

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – N/S Pulaski Highway,
225' W of the c/l White Avenue * ZONING COMMISSIONER
(8014 Pulaski Highway)
15th Election District * OF BALTIMORE COUNTY
5th Council District *
Amedio G. Lorenzo, et ux, Owners; *
Brian M. Schafer, Contract Lessee *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Amedio G. and Marianne Lorenzo, and the Contract Lessee, Brian M. Schafer, through their attorney, J. Neil Lanzi, Esquire. The Petitioners request a special hearing to approve an amendment to the site plan approved in prior Case No. 84-249-A to expand the existing pit beef stand to a year-round operation and to permit the hours of operation for the period April 1st thru November 30th to be from 10:00 AM to 9:00 PM and for the period December 1st through March 31st, from 10:00 AM to 8:00 PM. In addition to the special hearing relief, the Petitioners request variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) to permit an extension of a previously approved 5-foot front setback for the existing pit beef stand in lieu of the required 60-foot front average; 2) to permit the extension of a previously approved 10-foot side yard setback in lieu of the required 30 feet; 3) to permit a 2-foot front yard setback in lieu of the required 60 feet and a 1-foot side yard setback in lieu of the required 30 feet for an accessory freezer; 4) to permit a building separation of 19 feet in lieu of the required 55 feet; and, 5) to permit a parking aisle width of 15 feet in lieu of the required 22 feet. 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 2.

Appearing at the requisite public hearing in support of the request were Brian M. Schafer, Contract Lessee, Clyde F. Hinkle, a representative of Bafitis & Associates, Inc., the

ORDER RECEIVED FOR FILING

Date 8/28/00

By [Signature]

engineering firm which prepared the site plan for this property, and J. Neil Lanzi, Esquire, attorney for the Petitioners. Lawrence Greenberg, Esquire appeared on behalf of Michael T. and Donna M. Ainsworth, owners of adjacent property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is roughly rectangular in shape, approximately 1.352 acres in area, split zoned B.R.-A.S. and D.R.5.5. The front portion of the site which abuts Pulaski Highway (Maryland Route 40), is zoned B.R.-A.S and contains the bulk of the improvements. The rear portion of the site, which primarily contains the parking field, is zoned D.R.5.5. Presently, the site is improved with a one-story wooden building which houses a nightclub known as the Little Texas Country Bar. As the name suggests, the nightclub caters to fans of country/western music and dance. In addition to the nightclub, a small, one-story pit beef stand is located in the front (southwest) corner of the site. It is the pit beef stand which is the subject of the zoning requests.

As shown, both on the site plan and in photographs submitted at the hearing, the pit beef stand consists of a 10' x 10' building with a 10' x 12' addition, and a 460 sq.ft. tent which has been attached to the two buildings. To the rear of the 10' x 10' building is an 8' x 8' accessory freezer unit. The two structures and tent are utilized by Mr. Schafer as part of his business known as Big Fat Daddy's Pit Beef Stand.

The historic use of the site for these purposes is of note. Original approval of the pit beef operation was granted in prior Case No. 84-249-A by then Zoning Commissioner Arnold Jablon. Commissioner Jablon approved the pit beef operation by the then operator, Mike DiCarlo; however, he conditioned his approval and limited the operation to the period April 1st thru November 30th of each year, from 10:00 AM to 8:00 PM, only. Mr. Schafer acquired the business several years ago from Mr. DiCarlo and subsequently added the 10' x 12' addition and the tent referenced above. Essentially, the two buildings are used in conjunction with the preparation of the pit beef, and customers are generally seated within the tent area. The subject property and existing improvements were shown in a series of photographs identified as Exhibits 3A thru 3N and the site

plan (Petitioner's Exhibit 2). Mr. Schafer indicated that he was unaware of the prior zoning case and the restrictions attached thereto until a complaint was registered with the Code Enforcement Division of the Department of Permits and Development Management (PDM). Thus, the Petitioners filed the instant Petitions to legitimize existing conditions on the property.

Turning first to the Petition for Special Hearing, Mr. Schafer proposes to expand his operation to a year-round use and extend his hours of operation to from 10:00 AM to 9:00 PM during the warmer months and from 10:00 AM to 8:00 PM in the colder months. In this regard, he indicated that there is more than sufficient parking on the site to accommodate both his business and the nightclub operation. Additionally, it is to be noted that the peak hours of the nightclub are after the pit beef stand closes.

On behalf of the adjacent property owners, Mr. Greenbaum testified that his clients are not opposed to the special hearing request. Based upon the fact that the pit beef stand has existed on the property for 15 years without prior complaint and there was no objection to the requested relief, I am persuaded to grant the Petitioners' request for special hearing. In my judgment, the use does not cause any detrimental impact to the surrounding locale and meets the requirements of Section 502.1 of the B.C.Z.R.

As noted above, a series of zoning variances are also being requested. These variances are necessary to legitimize existing conditions on the property in that no new development is proposed. The first variance seeks a 5-foot front setback for the pit beef stand buildings and tent. In this regard, it is to be noted that the tent will be reduced in area by 5 feet in that it currently intrudes into the State Highway Administration (SHA) right of way for Pulaski Highway. The proposal will actually result in a greater setback distance from the edge of paving of Pulaski Highway to the tent. The second variance relates to the two accessory structures identified above, which maintain a 10-foot side yard setback to the Ainsworth property. As noted above, Mr. Greenbaum indicated that his clients are not opposed to this request. The third variance relates to the location of the accessory freezer building, which is located in the front corner of the property to the rear of the 10' x 10' building. The fourth variance relates to the distance maintained between

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Date 8/28/00
BY [Signature]

the tent and the nightclub building. It was indicated that sufficient distance exists between the two structures to accommodate the flow of traffic on site. The final variance relates to one of the parking aisles, which is slightly undersized. Again, it was indicated that the flow of traffic on site is not impacted by the location of the tent.

Based upon the testimony and evidence presented, I am persuaded to grant the variances. Again, it is to be emphasized that no new construction is proposed and that the special hearing and variance relief are necessary to legitimize the existing conditions on the property. In my view, the Petitioners have met the requirements of Section 307 of the B.C.Z.R. to obtain variance relief.

