IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – NW/S Pulaski Hwy., 500' NW of the c/l Middle River Road **(9610 Pulaski Highway)** 15th Election District 6th Council District	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	OF BALTIMORE COUNTY
	*	Case No. 04-579-SPHA
Norino Properties, LLC, Owners; AM Becker, Inc., Contract Lessees	*	

* * * * * * * * * * *

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, Norino Properties, LLC, and the Contract Lessees, A. M. Becker, Inc., through their attorney, Deborah C. Dopkin, Esquire. The Petitioners request a special hearing to approve an existing restaurant as a legal, nonconforming use, and a variance from Section 104.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an expansion of a nonconforming use in excess of the permitted 25%. In addition, relief is requested from Section 238.1 of the B.C.Z.R. to permit a front setback of 15 feet in lieu of the required 50 feet for a proposed vestibule. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Joanna Alrub, on behalf of A. M. Becker, Inc., Contract Lessees, Donald E. Hicks and Sean Schmidt, on behalf of Hicks Engineering Associates, the consultants who prepared the site plan for this property, and Deborah C. Dopkin, Esquire, attorney for the Petitioners. Also appearing in support of the request were Mark Colaianni and David Giusto. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the northwest side of Pulaski Highway, just east of Middle River Road in a commercial/industrial area of White Marsh. Immediately to the west, the site abuts a Royal Farm

ORDER RECEIVED/FOR FILING
Date 5/26/04

Store Gas n Go operation with a convenience store. To the east, the property abuts an auto body repair shop. The Pulaski Business Park and other industrial/manufacturing uses are located nearby. The property contains a gross area of 1.42 acres, more or less, split zoned B.R. and M.L.-A.S. The predominant zoning of the property is M.L.-A.S.; however, a 32.5'-wide strip along the western property line in zoned B.R. The improvements on the site as described hereinafter are located within the M.L.-A.S. zoned portion of the property.

In this regard, the property is presently improved with a building that has apparently existed on the site since 1944. As shown on the site plan, the building is comprised of four sections, in that the original structure was added onto over the years. Collectively, these four sections contain 3,777.76 sq.ft. in area and have been used in conjunction with one another as a restaurant/tavern for many years. As shown on the site plan, the western section of the existing structure is comprised of a two-story building, 36.5' wide and 27.34' deep. Adjacent thereto is a larger one-story section, which is 82.73' wide and 31.5' deep. To the rear of those two sections is a one-story addition, 44.7' wide by 16' deep in dimension. Finally, on the eastern end is another one-story addition, which is 20' wide and 31.5 feet deep.

Apparently, the structure has fallen into a state of disrepair and is now under tentative lease to A. M. Becker, Inc., who proposes to redevelop the site as a restaurant to be known as the Chesapeake Crab House. The proposed improvements are more particularly described on the site plan submitted and the new floor plan depicted in the drawings marked as Petitioner's Exhibit 2. It is obvious that the proposed improvements will revitalize the site and represent an upgrade to the appearance and use of the property. As part of the improvements, the Petitioners propose the construction of a small vestibule addition, 10' x 8' in dimension, along the front of the building. The Petitioners request special hearing and variance relief as set forth above in order to proceed as proposed. In this regard, the property has a significant zoning history that dates back to 1949. On or about August 12, 1949, the property was reclassified from an "A" Residential use to a "B" Commercial use under Case No. 1480. Thereafter, on April 6, 1959 under Case No. 4618-X, approval was granted for the erection of an outdoor advertising sign. Finally, on September 22, 1960 in Case No. 5089-V approval was granted to permit the erection of a sign 37 feet in height in

Order Date By

lieu of the maximum allowed 25 feet. The documents associated with those cases were submitted at the hearing. Additionally, those records contain drawings of the improvements on the property as they existed at those respective times. An examination of the drawings from the prior cases discloses that a building footprint size of approximately 5290 sq.ft. has been occupied since 1949. This measurement was determined by scaling the existing improvements as shown on the drawings submitted in those cases. Obviously, the building has been changed over the years with the removal of certain portions and the replacement thereof by additions and other improvements.

As noted above, special hearing relief is requested to legitimize the restaurant operation as a nonconforming use. The restaurant/tavern use is not a use permitted by right or by special exception in the M.L.-A.S. zone. Thus, the business can be conducted only if same is determined to be nonconforming. In this regard, Mr. Giusto testified that he is a barber by profession and that he has occupied one of the sections of the existing structure since it was originally constructed in 1944. He testified that although there have been many different owners of this building, there has always been a tavern/restaurant business located therein.

Nonconforming uses are defined in Section 101 of the B.C.Z.R. and regulated by Section 104 thereof. Often the nonconforming use designation is sought to grandfather an otherwise illegal use. That is, if the Petitioner can establish that the use began prior to the effective date of the zoning regulation which prohibited such use, and the use has continued without interruption since that time, that use may continue as nonconforming.

The testimony and evidence presented in this case was persuasive to a finding that the restaurant use is nonconforming. The testimony of Mr. Giusto was particularly persuasive in that he has been a tenant on the property since the building was constructed in the mid-1940s. His undisputed testimony was that the restaurant/tavern use has been a continuous operation since that time. Thus, I find that the use is nonconforming and will grant relief under the Petition for Special Hearing.

Turning to the Petition for Variance, one portion of the variance relief requested appears to be unnecessary and shall be dismissed as moot. In this regard, the Petitioners seek relief to expand the building by the construction of the vestibule addition. As shown within the

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Date 9/26/14
By

computations contained on the site plan, it appears that the Petitioners believe that the proposed addition will exceed the 25% limitation to expanding the nonconforming use, as provided in Section 104.3 of the B.C.Z.R. However, based upon the documentation from the prior cases, it appears that the existing building has always occupied a footprint of nearly 5,300 sq.ft. Thus, I find that the proposed additions are within the 25% limitation and that the proposed vestibule may be constructed without a variance.

The second variance is to allow a reduced front yard setback for the proposed vestibule. In my judgment, that variance is warranted, given the unique configuration of the property and the location of the existing structure. I find that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that there will be no detrimental impact to adjacent properties.

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 26th day of August 2004 that the Petition for Special Hearing to approve an existing restaurant as a legal, nonconforming use, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 238.1 of the B.C.Z.R. to permit a front setback of 15 feet in lieu of the required 50 feet for a proposed vestibule, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 104.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an expansion of a nonconforming use in excess of the permitted 25% be and is hereby DISMISSED AS MOOT.

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 9/26/04
By

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

August 26, 2004

Deborah C. Dopkin, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
NW/S Pulaski Highway, 500' NW of the Middle River Road
(9610 Pulaski Highway)
15th Election District – 6th Council District
Norino Properties, LLC, Owners; A. M. Becker, Inc., Lessees
Case No. 04-579-SPHA

Dear Ms. Dopkin:

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. John Zorzil, 2700 Annapolis Road, Baltimore, Md. 21230
Ms. Joanna Alrub, A.M. Becker, Inc., 9610 Pulaski Highway, Baltimore, Md. 21220
Messrs. Donald Hicks & Sean Schmidt, Hicks Engineering
200 E. Joppa Road, Suite 40, Towson, Md. 21286
People's Counsel; Case File

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9610 Pulaski Hwy.
which is presently zoned ML-AS

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 AN EXISTING RESTAURANT AS A LEGAL NON CONFORMING USE.

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:

A.M. Becker, Inc.
Name - Type or Print

Joanna Alrub, president
Signature

9610 Pulaski Highway (410) 817-6714
Address Telephone No.

Baltimore Md 21220
City State Zip Code

Attorney For Petitioner:

DEBORAH C. DOPKIN
Name - Type or Print

Signature

409 Washington Ave
Company

Address Telephone No.

TOWSON MD 21204
City State Zip Code

Legal Owner(s):

NORINO PROPERTIES
Name - Type or Print

Signature

JOHN R. ZORZIT
Name - Type or Print

Signature

7700 Annapolis RD - 410-783-4100
Address Telephone No.

BALTIMORE, MD. 21230
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date 6-11-04

Case No. 04-579SPHA

ORDER RECEIVED FOR FILING
Date 8/26/04
By

Rev 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9610 PULASKI HWY.

which is presently zoned ML-AS

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) 104.3 OF THE BCZR, TO PERMIT AN EXPANSION OF A NON-CONFORMING USE IN EXCESS OF THE PERMITTED 25%; AND, A FRONT SETBACK OF 15ft. IN LIEU OF THE REQUIRED 50ft FOR A VESTIBULE (SEC. 238.1; BCZR).

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

TO BE PRESENTED AT HEARING.

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:

AM BECKER INC.
Name - Type or Print

Joanna Alsub, PRES.
Signature

9610 Pulaski Highway (410) 817-6716
Address Telephone No.

Baltimore Md. 21220
City State Zip Code

Legal Owner(s):

NORINO PROPERTIES, INC.
Name - Type or Print

Signature

JOHN R. ZORZI
Name - Type or Print

Signature

2700 ANNAPOLIS Rd. 410-783-4100
Address Telephone No.

BALTO. MD. 21230
City State Zip Code

Attorney For Petitioner:

DEBORAH C. DOPKIN
Name - Type or Print

Deborah C. Dopkin
Signature

Company

409 Ave. Towson
Address Telephone No.

BALTIMORE MD 21234
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By WCR/Dan **Date** 6.11.04

ORDER RECEIVED FOR FILING
Date
By

Case No. 04-579 SPHA

REV 9/15/98

35 80

Baltimore County
Board of Liquor License Commissioners
Towson, Maryland 21204
887-3191

Leo B. Mason
Chairman

Dennis F. Rasmussen
County Executive

TO: Office of Zoning

Application has been filed for hearing with the Board of Liquor License Commissioners for Alcoholic Beverage License, Class B.

By: Ernest E Peacock

Address: 9410 Pulaski Highway

Located at the North ✓ South ___ East ___ West ✓ Side of Street

Nearest Intersecting Street - Middle River Rd.

Approximate Distance 200 ft. NE CL of Middle River Rd

This is a transfer of Current License ✓ New License ___

Transfer of Class ___ Transfer of Location ___

ZONING OFFICE:

Zoning Classification: ML-CS-1

Use Permitted: Yes ✓ No ___

By: [illegible]

Date: 5/30/91

RECEIVED

MAY 30 1991

LIQUOR BOARD

04-579 SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 35781

DATE 6.11.04 ACCOUNT 001-006-6150

AMOUNT $ 650.00

RECEIVED FROM: AM Beck - 9610 Pulaski Hwy.

FOR: SPH - VARIANCE.

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DRW
6/14/2004	6/11/2004	15:12:54	2

REG WS02 MAIL JEVA JEE
>>RECEIPT # 342414 6/11/2004 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 035781
Recpt Tot $650.00
$650.00 CK $.00 CA
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: #04-579-SPHA
9610 Pulaski Highway
N/west side of Pulaski Highway, 500 feet +/- n/west of Middle River Road
15th Election District — 6th Councilmanic District
Legal Owner(s): Norino Properties, John Zorzit
Contract Purchaser: AM Becker, Inc., Joanna Alrub, President

Special Hearing: to determine a non-conforming use and to permit an expansion of a non-conforming use in excess of the permitted 25%.
Variance: to permit a front setback of 15 feet in lieu of the required 50 feet for a vestibule.
Hearing: Tuesday, July 13, 2004 at 2:00 p.m., 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) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 6/869 June 29 11022

CERTIFICATE OF PUBLICATION

6/30/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/29/, 2004.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE NO. 04-579-SPHA
OWNER: Norino Properties, John Zorzit
CONTRACT PURCHASER:
AM Becker, Inc., Joanna Alrub, President
DATE OF HEARING: Tuesday July 28, 2004

