pay expenses of above Special Exception 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.

Contract Purchaser, Lessee
Type of Petition Name
Signature
Address
City State Zip
Attorney for Petitioner
Type of Petition Name
Signature
Address
City State Zip
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE

Legal Owner(s)
EASTPOINT PARTNERS LIMITED PARTNERSHIP
Type of Petition Name
Signature
Joseph A. Giantomaso, Director of Construction
SHOPCO MANAGEMENT CORP., AGENT
Type of Petition Name
Signature
1250 Broadway (212) 594-9400
NEW YORK N.Y. 10001
City State Zip
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
WILLIAM MONK, INC.
222 Bosley Ave., B-7
TOWSON, MD 21204 (410) 484-8931
City State Zip
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE



Petition for Variance
93-429-SPHXA
to the Zoning Commissioner of Baltimore County
for the property located at EASTPOINT MALL

which is presently zoned BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 409.8.A.2 to permit an off-street parking facility setback of 2 feet from a public street R/W in lieu of the required 10 feet. 2. Variance to Section 409.4 to permit direct access to a travelway from off-street parking facilities. 3. Variance to Section 409.6.A.1 to permit deviation from screening and landscaping requirements in accordance with the Landscape Manual.

At the time the shopping center was originally constructed, the street setback for parking, internal traffic patterns and landscaping were in compliance with applicable codes. Compliance with current requirements would adversely affect the number of available parking spaces.

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.

Contract Purchaser, Lessee
Type of Petition Name
Signature
Address
City State Zip
Attorney for Petitioner
Type of Petition Name
Signature
Address
City State Zip
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE

Legal Owner(s)
EASTPOINT PARTNERS LIMITED PARTNERSHIP
Type of Petition Name
Signature
Joseph A. Giantomaso, Director of Construction
SHOPCO MANAGEMENT CORP., AGENT
Type of Petition Name
Signature
1250 Broadway (212) 594-9400
NEW YORK N.Y. 10001
City State Zip
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted
WILLIAM MONK, INC.
222 Bosley Ave., B-7
TOWSON, MD 21204 (410) 484-8931
City State Zip
OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
Date
RECEIVED BY: DATE

COLBERT ENGINEERING, INC.

93-429-SPHXA
ZONING DESCRIPTION
7800 BLOCK EASTERN AVENUE
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

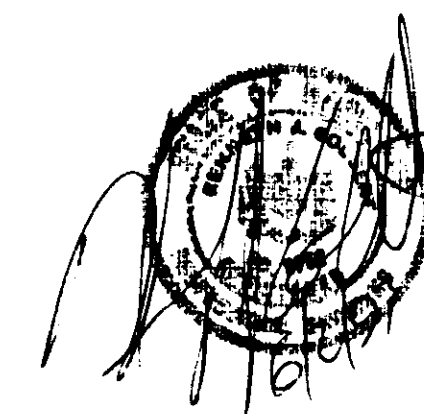
3723 OLD COURT ROAD # SUITE 206
BALTIMORE, MARYLAND 21206
PHONE: (410) 653-3838
FAX: (410) 653-7953

