

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - SE/Corner Joppa * ZONING COMMISSIONER
Road and Satyr Hill Road * OF BALTIMORE COUNTY
(2033 East Joppa Road) * Case No. 95-270-SPHA
9th Election District *
6th Councilmanic District *
Satyr Limited Partnership *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 2033 East Joppa Road, also known as the Satyr Hill Shopping Center located between Harford Road and Satyr Hill Road in Parkville. The Petitions were filed by the owners of the property, Satyr Limited Partnership, by Linda G. Schneider, General Partner, and the Contract Purchaser/Lessee, Old Country Buffet. The Petitioners seek special hearing relief to approve an amendment to the previously approved site plan in Case No. 94-280-SPHX and a variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 347 parking spaces in lieu of the required 489 for a proposed restaurant. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Linda Schneider with the Satyr Limited Partnership, William Monk, Land Planning Consultant, and Newton A. Williams, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered demonstrated that the subject property consists of 5.254 acres, more or less, split zoned B.L.-C.C.C., B.M.-C.S.2 and D.R. 5.5. The property is the site of the Satyr Hill Shop-

ORDER RECEIVED FOR FILING
Date 3/10/95
By [Signature]

MICROFILMED

ping Center, a small strip shopping center which was built in the 1950s. Presently, there are 15 tenants. The Petitioners seek to establish a restaurant use within the shopping center in the area formerly occupied by the Crib 'n Cradle store. The proposed restaurant, known as Old Country Buffet, will utilize approximately 10,000 sq.ft. of space. Due to the size of the property and the proposed restaurant use thereon, the number of parking spaces required has increased to 489. The shopping center can only provide 347 spaces, and thus, the requested variance is necessary. While the projected number of spaces needed for the proposed restaurant use is 200, the Petitioners anticipate utilizing only 130 spaces. Further testimony indicated that the peak hours of operation for the restaurant use will be different from those of the other tenants within the shopping center, and thus, should not result in any parking problems.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented,

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Date 3/10/95
By [Signature]

APR 10 1995
TOWN OF CHESAPEAKE BEACH

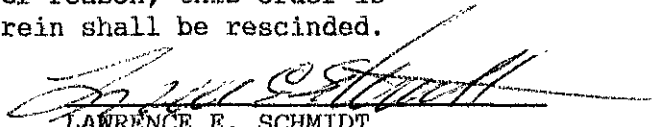
it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of March, 1995 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 94-280-SPHX, 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 Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 347 parking spaces in lieu of the required 489 for a proposed restaurant, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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 relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

3/10/95

By



Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 10, 1995

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
Court Towers, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
SE/Corner Joppa Road and Satyr Hill Road
(2033 East Joppa Road)
9th Election District - 6th Councilmanic District
Satyr Limited Partnership - Petitioners
Case No. 95-270-SPHA

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Linda G. Schneider, G.P., Satyr Limited Partnership
334 Cranbrook Road, Cockeysville, Md. 21030

William B. Monk
222 Bosley Avenue, Towson, Md. 21204

People's Counsel

File

MICROFILMED

#267



Petition for Variance

to the Zoning Commissioner of Baltimore County

95-270-SPHA

for the property located at 2033 East Joppa Road

which is presently zoned BL-CCC, BM-CS2
D.R.5.5

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)
409.6 to permit 347 parking spaces in lieu of the required 489 spaces.

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

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

Old Country Buffet (OCB REALTY CO.)
(Type or Print Name)

[Signature]
Signature

10260 Viking Drive, Suite 100
Address

Eden Prairie, MN 55344
City State Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

Legal Owner(s):

Satyr Limited Partnership
(Type or Print Name)

[Signature]
Signature

Linda G. Schneider, GP
(Type or Print Name)

Signature

334 Cranbrook Road 666-7000
Address Phone No.

Cockeysville, MD 21030
City State Zipcode

Name, Address and phone number of representative to be contacted.

William Monk, Inc.
Name

222 Bosley Ave., Towson, MD 21204
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr
unavailable for Hearing

the following dates _____ Next Two Months

ALL / OTHER

REVIEWED BY: [Signature] DATE 2/1/85



Printed with Soybean Ink on Recycled Paper

UNRECORDED

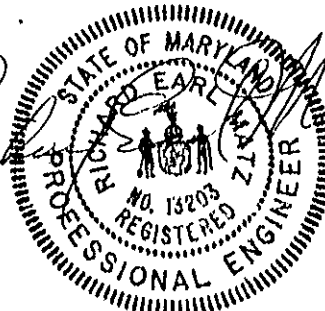
ZONING DESCRIPTION
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

95-270-5PHA

BEGINNING FOR THE SAME IN THE SOUTHERLY RIGHT OF WAY LINE OF JOPPA ROAD HAVING A RIGHT OF WAY WIDTH OF 80.00 FEET, SAID POINT BEING SOUTHEASTERLY 70 FEET PLUS OR MINUS FROM THE INTERSECTION OF JOPPA ROAD AND SATYR HILL CUT-OFF; THENCE DEPARTING SAID POINT SO FIXED AND BINDING ON SAID SOUTHERLY RIGHT OF WAY WITH MERIDIAN REFERENCE TO MARYLAND STATE GRID NORTH (1) SOUTH 70 DEGREES 26 MINUTES 13 SECONDS EAST 394.00 FEET; THENCE (2) SOUTHEASTERLY 46.20 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,081.74 FEET WITH A CHORD BEARING AND DISTANCE OF SOUTH 71 DEGREES 39 MINUTES 41 SECONDS EAST 46.20 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND BINDING (3) SOUTH 31 DEGREES 21 MINUTES 00 SECONDS WEST 594.06 FEET; THENCE (4) SOUTH 67 DEGREES 15 MINUTES 33 SECONDS WEST 144.82 FEET TO INTERSECT WITH THE EASTERLY RIGHT OF WAY LINE OF SATYR HILL ROAD; THENCE BINDING ON SAID EASTERLY RIGHT OF WAY LINE (5) NORTHWESTERLY 90.97 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 475.00 FEET WITH A CHORD BEARING AND DISTANCE OF NORTH 11 DEGREES 54 MINUTES 12 SECONDS WEST 90.95 FEET; THENCE (6) NORTH 31 DEGREES 28 MINUTES 52 SECONDS EAST 5.85 FEET; THENCE (7) NORTH 25 DEGREES 16 MINUTES 50 SECONDS WEST 117.21 FEET; THENCE (8) NORTHEASTERLY 316.14 FEET ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 400.00 FEET; WITH A CHORD BEARING AND DISTANCE OF NORTH 02 DEGREES 38 MINUTES 20 SECONDS WEST 307.98 FEET; THENCE (9) NORTH 20 DEGREES 00 MINUTES 11 SECONDS EAST 194.75 FEET AND (10) NORTH 64 DEGREES 44 MINUTES 25 SECONDS EAST 50.01 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 5.254 ACRES OF LAND, MORE OR LESS.

WPM24


A circular professional engineer seal for Richard Earl Zitz, No. 13203, Registered Engineer, State of Maryland. The seal is stamped over a handwritten signature. Below the seal, the date 1/13/94 is handwritten.

1/13/94

267

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-170-57HA

District: 9th Date of Posting: 2/12/95

Posted for: Special Hearing

Petitioner: Sater Hill Shopping Ctr

Location of property: 2033 E Loppa Rd

Location of Signs: Facing roadway, on property being zoned

Remarks: (No signs used)

Posted by: [Signature]
Signature

Date of return: 2/17/95

Number of Signs: 1

dec 12 1995





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

receipt

95-270-5A A

Account: R-001-6150

Number

Taken In By: *WJK*

Item # : *267*

Date *2-1-95*

Satyr Limited Partnership -- 2633 East Joppa Rd

020 - Comm Var. — \$ 250.00

040 - Comm Sp. Hearing — \$ 250.00

080 - 4 signs (\$35.00 each) — \$ 140.00

\$ 640.00

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RECEIVED

8 5 9 5 AM

CA POLICE/SARCO III 95

Please Make Checks Payable To: Baltimore County.

Cashier Validation

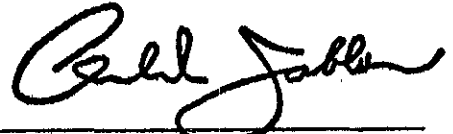
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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 assessed 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.



ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 267

Petitioner: SATYR LIMITED PARTNERSHIP

Location: 2033 EAST JOPPA ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: OCB REALTY CO.

ADDRESS: 10260 VIKING DRIVE

EDEN PRAIRIE, MN 55344

PHONE NUMBER: 612/942-4700

TO: PUTUXENT PUBLISHING COMPANY
February 16, 1995 Issue - Jeffersonian

Please forward billing to:

OCB Realty Company
10260 Viking Drive
Eden Prairie, MN 55344
612-942-4700

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: 95-270-SPHA (Item 267)
2033 E. Joppa Road
Satyr Hill Shopping Center
corner of S/S Joppa Road, E/S Satyr Hill Road
9th Election District - 6th Councilmanic
Legal Owner: Satyr Limited Partnership
Contract Purchaser: Old County Buffe (OCB Realty Company)
HEARING: FRIDAY, MARCH 3, 1995 at 9:00 a.m. in Room 106, County Office Building

Special Hearing to approve an amendment to the approved plan for the Satyr Hill Shopping Center per case #94-280-SPHX.

Variance to permit 347 parking spaces in lieu of the required 489 spaces.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

887-3353

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 9, 1995

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: 95-270-SPHA (Item 267)
2033 E. Joppa Road
Satyr Hill Shopping Center
corner of S/S Joppa Road, E/S Satyr Hill Road
9th Election District - 6th Councilmanic
Legal Owner: Satyr Limited Partnership
Contract Purchaser: Old Country Buffet (OCB Realty Company)
HEARING: FRIDAY, MARCH 3, 1995 at 9:00 a.m. in Room 106, County Office Building

Special Hearing to approve an amendment to the approved plan for the Satyr Hill Shopping Center per case #94-280-SPHX.
Variance to permit 347 parking spaces in lieu of the required 489 spaces.

A handwritten signature in cursive script that reads "Arnold Jablon".

Arnold Jablon
Director

cc: Satyr Limited Partnership
William Monk, Inc.
Old Country Buffet/OCB Realty Co.

NOTES: (1) ZONING 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 FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 14, 1995

NOTICE OF REASSIGNMENT

CASE NUMBER: 95-270-SPHA (Item 267)
2033 E. Joppa Road
Satyr Hill Shopping Center
corner of S/S Joppa Road, E/S Satyr Hill Road
9th Election District - 6th Councilmanic
Legal Owner: Satyr Limited Partnership
Contract Purchaser: Old Country Buffet (OCB Realty Company)

Special Hearing to approve an amendment to the approved plan for the
Satyr Hill Shopping Center per case #94-280-SPHX.
Variance to permit 347 parking spaces in lieu of the required 489
spaces.

HEARING: TUESDAY, MARCH 7, 1995 at 2:00 p.m. in Room 118, Old
Courthouse, 400 Washington Avenue, Towson, Maryland.

A handwritten signature in cursive script that reads "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Satyr Limited Partnership
William Monk, Inc.
Old Country Buffet/OCB Realty Co.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 28, 1995

Old Country Buffet
OCB Realty Company
10260 Viking Dr., Suite 100
Eden Prairie, NM 55344

RE: Item No.: 267
Case No.: 95-270-SPHA
Petitioner: Satyr Ltd. Partnership

Gentlemen:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 1, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 21, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for February 21, 1995
Item No. 267


The Developers Engineering Section has reviewed the subject zoning item. We recommend that the parking lot and public road frontages be landscaped in accordance with the Landscape Manual to the extent possible.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director 
Office of Planning and Zoning

DATE: February 9, 1995

SUBJECT: 2033 East Joppa Rd.