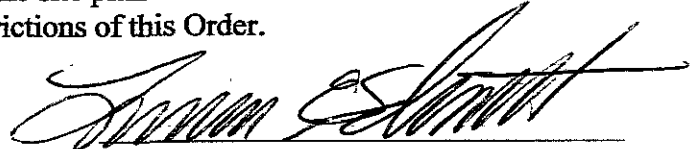
It is to be noted that a question arose at the hearing regarding signage on the property. Presently, there is a pole sign on the property that advertises both the pit beef stand and the nightclub/bar. Additionally, there is a smaller sign, which advertises only the pit beef operation, and a third, temporary sign, which is mounted on one of the utility poles. In my judgment, the Petitioners should be permitted to retain the sign on the pole that advertises both the pit beef operation and the nightclub. It was indicated that consideration was given to removing the pit beef sign on that pole; however, that would not reduce the visual impact of that signage. The second sign, which advertises the pit beef stand, only, is apparently situated within the SHA right-of-way for Pulaski Highway and is to be relocated. This relocation is appropriate in that it will be a reduction in visual intrusion on traffic on Pulaski Highway and will cause less of an impact on adjacent properties. The third sign, which is a temporary sign mounted on a utility pole, should be removed. But for the two signs identified above, all other signs must be in compliance with the B.C.Z.R. Specifically, it was indicated that the "temporary" signs on the property had become permanent and that such signs were in the SHA right-of-way. Both of these conditions cannot continue.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of August, 2000 that the Petition for Special Hearing to approve an amendment to the site plan approved in prior Case No. 84-249-A to expand the existing pit beef stand to a year-round operation and to extend the hours of operation from April 1st thru November 30th to from 10:00 AM to 9:00 PM and from December 1st through March 31st, to from 10:00 AM to 8:00 PM, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: 1) to permit an extension of a previously approved 5-foot front setback for the existing pit beef stand in lieu of the required 60-foot front average; 2) to permit the extension of a previously approved 10-foot side yard setback in lieu of the required 30 feet; 3) to permit a 2-foot front yard setback in lieu of the required 60 feet and a 1-foot side yard setback in lieu of the required 30 feet for an accessory freezer; 4) to permit a building separation of 19 feet in lieu of the required 55 feet; and, 5) to permit a parking aisle width of 15 feet in lieu of the required 22 feet, in accordance with Petitioner's Exhibit 2, 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) The signage on the property for the pit beef operation shall be limited to the sign on the pole advertising the pit beef stand, and the smaller sign that advertises the pit beef operation only, which is to be relocated out of the SHA right-of-way. The temporary signage presently located on a utility pole must be removed and any future additional signage for the property must be in compliance with the B.C.Z.R.
- 3) When applying for any permits, the site 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



Baltimore County
Zoning Commissioner

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

August 28, 2000

J. Neil Lanzi, Esquire
409 Washington Avenue, Suite 617
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Pulaski Highway, 225' W of the c/l White Avenue
(8014 Pulaski Highway)
15th Election District – 5th Councilmanic District
Amedio G. Lorenzo, et ux, Owners; Brian M. Schafer, Lessee - Petitioners
Case No. 00-560-SPHA

Dear Mr. Lanzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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: Mr. & Mrs. Amedio G. Lorenzo
708 East Seminary Avenue, Towson, Md. 21286
Mr. Brian M. Schafer
8014 Pulaski Highway, Baltimore, Md. 21237
Lawrence Greenberg, Esquire, 6 E. Biddle Street, Baltimore, Md. 21202
Code Enforcement Division, PDM; People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8014 Pulaski Highway
which is presently zoned BR/DR 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

- Amendment of site plan previously approved in Case No. 84-249-A, to expand the pit beef stand to a year round operation and**
- To permit pit beef stand hours of operation for April 1 - November 30, 10:00 a.m. to 9:00 p.m. and December 1 - March 31, 10:00 a.m. to 8:00 p.m.**

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:

Brian M. Schafer

Name - Type or Print

Signature

P.O. Box 18434

410-238-2223

Address

Telephone No.

Baltimore, MD 21237

City

State

Zip Code

Attorney For Petitioner:

J. Neil Lanzi

Name - Type or Print

Signature

J. Neil Lanzi, P.A.

Company

409 Washington Ave Ste 617 410-296-0686

Address

Telephone No.

Towson Maryland 21204

State

Zip Code

Legal Owner(s):

Amedeo G. Lorenzo

Name - Type or Print

Signature

Marianne Lorenzo

Name - Type or Print

Signature

708 East Seminary Ave 410-560-1113

Address

Telephone No.

Towson, Maryland 21286

City

State

Zip Code

Representative to be Contacted:

Neil Lanzi

Name

409 Washington Ave Ste 617 410-296-0686

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2.7 hr

UNAVAILABLE FOR HEARING _____

Reviewed By [Signature] Date 6-24-00

Case No. 00-560-SPH-A

Date 8/28/00

BY [Signature]

ORDER RECEIVED FOR FILING



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8014 Pulaski Highway

which is presently zoned BR/DR 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)

See attached

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

See attached

Property is to be posted and advertised as prescribed by 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:

Brian M. Schafer

Name - Type or Print

Brian M. Schafer

Signature

P.O. Box 18434

410-238-2223

Address

Telephone No.

Baltimore, Maryland 21237

City

State

Zip Code

Attorney For Petitioner:

J. Neil Lanzi

Name - Type or Print

J. Neil Lanzi

Signature

J. Neil Lanzi, P.A.

Company

409 Washington Ave Ste 617 410-296-0686

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Amedeo G. Lorenzo

Name - Type or Print

Amedeo G. Lorenzo

Signature

Marianne Lorenzo

Name - Type or Print

Marianne Lorenzo

Signature

708 East Seminary Ave 410-560-1113

Address

Telephone No.

Towson, Maryland 21286

City

State

Zip Code

Representative to be Contacted:

Neil Lanzi

Name

409 Washington Ave Ste 617 410-296-0686

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

OFFICE USE ONLY See SPH

ESTIMATED LENGTH OF HEARING (2.00 hrs)

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 6-29-00

Case No. DD-560-SPH-A

Date 9/15/98

By [Signature]

ORDER RECEIVED FOR FILING

Petition for Variance

Petitioner, Brian Schafer t/a Big Fat Daddy's, for the property known as 8014 Pulaski highway, hereby petitions the Zoning Commissioner for the following variances from the Baltimore County Zoning Regulations ("BCZR"):

1. Variance to allow extension of previously approved 5 foot front setback variance for pit beef stand addition in lieu of the 60 foot required front average setback.
2. Variance to allow extension of previously approved 10 foot side yard setback for pit beef stand in lieu of 30 feet required.
3. Variance to allow a 2 foot front yard setback in lieu of 60 feet required and 1 foot side yard setback in lieu of 30 feet required for accessory freezer.
4. Variance to allow a building separation of 19 feet in lieu of the required 55 feet.
5. Variance to allow a parking aisle width of 15 feet in lieu of the 22 feet required.

The Zoning Commissioner has the power to grant variances in cases where strict compliance with the BCZR would result in practical difficulty or unreasonable hardship to the Petitioner. Petitioner further states the granting of the variances requested will provide substantial justice to the Petitioner and will allow for the observance of the BCZR while maintaining the security of the public safety and welfare.

