

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 S/S Reisterstown Road, 25 ft.
 of c/l Waldron Avenue (1012 * ZONING COMMISSIONER
 Reisterstown Rd) Jilly's Rest.
 1st 3rd Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 Gregory S. Reich, et ux * Case No. 97-5-A
 Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1012 Reisterstown Road in Pikesville. The Petition is filed by Gregory S. Reich and Gloria J. Reich, property owners. Variance relief is requested from Section 232.2.B of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback in lieu of the required 10 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case was Gregory S. Reich, property owner. Also present was Robert S. Rosenfelt, of Colbert, Matz and Rosenfelt, Inc., the engineers who prepared the site plan. The Petitioners were represented by Michael A. Freedman, Esquire. Gabriel W. Rosenbush, Jr., of the Pikesville Chamber of Commerce also appeared in support of the Petition. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject property is approximately .58 acres in its entirety, zoned B.L.-A.S. It is located in the heart of the Pikesville business district. The property abuts Reisterstown Road and is transected by Waldron Avenue. The property is actually comprised of two parcels; one known as 1100-1104 Reisterstown Road on the west side of Waldron Avenue and the other known as 1012 Reisterstown Road, on the east side of Waldron Avenue. The parcel on the

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ORDER RECEIVED FOR FILING

Date

By

8/7/96
 M. Hovak

west side is improved with a two story office building and a parking lot. That parcel in and of itself is not the subject of the variance request. The variance request actually relates to the second parcel and the proposed improvements thereon. That parcel is improved with a building which houses the business known as Jilly's Restaurant. The existing restaurant is located on a small parcel less than 1/10th of an acre in area.

The Petitioner proposes constructing an 815 sq. ft. one story addition to the restaurant. As shown on the site plan, the addition will be along the west side of the building. As a result of this addition, the finished building will be located within 2 ft. of the right-of-way to Waldron Avenue; thus, variance relief is requested.

The Petitioner indicated that the proposed addition is necessary because of the business's success and the need for additional room. An additional area for seating is proposed as well as enlargement of the kitchen facilities. Apparently, this a thriving business in the Pikesville area.

Several concerns were raised, by Mr. Rosenbush on behalf of the Chamber of Commerce, within a letter from the Ralston Community Association, and from the Office of Planning within their Zoning Plans Advisory Committee (ZAC) comment. Mr. Rosenbush expressed a concern that the dumpster utilized in connection with the business be properly screened. In this regard, the Petitioner indicated that the dumpster will be relocated immediately across Waldron Avenue from Jilly's Restaurant and will be screened. Although the exact nature of the screening is not known at this time, the buffer will be a combination of fencing and landscaping. As a condition precedent to the variance relief granted, I require an amendment to the plan showing the precise location of the dumpster. Moreover, appropriate screening, by way of a fence, landscaping and/or both will be

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Date

8/7/96

By

M. G. Hark

required. The Petitioner should consult the County's Landscape Architect for specifics in this regard.

Second, it was noted that the existing paving of Waldron Avenue is 24 ft. in width. As shown on the site plan, the existing right of way is that same dimension, however, the right-of-way is to be expanded to 40 ft. In this regard, the Petitioner indicated that an area for the right-of-way will be dedicated by the Petitioner to the County. Such dedication will be required as a condition precedent to this Order. With the dedication of the right-a-way, I believe that many of the Office of Planning's concerns are addressed. It is to be noted that the Petitioner does not propose any changes or alterations to the existing roadway, however, will dedicate the right-of-way area for future improvements.

Third, concerns were also expressed regarding pedestrian access adjacent Waldron Avenue. In this regard, the Petitioner indicated, and the plan shows, that there will be an approximate 5-1/2 ft. concrete walk adjacent to the building and Waldron Avenue. Thus, a sufficient area for pedestrian access is being provided. This walk should alleviate a concern expressed by the Ralston Community Association.

With these restrictions, I believe that the Petition for Variance should be granted. I am persuaded that the Petitioner has met their burden as set forth in Section 307 of the BCZR and the case law.

Also, a comment is in order about Planning's request that an easement be granted to facilitate the future DeRiso Lane. This road will be located to the rear of the larger parcel owned by the Petitioner at 1100-1104 Reisterstown Road. As shown on the site plan, there is an existing 9 ft. alley at that location which may be enlarged and converted to a public road; i.e., DeRiso Lane. The Petitioner expressed reluctance to convey an easement to accommodate the construction of the road. As Mr.

Reich observed, construction of a road on the rear of his property would result in the elimination of 11 parking spaces. As is well known to this Zoning Commissioner, parking is at a premium in the Pikesville area. Moreover, as noted by the Petitioner and confirmed by Mr. Rosenbush, the exact future location of DeRiso Lane is tentative at this time. For these reasons, as well as the fact that the proposed road bears no reasonable nexus to the variance requested in this case, I decline to incorporate Planning's comment as a restriction.

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 7th day of August, 1996 that a variance from Section 232.2.B of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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 Petitioner shall be required to maintain a 5-1/2 ft. concrete walk for pedestrian access (sidewalk) adjacent to the building and Waldron Avenue.
3. The Petitioner shall submit for approval a landscape plan for screening of the dumpster to the Baltimore County Landscape Architect and shall amend the plan to depict such dumpster location and screening.
4. The Petitioner shall dedicate to Baltimore County the area necessary to expand the existing right-of-way on Waldron Avenue from 24 to 40 ft.

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Date

By

8/7/96
M. Hark

5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

8/7/96

By

M. G. G. G. G.

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 5, 1996

Michael A. Freedman, Esquire
10019 Reisterstown Road
Owings Mills, Maryland 21117

RE: Case No. 97-5-A
Petition for Zoning Variance
Property: 1012 Reisterstown Road
Gregory S. Reich, et ux, Petitioners

Dear Mr. Freedman:

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

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

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. Gregory S. Reich, 2701 Melrose Avenue, Woodstock, Md. 21163
c: Mr. Gabriel W. Rosenbush, Jr., Pikesville Chamber of Commerce
7 Church Lane, Pikesville, Md. 21208

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1012 REISTERSTOWN ROAD

97-5-A

which is presently zoned BL-AS

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) 232.2B TO ALLOW A 2 FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10 FEET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) THAT THE PROPERTY IS UNIQUE AND UNUSUAL SUCH THAT THE UNIQUENESS AND PECULIARITY OF THE PROPERTY CAUSES THE ZONING PROVISIONS TO IMPACT DISPROPORTIONATELY UPON THE PROPERTY.

PRACTICAL DIFFICULTY AND UNREASONABLE HARDSHIP RESULT FROM THE DISPROPORTIONATE IMPACT OF THE PROVISIONS OF THE ZONING REGULATIONS CAUSED BY THE PROPERTY'S UNIQUENESS.

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:

MICHAEL A. FREEDMAN

(Type or Print Name)

Signature

10019 REISTERSTOWN RD 363-6848

Address

Phone No.