Beginning at a point on the southeast side of Eastern Avenue (65.33 feet wide), where it is intersected by the west side of the Baltimore Gas and Electric Company Right of Way (205.00 feet wide), a distance of 2075 feet more or less northeasterly from the intersection of the Eastern Avenue Interchange (variable width) and Eastern Avenue. Thence the following courses and distances: leaving said southeast side of Eastern Avenue along the west side of the Baltimore Gas and Electric Company Right of Way and running South 00 degrees 20 minutes 25 seconds East, 249.70 feet, North 89 degrees 39 minutes 35 seconds East, 15.00 feet, South 00 degrees 20 minutes 25 seconds East, 414.60 feet, thence leaving said Baltimore Gas and Electric Company Right of Way running by a curve to the right having a radius of 918.00 feet and an arc length of 162.65 feet and having a chord of North 71 degrees 26 minutes 58 seconds West, 162.44 feet, North 66 degrees 22 minutes 25 seconds East, 54.72 feet, South 66 degrees 22 minutes 25 seconds East, 54.72 feet, thence by a curve to the left having a radius of 1343.25 feet and an arc length of 80.26 feet and having a chord of South 68 degrees 05 minutes 07 seconds East, 80.25 feet to the west side of the running South 00 degrees 20 minutes 25 seconds East, 880.40 feet, South 49 degrees 11 minutes 09 seconds East, 103.35 feet, South 00 degrees 20 minutes 25 seconds East, 458.46 feet, to a point on the northeast side of North Point Boulevard as widened at the off ramp leading from Merritt Boulevard to the west bound lane of North Point Boulevard and running North 86 degrees 47 minutes 19 seconds West, 39.58 feet, to the northeast side of North Point Boulevard (150.00 feet wide) and running North 70 degrees 12 minutes 57 East, 23.00 feet, North 70 degrees 12 minutes 57 seconds West, 23.00 feet, South 19 degrees 47 minutes 57 seconds West, 45.00 feet, North 70 degrees 12 minutes 57 seconds West, 23.00 feet, the intersection of the northeast side of North Point Boulevard and thence leaving said northeast side of North Point Boulevard and binding on the west side of the Eastern Avenue Interchange (width varies), 00 degrees 46 minutes 46 seconds East, 103.82 feet, North 13 degrees 01 minutes 13 seconds West, 329.46 feet, North 37 degrees 01 minutes 18 seconds East, 291.82 feet, North 66 degrees 07 minutes 18 seconds West, 16.45 feet to a point on the southeast side of Eastern Avenue (width varies) and running North 67 degrees 00 minutes 36 seconds East, 191.89 feet, North 74 degrees 23 minutes 46 seconds East, 157.60 feet, North 71 degrees 39 minutes 29 seconds East, 160.07 feet, North 68 degrees 52 minutes 06 seconds East, 168.80 feet, North 73 degrees 56 minutes 31 seconds

CIVIL ENGINEERS & LAND SURVEYORS

East, 185.16 feet, North 70 degrees 13 minutes 34 seconds East, 160.00 feet, North 67 degrees 03 minutes 42 seconds East, 217.39 feet, North 70 degrees 13 minutes 34 seconds East, 316.40 feet, North 67 degrees 47 minutes 56 seconds East, 141.68 feet, South 29 degrees 32 minutes 43 seconds East, 26.00 feet, North 60 degrees 27 minutes 17 seconds East, 186.33 feet, and still binding on the Southeast side of Eastern Avenue (now 65.33 feet wide) and running North 70 degrees 13 minutes 34 seconds East, 199.03 feet, to the place of beginning as recorded in Deed Liber 8364 folio 294.

descri Eastern Ave



COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 653-5838
FAX: (410) 653-7953

93-429-SPHXA

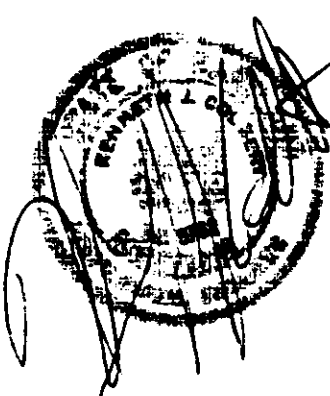
ZONING DESCRIPTION
SPECIAL EXCEPTION
7800 BLOCK EASTERN AVENUE
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the southeast side of Eastern Avenue (65.33 feet wide), where it is intersected by the west side of the Baltimore Gas and Electric Company Right of Way (205.00 feet wide), a distance of 1035 feet more or less northeasterly from the intersection of the Eastern Avenue Interchange (variable width) and Eastern Avenue. Thence leaving said southeast side of Eastern Avenue and running the following courses and distances:

- 1) South 64 degrees 46 minutes 26 seconds East, 106.97 feet,
- 2) South 20 degrees 08 minutes 43 seconds East, 12.43 feet,
- 3) South 69 degrees 51 minutes 17 seconds West, 50.00 feet,
- 4) South 20 degrees 08 minutes 43 seconds East, 23.00 feet,
- 5) South 70 degrees 22 minutes 24 seconds West, 55.00 feet,
- 6) North 20 degrees 08 minutes 43 seconds West, 17.47 feet,
- 7) South 70 degrees 22 minutes 24 seconds West, 160.00 feet,
- 8) North 20 degrees 08 minutes 43 seconds West, 92.66 feet

- 1) North 73 degrees 56 minutes 31 seconds East, 7.89 feet,
- 2) North 70 degrees 13 minutes 34 seconds East, 160.00 feet,
- 3) North 67 degrees 03 minutes 42 seconds East, 22.00 feet