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Date

By



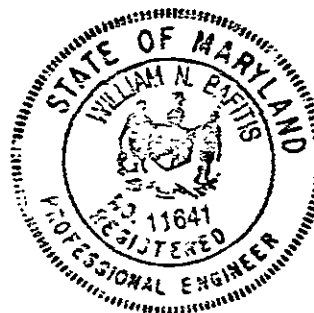
Bafitis & Associates, Inc.

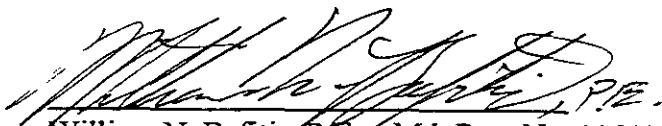
ZONING DESCRIPTION
8014 PULASKI HIGHWAY
15TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same on the North side of Pulaski Highway, 150' wide, said point being situated 225' Westerly from the centerline of White Avenue, 30' wide, binding on the North side of said Pulaski Highway.

Thence from said point of beginning South $58^{\circ}-57'-13''$ West 173.28 feet along the North side of Pulaski Highway, thence leaving said Pulaski Highway the four following courses; North $32^{\circ}-02'-48''$ West 167.66 feet; thence North $36^{\circ}-26'-48''$ West 170.79 feet; thence North $53^{\circ}-33'-00''$ East 173.86; thence South $34^{\circ}-09'-00''$ East 354.44 feet to said point of beginning.

Containing 58, 933.88 S.F. (1.352 Ac. $\pm$) of land more or less.




William N. Bafitis, P.E. Md. Reg. No. 11641

Seal

00-560-SPHA

00-250-2542

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

Check 100-560-5742
No. 083807

DATE 6-29-00 ACCOUNT R-001-6150

AMOUNT \$ 500.00

RECEIVED FROM: April Kanski, Esq.

FOR: Commander's Special Hearing & Verdict
80149 Police Hwy.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT ACTUAL TIME
6/30/2000 6/30/2000 16:24:52
REG 15306 CASHIER RICH KAM DRUMER 6
DEPT 5 523 ZONING OFFICER
RECEIPT # 004740 DELN
CR NO. 083807

Receipt Tot 500.00
500.00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

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 #00-50690A
8000 Pulaski Highway, 225' W of centerline White Avenue
18th Election District - 7th Councilmanic District
Legal Owner(s): Marianna & Amadio G. Lorelitz
Contract Purchaser: Brian M. Schaler

Special Hearing: to approve an amendment of site plan approved in case number 84-249-A to expand the pit beef stand to a year round operation and to permit hours of operation for April 1 - November 30, 10:00 a.m. to 8:00 p.m. and December 1 - March 31, 10:00 a.m. to 8:00 p.m. **Verdict:** to allow extension of previously approved 6-foot front setback; to allow extension of previously approved 10-foot yard setback; to allow a 2-foot front yard setback in lieu of 30 feet required; and 1-foot side yard setback in lieu of 30 feet required for accessory/rearer; to allow a building separation of 19 feet in lieu of the required 85 feet; and to allow a parking aisle width of 15 feet in lieu of the 22 feet required. **Hearing Tuesday, August 12, 2000 at 2:00 p.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 accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4388.

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

8/04/00 August 9 0408748

CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/3/, 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 8/3/, 2000.

S. Williams
THE JEFFERSONIAN,

LEGAL ADVERTISING

ZONING NOTICE

Case # 00-560-SPH

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

PLACE *8104 Pulaski Hwy. Towson, MD*
TIME & DATE *12th MON TUES AUGUST 22, 2000*

*SPECIAL HEARING TO APPROVE AN AMENDMENT OF SITE
PLAN APPROVED IN CASE NUMBER 98-200-A TO EXHIBIT
THE PIT REE STAND TO A YEAR ROUND OPERATION AND TO
PERMIT Hours OF OPERATION FOR APRIL 1st THROUGH 30th
10⁰⁰ AM TO 9⁰⁰ PM AND DEDUCTIBLE 1st MARCH 31 10⁰⁰ PM TO
8⁰⁰ PM. VARIANCE TO ALLOW EXCESSIVE OF PROXIMITY
APPROVED 5-Foot FRONT SETBACK TO ALLOW SETBACK OF
PERMANENTLY APPROVED 10-Foot SIDE YARD SETBACK TO ALLOW
A 5-Foot FRONT YARD SETBACK IN LIEU OF 60 FEET REQUIRED
AND 1-Foot SIDE YARD SETBACK IN LIEU OF 20 FEET REQUIRED
FOR NECESSARY EXCESSIVE TO ALLOW A CHANGING SELECTION
OF A LOT IN LIEU OF 60 FEET IN STREET AND TO
ALLOW A DRIVE DRIVE IN LIEU OF 11 FEET IN LIEU OF 60
20 FEET REQUIRED.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO COMPLY HEARING
CALL 410-336-7100 THE DAY BEFORE THE SCHEDULED HEARING DATE
IF WE HAVE THE 1000 THE HEARING WILL BE HELD AS SCHEDULED
HEARINGS ARE WHEELCHAIR ACCESSIBLE

8104 Pulaski Hwy.

CERTIFICATE OF POSTING

**RE: CASE # 00-560-SPHA
PETITIONER/DEVELOPER
(Big Fat Daddys Fam Pit Beef)
DATE OF Hearing
(8-22-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

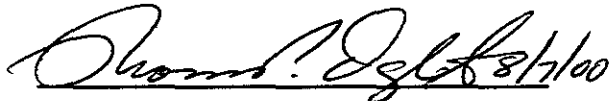
LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

8014 Pulaski Highway Baltimore , Maryland 21237_____

THE SIGN(S) WERE POSTED ON_____ 8-7-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____**THOMAS P. OGLE SR.**_____

_____**325 NICHOLSON ROAD**_____

_____**BALTIMORE, MARYLAND 21221**_____

_____**410-687-8405**_____

(TELEPHONE NUMBER)

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
8014 Pulaski Hwy, N/S Pulaski Hwy,
225' W of c/l White Ave
15th Election District, 7th Councilmanic

Legal Owner: Amedio G. & Marianne Lorenzo
Contract Purchaser: Brian M. Schafer
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. ~~00-560-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.

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 28th day of July, 2000 a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esq., 409 Washington Avenue, Suite 617, Towson, MD 21204, 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

July 21, 2000

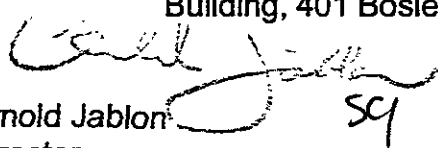
NOTICE OF ZONING HEARING

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: 00-560-SPHA
8014 Pulaski Highway (Big Fat Daddy's Famous Pit Beef)
N/S Pulaski Highway, 225' W of centerline White Avenue
15th Election District – 7th Councilmanic District

Special Hearing to approve an amendment of site plan approved in case number 84-249-A to expand the pit beef stand to a year round operation and to permit hours of operation for April 1 – November 30, 10:00 a.m. to 9:00 p.m., and December 1 – March 31, 10:00 a.m. to 8:00 p.m. Variance to allow extension of previously approved 5-foot front setback; to allow extension of previously approved 10-foot side yard setback; to allow a 2-foot front yard setback in lieu of 60 feet required and 1-foot side yard setback in lieu of 30 feet required for accessory freezer; to allow a building separation of 19 feet in lieu of the required 55 feet; and to allow a parking aisle width of 15 feet in lieu of the 22 feet required.

