

IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE - SW/S Liberty Road	
opposite Marriott Lane	* ZONING COMMISSIONER
(8219 Liberty Road)	
2nd Election District	* OF BALTIMORE COUNTY
2nd Councilmanic District	
	* Case No. 96-93-SPHA
K & K Realty 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 8219 Liberty Road, located in the vicinity of Rolling Road near Randallstown. The Petitions were filed by the owners of the property, K & K Realty Partnership, by William C. King, III, General Partner, through Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing seeking alternate theories of relief. Specifically, the Petitioners seek a finding that the proposed principal use on the subject site is as a carry-out restaurant. In the alternative, the Petitioners seek a determination that parking requirements should be calculated separately for the carry-out restaurant, office, food preparation area, utility and storage areas, and the sit-down restaurant uses on the site. As a third alternative, the Petitioners seek consideration of the variance request filed as part of this case. Pursuant to the Petition for Variance, the Petitioners seek relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R. to permit 44 parking spaces in lieu of the required 101. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were William C. King, III, General Partner of K & K Realty Partnership, property owner,

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

John Mildenberg, Professional Engineer with Mildenberg Associates, Inc., who prepared the site plan for this project, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. Appearing as an interested party was Paula Saltzman, who appeared on behalf of the Liberty Communities Development Corporation (LCDC). There were no Protestants present.

Testimony and evidence offered revealed that the subject property is a commercial site which abuts Liberty Road, across from its intersection with Marriott Lane. The property consists of 0.7216 acres, more or less, zoned B.L.-C.S.-2, and is improved with a 6300 sq.ft. building which houses a seafood carry-out restaurant known as Sea King. The property and existing building thereon have recently been renovated and refurbished. A separate building which previously existed on the site has been razed to provide additional parking. A floor plan of the subject building was submitted which shows the internal layout of the building. As can be seen from this plan, most of this space is devoted to the carry-out operation, although there is some seating, a small office, storage area, food preparation area, and utility space. The proffered testimony on behalf of Mr. King established that 90% of the restaurant business is of the carry-out variety, and, as the name suggests, the business's primary focus is the sale of seafood.

The special hearing request seeks the designation of this business as a carry-out restaurant. Under the parking regulations contained within the B.C.Z.R., a carry-out restaurant on this site of the dimensions shown would require 32 parking spaces. In that 44 spaces are provided, no variance relief would be necessary. However, if the carry-out restaurant designation is not applicable, 101 spaces would be required. This number is derived by computing the parking required for the separately identified

10/8/95
By [Signature]

uses within the structure. If this approach is adopted, the requested variance is necessary.

Based upon the testimony and evidence presented, all of which is uncontradicted, I find that the primary use of the subject site is as a carry-out restaurant. As noted above, 90% of the business is derived from this use. The other uses on the site are clearly ancillary to the carry-out business. Thus, the Petition for Special Hearing should be granted and, as such, the need for a parking variance is rendered moot.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the special hearing relief shall be granted and the variance dismissed as moot.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of October, 1995 that the principal use on the subject site is a carry-out restaurant, and thus, the Petition for Special Hearing seeking such relief 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.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R. to permit 44 parking spaces in lieu of the required 101, in accordance with Petitioner's Exhibit 1, be and is hereby DISMISSED AS MOOT.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 10/18/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 18, 1995

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
SW/S Liberty Road opposite Marriott Lane
(8219 Liberty Road)
2nd Election District - 2nd Councilmanic District
K & K Realty Partnership - Petitioners
Case No. 96-93-SPHA

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted and the Petition for Variance dismissed 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 dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. William C. King, III, General Partner, K & K Realty Partnership
3410 Plumtree Drive, Ellicott City, Md. 21042

Ms. Paula Saltzman, c/o LCDC
9960 Liberty Road, Randallstown, Md. 21133

People's Counsel

File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

8219 Liberty Road

96-93-SP4A

which is presently zoned BL-CS-2 AA

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr.

Signature

LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204

Attorney's Phone No.: (410) 321-0600

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):

K&K REALTY PARTNERSHIP

(Type or Print Name)

By: William C. King, III General Partner
Signature William C. King, III, General Partner

(Type or Print Name)

Signature

3410 Plumtree Drive

465-9660

Address

Phone No.

Ellicott City, MD

21042

City

State

Zipcode

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

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: WHL

DATE

8/25/95

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

**8209 LIBERTY ROAD
K&K REALTY PARTNERSHIP, Owner
(continuation sheet)**

SPECIAL HEARING:

1. the principal use proposed as a carryout restaurant; or
2. in the alternative, to determine that parking requirements should be calculated separately for carryout restaurant, office, food preparation, utility and storage, and restaurant; or
3. in the alternative, consider the variance request filed as part of this case.

6/1/2015 12:11:11 PM

#92



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at
96-93-5 PHA

8219 Liberty Road

which is presently zoned

BL - CS-2 HA

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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

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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr.

Signature

LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, Maryland 21204

Attorney's Phone No.: (410) 321-0600

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):

K&K REALTY PARTNERSHIP

(Type or Print Name)

By: William C. King, III, General Partner
Signature

William C. King, III, General Partner

(Type or Print Name)

Signature

3410 Plumtree Drive 465-96 60

Address Phone No.

