

IN RE: PETITION FOR VARIANCE
SW/S Liberty Road, NW/S
Glenmichael Lane
(8511 Liberty Road)
2nd Election District
2nd Council District

JMJ Savoy Properties, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-424-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, JMJ Savoy Properties, LLC, by Marion R. Jacob, Managing Member, through their attorney, Stuart D. Kaplow, Esquire. The Petitioners seek relief from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 43 feet in lieu of the required average of 64 feet, and from Section 409.6 of the B.C.Z.R. to permit 247 off-street parking spaces in lieu of the required 303 spaces. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Jack Jacob, a representative of JMJ Savoy Properties, LLC, property owners, Melanie Moser, a Landscape Architect with Daft-McCune-Walker, Inc., the engineering firm which prepared the site plan for this property, and Stuart D. Kaplow, Esquire, attorney for the Petitioners. Appearing as interested citizens in the matter were Michael Chapman and John F. McPhaul, representatives of the Liberty Road Business Association. There were no Protestants or other interested persons present.

At the onset of the hearing, the Petitioners submitted a revised Attachment #1 to the Petition for Variance, seeking an amendment to their original request. Specifically, the Petitioners now seek relief from Section 303.2 to permit a front yard depth of 58 feet in lieu of the required 64-foot average and from Section 409.6 to permit 253 off-street parking spaces in lieu of the

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Date

By

required 262 spaces. Apparently, the Petitioners reduced the size of a proposed expansion; thus, the requested variance relief was adjusted accordingly. The amended request was accepted into evidence and marked as Petitioner's Exhibit 1A.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel located on the southwest corner of Liberty Road and Glenmichael Lane in Randallstown. The property contains a gross area of 3.62 acres, zoned B.R., and is improved with a strip shopping center, which was built in 1953. The Petitioners recently acquired the property and propose significant improvements to the center, which was last renovated in 1962. Although new to the Baltimore area, Mr. Jacob has extensive experience as a developer in San Francisco and other parts of the country.

Presently, a variety of uses occupy the approximately 40,865 sq.ft. of existing shopping center space. These include a Murray's Steaks food store, a barbershop, nail salon, and a number of retail uses. Additionally, a restaurant/night club, known as Nicks, occupies 3,320 sq.ft. of space in the end unit of the center.

As noted above, the Petitioners propose to make substantial improvements to the property. Renovations include a 2,500 sq.ft. expansion to Nick's restaurant/night club. Apparently, the Petitioners have been in negotiations with the local residential and business communities about their plans and as a result, reduced the size of the originally proposed expansion from 3,500 sq.ft. to 2,500 sq.ft. Additionally, the entire façade of the shopping center building will be renovated and the parking lot improved. A letter in support of the request, with suggested conditions, was received from the Liberty Road Business Association and is contained within the case file.

The first variance request relates to front average setback requirements. It is questionable whether this variance is necessary. That is, Mr. Kaplow explained at the hearing that the front yard setback required for buildings located in the B.R. zone is determined by the averaging of buildings on neighboring properties. Presently, the property immediately west of the subject site is unimproved. Thus, the Petitioners, for their purposes, have assigned the minimum setback required (25 feet) to any potential building on that site. Based on that projection, and the

setback of the building on the neighboring property to the east, a 64-foot average front setback is required. However, the proposed expansion will result in a setback of 58 feet. The second variance relates to the number of parking spaces required. In this regard, it is to be noted that Nick's caters to the late night crowd and its traffic is generated at off-hours when compared with the other uses on the site. That is, most of the traffic related to Nick's will occur during the late evening hours, after the other retail businesses are closed. It was indicated that parking at the present time is not problematic and it is not anticipated that there will be an overflow-parking situation. However, in such an unlikely event, parking is available at an adjacent shopping center, across Liberty Road.

Based on the testimony and evidence offered, I am persuaded to grant the requested relief. I applaud the Petitioners' efforts to renovate this shopping center, taking into consideration the adjacent residential and business communities' concerns. Moreover, the uniqueness of the property is its unusual topography in that it sits at a lower elevation than Liberty Road. This generates a practical difficulty as it relates to the variance relief requested. In sum, I am persuaded that the Petitioners have satisfied the requirements of Section 307 and that there will be no detriment to the health, safety or general welfare of the surrounding locale. However, in granting the relief, I will impose certain restrictions.

First the Petitioners will redevelop the façade of the building in a substantially similar manner to that depicted in the architectural rendering submitted into evidence as Petitioner's Exhibit 4. Apparently, the Petitioners represented to both the Office of Planning and the adjacent residential/business communities that the shopping center will be developed in that manner. Thus, improvements shall be made to the building accordingly. Other conditions to granting the relief were suggested by the Liberty Road Business Association, some of which will be incorporated herein as restrictions. Specifically, the Petitioners will be required to resurface and/or re-line the parking lot as is necessary to clearly define parking spaces and travel aisles. The Petitioners shall also provide landscaping to improve the visual appearance of the shopping center. In this regard, Mr. Kaplow indicated that a number of adjacent properties are under consideration for acquisition