HEARING: Tuesday, August 22, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue


Arnold Jablon
Director

C: J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson 21204
Marianne & Amedio Lorenzo, 708 E. Seminary Avenue, Towson 21204
Brian Schafer, PO Box 18434, Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY AUGUST 7, 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
Thursday, August 3, 2000 Issue – Jeffersonian

Please forward billing to:

J. Neil Lanzi, P.A.
409 Washington Avenue, #517
Towson, MD 21204

410-296-0686

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: 00-560-SPHA

8014 Pulaski Highway (Big Fat Daddy's Famous Pit Beef)

N/S Pulaski Highway, 225' W of centerline White Avenue

15th Election District – 7th Councilmanic District

Special Hearing to approve an amendment of site plan approved in case number 84-249-A to expand the pit beef stand to a year round operation and to permit hours of operation for April 1 – November 30, 10:00 a.m. to 9:00 p.m., and December 1 – March 31, 10:00 a.m. to 8:00 p.m. Variance to allow extension of previously approved 5-foot front setback; to allow extension of previously approved 10-foot side yard setback; to allow a 2-foot front yard setback in lieu of 60 feet required and 1-foot side yard setback in lieu of 30 feet required for accessory freezer; to allow a building separation of 19 feet in lieu of the required 55 feet; and to allow a parking aisle width of 15 feet in lieu of the 22 feet required.

HEARING: Tuesday, August 22, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley 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: DD-560-SPHA

Petitioner: Amedeo G Lorenzo

Address or Location: 8014 Pulaski Hwy.

PLEASE FORWARD ADVERTISING BILL TO:

Name: J NEIL LANZI P.A.

Address: 409 WASHINGTON AVENUE #617

TOWSON MD 21204

Telephone Number: 410 296 0686



Baltimore County
Department of Permits and
Development Management

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

August 16, 2000

Marianne & Amedio Lorenzo
708 E. Seminary Avenue
Towson, MD 21204

Dear Mr. & Mrs. Lorenzo:

RE: Case Number: 00-560-SPHA, 8014 Pulaski Highway

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

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: J. Neil Lanzi, Esquire, 409 Washington Avenue, Suite 617, Towson 21204
Brian Schafer, P.O. Box 18434, Baltimore 21237
People's Counsel



FILE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

AUG 29

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

DATE: August 16, 2000

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

SUBJECT: Zoning Advisory Committee Meeting
For July 24, 2000
Item Nos. 551, 552, 553, 554, 555, 556,
557, 558, 559,  561, 562, 563

and

00-336-SPH

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

RWB:HJO:jrb

cc: File

ZAC-7-27-2000-NO COMMENT ITEMS.doc

SENT TO ZONING COMMISSION 8-18-00



Baltimore County
Fire Department

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

July 20, 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: TIMONIUM LAND CORP. - 558
AMEDIO G. LORENZO AND MARIANNE LORENZO - 560

Location: DISTRIBUTION MEETING OF JULY 17, 2000

Item No.: 558 AND 560

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: July 25, 2000

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

DEPRM has no comments for the following zoning petitions:

Item #	Address
552	1815 Circle Road
553	2411 Velvet Ridge Drive
554	4501 Sandwood Road
555	11712A Greenspring Avenue
556	25 Manor Spring Court
557	7118-7210 Castlemoor Road
558	2127 York Road
559	11317 Reisterstown Road
560	8014 Pulaski Highway
563	6310 Blair Hill Road
336	Stocksdale Avenue

hs
8/22

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 21, 2000

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 336-Revised, 553, 555, 559, 560 & 004

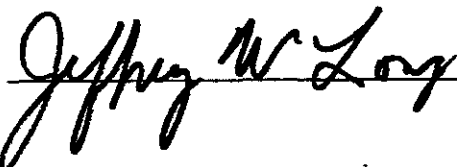
The Office of Planning has reviewed the above referenced case and has no comments to offer.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC

JUL 21



Maryland Department of Transportation
State Highway Administration

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

Date: 7.18.00

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

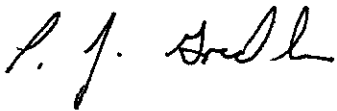
RE: Baltimore County
Item No. 560 JJS

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 42 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,


for 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

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Lawrence Greenberg

6 E. Biddle St., Balt, MD 21202



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Clyde F. Hinkala
Brian M. Schafer
Ned Anzi

1249 E. Maple North Rd. Balto 21224
Profit & Assoc. Inc.
8014 Pulaski Hwy
BALTO MD 21237
409 Washington Ave #617 21204



TO: PATUXENT PUBLISHING

FROM: SOPHIA JENNINGS, ZONING REVIEW

RE: ZONING CASE 00-560-SPHA
8014 Pulaski Highway

Please add the following information to the ad scheduled to be placed in the Thursday, August 3rd issue of the Jeffersonian. Thank you.

Legal Owner: Marianne & Amedio G. Lorenzo
Contract Purchaser: Brian M. Schafer

Post-it® Fax Note	7671	Date	7/27/00	# of pages	1
To	JEFFERSONIAN	From	SOPHIA		
Co./Dept.	LEGAL ADS	Co.	ZONING		
Phone #		Phone #	887-3517		
Fax #	825-4278	Fax #	887-5708		

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: August 7, 2000

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 560
Legal Owner/Petitioner: Amedio G. Lorenzo and Marianne Lorenzo
Contract Purchaser: Brian M. Schafer
Property Address: 8014 Pulaski Highway
Location Description: N/S Pulaski Highway, 225 feet W of centerline
of White Avenue

VIOLATION INFORMATION: Case No.: 99-5738
Defendants: Big Fat Daddy's Pit Beef

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) regarding the hearing date:

NAME	ADDRESS
Mark Madi	P.O. Box 24553, Baltimore, MD 21214
Larry Greenberg, Esq.	6 E. Biddle Street, Baltimore, MD 21202

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case for review by the Zoning Commissioner's Office:

- ☐ 1. Complaint letter/memo/email/fax (if applicable)
- ☒ 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- ☒ 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- ☐ 8. Photographs including dates taken
- ☒ 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- ☐ 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).
- ☒ 15. Other: Previous Zoning Case/letters (3) from J. Neil Lanzi, Esq. to Inspector Jerry Chen