Ellicott City, MD 2104 2

City State Zipcode

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

Howard L. Alderman, Jr., Esquire
LEVIN & GANN, P.A.
305 West Chesapeake Avenue, Suite 113
Towson, Maryland 21204
Tel.: (410) 321-0600

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: mk DATE 8/25/94

ORDER RECEIVED FOR FILING

Date: 8/18/94
By: [Signature]



8209 LIBERTY ROAD
K&K REALTY PARTNERSHIP, Owner
(continuation sheet)

VARIANCE RELIEF:

96-93-S PHA

BCZR Section 409.6.A.2 to permit a total of 44 spaces in lieu of the 101 required.

JUSTIFICATION:

1. the carryout restaurant use is the predominant use;
2. the existing structure is being replaced with a more modern facility and the parking has been in existence prior to 1945;
3. the current owner had no part in the recordation of the lot in its irregular size and shape; and
4. for such further reasons as will be presented at the time of the hearing on this Petition, if required.

MICROFILMED

#92

DESCRIPTION
LANDS OF WILLIAM C. KING, JR. & WILLIAM C. KING, III

SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

FOR ZONING DESCRIPTION ONLY

96-93-SHA

BEGINNING for the same at an iron pipe set at the northeasternmost corner of a parcel of land that was granted and conveyed by Paul C. Beaty and Anna B. Beaty, his wife, to William C. King, Jr. and William C. King, III, by deed dated June 18, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6536 at Folio 250, said point also being on the southerly right of way line of Liberty Road (Maryland Route 26) (variable width) as shown on Maryland State Roads Commission Plat No. 25139, thence leaving said southerly right of way line and running thence, as now surveyed

1. South 32° 42' 00" West 179.10 feet to an iron pin found; and
2. North 61° 57' 00" West 101.62, thence
3. North 61° 57' 00" West 50.00 feet to an iron pipe set;
4. North 32° 57' 11" East 50.18 feet to an iron pipe set;
5. North 61° 16' 09" West 34.50 feet to an iron pipe set; and
6. North 32° 28' 33" East 127.83 feet to a point on the aforesaid southerly right of way line of Liberty Road; thence with said southerly right of way line
8. South 62° 09' 10" East 80.00 feet, thence
9. South 62° 09' 10" East 106.49 feet to the place of beginning, containing 31,193 square feet or 0.716 acres of land, more or less.

Being (1) a part of a parcel of land that was granted and conveyed by John H. Klohr to Paul C. Beaty and Anna B. Beaty, his wife, by deed dated November 1, 1965 and recorded among the Land Records of Baltimore County, Maryland in Liber 4541 at folio 43, and (2) a part of a parcel of land that was granted and conveyed by John H. Klohr to Paul C. Beaty and Anna B. Beaty, his wife, by deed dated November 1, 1965 and recorded among the aforesaid land records in Liber 4541 at folio 49.

SEAKING/JBM2



MICROFILMED



MILDENBERG,
BOENDER & ASSOC., INC.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-93-SP #4

District 2nd

Date of Posting 2/29/95

Posted for: Special Hearing & Variance

Petitioner: K & K Realty Partnerships

Location of property: 8819 Liberty Rd.

Location of Signs: Along road way on property being zoned

Remarks: _____

Posted by Mattaly

Signature

Date of return: 10/6/95

Number of Signs: 1



60-3-130-1-1 (1/25/91)

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: #86-93-SPHA (Item 92)
8219 Liberty Road - Sea King
SWS Liberty Road, opposite
Marriott Lane
2nd Election District
2nd Councilmanic
Legal Owner(s):
K & K Realty Partnership
Hearing: Monday,
October 16, 1995 at 9:00 a.m. in
Rm. 118, Old Courthouse.

Special Hearing to approve the principal use proposed as a carryout restaurant or in the alternative, to determine that parking requirements should be calculated separately for carryout restaurant, office, food preparation, utility and storage, and restaurant; or in the alternative, consider the variance request filed as part of this case. Variance to permit a total of 44 spaces in lieu of the 101 required.

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.

9/17/95 Sept. 21

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

9/29, 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 9/21, 1995.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

~~Publication~~

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

00-549

96-93-S PHA

DATE 8/25/95

ACCOUNT 01-615

Item: 92

By: mdk

AMOUNT \$ 570.00

RECEIVED Levin + Gann, P.A.
FROM:

020 - Comm Var. — \$ 250.00

040 - Comm. Sp. Hearing — \$ 250.00

020 - 2 signs (\$35.00 each) — \$ 70.00

FOR: 570.00

0000000000

03A03#0019MICHR

\$570.00

BA C002:41PM08-25-95

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be 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.: 92

Petitioner: K + K Realty Partnership

Location: 8219 Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Howard L. Alderman, Jr. of Levin + Gann, P.A.

ADDRESS: 305 West Chesapeake Ave, Suite 113

Towson, MD 21204

PHONE NUMBER: (410) 321-0605

TO: PUTUXENT PUBLISHING COMPANY
September 21, 1995 Issue - Jeffersonian

Please forward billing to:

Howard L. Alderman, Jr., Esq.
305 W. Chesapeake Avenue #113
Towson, MD 21204
321-0600

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: 96-93-SPHA (Item 92)
8219 Liberty Road - Sea King
SW/S Liberty Road, opposite Marriott Lane
2nd Election District - 2nd Councilmanic
Legal Owner: K & K Realty Partnership
HEARING: MONDAY, OCTOBER 16, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the principal use proposed as a carryout restaurant; or in the alternative, to determine that parking requirements should be calculated separately for carryout restaurant, office, food preparation, utility and storage, and restaurant; or in the alternative, consider the variance request filed as part of this case.