Eastptml.spe



CIVIL ENGINEERS • LAND SURVEYORS

CERTIFICATE OF POSTING

District: 15-1 Date of Posting: 6/17/93
Posted for: Special Hearing, Eastpoint Partners, Ltd. Partnership
Petitioner: Eastpoint Partners, Ltd. Partnership
Location of property: 7800 Eastern Avenue, Baltimore, MD 21208
Location of signs: Bldg. at NW corner of shopping ctr. where signs were posted
Remarks: [Signature]
Posted by: [Signature] Date of return: 6/17/93
Number of signs: 3

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/17, 1993
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 6/17, 1993

THE JEFFERSONIAN,

S. Zehe Orlov
Publisher

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date: 6/3/93

93-429-SPHXA

Account: R-001-6100

Number: 438

By VLL

FILING FOR
1 SPECIAL EXCEPTION CASES 050 \$300.00
1 VARIANCE 020 250.00 COMBINED TO MAX UNDER
1 SPECIAL HEARING 010 250.00
POSTING FOR (6) SIGNS FEE CODE 070 TOTAL = 650.00 FOR HEARINGS
OWNER: EASTPOINT PARTNERS LTD. PARTNERSHIP TOTAL = \$860.00
LOC. EASTPOINT MALL

Cashier Validation

0340380080HICRC
BA C002:53FM06-03-93
Please Make Checks Payable To: Baltimore County

\$860.00

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 438

Petitioner: Eastpoint Partners, Ltd. Partnership

Location: 7800 Eastern Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: [Signature]

ADDRESS: [Signature]

PHONE NUMBER: [Signature]

AJ:ggg

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JUNE 11, 1993

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: 93-429-SPHXA (Item 438)
7800 Block Eastern Avenue - Eastpoint Mall
4/5 Eastern Avenue, Opposite Rolling Mill Road
15th Election District - 7th Councilmanic
Legal Owner(s): Eastpoint Partners Limited Partnership
HEARING: THURSDAY, JULY 8, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a restaurant, drive-thru with limited indoor/outdoor seating; and to approve the existing parking setbacks and travelways (variances #1 and #2) as previously approved in case 93-199-SPHXA and the amendments to the previously approved plan as noted on the petitioner's site plan or in the alternative, to approve the aforementioned variance.
Special Exception for a restaurant, drive-thru with limited indoor/outdoor seating.
Variance to permit an off-street parking facility setback of 2 feet from a public street right-of-way in lieu of the required 10 feet; to permit direct access to a travelway from off-street parking facilities; and to permit deviation from screening and landscaping requirements in accordance with the Landscape Manual.

[Signature]
Arnold Jablon
Director

cc: Shopco Management Corporation
William Monk, Inc.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILING AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 30, 1993

Mr. William Monk
222 Bosley Avenue, B-7
Towson, MD 21204

RE: Case No. 93-429-SPHXA, Item No. 438
Petitioner: Eastpoint Partners Limited Partnership
Petition for Variance

Dear Mr. Monk:

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 June 3, 1993, and a hearing was 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.

Zoning Plans Advisory Committee Comments
Date:
Page 2

- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Helene Kehring in Zoning Office at 887-3391 or the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Zoning Coordinator

MCR:hck
Enclosures

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: June 21, 1993
Zoning Administration and Development Management
FROM: Robert W. Bowling, Senior Engineer 2601 DAK
Development Plan Review
RE: Zoning Advisory Committee Meeting
for June 21, 1993
Item No. 438

The Development Plan Review has reviewed the subject zoning item. We recommend denial of Variance Request #3. Compliance with the Landscape Manual to the extent possible should be required.

Landscape Manual Sec. IX c 2b (1) (79% interior landscaping) cannot be complied with on the submitted layout for Golden Corral and Drive Thru developments. Both sites independently are subject to the Landscape Manual.

RWB:DAK:s

6-17-93

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

Re: Baltimore County
Item No.: 438 (JL)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is

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

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

September 21, 1993

(410) 887-4386

Robert A. Hoffman, Esquire
Venables, Baetjer and Howard
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

RE: Property: 7800 Eastern Avenue
Eastpoint Partners Ltd. Partnership
Case No. 93-429-SPHX

Dear Mr. Hoffman:

Reference is made to Mr. Wingert's letter dated September 1, 1993 and our subsequent telephone conversation regarding the above matter. I have accepted Mr. Wingert's letter as a Motion for Reconsideration properly before me to correct what appears to be a minor error relating to the number of parking spaces. Nonetheless, per your request, I will not rule on same. I understand that additional inconsistencies were found in the submitted site plan between actual/proposed conditions at the site. Moreover, I concur with your assessment that a Petition for Special Hearing is most appropriate to "clean up" all of these issues. Thus, your Motion will be held in abeyance and I will entertain any desired corrections to the previously approved site plan within the hearing on your contemplated Petition for Special Hearing.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SPECIAL HEARING & VARIANCE : OF BALTIMORE COUNTY
S/S Eastern Ave., opp. Rolling :
Mill Rd. (7800 Block Eastern : Case No. 93-429-SPHX
Ave. - Eastpoint Mall),
15th Election District,
7th Councilmanic District

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.

