

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 N/S Frederick Rd., 175 ft. E *
 of c/l Winters Lane * ZONING COMMISSIONER
 808-810 Frederick Road *
 1st Election District * OF BALTIMORE COUNTY
 1st Councilmanic District *
 Legal Owners: Omar S. Jennings * Case No. 95-283-A
 and Wanda Jennings *
 Contract Purchaser: Jennings *
 Cafe, Inc. *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 808-810 Frederick Road in Catonsville. The Petition is filed by Omar S. Jennings and Wanda Jennings, his mother, property owners. Relief is requested from:

1. Section 409.6.A.2 a of the Baltimore County Zoning Regulations (BCZR) to provide 8 parking spaces in lieu of the required 49 in a B.L.-C.C.C. district,
2. Section 409.6.B.1 of the BCZR to permit a transit adjustment as to parking calculations,
3. Section 409.6.B.3 and 409.7 of the BCZR to approve a shared parking adjustment, and
4. Section 409.4.a to permit a driveway of 7-1/2 ft. in lieu of the required 12 ft.

The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Omar Jennings, property owner. Also present was Herbert Malmud, the land surveyor who prepared the site plan. The Petitioner was represented by Michael P. Tanczyn, Esquire. Marjorie Slater Kaplan, the operator of a neighboring business, appeared as a concerned citizen/Protestant.

ORDER RECEIVED FOR FILING

Date

By

3/24/95
 M. J. [Signature]

MICROFILM

Testimony and evidence presented was that the subject site is .12 acres in area and is zoned B.L.-C.C.C. The property is a deep, yet narrow, lot which fronts Frederick Road. The width of the lot ranges from 31 to 38 feet and its depth is approximately 154 ft. The site is located near the Catonsville Methodist Church along a corridor of mainly commercial and institutional type uses.

Mr. Jennings testified that he is the proprietor of the Jennings Cafe, a business which has existed on this site for many years. He noted that the property was previously the site of an establishment known as Shook's Bar. That tavern went into business shortly after World War II. Mr. Jennings' grandfather acquired the property in 1958 and renamed the business, Jennings Cafe. The business has remained in the family since that time. Mr. Jennings took over the operation of the business approximately 15 years ago.

As to the interior of the site, Mr. Jennings indicated that the cafe contains 7 tables and 21 bar stools. When these are combined, seating is available for 61 patrons. The business offers lunch and dinner and serves alcohol. The business remains open until approximately midnight on weekdays and as late as 2:00 A.M. on weekends.

Mr. Malmud described the improvements on the site. He described the small building which houses the Cafe and the small parking area to the rear. He reiterated Mr. Jennings testimony that the kitchen facility is extremely small and cramped. The Petitioner proposes adding a small addition which is shown on the site plan. This addition will not be utilized for additional patron seating. Instead, the kitchen facility will be enlarged and slightly more storage space will be available. The proposed addition is approximately 207 sq. ft. in area.

The variances requested all relate to the parking arrangement which supports the business. A significant amount of testimony was offered regarding parking in this area, not only by the Petitioner and Mr. Malmud but by Ms. Slater-Kaplan, who operates the business known as The Rehabilitation Team, a medical office next door. The site provides 8 parking spaces. Access to these spaces is through a narrow public drive which runs from Frederick Road to the rear of the building.

Both the Petitioner and his neighbor testified that parking in the area is difficult. As noted above, there are a number of businesses located within this stretch of Frederick Road and they compete for the limited parking available. In fact, the Petitioner has an arrangement with The Rehabilitation Team which allows him to utilize their parking after hours. Fortunately, the Petitioner's night time business does not conflict with his neighbors parking situation, in that many of the other businesses close by 8:00 or 9:00 P.M. However, the luncheon traffic to the restaurant can cause conflicts. The parking problems are aggravated by other businesses in the area, including a nearby fire house whose members often park illegally.

In considering the numerous parking variances which are requested, the standards contained within Section 307 of the BCZR must be addressed. Therein, it is provided that variance relief can be granted only if the approval of the Petition will not detrimentally affect the surrounding locale. Moreover, the Petitioner must demonstrate a practical difficulty and show that the spirit and intent of regulations are being observed.

In this case, the size and configuration of the property presents unique site constraints to this property. Clearly, the Petitioner cannot provide the requisite number of spaces in that the site is not big enough. Moreover, this is an old established business which is a landmark

ORDER RECEIVED FOR FILING
Date 3/24/95
By M. G. G. G.

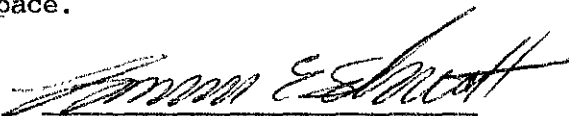
IT IS FURTHER ORDERED that a variance from Section 409.6.B.1 of the BCZR to permit a transit adjustment as to parking calculations, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.B.3 and 409.7 of the BCZR to approve a shared parking adjustment, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4.a to permit a driveway of 7-1/2 ft. in lieu of the required 12 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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. The Petitioners shall provide seating for 61 patrons only, by way of 11 tables and 21 barstools, as is the present arrangement. The proposed addition will be used only to increase kitchen and storage space.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER REVIEWED FOR FILING
Date 3/24/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 22, 1995

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Case No. 95-283-A
Petition for Variance
Jennings Cafe, Inc., Contract Purchaser
Omar S. Jennings and Wanda Jennings, Petitioners

Dear Mr. Tanczyn:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

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

LES:mmn
att.

c: Mr. Omar Jennings
c: Mrs. Wanda Jennings
c: Mrs. Marjorie Slater-Kaplan





Petition for Variance

95-283-A
to the Zoning Commissioner of Baltimore County

for the property located at 808-810 Frederick Road

which is presently zoned BLCCC

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.A.2 to provide 8 parking spaces in lieu of 51 in a BLCCC District; Section 409.6.B.1 for a transit adjustment; and to approve a shared parking adjustment under Section 409.6.B.3 and Section 409.7, and from 409.4.a to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) (Hardship) that this existing restaurant in the historical district of Catonsville was built out decades ago on long, narrow lots which cannot provide more on site parking than proposed; relies on substantial pedestrian customer base and has not posed a parking problem due to spacesharing with neighboring properties.