OWINGS MILLS

MD

21117

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):

GREGORY S. REICH

(Type or Print Name)

Signature

GLORIA J. REICH

(Type or Print Name)

Signature

1012 REISTERSTOWN ROAD 653-0610

Address

Phone No.

BALTO., MD 21208

City

State

Zipcode

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

RICHARD E. MATZ

COLBERT MATZ ROSENFELT, INC.

Name

3723 OLD COURT ROAD, STE. 206

653-3838

BALTIMORE, MD 21208

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: JF DATE 7-1-96

Item # 1

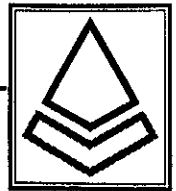


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Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

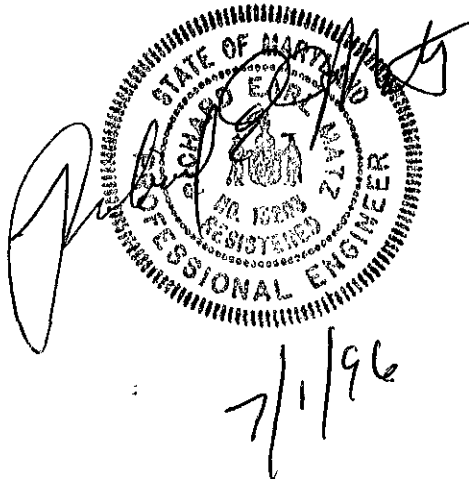
97-5-A

BEGINNING AT A POINT ON THE SOUTH SIDE OF REISTERSTOWN ROAD, MD 140, WHICH IS 60 FEET WIDE, AT A DISTANCE OF 25 FEET OF THE CENTERLINE OF WALDRON AVENUE, 24 FEET WIDE, THENCE THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 34 DEGREES 22 MINUTES 55 SECONDS EAST 30.54 FEET;
2. SOUTH 57 DEGREES 55 MINUTES 20 SECONDS WEST 96.40 FEET;
3. NORTH 32 DEGREES 04 MINUTES 40 SECONDS WEST 30.50 FEET; AND
4. NORTH 57 DEGREES 55 MINUTES 20 SECONDS EAST 95.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,117 SQUARE FEET OR 0.072 ACRES. ALSO KNOWN AS 1012 REISTERSTOWN ROAD LOCATED IN THE THIRD ELECTION DISTRICT. C-2

I:\JOBS\96017.DES 7-1-96



Dom #1

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-5-A

District 3rd

Date of Posting 7/19/96

Posted for: Variance

Petitioner: Gregory S. Reich

Location of property: 1012 Reisterstown Rd.

Location of Sign: Facing road & way, on property being zoned

Remarks: _____

Posted by [Signature]
Signature

Date of return: 7/19/96

Number of Signs: 1

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CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/18, 1996

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 7/18, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

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 No. 211

Re: 11

1012 Reservoir Road

(My's Restaurant)

SS Reservoir Road 25' of

of Walden Avenue

3rd Election District

2nd Councilmanic

Legal Owner(s):

Gregory S. Reich

Variance: to allow a 2 foot side yard setback in lieu of the required 10 feet.

Hearing: Friday, August 2, 1996 at 9:00 a.m. in Rm. 106, County Office Building.

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.

7/18/96 July 18

C67161

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 022078

97-5-A

DATE July 1, 1996 ACCOUNT 1001-05-000

AMOUNT \$ 285.00

RECEIVED
FROM:

REICH

020 Vac. -- 10.00
080 Sign. -- 8.00

ITEM # 1

FOR:

Taken by: JRF

CV+
SIGN

MICROFILMED

285.00

4285.00

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 1 Petitioner: GREGORY S. REICH.

Location: 1012 REISTERSTOWN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SCOTT REICH c/o JULY'S.

ADDRESS: 1012 REISTERSTOWN ROAD

BAITIMORE, MD 21208.

PHONE NUMBER: 653-0610

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TO: PUTUXENT PUBLISHING COMPANY
July 18, 1996 Issue - Jeffersonian

Please forward billing to:

Scott Reich
c/l Jilly's
1012 Reisterstown Road
Baltimore, Maryland 21208
653-0610

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: 97-5-A (Item 1)
1012 Reisterstown Road
"Jilly's Restaurant)
S/S Reisterstown Road, 25' of c/l Waldron Avenue
3rd Election District - 2nd Councilmanic
Legal Owner(s): Gregory S. Reich

Variance to allow a 2 foot side yard setback in lieu of the required 10 feet.

HEARING: FRIDAY, AUGUST 2, 1996 at 9:00 a.m. in Room 106, County Office Building.

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

July 11, 1996

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: 97-5-A (Item 1)
1012 Reisterstown Road
"Jilly's Restaurant)
S/S Reisterstown Road, 25' of c/l Waldron Avenue
3rd Election District - 2nd Councilmanic
Legal Owner(s): Gregory S. Reich

Variance to allow a 2 foot side yard setback in lieu of the required 10 feet.

HEARING: FRIDAY, AUGUST 2, 1996 at 9:00 a.m. in Room 106, County Office Building.

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

Arnold Jablon
Director

cc: Gregory and Gloria Reich
Michael A. Freedman, Esq.
Richard E. Matz

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.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

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

August 1, 1996

Michael A. Freedman, Esquire
10019 Reisterstown Road
Owings Mills, MD 21117

RE: Item No.: 1
Case No.: 97-5-A
Petitioner: Gregory Reich, et ux

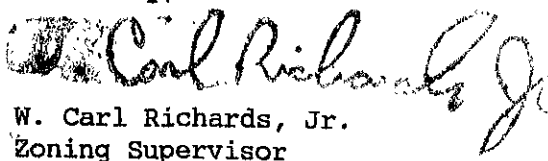
Dear Mr. Freedman:

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 July 1, 1996.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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[Signature]
DIRECTOR

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

[Signature]
BUILDINGS ENGINEER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: July 23, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1012 Reisterstown Road

INFORMATION:

Item Number: 1

Petitioner: Reich Property

Property Size:

Zoning: BL-AS

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant regarding the requested variance to allow a 2 foot side yard setback in lieu of the required 10 feet. The property is located within the area of the Pikesville Revitalization Plan. This office supports the requested variance providing the following conditions are met:

1. The existing right-of way width along Waldron Avenue should be maintained, parking meters should be retained and turning radii should remain unchanged from the current configuration; and
2. An easement should be granted to facilitate future De Riso Lane.

