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IN RE: PETITION FOR SPECIAL EXCEPTION

NE/Corner Joppa Road and Dixon Avenue 9th Election District 5th Councilmanic District (2800 East Joppa Road)

Harry S. Cohen *Petitioner* 

- BEFORE THE
- \* DEPUTY ZONING COMMISSIONER
- \* OF BALTIMORE COUNTY
- \* CASE NO. 04-494-X

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception for the property located at 2800 East Joppa Road. The Petition was filed by Harry S. Cohen, Property Owner. Special Exception relief is requested for an arcade with more than four (4) amusement devices; namely twelve (12), pursuant to Sections 423.A. and 422.A. of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the petition for Special Exception.

The property was posted with Notice of Hearing on June 2, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 1, 2004 to notify any interested persons of the scheduled hearing date.

## Applicable Law

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;

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- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

#### **Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment dated May 18, 2004 received from the Office of Planning recommends denial of Petitioner's request, a copy of which is attached hereto and made a part hereof.

#### Interested Persons

Appearing at the hearing on behalf of the special exception request were Kevin Anderson, civil engineer and Harry Cohen, the Petitioner. Edward C. Covahey, Esquire represented the Petitioner. No protestants or interested citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

#### Testimony and Evidence

Mr. Covahey proffered that the subject property is improved by a well-known tavern known as the "Firehouse Tavern". It was so named by the Petitioner who is a retired firefighter and the tavern is known in the community to attract police and fire personnel. The tavern is located on a 0.44 acre site zoned primarily BL in keeping with its commercial use. Parking is provided on site and also across Dixon Avenue on another property owned by the Petitioner. As

a result of a prior zoning case, the combined parking provides 61 spaces in lieu of the required 76 spaces.

The Petitioner would like to be allowed 12 amusement machines as a special exception. Although he is presently allowed 4 machines, he admitted to having 8 amusement devices on the premises. He explained that he was unaware of any limit on the number of amusement devices he could maintain at his business, as each year he applies for and receives licenses for each existing machine from Baltimore County. He indicated that he did not believe that the additional amusement devices would draw additional customers and thus cause a parking problem. The parking layout was recently designed (in 2000) and meets all regulations except for the number of parking spaces.

In response to the comment made by the Office of Planning representative, that a planner has recently visited the site and found the parking lot full, the Petitioner indicated that from his personal observations the parking lot is generally at 50 % capacity. He indicated, however, that occasionally graduating classes from emergency services schools will fill up the lot. He assumed that the planner happened on one of these rare occasions by chance. Mr. Anderson also indicated the he personally visited the site and found the parking lot to be approximately 70 % full. Finally, the Petitioner indicated that he needed the additional machines to attract customers who have ready access to Internet and home video games with great appeal. He also noted that there are presently two pool tables that could be replaced by 9 or 10 tables. He explained that this would enable him to serve more food and beverages and thereby attract many more customers without requiring any additional parking spaces. The internal layout of the tavern is shown on Petitioner's Exhibit No. 2.

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After a review of the criteria of Section 502.1 above, in Mr. Anderson's opinion, the granting of a special exception to allow 12 machines would not negatively impact the surrounding community. In particular, he indicated from his visit to the site that the additional machines would not tend to cause overcrowding on the land or undue concentration of population. He believed the existing parking could handle the additional customers if any.

#### Findings of Fact & Conclusions of Law

The principal issue in this case is whether the additional 8 amusement devices would attract additional customers who would, as the Planning Office worried, be parking on the adjacent streets. The Office of Planning noted that the lot is already undersize as the result of prior zoning variances. They recommended that the petition be denied so as not to add to the over utilization of the lot.

Mr. Cohen indicates that allowing additional machines will not bring additional customers and the need for additional parking. He indicates that the additional machines will be used to occupy existing customers. I find this difficult to accept as a general principle.

However, both the Petitioner and the engineer indicate that the existing parking lot has the additional capacity to accommodate this request. In addition, I have no reason to doubt the Petitioner's explanation that the planner who visited the site and found the parking lot full, chose one of those rare instances when the graduates filled the tavern to the brim.

On balance, I find that the proposed arcade will not adversely affect the surrounding community, but the Planning Office comments and the testimony of the Petitioner/engineer make me opt for the status quo rather than an expansion of the number of machines. Therefore, I will grant the special exception but limit the number of amusement devices to the existing 8.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's special exception request should be granted but I will limit the number of amusement devices to a total of eight.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this \_\_3\_3day of June, 2004, that the Petitioner's request for Special Exception relief for an arcade with more than four (4) amusement devices; namely eight (8), pursuant to Sections 423.A. and 422.A. of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED.