Variance to permit a total of 44 spaces in lieu of the 101 required.

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.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

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

September 12, 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: 96-93-SPHA (Item 92)

8219 Liberty Road - Sea King

SW/S Liberty Road, opposite Marriott Lane

2nd Election District - 2nd Councilmanic

Legal Owner: K & K Realty Partnership

HEARING: MONDAY, OCTOBER 16, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to approve the principal use proposed as a carryout restaurant; or in the alternative, to determine that parking requirements should be calculated separately for carryout restaurant, office, food preparation, utility and storage, and restaurant; or in the alternative, consider the variance request filed as part of this case.

Variance to permit a total of 44 spaces in lieu of the 101 required.

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

Arnold Jablon
Director

cc: K & K Realty Partnership
Howard L. Alderman, Jr., 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.

16306.00-100000





Baltimore County
Department of Permits and
Development Management

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

October 12, 1995

Howard L. Alderman, Jr.
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204

RE: Item No.: 92
Case No.: 96-93-SPHA
Petitioner: K & K Realty

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 25, 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 (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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: September 11, 1995

FROM: Pat Keller, Director, OP 

SUBJECT: 8219 Liberty Road

INFORMATION:

Item Number: 92

Petitioner: K&K Realty Partnership

Property Size: _____

Zoning: BL-AS

Requested Action: Special Hearing and Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The subject property is located within the "1990 Liberty Action Plan Update" study area. The Plan, which was adopted by the County Council in 1991, is a important revitalization tool.

The "1990 Liberty Action Plan Update" encourages property owners to reinvest in their properties. The applicant has shown considerable commitment to improving the appearance of the subject property, and the requested relief is consistent with the goals of the Plan. Therefore, staff recommends that the applicant's request be granted.

Prepared by: Jeffrey W. Lutz

Division Chief: Gary L. Kerns

PK/JL

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: Sept. 15, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for September 11, 1995
Item No. 092

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State 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.

A final landscape plan was approved for this development on April 5, 1995. Remove Note #13 from the Special Hearing Plan.

RWB:sw

MICROFILMED

Baltimore County Government
Fire Department



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

(410) 887-4500

DATE: 10/02/95

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 SEPT. 5, 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: 81, 82, 83, 84, 85, 86, 87, 88,
90, 91 AND 92.

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

cc: File



Printed on Recycled Paper

10/02/95

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

TO: ZADM *Joyce Watson*
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 9-5-95

DATE: Sept. 14

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

Item #'s: 81
83
87
89
91
92

LS:sp

LETTY2/DEPRM/TXTSBP

RECEIVED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

9-12-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 092 (MJK)

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 affected by any State Highway Administration projects.

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

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

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

92

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-2600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.

August 25, 1995

HAND DELIVERED

Arnold Jablon, Director
Department of Permits and
Development Management
111 West Chesapeake Avenue
Room 109
Towson, MD 21204

RE: 8219 Liberty Road
Petitions for Special Hearing & Variance
Request for Expedited Hearing

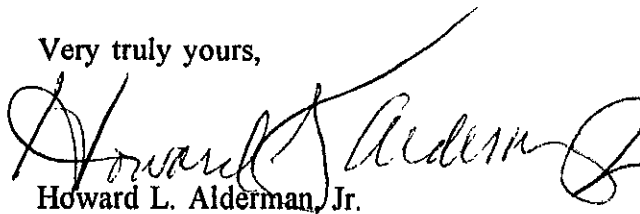
Dear Mr. Jablon:

We represent the owner of the above-referenced property which has been utilized primarily as a carry-out restaurant for many years. Our client is moving ahead with the renovation and expansion of existing improvements. Your office has advised previously that parking calculations can not be broken out by type of use, absent a hearing before the Zoning Commissioner.

We have this date filed a Petition for Special Hearing regarding determination of parking calculations by use and, in the alternative, a variance from the parking requirements of the BCZR. So that our client is not delayed in opening for full use of the site as reconfigured, we are requesting that an early hearing date be set.

Should you need any additional information in your evaluation of this request, please contact me at your earliest possible convenience.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

cc: K&K Realty Partnership
Ms. Gwendolyn Stephens

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

WILLIAM C. KING III

JOHN MILDENBERG -

Howard L. Alderman & Ery

14254 BURNWOODS RD. OLENWOOD Md.
21788

5072 DUBBY HALL DR. SOUTE 202 ELKTON CITY
21042

305 W Chesapeake Ave #113 21204

The map displays a residential neighborhood with the following features:

- Streets:** Avenue, Rockdale, George's, Moore, and a road labeled 2000.
- Property Labels:** D.R. 5.5, BL, CS-2, BR-CSA, and D.R. 16.
- Other Features:** A pool area, a large dark shaded region in the center, and a handwritten note "2/6" near the 2000 road.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