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/hek
C: Code Enforcement Officer

ENFORCEMENT REPORT

99-2309C

DATE: 9, 8, 99 INTAKE BY: jc CASE #: 995738 INSPEC: jc

COMPLAINT LOCATION: 8014 Pulaski Hwy. ZIP CODE: 21237 DIST:

COMPLAINANT NAME: Mark Madi PHONE #: (H) 410 292 2000 (W)

ADDRESS: P.O. Box 24553 Balt ZIP CODE: 21214

PROBLEM: signs, tent, set backs regards to

"FAMOUS FAT DADDY'S PIT BEEF"

OWNER/TENANT INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

1 ZIP CODE: 2 2 2 DIST: 10

COMPLAINANT
NAME: Lorr Greenberg Esq. PHONE #: (H) (W) 559-5250

ADDRESS: 2 E. Dindie St ZIP CODE: 2 2 2

PROBLEM: is pit beef stand equal? will call DEC 27
- dumping of food from windows to ground

OWNER/TENANT
INFORMATION:

2nd Complaint

TAX ACCOUNT #: ZONING:

INSPECTION: 2/23/00 - called TI to update

REINSPECTION:

REINSPECTION:

REINSPECTION:

COMPLAINT
LOCATION:

8014 K + 40

ZIP CODE: 21237 DIST:

COMPLAINANT
NAME:

PHONE #: (H)

(W)

ADDRESS:

ZIP CODE:

PROBLEM:

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #:

ZONING:

INSPECTION:

10/22/99 Rev'd Letter from Esq
plu 1/31/00

REINSPECTION:

2/22/00 - Rev'd Letter (2/15/00)
plu 3/15/00

REINSPECTION:

3/15/00 - Left message of Neil Langzi esq. for
to update.

REINSPECTION:

3/16/00 - Esq. Langzi advised I has obtained
Engineer to obtain site plan
3/17/00 - Sailed at a Charleston to Business.

CASE # _____

COMPLAINANT
LOCATION: _____

8014 Rt 40

ZIP CODE: _____

DATE	NOTES
4/13/00	Called Mr. Lora - property owner to get matters resolved in moving forward w/ hearings + site plans. Will call me back. w/ update
6/6/00	Letter From Esq. Langi: Hearing concurrent p/a 6/30/00

is non-permit and therefore illegal

CODE: 21237 DIST:

I would suggest BC2R 450.5.B.4,

22922000 (W)

450. B 7 - roof signs, and on a

ZIP CODE: 21214

BL zone and 1 free standing sign

is regards to

450.4.5 Enterprise (b) and 450 4.5 Joint

is

Identification

11/14/99-13-71

TAX ACCOUNT #:

ZONING: BL-A5

INSPECTION: 9/9/99- Research obtained. Variance
Hearing obtained in 1984
Papers enclosed.

REINSPECTION: No sent permit on file

- 1) CON on roof - prohibited
- 2) Box sign is new - permit
- 3) 3 x f.s signs on one frontage
- 4) banner - permit - ???

REINSPECTION:

Mr. Brian Schafer came into view

REINSPECTION: file on 9/23/99

10/12/99 - Scheduled for 1st hearing on 11/12/99

COMPLAINT
LOCATION:

801 F Puashu Hwy

ZIP CODE: 21237 DIST:

COMPLAINANT
NAME:

Mark Mid

PHONE #: (H)

402922000 (B)

(W)

ADDRESS:

P O Box 24553 Bal-

ZIP CODE:

21214

PROBLEM:

Signs, tent, 2nd backs regards to

"FAVOR FET DADDY'S DIT BEEF"

OWNER/TENANT
INFORMATION:

TAX ACCOUNT #:

ZONING:

INSPECTION:

9/9/99 - Records obtained. Variance
Hearing obtained in 1984
Papers enclosed.

REINSPECTION:

No tent permit on file

9/16/99 - Mike Johnson will renew sign
situation

REINSPECTION:

9-23-99 BRIAN SCHAFER CAME IN TO DISCUSS.

CHECKED WITH A.J. - NO TENT - MUST CLOSE AS IN
ORDER ON NOV 30TH - IF OWNER DID NOT SEND COPY

OF CASE FOR ZONING FILE HE SHOULD BE CHARGED FOR SAME

REINSPECTION:

W.T.

RA1001B

DATE: 02/22/2000 STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:27:02

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 06 450320	15	3-1	06-00	N	NO		02/16/00

LORENZO AMEDIO G DESC-1.. IMPS1.36 AC NWS PULASKI

LORENZO MARY ANN DESC-2.. 370 NE CHESACO AV

708 E SEMINARY AVE PREMISE. 08014 PULASKI

HWY
00000-0000

TOWSON MD 21286-1439 FORMER OWNER: PERRY EDWARD R

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
LAND:	238,860	258,400		FCV	ASSESS	ASSESS
IMPV:	98,750	146,200	TOTAL..	359,940	143,970	135,040
TOTL:	337,610	404,600	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	09/96	10/99				

---- TAXABLE BASIS ----		FM DATE
00/01 ASSESS:	143,970	11/21/99
99/00 ASSESS:	135,040	06/04/99
98/99 ASSESS:	132,450	06/05/98

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7400
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.

116090

Case No.

99-5738

Election District _____ Permit No. _____

Name(s) Imogene G. Lorene + Mary Ann Lorene

Address 258 E. Seminary Ave. Towson MD 21206

Location of violation (if different than address) 8014 Rt 40 Bldg MD 21237

Vehicle License No. _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS.

County Code 20-21
§§ _____
§§ _____

Zoning Regulations:
§§ 500.4
§§ 500.9

Building Code (BOCA):
§§ _____
§§ _____

Liability Code (18-66):
§§ _____
§§ _____

Investment Property Act (1-66):
§§ _____

Electrical Code (NEC):
§§ _____

Plumbing Code (NSPC):
§§ _____

Dwelling CABO:
§§ _____

Other §§ _____

COMMENTS OR OTHER VIOLATIONS:

1. For site plan - zoning code
2. Remove tent in front of Pot Beef Stand
3. Remove all signage and
4. signs to sign permits.
5. Remove car on roof (prohibited)
6. Apply for variance in front and rear location.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE

10/1/99 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON

THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 10-2-99 INSPECTOR: Chen

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER



Baltimore County
Department of Permits and
Development Management

Comptroller and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7300
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

1/0 BRIAN SCHAFER

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No

115449

Case No.:

99-5738

Election District 14 Permit No

Name(s) BIG FAT DADDY'S PIT BEEF

Address 8014 Pulaski Hwy.

Location of Violation (if different than address)

Vehicle License No.

Vehicle ID:

BAUT MD21237

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS.

