IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

E/S York Road, 75 ft. S of

c/l Regester Avenue * ZONING COMMISSIONER

6807 York Road

9th Election District * OF BALTIMORE COUNTY

4th Councilmanic District

F. Edward Chou, Petitioner * Case No. 97-568-A

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 6807 York Road in Towson. The Petition was filed by F. Edward Chou, property owner. Variance relief is requested from Section 409.6 of the Baltimore County Zoning Regulations (BCZR) to permit 14 parking spaces in lieu of the required 17 spaces, and to approve the parking layout as shown or had existed on this property prior to the filing of this Petition. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was F. Edward Chou, property owner/Petitioner. Also present in support of the Petition was James G. Thomas, Jr. Also appearing and testifying in support of the Petition was Paul Lee, the engineer who prepared the site plan. The Petitioner was represented by Francis X. Borgerding, Jr., Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is known as lots 3 and 4 of the Anneslie subdivision. The property is 6,250 sq. ft. in area, zoned B.L.-A.S. The plat for the Anneslie subdivision was recorded in the Land Records of Baltimore County many years ago, in 1916. Each lot is 25 ft. in width and 125 ft. in depth, thus, the total parcel is 50 ft. by 125 ft.

ONDER RECEIVED FOR FILMS
Date
Date
By

The property contains frontage on York Road and is located just south of the intersection of York Road and Regester Avenue. The subject property is part of a small strip center which contains a fast food carryout store, a bagel shop, retail uses and similar offices. The property is improved with an existing building which is used by Mr. Chou as a video store. As shown in the photographs submitted at the hearing, a portion of the structure which occupies the site has two stories and the other portion is but one story. The entire first floor is occupied by the video store and the second floor space is used as an apartment.

The Petitioner proposes adding an addition to the second floor on that part of the building which presently contains only one story. The addition will be added to provide needed storage space for Mr. Chou's business. As a result of the addition of this space, the requested parking variance is sought. It is also to be noted that a variance of six parking spaces was previously granted for this property, in case No. 70-226-A, on January 5, 1970.

In addition to the testimony of Mr. Lee and the support of the neighboring businessmen, the Petitioner also produced a letter in support of the Petition from the Anneslie Community Association. The Petitioner indicated that he had also talked with other neighborhood improvement associations, representing the Rodgers Forge and Stoneleigh communities, respectively, and that they do not oppose the project. A favorable comment from the Office of Planning was also received.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded that the relief should be granted. It is to be particularly noted that the increased space will be used only for storage purposes and, thus, should not result in an increase of traffic volume to the site. The unusual size and configuration of the property, as well as

the historic use of the site and improvements thereon are factors which justify a finding of uniqueness. I am also persuaded that the Petitioner will suffer practical difficulty if the relief requested is not granted. Moreover, the variance can be approved without any detrimental impact to the surrounding properties. For all of these reasons, the Petition for Variance shall be will be approved.

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 day of August 1997, that a variance from Section 409.6 of the Baltimore County Zoning Regulations (BCZR) to permit 14 parking spaces, in lieu of the required 17 spaces, and to approve the parking layout as shown or had existed on this property prior to the filing of this Petition, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original

condition.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmn

ORDER RECEIVED



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

August 6, 1997

Francis X. Borgerding, Jr., Esquire 409 Washington AVenue, Suite 600 Towson, Maryland 21204

RE: Case No. 97-568-A

Petition for Zoning Variance

Property: 6807 York Road, Towson

F. Edward Chou, Petitioner

Dear Mr. Borgerding:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction, 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 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.

c: Mr. F. Edward Chou
6807 York Road
Baltimore, Maryland 21212

RE	• • • • • • • • • • • • • • • • • • • •	*	BEFORE THE
68	07 York Road, E/S York Road, 75'		
	of c/l Regester Avenue	*	ZONING COMMISSIONER
9t.	h Election District, 4th Councilmanic		
		*	OF BALTIMORE COUNTY
F.	Edward Chou		
	Petitioners	*	CASE NO. 97-568-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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

People's Counsel for Baltimore County

Fatar Max Zinneros

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 ______ day of July, 1997, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Esq., 409 Washington Avenue, Suite 600, Towson, MD 21204, Petitioners.

PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

6807 York Road, Towson, MD 21212

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) 409.6 of the B.C.Z.R. to permit 14 parking spaces in lieu of the required 17 parking spaces (a variance of 3 P.S.) and to approve the parking layout as shown or as had existed on this property prior to this petition.