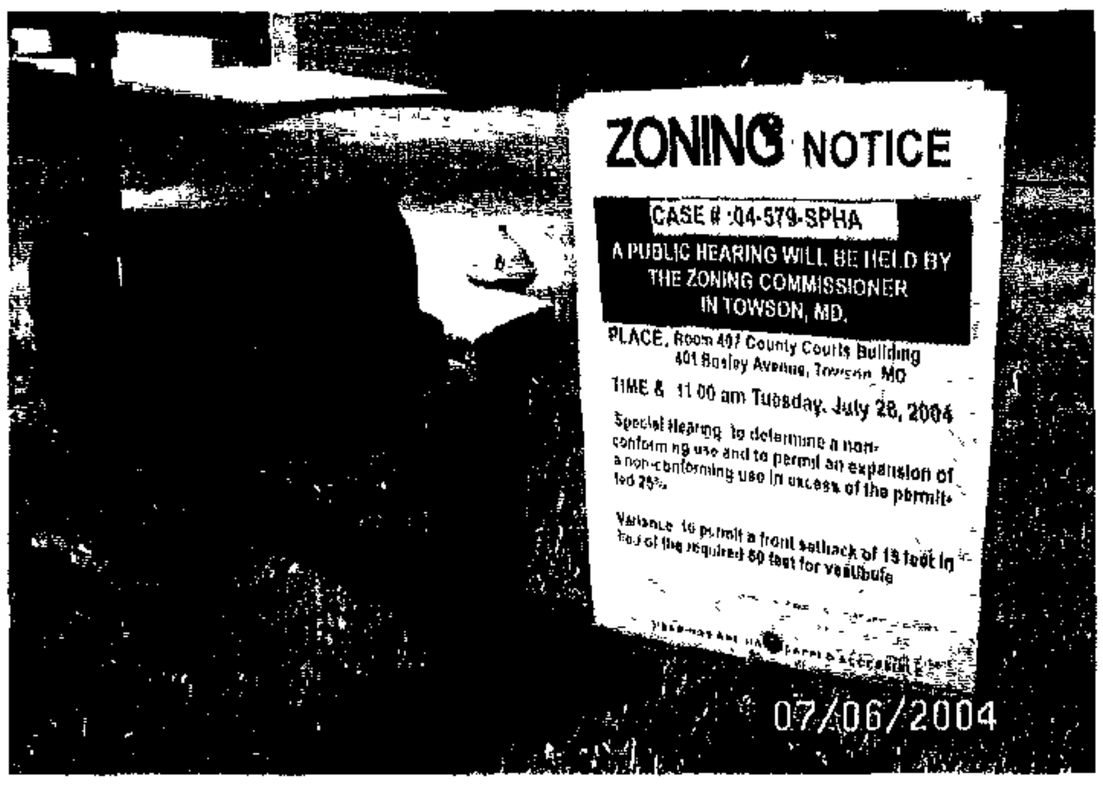
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: 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 AT

LOCATION:
9610 Pulaski Highway



POSTED ON: July 6, 2004

DATE:
July 6, 2004

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

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 21, 2004

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: 04-579-SPHA
9610 Pulaski Highway
N/west side of Pulaski Highway, 500 feet +/- n/west of Middle River Road
15th Election District – 6th Councilmanic District
Legal Owner: Norino Properties, John Zorzit
Contract Purchaser: AM Becker, Inc., Joanna Alrub, President

Special Hearing to determine a non-conforming use and to permit an expansion of a non-conforming use in excess of the permitted 25%. Variance to permit a front setback of 15 feet in lieu of the required 50 feet for a vestibule.

Hearing: Tuesday, July 13, 2004, at 2:00 p.m., County Courts Building,
401 Bosley Avenue

Timothy Kotroco
Director

TK:klm

C: Deborah Dopkin, 409 Washington Ave., Towson 21204
John Zorzit, 2700 Annapolis Road, Baltimore 21230
Joanna Alrub, AM Becker, Inc., 9610 Pulaski Highway, Baltimore 21220

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 28, 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.

Printed on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 29, 2004 Issue - Jeffersonian

Please forward billing to:
Deborah Dopkin 410-783-4100
409 Washington Avenue
Towson, MD 21204

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: 04-579-SPHA
9610 Pulaski Highway
N/west side of Pulaski Highway, 500 feet +/- n/west of Middle River Road
15th Election District – 6th Councilmanic District
Legal Owner: Norino Properties, John Zorzit
Contract Purchaser: AM Becker, Inc., Joanna Alrub, President

Special Hearing to determine a non-conforming use and to permit an expansion of a non-conforming use in excess of the permitted 25%. Variance to permit a front setback of 15 feet in lieu of the required 50 feet for a vestibule.

Hearing: Tuesday, July 13, 2004, at 2:00 p.m., 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

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

Baltimore County

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

July 21, 2004

Deborah Dopkin
409 Washington Avenue
Towson, Maryland 21204

Dear Ms. Dopkin:

RE: Case Number:04-579-SPHA, 9610 Pulaski Highway

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 11, 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Nurino Properties John Zorzil 2700 Annapolis Road Baltimore 21230
AM Becker, Inc. Joanna Alrub 9610 Pulaski Highway Baltimore 21220

Baltimore County
Fire Department

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

June 29, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: June 21, 2004

Item No.: 572-579

Dear Ms. Mathews:

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

Printed with Soybean Ink
on Recycled Paper

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

SHA
State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: June 24, 2004

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

RE: Baltimore County
Item No. 579 (JCM)
9610 Pulaski Hgwy
US 40
Mile Post 19.14

Dear Ms.: Matthews

We have reviewed the referenced item and have no objection to approval of the Special Hearing. However, we will require the owner to obtain an access permit through our office for the roadway improvements within the Maryland State Highway Administrations' right of way.

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,

L. J. Gredlein

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr

DATE: June 28, 2004

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 21, 2004

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

04-572
04-573
04-575
04-576
04-577
04-578
04-579

Reviewers: Sue Farinetti, Dave Lykens

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 22, 2004

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

RECEIVED

JUL 2 6 2004

ZONING COMMISSIONER

SUBJECT: 9610 Pulaski Highway

INFORMATION:

Item Number: 4-579

Petitioner: Nurino Properties

Zoning: ML-AS

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

1. Submit a final landscape plan to Avery Harden, Baltimore County Landscape Architect, for review and approval prior to the issuance of any building permits.
2. Revise the plan to show the limits of the existing auto storage area.
3. Provide an 8-foot slated chain-link or stockade fence around the entire perimeter of the vehicular storage area

Prepared by: Mark A Cunningham

Division Chief: Lynn Lanham

AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 23, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For June 28, 2004
Item Nos. 572, 573, 575, 576, 577,
578, and 579

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

RWB:CEN:jrb

cc: File

ZAC-06-28-2004-NO COMMENT ITEMS 572 –579-07232004

RE:	PETITION FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
	9610 Pulaski Highway; NW/side of Pulaski Highway, 500' NE Middle River Rd	*	ZONING COMMISSIONER
	15th Election & 6th Councilmanic Districts	*	FOR
	Legal Owner(s): Norino Properties, John Zorzit		
	Contract Purchaser(s): AM Becker, Inc, Joanna Abrub, President	*	BALTIMORE COUNTY
	Petitioner(s)	*	04-579-SPHA

* * * * * * * * * * * * *

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/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 1st day of July, 2004, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
JUL 01 2004
Per.....

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 6, 2004

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

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

SUBJECT:	Item No.:	579
	Legal Owner/Petitioner	Norino Properties LLC
	Contract Purchaser:	n/a
	Property Address:	9610 Pulaski Hwy
	Location Description:	N/W of Pulaski Hwy, 500 ft +/- N/E of Middle River Rd.

VIIOLATION INFORMATION:	Case No.	04-1258
	Defendants:	Norino Properties LLC

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
Lew Mayer	Baltimore County Building Inspections

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:

X 1. Complaint letter/memo/email/fax (if applicable)
X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
X 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).

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/lm
C: Code Enforcement Officer

DATE: 06/29/2004 STANDARD ASSESSMENT INQUIRY (1)
TIME: 15:26:33

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
15 07 830690	15	3-0	06-00	N	NO		06/15/04

NORINO PROPERTIES LLC
DESC-1.. IMPS1.42 AC NWS
DESC-2.. 200 NE MIDDLE RIVER RD
2700 ANNAPOLIS RD
PREMISE. 00000 PULASKI HWY
00000-0000
BALTIMORE MD 21230-3514 FORMER OWNER: BARS & PROPERTIES UNLIMITE

---------- FCV ----------			---------- PHASED IN ----------			
	PRIOR	PROPOSED		CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	263,700	275,200				
IMPV:	101,700	103,200	TOTAL..	374,066	374,066	369,733
TOTL:	365,400	378,400	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	10/99	09/02				

---- TAXABLE BASIS ----		FM DATE
ASSESS:	374,066	05/08/03
ASSESS:	369,733	
ASSESS:	0	

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, MD 21204

Dist 15

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No.	Property No.	Zoning:
04-1258		

Name(s): NORINO PROPERTIES LLC

Address: 2700 ANNAPOLIS RD BALT, MD 21230

Violation Location: 9610 PULASKI HIGHWAY

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

IBC 105.1-109.1 BCC 7-36(b)(1)

FAILURE TO OBTAIN BUILDING PERMIT FOR ADDITION + ALTERATIONS TO COMMERCIAL BUILDING

FAILURE TO OBTAIN REQUIRED INSPECTIONS

$1000.00 STOP WORK FEE TO BE PAID

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

On or Before:	Date Issued:

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF $200, $500, OR $1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than:	Date Issued:
3/3/04	2/18/04

INSPECTOR: Lew Mayer / Lewis Mayer

AGENCY

entered KH

CODE ENFORCEMENT REPORT

CB

DATE: 2/20/04 INTAKE BY: Hopkins R CASE #: 04-1258 INSPEC:

COMPLAINT LOCATION: 9610 Pulaski Hwy.

ZIP CODE: DIST:

COMPLAINANT NAME: Denise Rohl PHONE #: (H) (W) 410 887 4066

ADDRESS: ZIP CODE:

PROBLEM: int alt w/o permits (old bar + crab steaming - next to Royal Farm)
Please let Denise know outcome

IS THIS A RENTAL UNIT? YES ____ NO ____
IF YES, IS THIS SECTION 8? YES ____ NO ____
OWNER/TENANT INFORMATION:

TAX ACCOUNT #: ~~can't locate~~ 1507830690 ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

69

Code Enforcement - Daily Worksh

Inspector - Lew Mayer

Area	Case #	Location	Apt	Zip	Date Rec	Reinsp Dt
017	04-1258	9610 PULASKI HWY			2/20/2004	

Tax Acct #: 0000000000

Complainant Name: (Last) ROHL (First) DENISE
Addr: DEPRM
Str # Dir Street Name Type Apt

City ST Zip
Phone: (Home) (Work) 410/887-4066

Problem: INT ALT W/O PERMITS
PLEASE LET DENISE KNOW OUTCOME (OLD BAR & CRAB STEAMING-NEX
T TO ROYAL FARM)

2/23/04 - ALREADY VISITED SITE ON 2/19/04
AND ~~VISIT~~ ISSUED STOP WORK ORDER WITH $100.00
R/C 3/7/04
KN
GB

/U Date			Closed Date		Gary F to update
nonymous Complaint	Complainant Updated		Updated by voice message	Unable to update	Update not necessary
xecutive office Complaint	**Yes**	**No**	If Yes is Executive memo attached?	**Yes**	**No**

Click here for a plain text ADA compliant screen.

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Go Back
View Map
New Search
Ground Rent

Account Identifier: *District - 15 Account Number - 1507830690*

Owner Information

Owner Name:	NORINO PROPERTIES LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	2700 ANNAPOLIS RD BALTIMORE MD 21230-3514	**Deed Reference:**	1) /13029/ 614 2)

Location & Structure Information

Premises Address
PULASKI HWY

Legal Description
1.42 AC NWS
PULASKI HIGHWAY
200 NE MIDDLE RIVER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
82	22	228						82	Plat Ref:

Special Tax Areas | **Town** | **Ad Valorem** | **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1944	4,390 SF	1.42 AC	06

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2003	Phase-in Assessments As Of 07/01/2003	As Of 07/01/2004
Land:	263,700	275,200		
Improvements:	101,700	103,200		
Total:	365,400	378,400	369,733	374,066
Preferential Land:	0	0	0	0

Transfer Information

Seller:	BARS & PROPERTIES UNLIMITED INC	**Date:**	07/24/1998	**Price:**	$375,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/13029/ 614	**Deed2:**	
Seller:	GULDAN WILLIAM M	**Date:**	04/20/1988	**Price:**	$235,000
Type:	IMPROVED ARMS-LENGTH	**Deed1:**	/ 7841/ 493	**Deed2:**	
Seller:		**Date:**		**Price:**	
Type:		**Deed1:**		**Deed2:**	

Exemption Information

Partial Exempt Assessments	Class	07/01/2003	07/01/2004
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

7. Brief resume of key persons, specialists, and individual consultants anticipated for this project.

a. Name & Title:
Donald E. Hicks, P.E.
Director of Engineering

b. Project Assignment:
Project Manager

c. Name of Firm with which associated:
Hicks Engineering Associates, Inc.

d. Years experience: With This Firm 20 With Other Firms 28

e. Education: Degree(s) / Year / Specialization
BSCE/ 1972/ Civil Engineering; Post Graduate Studies in Environmental Engineering; Certified for HEC-1, HEC-2; TR-20 Computer Program; Urban Storm Drainage; TR-55 Hydrology

f. Active Registration: Year First Registered/Discipline
1973/ Civil Engineering/ MD

g. Other Experience and Qualifications relevant to the proposed project:
Mr. Hicks is Director of Engineering/Project Manager responsible for development of studies, reports, engineering and for production of contract documents for numerous projects undertaken by HEA. Past projects for which Mr. Hicks had direct personal responsibility include:

BOND MILL ROAD
1.5 Miles Open & Close-Section Roadway
Prince George's County, MD

POWERHOUSE GYM & FITNESS CENTER
Preparation of Zoning Plat and application to address ten zoning issues; Site Development Plans for 20,000 Sq. Foot Facility.
Kelso Drive
Baltimore County, MD

V.F.W. POST
Joppa Road near Rossville Boulevard
Preparation of Zoning Plat with Zoning Application

DIAMOND RIDGE GOLF COURSE
Supervision of Construction
Stakeout for Utilities, S.E. & S.C. Facilities
Baltimore County, MD

PARK DRIVE @ SUCKER BRANCH
Road Improvement & Triple Cell S.P.P. Arch.
Howard County, MD

VERIZON MARYLAND INC.
Preparation of Construction Plans for Outside Plant Facilities, Surveys; Preparation of Easement Documents; Construction Inspection Services;
State Wide, MD

MISCELLANEOUS ENGINEERING SERVICES
Water And Sewer (1989) thru (1992), & (1997)
Howard County, MD

FREDERICK ROAD SEWER PROJECT
Capital Project S-6167
Howard County, MD

RAMSGATE DEVELOPMENT
33-Unit Townhouse Community
Baltimore County, MD

DUNLOGGIN VALLEY/MEDE COMMUNITIES
Storm Drain Reports, Design & Preparation of Contract Documents
Capital Improvement Project
Howard County, MD

5089-V

5089-V

PETITION FOR VARIANCE TO THE ZONING REGULATIONS

IN THE MATTER OF

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For Variance to the Zoning Regulations

To the Zoning Commissioner of Baltimore County

James & William Gulden LEGAL OWNER

of the property hereinafter described hereby petition for a Variance to the Zoning Regulations of Baltimore County.