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Date

By

by Baltimore County and that there may be major improvements to the area at large. Moreover, no landscaping should be installed which would decrease the number of available parking spaces, in view of the variance requested. However, landscaping should be installed to the extent possible to improve the overall appearance of the property. I will leave the amount and type of landscaping to be installed to the discretion of the County's Landscape Architect, Mr. Avery Harden, the Petitioners, and the Liberty Road Business Association and adjacent community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of August, 2000 that the amended Petition for Variance seeking relief from Section 303.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard depth of 58 feet in lieu of the required average of 64 feet, and from Section 409.6 of the B.C.Z.R. to permit 253 off-street parking spaces in lieu of the required 262 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Improvements to the façade of the building shall be substantially similar to that depicted in the architectural rendering submitted into evidence as Petitioner's Exhibit 4.
- 3) The Petitioners shall resurface and/or re-line the parking lot as is necessary to clearly define the parking spaces and travel aisles.
- 4) Landscaping for the subject site shall be at the discretion of Mr. Avery Harden, Landscape Architect for Baltimore County, the Petitioners, and the Liberty Road Business Association. Said landscaping shall take into consideration the number of parking spaces to be provided on site, and any major improvements that may be planned by Baltimore County along this stretch of Liberty Road.

ORDER RECEIVED FOR FILING
Date 8/14/00
By [Signature]

- 5) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 8/4/00
By [Signature]



Baltimore County
Zoning Commissioner

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

August 3, 2000

Stuart D. Kaplow, Esquire
15 E. Chesapeake Avenue
Towson, Maryland 21286

RE: PETITION FOR VARIANCE
SW/S Liberty Road, NW/S Glenmichael Lane
(8511 Liberty Road)
2nd Election District – 2nd Council District
JMJ Savoy Properties, LLC - Petitioners
Case No. 00-424-A

Dear Mr. Kaplow:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Marion R. Jacob and Jack Jacob, JMJ Savoy Properties, LLC
6724 Westbrook Road, Baltimore, Md. 21215-1717
Ms. Melanie Moser, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Mr. Michael Chapman, 10225 Liberty Road, Randallstown, Md. 21133
Mr. John F. McPhaul, 9960 Liberty Road, Randallstown, Md. 21133
Mr. Avery Harden, PDM; People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8511 Liberty Road

which is presently zoned BR

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)

(SEE ATTACHED #1)

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

(SEE ATTACHED #2)

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:

Stuart D. Kaplow

Name - Type or Print

Signature

Stuart D. Kaplow, P.A.

Company

15 E. Chesapeake Ave. (410) 339-3910

Address

Telephone No.

Towson, MD

State

21286

City

State

Zip Code

Legal Owner(s):

JMJ Savoy Properties, LLC

Name - Type or Print

BY:

Signature

Marion R. Jacob, Managing Member

Name - Type or Print

Signature

Marion R. Jacob

6724 Westbrook Road

Address

Telephone No.

Baltimore, MD 21215-1717

Address

State

Zip Code

Representative to be Contacted:

Stuart D. Kaplow

Name

15 E. Chesapeake Ave. (410) 339-3910

Address

Telephone No.

Towson, MD

City

State

21286

Zip Code

OFFICE USE ONLY

Case No. 00-424-A

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By uc

Date 4-9-00

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Drop Off

No Review

ATTACHMENT #1

1. A variance from BCZR Section 303.2 to permit a front yard depth of 43 feet in lieu of the required 64 feet average of front yard depths; and
2. A variance from BCZR Section 409.6 to permit 247 off street parking spaces in lieu of the required 303 parking spaces.

ATTACHMENT #2

This commercially improved property is unique and unusual in a manner different from the nature of the surrounding properties (i.e., topography, shape, historical significance, etc.) such that the uniqueness causes the zoning regulations to impact disproportionately upon the property. And practical difficulty or undue hardship resulting from the disproportionate impact of the ordinance caused by the property's uniqueness exists. All of which will be demonstrated at the public hearing on this Petition.

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Date

By

8/27/00
[Signature]

Description to
Accompany Petition for Zoning Variance

3.62 Acre Parcel

Southwest side of Liberty Road

Northwest side of Glenmichael Lane

Second Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Glenmichael Lane (50 feet wide) and Liberty Road (80 feet wide) (1) Northwesterly 25 feet, more or less, and thence (2) Southwesterly 40 feet more or less, thence leaving said point of beginning and binding on the northwesternmost side of Glenmichael Lane the five following courses and distances, viz: (1) South 25 degrees 52 minutes 10 seconds West 15.24 feet to a point of curvature, thence (2) Southwesterly by a line curving to the right having a radius of 489.36 feet for a distance of 132.39 feet (the arc of said curve being subtended by a chord bearing South 33 degrees 37 minutes 10 seconds West 131.98 feet) to a point of reverse curvature, thence (3) Southwesterly by a line curving to the left having a radius of 691.03 feet for a distance of 144.73 feet (the arc of said curve being subtended by a chord bearing South 35 degrees 22 minutes 10 seconds West 144.47 feet) to a point of reverse curvature, thence (4) Southwesterly by line curving to the right having a radius of 537.07 feet for a distance of 79.99 feet (the arc of said curve being subtended by a chord bearing South 33 degrees 38 minutes 12 seconds West 79.92 feet) and thence (5) South 37 degrees 54 minutes 13 seconds West 75.30 feet, thence leaving Glenmichael Lane and running the two