INFORMATION:

Item Number: 267

Petitioner: Old Country Buffet

Property Size: _____

Zoning: BL-CCC, BM-CCC & DR-5.5

Requested Action: Special Hearing & Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's representative, Mr William Monk to discuss the impact of the Variance on the Satyr Hill Shopping Center. Based upon our discussion and analysis of parking counts provided by Mr Monk, it is clear that the improvement of the property with an Old Country Buffet restaurant would not result in a negative impact to the center or adjacent property.

Therefore, the staff recommends that the applicant's request be granted subject to a condition requiring that lighting of the center be increased to insure the safety of customers.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kern

PK/JL

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 02/16/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 13, 1995.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 264, 267, 269, 270 AND 273.

RECEIVED
FEB 21 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4891, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: FEB. 13, 1995

DATE: FEB. 14, 1995

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

264
267
268
271
272
273

N. Bruce Seeloy
2-14-95

LS:sp

LETTY2/DEPRM/TXTSBP

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**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

2-10-95

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

Re: Baltimore County
Item No.: +267 (MSK)

Dear Ms. Watson:

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 project.

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,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR VARIANCE		
2033 E. Joppa Road (Satyr Hill Shopping	*	ZONING COMMISSIONER
Center), corner of S/S Joppa Road, E/S		
Satyr Hill Road, 9th Election District.	*	OF BALTIMORE COUNTY
6th Councilmanic		
	*	CASE NO. 95-270-SPHA
Satyr Limited Partnership		
Petitioners	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice 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. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Satyrs Hill Center

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

95-270-SPHA

NAME

ADDRESS

Newton Williams

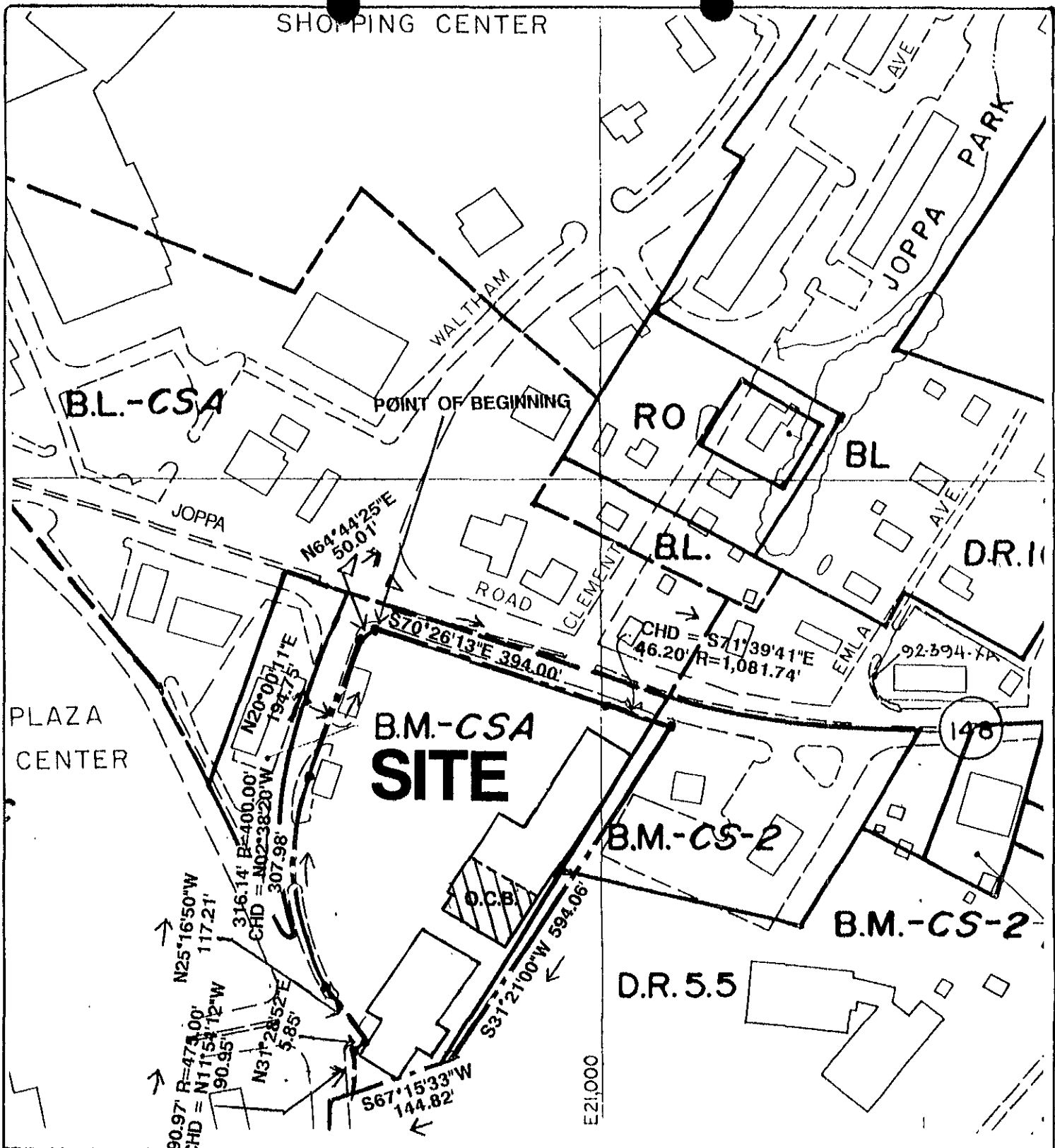
700 Court Towers, Towson, Md. 21204

Bill Monk

222 Bosley Ave., Towson, Md. 21204

Linda Schneider

334 Cranbrook Rd. 21093



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

ZONING MAP
 TO ACCOMPANY SPECIAL HEARING
 AND VARIANCE APPLICATION
2033 E. JOPPA ROAD
 BALTIMORE COUNTY, MD

APPLICANT:
OLD COUNTRY BUFFET
 10260 VIKING DRIVE
 SUITE 100
 EDEN PRAIRIE, MN 55344

01/26/95

1"=200'	NE 10-D	95-12
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WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COMPARATIVE ANALYSIS OF PARKING REQUIREMENTS FOR RESTAURANTS (STANDARD) IN BALTIMORE COUNTY, MARYLAND

Ref # 2A

PARKING REQUIREMENTS

	OLD REGULATIONS BILL # 18-76	NEW REGULATIONS BILL # 110-93	FOR SHOPPING CTRS > THAN 100,000 S. F.
	1 SP. PER 50 SQ. FT. (20/1000)	16/1000	5/1000
OLD COUNTRY BUFFET AT SATYR HILL SHOPPING CENTER 10,000 SQ. FT.	200	160	50

MICROFILMED

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

Ref 2B

PARKING REQUIREMENTS FOR RESTAURANTS WITHIN SATYRE HILL SHOPPING CENTER BALTIMORE COUNTY, MARYLAND				
USE	SQUARE FEET	PARKING REQUIRED		IF CENTER WAS
		OLD REGS 20/1000	NEW REGS 16/1000	> THAN 100,000 SQUARE FEET 5/1000
DUNKIN DONUTS	1,750	35	28.00	8.75
FISHERMANS EXCHANGE REST.	5,400	108	86.40	27.00
OLD COUNTRY BUFFET	10,000	200	160.00	50.00
TOTALS	17,150	343	274.40	85.75
BALANCE OF CENTER	32,823	146	146.00	164.25
TOTAL	49,973	489	420.40	250.00
PARKING PROVIDED		347	347	
PARKING SPACE DEFICIENCY		142	74	0
% DEFICIENCY		40%	21.30%	0

WILLIAM MONK, INC.

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

SATYR HILL SHOPPING CENTER PARKING COUNT

*Lot
2c*

DATE: January 25th, 1995

CONDITIONS: sunny, 45 degrees, no precipitation

VACANT: 35% of building unoccupied

<u>TIME</u>	<u>PM</u>	<u>COUNT</u>	<u>TIME</u>	<u>PM</u>	<u>COUNT</u>
12:00		143	4:00		118
12:15		143	4:15		117
12:30		149	4:30		116
12:45		147	4:45		112
1:00		150	5:00		114
1:15		152	5:15		116
1:30		137	5:30		112
1:45		126	5:45		113
2:00		122	6:00		115
AVERAGE:		141 (42%)			115 (34%)
CAPACITY:		339 SPACES (EXCLUDES SERVICE BAYS)			339 SPACES (EXCLUDES SERVICE BAYS)

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

SATYR HILL SHOPPING CENTER PARKING COUNT

DATE: January 28th, 1995

CONDITIONS: overcast, 35 degrees, no precipitation, no wind

VACANT: 35% of building unoccupied

*Let
2D*

<u>TIME</u>	<u>PM</u>	<u>COUNT</u>	<u>TIME</u>	<u>PM</u>	<u>COUNT</u>
12:00		158	4:00		145
12:15		141	4:15		149
12:30		145	4:30		136
12:45		153	4:45		160
1:00		145	5:00		158
1:15		139	5:15		158
1:30		141	5:30		150
1:45		139	5:45		155
2:00		151	6:00		162
AVERAGE:		146 (43%)			153 (45%)
CAPACITY:		339 SPACES (EXCLUDES SERVICE BAYS)			339 SPACES (EXCLUDES SERVICE BAYS)

WPM31PARKING.DOC

MICROFILMED

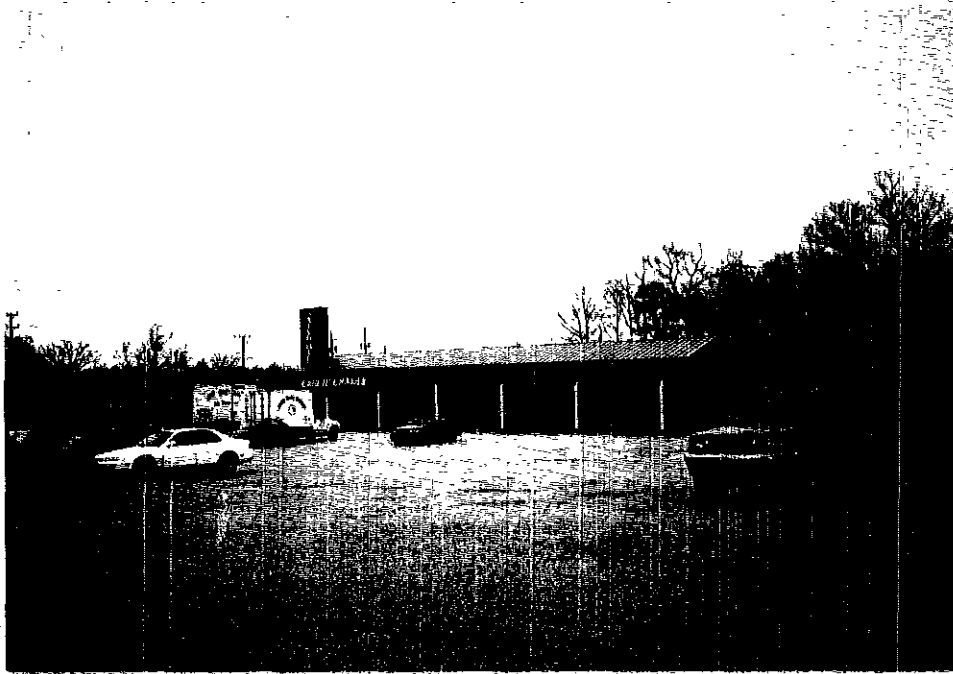
COURTHOUSE COMMONS
222 BOSLEY AVENUE
SUITE B-7
TOWSON, MD 21204
410-494-8931
FAX 410-494-9903