The Zoning Regulation to be excepted as follows:

Section 413.5 (d) Height - 25 feet

The Reason for Variance:

To permit a sign 37 feet in height above the level of the street instead of allowable 25 feet.

Property situate:

All that parcel of land in the Fifteenth District of Baltimore County on the Northwest side of Pulaski Highway beginning 315 feet Northeast of Middle River Road; thence Northeasterly and binding on the Northwest side of Pulaski Highway 25 feet with a rectangular depth Northwesterly of 75 feet to the place of beginning.

James & William Gulden
LEGAL OWNER

4406 Hamilton Ave
ADDRESS

NOV 1 '60

ZONING DEPARTMENT

By

JAMES & WILLIAM GULDAN
W/S Pulaski Highway 315'
NE Middle River Rd.

5089-V

15th Dist.

ORDERED by the Zoning Commissioner of Baltimore County this 15th day of August, 1960, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 26th day of September, 1960, at 2:00 o'clock P.M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for a variance to section 413.5 of the Zoning Regulations of Baltimore County to permit the erection of a sign of 37 feet in height instead of the allowable 25 feet, and it appearing that because of the many existing signs on Pulaski Highway, the owner of the subject property would not have adequate advertising unless the variance were granted, the granting of the variance would give relief to the petitioner without substantial injury to the public health, safety and the general welfare of the locality involved.

For the above reason the variance should be granted.

It is this 21st day of September, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid variance should be and the same is hereby granted, which permits a sign of the height of 37 feet above the level of the street instead of the allowable 25 feet.

Deputy Zoning Commissioner
of Baltimore County

Case # 5089
N/S Pulaski Highway 30.7 mi.
E Middle River Rd.
15th Dist.

5089

INVOICE

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 3506

DATE 8/29/60

To: Coastal Sign Co.
201 N. North Point Rd.
Baltimore 24, Md.

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT $ 25.00

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
—	Petition for Variance - James & William Guldan	25.00
	8-2900 [illegible] TOTAL —	25.00
	8-2900 [illegible] —	25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 3678

DATE 9/23/60

To: Coastal Sign Co.
201 N. Point Road
Baltimore 24, Md.

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT $ 21.00

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
—	Advertising & sign - Guldan Property	21.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

No. 3506

DATE 8/29/60

TOTAL AMOUNT
$ 25.00
COST
25.00

5.00
5.00

MARYLAND

15th., Dist

CERTIFICATE OF PUBLICATION

there will be a hearing before the Zoning Commissioner of Baltimore County, Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland:

On Monday, September 26, 1960
at 2:00 P.M.

The purpose of this hearing being to determine whether or not James and William Uulian, legal owners of the property on the Northwest side of Pulaski Hig way beginning 214 feet Northeast of Middle River Road; thence Northeasterly and binding on the Northwest side of Pulaski Highway 25 feet with a rectangular depth Northwesterly of 75 feet to the place of beginning, Fifteenth District of Baltimore County, should be granted an exception to the Zoning Regulations and Restrictions for Baltimore County.

The Regulation to be excepted is as follows:
Section 413.5—(d) Height—25 feet

The Reason for Variance:
To permit a sign 27 feet in height above the level of the street instead of allowable 25 feet.

The prayer of the petition is to permit a sign 27 feet in height above the level of the street instead of the allowable 25 feet.

By Order of
WILMOT H. ADAMS,
Zoning Commissioner

TOWSON, MD., 8th 19 60

THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks before the 26th day of September 19 60, the first publication appearing on the 8th day of Sept. 19 60.

The COUNTY Paper, Inc.
Fenwick Keyser
Manager.

Per [illegible]

No. 3678

DATE 9/23/60

TOTAL AMOUNT
$ 21.00
COST
21.00

.00

MARYLAND

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th

Date of Posting [illegible]

Posted for: [illegible]

Petitioner: [illegible]

Location of property: [illegible]

Location of Signs: [illegible]

Remarks:

Posted by [illegible] Signature

Date of return [illegible]

#618-X

WILLIAM GULDAN
N-side of Pulaski Highway and NE of
Middle River Rd.
15th Dist.
#618-X

ORDERED by the Zoning Commissioner of Baltimore County this 6th day of March, 1959, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 6th day of April, 1959, at 2:30 o'clock P.M.

Zoning Commissioner
of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition to use the property described therein for the erection of an Outdoor Advertising Structure, and it appearing that by reason of location, the safety, health and the general welfare of the locality not being detrimentally affected, the special exception should be granted, therefore:

It is this 6th day of April, 1959, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby granted, subject, however, to compliance with the plat submitted with the petition.

Deputy Zoning Commissioner of
Baltimore County

1480

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County

William M. Beeler and
Elizabeth Wollin

legal owners of the property situate in Baltimore County and which is described as follows:

on north side of Pulaski Highway, in the 11th District of Balto. Co., beginning 300' east of Middle River Road, thence easterly, on the north side of Pulaski Highway 993.61' thence N 49° 43' west 1044.19' and thence S 41° E 300' to beginning. Being part of lot No. 32 and all of lots Nos. 33 and 34 as shown on plat of property of H. Schenkel.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence zone to an "B" Comm. Areial zone;

for the reasons and purposes set forth in the attached Petition for Re-Classification, Approved Commercial Use.

Size and height of building: From ____ feet; depth ____ feet; height ____ feet.

Front and side yard blocks of building from street lines: front ____ feet; side ____ feet.

Property to be posted as required by Zoning Regulations.

xxx we agree to pay expenses of above re-classification, 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.

Owner: William M. Beeler
Owner: Elizabeth Wollin
H. G. Lennon
Legal Owner
Address: [illegible]

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of May, 1949, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, in the Federal Bldg., in Towson, Baltimore County, on the 14th day of July, 1949, at o'clock A.M.

Zoning Commissioner of Baltimore County

ENTERED
FILED
JUN 3 1949
ELIZABETH MOLLOY
CLERK OF THE CIRCUIT COURT

1480

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - N. S. Pulaski Highway, 300' E. Middle River Road, 15th District
Wm. M. Nagler & Elizabeth Wollin, Petitioners

Pursuant to the advertisement, posting and public hearing on the above petition and it appearing by reason of location, being adjacent to an existing commercial area, that the above reclassification, in part, should be HAD, therefore:

It is ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of August, 1949, that, that part of the above described property or area, hereinafter described, should be and the same is hereby reclassified, from and after the date of this Order from an "A" Residence Zone to an "E" Commercial Zone, subject, however, to the provision of at least two and one-half square feet of off-street parking area for every square foot of land to be covered by commercial buildings; also, subject, to the compliance with a setback of 50 feet for any and all buildings to be erected thereon from the northernmost rightofway line of the Pulaski Highway. The property reclassified, being described as follows:

On the north side of Pulaski Highway, beginning 300 feet east of Middle River Road, thence easterly, on said side of Pulaski Highway, 999.81 feet, thence N 65° 43' west 720 feet, thence westerly and parallel to Pulaski Highway 340 feet to a point 300 feet east of Middle River Road and thence S 41° east 200 feet to beginning.

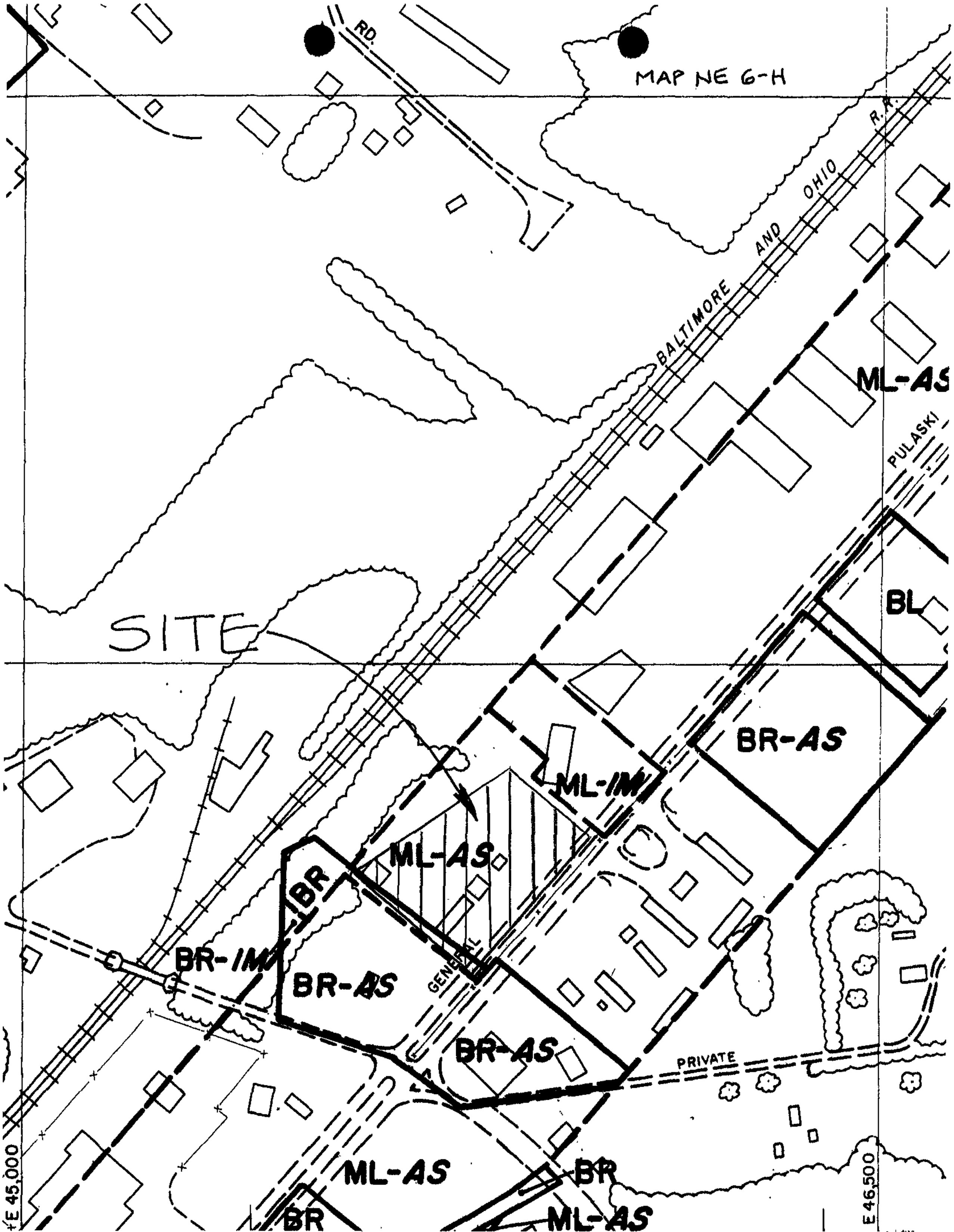
Zoning Commissioner
of Baltimore County.