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demillo
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

I HEREBY CERTIFY that on this 22nd day of June, 1993, a copy of the foregoing Entry of Appearance was mailed to Joseph A. Giantomasso, Director of Construction, Eastpoint Partners Limited Partnership, Shopco Management Corp., Agent, 1250 Broadway, New York, N.Y. 10001, Petitioner; and William Monk, Inc., 222 Bosley Ave., B-7, Towson, MD 21204, which requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

JUN 23 1993

ZADM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: June 18, 1993

SUBJECT: Eastpoint Mall

INFORMATION:

Item Number: 438

Petitioner: Eastpoint Partners Limited Partnership

Property Size:

Zoning: B.M.-C.T.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the requested variances and special exception subject to the following conditions:

1. Revise the double drive-thru by extending the center amenity open space area between the two drive-thru lanes to more clearly define the two lanes.
2. Provide landscaping along the Eastern Avenue frontage and in the amenity open space area between the two drive-thru lanes.
3. Since sign details have not been involved as part of the subject request, the applicant should meet with the Deputy Director of Planning prior to the issuance of any permits.

Prepared by: Jeffrey M. Long

Division Chief: John Keller

PK/JL:lw

438.7AC/2AC1

Pa. 1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 16, 1993

FROM: Jerry L. Pfeifer, Captain
Fire Department

SUBJECT: June 24, 1993, Meeting

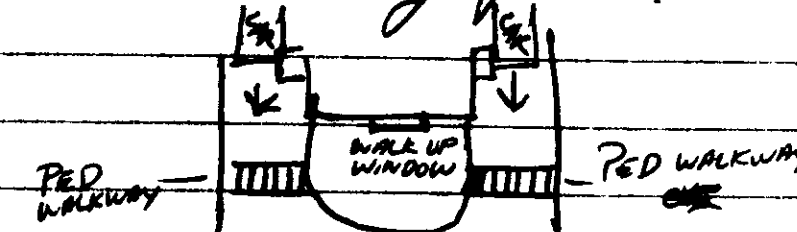
- | | | |
|------|---|--|
| #433 | - | No comments |
| #434 | - | No comments |
| #435 | - | No comments |
| #436 | - | No comments |
| #437 | - | No comments |
| #438 | - | Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore County Fire Prevention Code. |
| #439 | - | Building shall comply with the applicable sections of the 1991 Life Safety Code and the Baltimore County Fire Prevention Code. |
| #440 | - | No comments |

RECEIVED
JUN 17 1993

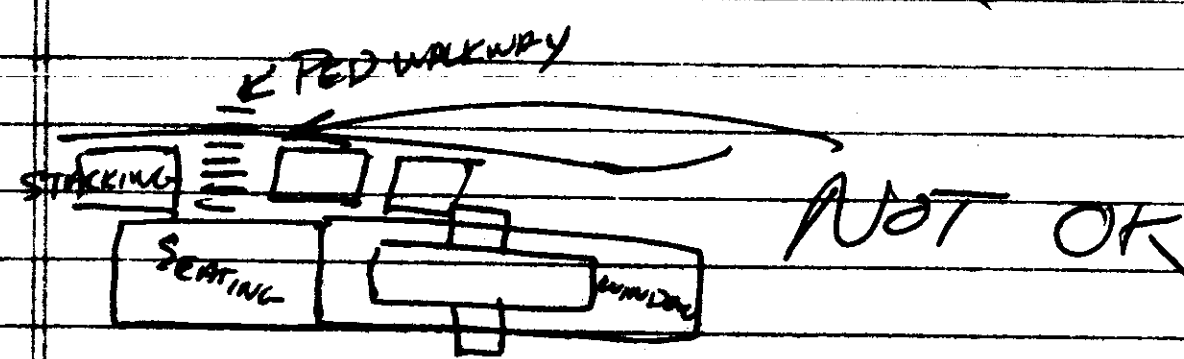
ZADM

HO. 429

Don't concern on these items type drive
though only. Any seating or pedestrian travel (beyond)
areas which must cross the stacking lane
should not be located (even if marked crosswalks)
between stacking spaces.