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

JENNINGS CAFE, INC.

(Type or Print Name)

Signature

808 Frederick Road

Address

Baltimore, MD 21228

City

State

Zipcode

Attorney for Petitioner

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

Signature

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zipcode

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

Legal Owner(s)

OMAR S. JENNINGS

(Type or Print Name)

Signature

WANDA JENNINGS

(Type or Print Name)

Signature

808 Frederick Road

Address

Phone No

Baltimore, MD 21228

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: SRA

DATE

2-7-95

277

JRA

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208

95-283-A

TELEPHONE (410) 653-9511

DESCRIPTION FOR ZONING
808-810 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

Beginning for the same on the north side of Frederick Road, 66 feet wide at a point distant 121 feet westerly from the west side of Egges Lane, 20 wide, thence binding on Frederick Road:

(1) South $74^{\circ} 23' 17''$ West 38.0 feet; thence leaving said road and running the three (3) following courses and distances.

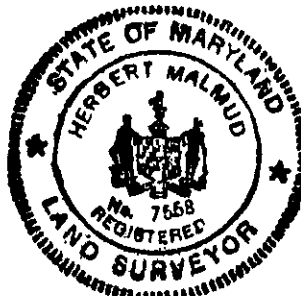
(2) North $16^{\circ} 04' 31''$ West 153.8 feet;

(3) North $74^{\circ} 23' 17''$ East 31.0 feet;

(4) South $18^{\circ} 40' 50''$ East 154.0 feet to the place of beginning.

containing 0.12 of an acre, more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE



Herbert Malmud
Registered Land Surveyor
Maryland No 7558

February 10, 1993

FILE: Jennings Zon DESC 22

277

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-283-17

District 1st

Date of Posting 2/27/95

Posted for: Variance

Petitioner: Daniel & Wanda Samuels

Location of property: 800-810 Frederick Rd, N/S

Location of Signs: on property being zoned

Remarks: Facing roadway on property being zoned

Posted by

M. M. M. M.
Signature

Date of return:

3/3/95

Number of Signs:

1

MICROFILMED



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 108 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: #95-283-A
(Item 277)
808 - 810 Frederick Road
N/S Frederick Road, 175' E
of c/l Winters Lane
1st Election District
1st Councilmanic
Legal Owner(s):
Omar S. Jennings and
Wanda Jennings
Contract Purchaser(s):
Jennings Cafe, Inc.
Hearing: Monday,
March 13, 1995 at 10:00
a.m. in Rm. 118, Old
Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

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.
2/284 February 23.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

2/23, 1995

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 2/23, 1995

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

Distribution



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

receipt

95-283-A

Account: R-001-6150

Number

277

JRA

Date

2-7-95

STAINLESS CAFE INC.

30 S. FREDERICK RD., CATONSVILLE MD. 21225

CRC

C.U.

\$ 250⁰⁰

OSO

1 SIGN

35⁰⁰

TOTAL

285⁰⁰

MICROFILMED

01A0180134MICHRE

1285.00

BA 031157AM02-07-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

TO: PUTUXENT PUBLISHING COMPANY
2/23/95 Issue - Jeffersonian

Please forward billing to:

Michael P. Tanczyn, Esq.
606 Baltimore Avenue, Suite 106
Towson, MD 21204
410-296-8823

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: 95-283-A (Item 277)
808 - 810 Frederick Road
N/S Frederick Road, 175' E of c/l Winters Lane
1st Election District - 1st Councilmanic
Legal Owner(s): Omar S. Jennings and Wanda Jennings
Contract Purchaser(s): Jennings Cafe, Inc.
HEARING: MONDAY, MARCH 13, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

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.

ENCLOSURE

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

FEBRUARY 16, 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: 95-283-A (Item 277)

808 - 810 Frederick Road

N/S Frederick Road, 175' E of c/l Winters Lane

1st Election District - 1st Councilmanic

Legal Owner(s): Omar S. Jennings and Wanda Jennings

Contract Purchaser(s): Jennings Cafe, Inc.

HEARING: MONDAY, MARCH 13, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Omar and Wanda Jennings
Michael P. Tanczyn, Esq.

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

March 8, 1995

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Item No.: 277
Case No.: 95-283-A
Petitioner: Jennings Cafe, Inc.

Dear Mr. Tanczyn:

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 7, 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 dark ink, appearing to read "Carl Richards Jr.", is written over the typed name.

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. 27, 1995
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for February 27, 1995
Item 277

The Developers Engineering Section has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting the State Route 144, Frederick Road, right-of-way are subject to the Standards, Specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

Granting the requested variances will increase the need for additional parking along the surrounding roadways.