Prepared by:

Division Chief:

PK/JL

MICROFILMED

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

TO: PDM

DATE: 7-9-96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7-15-96

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

Item #'s:

1
2
3
4
5
6

RBS

7-9-96

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-19-96

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

RE: Baltimore County
Item No. 1 (JRF)

Dear Ms. Watson:

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

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS

MICROFILMED

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 21202-0717

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 07/12/96

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

RE: Property Owner: GREGORY S. REICH

Location: S/S REISTERSTOWN RD., 25' OF CENTERLINE WALDRON AVE.
(1012 REISTERSTOWN RD. - JILLY'S RESTAURANT)

Item No.: 001

Zoning Agenda: VARIANCE

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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

cc: File



Printed with Soybean Ink
on Recycled Paper

MICROFILM

BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: Memo to the file

DATE: October 31, 1996

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: Case No. 97-5-A

The above matter came before me for hearing on August 2, 1996 as a Petition for Variance for the property located at 1012 Reisterstown Road in Pikesville (Jilly's Restaurant addition). By Order of August 7, 1996, the requested variance was granted. Specifically, relief was granted to allow a 2 ft. side yard setback in lieu of the required 10 ft.

I have been contacted by the engineer for this project, Richard Matz, who advised that the site plan has a minor error. Specifically, the proposed addition to the restaurant will be two stories rather than one. This does not impact the variance requested, in that the same distance will be amended.

In view of the minor nature of the amendment, I advised Mr. Matz that this memorandum would be added to the file evidencing that a correction of the site plan would be within the spirit and intent of the prior Order.

LES:mmn

MICROFILMED



7 Church Lane
Pikesville, MD 21208
484-2337

July 30, 1996

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 321204

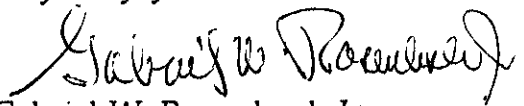
Re: Case Number 97 5 A Item 1
1012 Reisterstown Rd.

Gentlemen:

This is to report that the Zoning Committee of the Pikesville Chamber of Commerce has met and reviewed the plans and specs for the requested variance as set forth in this case.

The Pikesville Chamber of Commerce supports the petitioner's request with the clear understanding that some provision shall be made for screening the area of the trash dumpsters. We ask that this letter be made a part of the record of the hearing scheduled for 9:00 a.m. August 2, 1996.

Very truly yours,

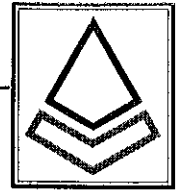

Gabriel W. Rosenbush Jr.
Chairman Zoning
Committee

gwr; asf

MAILED

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



August 30, 1996

Mr. Larry Schmidt
Zoning Commissioner
Baltimore County
Office of Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

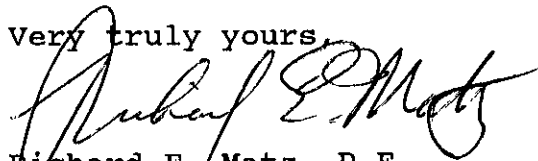
SUBJECT: Jilly's Restaurant Addition
Case No.: 97-5-A
CMR No.: 96017

Dear Commissioner Schmidt:

It has come to my attention that the zoning order in the above-mentioned case referred to a one-story restaurant addition. Although the preliminary plan we submitted indicated a one-story addition, this was not the final plan. We are presently processing a (b.(9)) Development Plan through the County process. The owners of Jilly's are most likely going to extend the existing second floor over to the new setback line.

We are hereby requesting an amendment of your order to clarify this point.

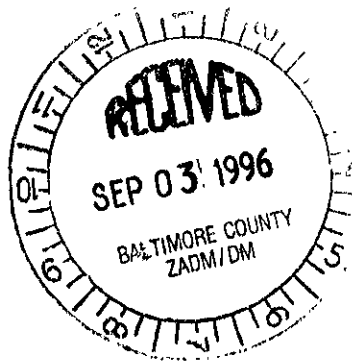
Very truly yours,



Richard E. Matz, P.E.
Colbert Matz Rosenfelt, Inc.

cc: Scott Reich
Michael A. Freedman

I:\jobs\96017.wpf, 7



MICROFILMED



President
Melinda Hipsley

July 31, 1996

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

Dear Commissioner:

Re: Case Number 97-5-A (Item 1)

Due to circumstances beyond my control I will not be able to attend this meeting but in my absence I wish this letter to be read to express the feelings of the Ralston Community.

It has been brought to my attention that Lilly's restaurant located at 1112 Reisterstown Rd has put in a request for a variance change. There are a couple of concerns that we the Ralston Community have about this change. The reason that we are concerned is that the change directly affects us because our community surrounds this location. First of all the safety of our pedestrians. If this change goes into effect it will force people to have to walk in the street on a very busy corner while trying to get to the sidewalk on Reisterstown Rd. Secondly we have a corner lot where the dumpsters that now sit on the sidewalk will be placed if there is no more sidewalk since this has been a problem before.

In the past the business has worked along with us in addressing our concerns, we hope that this trend will continue and solve the problem prior to our concerns prior to you passing a judgment on this matter. If you have any further questions feel free to contact me at (410) 484-8670.

Sincerely,

Melinda A. Hipsley
Melinda A. Hipsley, President
Ralston Community Association

cc: files

POSTAL EXPRESS	DATE	TIME
TO: RALSTON COMMUNITY ASSOCIATION	FROM: Melinda Hipsley	
	RE: 97-5-A	
	410 484 8670	
	542-0144	

MICROFILMED

Petitioners

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Robert S Rosenfeld, P.E.

Colbert Matz Rosenfeld, Inc
3723 Old Ct RD 206
Balt md 21208

Michael A Freedman Esq.

10019 Reisterstown rd Ste 204
OWings Mills md 21117

Gregory A Reich

2701 Melrose Ave
Woodstock md 21163



MICROFILMED

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
8/5 Reisterstown Road, 25 ft. * ZONING COMMISSIONER
of c/1 Waldron Avenue (1012 *
Reisterstown Rd) Jilly's Rest. *
2667-1/2 Election District * OF BALTIMORE COUNTY
1st Councilmanic District *
Gregory S. Reich, et ux * Case No. 97-5-A
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1012 Reisterstown Road in Pikesville. The Petition is filed by Gregory S. Reich and Gloria J. Reich, property owners. Variance relief is requested from Section 232.2.B of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback in lieu of the required 10 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case was Gregory S. Reich, property owner. Also present was Robert S. Rosenfelt, of Colbert, Matz and Rosenfelt, Inc., the engineers who prepared the site plan. The Petitioners were represented by Michael A. Freedman, Esquire. Gabriel W. Rosenbush, Jr., of the Pikesville Chamber of Commerce also appeared in support of the Petition. There were no Protestants or other interested persons present.

Testimony and evidence offered was that the subject property is approximately .58 acres in its entirety, zoned B.L.-A.S. It is located in the heart of the Pikesville business district. The property abuts Reisterstown Road and is transected by Waldron Avenue. The property is actually comprised of two parcels; one known as 1100-1104 Reisterstown Road on the west side of Waldron Avenue and the other known as 1012 Reisterstown Road, on the east side of Waldron Avenue. The parcel on the

west side is improved with a two story office building and a parking lot. That parcel in and of itself is not the subject of the variance request. The variance request actually relates to the second parcel and the proposed improvements thereon. That parcel is improved with a building which houses the business known as Jilly's Restaurant. The existing restaurant is located on a small parcel less than 1/10th of an acre in area.