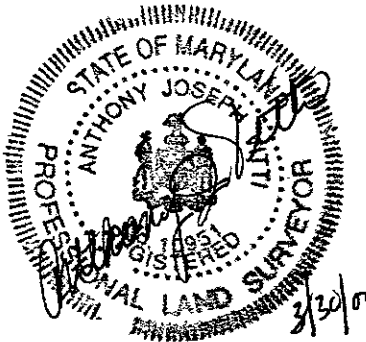
00-424-A

following courses and distances, viz: (6) North 58 degrees 43 minutes 00 seconds West 331.53 feet, and thence (7) North 25 degrees 30 minutes 10 seconds East 409.80 feet to the southwesternmost side of Liberty Road, thence binding thereon (8) South 64 degrees 07 minutes 50 seconds East 400.76 feet to the point of beginning; containing 3.62 acres, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

March 29, 2000

Project No. 99062.B (L99062.B)



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 #00-424-A
8611 Liberty Road (Savoy Plaza) corner
SWS Liberty Road and NWS Glenmichael Lane
2nd Election District -- 2nd Councilmanic District
Legal Owner(s): JMJ Savoy Properties, LLC
Variances: to permit a front yard depth of 43 feet in lieu of the required 64 feet average of front yard depths and to permit 247 off-street parking spaces in lieu of the required 303 parking spaces.
Hearing: Wednesday, May 24, 2000 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake 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) 987-4386.
(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 987-3391.
JTB/642 May 9 C39C083

CERTIFICATE OF PUBLICATION

TOWSON, MD, 5/11/, 2000

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 5/9/, 2000.

J. The Jeffersonian,

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. 00-424-A

Petitioner/Developer JMJ Savoy Properties, LLC

Date of Hearing/Closing July 31, 2000
9:00 a.m.

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under penalties of perjury that the necessary sign(s) required by
law were posted conspicuously for the property known as

8511 Liberty Road

Savoy Plaza

The signs were posted on 7/14/00
(Month, Day, Year)

Sincerely,

Kelly O'Brien 7/14/00
(Signature of Sign Poster and Date)

Kelly O'Brien

(Printed Name)

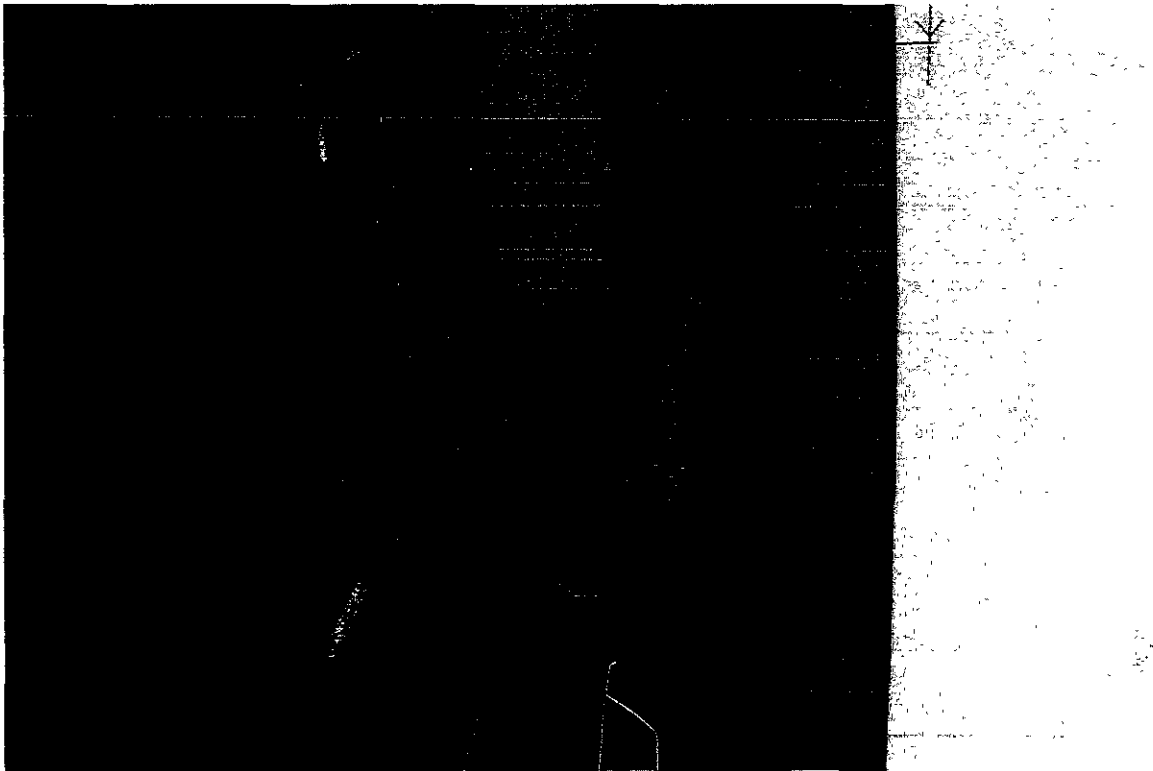
200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)





Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 28, 2000

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: 00-424-A
8511 Liberty Road (Savoy Plaza)
corner SW/S Liberty Road and NW/S Glenmichael Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: JMJ Savoy Properties, LLC

Variance to permit a front yard depth of 43 feet in lieu of the required 64 feet average of front yard depths and to permit 247 off-street parking spaces in lieu of the required 303 parking spaces.

HEARING: Wednesday, May 24, 2000 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the number "59" written below it.