OK



Reduce number of Pick Up/Drop Off (Traffic)
feel the same

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 16

BILL NO. 110-93

MR. C. A. DUTCH RUPPERSBERGER, COUNCILMAN

By Request of the County Executive

BY THE COUNTY COUNCIL, JULY 6, 1993

A BILL

ENTITLED

AN ACT concerning

Restaurants

FOR the purpose of amending the Baltimore County Zoning Regulations in order to define various types of restaurants and other food or entertainment facilities; authorizing certain types of restaurants and other food or entertainment facilities to be located in certain zones of the County, either by right or by Special Exception; specifying the parking requirements for restaurants and other food or entertainment facilities; and generally relating to zoning requirements for restaurants and other food or entertainment facilities in Baltimore County.

BY adding

Section 101 - Definitions, the definitions of Catering Hall, Standard Restaurant, Fast Food Restaurant, Fast Food, Drive-Through Only Restaurant, Carry-Out Restaurant, Nightclub, and Tavern, alphabetically. Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
BALTIMORE, MD
WASHINGTON, D.C.
MILFORD, VA
ROCKVILLE, MD
BEL AIR, MD
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(410) 494-8200
FAX (410) 881-0147

September 1, 1993

(410) 494-6203

Lawrence E. Schmidt,
Zoning Commissioner
First Floor, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Eastpoint Mall
Variance Case 93-429-SPHX

Dear Mr. Schmidt:

As per your discussion with Rob Hoffman, we would like to respectfully request that the Order in the above-referenced case be amended in order that we might correct a typographical error which occurred on the Plan submitted at the hearing with respect to the parking variance.

The error which has occurred can be seen on the original Plan where the parking configuration immediately south of the Staples store is shown. This configuration erroneously shows a proposed expansion of the existing parking located in that area. The purpose of that parking expansion would have been to reduce the impact of the previously proposed Service Merchandise building upon the parking for the overall site. Since, as you know, the proposed Service Merchandise building was removed from the Plan, this parking expansion is no longer necessary. Unfortunately, when the last-minute change was made to the Plan to eliminate the Service Merchandise building, the parking area south of Staples, as shown on the original Plan, was not returned to its existing configuration.

Enclosed is a copy of the Plan presented at the Hearing upon which the existing parking configuration adjacent to Staples is shown in red. Eliminating the parking expansion in this area would result in a net loss of 30 parking spaces. The parking tabulation has been adjusted accordingly to reflect a total of 3970 parking spaces proposed. This would result in a variance of 339 parking spaces

WILLIAM MONK, INC.

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



EXISTING LANDSCAPING



WILLIAM MONK, INC.

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



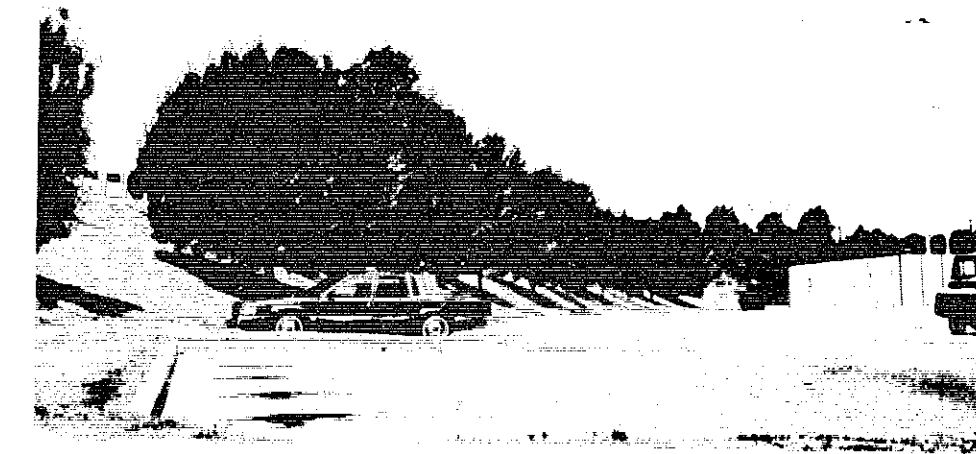
EXISTING LANDSCAPING



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LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