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

- 1. Uniqueness of property;
- 2. Topography of property;
- 3. Shape and configuration of the property; and
- 4. Such other and further reasons as will be presented at the time of the hearing of this matter.

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

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

	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petrion.
Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Pont Name)	F. Edward Chon (Type or Frint Name) (Type of Frint Name) (Type of Frint Name)
Signature	Signature
Address	(Type or Print Name)
City State Zipcoge	Signature
Attorney for Petitioner Francis X. Borgerding, Jr. (Type or Pant Name)	6807 York Road (410) 377-7018 Address Phone No.
Signature He Byerly	Baltimore, MD 21212 City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representate to be contacted.
409 Washington Ave., Ste. 600 Address Phone No. Towson, MD 21204 410-296-6820 City State Zipcode	Francis X. Borgerding, Jr. Name 409 Washington Avenue, Suite 600 Towson, MD 410-296-6820 Phone No. OFFICE USE ONLY
Approx Administration of	ESTIMATED LENGTH OF HEARING Z-3 Mr.
	the following dates Next Two Months ALLOTHER REVIEWED BY:DATE

Paul Les P.E.

Paul Lee Engineering Inc. 94-568-6 304 W. Pennsylvania Avo. Towson, Maryland 21204 410-821-5941

DESCRIPTION

#6807 YORK ROAD
ELECTION DISTRICT 9C4

BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the east side of York Road, said point also being located Southerly 75 feet + from the center of Regester Avenue, thence leaving said east side of York Road (1) South 71°56' East 125.00 feet to the west side of Locust Drive (20 foot concrete alley), thence running with and binding on said west side of Locust Drive (2) South 18°52' West 50.00 feet, thence leaving said west side of Locust Drive (3) North 71°56' West 125.00 feet to the east side of York road; thence running with and binding on said east side of York Road (4) North 18°52' East 50.00 feet to the point of beginning.

Containing 6,250 square feet of land, more or less.



#568

NOTICE OF HEARING

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7/176 July 10 🚉

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1927

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 ______ successive

weeks, the first publication appearing on 1927

THE JEFFERSONIAN,

I HUMLIGAM

LEGAL AD. - TOWSON

PROCESS ACTUAL TIME	\$/18/1997 6/18/1997 11:41:59 REG WSO4 CASHIER LSMI LXS DRAWER 4 5 MISCELLANDUS CASH RECEIFT RECEIPT # 009544 GFLN CR III. 038110	#250.00 CHECK Baltimore County. Maryland		CASHIER'S VALIDATION
UNTY, MARYLAND T & FINANCE JS RECEIPT 038110	DATE 6/18/97 ACCOUNT 01-615 I tim: 568 By: MDE AMOUNT \$250.	- 6807 York Row	FOR CONTAIN Mr. # 250, 71	<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER SMILLS AND

CERTIFICATE OF POSTING

RE: Case # 97-568-A

Petitioner/Developer:
(Edward Chon)

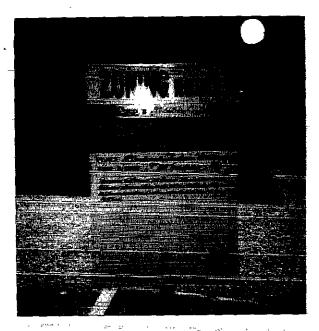
Date of Hearing/Classing:
(August 5, 1997)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21284

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law		
were posted conspicuously on the property located at		
6867 York Road Baltimore, Maryland 21212		
The sign(s) were posted on July 18, 1997 (Month, Day, Year)		



Sincerely,

(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405

(Telephone Number)

97.568-A

Request for Zoning: Variance, Special Exception, or Special Hearing	
Date to be Posted: Anytime before but no later than	
Format for Sign Printing Black Letters on White Background:	

ZONING NOTICE

Case No.: 97- 568-A

Item 568

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: <u>*</u>
DATE AND TIME: *
REQUEST: Variance to permit 14 parking spaces in lieu
of it and to approve the parking layout as shown
and as had existed.
·

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

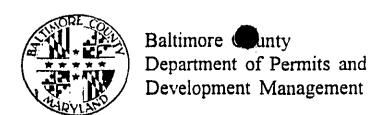
TO CONFIRM HEARING CALL 887-3391.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

HANDICAPPED ACCESSIBLE

9/96 post.4.doc

*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.



