

IN RE: PETITION FOR VARIANCE
S/S Woodrow Avenue, 590' W
of centerline of Marlyn Avenue
15th Election District
7th Councilmanic District
(801 Woodrow Avenue)

Rebecca & Michael Brewer
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-508-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Michael & Rebecca Brewer. The Petitioners are requesting a special hearing to approve a use permit for commercial parking in a residential zone and to determine the status of a parking variance granted in Case No. 83-275-SPHA. In addition to the special hearing request, the Petitioners are also requesting a variance from Section 1B01.B.1.e.5 to provide a 10 ft. buffer and a 12 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setback and to allow alternative paving to durable and dustless surface, as well as a variance to allow no striping of parking spaces in lieu of the required striping.

Appearing at the hearing on behalf of the special hearing and variance request were: Michael Brewer, Rebecca Brewer and Jay Scott Dallas, a property line surveyor. The Petitioners were represented by John Gontrum, attorney at law. Appearing as interested citizens in the matter were several residents of the surrounding community, all of whom signed in on the Citizens Sign-In Sheet.

Testimony and evidence indicated that the property, which is the subject of this special hearing and variance request, consists of 16,500 sq. ft., more or less, and is zoned D.R.5.5. The subject property consists of two residential building lots known as Lots No. 22 and 23 of Deep Creek Avenue Park, which subdivision is located in the Deep Creek area of Baltimore County. The

ORDER RECEIVED FOR FILING

Date

8/20/99

By

R. Spence

subject residential property has been utilized by the Petitioner as an overflow parking lot for the commercial bar and restaurant known as "My Friend's Bar". The subject bar has been run by the Brewer family for many years. It is currently being operated by Michael Brewer who has taken over the business from his father. "My Friend's Bar" has been at this location for the past fifty-five (55) years.

Approximately nine (9) years ago, Mr. Brewer purchased the two lots in question which at that time had a single family residential dwelling thereon. Approximately 1½ years ago, Mr. Brewer razed the old house and began utilizing the subject property for overflow parking. The purpose of acquiring the property was to alleviate parking problems with the surrounding neighbors. Mr. Brewer is able to accommodate his patrons by virtue of the existing parking around the bar itself, as well as this overflow lot which he recently established. In order to continue to utilize the adjacent residential property for commercial parking, the special hearing request is necessary. Furthermore, given that the subject property is a waterfront lot, situated on Deep Creek, the Petitioners have requested to allow a crusher run surface in lieu of the macadam paving. The crusher run surface is more environmentally advantageous in that water runoff is decreased due to the permeability of the surface itself. Given its location on Deep Creek, the parking lot shall remain crusher run. As an extension of allowing a crusher run surface, it is not necessary for the Petitioner to paint parking spaces on that stone surface. Any painting on a crusher run surface would rapidly disappear. However, the Petitioners shall be required to install concrete wheel stops at these parking spaces to delineate the area where patrons are to park their cars.

Citizens who attended the hearing support the Petitioners in their acquisition of the subject property for overflow parking. The neighbors indicated that this additional parking eases the burden upon them in that patrons of the tavern do not park out on Woodrow Avenue which is a narrow road that services their homes. Therefore, they do not object to the Petitioners utilizing the

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Date

8/20/99

By

R. J. [Signature]

subject property for parking purposes so long as the property remains residentially zoned and the appropriate screening and buffers are established.

In addition to the special hearing request to allow commercial parking in a residential zone, the Petitioners are also requesting that the parking variance previously granted in Case No. 83-275-SPHA be reaffirmed. Testimony revealed that the Petitioners are able to provide thirty-three (33) parking spaces on the tavern property which is zoned BL. A variance was granted in 1983 to allow the Petitioners to provide thirty-three (33) parking spaces in lieu of the seventy-four (74) required. Now, with the acquisition of the residential lots, the Petitioners are able to provide an additional thirty-five (35) parking spaces to their patrons, for a total parking availability of sixty-eight (68) parking spaces in lieu of seventy-four (74). By virtue of this new parking lot, the variance that was previously granted to allow thirty-three (33) spaces in lieu of seventy-four (74) required has now been lessened in that a parking variance for six (6) spaces remains. Therefore, since the Petitioners have made the situation better, the parking variance previously granted in Case No. 83-275-SPHA shall be reaffirmed to allow a variance of six (6) spaces. Furthermore, the installation of a crusher run parking surface in lieu of macadam paving is appropriate and shall be approved.

After due consideration of the testimony and evidence presented, I am persuaded to grant the special hearing and variance relief requested. It is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R. As was stated by the citizens who attended the hearing, the

ORIGINAL FILED FOR FILING

Date 8/20/89
By R. J. Jenson

Brewers have operated "My Friends Bar" for many years at this location. The neighbors have not had any problems with the Brewer family and have had a good relationship with them.

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

THEREFORE, IT IS ORDERED this 20th day of August, 1999, by this Deputy Zoning Commissioner, that the Petitioners' Special Hearing request to approve a use permit for commercial parking in a residential zone, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the variance previously granted in Case No. 83-275-SPHA is hereby RE-AFFIRMED to allow sixty-eight (68) spaces in lieu of the required seventy-four (74).

IT IS FURTHER ORDERED that the Petitioners' request for a variance from Section 1B01.B.1.e.5 to provide a 10 ft. buffer and a 12 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setback, and to allow alternative paving to durable and dustless surface, as well as a variance to allow no striping of parking spaces in lieu of the required striping, be and is hereby GRANTED subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The two (2) lots which are the subject of this variance request which are zoned D.R.5.5 at this time shall remain residentially zoned. The Petitioners shall not be permitted to submit a reclassification petition in order to change the zoning from its residential classification to a commercial classification.

ORDER RECEIVED FOR FILING

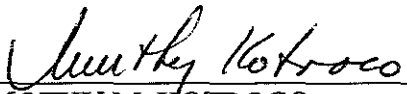
Date

8/20/99

By

R. Spence

- 3) The Petitioners shall be required to submit a landscape plan to the adjacent property owner, Mr. H. Arnold Cheek. Mr. Cheek indicated that he has had a good working relationship with Mr. Brewer and is more than willing to work out the appropriate landscaping for that area of land adjacent to his house. Mr. Brewer shall be required to install whatever landscaping Mr. Cheek deems to be appropriate along their common property lines.
- 4) The Petitioners shall not permit outside entertainment which interferes with the neighbors' quiet enjoyment of their properties.
- 5) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 8/20/99
By R. J. Jenson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 20, 1999

John B. Gontrum, Esquire
Romadka, Gontrum, McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, Maryland 21221

Re: Petitions for Special Hearing & Variance
Case No. 99-508-SPHA
Property: 801 Woodrow Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Hearing and Variance have been granted in accordance with the enclosed 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 from 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 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. & Mrs. Michael Brewer
801 Woodrow Avenue
Baltimore, Maryland 21221

Mr. H. Arnold Cheek
807 Woodrow Avenue
Baltimore, Maryland 21221



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 801 Woodrow Avenue
which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and 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

*a use-permit
for commercial parking in a residential zone and to
determine applicability of parking variance granted in
case no. 83-275-SPHA.*

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

John B. Gontru, Esq.
Name - Type or Print _____
Signature _____
Romadka, Gontrum & McLaughlin, P.A.
Company
814 Eastern Blvd (410) 686-8274
Address _____ Telephone No. _____
Baltimore, MD 21221
City _____ State _____ Zip Code _____