Arnold Jablon
Director

C: Stuart Kaplow, Esquire, 15 E. Chesapeake Avenue, Towson 21286
JMJ Savoy Properties, LLC, 6724 Westbrook Road, Baltimore 21215-1717

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MAY 9, 2000.**
- (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.**



TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 9, 2000 Issue – Jeffersonian

Please forward billing to:

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

410-339-3910

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: 00-424-A

8511 Liberty Road (Savoy Plaza)

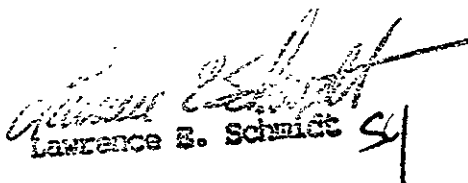
corner SW/S Liberty Road and NW/S Glenmichael Lane

2nd Election District – 2nd Councilmanic District

Legal Owner: JMJ Savoy Properties, LLC

Variance to permit a front yard depth of 43 feet in lieu of the required 64 feet average of front yard depths and to permit 247 off-street parking spaces in lieu of the required 303 parking spaces.

HEARING: Wednesday, May 24, 2000 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt

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.

**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: _____

00-424-A

Petitioner: _____

Address or Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: STUART D. KARLOW, ESQ.

Address: 15 EAST CHESAPEAKE AVE

Towson

MD

21286

Telephone Number: 410-339-3910



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

May 19, 2000

Attorney Stuart D. Kaplow
15 E. Chesapeake Avenue
Towson MD 21286

Dear Attorney Kaplow:

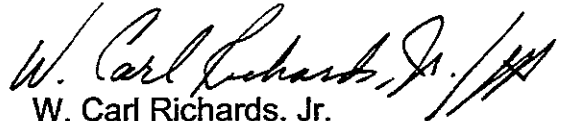
RE: Case Number 00-424-A , 8511 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 7, 2000.

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 this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

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



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

April 18, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF **APRIL 17, 2000**

ITEM NO.: 416, 423, (424)

Dear Ms. Stephens:

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: May 12, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 17, 2000

RECEIVED MAY 24 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
411	23 Mansez Drive
412	7046 Eastern Avenue
413	1633 Freeland Road
414	528 Church Road
415	3607 East Joppa Road
417	8204 Rider Avenue
419	12 Hunter Horn Court
420	13411 Fork Road
421	East Joppa Road
422	2802 Tennessee Avenue
424	8511 Liberty Road
425	8551 Philadelphia Road
426	419 Samantha Court
427	9011 Moonstone Road

hp
5/54

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 26, 2000

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

SUBJECT: 8511 Liberty Road

APR 25

INFORMATION:

Item Number: 424

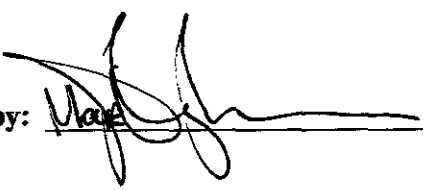
Petitioner: JMJ Savoy Plaza Inc., LLC.

Zoning: BR - IM

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning conducted two field inspections of the subject site on April 19, 2000 at 10:15 PM and on April 20, 2000 at 10:45 PM. During both inspections, the existing parking lot was approximately 80% full. As such, this office has determined that an expansion of 3,500 square feet to the existing night club/restaurant without an increase in parking could be detrimental to other businesses in the shopping center, adjacent commercial properties, and ultimately the surrounding residential neighborhood. Based on this concern, the Office of Planning recommends that the variance request be denied.

Prepared by: 

Section Chief: 

AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 4.17.00

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

RE: Baltimore County
Item No. 424 WCR

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 26 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1st Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
8511 Liberty Road, Corner SW/S Liberty Rd
and NW/S Glenmichael Ln
2nd Election District, 2nd Councilmanic

Legal Owner: JMJ Savoy Properties LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-424-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



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 26th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Stuart D. Kaplow, Esq., 15 E. Chesapeake Avenue, Towson, MD 21286, attorney for Petitioner(s).



PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

June 29, 2000

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, MD 21286

Dear Mr. Kaplow:

RE: Case Number 00-424-A, 8511 Liberty Road

The above matter, previously assigned to be heard on May 24, 2000 has been **rescheduled for Monday, July 31, 2000 at 9:00 a.m. in Room 407, County Courts Building.**

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

AJ:scj

C: Marion Jacob, Managing Member, JMJ Savoy Properties, LLC, 6724 Westbrook Road, Baltimore, MD 21215-1717





Baltimore County
Zoning Commissioner

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

June 5, 2000

Stuart D. Kaplow, Esquire
15 East Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
SW/Corner Liberty Road and Glenmichael Lane
(8511 Liberty Road)
2nd Election District – 2nd Council District
JMJ Savoy Properties, LLC - Petitioners
Case No. 00-424-A

Dear Mr. Kaplow:

This letter is to confirm that the above-captioned matter was postponed in open hearing on May 24, 2000, pursuant to your written request dated May 23, 2000. As indicated in your letter, the property was not posted as required by the Baltimore County Code. As you are aware, the Code requires that notice of any zoning hearing be given to members of the public by the posting of a sign on the property in question for a period of at least 15 days prior to the hearing. Indeed, the residents who appeared at the hearing confirmed that the property was not posted.

Thus, the case file has been returned to the Department of Permits and Development Management and it is suggested that you contact Ms. Sophia Jennings of that agency to reschedule the matter and to arrange for proper posting of the property.