The Petitioner proposes constructing an 815 sq. ft. one story addition to the restaurant. As shown on the site plan, the addition will be along the west side of the building. As a result of this addition, the finished building will be located within 2 ft. of the right-of-way to Waldron Avenue; thus, variance relief is requested.

The Petitioner indicated that the proposed addition is necessary because of the business's success and the need for additional room. An additional area for seating is proposed as well as enlargement of the kitchen facilities. Apparently, this a thriving business in the Pikesville area.

Several concerns were raised, by Mr. Rosenbush on behalf of the Chamber of Commerce, within a letter from the Ralston Community Association, and from the Office of Planning within their Zoning Plans Advisory Committee (ZAC) comment. Mr. Rosenbush expressed a concern that the dumpster utilized in connection with the business be properly screened. In this regard, the Petitioner indicated that the dumpster will be relocated immediately across Waldron Avenue from Jilly's Restaurant and will be screened. Although the exact nature of the screening is not known at this time, the buffer will be a combination of fencing and landscaping. As a condition precedent to the variance relief granted, I require an amendment to the plan showing the precise location of the dumpster. Moreover, appropriate screening, by way of a fence, landscaping and/or both will be

-2-

required. The Petitioner should consult the County's Landscape Architect for specifics in this regard.

Second, it was noted that the existing paving of Waldron Avenue is 24 ft. in width. As shown on the site plan, the existing right of way is that same dimension, however, the right-of-way is to be expanded to 40 ft. In this regard, the Petitioner indicated that an area for the right-of-way will be dedicated by the Petitioner to the County. Such dedication will be required as a condition precedent to this Order. With the dedication of the right-a-way, I believe that many of the Office of Planning's concerns are addressed. It is to be noted that the Petitioner does not propose any changes or alterations to the existing roadway, however, will dedicate the right-of-way area for future improvements.

Third, concerns were also expressed regarding pedestrian access adjacent Waldron Avenue. In this regard, the Petitioner indicated, and the plan shows, that there will be an approximate 5-1/2 ft. concrete walk adjacent to the building and Waldron Avenue. Thus, a sufficient area for pedestrian access is being provided. This walk should alleviate a concern expressed by the Ralston Community Association.

With these restrictions, I believe that the Petition for Variance should be granted. I am persuaded that the Petitioner has met their burden as set forth in Section 307 of the BCZR and the case law.

Also, a comment is in order about Planning's request that an easement be granted to facilitate the future DeRiso Lane. This road will be located to the rear of the larger parcel owned by the Petitioner at 1100-1104 Reisterstown Road. As shown on the site plan, there is an existing 9 ft. alley at that location which may be enlarged and converted to a public road; i.e., DeRiso Lane. The Petitioner expressed reluctance to convey an easement to accommodate the construction of the road. As Mr.

-3-

Reich observed, construction of a road on the rear of his property would result in the elimination of 11 parking spaces. As is well known to this Zoning Commissioner, parking is at a premium in the Pikesville area. Moreover, as noted by the Petitioner and confirmed by Mr. Rosenbush, the exact future location of DeRiso Lane is tentative at this time. For these reasons, as well as the fact that the proposed road bears no reasonable nexus to the variance requested in this case, I decline to incorporate Planning's comment as a restriction.

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 7th day of August, 1996 that a variance from Section 232.2.B of the Baltimore County Zoning Regulations (BCZR) to allow a 2 ft. side yard setback, in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restrictions:

1. The 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 Petitioner shall be required to maintain a 5-1/2 ft. concrete walk for pedestrian access (sidewalk) adjacent to the building and Waldron Avenue.
3. The Petitioner shall submit for approval a landscape plan for screening of the dumpster to the Baltimore County Landscape Architect and shall amend the plan to depict such dumpster location and screening.
4. The Petitioner shall dedicate to Baltimore County the area necessary to expand the existing right-of-way on Waldron Avenue from 24 to 40 ft.

-4-

5. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

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

LES/mm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 5, 1996

Michael A. Freedman, Esquire
10019 Reisterstown Road
Owings Mills, Maryland 21117

RE: Case No. 97-5-A
Petition for Zoning Variance
Property: 1012 Reisterstown Road
Gregory S. Reich, et ux, Petitioners

Dear Mr. Freedman:

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

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

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES/mm

att.
c: Mr. Gregory S. Reich, 2701 Melrose Avenue, Woodstock, Md. 21163
Mr. Gabriel W. Rosenbush, Jr., Pikesville Chamber of Commerce
7 Church Lane, Pikesville, Md. 21208



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1012 REISTERSTOWN ROAD
97-5-A which is presently zoned BL-AS

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) 232.2B TO ALLOW A 2 FOOT SIDE YARD SETBACK IN LIEU OF THE REQUIRED 10 FEET.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty). THAT THE PROPERTY IS UNIQUE AND UNUSUAL SUCH THAT THE UNIQUENESS AND PECULIARITY OF THE PROPERTY CAUSES THE ZONING PROVISIONS TO IMPACT DISPROPORTIONATELY UPON THE PROPERTY. PRACTICAL DIFFICULTY AND UNREASONABLE HARDSHIP RESULT FROM THE DISPROPORTIONATE IMPACT OF THE PROVISIONS OF THE ZONING REGULATIONS CAUSED BY THE PROPERTY'S UNIQUENESS.

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.

Current Purchaser/Lessee:

Type or Print Name:

Signature:

Address:

City:

State:

Zipcode:

10019 REISTERSTOWN RD 363-6848

OWINGS MILLS MD 21117

City State Zipcode

I, or we, 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):

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

Type or Print Name:

Signature:

GREGORY S. REICH

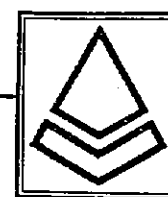
Type or Print Name:

Signature:

GREGORY S. REICH

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



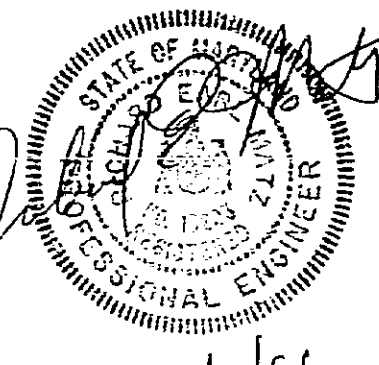
ZONING DESCRIPTION 97-5-A

BEGINNING AT A POINT ON THE SOUTH SIDE OF REISTERSTOWN ROAD, MD 140, WHICH IS 60 FEET WIDE, AT A DISTANCE OF 25 FEET OF THE CENTERLINE OF WALDRON AVENUE, 24 FEET WIDE, THENCE THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 34 DEGREES 22 MINUTES 55 SECONDS EAST 30.54 FEET;
2. SOUTH 57 DEGREES 55 MINUTES 20 SECONDS WEST 96.40 FEET;
3. NORTH 32 DEGREES 04 MINUTES 40 SECONDS WEST 30.50 FEET; AND
4. NORTH 57 DEGREES 55 MINUTES 20 SECONDS EAST 95.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,117 SQUARE FEET OR 0.072 ACRES. ALSO KNOWN AS 1012 REISTERSTOWN ROAD LOCATED IN THE THIRD ELECTION DISTRICT. C-2

I:\JOBS\96017.DES 7-1-96



Item #1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 7/19/96
 Posted for: Gregory S. Reich
 Petitioner: Gregory S. Reich
 Location of property: 1012 Reisterstown Road
 Location of Sign: Being reviewed property being zoned
 Remarks: _____
 Posted by: [Signature] Date of return: 7/19/96
 Number of Signs: 4

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/18, 1996
 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 7/18, 1996.