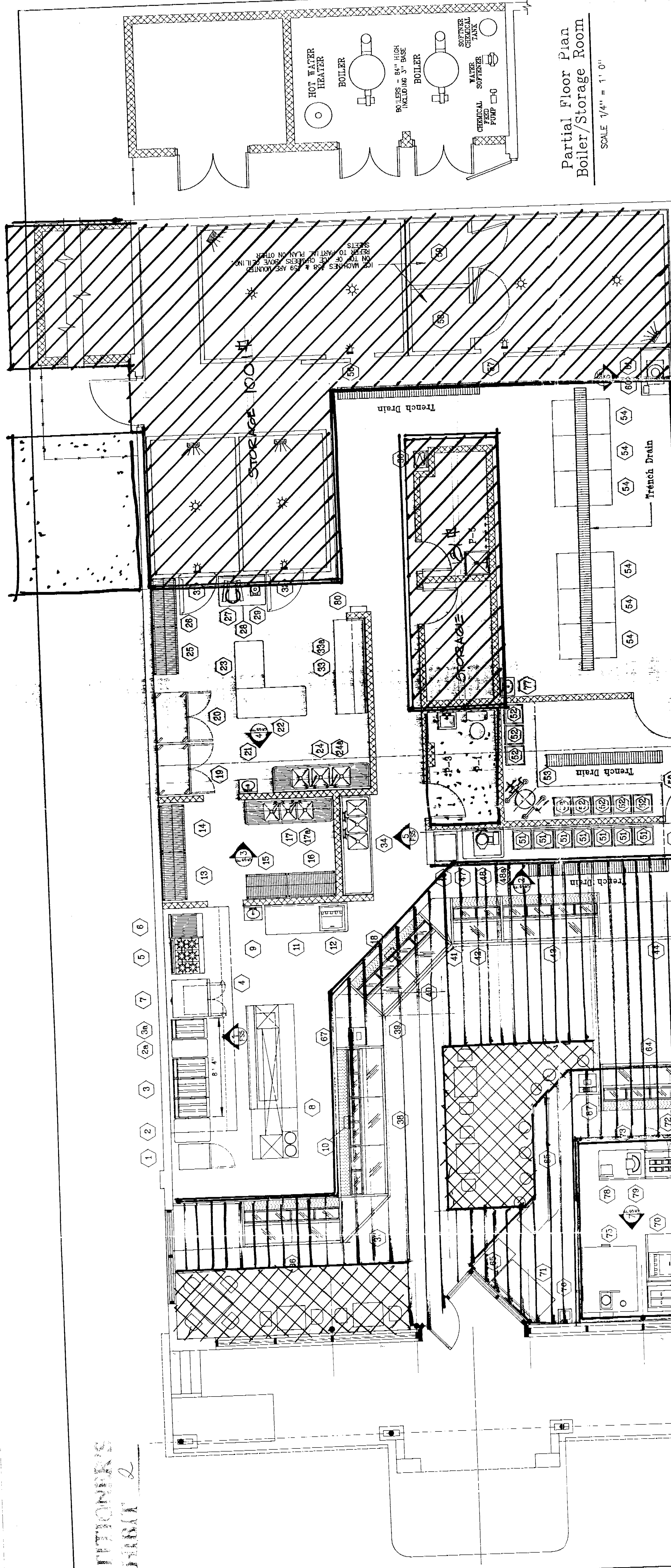
PAULA SALTZMAN - LCDC

ADDRESS

9960 Liberty Rd, Randallstown MD
21133



BATTISTONE'S
EXHIBIT 2



Partial Floor Plan
Boiler/Storage Room

SCALE 1/4" = 1' 0"

SQUARE FTG. CALCS.
RESTR. XXXX = 716#
CARRY OUT III = 1409#
OFFICE IIIII = 210#
STORAGE IIIII = 1321#
FOOD PREP = 1926#
UTILITY SPACE = 274#

Ground Floor Plan

SCALE 1/4" = 1' 0"

Drawing Notes

1. Refer to Architectural, Mechanical and Electrical Drawings for complete information.
2. Refer to Drawing FS-2 for Equipment Schedule for rough-in and equipment connection sizes and electrical requirements.
3. Refer to Drawings FS-3, FS-3a and FS-4 for Plumbing and Electrical! Rough-in layout and rough-in dimensions.
4. Refer to Mechanical Drawings for complete below and above floor Plumbing, details and specifications.
5. Refer to Electrical Drawings for complete at floor and ceiling wiring, panel schedules and specifications.

AREA CALCS ISSUED 4/17/95

OFFICE
AREA = 210#

BATTISTONE DESIGN

LOUIS BATTISTONE, AIA

800 N. LAKE ME., MD 21210 (301) 435-9275

ADVANCED PROJECT ANALYSIS, INC.