In the meantime, should you have any questions concerning this matter, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: ✓ Ms. Sophia Jennings, PDM; People's Counsel; Case File

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW

15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL STUKAPLOW@AOL.COM

STUART D. KAPLOW

April 6, 2000

Via Hand Delivery

Department of Permits and Development Management
Attn: Mr. W. Carl Richards, Jr.
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Petition for Zoning Variance**
Savoy Plaza Shopping Center

Dear Carl:

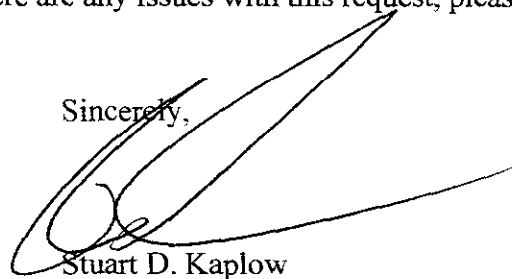
Please accept for drop off filing the following petition for zoning variance for the Savoy Plaza Shopping Center, on Liberty Road in Randallstown:

- 3 original Petitions for Variance;
- 12 copies of the Plat (with zoning map inset) to accompany the petitions;
- 3 legal descriptions for the petitions; and
- 1 check payable to Baltimore County in the amount of \$250.

There are no violations on this property. And be aware that while no one in your office has seen this shopping center in many years

Thank you in advance for your courtesies. If there are any issues with this request, please have Sophie give me a call.

Sincerely,



Stuart D. Kaplow

SDK:tbm

cc: Richard S. Lehmann, Esquire

00-424-A

STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW
15 EAST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21286-5306
TELEPHONE 410-339-3910
FACSIMILE 410-339-3912
E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

May 23, 2000

Via Facsimile 410-887-3468

Lawrence E. Schmidt, Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

Re: **Case No. 00-424-A**
8511 Liberty Road (Savoy Plaza)

Dear Commissioner Schmidt:

As you may be aware this firm represents JMJ Savoy Properties, LLC, the owner of 8511 Liberty Road, the Savoy Plaza shopping center, and your applicant in the above noted matter.

By this letter, on behalf of the applicant, I am requesting a postponement of the hearing scheduled for May 24, 2000 at 2:00 p.m. Given the short time between this request and the hearing, be aware that I telephoned your office earlier today advising the office that this request would be forthcoming.

A postponement is required because the property was not posted. This failure to post was through no fault of the applicant and was through inadvertence on the part of the client's engineering firm. Please accept our apologies for any time and inconvenience that this postponement will occasion, but there is no alternative.

I will appear at the time appointed.

Thank you in advance for your understanding and courtesies in this matter.

Sincerely,

Stuart D. Kaplow
Dictated but not read

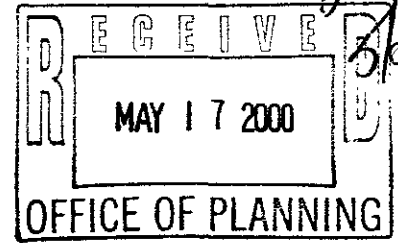
SDK:tbm

cc: Also via hand delivery on 05/23/00
Mr. Jack Jacobs
Mr. John W. Ranocchia, Sr.



LIBERTY ROAD BUSINESS ASSOCIATION

9960 Liberty Road • Randallstown, Maryland 21133
Tel: (410) 655-7766 • Fax: (410) 655-8065



May 16, 2000

Mr. Pat Keller
Director of Planning, Baltimore County
Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, MD 21204

Dear Mr. Keller,

It has come to the attention of the Liberty Road Business Association that JMJ Savoy Properties, LLC, owners of Savoy Plaza Shopping Center, 8511 Liberty Road, Randallstown, are petitioning for several Variances at said address. The Association's Board of Directors, after serious discussion on this matter, does not support either Variance request; i.e., a "setback" or a "parking space reduction" for this property.

Our position is that while we are encouraged that the new shopping center owner wants to improve the appearance of his property, his reducing the required parking by 22% will cause safety and health problems for the center and his commercial/residential neighbors. Also, this changes the ambiance from a neighborhood bar to a regional establishment. Further, if he is allowed to reduce his "setback" by 30%, which will also remove existing parking, he will prevent customer access to his improved property as well as encroach on a major highway (Liberty Road) and thus damage the look of the brand new multi-million dollar County/State Streetscape Program, installed in 1999. Finally, this end of the shopping center building will extend farther out to the street than any other building between Old Court Road and Courtleigh Drive.

In addition, the Board of Directors of the Liberty Road Business Association, at its June 7, 1999 meeting, passed a resolution affirming our zoning policies and addressing a policy which supports restricting expansion of retail space along Liberty Road. By

Mr. Pat Keller

5-16-00

Page 2

allowing the above Variances, retail space is actually expanded (a brand new extra 3,500 sq. ft. will be built in this shopping center). Thus, we are encouraging exactly what we are trying to discourage in the first place ... more retail space, thus more vacant space and not better utilization of what currently exists.

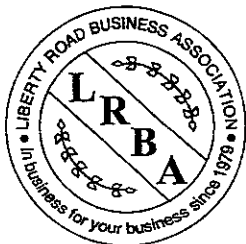
Thanking you in advance for allowing us input into your decision-making process.

Very Truly yours,

A handwritten signature in cursive script that reads "Mike Chapman". Below the signature, the word "Hill" is written in a smaller, less legible cursive script.