Legal Owner(s):

MICHAEL BREWER

Name - Type or Print _____
Signature *Michael J Brewer*
REBECCA BREWER
Name - Type or Print _____
Signature *Rebecca Brewer*
801 Woodrow Avenue (410) 391-5807
Address _____ Telephone No. _____
Baltimore, MD 21221
City _____ State _____ Zip Code _____

Representative to be Contacted:

John B. Gontru
Name _____
814 Eastern Blvd. 410-592-2692-N
Address _____ Telephone No. _____
BALTIMORE, MD. 21221
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 99-508-SPHA

Reviewed By BL Date 6/16/99



Petition for Variance

CBCA
FLOODPLAIN

to the Zoning Commissioner of Baltimore County

for the property located at 801 Woodrow Avenue

which is presently zoned D.R. 5.5

This Petition shall be filed with the Department of Permits and 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) 1301 B. 1.5(5) to provide a 10' buffer and 12' setback in lieu of required 50' buffer and 75' setback;

409.8A(2) to allow alternative paving to durable and dust free surface;

409.8A(6) to allow no striping of spaces on alternative paving in lieu of required striping;

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

UNIQUE POSITIONING OF LOTS and CONFIGURATION
ADJACENT TO LECP CREEK, HISTORIC USE OF PROPERTY and removal
OF DWELLINGS all warrant consideration of VARIANCES requested,
need for additional parking to accommodate existing customers
GENERATES PRACTICAL DIFFICULTY.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Contrum, Esq.

Name - Type or Print

Signature

John B. Contrum & McLaughlin, P.A.

Company

814 Eastern Blvd (410) 686-8274

Address

Telephone No.

Baltimore, MD 21221

City

State

Zip Code

Legal Owner(s):

MICHAEL BREWER

Name - Type or Print

Signature

REBECCA BREWER

Name - Type or Print

Signature

801 Woodrow Avenue (410) 391-5807

Address

Telephone No.

Baltimore, MD 21221

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

John B. Contrum

814 Eastern Blvd

BALTI, MD.

410-686-8274-W

410-852-2682-H

21221

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By BK

Date 6/16/89

Case No. 99-508-SHA

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

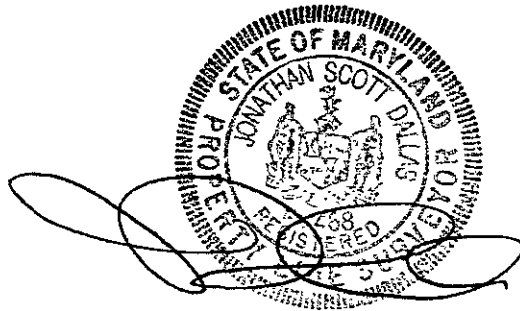
ZONING DESCRIPTION OF LOTS ADJACENT TO #801 WOODROW AVENUE

BEGINNING at a point on the south side of Woodrow Avenue, 30 feet wide, at the distance of 590 feet, more or less, west of the centerline of Marlyn Avenue, thence (1) westerly with said south side of Woodrow Avenue 100 feet thence leaving said Woodrow Avenue and running (2) southerly 150 feet, more or less to the waters of the Deep Creek thence running with and binding on said waters of the Deep Creek (3) southeasterly 106.6 feet, more or less, thence leaving said waters of the Deep Creek and running (4) northerly 187 feet, more or less to the place of beginning.

CONTAINING 16,500 square feet or 0.38 acres of land, more or less.

BEING Lots Number 22 and 23 in the subdivision of Deep Creek Avenue Park as recorded in Baltimore County Plat Book W.P.C. No. 7 Folio 2.

ALSO known as (lots adjacent to) # 801 Woodrow Avenue and located in the 15th Election District, 7th Councilmanic District.



99-508-SPHA

#508

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-508-SPHA

803 & 805 Woodrow Avenue

S/S Woodrow Avenue, 590' W of centerline Marilyn Avenue

15th Election District - 7th Councilmanic District

Legal Owner(s): Rebecca & Michael Brewer

Special Hearing: to approve a use permit for commercial parking in a residential zone and determine applicability of parking variance granted in case number 83-275-SPHA. **Variance:** to permit a 10-foot buffer and 12-foot setback in lieu of the required 50-foot buffer and 75-foot setback; to allow alternative paving in lieu of durable and dust-free surface; and to allow no striping of spaces on alternative paving in lieu of required striping.

Hearing: Thursday, August 5, 1999 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/6/98 July 20

C326931

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/22/, 1999

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 7/20/, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069861

DATE 6/16/99 ACCOUNT 8001-6150

AMOUNT \$ 500.00

RECEIVED FROM: Ronaldka, Gertrude & Melvin, Inc.

FOR: Child Care Exchange Arrang.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

1/000 # 508

99-508-SPHA

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS	ACTUAL	TIME
REG 4504	6/16/1999	13:49:11
Dept 5	528 ZONING VERIFICATION	
Receipt #	076484	
CR N.J.	069887	

Receipt Tot 500.00
500.00 OK
Baltimore County, Maryland

CERTIFICATE OF POSTING

RE: CASE # 99-508-SPHA
PETITIONER/DEVELOPER:
{Michael Brewer}
DATE OF Hearing
{Aug. 5, 1999}

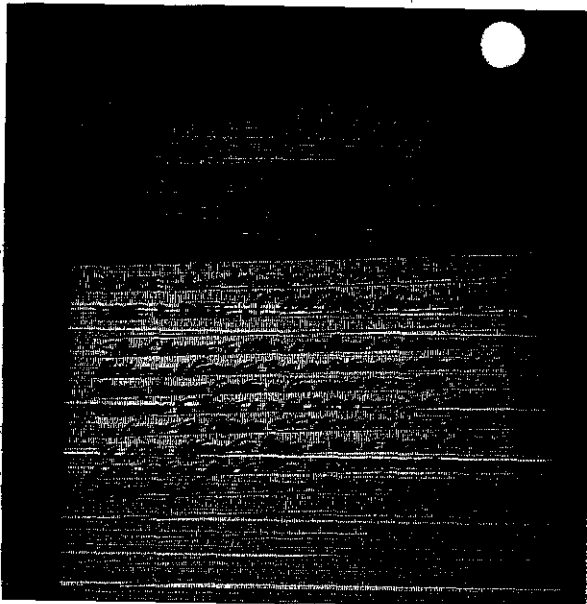
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
803 & 805 Woodrow Ave. Baltimore, Maryland 21221_____

The sign(s) were posted on _____ 7-20-99 _____
[Month, Day, Year]



Sincerely,


[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ [410]-687-8405 _____
[Telephone Number]

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-508-SPHA

Petitioner: Michael and Rebecca Brewer

Address or Location: 801 Woodrow Ave. BALT, md. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: John Gontrom, Ronald Co, Gontrom & McLaughlin P.A.