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

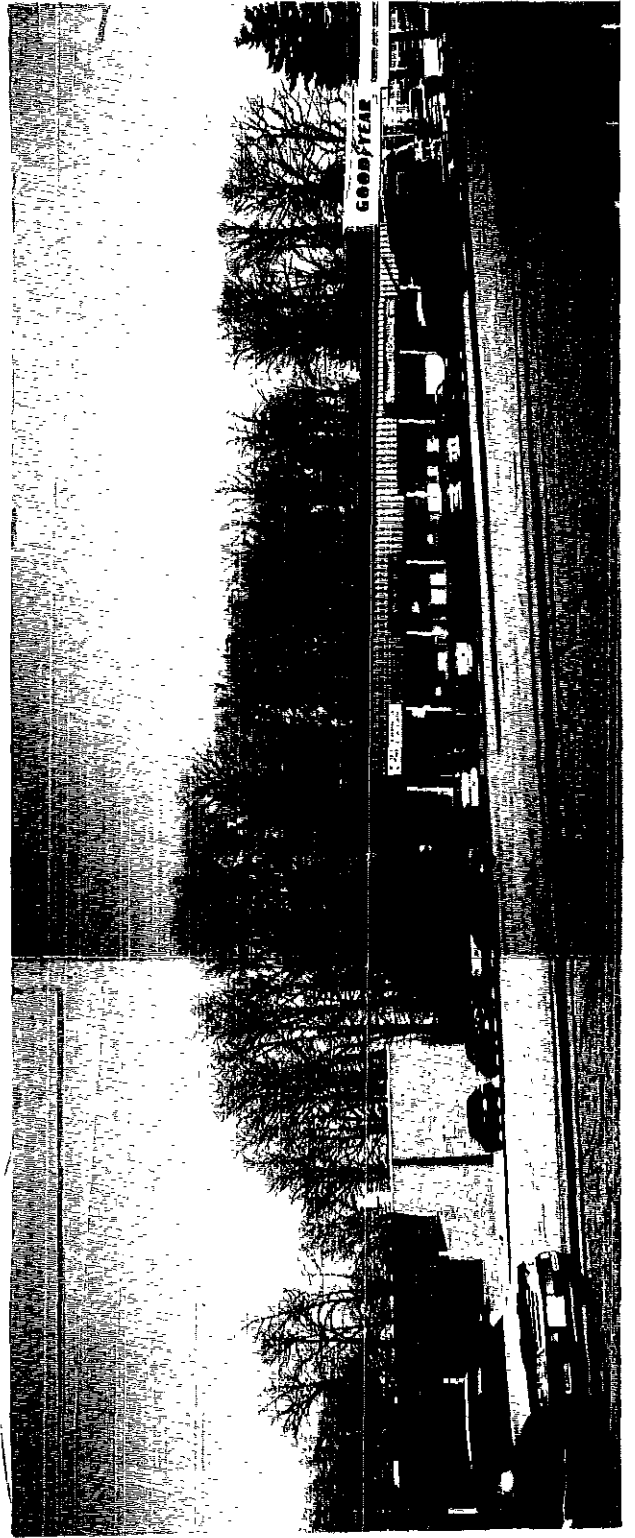
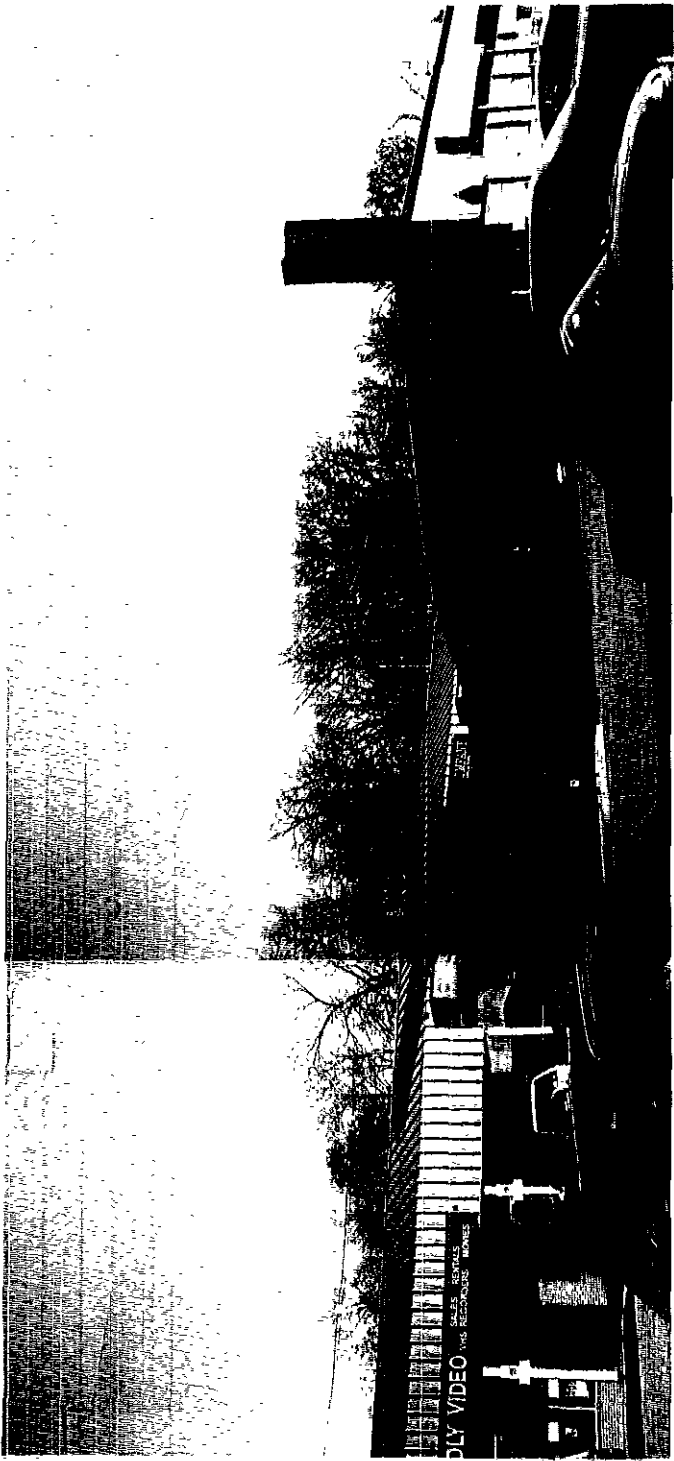
VIEW OF

PROPOSED LOCATION FOR OLD COUNTRY BUFFET RESTAURANT



MICROFILMED





IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - SE/Corner Joppa Road and Satyr Hill Road (2033 East Joppa Road) 9th Election District 6th Councilmanic District Satyr Limited Partnership Petitioners

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 95-270-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 2033 East Joppa Road, also known as the Satyr Hill Shopping Center located between Harford Road and Satyr Hill Road in Parkville. The Petitions were filed by the owners of the property, Satyr Limited Partnership, by Linda G. Schneider, General Partner, and the Contract Purchaser/Lessee, Old Country Buffet. The Petitioners seek special hearing relief to approve an amendment to the previously approved site plan in Case No. 94-280-SPHX and a variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 347 parking spaces in lieu of the required 489 for a proposed restaurant. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Linda Schneider with the Satyr Limited Partnership, William Monk, Land Planning Consultant, and Newton A. Williams, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered demonstrated that the subject property consists of 5.254 acres, more or less, split zoned B.L.-C.C.C., B.M.-C.S.2 and D.P. 5.5. The property is the site of the Satyr Hill Shopping Center, a small strip shopping center which was built in the 1950s. Presently, there are 15 tenants. The Petitioners seek to establish a restaurant use within the shopping center in the area formerly occupied by the Crib 'n Cradle store. The proposed restaurant, known as Old Country Buffet, will utilize approximately 10,000 sq.ft. of space. Due to the size of the property and the proposed restaurant use thereon, the number of parking spaces required has increased to 489. The shopping center can only provide 347 spaces, and thus, the requested variance is necessary. While the projected number of spaces needed for the proposed restaurant use is 200, the Petitioners anticipate utilizing only 130 spaces. Further testimony indicated that the peak hours of operation for the restaurant use will be different from those of the other tenants within the shopping center, and thus, should not result in any parking problems.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented,

ORDER RECEIVED FOR FILING
Date 3/10/95
By [Signature]

it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of March, 1995 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 94-280-SPHX, 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 Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 347 parking spaces in lieu of the required 489 for a proposed restaurant, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING
Date 3/10/95
By [Signature]

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21284

(410) 887-4386

March 10, 1995

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
Court Towers, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE SE/Corner Joppa Road and Satyr Hill Road (2033 East Joppa Road) 9th Election District - 6th Councilmanic District Satyr Limited Partnership - Petitioners Case No. 95-270-SPHA

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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 887-1391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Linda G. Schneider, C.P., Satyr Limited Partnership
334 Cranbrook Road, Cockeysville, Md. 21030

William B. Monk
222 Bosley Avenue, Towson, Md. 21204

People's Counsel
file

#267

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2033 East Joppa Road

which is presently zoned BL-CCC, BM-CS2, U.R.5.5

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) 409.6 to permit 347 parking spaces in lieu of the required 489 spaces.

An amendment to the approved plan for the Satyr Hill Shopping Center per Case # 94-280-SPHX

#267

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2033 East Joppa Road

which is presently zoned BL-CCC, BM-CS2, D.R.5.5

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) 409.6 to permit 347 parking spaces in lieu of the required 489 spaces.

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

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: Old Country Buffet (OCB REALTY CO.)
Satyr Limited Partnership

Legal Owner(s): Linda G. Schneider, GP
William Monk, Inc.

Address: 222 Bosley Ave., Towson, MD 21204
Address: 494-8931

ESTIMATED LENGTH OF HEARING: 1 hr -

REVIEWED BY: [Signature] DATE: 3/1/95

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: Old Country Buffet (OCB REALTY CO.)
Satyr Limited Partnership

Legal Owner(s): Linda G. Schneider, GP
William Monk, Inc.

Address: 222 Bosley Ave., Towson, MD 21204
Address: 494-8931

ESTIMATED LENGTH OF HEARING: 1 hr -

REVIEWED BY: [Signature] DATE: 3/1/95

ZONING DESCRIPTION
SATYR HILL SHOPPING CENTER
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

95-270-SPHA

BEGINNING FOR THE SAME IN THE SOUTHERLY RIGHT OF WAY LINE OF JOPPA ROAD HAVING A RIGHT OF WAY WIDTH OF 80.00 FEET, SAID POINT BEING SOUTHEASTERLY 70 FEET PLUS OR MINUS FROM THE INTERSECTION OF JOPPA ROAD AND SATYR HILL CUT-OFF; THENCE DEPARTING SAID POINT SO FIXED TO MARYLAND STATE GRID NORTH (1) SOUTH 70 DEGREES 26 MINUTES 11 AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,081.74 FEET WITH SECONDS EAST 46.20 FEET; THENCE (2) SOUTHEASTERLY 46.20 FEET ALONG A CHORD BEARING AND DISTANCE OF SOUTH 71 DEGREES 39 MINUTES 11 SECONDS EAST 46.20 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND BINDING (3) SOUTH 31 DEGREES 21 MINUTES 00 SECONDS WEST 144.82 FEET TO INTERSECT WITH THE EASTERLY RIGHT OF WAY LINE OF SATYR HILL ROAD; THENCE BINDING ON SAID EASTERLY RIGHT OF WAY LINE (4) NORTH 11 DEGREES 11 MINUTES 12 SECONDS WEST 90.95 FEET; THENCE (5) NORTHWESTERLY 316.14 FEET ALONG AN ARC OF A CURVE TO THE DISTANCE OF NORTH 02 DEGREES 38 MINUTES 20 SECONDS WEST 307.98 FEET; THENCE (6) NORTH 25 DEGREES 16 MINUTES 50 SECONDS WEST 117.21 FEET; THENCE (7) NORTH 20 DEGREES 04 MINUTES 11 SECONDS EAST 194.75 FEET AND (8) NORTH 64 DEGREES 44 MINUTES 25 SECONDS EAST 50.01 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 5.254 ACRES OF LAND, MORE OR LESS.