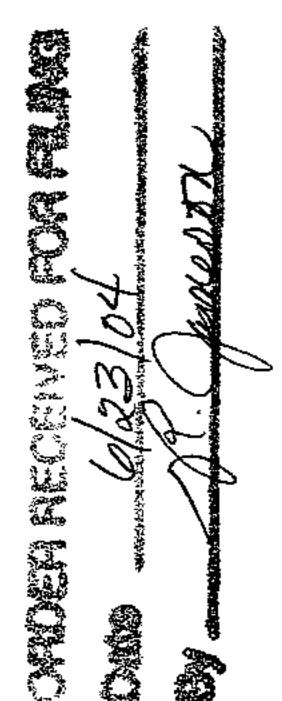
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj



#### Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



#### Baltimore County

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

June 23, 2004

Edward C. Covahey, Esquire Covahey & Boozer, P.A. 614 Bosley Avenue Towson, Maryland 21204

> Re: Petition for Special Exception Case No. 04-494-X

> > Property: 2800 E. Joppa Road

Dear Mr. Covahey:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Deputy Zoning Commissioner

JVM:raj Enclosure

c: Henry Cohen 2800 E. Joppa Road Baltimore, MD 21234

> Kevin C. Anderson, P.E. KCW Engineering Technologies, Inc. 3106 Lord Baltimore Drive, Suite 110 Baltimore, MD 21244



Visit the County's Website at www.baltimorecountyonline.info



A FLA

## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2800 E. Joppa Road

which is presently zoned-RB, BL & DRSS 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

an arcade with more than four (4) amusement devices; namely twelve (12), pursuant to Sections 423.A. and 422.A. of the Baltimore County Zoning Regulations as a use in combination with a restaurant in a Business Local (BL) zone.

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

I, or we, agree to pay expenses of above Special Exception, 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: Legal Owner(s): Harry S. Cohen Name - Type-or Print Name - Type or Print Signature / Signature Telephone No. Name - Type or Print Address Zip Code Signature City State 410-661-3555 2800 E. Joppa Road Attorney For Petitioner: Telephone No. Address 21234 Baltimore, MD Edward C. Covahey, Jr. Zip Code State City Name - Type or Print Representative to be Contacted: Signature Harry S. Cohen Covahey & Boozer, P.A. Name Company 410-661-3555 410-828-9441 2800 E. Joppa Road 614 Bosley Avenue Telephone No. Telephone No. Address Address Tosson 21204 MD 21234 MD Baltimore, State Zip Code City Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Fase No. 04-494 UNAVAILABLE FOR HEARING Reviewed By D.THOMPSON Date 429 04 REV 09/15/98



#### ZONING DESCRIPTION

HARRY S. COHEN PROPERTY
2800 E. Joppa Road
9<sup>th</sup> Election District
BALTIMORE COUNTY, MARYLAND

KCW Engineering Technologies, Inc. 3104 Timanus Lane, Suite 101 Baltimore, MD 21244