Address: 814 Eastern Blvd.
Baltimore, md. 21221

Telephone Number: 410-686-8274



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 12, 1999

NOTICE OF ZONING HEARING

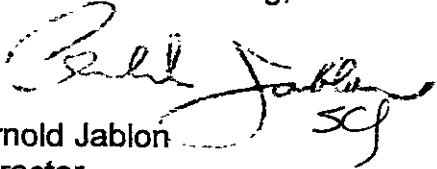
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-508-SPHA
803 & 805 Woodrow Avenue
S/S Woodrow Avenue, 590' W of centerline Marlyn Avenue
15th Election District – 7th Councilmanic District
Legal Owner: Rebecca & Michael Brewer

*Address
used for ad
per WCR*

Special Hearing to approve a use permit for commercial parking in a residential zone and determine applicability of parking variance granted in case number 83-275-SPHA. Variance to permit a 10-foot buffer and 12-foot setback in lieu of the required 50-foot buffer and 75-foot setback; to allow alternative paving in lieu of durable and dust-free surface; and to allow no striping of spaces on alternative paving in lieu of required striping.

HEARING: Thursday, August 5, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

c: John B. Gontrum, Esquire
Rebecca & Michael Brewer
Steve Wallis

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 21, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 20, 1999 Issue – Jeffersonian

Please forward billing to:

John Gontrum 410-686-8274
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

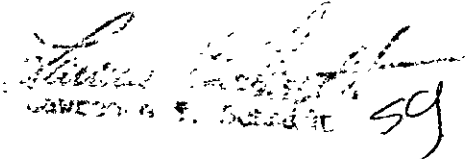
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HEARING: Thursday, August 5, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 30, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case Number 99-508-SPHA, 801 Woodrow Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 16, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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 the case. All comments 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.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

C: Rebecca & Michael Brewer

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RS*

DATE: July 21, 1999

SUBJECT: Zoning Item #508
My Friends Bar, 801 Woodrow Ave

Zoning Advisory Committee Meeting of July 6, 1999

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- _____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
- X The existing stone parking lot on lots 22 and 23 is considered impervious already, thus allowed to be paved. The proposed paving on the lawn area between the privacy fence and the water will not be allowed by this Department.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 13, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 12, 1999
Item Nos. 501, 502, 503, 504, 505,
507, 508, 509, 510, 511, 512, 513,
514, 516, 518, 519, 520, 521, 522,
523, 524,

and

Case Number 99-477-SPHA
Windsor Commons

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: July 8, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - JR
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 508
PETITIONER: Rebecca Brewer and Michael Brewer

VIOLATION CASE NO.: 99-0972

LOCATION OF VIOLATION: 803 Woodrow Avenue
S/S Woodrow Avenue, 590' W of centerline
Marlyn Avenue

DEFENDANT(S): Rebecca Brewer and Michael Brewer

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

<u>NAME</u>	<u>ADDRESS</u>
Steve Wallis	809 Woodrow Avenue Baltimore, MD 21221

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/jr/lmh

99-508-SPHA

Jim
8/5

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: June 30, 1999

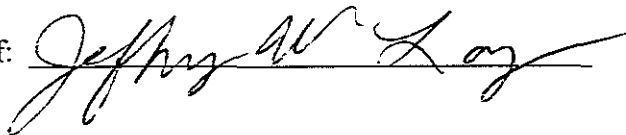
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 501 and 508

If there should be any questions or this office can provide additional information, please
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

zmk 8/5/99
Brewer

July 21, 1999

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

RE: Property Owner: SEE BELOW

FORWARD: DISTRIBUTION MEETING OF JULY 2, 1999

Item No.: SEE BELOW Items 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.

THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

501, 502, 504, 505, 507, 508, 510, 511, 512, 513, 514,
515, 516, 517, 518, 520, 521, 524,

REVIEWER: LT. ROBERT J. GRUENWALD
Fire Marshal Office, PHONE 307-4881, MS-1102F
cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE

801 Woodrow Avenue, S/S Woodrow Ave,
590' W of c/l Marlyn Ave
15th Election District, 7th Councilmanic

Legal Owner: Michael & Rebecca Brewer
Petitioner(s)

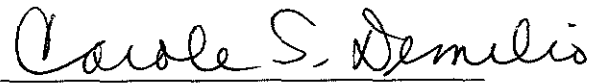
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-508-SPHA

* * * * *

ENTRY OF APPEARANCE

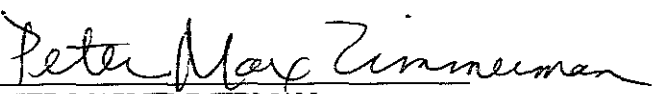
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 1999 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioners.


PETER MAX ZIMMERMAN

~~PROTESTANT~~(S) SIGN-IN SHEET

ADDRESS

807 Woodrow ave.
813 Woodrow Ave 21221
813 Wood Ave 21221
823 Woodrow ave

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

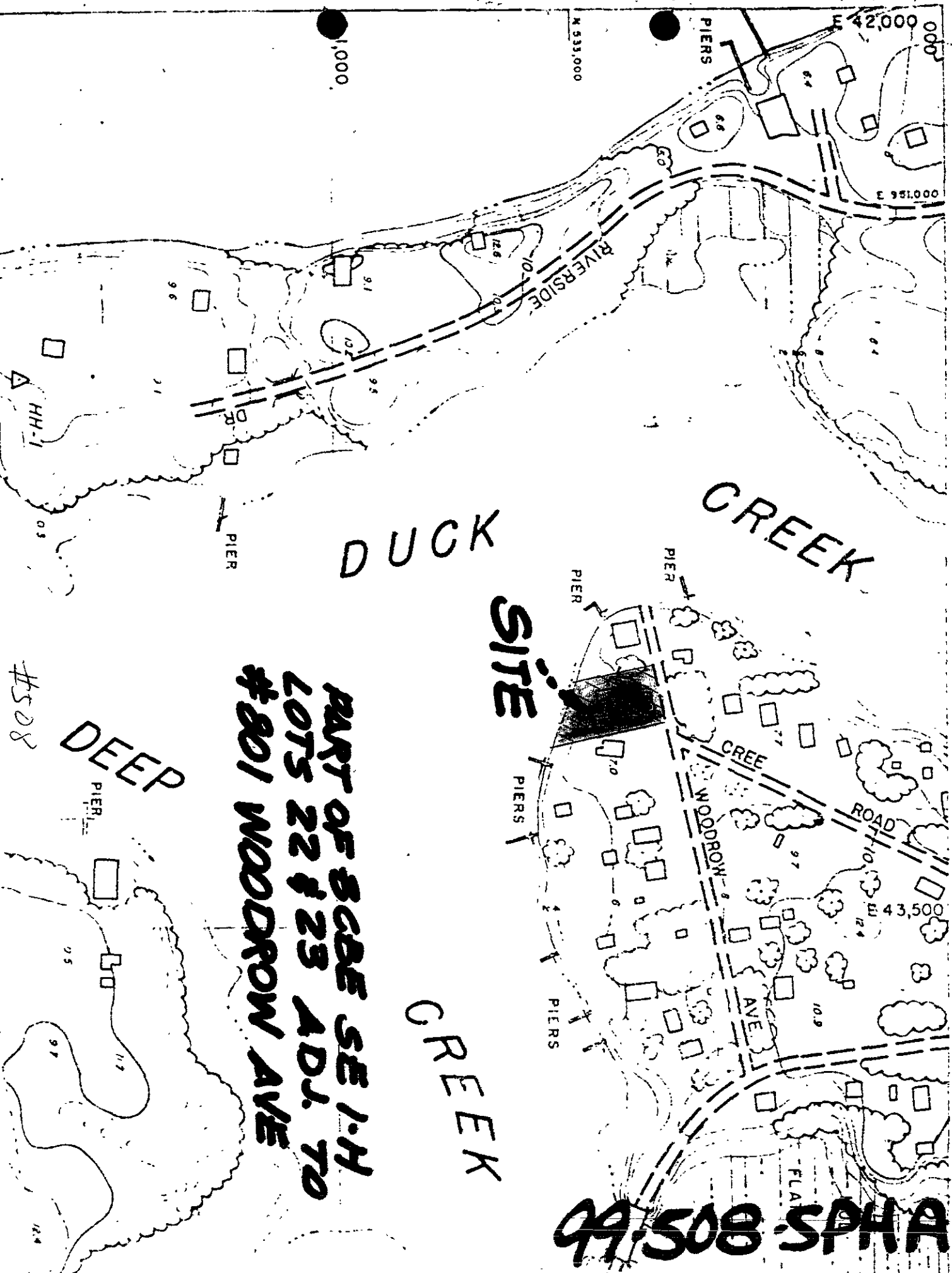
J. Scott Dallas.