WPM24

1/13/94

267

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 3/10/95

Posted for: Special Hearing

Petitioner: Satyr Hill Shopping Center

Location of property: 2033 E. Joppa Rd.

Location of Signs: Posting on Satyr Hill Shopping Center

Remarks: (No Pl. used)

Posted by: [Signature] Date of return: 3/1/95

Number of Signs: 1

receipt
95-270-SPHA

Date: 2-1-95

Taken In by: [Signature]

Item #: 267

Satyr Limited Partnership - 2033 East Joppa Rd

020 - Comm Var - \$ 250.00

040 - Comm Sp Hrgy - \$ 250.00

080 - 4 signs (#35.00 each) - \$ 140.00

\$ 640.00

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood 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.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 267
Petitioner: SATVR LIMITED PARTNERSHIP
Location: 2033 EAST JOPPA ROAD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: OCB REALTY CO.
ADDRESS: 10260 VIKING DRIVE
EDEN PRAIRIE, MN 55344
PHONE NUMBER: 612/942-4700

AJ:ggg (Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY
February 16, 1995 Lema - Jefferson

Please forward billing to:

OCB Realty Company
10260 Viking Drive
Eden Prairie, MN 55344
612-942-4700

NOTICE OF HEARING

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-270-SPHA (Item 267)

2033 E. Joppa Road
Satvr Hill Shopping Center
corner of S/S Joppa Road, E/S Satvr Hill Road
9th Election District - 6th Councilmanic
Local Owner: Satvr Limited Partnership
Contract Purchaser: Old Country Buffet (OCB Realty Company)

HEARING: FRIDAY, MARCH 3, 1995 at 9:00 a.m. in Room 106, County Office Building
Special Hearing to approve an amendment to the approved plan for the Satvr Hill Shopping Center per case #94-280-SPHX.
Variance to permit 347 parking spaces in lieu of the required 489 spaces.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 9, 1995

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the 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: 95-270-SPHA (Item 267)

2033 E. Joppa Road
Satvr Hill Shopping Center
corner of S/S Joppa Road, E/S Satvr Hill Road
9th Election District - 6th Councilmanic
Local Owner: Satvr Limited Partnership
Contract Purchaser: Old Country Buffet (OCB Realty Company)

HEARING: FRIDAY, MARCH 3, 1995 at 9:00 a.m. in Room 106, County Office Building
Special Hearing to approve an amendment to the approved plan for the Satvr Hill Shopping Center per case #94-280-SPHX.
Variance to permit 347 parking spaces in lieu of the required 489 spaces.

Arnold Jablon, Director

Satvr Limited Partnership
William Monk, Inc.
Old Country Buffet/OCB Realty Co.

NOTES: (1) ZONING 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 FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 14, 1995

NOTICE OF REASSIGNMENT

CASE NUMBER: 95-270-SPHA (Item 267)
2033 E. Joppa Road
Satvr Hill Shopping Center
corner of S/S Joppa Road, E/S Satvr Hill Road
9th Election District - 6th Councilmanic
Legal Owner: Satvr Limited Partnership
Contract Purchaser: Old Country Buffet (OCB Realty Company)

Special Hearing to approve an amendment to the approved plan for the Satvr Hill Shopping Center per case #94-280-SPHX.
Variance to permit 347 parking spaces in lieu of the required 489 spaces.

HEARING: TUESDAY, MARCH 7, 1995 at 2:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

Arnold Jablon, Director

Arnold Jablon, Director

Satvr Limited Partnership
William Monk, Inc.
Old Country Buffet/OCB Realty Co.

Printed with Soybean Ink on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 28, 1995

Old Country Buffet
OCB Realty Company
10260 Viking Dr., Suite 100
Eden Prairie, MN 55344

RE: Item No.: 267
Case No.: 95-270-SPHA
Petitioner: Satvr Ltd. Partnership

Gentlemen:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on February 1, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely, W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 21, 1995
Zoning Administration and Development Management

FROM: Albert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for February 21, 1995
Item No. 267

The Developers Engineering Section has reviewed the subject zoning item. We recommend that the parking lot and public road frontages be landscaped in accordance with the Landscape Manual to the extent possible.

BWB:aw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: February 9, 1995

SUBJECT: 2033 East Joppa Rd.

INFORMATION:

Item Number: 267

Petitioner: Old Country Buffet

Property Size:

Zoning: BL-CCC, BM-CCC & DR-5.5

Requested Action: Special Hearing & Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant's representative, Mr. William Monk to discuss the impact of the Variance on the Satvr Hill Shopping Center. Based upon our discussion and analysis of parking counts provided by Mr. Monk, it is clear that the improvement of the property with an Old Country Buffet restaurant would not result in a negative impact to the center or adjacent property.

Therefore, the staff recommends that the applicant's request be granted subject to a condition requiring that lighting of the center be increased to insure the safety of customers.

Prepared by: Jeffrey W. Long

Division Chief: Campbell Lewis

PK/JL

ITEM 267 / PZOMB / TEEJHL

Pg. 1

Baltimore County Government
Fire Department

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

(410) 887-4500

DATE: 02/16/95

Arnold Jablon, Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF FEB. 13, 1995.

Item No.: SEE BELOW Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 264, 267, 269, 270 AND 273.

RECEIVED
FEB 21 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERHALD
Fire Marshal Office, PHONE 887-4891, MS-1102F

cc: File

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Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: FEB 14 1995
FROM: DEPRM Development Coordination
SUBJECT: Zoning Advisory Committee Agenda: FEB 13 1995

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

- Item #'s: 264
267
268
271
272
273

R. Bruce Seely
2-14-95

LS:sp
LETTY2/DEPRM/TXTSBP

SHA Maryland Department of Transportation
State Highway Administration

O James Lighthizer
Secretary
Hal Kassoff
Administrator

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

Re: Baltimore County
Item No.: +267 (MSK)

Dear Ms. Watson:

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 project.

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,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
2033 E. Joppa Road (Satyr Hill Shopping
Center), corner of S/S Joppa Road, E/S
Satyr Hill Road, 9th Election District.
6th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-270-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice 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. Dentilio
CAROLE S. DENTILIO
Deputy People's Counsel
Room 17, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

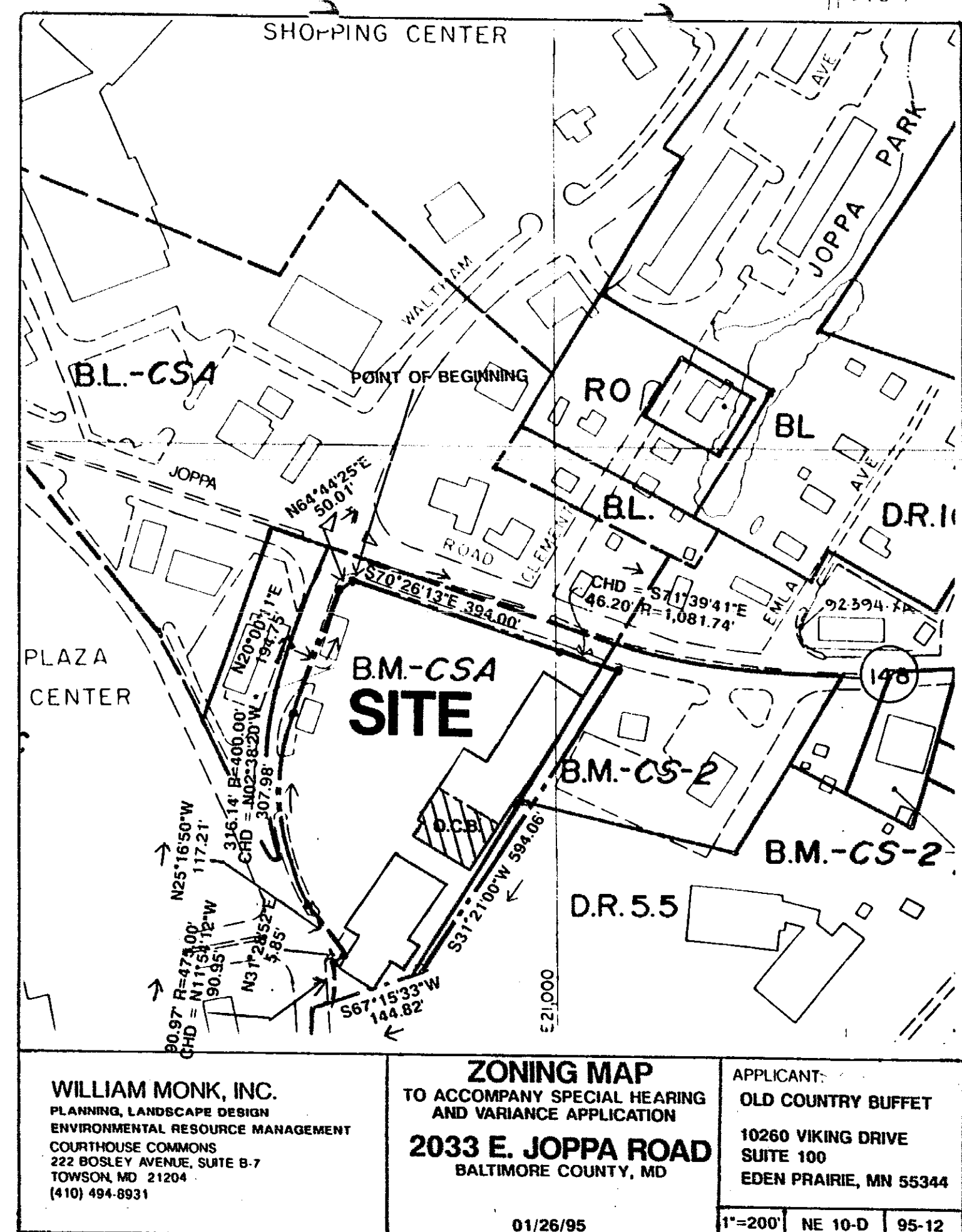
I HEREBY CERTIFY that on this 28th day of February, 1995, a copy of the foregoing Entry of Appearance was mailed to William Monk, Inc., 222 Bosley Avenue, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET
95-270-SPHA

NAME ADDRESS
Newton Williams 700 Court Trauma, Towson, Md 21287
Bill Monk 222 Bosley Ave., Towson, Md. 21204
Rinda Schreiber 934 Court Park Rd. 21093



WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

COMPARATIVE ANALYSIS OF PARKING
REQUIREMENTS FOR RESTAURANTS (STANDARD)
IN BALTIMORE COUNTY, MARYLAND

PARKING REQUIREMENTS

OLD REGULATIONS BILL # 18-76	NEW REGULATIONS BILL # 110-83	FOR SHOPPING CTRS > THAN 100,000 S. F.
1 SP. PER 50 SQ. FT. (20/1000)	16/1000	5/1000

OLD COUNTRY BUFFET
AT SATYR HILL SHOPPING
CENTER
10,000 SQ. FT.