RWB:sw

RECEIVED

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 22, 1995

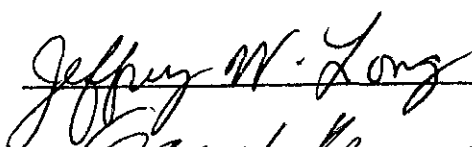
SUBJECT:

INFORMATION:

Item Number: 277
Petitioner: Jennings Cafe, Inc.
Property Size: .12 acre
Zoning: BL-CCC
Requested Action: Variance for Parking
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The subject variance is necessary due to the construction of a small addition to the kitchen area of the restaurant. Personal observations by staff members of the Office of Planning and Zoning support the applicant's contention that the business enjoys a "substantial pedestrian customer base". The subject site is unusual due to its size (.12 acre) and narrowness of the lot on which the use is located. An obvious practical difficulty exists in this case. Therefore, the staff recommends that the applicant's request be granted.

Prepared by: 

Division Chief: 

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.21, 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.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 265, 275, 276, 277,
278, 279, 280 AND 282.

RECEIVED
FEB 21 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



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

TO: ZADM

DATE: 2-27 3-1-95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 2-21-95

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

Item #'s: 265
274
275
277✓
279
280
281
282

Bruce Seely
3-1-95

LS:sp

LETTY2/DEPRM/TXTSBP

MICROFILMED

RE: PETITION FOR VARIANCE	*	BEFORE THE
808 - 810 Frederick Road, N/S Frederick	*	ZONING COMMISSIONER
Road, 175' E of c/l Winters Lane, 1st	*	OF BALTIMORE COUNTY
Election District, 1st Councilmanic	*	CASE NO. 95-283-A
Omar S. and Wanda Jennings		
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 Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

95-283A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Michael Tawczyn

606 BALTIMORE AVE TOWSON MD
21204

OMAR JENNINGS

808 FREDERICK RD CHANSONVILLE 21228

HERBERT MALMUD

100 CHURCH LA PIRESVILLE 21208

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

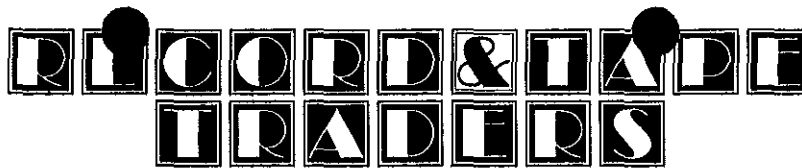
NAME

ADDRESS

Margerie Slater-Kaplan

P.O. Box 122 Stevenson, MD





Bel Air ▪ Catonsville ▪ Dundalk ▪ Glen Burnie ▪ Overlea ▪ Pikesville ▪ Reisterstown ▪ Severna Park ▪ Towson

March 13, 1995

Baltimore County Zoning Commissioner
County Courthouse
Towson, Maryland

*Reisterstown
No 1*

This letter is to register my concern about the request for a variance of the zoning regulations for parking spaces for the property know as "Jennings" restaurant and bar. I am the owner of the store, directly east, Record and Tape Traders. I have been in this location for about the last 6 years and 5 years prior to that I was across the street.

One of the prime reasons I moved to this location was the availability of dedicated parking for my retail business. As you might know parking is at a premium in Catonsville, and this new location has proven to be successful.

Currently I often have some of the overflow parking from Jennings because their existing parking is inadequate. If they were to expand their business during my business hours my parking would be severely impacted. I do not wish to be a grumpy neighbor but I can't support this request because of its impact on my business.

Thank you for allowing my testimony in writing and I hope you will consider the other retailers in this area of Frederick Road.

Sincerely,

Kevin Stander

Kevin Stander
President

MICROFILMED

EXISTING

PAVING



Jon

296-8827

PROPOSED
ADDITION

*Plot No
2A*

EXIST
2 S.
CONC. BLOCK

#816

ASPHALT DRIVE

EXISTING

EXISTING ASPHALT
PARKING

ENCLOSED
CONC. CENTR.
STEPS GOV. BATH
SPUR.

EXIST.
1
STORY
BRICK &
BLOCK

#808-810

JENNINGS
CAFE

EXIST
2 S.
& F.

#806

WALK

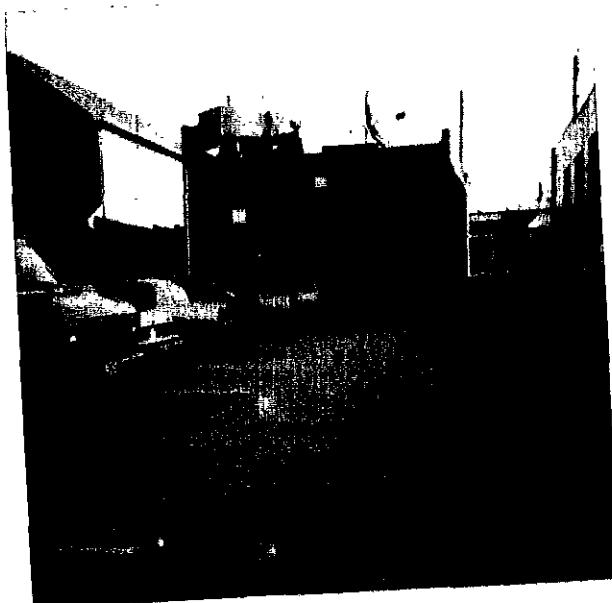
FREDRICK RD.



JENNING'S CAFE

18 JAN 93

Ref 2B

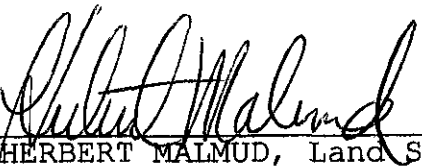


JENNINGS CAFE
18 JAN 93

8 SPACES
EXISTING

CERTIFICATION OF TRANSIT ADJUSTMENT
PURSUANT TO BCZR 409.6.B.1.