Rebecca Brewer

J.S. Dallas Inc. P.O. Box 26 ^{Baldwin}
^{MD. 21013}

801 Woodrow Ave. ^{Balto. Md.}
²¹²²¹





DUCK CREEK

SITE

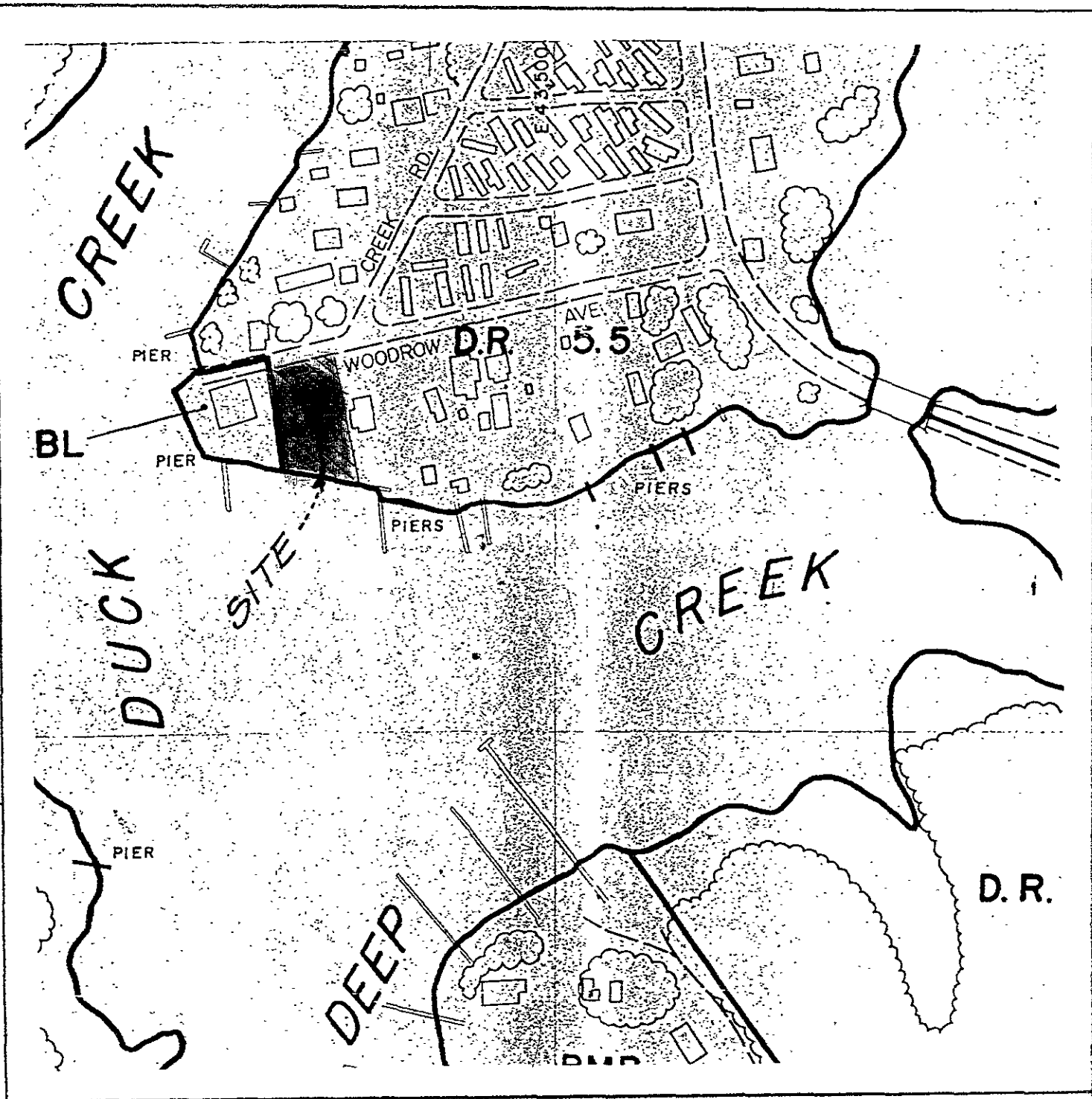
DEEP