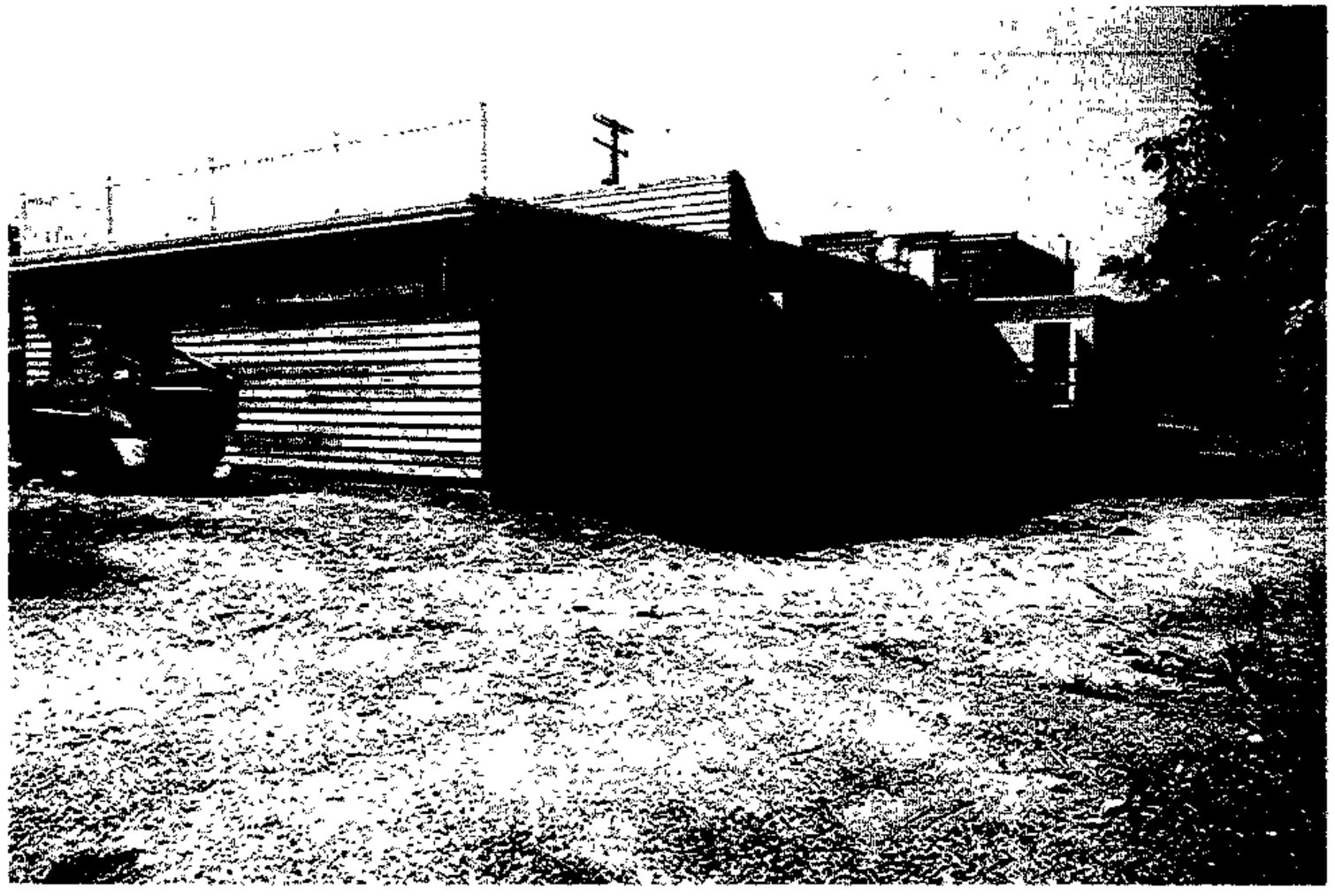
PLEASE PRINT CLEARLY

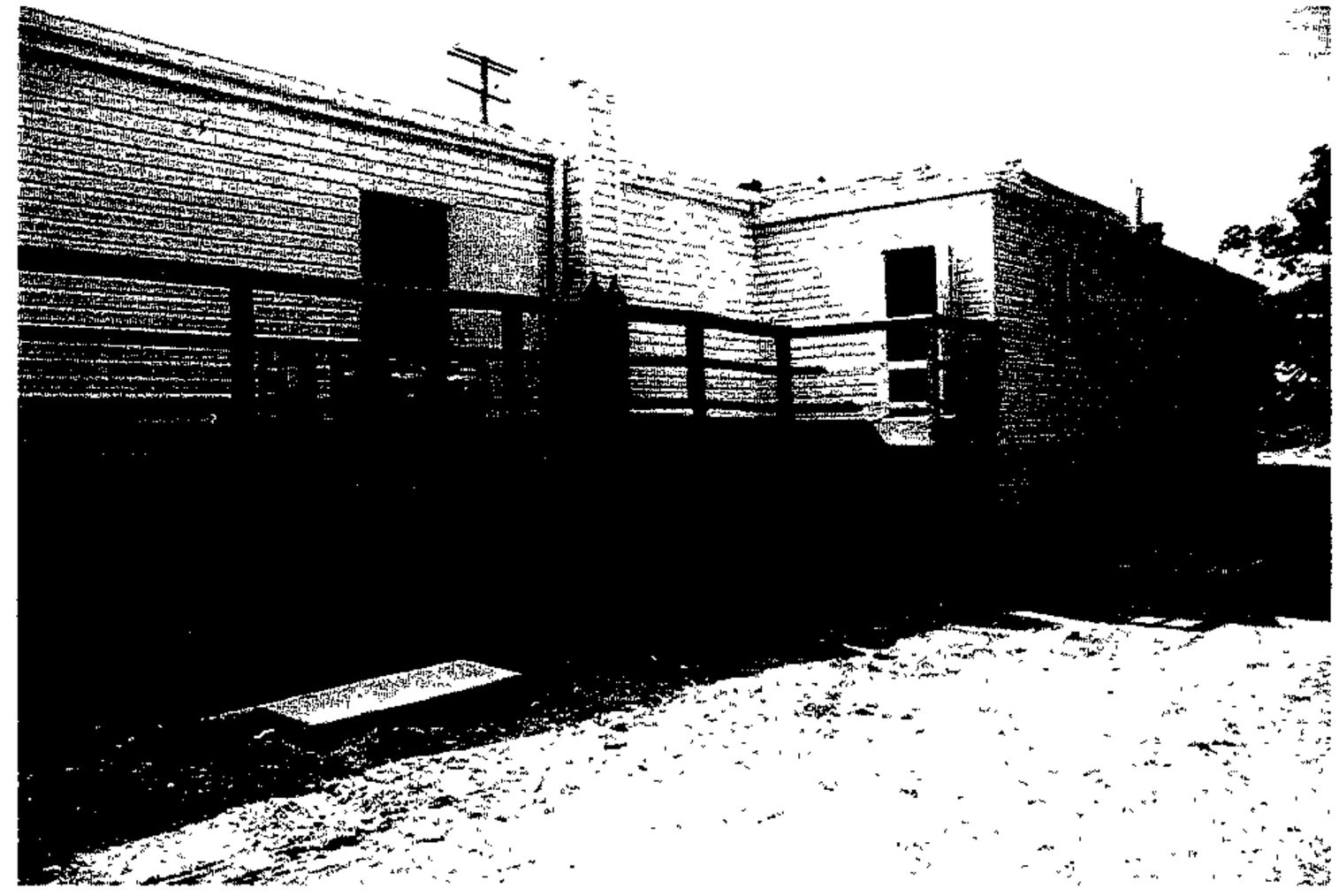
CASE NAME _____
CASE NUMBER _____
DATE _____

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Deborah Dopkin	409 Washington Ave	Towson 21204	
SEAN SCHMIDT	200 E. Joppa Rd. Ste 40	Towson, MD 21286	HICKS ENGINEERING ASSOC.
DONALD E. HICKS, P.E.	HICKS ENG. ASSOC., INC.	"	phicks@hicksengineering.com
Joanna Alrub	4304 Starview Court	Glen Arm, Md 21057	A M Becker, Inc.
MARK COLAIANNI	3907 MARJOFF PL.	Balt. Md. 21236	CLEANCUT 73@Hotmail.com
Donald Gerusto	115 N. EDST AVE BALT MD	21224	

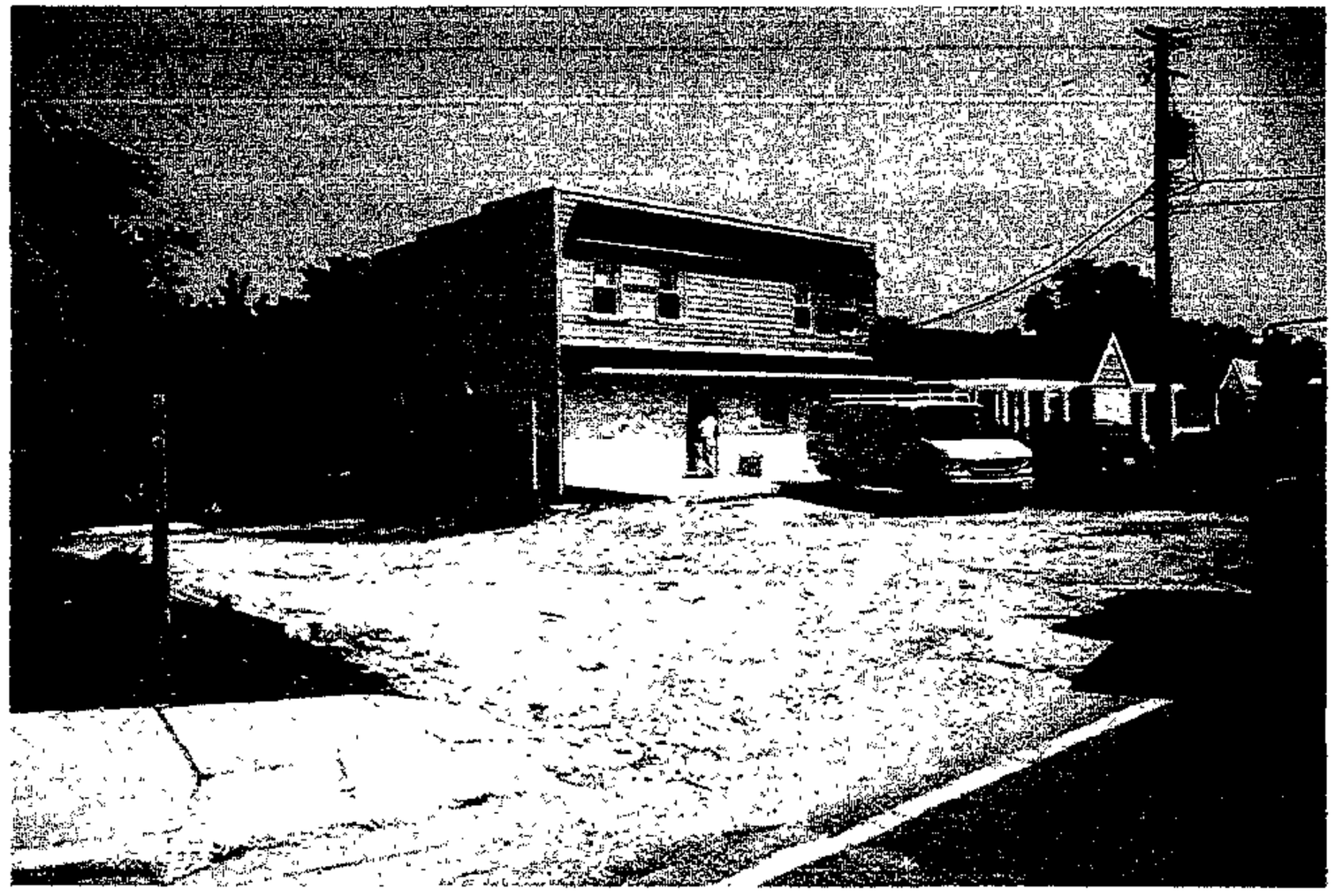

MAP NE 6-H
RD.
BALTIMORE AND OHIO R.R.
PULASKI
ML-AS
BL
SITE
BR-AS
ML-IM
ML-AS
BR
BR-IM
BR-AS
GENERAL
BR-AS
PRIVATE
ML-AS
BR
BR
ML-AS
E 45,000
E 46,500