(410) 281-0030 Fax (410) 298-0604 www.KCW-ET.com

William K. Woody
President and CEO

Douglas L. Kennedy Serior Vice President

J. Peter McDonnell
Vice President

Ronald J. Lind
Associate Vice President

Martin J. Lipinski Assocate Vice President

Edwin S. Howe, Ill
Associate Vice President

Edward M. Shine
Associone

Joseph P. Wood
Associate

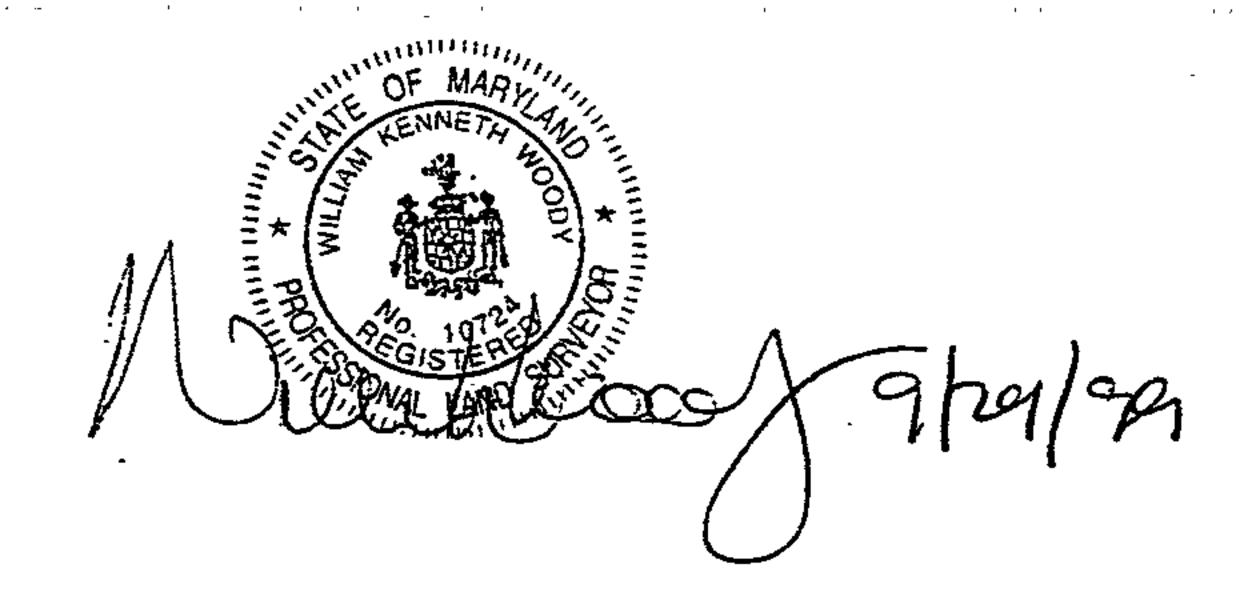
William C. Usher

Reginald C. Roberts

BEGINNING FOR THE SAME on the East side of Dixon Avenue, 40 feet wide, said Point of Beginning being situate 50 feet northerly from the centerlines of Dixon Avenue and E. Joppa Road, 70 feet wide, and running thence the following courses and distances:

- 1. North 3 degrees 53 minutes 12 seconds East a distance of 93.93 feet to a point,
- 2. North 86 degrees 22 minutes 45 seconds West a distance of 5.00 feet to a point,
- 3. North 3 degrees 53 minutes 12 seconds East a distance of 26.00 feet to a point,
- 4. South 86 degrees 22 minutes 45 seconds West a distance of 154.79 feet to a point,
- 5. South 3 degrees 37 minutes 15 seconds West a distance of 135.00 feet to a point,
- 6. North 86 degrees 22 minutes 45 seconds West a distance of 135.35 feet to a point,
- 7. Along a curve to the right with Radius of 15.00 feet and Length of 23.63 feet to the Point of Beginning.

CONTAINING 20,345 square feet, or 0.47 acre more or less.



	CASHER & WILDATION	
BALTIMORE COUNTY MARYLAND  OFFICE OF BUDGET & FINANCE  MISCELLANEOUS RECEIRT  ACCOUNT  ACCOUNT  ACCOUNT  AMOUNT  BY  MATERIA  MAT	FOR: TEMPONDE CONTRACTOR BY THEIN ESS.  PLANTIE CASHIER PINK, AGENCY YELLOW: CUSTOMER	

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#### 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: # 04-494-A

2800 East Joppa Road

Northeast corner of Joppa Road and Dixon Avenue

9th Election District — 5th Councilmanic District

Legal Owner(s): Harry S. Cohen

Special Exception: to permit an arcade with more than four amusement devices, namely twelve as a use in combination with a restaurant in a BL zone.

Hearing: Thursday, June 17, 2004 at 10:00 a.m. in Room 407, County Court 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) 887-4386.

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

JT 6/628 June 1

#### CERTIFICATE OF PUBLICATION

62,2004
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 6/1,2004.
The Jeffersonian  Arbutus Times  Catonsville Times  Towson Times  Owings Mills Times  NE Booster/Reporter  North County News

J. W. LEGAL ADVERTISING

#### **CERTIFICATE OF POSTING**

RE: Case No. 04-494-X
Petitioner/Developer:
Harry S. Cohen

Hearing Date: June 17, 2004

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

Attention: Ms. Kristen Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located 2800 E. Joppa Rd.

The sign(s) were posted on 6/2/04.