Mike Chapman, President

Copies: Kevin Kamenetz, Councilman, Second District
Larry Schmidt, Zoning Commissioner
Arnold Jablon, Director, Dept. of Permits & Development Mgt.
Dave Green, Office of Planning
Jack Jacob



LIBERTY ROAD BUSINESS ASSOCIATION

9960 Liberty Road • Randallstown, Maryland 21133
Tel: (410) 655-7766 • Fax: (410) 655-8065

June 29, 2000

Larry Schmidt, Zoning Commissioner
Office of Zoning
County Courts Building, Suite 407
401 Bosley Avenue
Towson, MD 21204

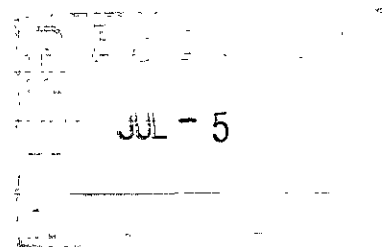
Case #00-424-A

Dear Mr. Schmidt:

On May 16, 2000 we addressed a letter to Mr. Pat Keller pertaining to several variances being requested by JMJ Savoy Properties, LLC, owners of Savoy Plaza Shopping Center, 8511 Liberty Road. This has been assigned Case #00-424-A by the Zoning Office.

Since that time we have had several talks with the property owner. At this time we amend our position with several stipulations. First, the proposed addition be limited to 2500 sq. ft. For this support, we request that the following terms be part of the order of approval for the petitioner.

1. Facade improvements be completed for the whole Shopping Center, as pictured in rendition submitted to L.R.B.A.
2. Resurfacing and relining of the parking lot.
3. Improved lighting in parking lot and along walkways.
4. Provide outside security in parking lot until ½ hour after closing.
5. Provide landscaping for the Shopping Center.



Larry Schmidt

6-29-00

Page 2

We are supporting this addition with these stipulations due to the past good record of the current Businesses with the community and with the hoped continued good rapport.
Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Mike Chapman". The signature is written in dark ink and includes a small, stylized mark at the end.

Mike Chapman, President

Copies: Kevin Kamenetz, Councilman, Second District
Pat Keller, Director, Office of Planning
Arnold Jablon, Director, Dept. of Permits & Development Mgt.
Dave Green, Office of Planning
Jack Jacob

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

Michael Chapman
John F. McPherson

ADDRESS

10225 Liberty Rd 21133

9960 Liberty Road
Randallstown, Md
21133



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

STANLEY D KIRBY

15 E CURRAHOE AVE 21281

MELANIE MOSER

DMW 200 E Pennsylvania 21086

JACK JACOB

6724 WESTBROOK RD, 21215



10-424-A

CITIZEN'S SIGN-IN SHEET

[illegible]

PETITION FOR VARIANCE
AMENDED ATTACHMENT #1

1. A variance from BCZR Section 303.2 to permit a front yard depth of 58 feet in lieu of the required 64 feet average a front yard depths; (*originally requested 43 feet in lieu of the required 64 feet*) and
2. A variance from BCZR Section 409.6 to permit 253 off street parking spaces in lieu of the required ~~263~~²⁶² parking spaces (*originally requested 247 parking spaces in lieu of the required 303 spaces*).

(262)

Ref No 1A

ORDER RECEIVED FOR FILING
DATE 8/2/00
BY [Signature]

PETITION FOR VARIANCE
AMENDED ATTACHMENT #1

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2. A variance from BCZR Section 409.6 to permit 253 off street parking spaces in lieu of the required ~~263~~²⁶² parking spaces (*originally requested 247 parking spaces in lieu of the required 303 spaces*).

(262)

Pet No 1A

ORDER RECEIVED FOR FILING
Date 5/21/00
By [Signature]

Wednesday, May 25, 2000

Renovations may help center turn corner

But variance need could put Savoy plans in jeopardy

BY KEELEY WEBSTER
REISTERSTOWN

Jack Jacobs wants to turn a frog of a shopping center into one of the princes on Liberty Road. Jacobs says he has done it before

redeveloping properties in San Francisco and Baltimore — even those others said couldn't be rehabilitated.

It was a year ago that Savoy Plaza Shopping Center on Liberty Road caught his eye. So he bought it. "I saw the potential for it to be a beautiful shopping center," said Jacobs.

But the prince may never come along, if the fairy godmother — or in this case, county zoning officials — don't grant him the variances he needs.

His plans include replacing the asphalt driveway, installing new street lights, new landscaping including trees, and repainting and reconfiguring the design of the facade.

But Jacobs also wants to add an addition to Nick's Place, the restaurant/nightclub at the corner of the property. Jacobs said he needs the additional square footage to collect enough in rent to pay for the redevelopment.

And for that he needs the

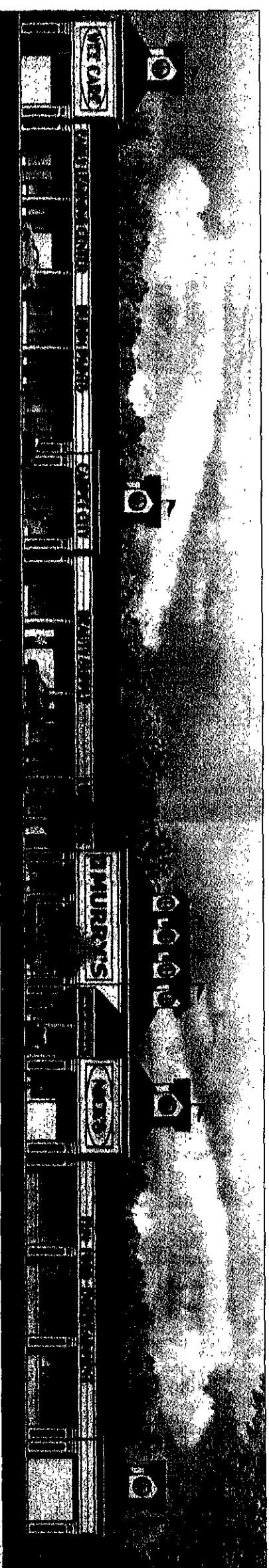
county's Permits and Development Management Team to grant him two variances. Without the variances, Jacobs can't build the addition.