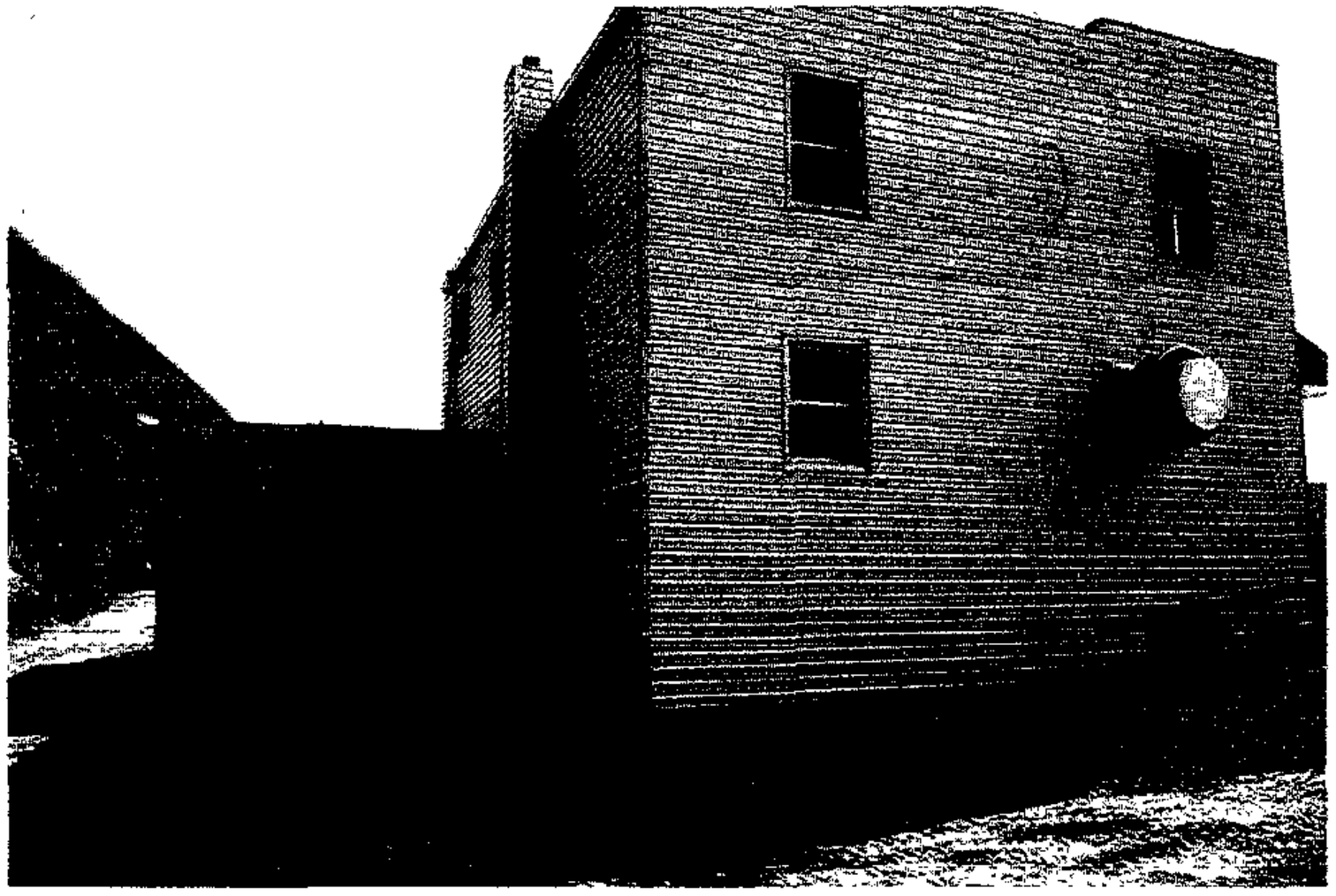


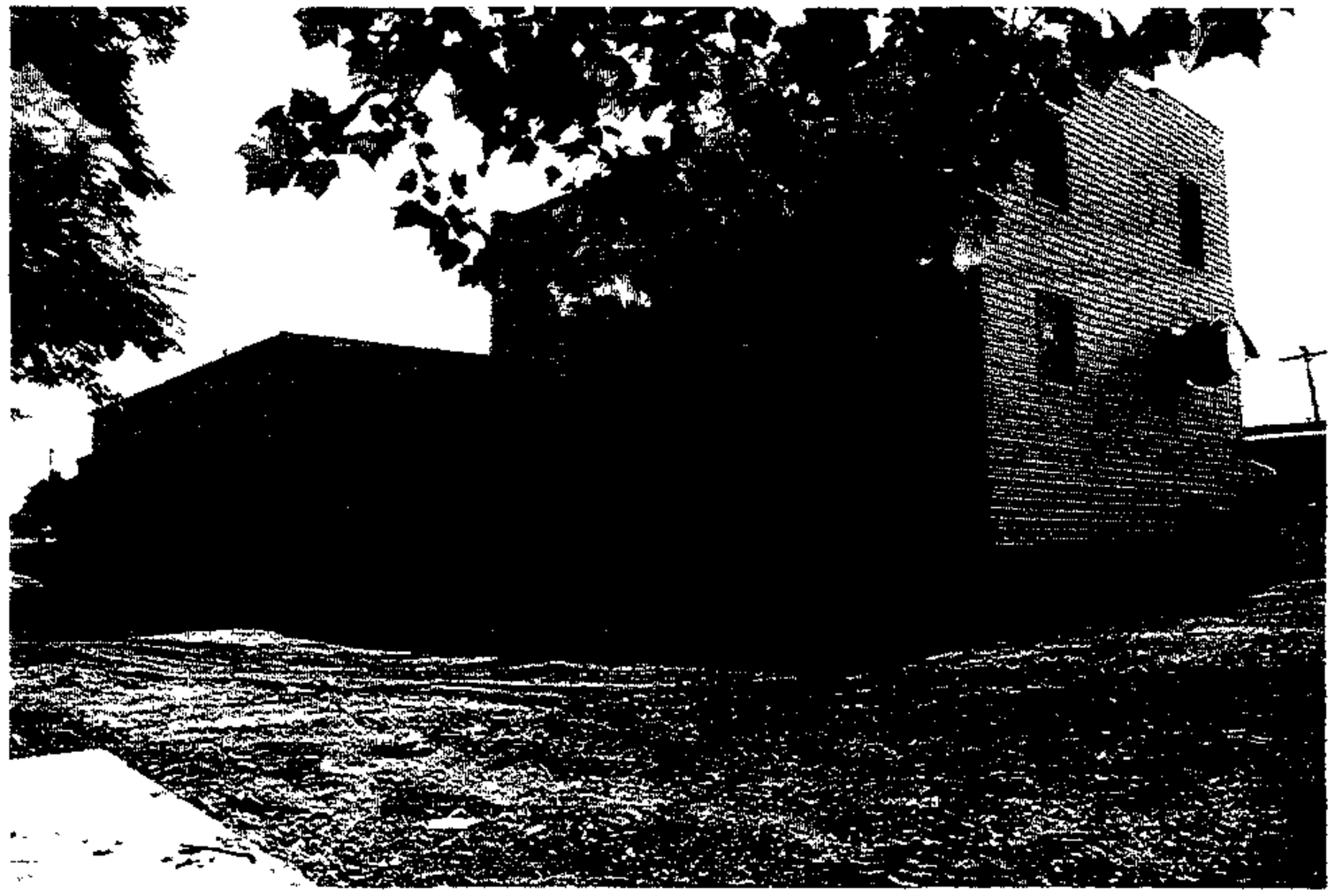


CHESAPEAKE CRAB HOUSE

CHESAPEAKE CRAB HOUSE
HOT DOGS
Coors LIGHT



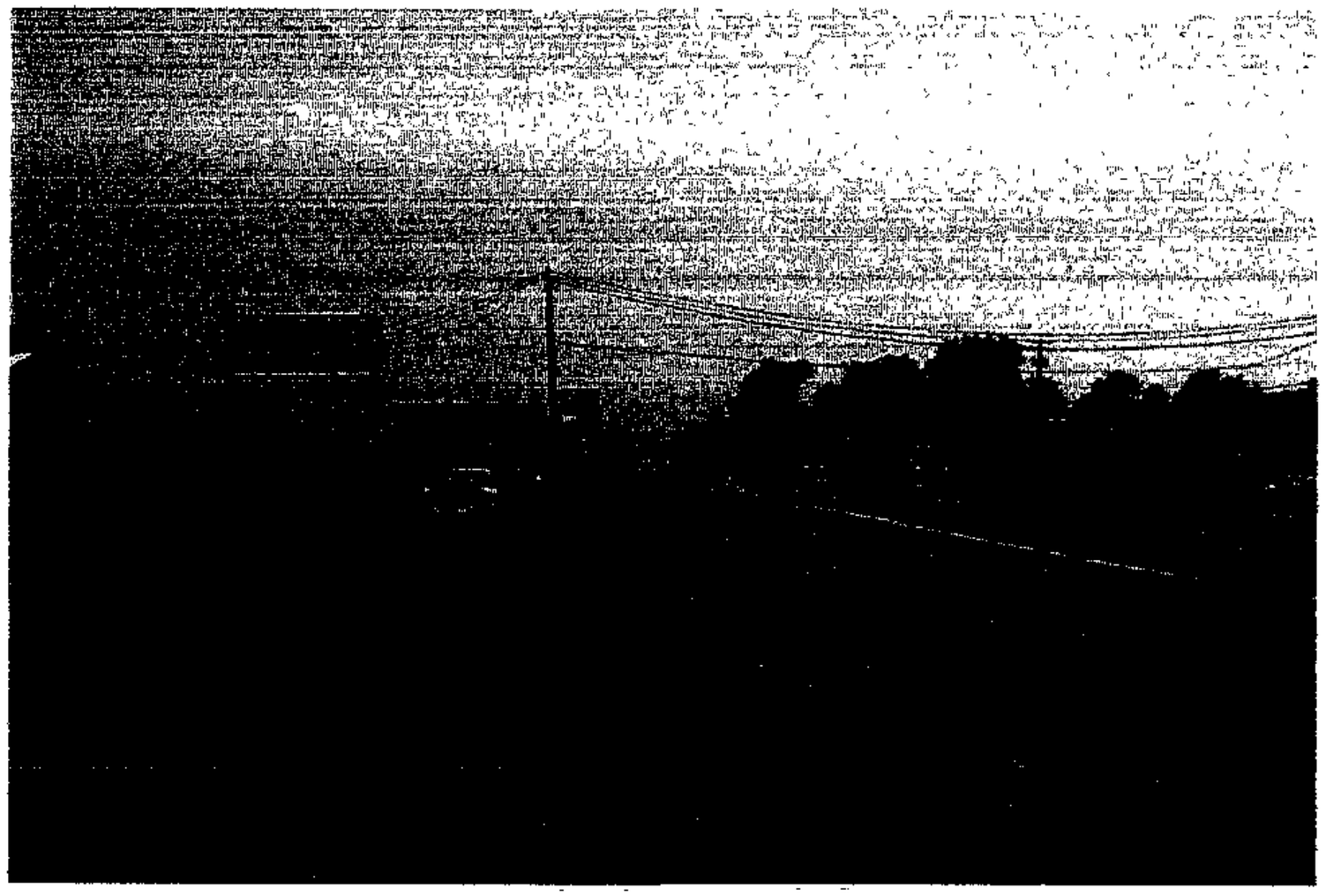


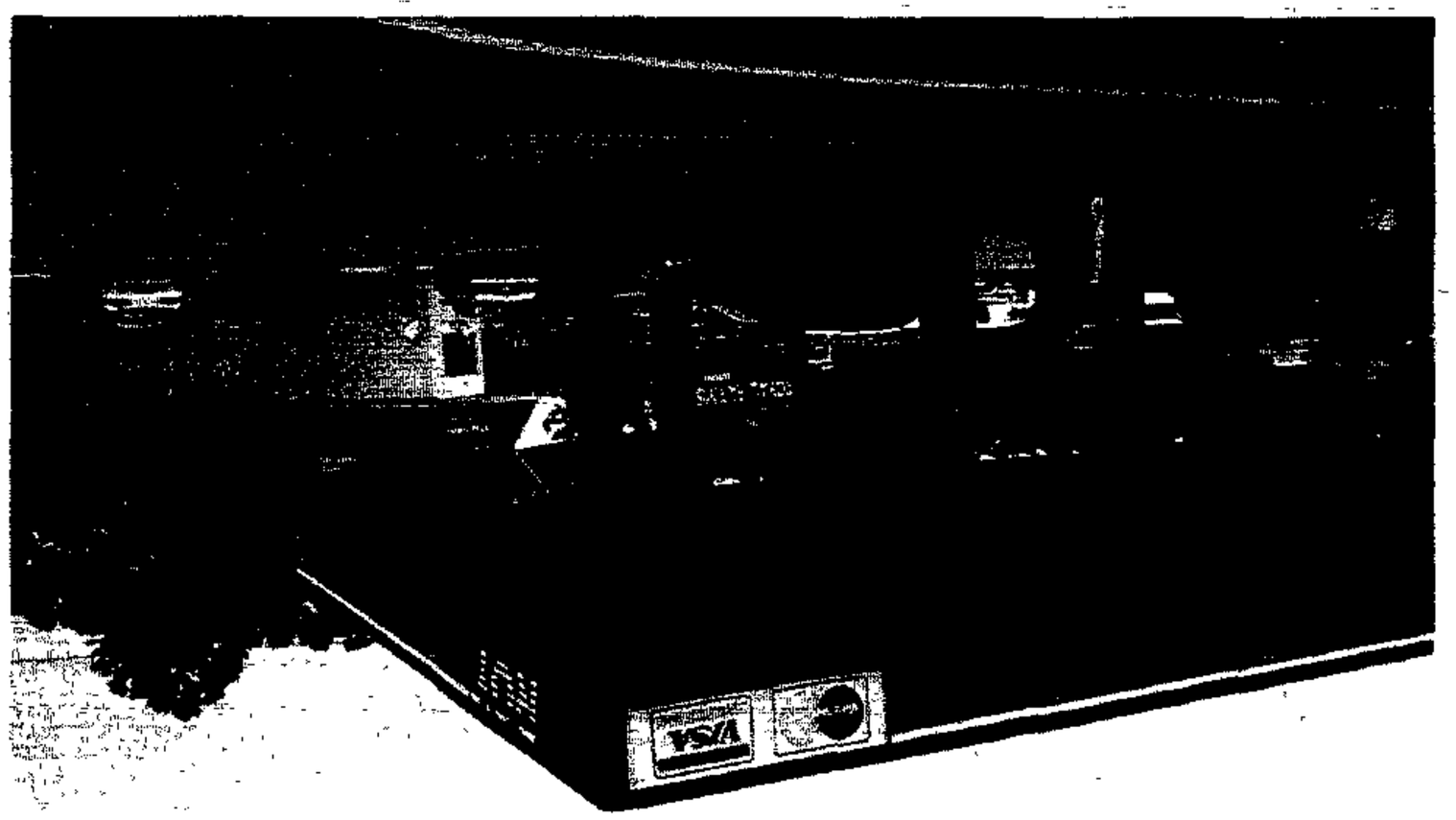


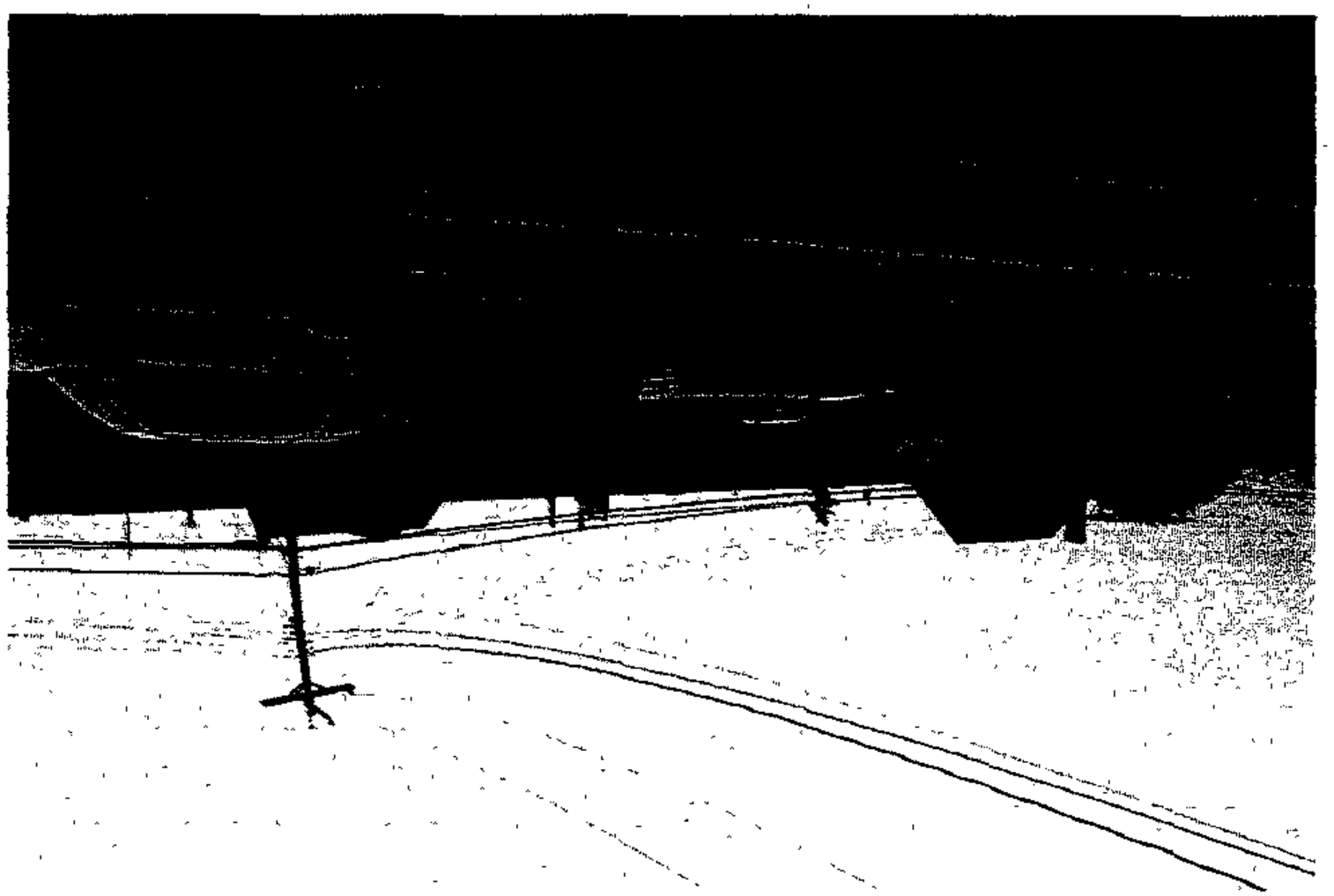
CHESAPEAKE CRAB HOUSE

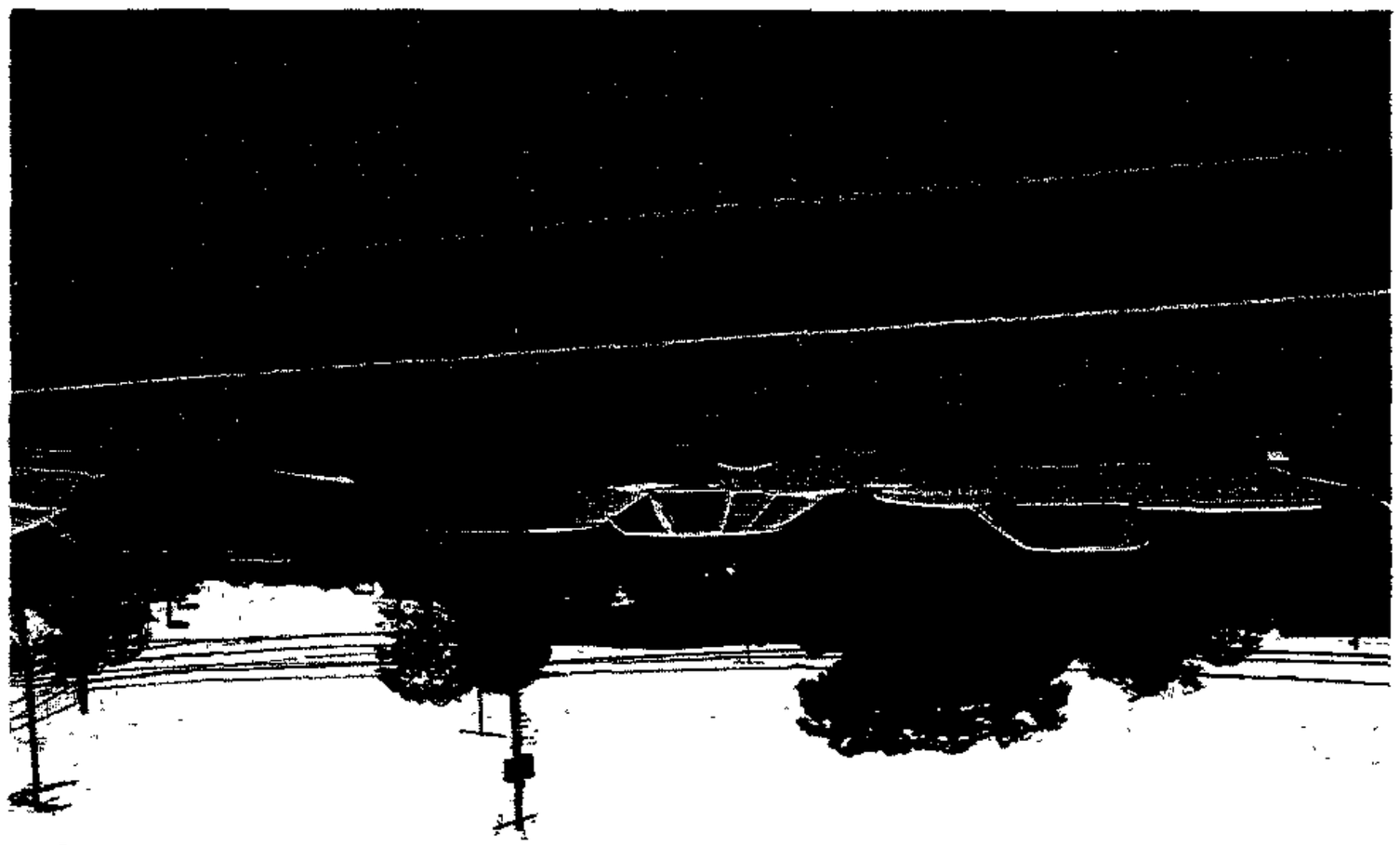
HOMESTEADER

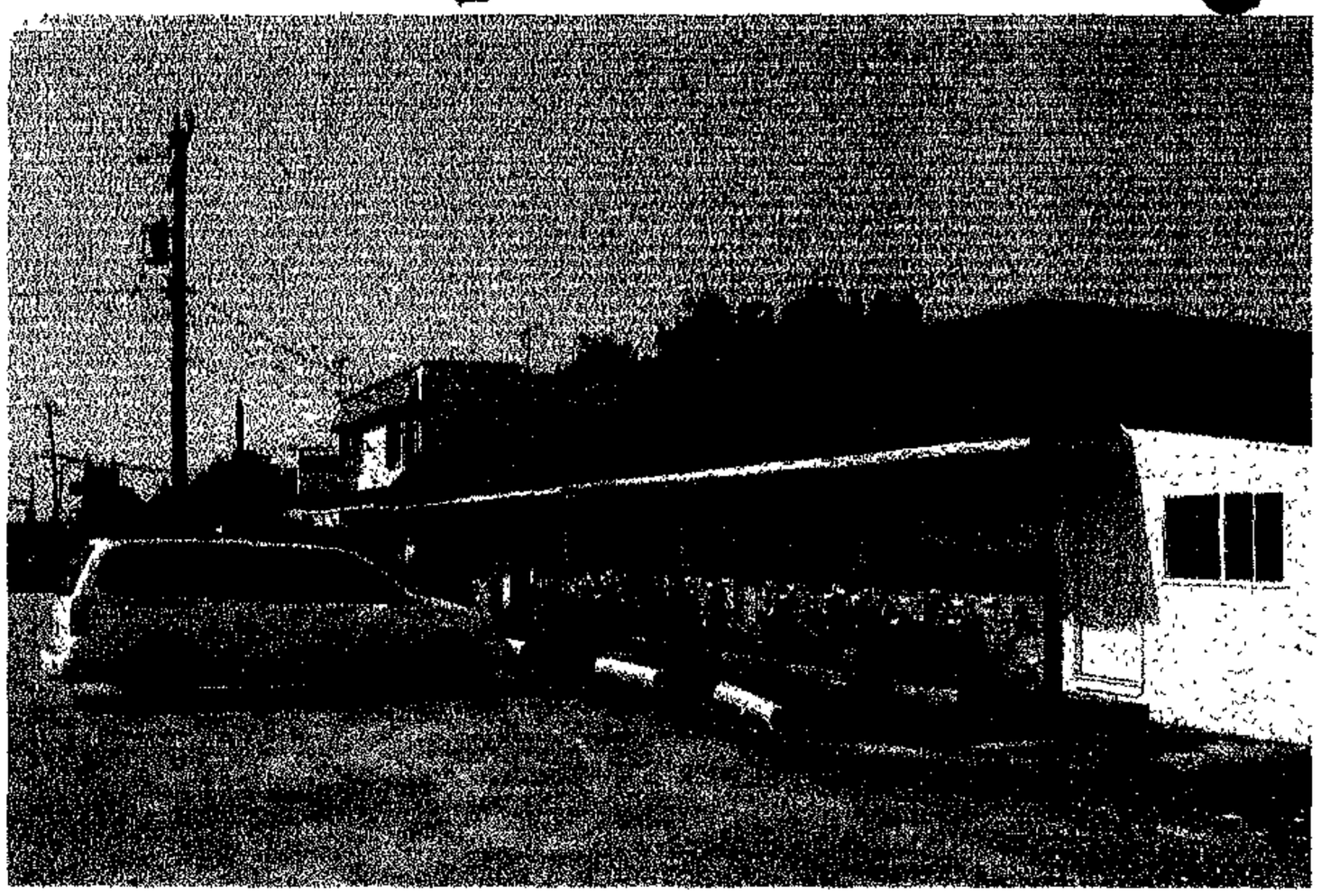
NICK'S
AUTO BODY





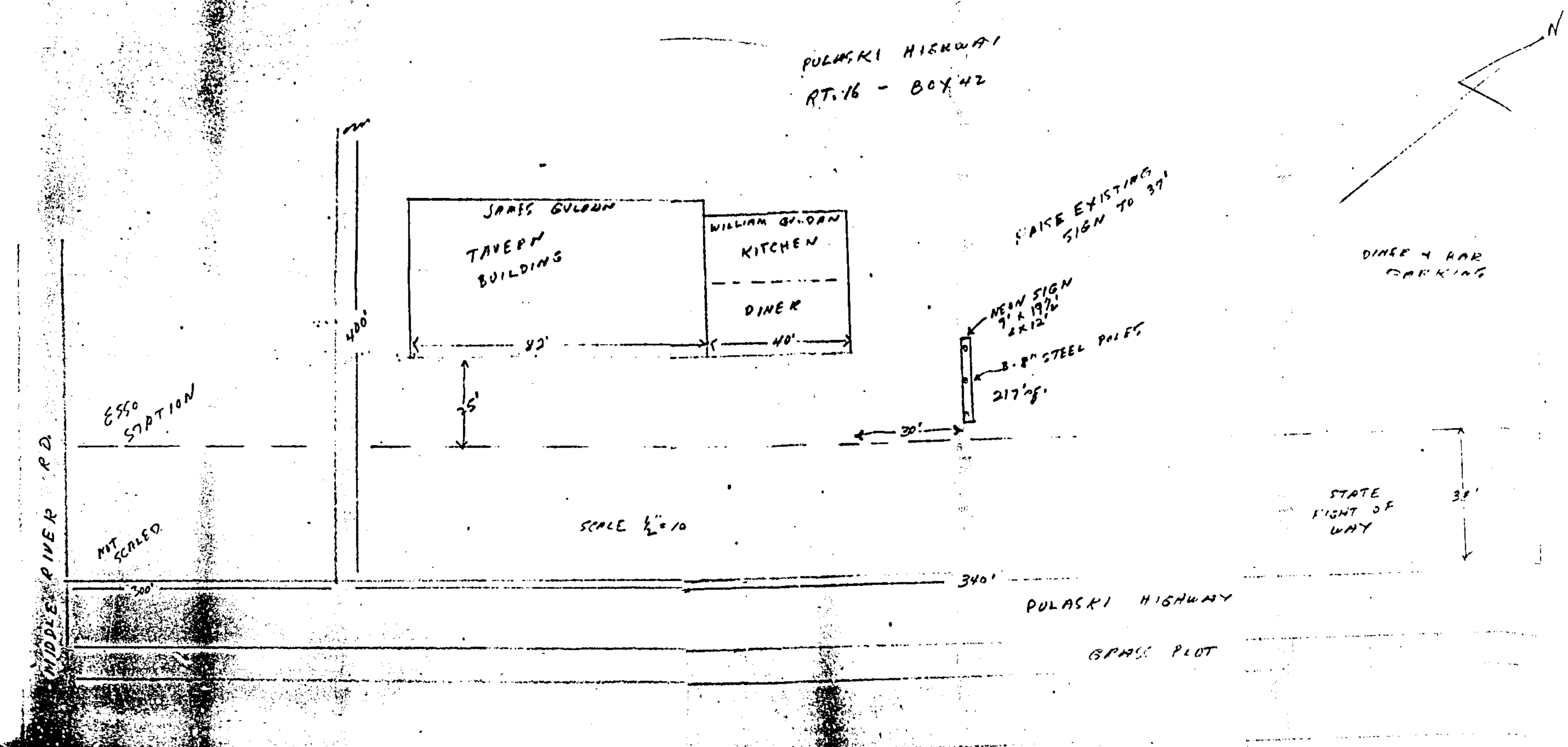


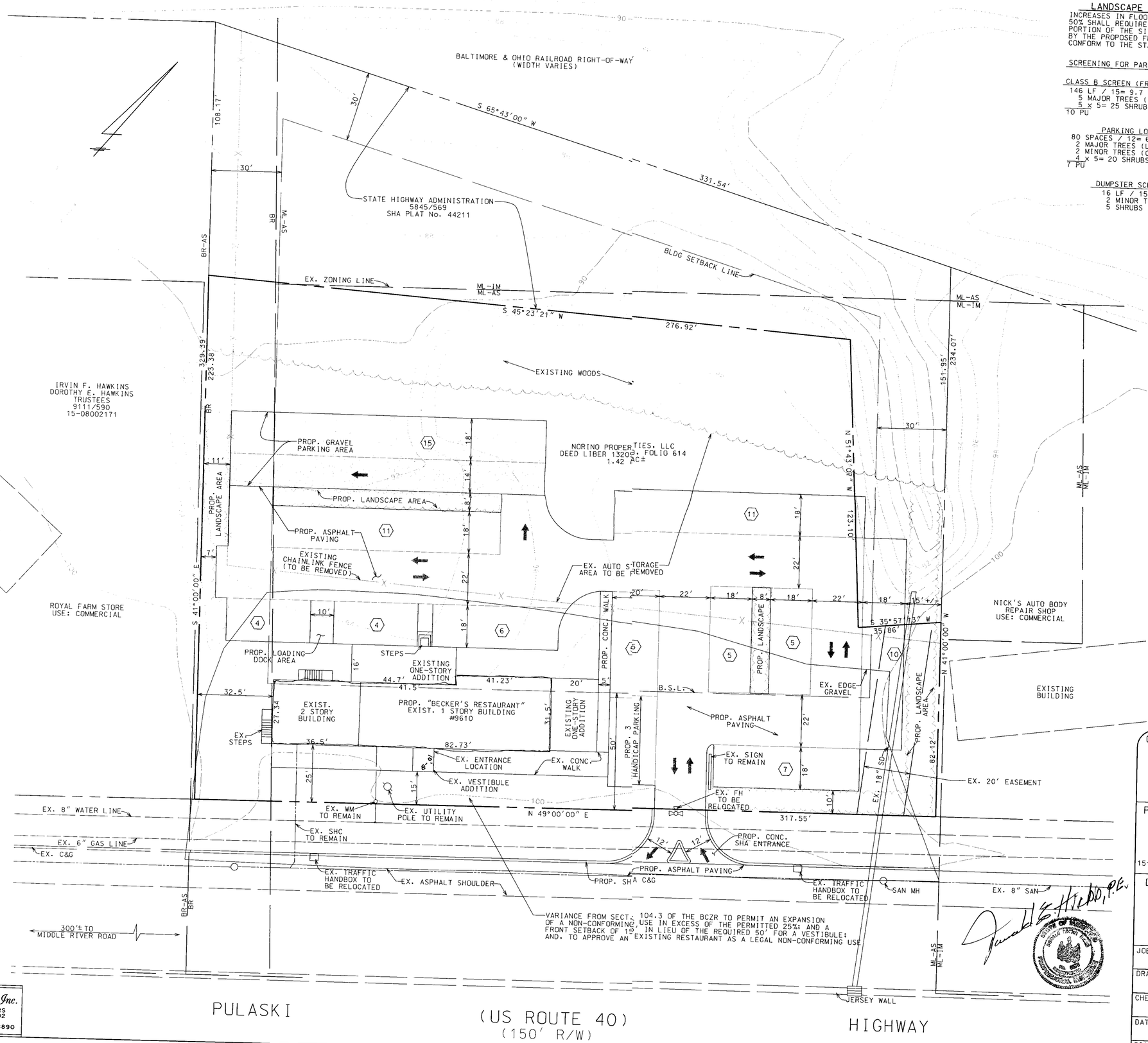




9610

9610


PULASKI HIGHWAY
RT. 16 - BOX 42
N
JAMES GULDAN
TAVERN BUILDING
WILLIAM GULDAN
KITCHEN
DINER
92'
40'
400'
75'
30'
RAISE EXISTING SIGN TO 37'
NEON SIGN 9' x 19'6" & 12'
3.8" STEEL POLES
217'8"
DINER & BAR PARKING
ESSO STATION
NOT SCALED
SCALE ½" = 10
STATE RIGHT OF WAY
38'
300'
340'
PULASKI HIGHWAY
GRASS PLOT
MIDDLE RIVER RD.