200	180	50
-----	-----	----

Pet #2A

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

Pet #2B

USE	SQUARE FEET	PARKING REQUIRED		IF CENTER WAS > THAN 100,000 SQUARE FEET
		OLD REGS 20/1000	NEW REGS 16/1000	
		NEW REGS 5/1000	SQUARE FEET	
DUNKIN DONUTS	1,750	35	28.00	8.75
FISHERMANS				
EXCHANGE REST.	5,400	108	86.40	27.00
OLD COUNTRY BUFFET	10,000	200	160.00	50.00
TOTALS	17,150	343	274.40	85.75
BALANCE OF CENTER	32,823	148	148.00	164.25
TOTAL	49,973	489	420.40	250.00
PARKING PROVIDED		347	347	
PARKING SPACE DEFICIENCY		142	74	0
% DEFICIENCY		40%	21.30%	0

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

SATYR HILL SHOPPING CENTER
PARKING COUNT

DATE: January 25th, 1995

CONDITIONS: sunny, 45 degrees, no precipitation

VACANT: 35% of building unoccupied

TIME	PM		PM	
	TIME	COUNT	TIME	COUNT
12:00	143	4:00	118	
12:15	143	4:15	117	
12:30	149	4:30	116	
12:45	147	4:45	112	
1:00	150	5:00	114	
1:15	152	5:15	116	
1:30	137	5:30	112	
1:45	126	5:45	113	
2:00	122	6:00	115	

AVERAGE: 141 (42%)

115 (43%)

CAPACITY: 339 SPACES
(EXCLUDES SERVICE BAYS)

339 SPACES
(EXCLUDES SERVICE BAYS)

WMSPARKING.DOC

WILLIAM MONK, INC.

LAND USE PLANNING • LANDSCAPE DESIGN

SATYR HILL SHOPPING CENTER
PARKING COUNT

DATE: January 28th, 1995

CONDITIONS: overcast, 35 degrees, no precipitation, no wind

VACANT: 35% of building unoccupied

TIME	PM		PM	
	TIME	COUNT	TIME	COUNT
12:00	158	4:00	145	
12:15	141	4:15	149	
12:30	145	4:30	136	
12:45	153	4:45	160	
1:00	145	5:00	158	
1:15	139	5:15	158	
1:30	141	5:30	150	
1:45	139	5:45	155	
2:00	151	6:00	162	

AVERAGE: 146 (43%)

153 (49%)

CAPACITY: 339 SPACES
(EXCLUDES SERVICE BAYS)

339 SPACES
(EXCLUDES SERVICE BAYS)

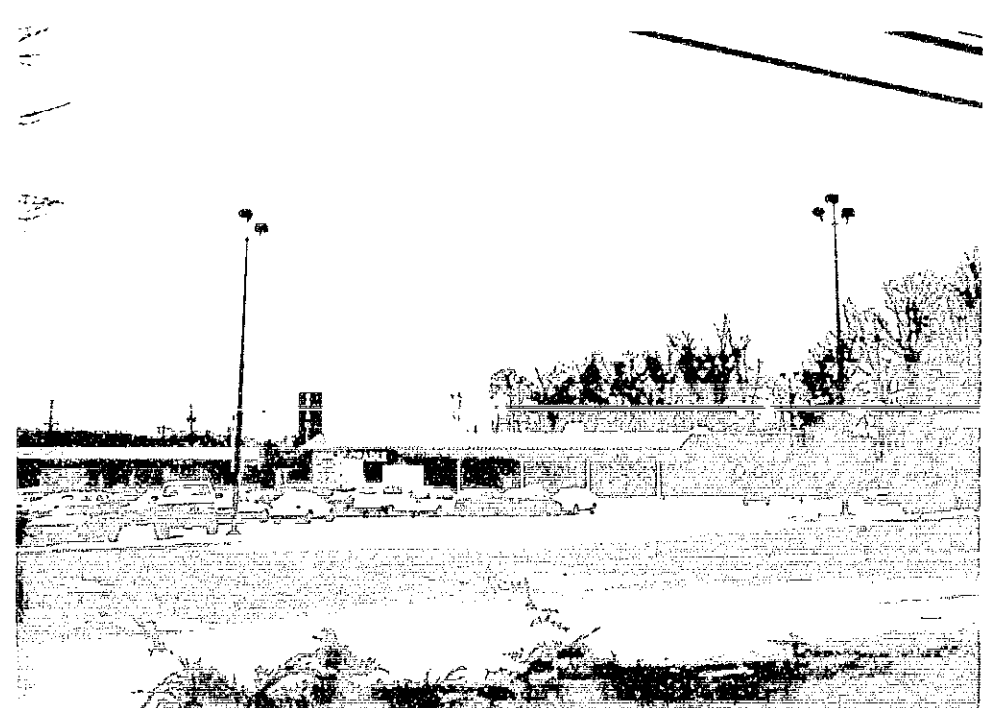
WMSPARKING.DOC

WILLIAM MONK, INC.

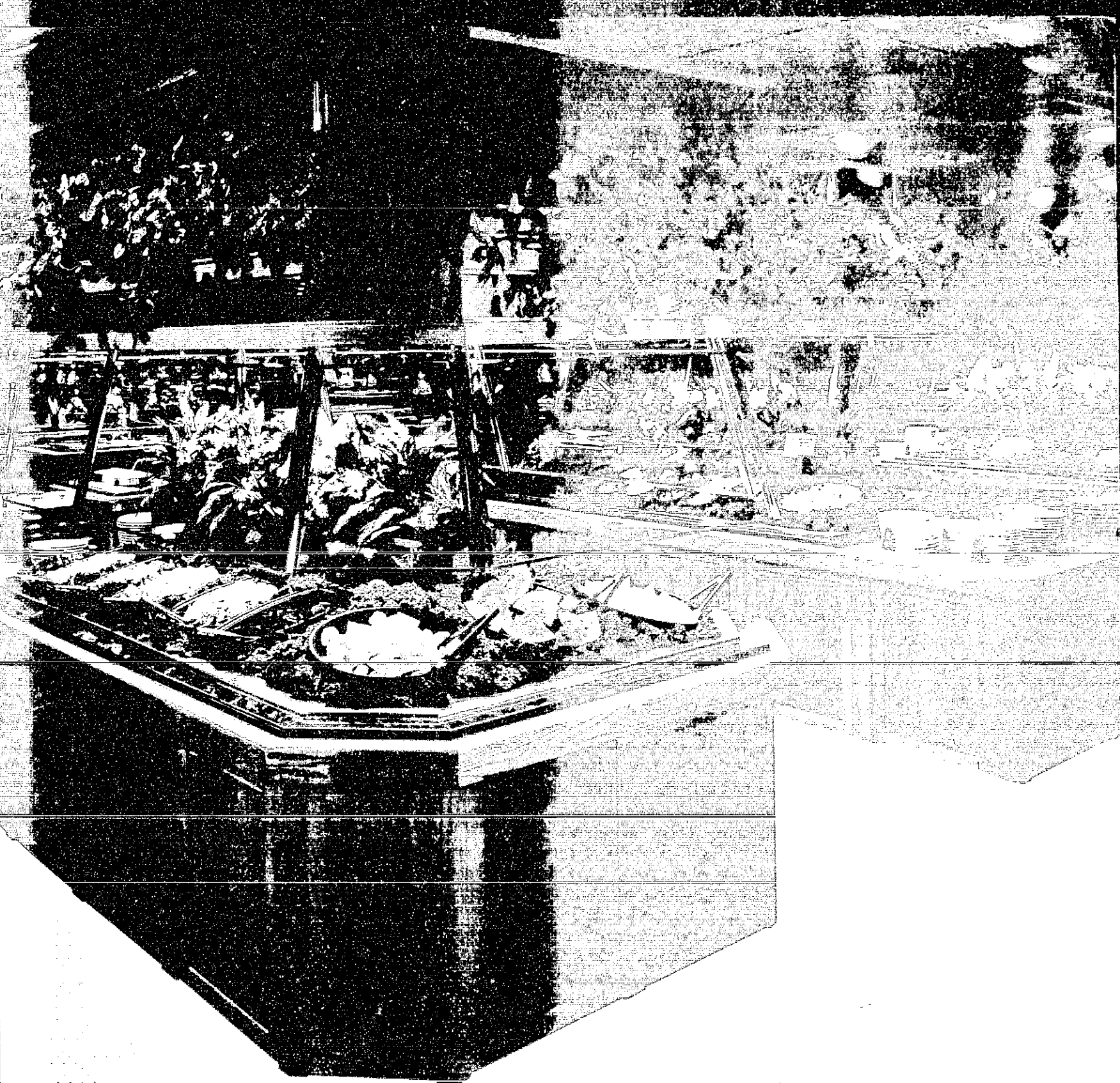
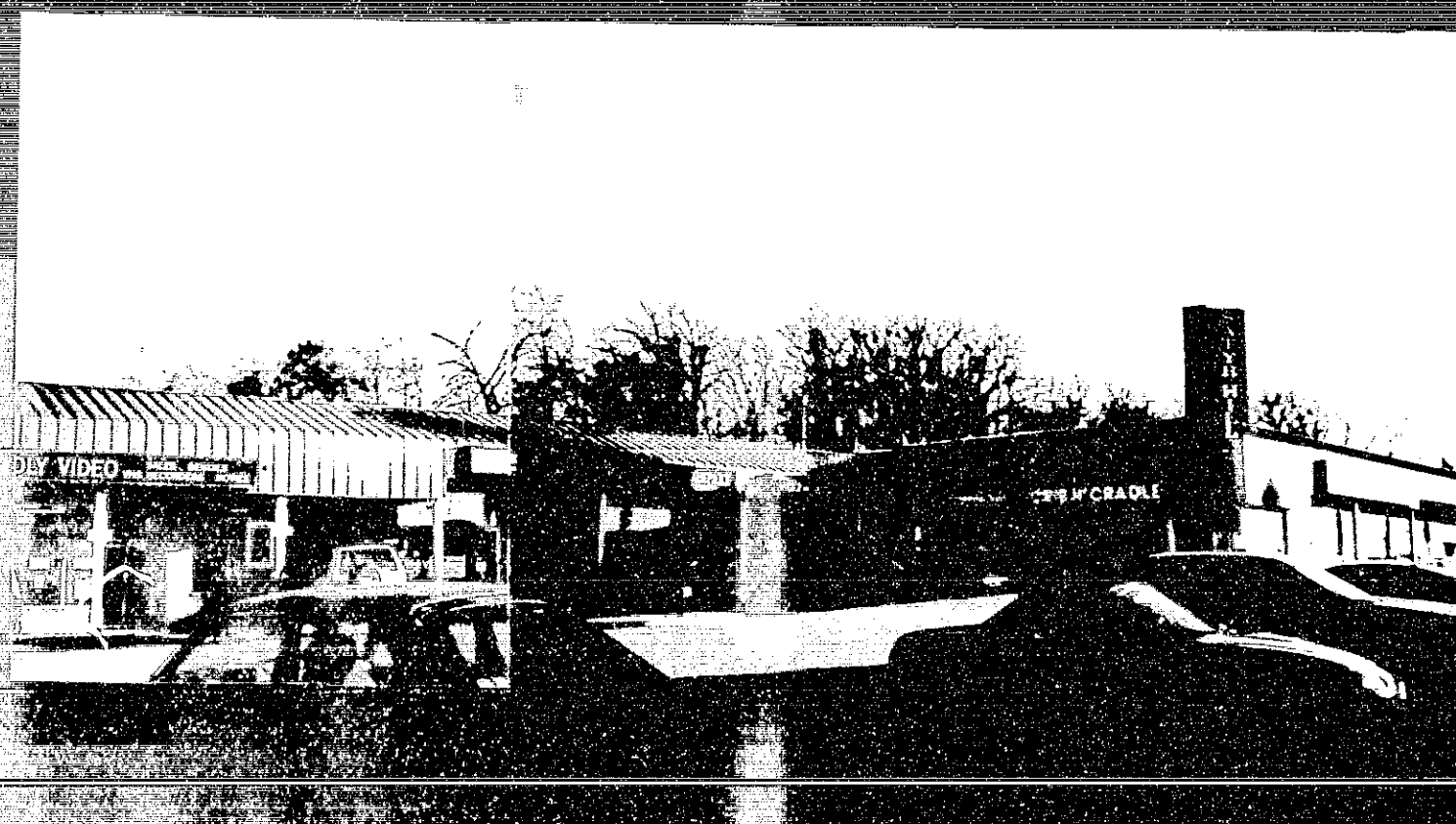
LAND USE PLANNING - LANDSCAPE DESIGN