97-568-A

Development Processing County Office Building 111 West Chesapeake Avenu 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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 JABLO	N, DIRECTOR
For newspaper advertising:	د شد شد بند بید بید بید بید شد شد نید بید بید ب	
Item No.: 568		
Petitioner: F. Edward Chou		
Location: 6807 York Road.		
PLEASE FORWARD ADVERTISING BILL TO:		
NAME: F. Elward Chou		
ADDRESS: 6807 York Road		
Touson, MD 21204		
PHONE NUMBER: (410) 377-7018	······································	
AJ:ggs	(Re	evised 09/24/96)

TO: PUTUXENT PUBLISHING COMPANY
July 10, 1997 Issue - deffersonian

Piease foward billing to:

F. Edward Chou 6807 York Road Towson, MD 21204 410-377-7018

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 in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 97-568-A
6807 York Road
E/S York Road, 75' S of c/l Regester Avenue
9th Election District - 4th Councilmanic
Legal Owner(s): F. Edward Chou

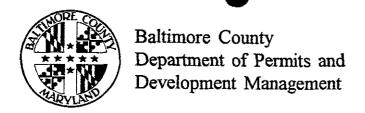
Variance to permit 14 parking spaces in them of the required 7 parking spaces and to approve the parking layout as shown or as have existed on this property prior to this petition.

HEARING: TUESDAY, AUGUST 5, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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.



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

July 2, 1997

NOTICE OF HEARING

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CASE NUMBER: 97-568-A
6807 York Road
E/S York Road, 75' S of c/l Regester Avenue
9th Election District - 4th Councilmanic
Legal Owner(s): F. Edward Chou

Variance to permit 14 parking spaces in lieu of the required 17 parking spaces and to approve the parking layout as shown or as have existed on this property prior to this petition.

HEARING: TUESDAY, AUGUST 5, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

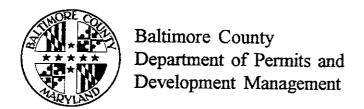
Arnold Jablon Director

cc: F. Edward Chou

Francis X. Borgerding, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 21, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



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

July 29, 1997

Francis X. Borgerding, Jr., Esquire 409 Washington Avenue, Suite 600 Towson, MD 21204

RE: Item No.: 568

Case No.: 97-568-A

Petitioner: F. Edward Chou

Dear Mr. Borgerding:

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 June 17, 1997.

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.

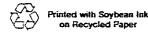
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely

W. Carl Richards, Jr.

Zoning Supervisor.

WCR/re ·
Attachment(s)



INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: July 9, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

SYMPD: ROBERT W. BOWLING

Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for July 7, 1997 Item No. 568

The Development Plans Review Division has reviewed the subject zoning item. The parking layout shall be clearly shown on the plan to ensure the said 14 parking spaces.

RWB:HJO:jrb

cc: File

INTER-OFFICE CORRESPONDENCE

Date: July 9, 1997

TO: Arnold Jablon, Director

Department of Permits

and Development Management

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

Office of Planning

SUBJECT: 6809 York Road

INFORMATION

Item Number:

568

Petitioner:

Chou Property

Zoning:

BL-AS

Requested Action:

Variance

Summary of Recommendations:

Staff supports the applicant's requested parking variance; however, we recommend that the plan accompanying the petition be amended to show the actual parking spaces.

Prepared by: Jeffy M. Land
Division Chief: Ony L. lenn

AFK/JL

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

POM

FROM:

R. Bruce Seeley **Rosely** Permits and Development Review

SUBJECT: Zoning Advisory Committee

Meeting Date:

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

Item #'s: 566

567 578

5 68

569

570

571

574

525

RBS:sp

BRUCE2/DEPRM/TXTSBP



David L. Winstead Secretary Parker F. Williams Administrator

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

RE:

Baltimore County 7 · 2 · 9 7

Item No.

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

LG

Baltimore County Government Fire Department



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

(410) 887-4500

July 2. 1997

Annote Cablen, Forevier

Coming Administration and Development Management

Delicate, a Court, Christa Buscoing

Toward, NO 2:204

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PENISHER: LT. COBERT P. SAUERWALD
Fire Marchae Office, PHONE 887-4881, MS-11007
at. Tins



Printed or Recycled Paner

JUL 1 0 1997

INING COMMISSION

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits and Development Management Date: July 9, 1997

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

Office of Planning

SUBJECT: 6809 York Road

INFORMATION

Item Number:

568

Petitioner:

Chou Property

Zoning:

BL-AS

Requested Action:

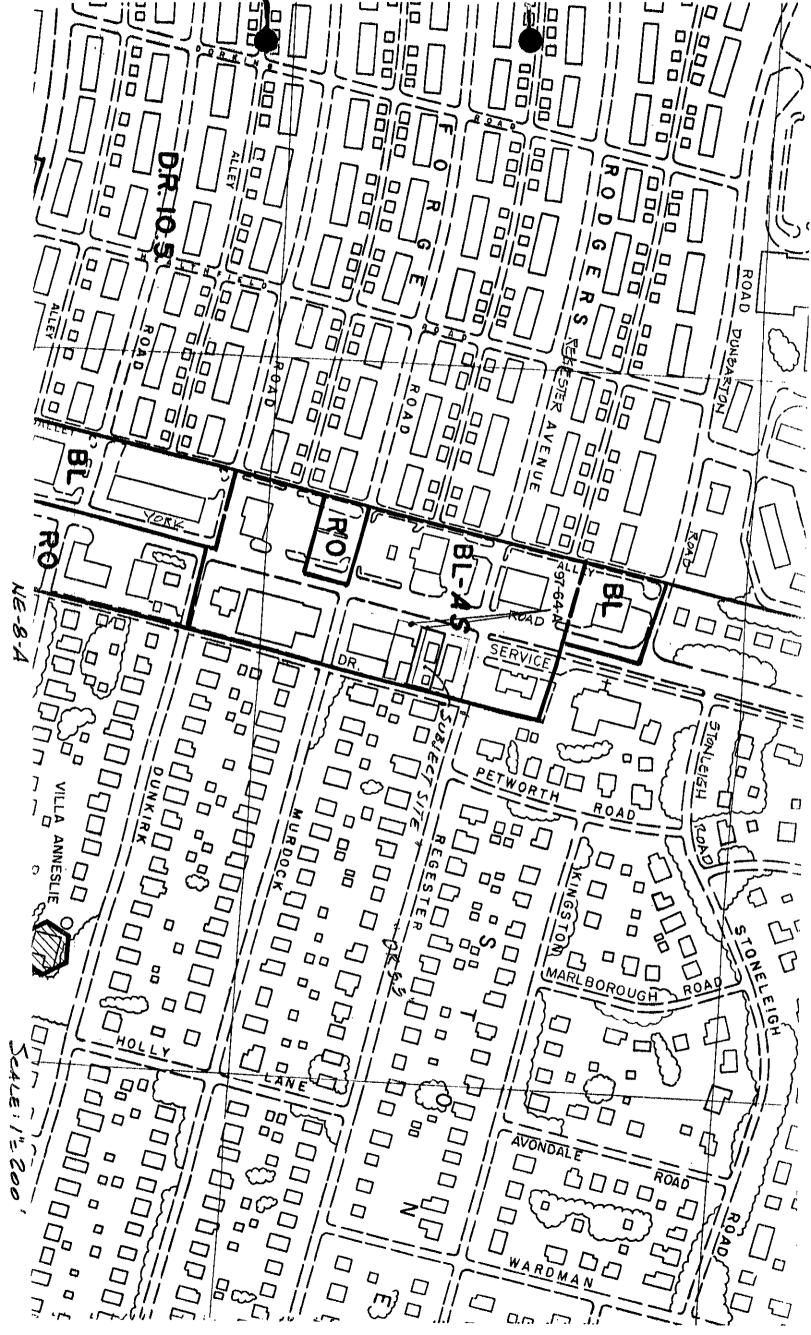
Variance

Summary of Recommendations:

Staff supports the applicant's requested parking variance; however, we recommend that the plan accompanying the petition be amended to show the actual parking spaces.

Prepared by: Jeffy M. Land
Division Chief: Cary L. lerns

AFK/JL



PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
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	304 00. Pennylvania are 6802 YORK RAD 21212
faul de	sof a). I ensuporen are
El Chon	6809 YORK RA
MARS GAIDING 10	CRAE VIDAY DAMA MINIS
JAMES G. THOMAS, 2K	6002 JOHN FORD SIND
JAMES G. THOMAS, JR Frank Borgerding	

ANNESLIE COMMUNITY, INC.

Baltimore County Zoning Office 111 West Chesapeake Avenue Towson, MD 21204 8klan

Dear Sir:

Edward Chou, owner of the Video Center located at 6807 York Road in the community of *Anneslie*, has approached our Board of Directors regarding plans to renovate his store. He has shown us his plans to add a second floor for storage purposes and has asked for our input and approvai. Based on the sketches we saw and information we received, we all felt the renovation would be an improvement to the community.

We are appreciative that he brought his plans to the board and have found him to be an asset to the neighborhood.

We are supportive of the plans as presented to us.

James W. Dobson, Vice President

1dho