228 S. WEST UNIVERSITY PARKWAY - BALTIMORE, MD - (410) 962-2400 - FAX (410) 962-2500

PROJ. No. 94-05

Sea King

DRAWN BY: APA

DATE: 09/01/94

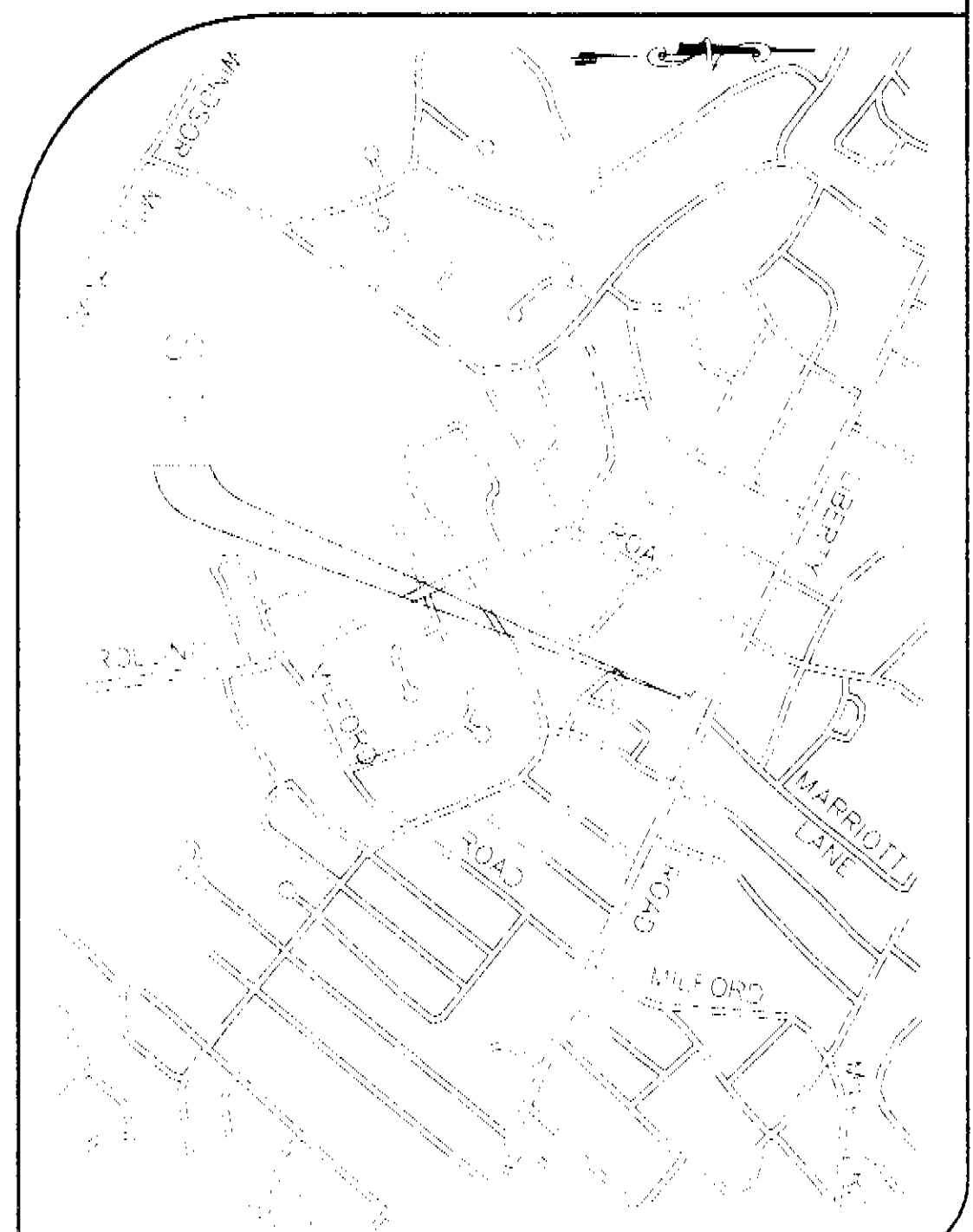
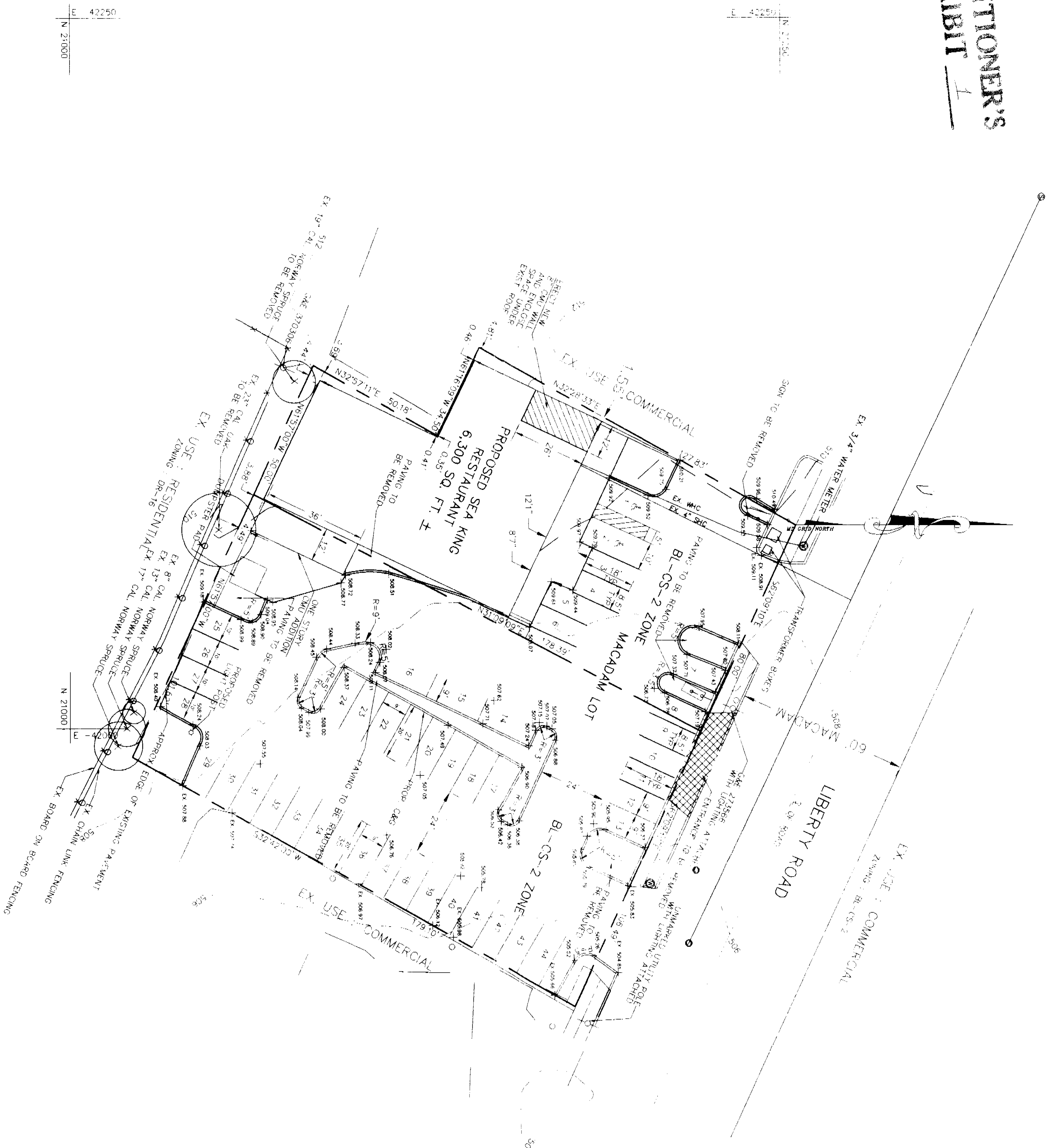
EQUIPMENT PLAN