County Code:

§§ 26-121

Building Code: BOCA

§§

Investment Property Act (7-66):

§§

Plumbing Code: NSPC

§§

Other: §§

Zoning Regulations

§§ 500.4
§§ 300.9

Livability Code (18-36):

§§

Electrical Code (NEC):

§§

Dwelling (CABO):

§§

COMMENTS OR OTHER VIOLATIONS.

1. OBTAIN USE PERMIT FOR TENT.
2. REVISE SITE PLAN TO SHOW EXPANSION OF BUSINESS AREA.
3. OBTAIN BUILDING PERMIT FOR TENT IF APPLICABLE
4. IN LIEU OF ABOVE - REMOVE TENT

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
10/13/99 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 9/13/99

INSPECTOR: Chen

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER

The undersigned, legal owner(s) of the property situated 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 238.F (305.2) to permit a front yard setback of

5 feet instead of the required average of 11.5 feet and

238.2 to allow a side yard setback of 10' instead of the required 30'

409.2.b.(3) to permit 97 parking spaces in lieu of the required 104

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

1. Construction of beef pit on either side or front of building would hinder the flow of traffic on parking lot.
2. The site now being petitioned for would be more visible to roadway and customers and in turn better for business.
3. Recommended as the best location by the State Highway Administration.
4. Neighboring businesses have expressed approval of location for beef pit.

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 Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.

Legal Owner(s):

AMADIO GEORGE LORENZO

(Type or Print Name)

Amadio George Lorenzo

Signature

MARY ANN LORENZO

(Type or Print Name)

Mary Ann Lorenzo

Signature

8014 POLASKI Hwy 686-1126

Address

Phone No.

BALTO. MD. 21237

City and State

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

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st

of February 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of March 1984.

PETITION FOR VARIANCES

15th Election District

ZONING: Petition for Variances

LOCATION: North side Pulaski Highway, 385 ft. East of Chesaco Avenue (8014 Pulaski Highway)

DATE & TIME: Thursday, March 29, 1984 at 10:15 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit a front yard setback of 5 ft. instead of the required average of 51.5 ft. and to allow a side yard setback of 10 ft. instead of the required 30 ft.

Being the property of Amedio G. Lorenzo, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

March 1, 1984

Mr. & Mrs. Amedeo G. Lorenzo
8014 Pulaski Highway
Baltimore, Maryland 21237

NOTICE OF HEARING

Re: Petition for Variances

N/S Pulaski Hwy., 385' E of Chesaco

Ave. (8014 Pulaski Highway)

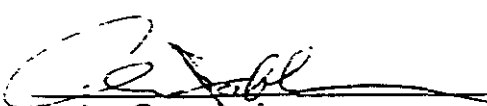
Amedeo G. Lorenzo, et ux - Petitioners

Case No. 84-249-A

TIME: 10:15 A.M.

DATE: Thursday, March 29, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland


Zoning Commissioner
of Baltimore County

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

No. 124042

DATE 1-10-84 ACCOUNT 2-01-615-ED

AMOUNT 1.51⁰⁰

RECEIVED FROM Michael W. D. G. -
FOR Eligible for 17% discount

6 579*****1000000 0112A

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION FOR VARIANCE
N/s Pulaski Highway, 385' E
of Chesaco Avenue
(8014 Pulaski Highway) - 15th
Election District

Amedio G. Lorenzo, et ux

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 84-249-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 5' instead of the required average of 51.5', to permit a side yard setback of 10' instead of the required 30', and to allow 97 parking spaces instead of the required 104, as are more fully described on Petitioners' Exhibit 1.

The Petitioners, by their lessee Mike DiCarlo, appeared and testified.

There were no Protestants.

Testimony indicated that the Petitioners own and operate a tavern on their property, which is bifurcated by a zoning line. The portion of the property fronting Pulaski Highway, and on which the tavern is located, is zoned B.R.

The rear portion of the property is zoned D.R. 5.5. In 1967, the Petitioners received a special permit to allow off-street parking on the portion zoned D.R. 5.5, pursuant to Section 409.4 of the Baltimore County Zoning Regulations.

(BZR), to serve their commercial business. (see Case No. 68-11-SPH) The property in its entirety has 97 parking spaces.

The lessee wishes to place a "beef pit" on the site, and has entered into a lease agreement with the Petitioners to do so. Placement of the beef pit will be along Pulaski Highway, and would need to be to the side to avoid interruption of traffic flow into and off the site. The tavern is located in the center of the property, approximately 51' from the front property line, and

ORDER RECEIVED FOR FILING

DATE: April 4, 1984

BY: Mary C. [Signature]

the building to the parking in the rear. Placement elsewhere but proposed would not be possible. If moved to the rear, it would cause interference with the free flow of traffic, thereby causing congestion. If moved to the front of the building, but closer, it would still need a variance and still create congestion.

All agree that the proposed location is best. In fact, the immediate neighbors agree and are in support of the proposed placement and variances. (see Petitioners' Exhibits 2 and 3) Mr. DiCarlo testified that he is intimately familiar with the site and, in fact, has been employed by the Petitioners at the tavern. He testified that his business would in no way cause additional parking problems. During the hours of his operation, he stated he has never seen more than 12 vehicles on the site. Although the parking lot at times is utilized to the maximum, this only occurs on weekends after 11:00 p.m. and the beef pit would not be open. There would be no need for additional parking.

The Petitioners seek relief from Section 238.1 (303.2), Section 238.2, and Section 409.2.b.(3), pursuant to Section 307 of the BCZR.

An area variance may be granted where strict application of the zoning regulation to the Petitioners and their property would cause practical difficulty.

McLean v. Solev, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

April 14, 1984
Mary Campagna
ADMINISTRATIVE ASSISTANT

whether the relief would be substantial injustice to applicant as well as property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variances requested are hereby granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of April, 1984, that the Petition for Variances to permit a front yard setback of 5' instead of the required average of 51.5', a side yard setback of 10' instead of the required 30', and 97 parking spaces instead of the required 104 be and are hereby GRANTED, from and after the date of this Order, subject to the following restrictions:

1. The Petitioners may apply for the building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding

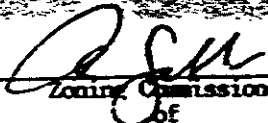
ORDER RECEIVED FOR FILING

DATE April 4, 1984

BY Mary Casper (clerk)
ADMINISTRATIVE ASSISTANT

at this time is at their risk until such time as the applicable 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 beef pit shall only be open from April 1 through November 30 each year, operating during the hours of 10:00 a.m. until 8:00 p.m. each day.
3. The Lessee shall submit a lease agreement entered into and executed by and between the Lessee and the Petitioner.