PART OF SCBE SE 1/4
LOTS 22 & 23 ADJ. TO
#801 WOODROW AVE

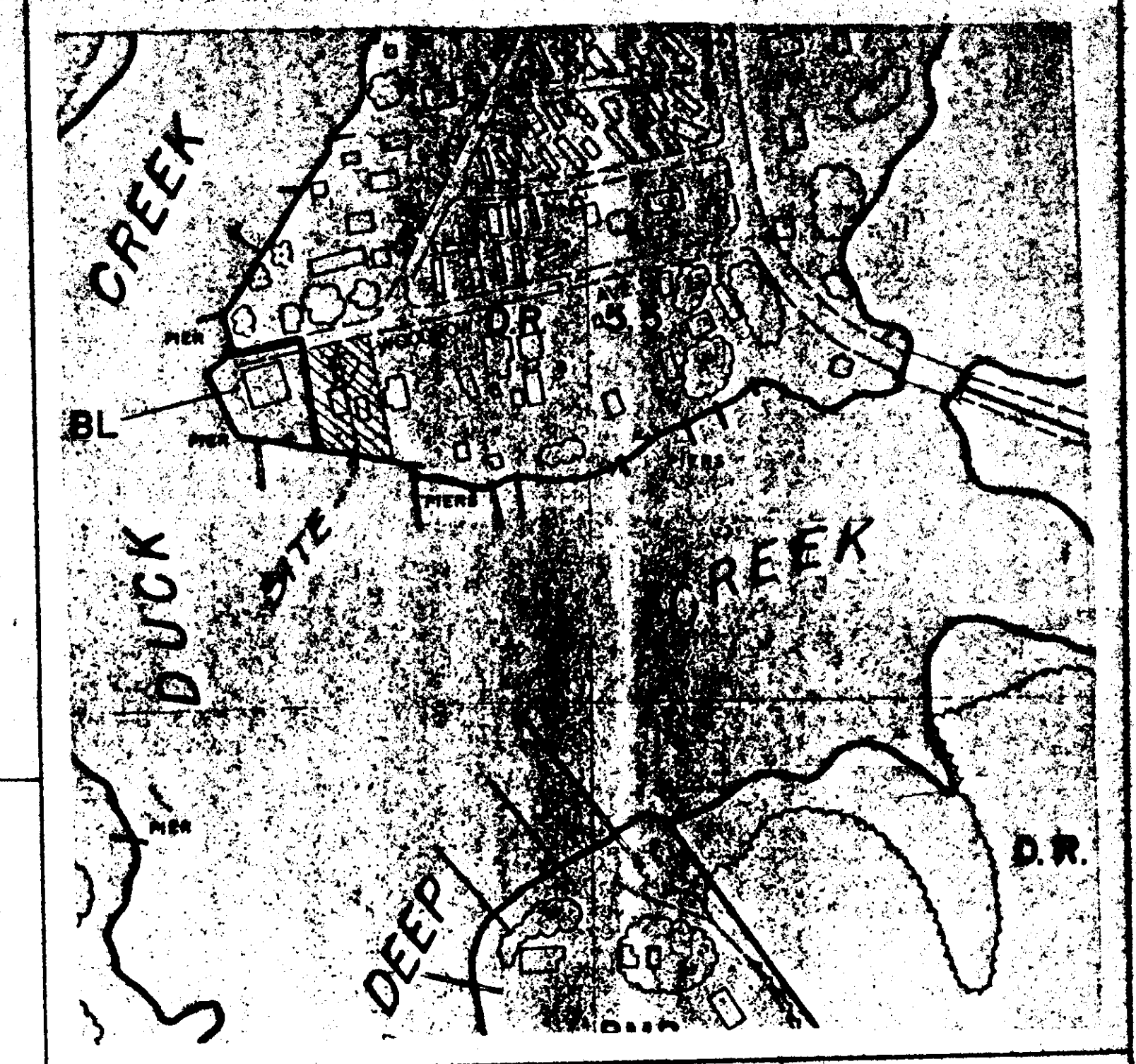
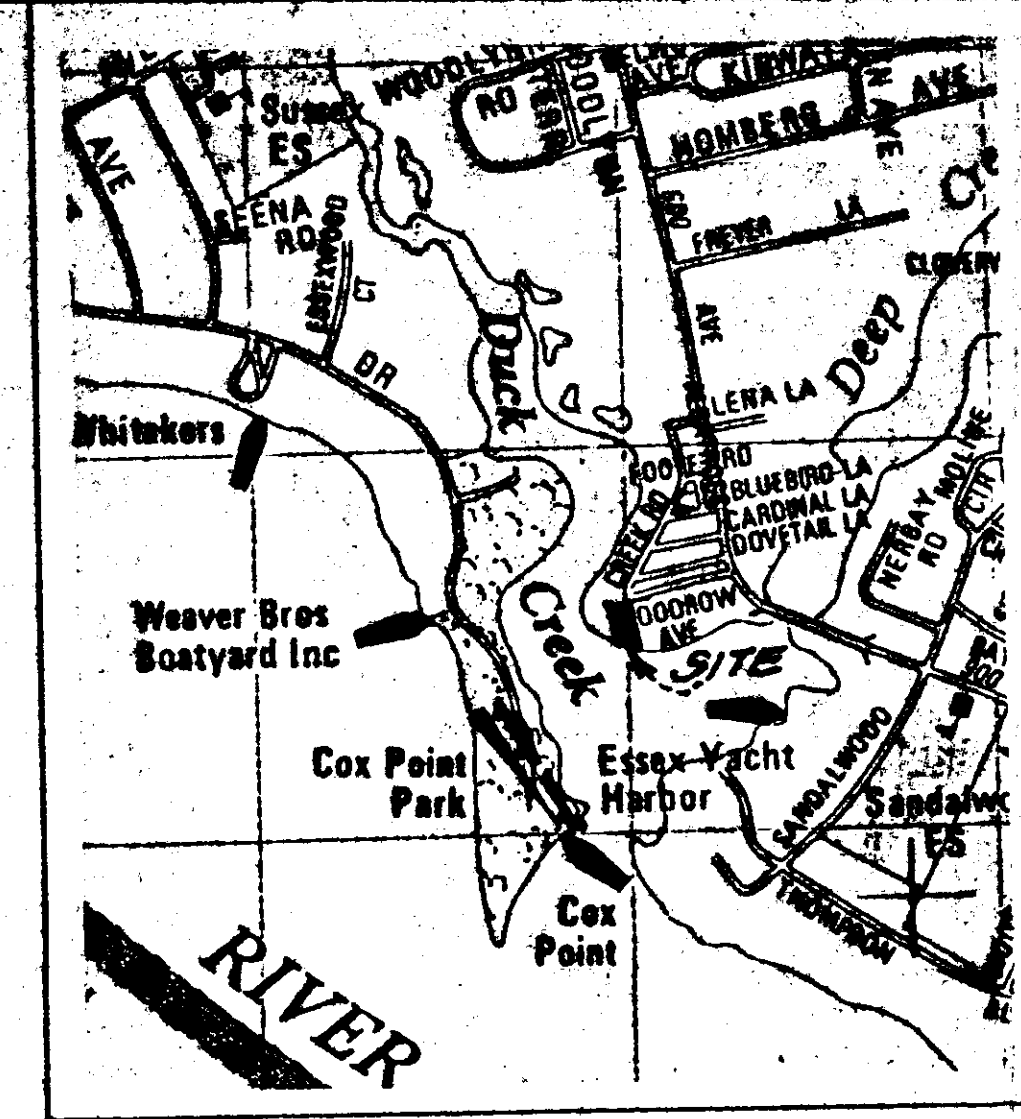
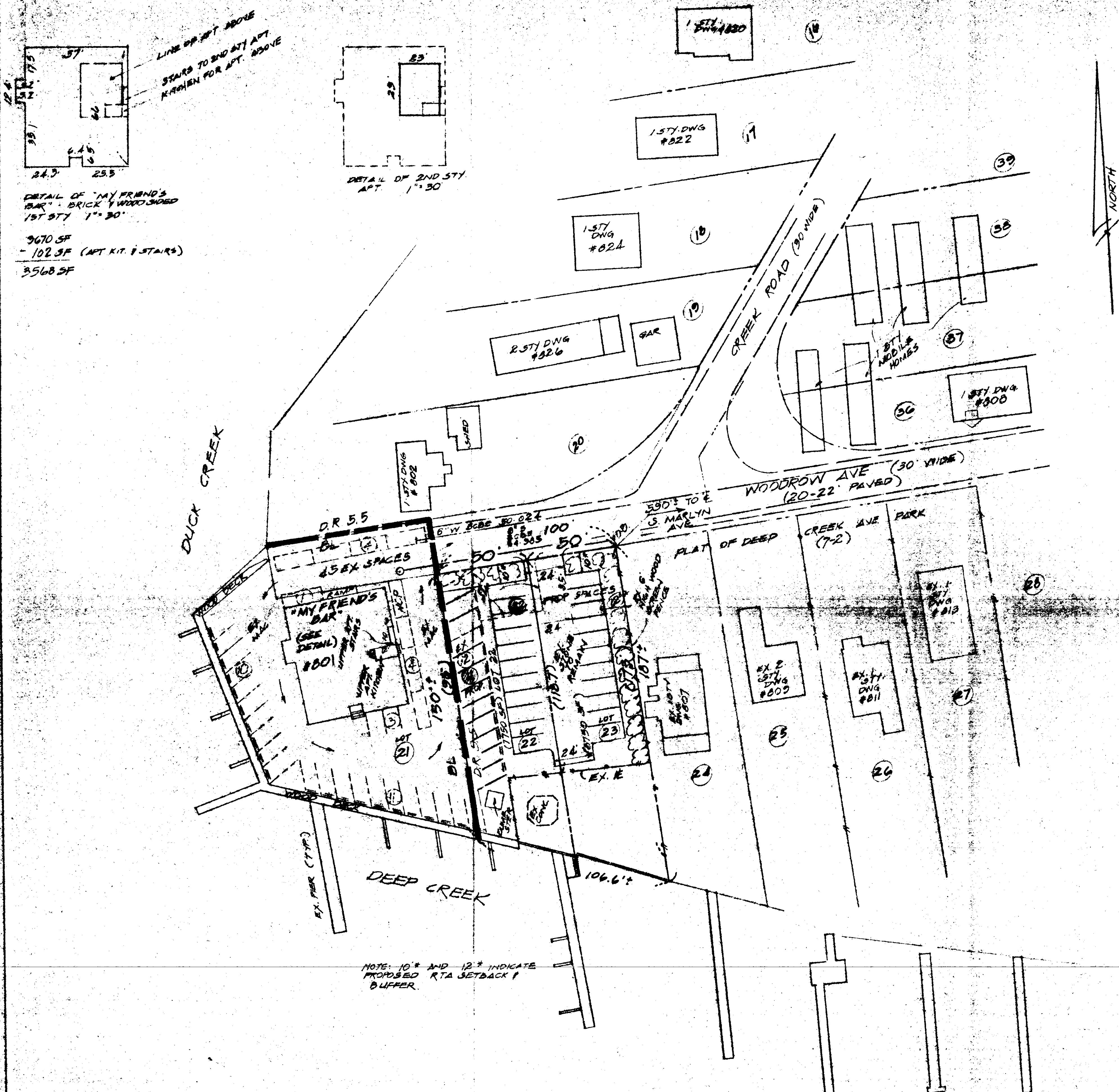
CREEK