The pedestrian entrance to the Jennings Cafe, located at 808-810 Frederick Road, is located with 1,000 feet walking distance of the No. 8 transit stop on the Mass Transit Administration route along Frederick road, with scheduled peak-period headways of 20 minutes or better.


HERBERT MALMUD, Land Surveyor

Dist No 3

CATONSVILLE 2000, INC.

"Working For A Better Catonsville Community"

OFFICERS

March 7, 1995

Edwin C. Cogswell
President

Clifford C. Whitney
Vice President

Joseph E. Chilcoat
Treasurer

Diane Jones
Secretary

Office of Planning and Zoning
Baltimore County Government
Towson, Maryland

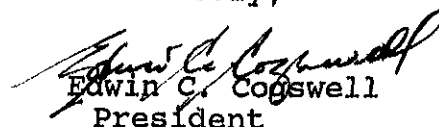
RE: CASE NUMBER: 95-283-A
JENNINGS CAFE
808 FREDERICK ROAD

DIRECTORS

P. Michael Carey
Joseph E. Chilcoat
Edwin C. Cogswell
Thomas F. Costantini, Jr.
Pamela Fetsch
Diane Jones
Chet Madigan
Michael Martin
Fran Medicus
C. Victor McFarland
Clifford C. Whitney

The Catonsville 2000, Inc., values the business enterprise of Jennings Cafe in the community and its contribution to economic development in the region. Catonsville 2000, Inc. supports fully those changes to the structure presented by this zoning matter and poses no opposition to granting Jennings Cafe the needed relief in this matter. We hope that this letter of support will be weighed in favor of granting Jennings Cafe the appropriate zoning to accomplish their improvements.

Sincerely,


Edwin C. Cogswell
President

Red No 4

cc: Councilperson Sam Moxley
✓ Omar Jennings - Jennings Cafe

MICROFILMED

in the Catonsville community. The business has been in place for many years. For these reasons, I am convinced that the Petitioner has satisfied the practical difficulty test.

As to the effect of the grant of the variance on the surrounding locale, there will be no adverse effect if reasonable limitations on the use of the property are required. Although parking is presently strained, the Petitioner's proposed addition does nothing to increase that strain. That is, since the addition does not increase seating within the restaurant, an increased amount of patronage is not expected. The addition is only to make the present activities for the Petitioner and his staff easier. Thus, I believe that the Petitioner has satisfied the other provisions of Section 307 of the BCZR.

However, as noted above, a reasonable restriction as to the seating provided, is appropriate. Although persuaded to grant the variance relief, additional seating within the restaurant should not be allowed. I will hold the Petitioner to his claim that the addition will be used only to increase kitchen and storage space. The restaurant cannot provide seating for more than 61 patrons, as is the present arrangement.

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

3/24/95
M. [Signature]
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of March, 1995 that a variance from Section 409.6.A.2 a of the Baltimore County Zoning Regulations (BCZR) to provide 8 parking spaces in lieu of the required 49 in a B.L.-C.C.C. district, be and is hereby GRANTED; and,

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Frederick Rd., 175 ft. E * ZONING COMMISSIONER
of c/1 Winters Lane *
808-810 Frederick Road * OF BALTIMORE COUNTY
1st Election District *
1st Councilmanic District * Case No. 95-283-A
Legal Owners: Omar S. Jennings *
and Wanda Jennings *
Contract Purchaser: Jennings *
Cafe, Inc. *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 808-810 Frederick Road in Catonsville. The Petition is filed by Omar S. Jennings and Wanda Jennings, his mother, property owners. Relief is requested from:

1. Section 409.6.A.2 a of the Baltimore County Zoning Regulations (BCZR) to provide 8 parking spaces in lieu of the required 49 in a B.L.-C.C.C. district,
2. Section 409.6.B.1 of the BCZR to permit a transit adjustment as to parking calculations,
3. Section 409.6.B.3 and 409.7 of the BCZR to approve a shared parking adjustment, and
4. Section 409.4.a to permit a driveway of 7-1/2 ft. in lieu of the required 12 ft.

The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Omar Jennings, property owner. Also present was Herbert Malmud, the land surveyor who prepared the site plan. The Petitioner was represented by Michael P. Tanczyn, Esquire. Marjorie Slater Kaplan, the operator of a neighboring business, appeared as a concerned citizen/Protestant.

Testimony and evidence presented was that the subject site is .12 acres in area and is zoned B.L.-C.C.C. The property is a deep, yet narrow, lot which fronts Frederick Road. The width of the lot ranges from 31 to 38 feet and its depth is approximately 154 ft. The site is located near the Catonsville Methodist Church along a corridor of mainly commercial and institutional type uses.

Mr. Jennings testified that he is the proprietor of the Jennings Cafe, a business which has existed on this site for many years. He noted that the property was previously the site of an establishment known as Shook's Bar. That tavern went into business shortly after World War II. Mr. Jennings' grandfather acquired the property in 1958 and renamed the business, Jennings Cafe. The business has remained in the family since that time. Mr. Jennings took over the operation of the business approximately 15 years ago.

As to the interior of the site, Mr. Jennings indicated that the cafe contains 7 tables and 21 bar stools. When these are combined, seating is available for 61 patrons. The business offers lunch and dinner and serves alcohol. The business remains open until approximately midnight on weekdays and as late as 2:00 A.M. on weekends.