Without the variances, Jacobs said, he may not go through with the redevelopment.

He said he "just can't say at this point" whether he would proceed should the variance requests be turned down.

See DISPUTE OVER MORE COMMERCIAL

Page 85



An artist's rendering shows the revisions and additions that developer Jack Jacobs has proposed for the Savoy Shopping Center.

Page 85

Dispute over more commercial

Continued from Page B1

Jacobs needs a variance to have fewer parking spaces than the number required for the 25-foot addition. The proposed addition would throw off the ratio of businesses to parking places in the shopping center.

The second variance would be an exception to the setback requirements on Liberty Road. Businesses on Liberty Road are required to have a 50-foot setback from the road. The addition would put Nick's Place 25 feet from the road.

For 2nd District County Councilman Kevin Kamenetz, the project has both positives and negatives.

"The positive is that we have another shopping center owner on Liberty Road who is willing to improve the facade," Kamenetz said. "He has a nice design and is willing to make landscaping changes."

Less than positive is the fact that Liberty Road Business Association doesn't want additional commercial square footage added to Liberty Road as long as existing businesses have vacancies, Kamenetz said. The LRBA doesn't support the project with the addition, Kamenetz said.

"It's a balance," Kamenetz said. "On the other hand, we want to encourage the renovation of shopping centers."

Jacobs went before the Development Review Committee Monday to seek approval for the redevelopment change.

Don Rascoe, a project manager for the county's Department of Permits and Development Management, said the issue has been tabled.

DEPRM said they will grant approval for the redevelopment project if Jacobs can get an OK from the zoning commissioner for the variances. The zoning commissioner will then schedule a public hearing to discuss the variances Jacobs is requesting, Rascoe said. That hearing hasn't been scheduled yet.

If the variances are approved, Jacobs would have to appear before the DRC again, Rascoe said.

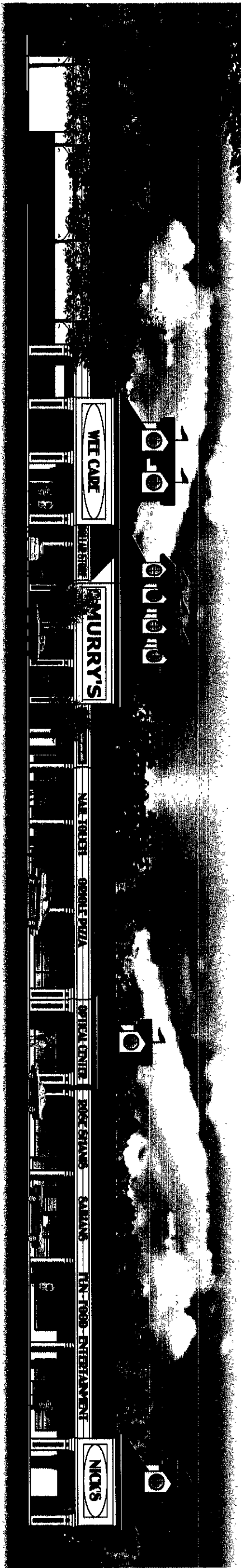


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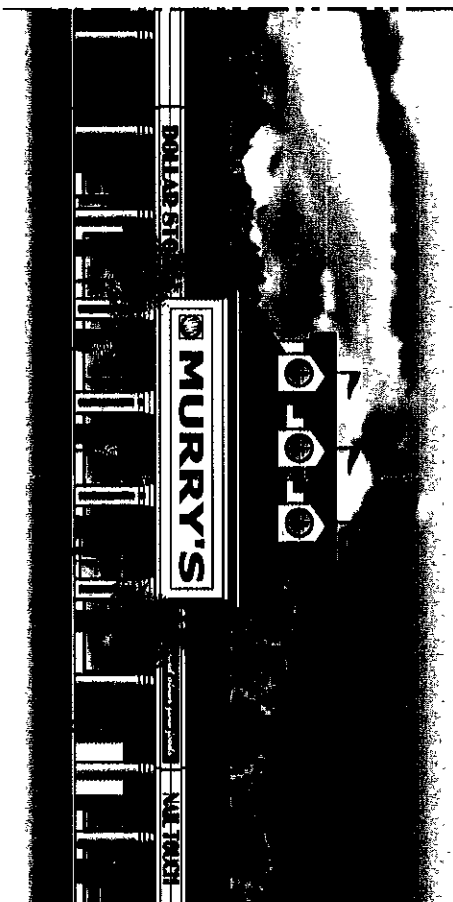