99-508-SPHA

#508



PART OF O.P.Z. S.E. 1-H 1"=200'±
LOTS 22 & 23. ADJACENT TO
#801 WOODROW AVE.
49.508-SPHA #508



- NOTES
1. SITE IS IN C.B.C.A. (CDA)
 2. ZONING HISTORY: LOT 21 (BAR SITE) SPECIAL MEASURING AND VARIANCE 83-175-87MA ALLOWING 25 PARKING SPACES IN LIEU OF THE REQUIRED 39 SPACES.
 3. OWNER: (LOTS 22 AND 23) WILLIAM G. AND ROLLY D. BREWER 801 WOODROW AVE. BALTIMORE, MD. 21221 410-391-3007
 4. EXISTING ZONING OF LOTS 22 AND 23 D.R. 5.5
 5. EXISTING USE OF LOTS 22 AND 23 VACANT.
 6. PROPOSED USE OF LOTS 22 AND 23 PARKING TO SUPPORT SAVIEN USE AT ADJACENT LOT 21 (MY FRIEND'S BAR - 8001 WOODROW AVE.)
 7. TOTAL AREA LOTS 22 AND 23 16,500 SF+-
 8. SITE CONSISTS OF LOTS 22 AND 23 PLAT OF DEEP CREEK AVENUE PARK (1/2).

- PARKING NOTES
1. PARKING CALCULATIONS
SAVIEN FLOOR AREA = 3568 SF
REQUIRED PARKING = 3568 X .20/1800 = 72 SPACES + 2 SPACES FOR 2ND STORY
APARTMENT MINUS 34 SPACES PER 65-775 SFH = 40 SPACES REQUIRED
EXISTING STRIPED PARKING = 33 SPACES (INCLUDING 1 BOP. SPACE)
PROPOSED NEW PARKING SPACES = 41 SPACES
PROPOSED TOTAL (EXISTING AND PROPOSED) PARKING SPACES = 40 SPACES
ANCHORED WHEEL STOPS SHALL BE PROVIDED AROUND PARKING LOT.
 2. DESIGN, SCREENING AND LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO SEC 28-28.1 BALTIMORE COUNTY CODE, 1996 EDITION, AS REVISED.
 3. ANY FEATURE USED TO ILLUMINATE THE PARKING FACILITY SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS AND PUBLIC STREETS. LIGHT STANDARDS SHALL BE PROTECTED FROM VEHICULAR TRAFFIC BY CURBING OR LANDSCAPING.