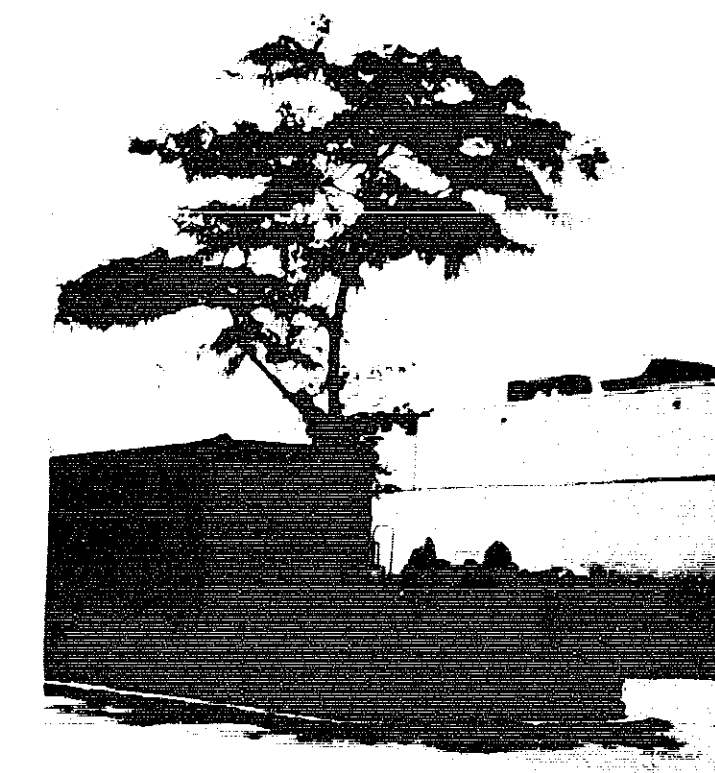
EXISTING LANDSCAPING



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EXISTING LANDSCAPING



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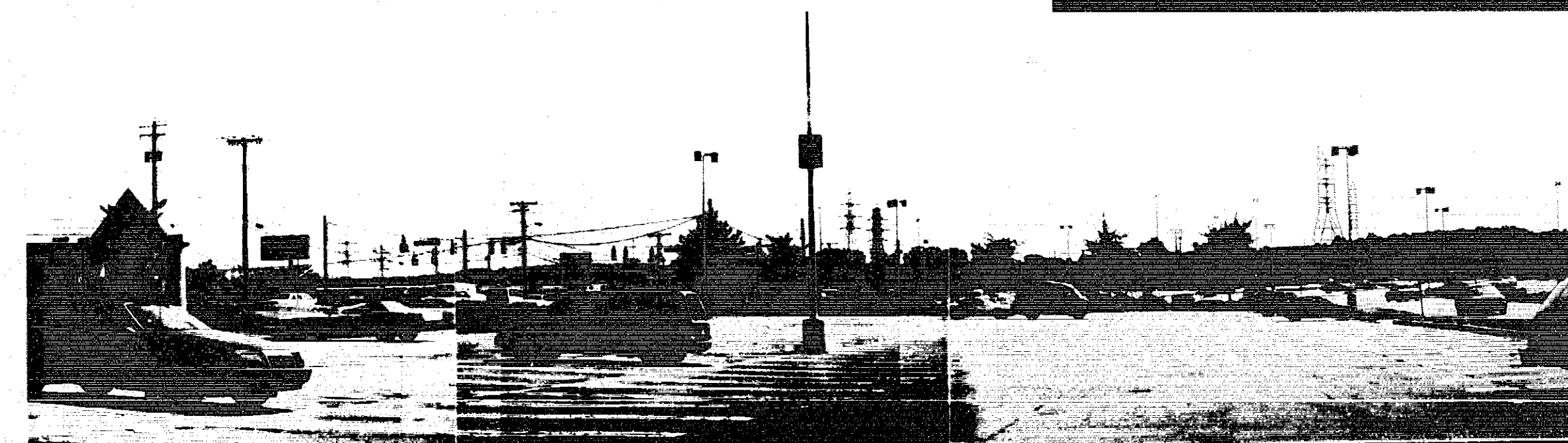


**MAIN ENTRANCE TO EASTPOINT MALL
FROM EASTERN AVENUE**

WILLIAM MONK, INC.

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



**VIEW LOOKING EAST TOWARDS
HOT - N - NOW PAD SITE**

WILLIAM MONK, INC.

WILLIAM MONK, INC.
Courthouse Commons
222 Bosley Avenue, Suite B-7
Towson, Maryland 21204-4300

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



**VIEW LOOKING WEST TOWARDS
HOT - N - NOW PAD SITE**