Sincerell

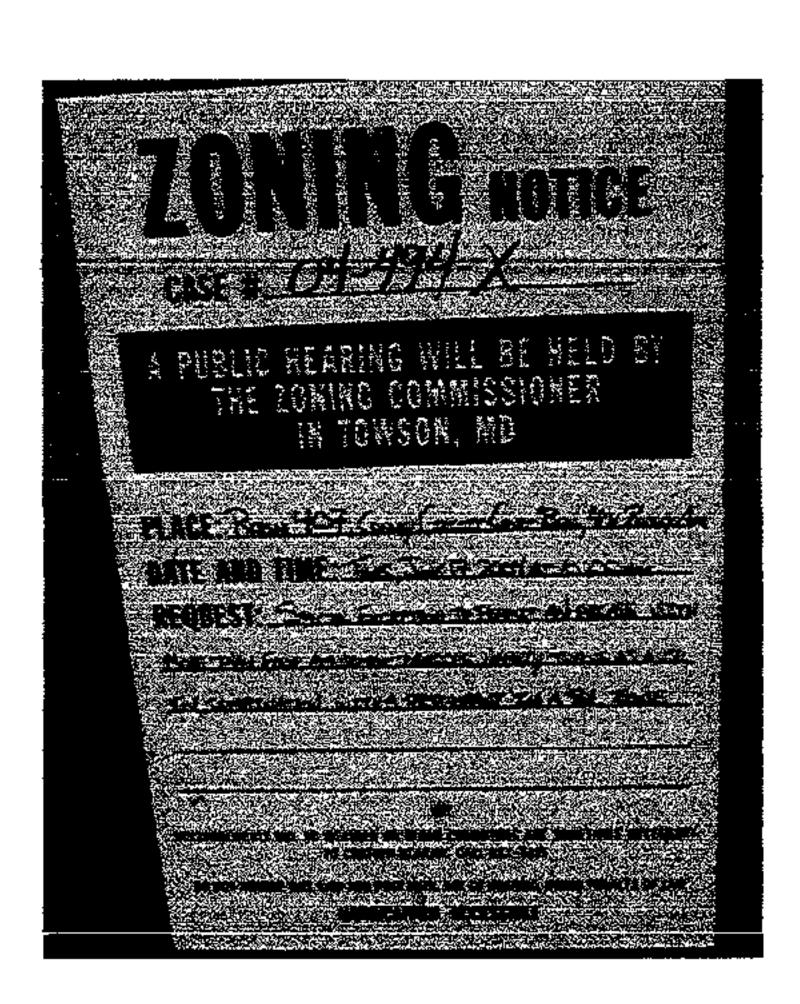
Diana Sugitichi

Thomas J. Hoff, Inc.

406 West Pennsylvania Avenue

Towson, MD. 21204

410-296-3668







TO: PATUXENT PUBLISHING COMPANY

Tuesday, June 2, 2004 Issue - Jeffersonian

Please forward billing to:

Harry S. Cohen 2800 E. Joppa Road Baltimore, Maryland 21234

410-661-3555

#### **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: 04-494-A

2800 East Joppa Road Northeast corner of Joppa Road and Dixon Avenue 9<sup>th</sup> Election District—5<sup>th</sup> Councilmanic District Legal Owners: Harry S. Cohen

Special Exception: to permit an arcade with more than four amusement devices, namely twelve as a use in combination with a restaurant in a BL zone.

Hearing: Thursday, June 17, 2004 at 10:00 a.m., in Room 407, County Circuit Court Building, 401 Boşley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

## Department of Permits and Development Management

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





James T. Smith, Jr., County Executive Timothy M Kotroco, Director

#### **NOTICE OF ZONING HEARING**

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Hearing: Thursday, June 17, 2004 at 10:00 a.m., in Room 407, County Circuit Court Building,

401 Bosley Avenue

Timothy Kotroco Director

TK: clb

C: Edward C. Covahey, Jr. Covahey & Boozer 614 Bosley Avenue Towson 21204 Harry S. Cohen 2800 E. Joppa Road Baltimore 21234

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY.WEDNESDAY JUNE 2, 2004

- (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.





## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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.

item Number or	Case Number:	04-49H-X	 
Petitioner:		OHEN	 
Address or Loca	ion: <u>2800</u> E	E. JOPPA RD. 21234	 
	•		
PLEASE FORW	ARD ADVERTISI	NG BILL TO:	
Name:	MR. HARRY	S. COHEN	
Address:	2800 E. JOF	PARD.	 
	BALTO. MD	21234	
Telephone Numb	BALTO. MD	21234 -661-3555	

Revised 2/20/98 - SCJ

#### Department of Permits and Development Management

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



#### Baltimore County

James T Smith, Jr., County Executive Timothy M Kotroco, Director

June 8, 2004

Edward C. Covahey, Jr. Covahey & Boozer 614 Bosley Avenue Towson, Maryland 21204

Dear Mr. Covahey:

RE: Case Number:04-494-X, 2800 E. Joppa Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 29, 2004.

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,

u. Callibal)

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Harry S. Cohen 2800 E. Joppa Road Baltimore 21234



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

May 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: May 10, 2004

Item No.:

472, 488, 490-501

494

Dear Ms. Hart:

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.