Zoning Commissioner
of
Baltimore County

A hand-drawn sketch map showing the intersection of I-55 and I-55. The map includes labels for 'I-55', 'I-55', 'PULASKI HWY', 'NORTH', and 'SOUTH'. A rectangular box labeled 'SUBJECT PROPERTY' is located on the south side of the intersection.

4

NO LOSS.
WITHIN 100

FOUO -
(C) -
BEE - 5740

OWNERS WILL TAKE FULL RESPONSIBILITY AS TO THE INFORMATION PROVIDED ON SAID PILOT PREPARED BY DALTO. CO	OWNER	DATE
<i>Christina S. Lewis</i>		3-27-84
<i>William S. Lewis</i>	OWNER	3-27-84

$$\begin{aligned} \bullet \text{ ELEVATION} &= 5092 \text{ GAFT} \\ \bullet \text{ PRESSURE} &= \frac{100}{5.52} \\ \bullet \text{ PRESSURE} &= 18.11 \end{aligned}$$

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA

Suite 1200, Merrill Lynch Bldg
10320 Lime Parkway
Columbia, Maryland 21044

Reply to Towson

June 6, 2000

Department of Permits and
Development Management
Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
Attn: Jerry Chen

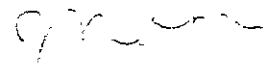
Re: My Client: Brian Schafer & a
Big Fat Daddy's Pit Beef
Violation Notices 115450 and 115449
Case No. 995738
Property Address: 8014 Pulaski Highway

Dear Mr. Chen:

This letter is in follow up to our recent telephone communications regarding the above referenced code violation case. The site plan is in the process of being finalized as a result of my recent meeting with John Sullivan and John Lewis of the Baltimore County Zoning Office. A filing appointment has been scheduled with John Sullivan for Tuesday, June 20, 2000 at which time I intend to file a petition for special hearing and petition for variance.

Should you have any questions regarding this case, please do not hesitate to contact me.

Very truly yours,



J. Neil Lanzi

cc: Brian Schafer
Clyde Hinkle

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

TEL: 296-0686

FAX: 410-296-0689

E-Mail: lanzi@lanzi-law.com

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

* Also Admitted in District of Columbia

COLUMBIA

Suite 1200, Merrill Lynch Bldg
10320 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

February 15, 2000

Department of Permits and
Development Management
Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
Attn: Jerry Chen

Re: My Client: Brian Schafer & a
Big Fat Daddy's Pit Beef
Violation Notices 115450 and 115449
Case No. 995738
Property Address: 8014 Pulaski Highway

Dear Mr. Chen:

The purpose of this letter is to provide you with a status update on the above referenced code violation case. As you will recall from our numerous telephone conversations, every effort was made by my client to attempt to eliminate the concerns of Baltimore County and the party filing the Complaint. It is my understanding that the complaining party is no longer a tenant at the used car business next door to my client's business, however it will still be necessary to file for a special hearing to amend the previously approved plan. Accordingly, my client is now in the process of engaging an engineering firm to prepare the site plan necessary for the special hearing petition. Once the petition is filed, I will let you know.

Thank you for your continued cooperation and should you have any questions please feel free to call me.

Very truly yours,



J. Neil Lanzi

cc: Brian Schafer

ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzi@lanzi-law.com

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

* Also Admitted in District of Columbia

COLUMBIA

Suite 1200, Merrill Lynch Bldg
10320 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

October 22, 1999

Department of Permits and
Development Management
Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204
Attn: Jerry Chen

Re: My Client: Brian Schafer v/a
Big Fat Daddy's Pit Beef
Violation Notices 115450 and 115449
Case No. 995738
Property Address: 8014 Pulaski Highway

Dear Mr. Chen:

This letter is in follow up to our meeting on Thursday, October 21, 1999 regarding the above referenced case. As I advised you then, I have recently been retained by Mr. Schafer regarding the above referenced violation notices. It is my understanding, my client is in the process of resolving the sign violation and I will be investigating the remaining violations for possible resolution. Preliminarily, it appears I will be filing a Petition for Special Hearing to resolve these issues. I will keep you informed with my client's intentions.

Thank you for your anticipated cooperation.

Very truly yours,



J. Neil Lanzi

cc: Brian Schafer

PETITION FOR VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned owner of the property described in the description and map attached hereto and made a part hereof, hereby petition for a Variance from the Zoning Regulations of Baltimore County, Maryland, to permit the following:

238.2 to allow a side yard setback of 10' instead of the required 20'.

409.2.1a(3) to permit 9' parking space in front of the building instead of the required 10'.

1. Construction of beef pit on either side or front of building would hinder the flow of traffic on parking lot.
2. The site now being petitioned for would be more visible to roadway and customers and in turn better for business.
3. Recommended as the best location by the State Highway Administration.
4. Neighboring businesses have expressed approval of location for beef pit.

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 Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s)

MARIO GEORGE LORENZO

(Type or Print Name)

MARY ANN LORENZO

Signature

MARY ANN LORENZO

(Type or Print Name)

MARY ANN LORENZO

Signature

8014 POLISKI HWY 686-1126

Address

Phone No.

BALTO. MD. 21237

City and State

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

Name

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of February, 19 84,

that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of March, 19 84, at 10:15 o'clock

A. M.

Rel No 1

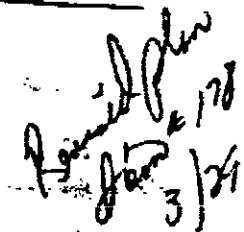
Bill J. [Signature]

Zoning Commissioner of Baltimore County

64-249-78

178

EXHIBIT



PULASKI HGVY.

1. THE STATE OF TEXAS, County of EL PASO, do hereby certify that JOSEPH A. GARCIA is the duly qualified and acting County Clerk of said County.

IN RE: PETITION FOR VARIANCE
N/s Pulaski Highway, 385' E
of Chesaco Avenue
(8014 Pulaski Highway) - 15th
Election District

Amedio G. Lorenzo, et ux
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-249-A

• • • • •
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request variances to permit a front yard setback of 5' instead of the required average of 51.5', to permit a side yard setback of 10' instead of the required 30', and to allow 97 parking spaces instead of the required 104, as are more fully described on Petitioners' Exhibit 1.

The Petitioners, by their lessee Mike DiCarlo, appeared and testified.

There were no Protestants.

Testimony indicated that the Petitioners own and operate a tavern on their property, which is bifurcated by a zoning line. The portion of the property fronting Pulaski Highway, and on which the tavern is located, is zoned B.R.

The rear portion of the property is zoned D.R. 5.5. In 1967, the Petitioners received a special permit to allow off-street parking on the portion zoned D.R. 5.5, pursuant to Section 409.4 of the Baltimore County Zoning Regulations,

(B4ZR), to serve their commercial business. (see Case No. 66-11-SP11) The property in its entirety has 97 parking spaces.