VARIANCE FROM SECT. 104.3 OF THE BCZR TO PERMIT AN EXPANSION OF A NON-CONFORMING USE IN EXCESS OF THE PERMITTED 25% AND A FRONT SETBACK OF 19' IN LIEU OF THE REQUIRED 50' FOR A VESTIBULE; AND, TO APPROVE AN EXISTING RESTAURANT AS A LEGAL NON-CONFORMING USE

LANDSCAPE MANUAL

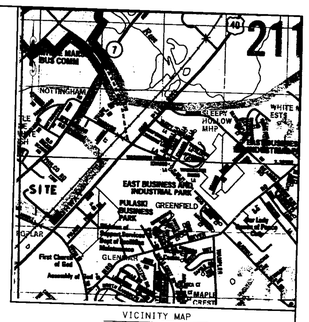
INCREASES IN FLOOR AREA LESS THAN 50% SHALL REQUIRE THAT THE PORTION OF THE SITE IMPACTED BY THE PROPOSED FLOOR AREA CONFORM TO THE STANDARD IN MANUAL

SCREENING FOR PARKING EXPANSION

CLASS B SCREEN (FROM DIVIDED HWY)
146 LF / 15= 9.7 PLANTING UNITS
5 MAJOR TREES (LINDENS)
5 x 5= 25 SHRUBS
10 PU

PARKING LOT AREA
80 SPACES / 12= 6.6 PLANTING UNITS
2 MAJOR TREES (LONDONS)
2 MINOR TREES (C MYRTLE)
4 x 5= 20 SHRUBS
7 PU

DUMPSTER SCREENING
16 LF / 15= 1.1
2 MINOR TREES
5 SHRUBS



VICINITY MAP
SCALE: 1" = 2,000'

SITE DATA

SITE AREA: 1.42 AC.+/-
DEED REFERENCE: 13029/614
TAX ACCT. NO.: 15-07830690
EX. ZONING: ML-AS,ML-IM(MAP NE 6-H)
PROP. ZONING: ML-AS,ML-IM(MAP NE 6-H)