VIEW OF

PROPOSED LOCATION FOR OLD COUNTRY BUFFET RESTAURANT



photograph
95-276-5747



Visit Us at
Old Country Buffet

FIRST
QUARTER REPORT
APRIL 20, 1994

SECOND
QUARTER REPORT
JULY 13, 1994

THIRD
QUARTER REPORT
OCTOBER 5, 1994

10
CELEBRATING
YEARS

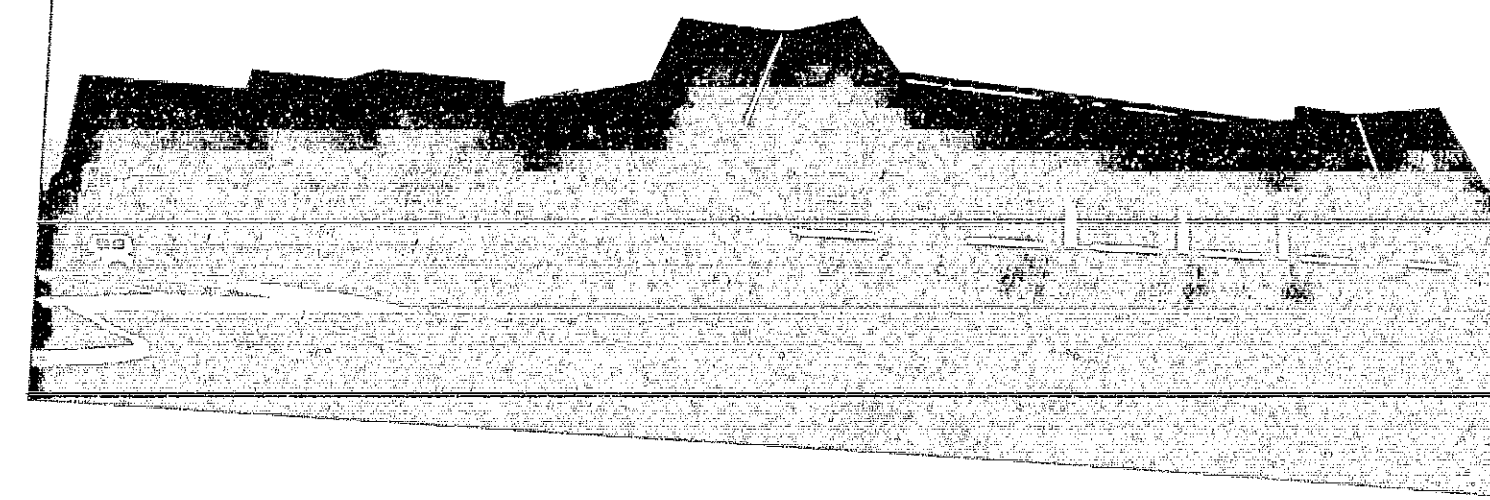
10
CELEBRATING
YEARS

10
CELEBRATING
YEARS

LANDLORD REFERENCES

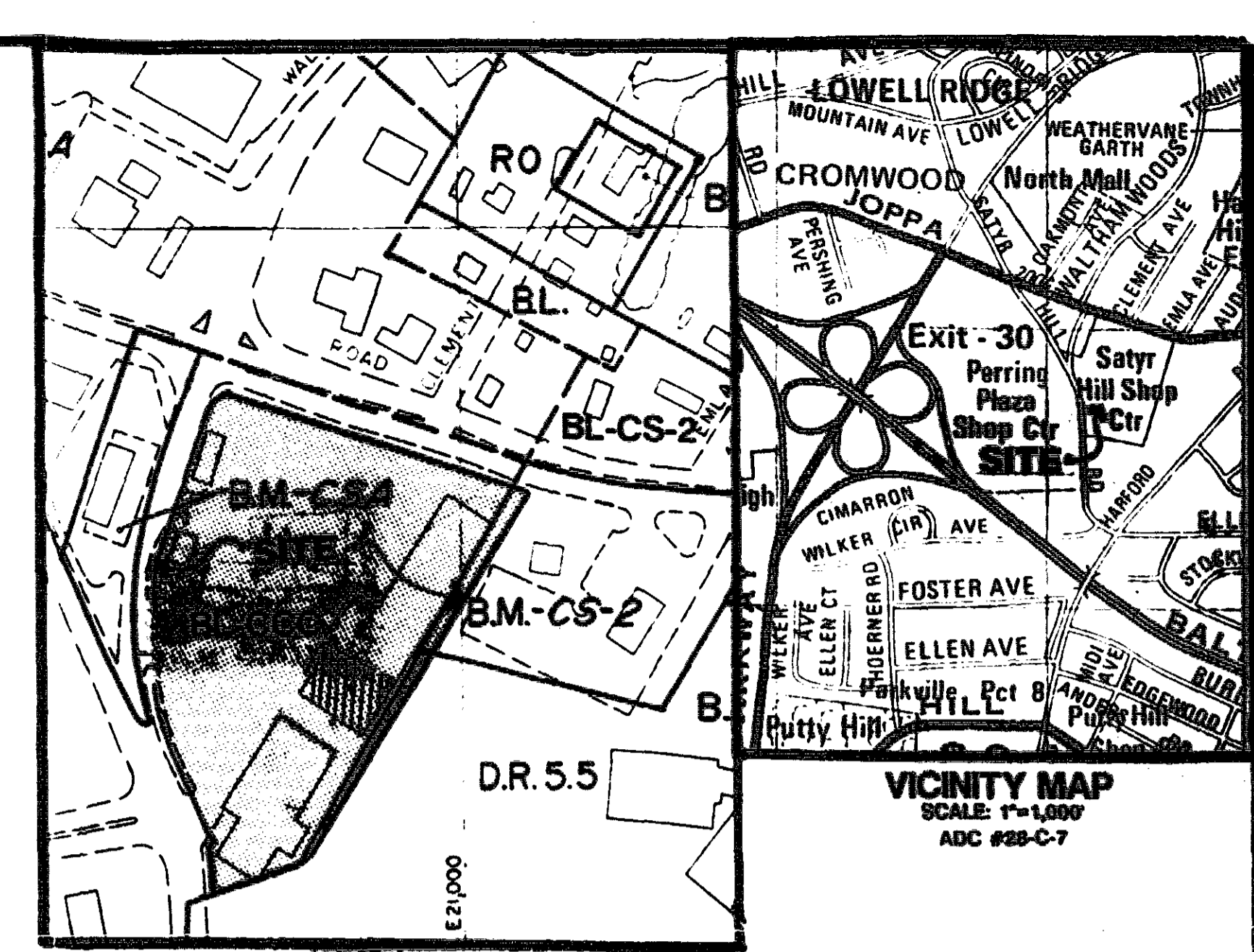
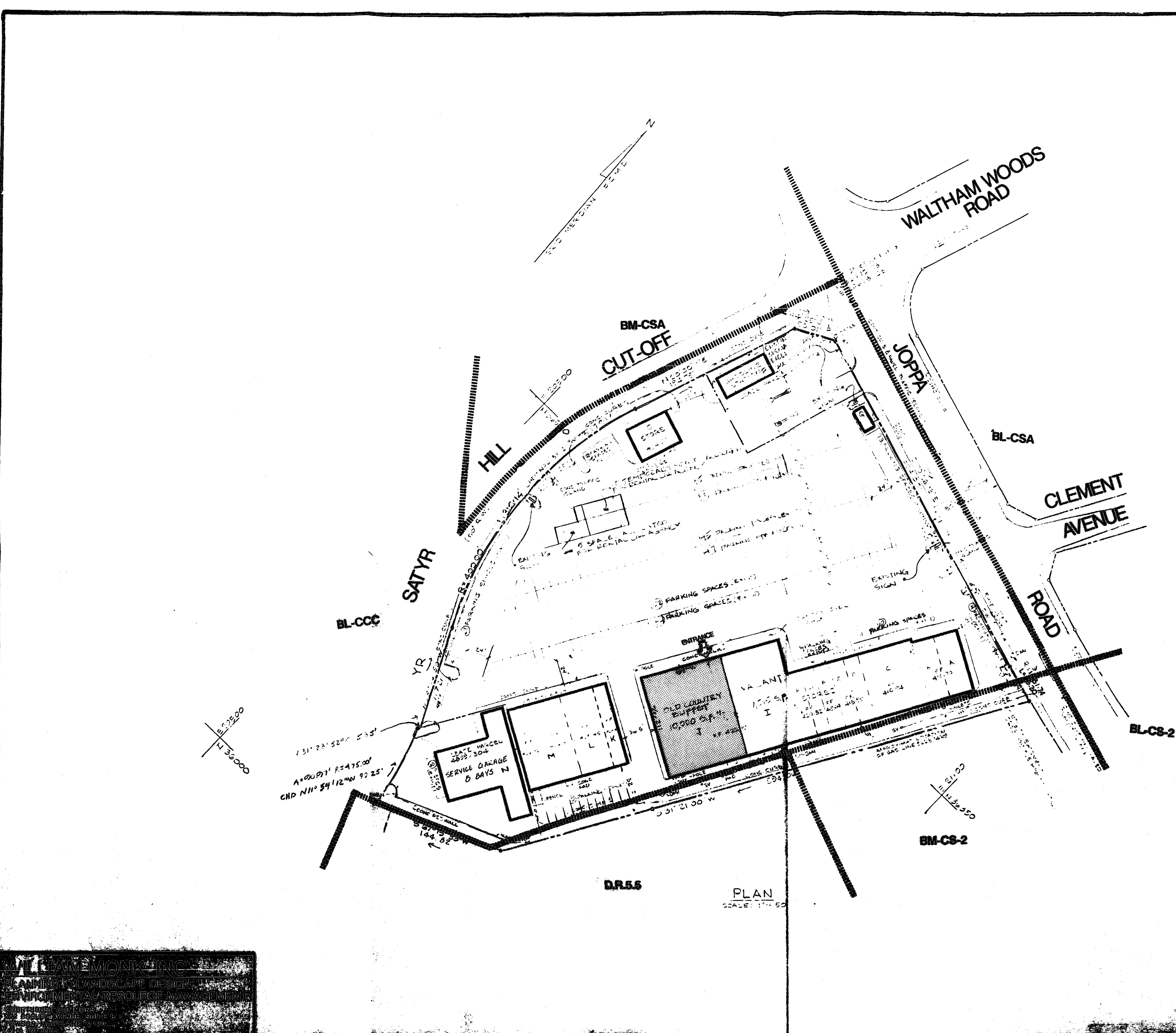
LOCATION	CONTACT
RICHFIELD, MINNESOTA CRYSTAL, MINNESOTA	Matt Rieger Midwest Management Inc 651 Lakeshore Parkway Suite 1500 Minnetonka, MN 55305 1612.449-4979
BURNSVILLE, MINNESOTA	Patricia Noonoy Nooney Krombach Company 2626 East 82nd Street Bloomington, MN 55425 1612.854.7957
RACINE, WISCONSIN CLARENCE, NEW YORK HUNTSVILLE, ALABAMA	Charles Kramer The Brookhill Group 501 Madison Avenue New York, NY 10022 1212.753-3123
TOLEDO, OHIO JACKSON, MICHIGAN STERLING HEIGHTS, MICHIGAN SOUTHFIELD, MICHIGAN	Kathy Ward-Darin Ramco-Gershenson Inc 27600 Northwestern Hwy Suite 200 Southfield, MI 48034 313.350-9900
KNOXVILLE, TENNESSEE AUGUSTA, GEORGIA	Vickie Bone Equity Properties & Development Co 5775-D Peachtree Dunwoody Road Suite 650 Atlanta, GA 30342 1404.255-3698
NASHVILLE, TENNESSEE CHICAGO, ILLINOIS MICHIGAN CITY, INDIANA	Steven Weiss Equity Properties & Development Co Two North Riverside Plaza Chicago, IL 60606 312.454-1800
ROLLING MEADOWS, ILLINOIS CHICAGO RIDGE, ILLINOIS CRYSTAL LAKE, ILLINOIS	Norris Eber The Tucker Companies 1400 East Golf Road Suite 1000 Rolling Meadows, IL 60008-4275 1709.852-1030