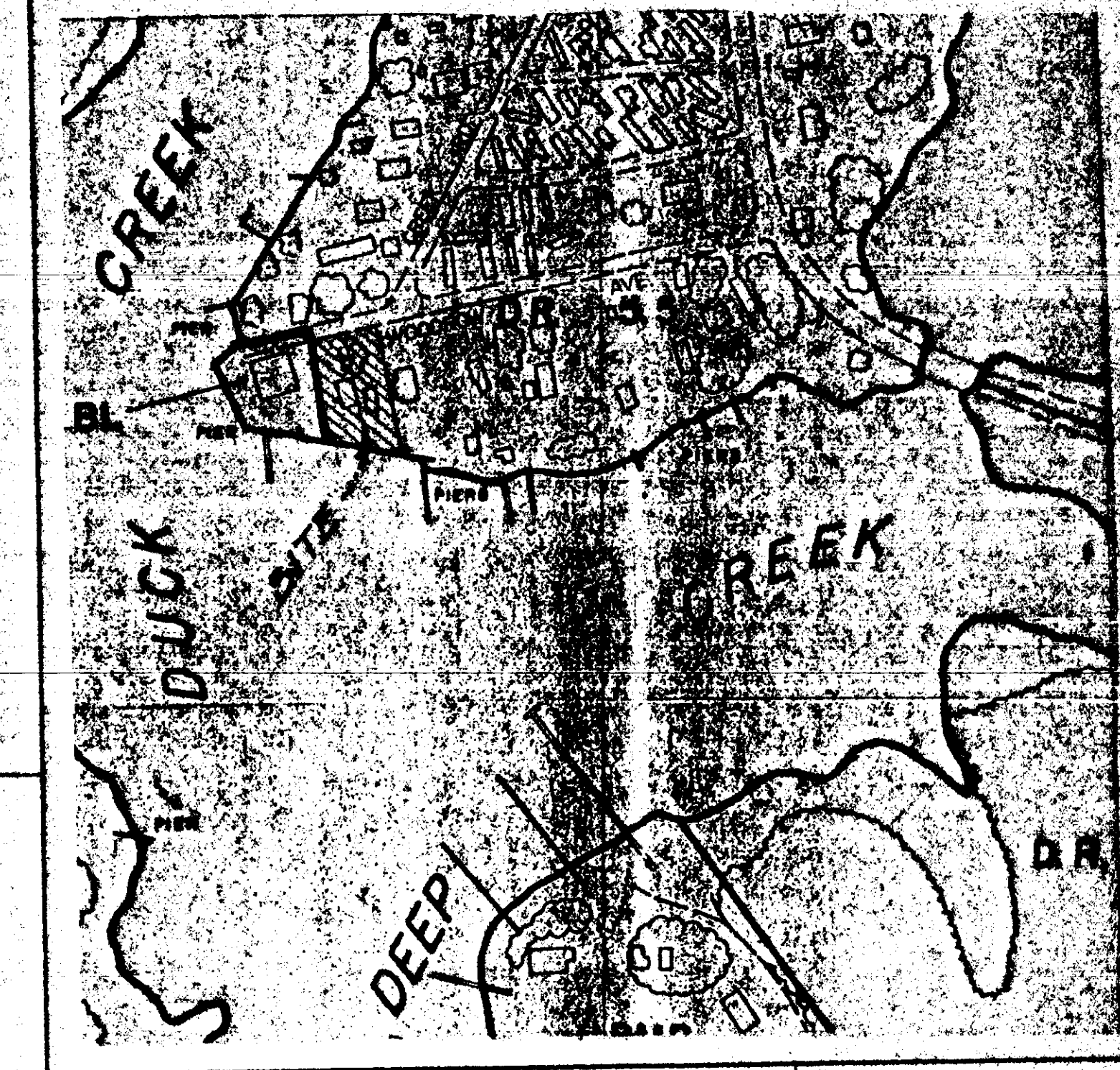
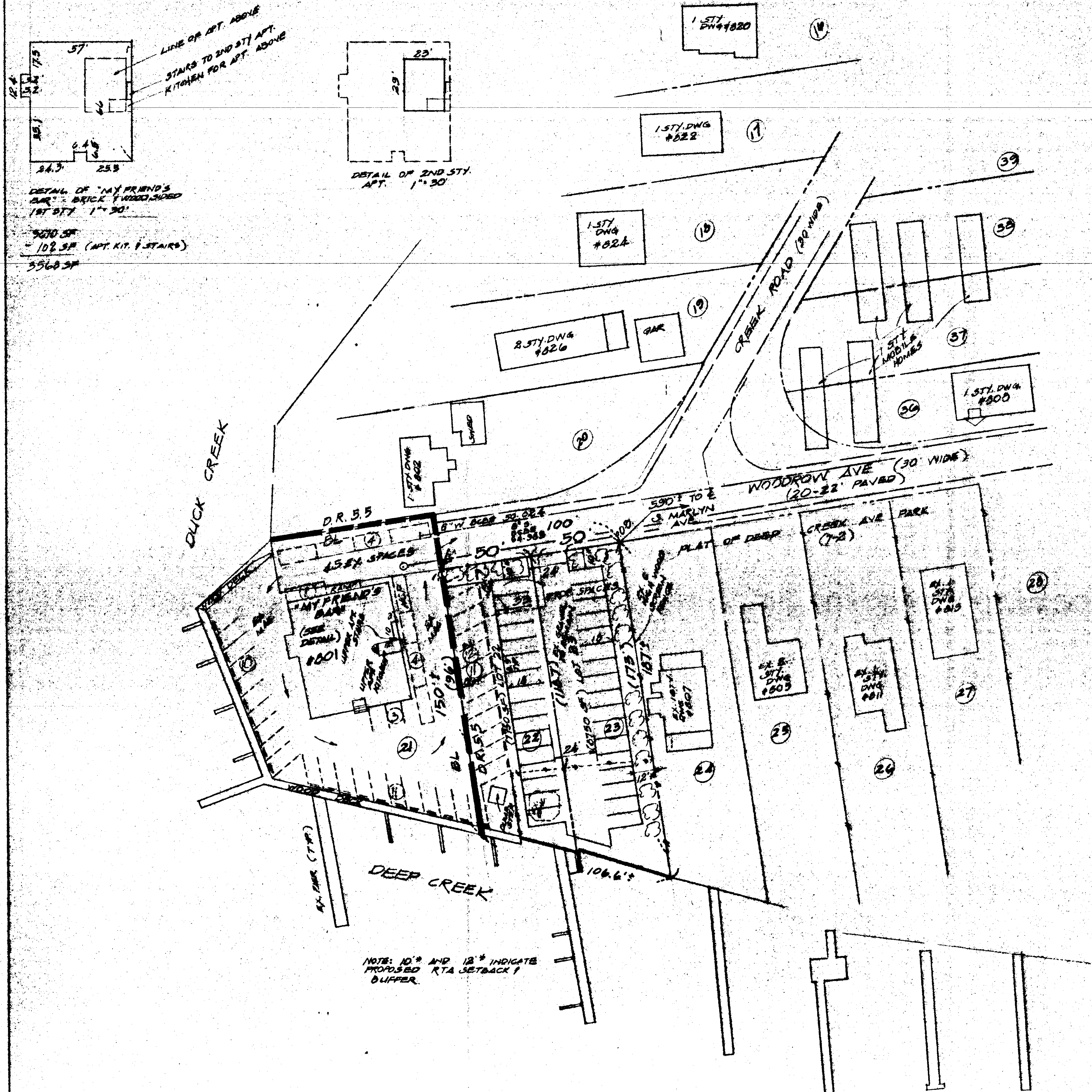
- RESIDENTIAL TRANSITION AREA NOTES
1. ALL DWELLINGS AND VACANT LOTS OF RECORD WHICH CREATE RESIDENTIAL TRANSITION AREAS ON THIS SITE ARE SHOWN ON THIS PLAN.

SITE PLAN TO ACCOMPANY APPLICATION FOR SPECIAL MEASURING TO PERMIT BUSINESS PARKING IN A RESIDENTIAL ZONE AND VARIANCES TO RESIDENTIAL TRANSITION AREA REQUIREMENTS AND DESIGN STANDARDS

801 WOODROW AVENUE
 18TH ELEC. DIST. 7TH COUN. DIST. BALTIMORE COUNTY, MD.
 SCALE: 1" = 30'
 JULY 20, 1999
 ALT. LAYOUT 'A'



Per Ex #2



- NOTES:
1. SITE IS IN C.B.C.A. (LDA)
 2. ZONING HISTORY: LOT 21 (BAR SITE) SPECIAL HEARING AND VARIANCE 9-12-2000
 3. OWNER: (LOTS 22 AND 24) WILLIAM G. AND MOLLY D. BRUNER
 4. 881 WOODROW AVE. BALTIMORE, MD. 21202
 5. 410-891-3000
 6. EXISTING ZONING OF LOTS 22 AND 24: D.R. 5.5
 7. EXISTING USE OF LOTS 22 AND 24: VACANT
 8. PROPOSED USE OF LOTS 22 AND 24: PARKING TO SUPPORT TAVERN USE AT ADJACENT LOT 21 (MY FRIEND'S BAR - 881 WOODROW AVE.)
 9. TOTAL AREA LOTS 22 AND 24: 14,500 SF
 10. SITE CONSISTS OF LOTS 22 AND 24 PLUS DEEP CREEK AVENUE PARK OFF.
- PARKING NOTE:
11. PARKING CALCULATIONS:
TAVERN FLOOR AREA = 1308 SF
REQUIRED PARKING = 1308 X 20/1000 = 26 SPACES REQ'D
EXISTING STRIPED PARKING = 45 SPACES (INCLUDING 1 BICYCLE SPACE)
PROPOSED NEW PARKING SPACES = 33 SPACES - 1 ALONG WOODROW AVE
PROPOSED TOTAL (EXISTING AND PROPOSED) PARKING SPACES = 77 SPACES
ANCHORED WHEEL STOPS SHALL BE PROVIDED AROUND PARKING LOT
 12. DESIGN, SCREENING AND LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE LANDSCAPE MANUAL AND ALL OTHER MANUALS ADOPTED PURSUANT TO THE 2003 BALTIMORE COUNTY CODE, 1988 EDITION, AS REVISED.
 13. ANY FEATURE USED TO ILLUMINATE THE PARKING FACILITY SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM RESIDENTIAL LOTS AND PUBLIC WALKWAYS. LIGHT STANDARDS SHALL BE PROTECTED FROM VEHICULAR TRAFFIC BY GUARDING OR LANDSCAPING.
- RESIDENTIAL TRANSITION AREA NOTE:
14. ALL DWELLINGS AND VACANT LOTS OF RECORD WHICH CHALLENGE RESIDENTIAL TRANSITION AREAS ON THIS SITE ARE SHOWN ON THIS PLAN.