Mr. Malmud described the improvements on the site. He described the small building which houses the Cafe and the small parking area to the rear. He reiterated Mr. Jennings testimony that the kitchen facility is extremely small and cramped. The Petitioner proposes adding a small addition which is shown on the site plan. This addition will not be utilized for additional patron seating. Instead, the kitchen facility will be enlarged and slightly more storage space will be available. The proposed addition is approximately 207 sq. ft. in area.

-2-

The variances requested all relate to the parking arrangement which supports the business. A significant amount of testimony was offered regarding parking in this area, not only by the Petitioner and Mr. Malmud but by Ms. Slater-Kaplan, who operates the business known as The Rehabilitation Team, a medical office next door. The site provides 8 parking spaces. Access to these spaces is through a narrow public drive which runs from Frederick Road to the rear of the building.

Both the Petitioner and his neighbor testified that parking in the area is difficult. As noted above, there are a number of businesses located within this stretch of Frederick Road and they compete for the limited parking available. In fact, the Petitioner has an arrangement with The Rehabilitation Team which allows him to utilize their parking after hours. Fortunately, the Petitioner's night time business does not conflict with his neighbors parking situation, in that many of the other businesses close by 8:00 or 9:00 P.M. However, the luncheon traffic to the restaurant can cause conflicts. The parking problems are aggravated by other businesses in the area, including a nearby fire house whose members often park illegally.

In considering the numerous parking variances which are requested, the standards contained within Section 307 of the BCZR must be addressed. Therein, it is provided that variance relief can be granted only if the approval of the Petition will not detrimentally affect the surrounding locale. Moreover, the Petitioner must demonstrate a practical difficulty and show that the spirit and intent of regulations are being observed.

In this case, the size and configuration of the property presents unique site constraints to this property. Clearly, the Petitioner cannot provide the requisite number of spaces in that the site is not big enough. Moreover, this is an old established business which is a landmark

-3-

in the Catonsville community. The business has been in place for many years. For these reasons, I am convinced that the Petitioner has satisfied the practical difficulty test.

As to the effect of the grant of the variance on the surrounding locale, there will be no adverse effect if reasonable limitations on the use of the property are required. Although parking is presently strained, the Petitioner's proposed addition does nothing to increase that strain. That is, since the addition does not increase seating within the restaurant, an increased amount of patronage is not expected. The addition is only to make the present activities for the Petitioner and his staff easier. Thus, I believe that the Petitioner has satisfied the other provisions of Section 307 of the BCZR.

However, as noted above, a reasonable restriction as to the seating provided, is appropriate. Although persuaded to grant the variance relief, additional seating within the restaurant should not be allowed. I will hold the Petitioner to his claim that the addition will be used only to increase kitchen and storage space. The restaurant cannot provide seating for more than 61 patrons, as is the present arrangement.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of March, 1995 that a variance from Section 409.6.A.2 a of the Baltimore County Zoning Regulations (BCZR) to provide 8 parking spaces in lieu of the required 49 in a B.L.-C.C.C. district, be and is hereby GRANTED; and,

-4-

IT IS FURTHER ORDERED that a variance from Section 409.6.B.1 of the BCZR to permit a transit adjustment as to parking calculations, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.B.3 and 409.7 of the BCZR to approve a shared parking adjustment, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4.a to permit a driveway of 7-1/2 ft. in lieu of the required 12 ft., be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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. The Petitioners shall provide seating for 61 patrons only, by way of 11 tables and 21 barstools, as is the present arrangement. The proposed addition will be used only to increase kitchen and storage space.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 22, 1995

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Case No. 95-283-A
Petition for Variance
Jennings Cafe, Inc., Contract Purchaser
Omar S. Jennings and Wanda Jennings, Petitioners

Dear Mr. Tanczyn:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att:
c: Mr. Omar Jennings
c: Mrs. Wanda Jennings
c: Mrs. Marjorie Slater-Kaplan

Petition for Variance

75-283-A
to the Zoning Commissioner of Baltimore County
for the property located at 808-810 Frederick Road
which is presently zoned BLCCC

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 thereof, hereby petition for a Variance from Section(s) 409.6.A.2 to provide 8 parking spaces in lieu of 49 in a BLCCC District; Section 409.6.B.1 for a transit adjustment; and to approve a shared parking adjustment under Section 409.6.B.3 and Section 409.7, and from 409.4.a to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) (Hardship) that this existing restaurant in the historical district of Catonsville was built out decades ago on long, narrow lots which cannot provide more on site parking than proposed; relies on substantial pedestrian customer base and has not posed a parking problem due to spacesharing with neighboring properties.

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

I, or we, agree to pay expenses of above Variance advertisement, 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/Leasee

JENNINGS CAFE, INC.

(Type or Print Name)

Signature of Omar S. Jennings

808 Frederick Road

Address

Baltimore, MD 21228

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

When an owner declares and affirms, under the penalties of perjury, that they are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

OMAR S. JENNINGS

(Type or Print Name)

Signature of Omar S. Jennings

WANDA JENNINGS

(Type or Print Name)

Signature of Wanda Jennings

808 Frederick Road

Address

Baltimore, MD 21228

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

606 Baltimore Avenue, Suite 106

Address

Towson, MD 21204

City

State

Zip

Telephone

Signature of Michael P. Tanczyn

MICHAEL P. TANCZYN, ESQ.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 2/27/95
Posted for: Jennings
Petitioner: Dr. W. W. Jennings
Location of property: 808-810 Frederick Rd. 146
Location of Sign: 808-810 Frederick Rd. 146
Remarks: 808-810 Frederick Rd. 146
Posted by: [Signature] Date of return: 3/5/95
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/23, 1995
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 2/23, 1995

THE JEFFERSONIAN,
LEGAL AD. - TOWSON
[Signature]

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: 95-283-A (Item 277)
808 - 810 Frederick Road
N/S Frederick Road, 175' E of c/l Misters Lane
1st Election District - 1st Councilmanic
Local Owner(s): Omar S. Jennings and Wanda Jennings
Contract Purchaser(s): Jennings Cafe, Inc.
HEARING: MONDAY, MARCH 13, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

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.
2/24 February 23.