The lessee wishes to place a "beef pit" on the site, and has entered into an agreement with the Petitioners to do so. Placement of the beef pit would be along Pulaski Highway, and would need to be to the side to avoid interruption of traffic flow onto and off the site. The tavern is located in the center of the property, approximately 51' from the front property line, and

UNDER RECD FOR FILING

DATE April 4, 1984

BY Mary Campagna (clerk)

ingress and egress is provided from Pulaski Highway around either side of the building to the parking in the rear. Placement elsewhere but proposed would not be possible. If moved to the rear, it would cause interference with the free flow of traffic, thereby causing congestion. If moved to the front of the building, but closer, it would still need a variance and still create congestion.

All agree that the proposed location is best. In fact, the immediate neighbors agree and are in support of the proposed placement and variances. (see Petitioners' Exhibits 2 and 3) Mr. DiCarlo testified that he is intimately familiar with the site and, in fact, has been employed by the Petitioners at the tavern. He testified that his business would in no way cause additional parking problems. During the hours of his operation, he stated he has never seen more than 12 vehicles on the site. Although the parking lot at times is utilized to the maximum, this only occurs on weekends after 11:00 p.m. and the beef pit would not be open. There would be no need for additional parking.

The Petitioners seek relief from Section 238.1 (303.2), Section 238.2, and Section 409.2.b.(3), pursuant to Section 307 of the BCZR.

An area variance may be granted where strict application of the zoning regulation to the Petitioners and their property would cause practical difficulty. McLean v. Solev, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

DATE April 14, 1984
BY Mary Campagna
ADJUTANT CLERK

2. whether the grant would do substantial injustice to applicant as well as property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4th day of April, 1984, that the Petition for Variances to permit a front yard setback of 5' instead of the required average of 51.5', a side yard setback of 10' instead of the required 30', and 97 parking spaces instead of the required 104 be and are hereby GRANTED, from and after the date of this Order, subject to the following restrictions:

1. The Petitioners may apply for the building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding

DATE April 4, 1984
BY Mary Kempf (Clerk)

ORD
DATE
BY

ORDER

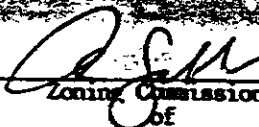
at this time is at their risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

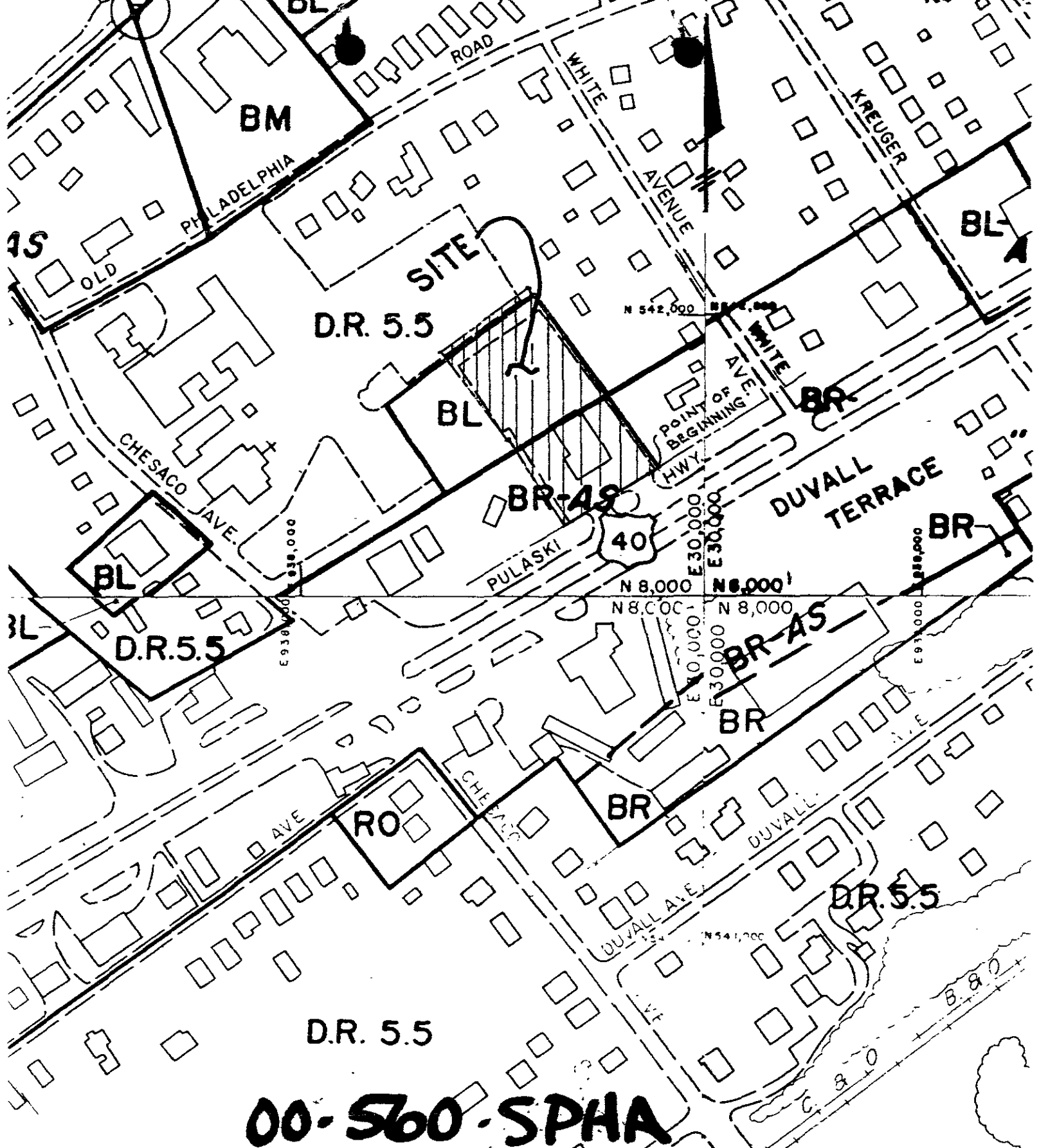
2. The beef pit shall only be open from April 1 through November 30 each year, operating during the hours of 10:00 a.m. until 8:00 p.m. each day.
3. The Lessee shall submit a lease agreement entered into and executed by and between the Lessee and the Petitioner.

ORDER RECEIVED FOR FILING

DATE April 4, 1984

BY Mary Casperson (Clerk)
ADMINISTRATIVE ASSISTANT


Loring Commissioner
of
Baltimore County



00-560-SPHA

SCALE	LOCATION	SHEET
1" = 200' ±		N. E.
DATE OF PHOTOGRAPHY	ROSEDALE 8014 PULASKI HIGHWAY	2-E&F 3-E&F

Peterson's
- 10.6.75
3A - 3rd
(photographs)
66-566-SPNA