SHEET No.

FS-1

1004294
S. MILDENBERG, INC.

PETITIONER'S
EXHIBIT 1



GENERAL NOTES

1. TAX MAP 77, BLOCK 23, PARCELS 987
2. PROPERTY LOCATION: SOUTH-EAST CORNER OF LIBERTY ROAD AND MACADAM LOT, APPROXIMATELY 1550 WEST OF WILFORD ROAD, AND WEST OF I-695
3. TOTAL AREA OF PROPERTY: 1.076 ACRES
4. ZONING: BL-CO-2 ZONE
5. EXISTING USE: SEASIDE CARRY-OUT STORE AND PACKAGE
6. PROPOSED USE: SEAFOOD RESTAURANT AND CARRY-OUT STORE
7. EXISTING PARKING: 44 SPACES
8. CARRY-OUT RESTAURANT: 44 SPACES
9. PROPOSED PARKING: 44 SPACES
10. ALL SIGNS WILL COMPLY WITH SECTION 413 OF BALTIMORE COUNTY ZONING REGULATIONS
11. ALL PARKING AREAS LIGHTING WILL REFLECT AWAY FROM RESIDENTIAL LOTS
12. NO ADDITIONAL IMPROVEMENTS AREA WILL BE ADDED TO THE SITE ZONE PAYMENT IS TO BE REMOVED TO ALLOW FOR THE ADJUSTMENT OF PLANNING ISLANDS WITHIN THE PARKING AREA
13. PROPOSED PARKING: 44 SPACES
14. PROPOSED PARKING: 44 SPACES
15. PROPOSED PARKING: 44 SPACES
16. PROPOSED PARKING: 44 SPACES
17. PROPOSED PARKING: 44 SPACES
18. PROPOSED PARKING: 44 SPACES
19. PROPOSED PARKING: 44 SPACES

96-93-S&HA

PRINT MADE BY
AUG 25 1995
MILDENBERG ASSOCIATES, INC.

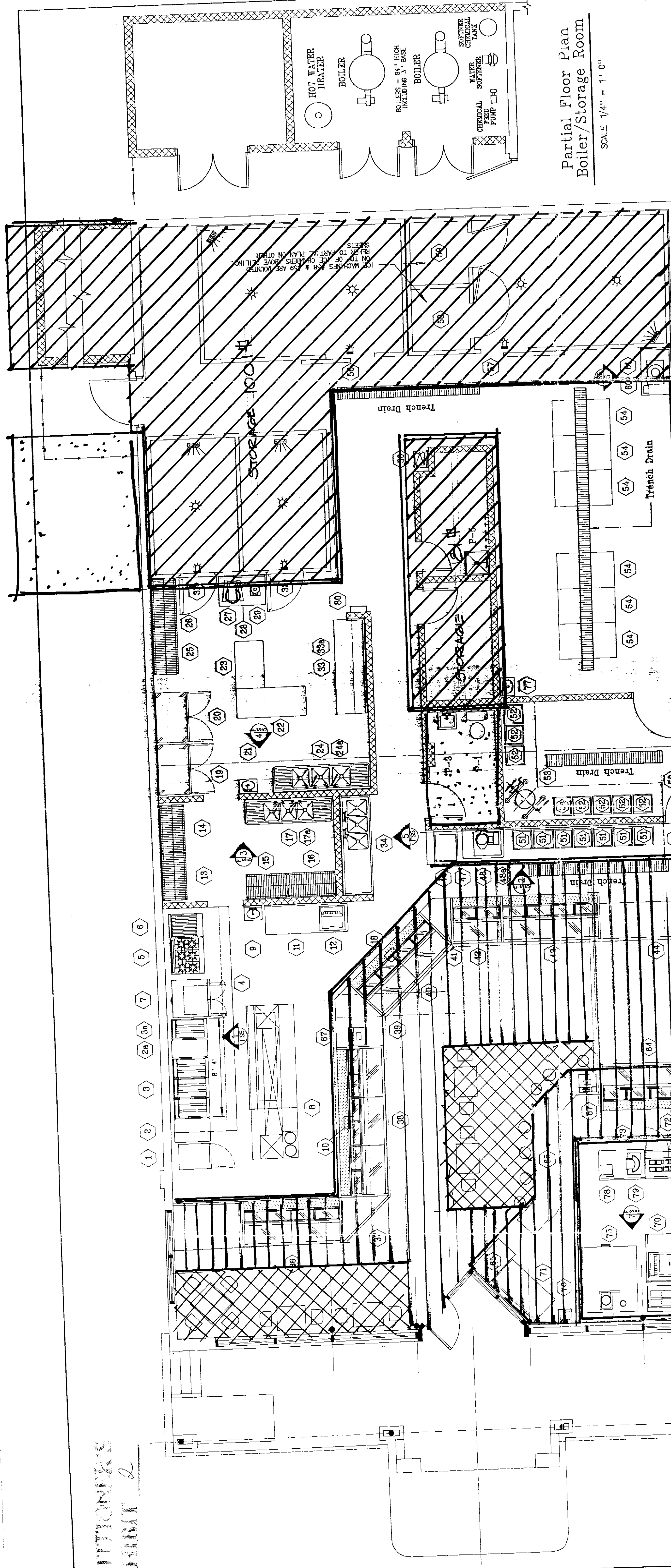
MILDENBERG ASSOCIATES, INC.
Engineers Planners Surveyors
5072 Dorsey Hall Drive, Suite 202, Ellicott City, Maryland 21042
(410) 997-0296 Balt. (301) 621-5521 Wash. (410) 997-0298 Fax