THE JEFFERSONIAN,
A. Henricson
 LEGAL AD. - TOWSON

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of the 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, on Friday, August 2, 1996 at 9:00 a.m. in Room 106, County Office Building.
 CASE NUMBER: 97-5-A (Item 1)
 1012 Reisterstown Road
 "Jilly's Restaurant"
 5/8 Reisterstown Road, 25' of c/l Waldron Avenue
 3rd Election District - 2nd Councilmanic
 Legal Owner(s): Gregory S. Reich
 Variance to allow a 2 foot side yard setback in lieu of the required 10 feet.
 HEARING: FRIDAY, AUGUST 2, 1996 at 9:00 a.m. in Room 106, County Office Building.
 LAWRENCE E. SCHMIDT
 Zoning Commissioner for Baltimore County
 NOTICE: Hearings are handicapped accessible. For special accommodations please call 887-3353.
 (1) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.
 07/19/96 15 02/161

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCIAL REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 022878
97-5-A
 DATE July 1, 1996 ACCOUNT 7-01-615-000
 AMOUNT \$ 225.00
 RECEIVED FROM REICH
 CASH 400.00 ITEM # 1
 CASH SIGN 8 Taken by JRF
 FOR: CV+ SIGN \$ 225.00
 VALIDATION OF SIGNATURE OF CASHIER 1285.00
 DISTRIBUTION: WHITE-CASHER PINK-AGENCY YELLOW-CUSTOMER



Baltimore County
 Department of Permits and
 Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

PAYMENT WILL BE MADE AS FOLLOWS:

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 1 Petitioner: GREGORY S. REICH

Location: 1012 REISTERSTOWN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SCOTT REICH c/o JILLY'S

ADDRESS: 1012 REISTERSTOWN ROAD

BALTIMORE, MD 21208

PHONE NUMBER: 653-0610

12

TO: PUPPENT PUBLISHING COMPANY
 July 18, 1996 Issue - Jeffersonian
 Please forward billing to:

Scott Reich
 c/o Jilly's
 1012 Reisterstown Road
 Baltimore, Maryland 21208
 653-0610

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, on Friday, August 2, 1996 at 9:00 a.m. in Room 106, County Office Building, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-5-A (Item 1)
 1012 Reisterstown Road
 "Jilly's Restaurant"
 5/8 Reisterstown Road, 25' of c/l Waldron Avenue
 3rd Election District - 2nd Councilmanic
 Legal Owner(s): Gregory S. Reich

Variance to allow a 2 foot side yard setback in lieu of the required 10 feet.

HEARING: FRIDAY, AUGUST 2, 1996 at 9:00 a.m. in Room 106, County Office Building.

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 887-3353.



Baltimore County
 Department of Permits and
 Development Management

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

July 11, 1996

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, on Friday, August 2, 1996 at 9:00 a.m. in Room 106, County Office Building, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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 5/8 Reisterstown Road, 25' of c/l Waldron Avenue
 3rd Election District - 2nd Councilmanic
 Legal Owner(s): Gregory S. Reich

Variance to allow a 2 foot side yard setback in lieu of the required 10 feet.

HEARING: FRIDAY, AUGUST 2, 1996 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon
 Director

cc: Gregory and Gloria Reich
 Michael A. Freedman, Esq.
 Richard E. Metz

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 BY 887-3353.



Baltimore County
 Department of Permits and
 Development Management

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

August 1, 1996

Michael A. Freedman, Esquire
 10019 Reisterstown Road
 Owings Mills, MD 21117

RE: Item No.: 1
 Case No.: 97-5-A
 Petitioner: Gregory Reich, et ux

Dear Mr. Freedman:

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 July 1, 1996.

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 Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

Carl Richards, Jr.
 W. Carl Richards, Jr.
 Zoning Supervisor

WCR/re
 Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: July 23, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 1012 Reisterstown Road

INFORMATION:

Item Number: 1

Petitioner: Reich Property

Property Size:

Zoning: BL-AS

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has met with the applicant regarding the requested variance to allow a 2 foot side yard setback in lieu of the required 10 feet. The property is located within the area of the Pikesville Revitalization Plan. This office supports the requested variance providing the following conditions are met:

1. The existing right-of way width along Waldron Avenue should be maintained, parking meters should be retained and turning radii should remain unchanged from the current configuration; and
2. An easement should be granted to facilitate future De Riso Lane.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Lewis