#### 6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** May 18, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For May 17, 2004
Item Nos. 472, 488,489, 490, 491, 494, 496, 497, 498, 499, 500, and 501

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

RWB:CEN:jrb

cc: File

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley 500/885

DATE:

May 18, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 3, 2004

The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-472

04-488

04-489

04-490

04-491

04-493

04-496

04-496

04-497

04-498

04-499

04-500

04-501

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE:** May 18, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2800 E. Joppa Road

**INFORMATION:** 

Item Number:

4-494

Petitioner:

Harry S. Cohen

Zoning:

BL/DR 5.5

Requested Action: Special Exception

#### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the petitioner's request to permit an arcade with 12 amusement devices. Uses with more than four amusement devices are classified as Arcades.

The Firehouse Tavern has been previously granted numerous variances including a reduction in the number of minimum required parking spaces from 76 to 61.

A recent visit of the subject site during lunch hour revealed that all parking spaces were occupied. This office is of the opinion that granting the petitioner's request to permit 12 amusement devices will cause the patrons of the subject use to park in the surrounding residential community, thus creating injury to public health, safety and general welfare. As such, this office recommends that the petitioner's request be DENIED.

This office does not oppose acquisition of up to four amusement devices as permitted by right in a restaurant under Section 423.A of the Baltimore County Zoning Regulations.

Prepared by:

Division Chief:

AFK/LL:MAC:



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

5.11.04

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

RE:

Baltimore County

Item No.

494

Dear. Ms.Matthews:

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

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,

Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

1. 1. Hall

RE: PETITION FOR SPECIAL EXCEPTION 2800 E. Joppa Road; NE/corner of

Joppa Road & Dixon Avenue

9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts

Legal Owner(s): Harry S Cohen

Petitioner(s)

BEFORE THE

\* ZONING COMMISSIONER

\* FOR

\* BALTIMORE COUNTY

\* 04-494-X

\* \* \* \* \* \* \* \* \*

#### ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and 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 12<sup>th</sup> day of May, 2004, a copy of the foregoing Entry of Appearance was mailed Harry Cohen, 2800 E. Joppa Road, Baltimore, MD 21234 and Edward C. Covahey, Jr, Esquire, Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 1 2 2004