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

Account # 016190

Number 277

Date 2-7-95

JENNINGS CAFE, INC.
808-810 Frederick Rd. 146
TOWSON, MD. 21204

CIC C.U. 1200
CSC - 1200 240

TOTAL 285.00

PLEASE MAKE CHECKS PAYABLE TO: BALTIMORE COUNTY

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt
95-283-A

JRA

TO: PUBLISHER PUBLISHING COMPANY
2/2/95 Issue - Jeffersonian

Please forward billing to:

Michael P. Tanczyn, Esq.
606 Baltimore Avenue, Suite 106
Towson, MD 21204
410-286-9823

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: 95-283-A (Item 277)

808 - 810 Frederick Road
N/S Frederick Road, 175' E of c/l Misters Lane
1st Election District - 1st Councilmanic

Local Owner(s): Omar S. Jennings and Wanda Jennings

Contract Purchaser(s): Jennings Cafe, Inc.

HEARING: MONDAY, MARCH 13, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

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 16, 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: 95-283-A (Item 277)

808 - 810 Frederick Road
N/S Frederick Road, 175' E of c/l Misters Lane
1st Election District - 1st Councilmanic

Local Owner(s): Omar S. Jennings and Wanda Jennings

Contract Purchaser(s): Jennings Cafe, Inc.

HEARING: MONDAY, MARCH 13, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to provide 8 parking spaces in lieu of 49; for a transit adjustment; to approve a shared parking adjustment; and to provide a driveway of 7-1/2 feet in lieu of the required 12 feet.

[Signature]

Arnold Jablon
Director

cc: Omar and Wanda Jennings
Michael P. Tanczyn, Esq.

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

March 8, 1995

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

RE: Item No.: 277
Case No.: 95-283-A
Petitioner: Jennings Cafe, Inc.

Dear Mr. Tanczyn:

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 7, 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,

[Signature]

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 27, 1995
Zoning Administration and Development Management

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

RE: Zoning Advisory Committee Meeting
for February 27, 1995
Item 277

The Developers Engineering Section has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting the State Route 144, Frederick Road, right-of-way are subject to the Standards, Specifications and approval of the Maryland State Highway Administration, in addition to those of Baltimore County.

Granting the requested variances will increase the need for additional parking along the surrounding roadways.

RWB:ew

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 22, 1995

SUBJECT:

INFORMATION:

Item Number: 277

Petitioner: Jennings Cafe, Inc.

Property Size: .12 acre

Zoning: BL-CCC

Requested Action: Variance for Parking

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The subject variance is necessary due to the construction of a small addition to the kitchen area of the restaurant. Personal observations by staff members of the Office of Planning and Zoning support the applicant's contention that the business enjoys a "substantial pedestrian customer base". The subject site is unusual due to its size (.12 acre) and narrowness of the lot on which the use is located. An obvious practical difficulty exists in this case. Therefore, the staff recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Long

Division Chief: [Signature]

PK/JL

YPMH277/PZONE/TXTJWL

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. 21, 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: 265, 275, 276, 277, 278, 279, 280 AND 282.

RECEIVED
FEB 21 1995
ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

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

TO: ZADM
FROM: DEPRM
SUBJECT: Zoning Advisory Committee
Agenda: 2-21-95

DATE: 2-21-95

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

- Item #'s: 265
- 274
- 275
- 277
- 279
- 280
- 281
- 282

LS:sp
LETTY2/DEPRM/TXTSBP

RECORD & TAPE TRADERS

Bel Air • Catonsville • Dundalk • Glen Burnie • Overlea • Pikesville • Rosterstown • Severna Park • Towson

March 13, 1995

Baltimore County Zoning Commissioner
County Courthouse
Towson, Maryland

This letter is to register my concern about the request for a variance of the zoning regulations for parking spaces for the property know as "Jennings" restaurant and bar. I am the owner of the store, directly east, Record and Tape Traders. I have been in this location for about the last 6 years and 5 years prior to that I was across the street.

One of the prime reasons I moved to this location was the availability of dedicated parking for my retail business. As you might know parking is at a premium in Catonsville, and this new location has proven to be successful.

Currently I often have some of the overflow parking from Jennings because their existing parking is inadequate. If they were to expand their business during my business hours my parking would be severely impacted. I do not wish to be a grumpy neighbor but I can't support this request because of its impact on my business.

Thank you for allowing my testimony in writing and I hope you will consider the other retailers in this area of Frederick Road.