PK/JL

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

TO: PDM

DATE: 7-9-96

FROM: R. Bruce Seeley
 Permits and Development Review
 DEPRM

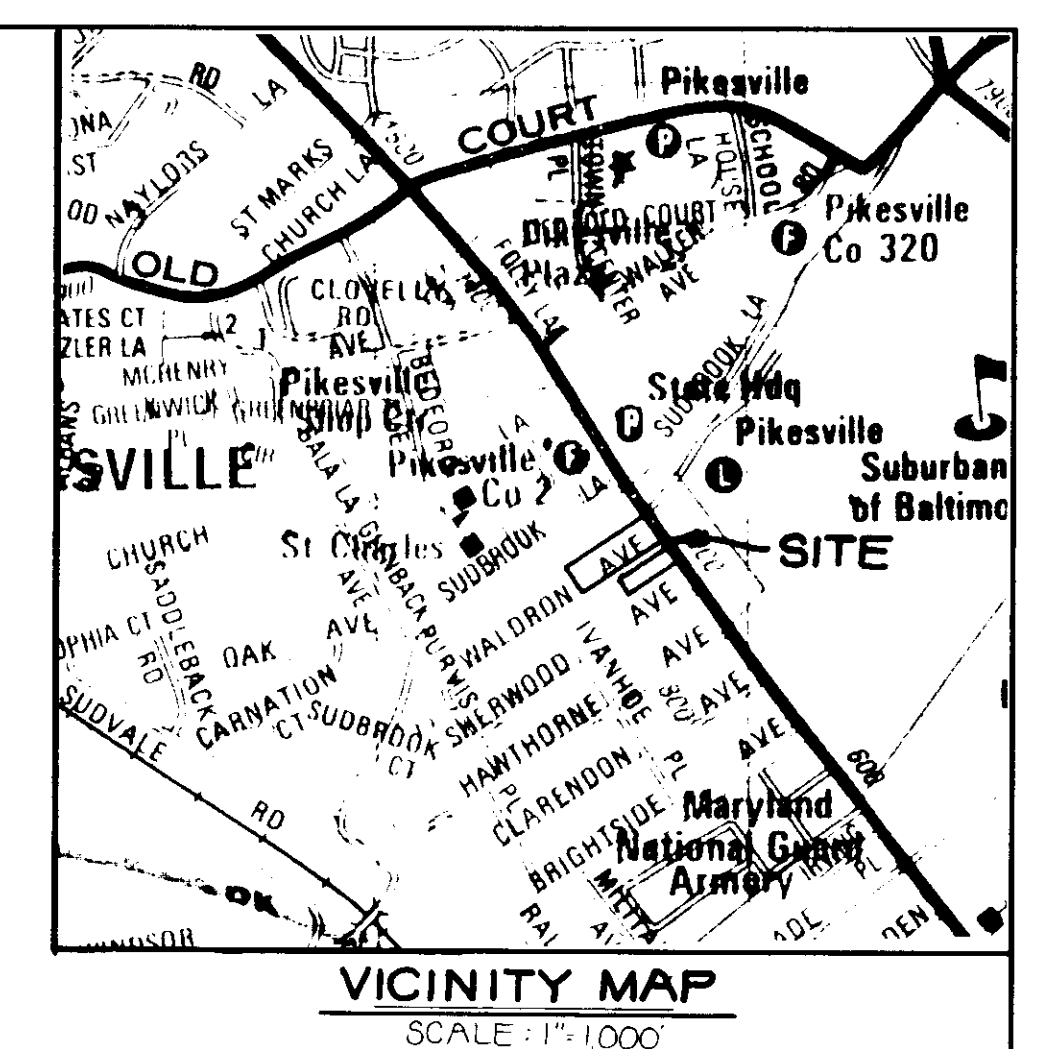
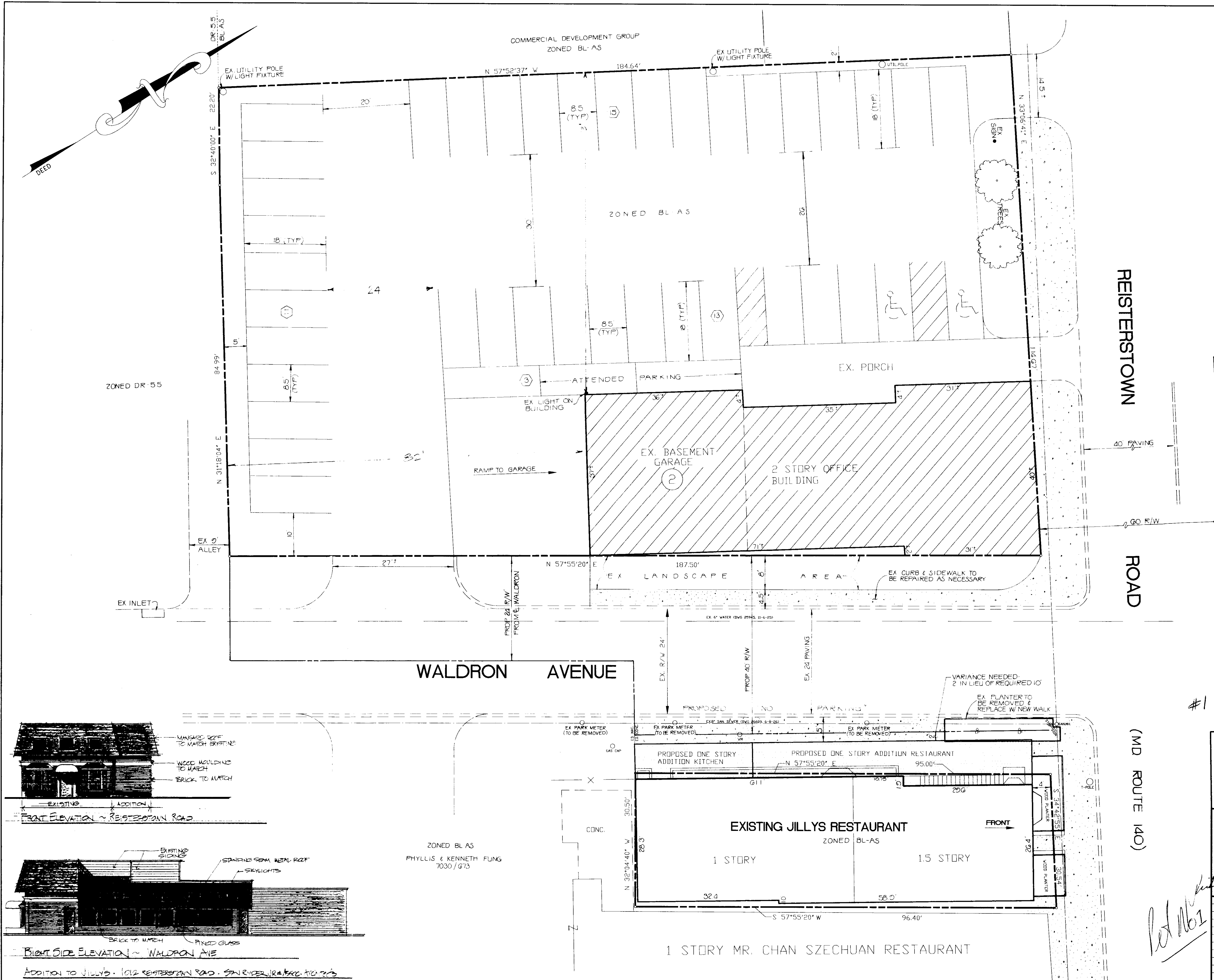
SUBJECT: Zoning Advisory Committee
 Meeting Date: 7-15-96

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

Item #'s: 1
2
3
4
5
6

7-9-96

RBS:sp
 BRUCE2/DEPRM/TXTSBP



- ### GENERAL NOTES
- Owner/Developer:
Gloria J. and Gregory S. Reich
1012 Reisterstown Road
Baltimore, Md. 21208
(410) 653-0610
 - Tax Account Nos. 0313022025
0314010025
0314010701
0314010725
0314010700
17000143022
 - Deed References: 6883/826
10994/571
 - Lot Size:
1100-1104 Reisterstown Rd.: 0.506 Ac.
1012 Reisterstown Rd.: 3,117 sq. ft. (0.072 AC)
 - Census Tract No. 4034.01
 - Zoned BL-AS, Zoning Map No. NW 7-F
 - Floor Area Ratio:
1100-1104 Reisterstown Road:
1st and 2nd Floors: 7,304 sq. ft.
Basement: 3,658 sq. ft.
FAR = 0.49
1012 Reisterstown Road:
Bldg.: 3,920 sq. ft.
FAR = 1.26
Maximum Permitted FAR = 4.0
 - In Case No. 86-221-A, the Zoning Commissioner approved a variance from the Baltimore County Zoning Regulations to permit 0 parking spaces in lieu of the required 76 parking spaces for 1012 Reisterstown Road.
On April 15, 1996, the Development Review Committee approved a Limited Exemption under Sec. 26-171 (b)(9) of the Development Regulations for the proposed restaurant expansion (DRC No. 04156J).
 - Off-Street Parking Calculations:
Restaurant:
Existing Restaurant: 0 Spaces per Zoning Case 86-221-A
Addition: 815 sq. ft. @ 16 spaces/1,000 sq. ft. = 14 spaces
Office Building:
10,222 sq. ft. (excl. garage) @ 3.3 spaces/1,000 sq. ft. = 34 spaces
Shared Parking:

	Weekday		Weekend		
	Day	Evening	Day	Evening	Night
Office	100%	10%	10%	5%	5%
Restaurant	50%	100%	100%	100%	10%
Office	34	4	4	2	2
Restaurant	7	14	14	14	2
Total	41	18	18	16	4

Total Parking Required: 41 Spaces
Total Parking Proposed: 44 Spaces, inc. 2 Handicapped
 - There are no wetlands, floodplains, wooded areas, historic sites, archeological sites or hazardous materials on the property, to the best of our knowledge.
 - I, Gregory S. Reich, hereby certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

JILLY'S RESTAURANT ADDITION

1012 AND 1100 REISTERSTOWN ROAD
DEVELOPMENT PLAN & PLAN TO ACCOMPANY
VARIANCE HEARING

3RD ELEC. DIST. 2ND COUNCIL DIST.

Colbert Matz Rosenfelt, Inc.

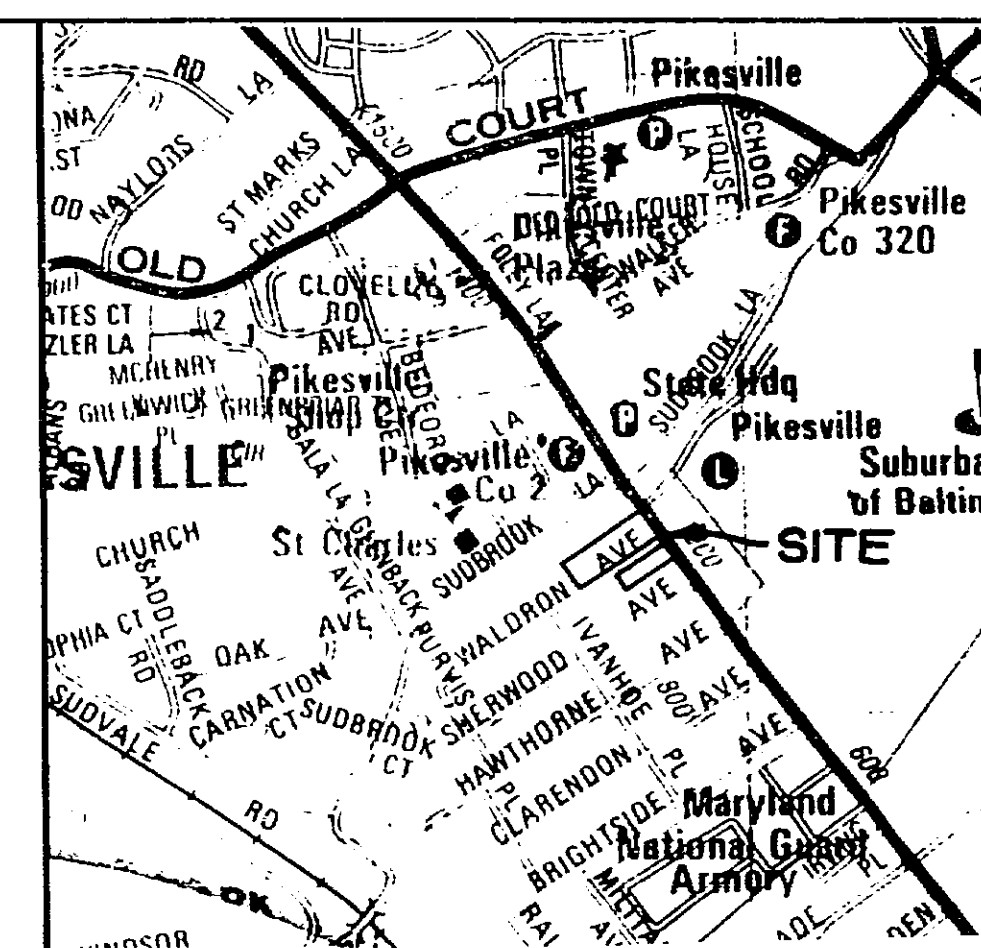
Engineers • Surveyors • Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

7/1/96

SCALE: 1" = 10'
DATE: JUNE 28, 1996
JOB NO.: 96017
DESIGNED: [blank]
DRAWN: ZF
CHECKED: JF
FILE: 96017BAS.DWG
DRAWING NUMBER: [blank]

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1

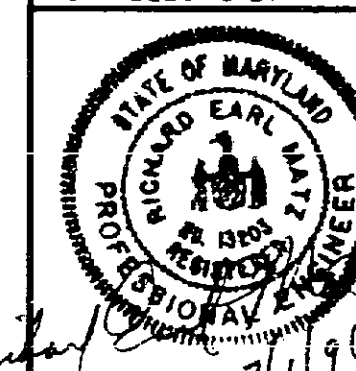
A-5-16
97-5-A



1 Owner/Developer:

- JILLY'S RESTAURANT ADDITION**
1012 AND 1100 REISTERSTOWN ROAD
DEVELOPMENT PLAN & PLAN TO ACCOMPANY
VARIANCE HEARING

Colbert Matz Rosenfelt, Inc.