PERENAX ZIMMERMAN

People's Counsel for Baltimore County

Por

### MEMO TO FILE

04-494-X

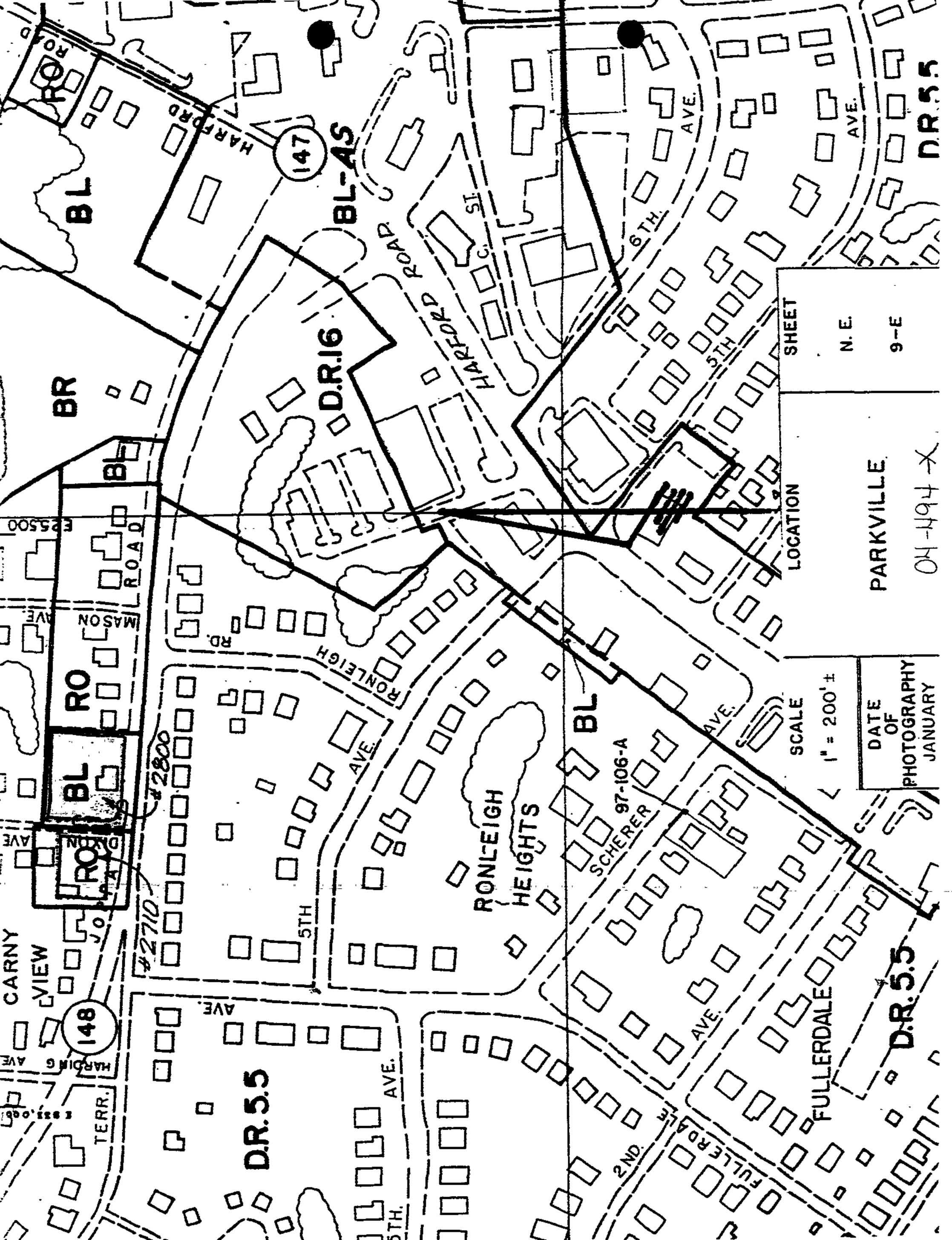
## PER APPLICANT – PLEASE SCHEDULE THIS HEARING FOR JUNE 17, 2004


PLEASE PRINT CLEARLY

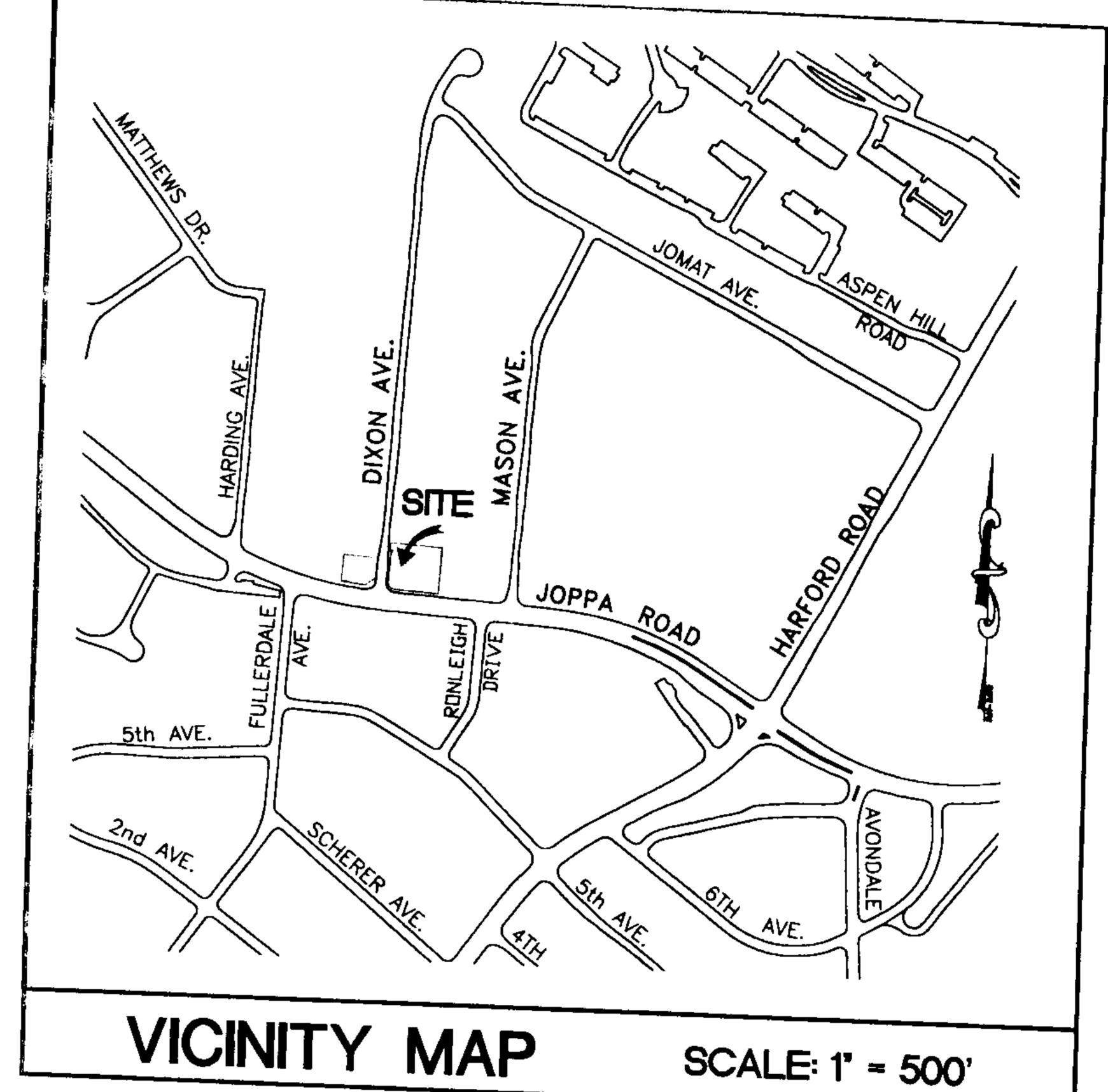
CASE NAME FIREMONS CASE NUMBER 04-494-X
DATE 6-17-04