Pet Ex #1

J.S. DALLAN INC.
Surveying & Engineering
15500 Rte 42
Baltimore, MD 21244
(410) 813-4000



SITE PLAN TO ACCOMPANY APPLICATION FOR SPECIAL HEARING TO PERMIT BUSINESS PARKING IN A RESIDENTIAL ZONE AND VARIANCES TO RESIDENTIAL TRANSITION AREA ARCHITECTURE AND DESIGN STANDARDS

801 WOODROW AVENUE

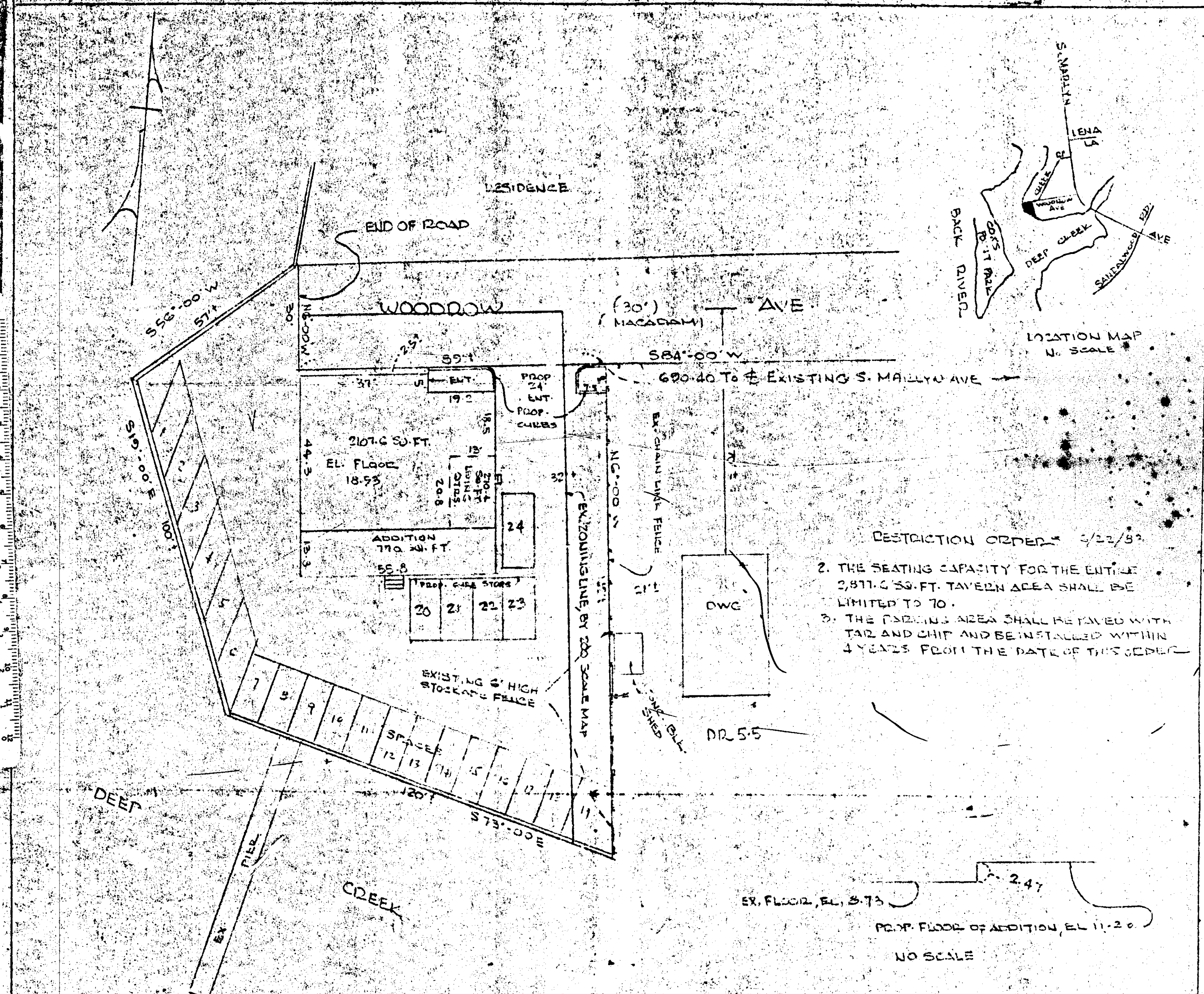
18" ELEC. DIST. 7TH GRADE DIST. BALTIMORE COUNTY, MD.

SCALE: 1"=30'

99-508-SPHA #508

APR 26, 1999

99-508-SPAA



- RESTRICTION ORDER 2/22/83
1. THE SEATING CAPACITY FOR THE ENTIRE 2,877.6 SQ. FT. TAVERN AREA SHALL BE LIMITED TO 70.
 2. THE SEATING AREA SHALL BE FENCED WITH FENCE AND CHAIN AND BE INSTALLED WITHIN 4 YEARS FROM THE DATE OF THIS ORDER.

EXISTING USE - TAVERN & RESIDENCE
PROPOSED USE - SAME
EXISTING ZONING - BL
PROPOSED ZONING - SAME
AREA OF EXISTING TAVERN - 2107.6 SQ. FT.
AREA OF ADDITION - 770.0
TOTAL - 2877.6
AREA OF LOT - 0.37 A.

PUBLIC WATER AND SEWERAGE SERVICE LOT

NO. OF SPACES REQ. (BAG AND ADDITION - 2877.6) (1/5000 FT.) - 25 SPACES
RESIDENCE - 1
TOTAL - 26 SPACES

NO. OF SPACES PROVIDED - 25

EXISTING PARKING AREA CONSISTS OF UNIMPROVED DRIVE AND LOT

PLAT TO ACCOMPANY PETITION FOR A VARIANCE
AND A NON CONFORMING USE

NON CONFORMING USE - TO ALLOW PARKING IN A RESIDENTIAL ZONE
VARIANCE - TO ALLOW 25 PARKING SPACES IN LIEU OF THE REQ. 59

OWNER -
WILLIAM BREWER
801 WOODROW AVE.
BALTO, MD. 21221
637-6886

MY FRIEND'S TAVERN
LOT 21 PLAT OF
"DEEP CREEK AVENUE PARK"
PLATBOOK T-2

15TH DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE 1" = 20' DATE 2-4-83

REVISED 7-6-83

PLANS APPROVED - ES
OFFICE OF PLANNING & ZONING

DATE 2-4-83

BY [Signature] PLANNING

DATE 2-4-83

BY [Signature] COMMISSIONER

DATE 2-4-83

FRANK B. LEM
1377 NICHOLSON AVE.
BALTIMORE, MD. 21207
687-0922