SEA KING
2nd ELECTION DISTRICT
BALTIMORE COUNTY
SITE PLAN

Revised drawing and used spot elevations	8/21/95
Revised notes 4, 8, and 19	7/7/95

94041	MAY 1995
SJD	approved
JBM	approved

BATTISTONE'S
EXHIBIT 2



Partial Floor Plan
Boiler/Storage Room

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Sea King

DRAWN BY: APA

DATE: 09/01/94

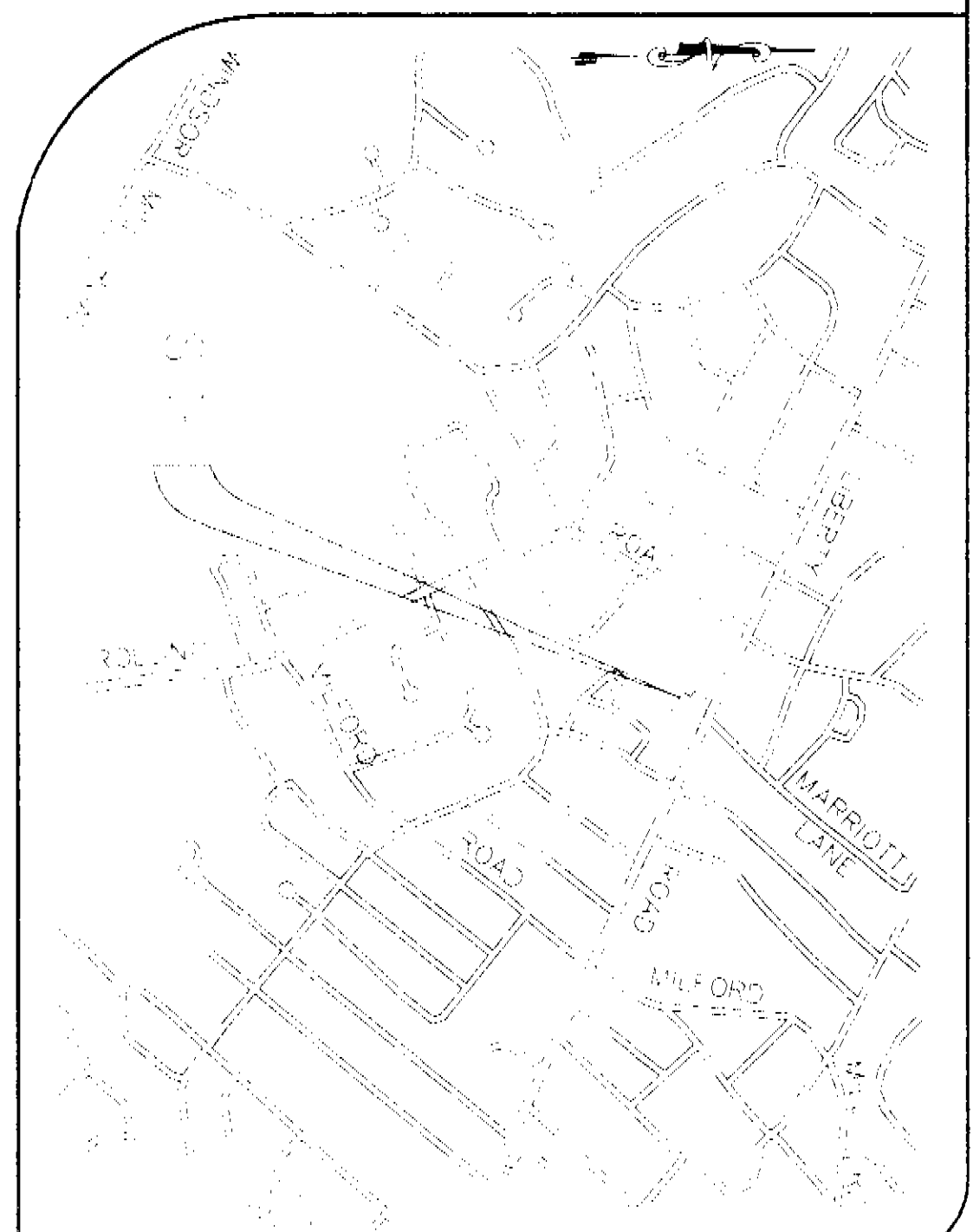
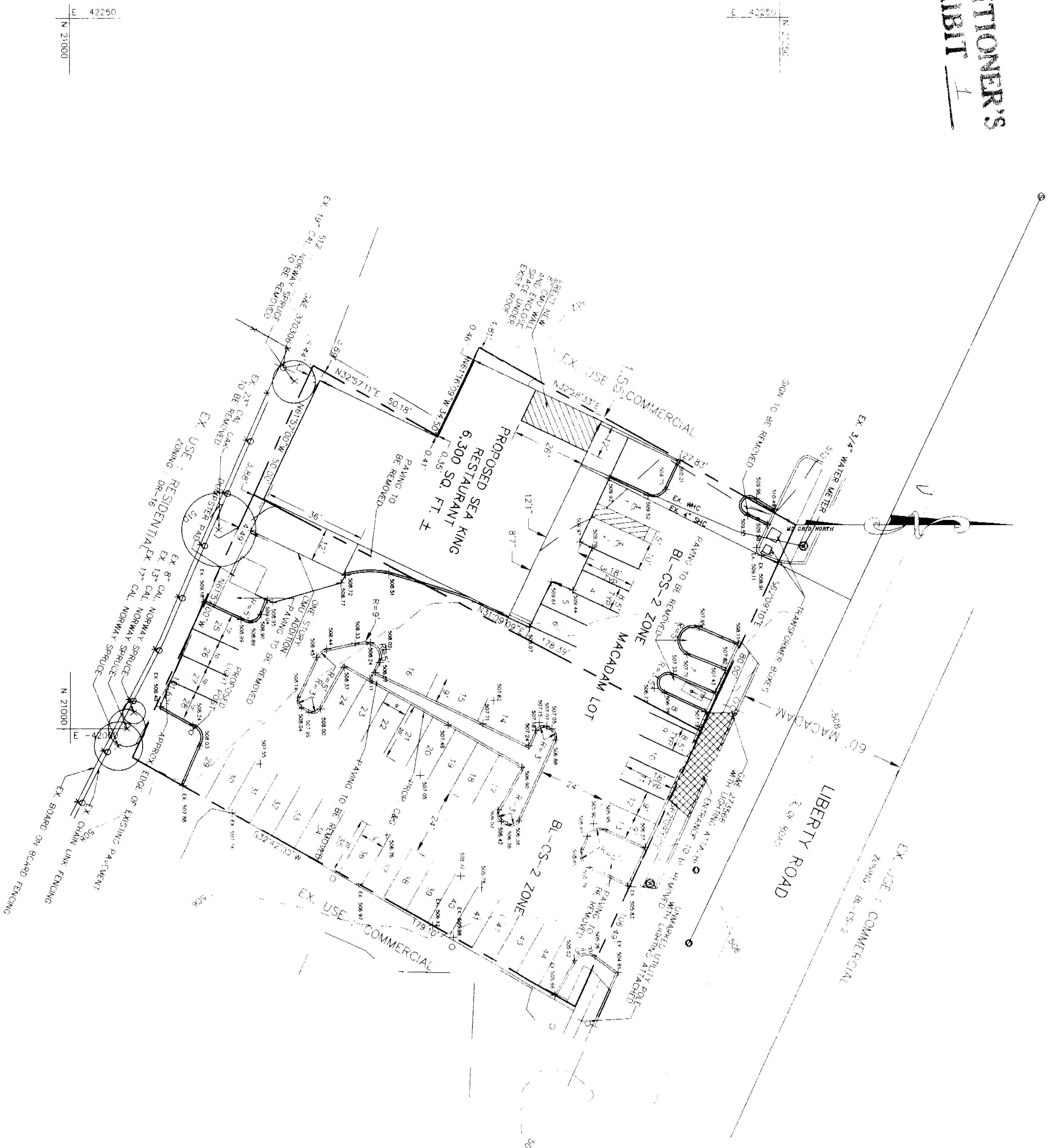
EQUIPMENT PLAN

SHEET No.

FS-1

1004294
S. MILDENBERG, LLC

PETITIONER'S
EXHIBIT 1



GENERAL NOTES

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3. TOTAL AREA OF PROPERTY: 0.77 ACRES (33,661 SQ. FT.)
4. ZONING: BL-CS-2 ZONE (COMMERCIAL SERVICE)
5. EXISTING USE: SEASIDE CARRY-OUT STORE AND PACKAGE
6. PROPOSED USE: SEAFOOD RESTAURANT AND CARRY-OUT STORE
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SEA KING
2nd ELECTION DISTRICT
BALTIMORE COUNTY
SITE PLAN

Revised drawing and issued spot elevations	8/25/95
Revised notes 4, 8, and 19	7/7/95

94041	MAY 1995
SJD	approved
1"=20'	JBM