Old Country Buffet



10
CELEBRATING
YEARS

Buffets, Inc.



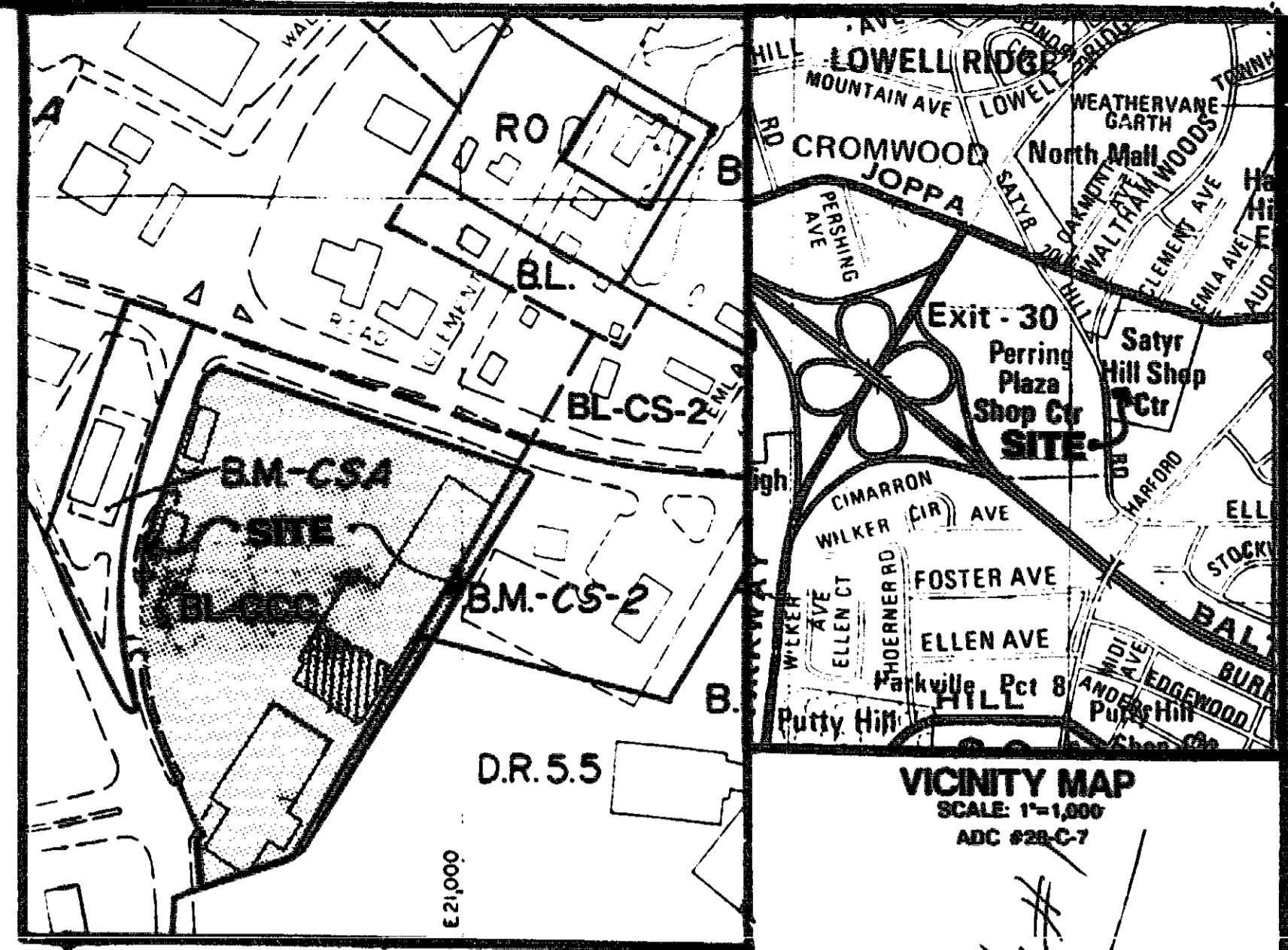
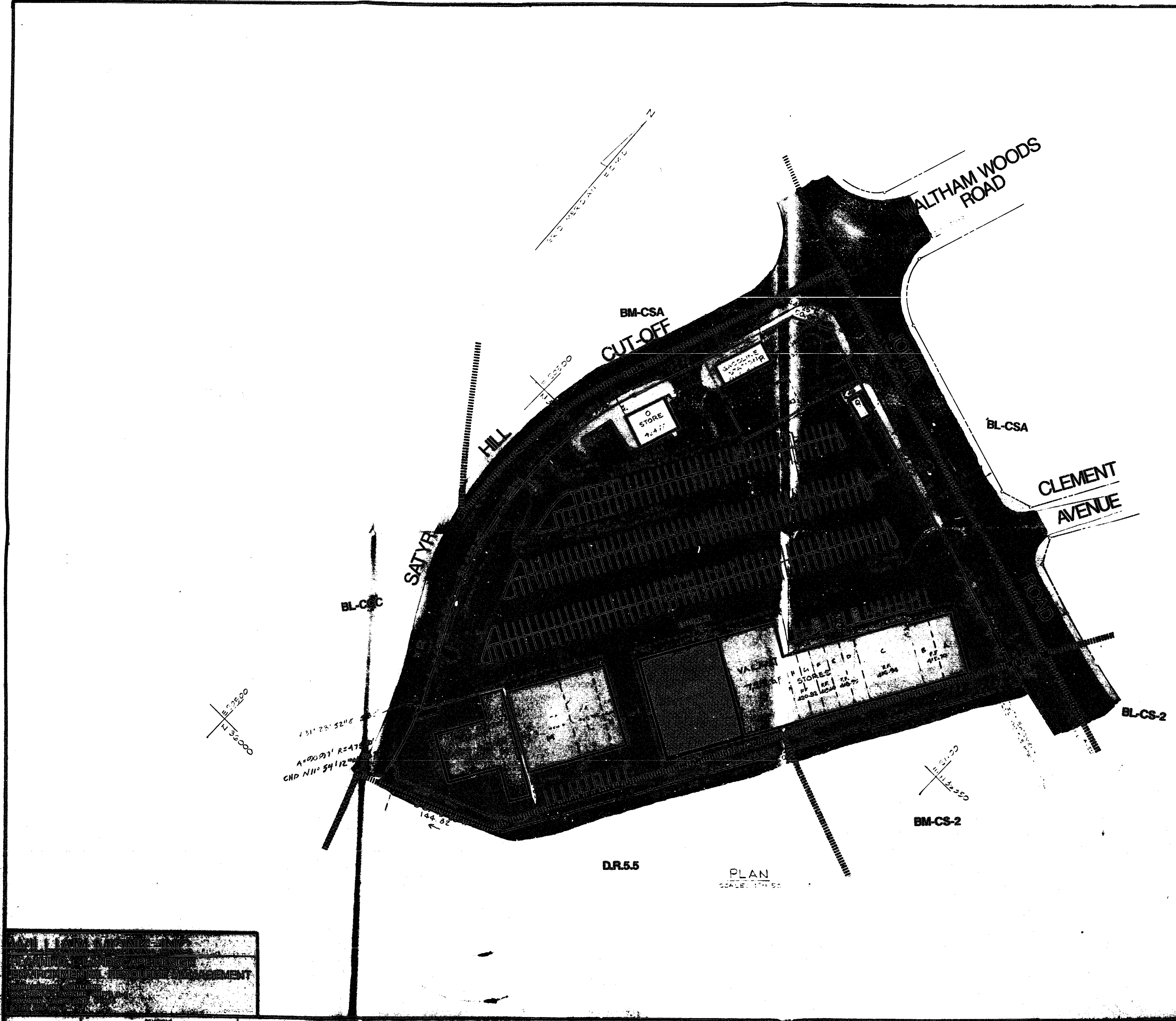
- ZONING MAP**
SCALE: 1" = 100'
- VICINITY MAP**
SCALE: 1" = 1,000'
ADC #28-C-7
- NOTES:**
- EXISTING ZONING: BL-CCC, BL-CS-2, D.R.5.5
 - PROPOSED ZONING: NO CHANGE
 - LOT AREA: 28,600 +/- SF (1.25 AC +/- NET), 26,130 +/- SF (1.98 AC +/- GROSS)
 - EXISTING USE: SHOPPING CENTER
 - PROPOSED USE: SHOPPING CENTER WITH OLD COUNTRY BUFFET RESTAURANT UTILIZING 10,000 SQ. FT. WITHIN THE SPACE FORMERLY OCCUPIED BY CRIB N' CRADLE.
 - BUILDING AREA: 48,975 SQ. FT. (SHOPPING CENTER INCLUDING CONVENIENCE STORE, FUEL SERVICE STATION AND SNOWBALL STAND)
 - SPECIAL HEARING TO AMEND THE PREVIOUSLY APPROVED PLAN FOR THE SATYR HILL SHOPPING CENTER PER CASE # 95-20 SPK
 - VARIANCES SECTION 409.6 TO PERMIT 307 PARKING SPACES IN LIEU OF THE REQUIRED 400 SPACES
 - PREVIOUS ZONING HEARINGS:
- #2234 RECLASSIFICATION FROM 'A' RESIDENCE TO 'I' LIGHT INDUSTRIAL. GRANTED 5/14/72
 - #1489-S VARIANCE TO USE THE LAND FOR AUTOMOBILE PARKING (27,735 SQ. FT. LIG. 2ND PARKING SPACES) GRANTED 5/15/55
 - #76-20A VARIANCE, SECTION 409.2b (A) TO PERMIT 116 PARKING SPACES IN LIEU OF THE REQUIRED 141 SPACES. GRANTED 5/16 (DUE TO DIVISION OF SPACE AT NORTH END FOR DONUT SHOP AND RETAIL STORE)
 - #76-202A VARIANCE, SECTION 211.1 TO PERMIT A DISTANCE OF 11' FROM CENTER LINE OF SATYR HILL ROAD IN LIEU OF THE REQUIRED 47' AND FRONT YARD SETBACK OF 6' IN LIEU OF REQUIRED 16' GRANTED 10/76 (CURRENT REITS STORE)
 - #95-176 SPK XA SPECIAL HEARING AND VARIANCE TO PERMIT A 10' FRONT YARD SETBACK IN LIEU OF THE REQUIRED AVERAGE SETBACK OF 81' AND TO AMEND THE PREVIOUSLY APPROVED SITE PLAN PER CASE #S 76-210-A AND 76-242-A (GRANTED 11/97)
 - #95-480 SPK SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE PREVIOUSLY APPROVED SITE PLAN (#95-202SPK) AND SPECIAL EXCEPTION FOR A RENTAL CAR AGENCY ON THE SUBJECT PROPERTY. GRANTED WITH RESTRICTIONS 5/16/94
- PREVIOUS COMMERCIAL PERMITS: BUILDINGS 394-01, 664-78, 1152-76, 447-71, 650-71, 1499-73, 202-76, 716-76, 605-77, 608-77, 204-78, 205-78, 114-82
 - OWNERSHIP INFORMATION: SATYR LIMITED PARTNERSHIP
354 CROMWOOD ROAD
CROCKETTSVILLE, MD 21030
 - DEED REFERENCE: 807016
 - TAX MAP: 71, GRID: 14, PARCEL: 646
 - TAX ACCOUNT #: 23800324
 - CONV. TRACT: 199
 - ELECTION DISTRICT NO. 6
 - COUNTY COUNCIL DISTRICT NO. 6
 - SETBACK REQUIREMENTS: NO NEW CONSTRUCTION PROPOSED
- | | FRONT | REAR | REAR |
|----------------------------|-------------------|---------------------------|------|
| | 15' | 5' | 5' |
| | NA | NA | NA |
| A. PARKING CALCULATIONS: | | | |
| B. BUREAU REQUIREMENTS | 1,700,000 X 20 = | 34,000 | |
| C. RESTAURANT CALCULATIONS | 1,700,000 X 5 = | 8,500 | |
| D. FUTURE VEHICLES | 4,000,000 X 5 = | 20,000 | |
| E. MAIL SHOP | 1,000,000 X 5 = | 5,000 | |
| F. F&A CONSUMABLE SHOP | 1,750,000 X 3.5 = | 6,125 | |
| G. PIZZA SALES | 1,500,000 X 5 = | 7,500 | |
| H. CLEANABLE STORES | 1,500,000 X 2.5 = | 3,750 | |
| I. CROWDED TOUCH | 1,500,000 X 2.5 = | 3,750 | |
| J. HAIR STORES | 1,500,000 X 2.5 = | 3,750 | |
| K. VENDING | 2,000,000 X 5 = | 10,000 | |
| L. FUTURE USE (CONSUMABLE) | 1,500,000 X 20 = | 30,000 | |
| M. CONVENIENCE STORE | 1,000,000 X 2.5 = | 2,500 | |
| N. CONVENIENCE STORE | 1,000,000 X 2.5 = | 2,500 | |
| O. CONVENIENCE STORE | 1,000,000 X 2.5 = | 2,500 | |
| P. CONVENIENCE STORE | 1,000,000 X 2.5 = | 2,500 | |
| Q. SNOWBALL STAND | 1,000,000 X 2.5 = | 2,500 | |
| TOTAL REQUIRED | | 100,000 | |
| TOTAL PROVIDED | | 307 SPACES + 6 BAYS = 313 | |
21. UTILIZED THE SERVICES OF PUBLIC UTILITIES ENGINEERS TO BE UTILIZED
22. UTILIZED ALL SERVICES TO BE UTILIZED TO BE UTILIZED
23. ASSESSMENT OF ADDITIONAL BUILDING AREA PROPOSED
24. FLOOR AREA AND CUBIC AREA MEASUREMENTS TO BE PROVIDED - 20
- UNAPPROVED, INC.