Sincerely,
Kevin Stander
Kevin Stander
President

**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.: 277 (JRA)

2-21-95

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
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2288 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 VARIANCE
808 - 810 Frederick Road, W/S Frederick
Road, 175' E of C/I Winters Lane, 1st
Election District, 1st Councilmanic
Omar S. and Wanda Jennings
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-283-A

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) 687-2188

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 Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS

Margerie Slater-Kaplan PO Box 122 Stevenson, MD

95-283A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

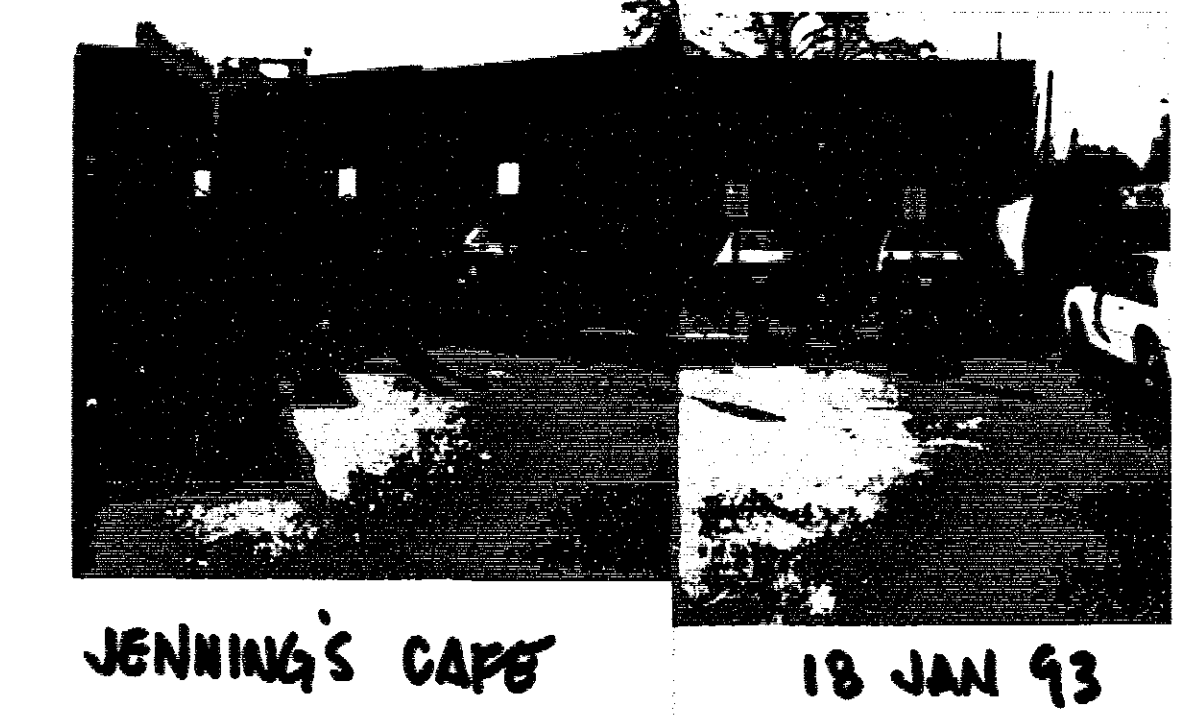
NAME ADDRESS

Herbert Malmud 100 Church La Pikesville 21208

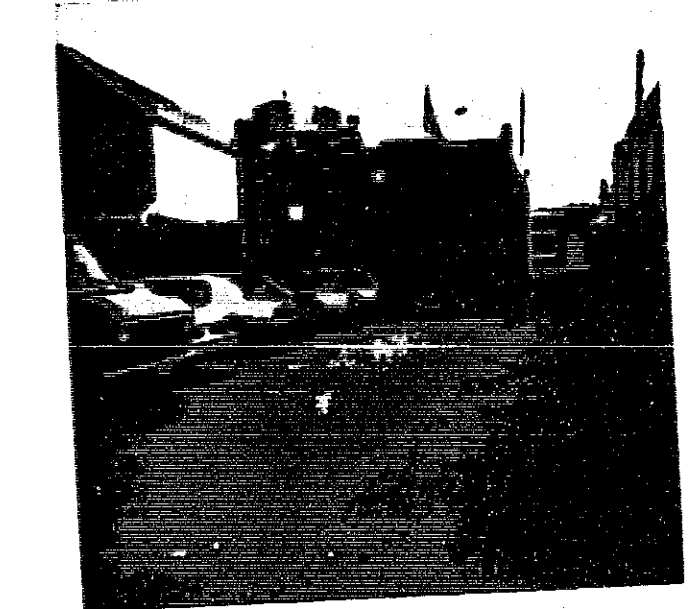
**CERTIFICATION OF TRANSIT ADJUSTMENT
PURSUANT TO BCZR 409.6.B.1.**

The pedestrian entrance to the Jennings Cafe, located at 808-810 Frederick Road, is located with 1,000 feet walking distance of the No. 8 transit stop on the Mass Transit Administration route along Frederick road, with scheduled peak-period headways of 20 minutes or better.