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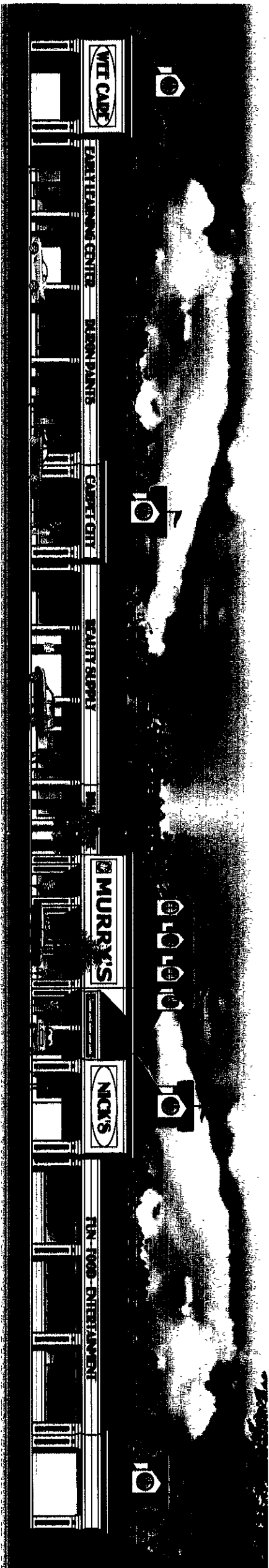




SIDE ELEVATION - GLENMICHAEL LANE



FRONT ELEVATION - LIBERTY ROAD



FRONT ELEVATION - LIBERTY ROAD

SAVOY PLAZA

MANAGED BY: JMJ SAVOY PROPERTIES, INC.

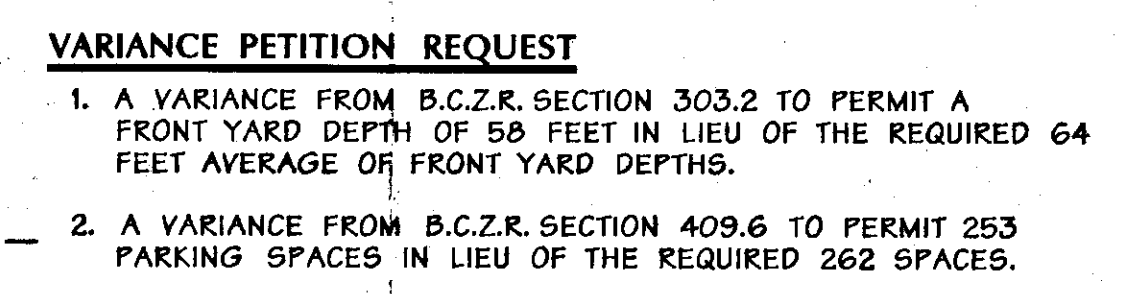
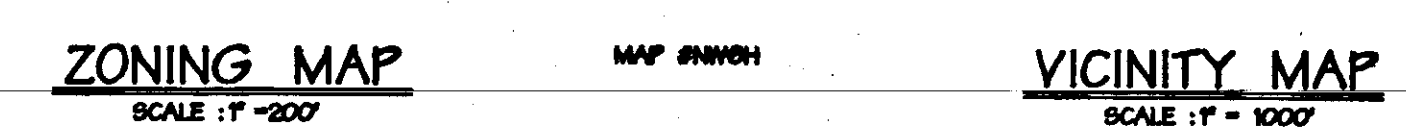
DATE: DECEMBER 29, 1999

SCALE: 3/32" = 1'-0"

John McH

APPROX LOCATION 12" WATER

APPROX LOCATION OF FIRE HYDRANT



1. Owner:
JM.J Savoy Properties, L.L.C.
6724 Westbrook Rd.
Baltimore MD, 21215
2. Applicant: Same as owner.
3. Zoning: Existing - BR (MAP NW 6H)
Proposed - No Change
4. Lot Area: 157,544 S.F. or 3.62 Ac.+/- (Net)
182,392 S.F. or 4.20 Ac.+/- (Gross)
5. Existing Use: Retail
6. Proposed Use: Restaurant
7. Proposed Leasable Area: 2,500 S.F.
8. Parking Tabulation:
a. Existing Parking: 250 Spaces
b. Parking Spaces Deleted: 12 Spaces
c. Spaces Added: 138 Spaces
d. Proposed Parking: 253 Spaces
e. Parking Required: 245 Spaces
9. Utilities: Sewer - Existing Public
Water - Existing Public
10. Election Districts: 2nd
11. Councilmanic District: 2nd
12. Census Tract: 4023.02
13. Watershed: 31
14. Subwatershed: 64
15. Doad Reference: 13737/625
16. Property Account No: 0219321690
17. Tax Map: 77 Grid: 16 Parcel: 564
18. A. Ex. Building Area= 40,865 SF
B. Proposed Building Area= 43,368 SF
C. Floor Area Ratio Provided= 0.24
D. Maximum Floor Area Ratio Allowed = 2.0
19. Height of Existing Building: 25' +/-, Proposed Restaurant = 25'
Maximum Building Height Allowed = 40'
20. Signs: All Signs Will Comply with B.C.Z.R. Section 450
21. Previous Commercial Permits: 8511 - 8115362 and 8139957
8511 - A - 8067418
8511 - B - 8043133, 8059837,
E060536, E066146,
E067262
8511 - C - Not on File
22. Zoning Hearings: None on File
23. Building addition is 1/1- 300 feet from Intersection of Liberty Road
and GlenMichael Lane.

BASE INFORMATION TAKEN FROM "PLAN
TO ACCOMPANY USE & OCCUPANCY PERMIT
APPLICATION" (SCOTT RICE) DATED 3/10/98.
& FIELD MEASUREMENTS ON 5/21/00

[illegible]