95-270-SPHA

#267

WILLIAM MONK, INC.
PLANNING, LANDSCAPE DESIGN,
ENVIRONMENTAL RESOURCE MANAGEMENT
1101 W. MONK DRIVE
BALTIMORE, MARYLAND 21204
TEL: 410-528-1100

PLANNING BOARD
BALTIMORE COUNTY, MARYLAND
1/10/94
P.E. # 19203



ZONING MAP
SCALE: 1"=200'
MAP # RE 10-0

VICINITY MAP
SCALE: 1"=1,000'
ADC #28-C-7

Pet. # 1203

NOTES:

- EXISTING ZONING: BL-CSA, BL-CS-2, DR.5.5
- PROPOSED ZONING: NO CHANGE
- LOT AREA: 228,690 +/- SF (5.25 AC +/- NET); 263,330 +/- SF (5.98 AC +/- GROSS)
- EXISTING USE: SHOPPING CENTER
- PROPOSED USE: SHOPPING CENTER WITH OLD COUNTRY BUTTE RESTAURANT UTILIZING 10,000 SQ. FT. WITHIN THE SPACE POSSIBLY OCCUPIED BY CURB CUT
- BUILDING AREA: 48,973 SQ. FT. (SHOPPING CENTER INCLUDING CONVENIENCE STORE, FUEL SERVICE STATION AND SHOOTBALL STAND)
- SPECIAL HEARING TO AMEND THE PREVIOUSLY APPROVED PLAN FOR THE SATYR HILL SHOPPING CENTER PER CASE # 94-280 SPVD
- VARIANCES: SECTION 409.4 TO PERMIT 147 PARKING SPACES IN LIEU OF THE REQUIRED 187 SPACES
- PREVIOUS ZONING HEARINGS:

- #284 RECLASSIFICATION FROM "A" RESIDENCY TO "I" LIGHT INDUSTRIAL. GRANTED 8/14/92
- #388-6 VARIANCE TO USE THE LAND FOR AUTOMOBILE PARKING (27,725 SQ. FT. LOTS, 296 PARKING SPACES). GRANTED 3/15/93
- #78-281A VARIANCE, SECTION 409.3 (D & G) TO PERMIT 146 PARKING SPACES IN LIEU OF THE REQUIRED 142 SPACES. GRANTED 5/14 (DUE TO DIVISION OF SPACE AT NORTH END FOR DONUT SHOP AND RETAIL STORE)
- #74-242A VARIANCE, SECTION 732.1 TO PERMIT A DISTANCE OF 11' FROM CENTER LINE OF SATYR HILL ROAD IN LIEU OF THE REQUIRED 40' AND FRONT YARD SETBACK OF 8' IN LIEU OF REQUIRED 18'. GRANTED 8/4/93 (CURRENT HIGH STORE)
- #91-785 SPV XA SPECIAL HEARING AND VARIANCE TO PERMIT A 10' FRONT YARD SETBACK IN LIEU OF THE REQUIRED AVERAGE SETBACK OF 81' AND TO AMEND THE PREVIOUSLY APPROVED SITE PLAN PER CASE #S 76-210-A AND 76-242-A (GRANTED 3/14/94)
- #94-280 SPVD SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE PREVIOUSLY APPROVED SITE PLAN (# 94-186 SPVD) AND SPECIAL EXCEPTION FOR A RENTAL CAR AGENCY ON THE SUBJECT PROPERTY. GRANTED WITH RESTRICTIONS 3/14/94

- PREVIOUS COMMERCIAL PERMITS: NUMBERS 394-48, 664-78, 1132-78, 847-71, 850-71, 970-71, 1499-71, 202-78, 718-78, 683-77, 638-77, 838-78, 388-78, 114-82
- OWNERSHIP INFORMATION: SATYR LIMITED PARTNERSHIP
734 CHANDLER ROAD
COCKEYSVILLE, MD 21039
- DEED REFERENCE: 8957216
- TAX MAP: 71 GRID 1A, PARCEL 646
- TAX ACCOUNT # 228089254
- CENSUS TRACT: 4919
- ELECTION DISTRICT NO. 6
- COUNTY COUNCIL DISTRICT NO. 6
- SETBACK REQUIREMENTS: NO NEW CONSTRUCTION PROPOSED

	FRONT	REAR	REAR	REAR
A	1,750/100 X 20 =	11.00		
B	1,750/100 X 5 =	8.75		
C	4,500/100 X 5 =	22.50		
D	5,270/100 X 5 =	26.35		
E	1,370/100 X 3 =	4.11		
F	1,370/100 X 3 =	4.11		
G	1,125/100 X 3 =	3.38		
H	1,250/100 X 3 =	3.75		
I	7,515/100 X 3 =	22.55		
J	1,800/100 X 20 =	36.00		
K	1,800/100 X 3 =	5.40		
L	16 TELS PER TELS	16.00		
M	5,000/100 X 20 =	100.00		
N	4,000/100 X 2 =	8.00		
O	2,000/100 X 2 =	4.00		
P	3 BAYS @ 3 PER BAY =	9.00		
Q	100/100 X 3 =	3.00		
TOTAL REQUIRED		480 SPACES		
TOTAL PROVIDED		330 SPACES + 8 BAYS = 347		

UTILITIES: SITE IS SERVICED BY PUBLIC UTILITIES EXISTING SYSTEMS TO BE UTILIZED

NOTES: ALL SIGNS TO CONFORM TO SECTION 412.2 B.C.R.

ADJACENT CITY OVER SPACES: 18A - NO CHANGES OR ADDITIONAL BUILDING AREA PROPOSED

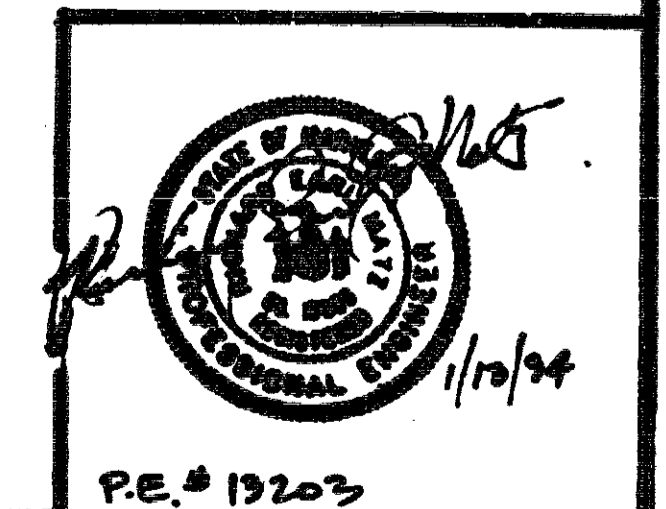
PLANNING AREA REQUIREMENTS: 40 PROVIDED - 30

REPPARD, DEC

LANDSCAPE ARCHITECTURE
PLANNING AND SCAPES DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT

NO.	REVISIONS

PLANNING AND SCAPES DESIGN
ENVIRONMENTAL RESOURCE MANAGEMENT
SPECIAL HEARING AND VARIANCE APPLICATION
SATYR HILL SHOPPING CENTER
BALTIMORE COUNTY, MARYLAND



FILE SCALE DATE
95-12 1"=50' 01/26/95