Herbert Malmud
HERBERT MALMUD, Land Surveyor

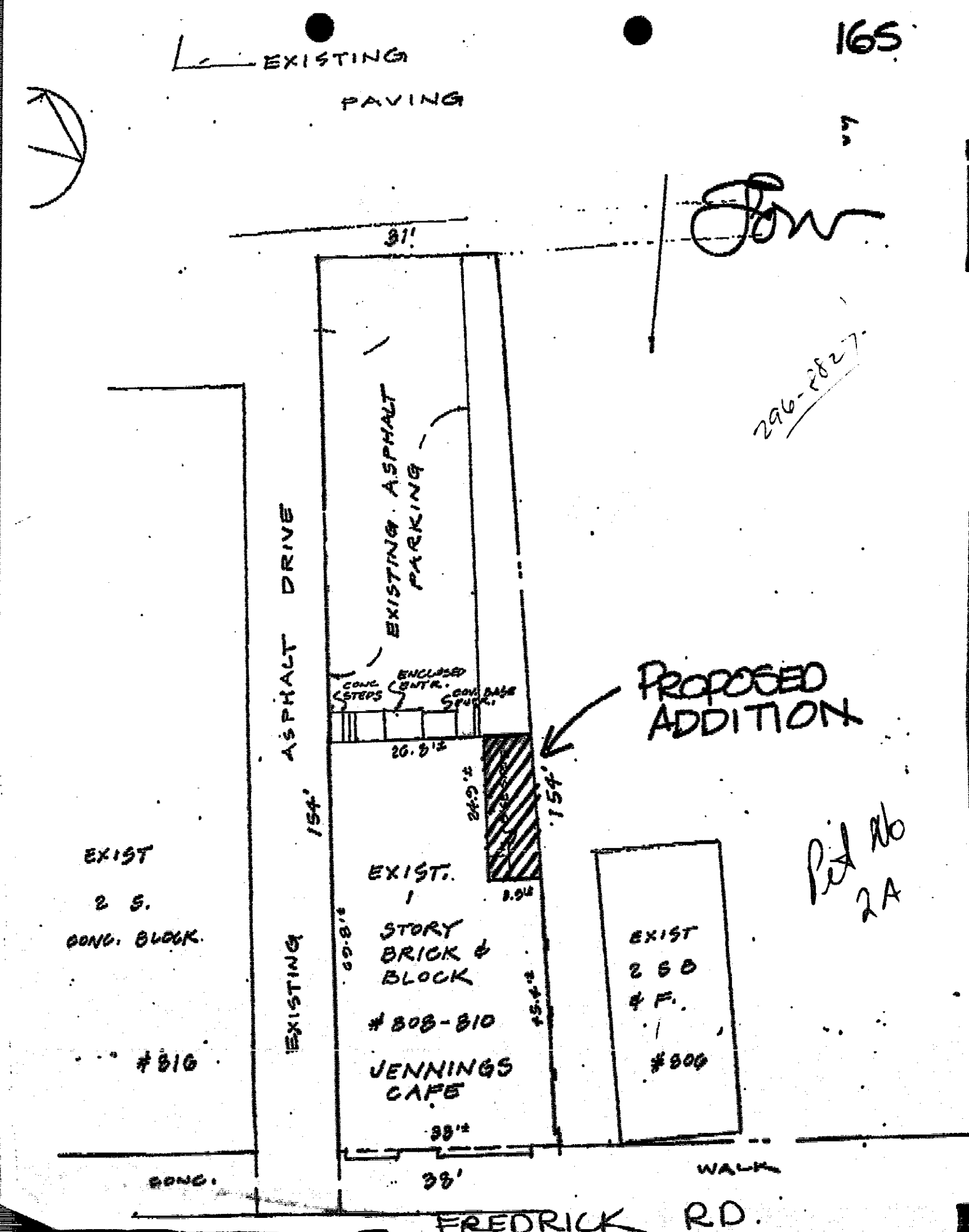


JENNINGS CAFE 18 JAN 93



JENNINGS CAFE 18 JAN 93

8 SPACES EXISTING



CATONSVILLE 2000, INC.

"Working For A Better Catonsville Community"

March 7, 1995

OFFICERS

Edwin C. Cogswell
President

Clifford C. Whitney
Vice President

Joseph E. Chilcoat
Treasurer

Diane Jones
Secretary

DIRECTORS

P. Michael Carey
Joseph E. Chilcoat
Edwin C. Cogswell
Thomas F. Costantini, Jr.
Pamela Fitch
Diane Jones
Chet Madigan
Michael Martin
Fran Medicus
C. Victor McFarland
Clifford C. Whitney

Office of Planning and Zoning
Baltimore County Government
Towson, Maryland

RE: CASE NUMBER: 95-283-A
JENNINGS CAFE
808 FREDERICK ROAD

The Catonsville 2000, Inc., values the business enterprise of Jennings Cafe in the community and its contribution to economic development in the region. Catonsville 2000, Inc. supports fully those changes to the structure presented by this zoning matter and poses no opposition to granting Jennings Cafe the needed relief in this matter. We hope that this letter of support will be weighed in favor of granting Jennings Cafe the appropriate zoning to accomplish their improvements.

Sincerely,
Edwin C. Cogswell
Edwin C. Cogswell
President

cc: Councilperson Sam Moxley
Omar Jennings - Jennings Cafe

ZONING & VICINITY MAP
Scale: 1" = 200'

PLAT TO ACCOMPANY PETITION
FOR A ZONING VARIANCE.

JENNINGS CAFE
308 - 810 FREDERICK ROAD
ELECTION DISTRICT No 1
COUNCILMANIC DISTRICT No 1
BALTIMORE COUNTY, MARYLAND

Scale: 1" = 20' FEB. 15, 1993

prepared by:
H. MALKUD & ASSOCIATES, INC.
100 Church Lane
/ Baltimore, Maryland 21208
Telephone (410) 653-9511

JOHN -
CAN YOU LOOK
THIS TO SEE IF
OK THANKS
HERE
REVISED 1 FEB 93



ZONING & VICINITY MAP
Scale: 1" = 200'

PLAT TO ACCOMPANY PETITION
FOR A ZONING VARIANCE.

JENNINGS CAFE
308 - 810 FREDERICK ROAD
ELECTION DISTRICT NO 1
COUNCILMANIC DISTRICT NO 1
BALTIMORE COUNTY, MARYLAND
Scale: 1" = 20' FEB. 15, 1993

prepared by:
H. MALHOD & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21208
Telephone (410) 653-9511

SEAL OF THE BALTIMORE COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENTAL AFFAIRS
SUPERVISOR OF HEALTH
JAN 1993

OWNER'S