PETITIONER'S SICN-IN SHEET

E- MAIL												
CITY, STATE, ZIP	ر ک ک		BACTO/MD 21249									
ADDRESS	GA BOSCIY MUE	2800 E SODO BU	SIDE LORD-BALTIMORE DIR									
NAME	JED COUNTIE	Harry Cohen	KEVIN C. ANDERSON PE									







# GENERAL NOTES

## #2800 E. JOPPA ROAD

. OWNER : HARRY S. COHEN 2802 E. JOPPA ROAD

PARKVILLE, MD 21234 2. LOCATION: #2800 E. JOPPA ROAD Liber 7359 folio 593

AREA 0.47 AC.± 4. ELECTION DISTRICT: 09 COUNCILMATIC DISTRICT: 06

5. ACCOUNT NO.: 0920660001

BL(0.44 ac.) and D.R.5.5(0.03 ac.) (Zoning Map N.E.9-E)  $m{I}$ 

Commercial — improved with the "Firehouse Tavern" 8. BUILDING AREA: Existing Building = 2400 s.f. (Height 1-story) New 2000 Addition = 1400 s.f. (Height 1-story) 9. BUILDING SETBACKS:

10. PARKING REQUIRED: 1 p.s. per 50 s.f. = (3800sf)(1/50) = 76 p.s. PARKING PROVIDED: 44 p.s. on #2800 and 17 p.s. on #2710

Total Parking Spaces Provided = 61 p.s. \*

11. FLOOR AREA RATIO: 3800 / 20,345= 0.2 < 3.0

12. PRIOR ZONING CASES: Cases No. 00-211-SPHA and No. 00-212-SPHA granted on Feb. 7, 2000 (See this sheet for items granted / restrictions).

13. SIGN: Non—conforming use from the provisions of BCZR 450.5.B.6.b. and 450.6.A.3 to permit the continuation of an existing projecting sign into the street right—of—way.

### #2710 E. JOPPA ROAD

13. OWNER: HARRY S. COHEN

14. LOCATION: #2710 E. JOPPA ROAD

15. DEED: Liber 11352 folio 380

Liber 11354 folio 374 AREA 0.2 AC.±

16. ACCOUNT NO.: 0904201121

17. ZONING: R-O (1'=200'Scale Zoning Map N.E.9-E)

18. LAND USE: Off-street parking facility \star

(17 parking spaces)

19. UTILITIES: Public water and sanitary are existing.

20. LIGHTING: Lighting of parking areas shall be directed away from residential properties and public rights—of—way.

21. PRIOR ZONING CASES: Case No. 88-64-SPX ~ Special Exception to allow Class 'B' Office Building at 2710 E. Joppa Road granted Aug. 24, 1988. (Not Constructed). Cases No. 00-211-SPHA and No. 00-212-SPHA granted on February 7, 2000 (See this sheet for items granted and restrictions).