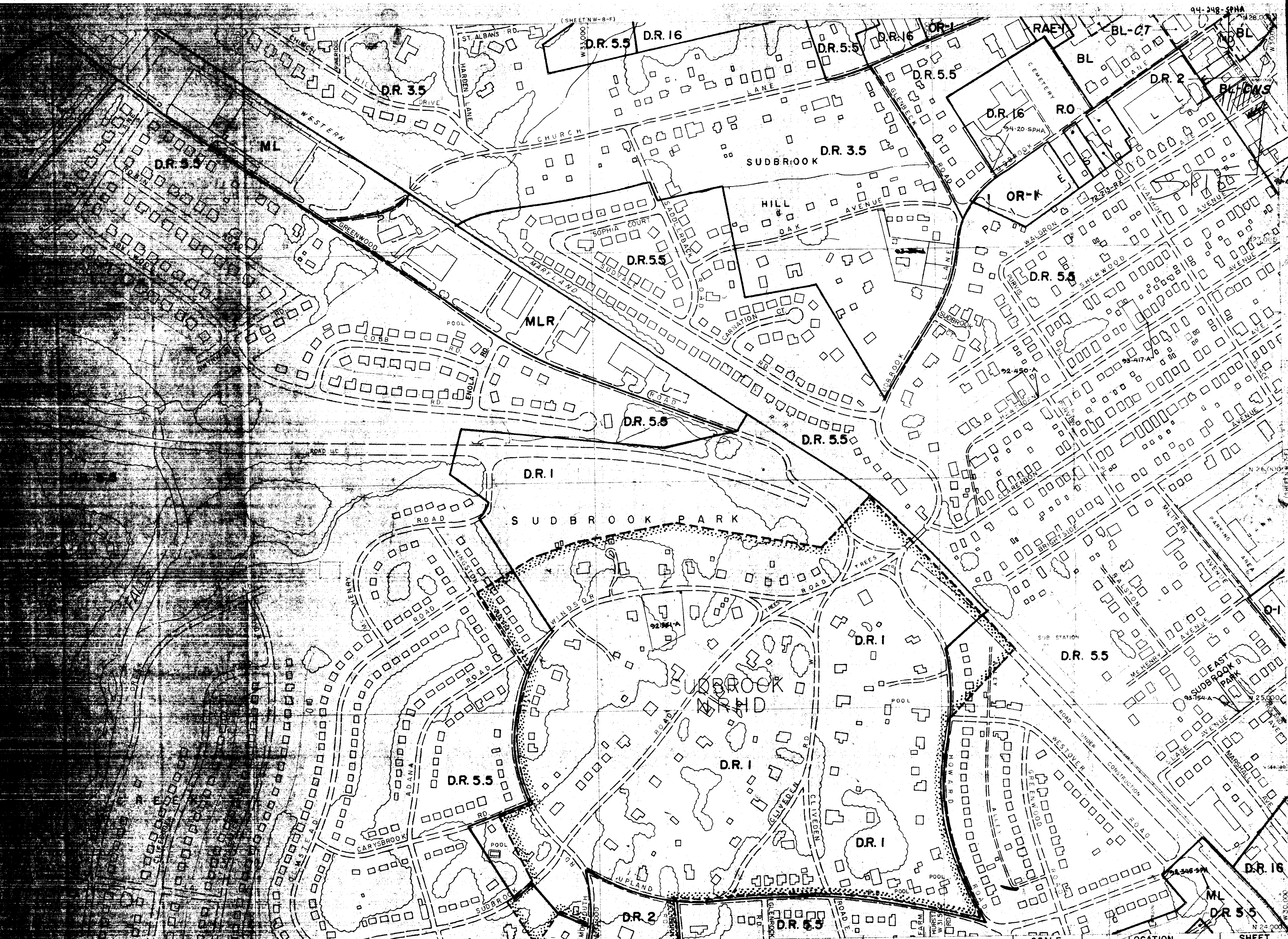
Engineers • Surveyors • Planners
3723 Old Court Road, Suite 20
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



SCALE: 1" = 10'
DATE: JUNE 28, 1998
JOB NO.: 95017
DESIGNED:
DRAWN: ZF
CHECKED: JF
FILE: 96017BAS.DWG
DRAWING NUMBER:

NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1
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97-5-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

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

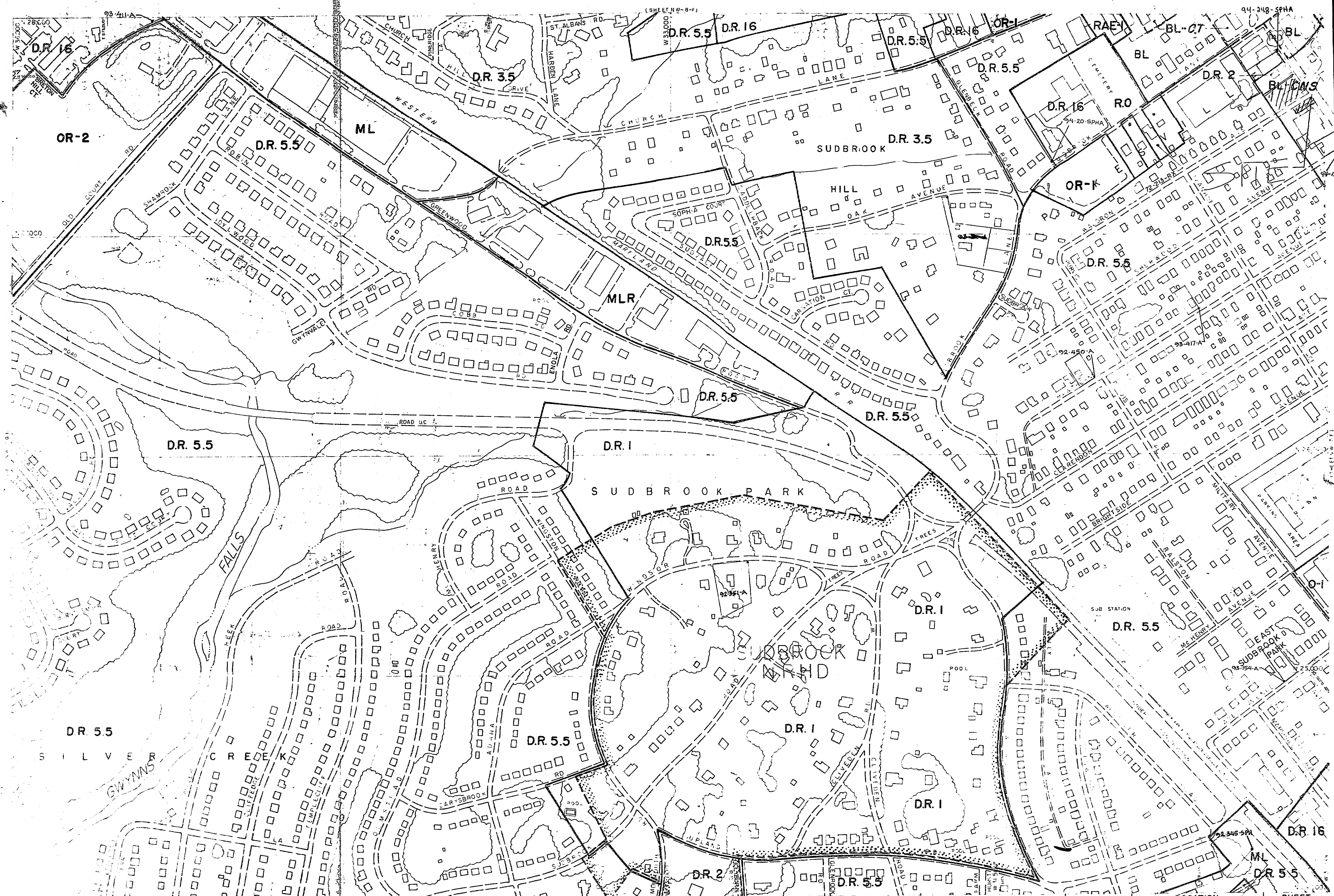
LOCATION
RIKESVILLE

SHEET
N.W.
7-F

MICROFILMED

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**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION RIKESVILLE	SHEET NW 7-F
DATE OF PHOTOGRAPHY JANUARY 1986		

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

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