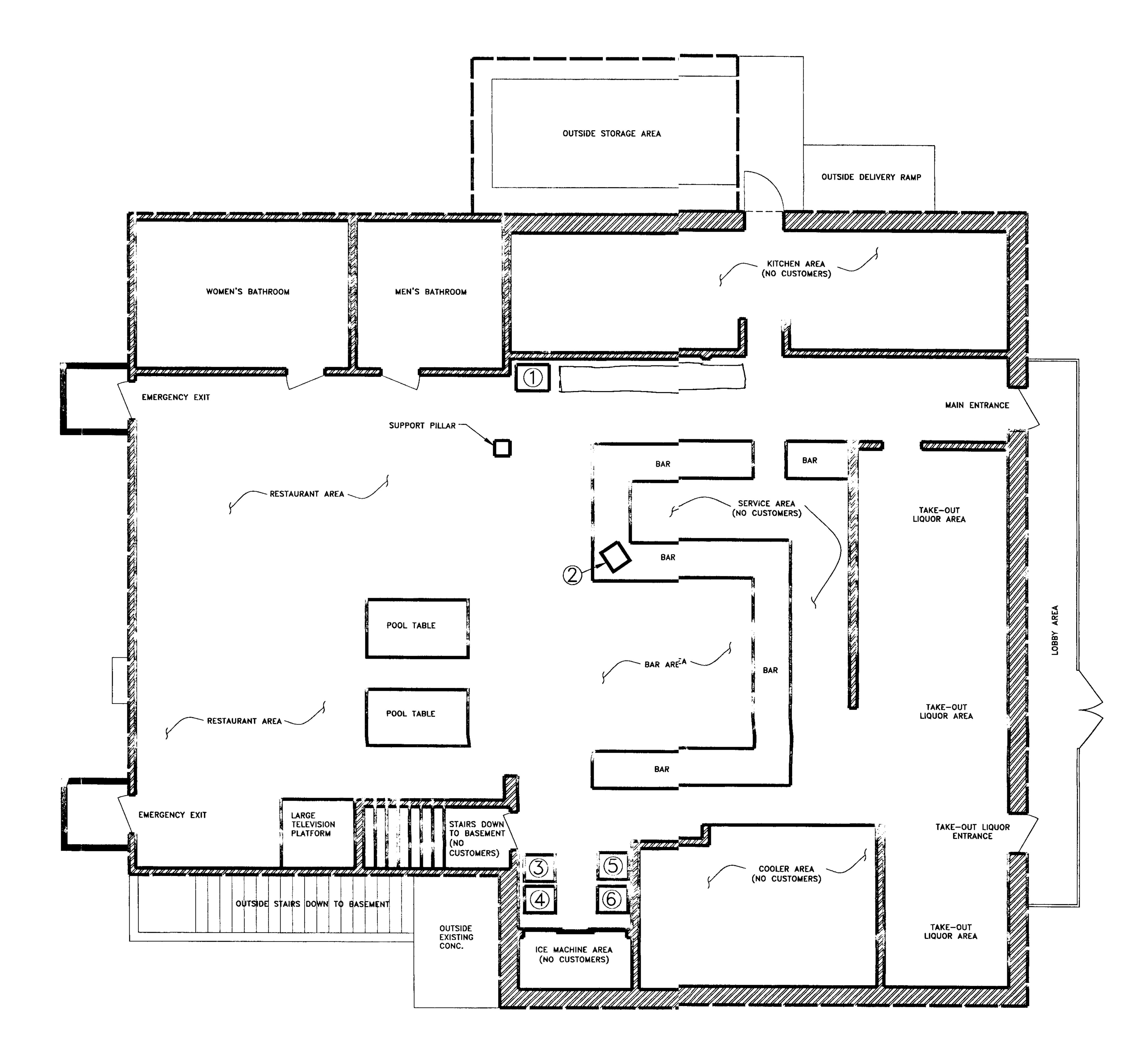
Cases No. 01-503-SPHA granted. (See this sheet for items granted.)

# PLAN TO ACCOMPANY PETITION for ZONING SPECIAL EXCEPTION

# FIREHOUSE TAVERN 2800 E. JOPPA ROAD

9th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

C-101



	AMUSEMENT MACHINES
1	"GOLDEN TEE" (ELECTRONIC GOLF)
2	"MEGA TOUCH MAXX" (TRIVIA)
3	"SUPER FRUIT BONUS" (ELECT. AMUSEMENT MACHINE)
4	"FRUIT BONUS" (ELECTRONIC AMUSEMENT MACHINE)
5	"MAGIC BOMB" (ELECTRONIC AMUSEMENT MACHINE)
6	"CHERRY MASTER 96" (ELECT. AMUSEMENT MACHINE)

## INTERIOR LAYOUT PLAN

# PLAN TO ACCOMPANY PETITION for ZONING SPECIAL EXCEPTION

KCW J.O.	99659
SCALE:	1"= 5'
DATE: A	April 28,2004
DESIGNED:	DLK
DRAWN:	GSS
CHECKED:	DLK
DRAWING 1	۷0.:

# FIREHOUSE TAVERN 2800 E. JOPPA ROAD

9th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND C-102 SHEET 2 OF 2



KCW Engineering Technologies, Inc. 3106 Lord Baltimore Drive, Suite 110 Baltimore, MD 21244 (410) 281-0033