LEGEND

EX. CONTOUR
PROP. PAVING
PROP. GRAVEL
PROP. TRAFFIC FLOW
No. PARKING SPACES (15)

PARKING COMPUTATIONS

EXIST. RESTAURANT
27.34'x78' = 2,132.52
52.23'x31.5' = 1,645.24
3,777.76

PROPOSED ADDITION
16x44.7 = 715.2
9x31 = 279
10.5x9 = 94.5
1088.7

TOTAL 1st FL SQ. FT. 4,866.46
RESTAURANT 16 SPACES
REQUIRED PER 1,000 SQ. FT.
5x16= 80 SPACES REQUIRED

83 SPACES PROVIDED + 3 HANDICAPPED SPACES
TYPICAL SPACE 9'x18'
SPACES PERMANENTLY STRIPED

PRIOR ZONING CASE HISTORY

CASE No. 1480 APPROVED JULY 14, 1949 TO RECLASSIFY PROPERTY FROM AN "A" RESIDENCE TO A "B" COMMERCIAL

CASE No. 4618-X APPROVED APRIL 6, 1959 TO ALLOW FOR THE ERECTION OF AN OUTDOOR ADVERTISING STRUCTURE

CASE No. 5089-V APPROVED SEPTEMBER 22, 1960 TO PERMIT THE ERECTION OF A SIGN 37 FEET IN HEIGHT INSTEAD OF THE ALLOWABLE 25 FEET

OWNER: EXHIBIT #1 7/28/04

NORINO PROPERTIES, LLC
2700 ANNAPOLIS RD
BALTIMORE, MD 21230

PROJECT TITLE:

"BECKER'S RESTAURANT"
9610 PULASKI HIGHWAY

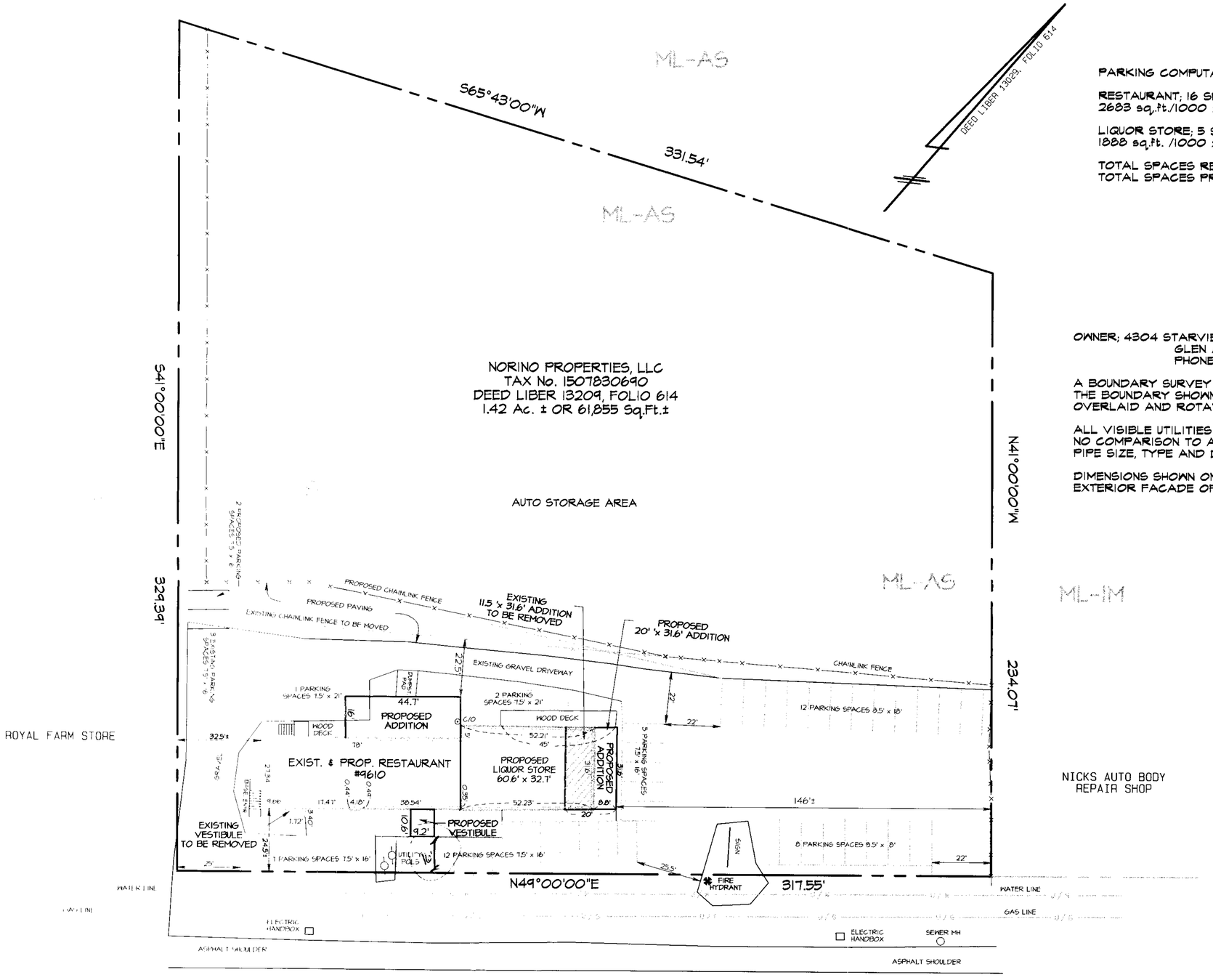
15th ELECTION DISTRICT — 6th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD

DRAWING TITLE:

PLAN TO ACCOMPANY
ZONING HEARING
CASE No. 04-579SPHA

JOB NO.: 21588	DRAWING NO.: C-1
DRAWN BY: MEH	
CHECKED BY: SDS	
DATE: JULY 27, 2004	
SCALE: 1"=20'	SHEETS PER SET: 1 OF 1

Hicks Engineering Associates, Inc.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001 FAX: (410)821-8890

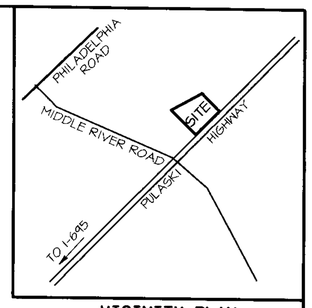


PARKING COMPUTATIONS

RESTAURANT; 16 SPACES PER 1000 sq.ft.
2683 sq.ft./1000 x 16 = 43 SPACES REQUIRED

LIQUOR STORE; 5 SPACES PER 1000 sq.ft.
1888 sq.ft. /1000 x 5 = 9 SPACES REQUIRED

TOTAL SPACES REQUIRED 52
TOTAL SPACES PROVIDED 52



VICINITY PLAN
SCALE: 1" = 2000'

NOTES

OWNER; 4304 STARVIEW COURT
GLEN ARM, MD, 21057
PHONE; 443-790-4839

A BOUNDARY SURVEY WAS NOT PERFORMED.
THE BOUNDARY SHOWN HEREON IS COMPILED FROM DEEDS OF RECORD, AND OVERLAID AND ROTATED TO FIT MINIMAL MONUMENTATION RECOVERED IN THE FIELD.

ALL VISIBLE UTILITIES HAVE BEEN LOCATED.
NO COMPARISON TO ANY PLANS HAS BEEN MADE.
PIPE SIZE, TYPE AND DIRECTION MUST BE VERIFIED BEFORE CONSTRUCTION.

DIMENSIONS SHOWN ON THE BUILDING WERE MEASURED ALONG THE EXTERIOR FACADE OF THE BUILDING AS IT EXISTED ON THE DATE BELOW.

GRAPHIC SCALE 1"=30'
0 30 60 90

PLAN TO ACCOMPANY A D.R.C. REQUEST

OF THE

NORINO PROPERTIES, LLC PROPERTY

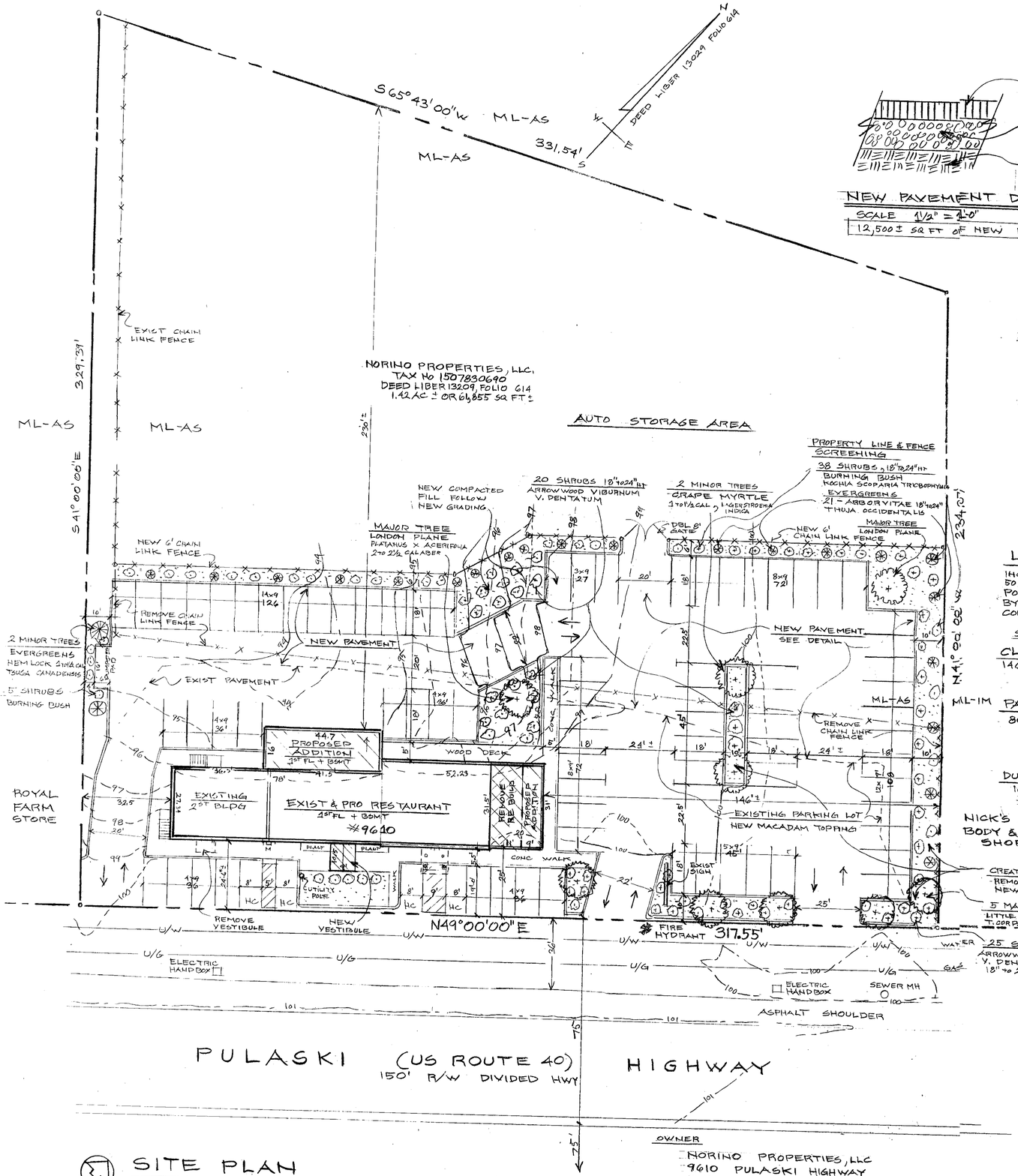
9610 PULASKI HIGHWAY
BALTIMORE COUNTY, MARYLAND

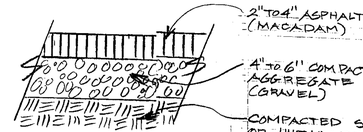
15th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT
SCALE: 1"=30' DATE: NOVEMBER 1, 2003

BRIAN R. DIETZ
PROFESSIONAL LAND SURVEYOR #21080
7867 OAKDALE AVENUE
BALTIMORE MD 21237
PH 410-686-1198, FAX 410-682-6021

REVISION	DATE
ADD PROPOSED ADDITIONS AND PARKING	02-25-04

PLOT DATE:	TECHNICIAN:	FILE NAME:
3/3/2004		C:\BRIAN\chesapeake-DRC.pro





NEW PAVEMENT DETAIL

SCALE 1½" = 1'-0"

12,500 ± SQ FT OF NEW PAVEMENT

PARKING COMPUTATIONS

EXIST RESTAURANT
27.34' × 78' = 2,132.52
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3,777.76

PROPOSED ADDITIONS
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80 SPACES PROVIDED
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SPACES PERMANENTLY STRIPED

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16 LF ÷ 15 = 1.1
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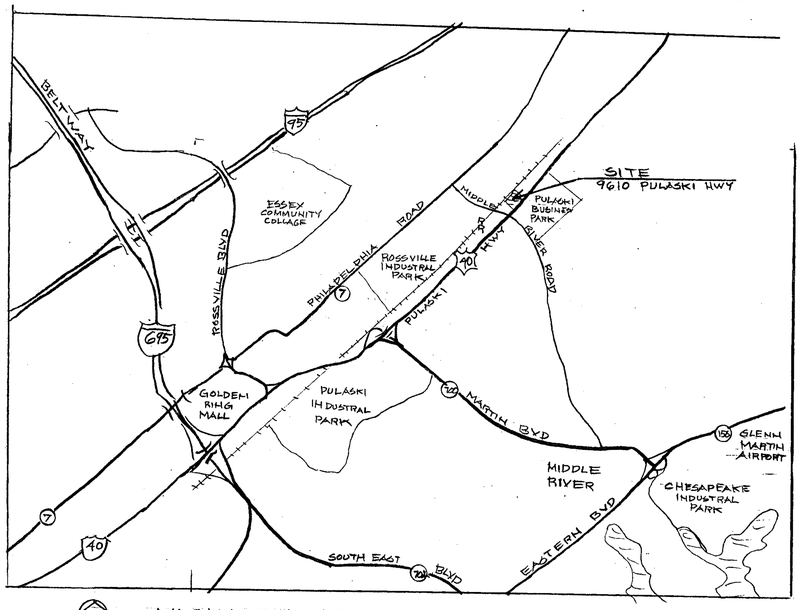
5 SHRUBS



VICINITY MAP

SCALE 1" = 2000'

SITE PLAN

SCALE 1" = 20'-0"

BASED ON SURVEY BY
BRIAN R DIETZ, 3/3/2004

OWNER
NORINO PROPERTIES, LLC
9610 PULASKI HIGHWAY
BALTIMORE COUNTY MD 21220
15 ELECTION DISTRICT 6TH COUNCILMANIC
PROPERTY ZONED ML-AS
1.42 AC ± OR 61,855 SQ FT.

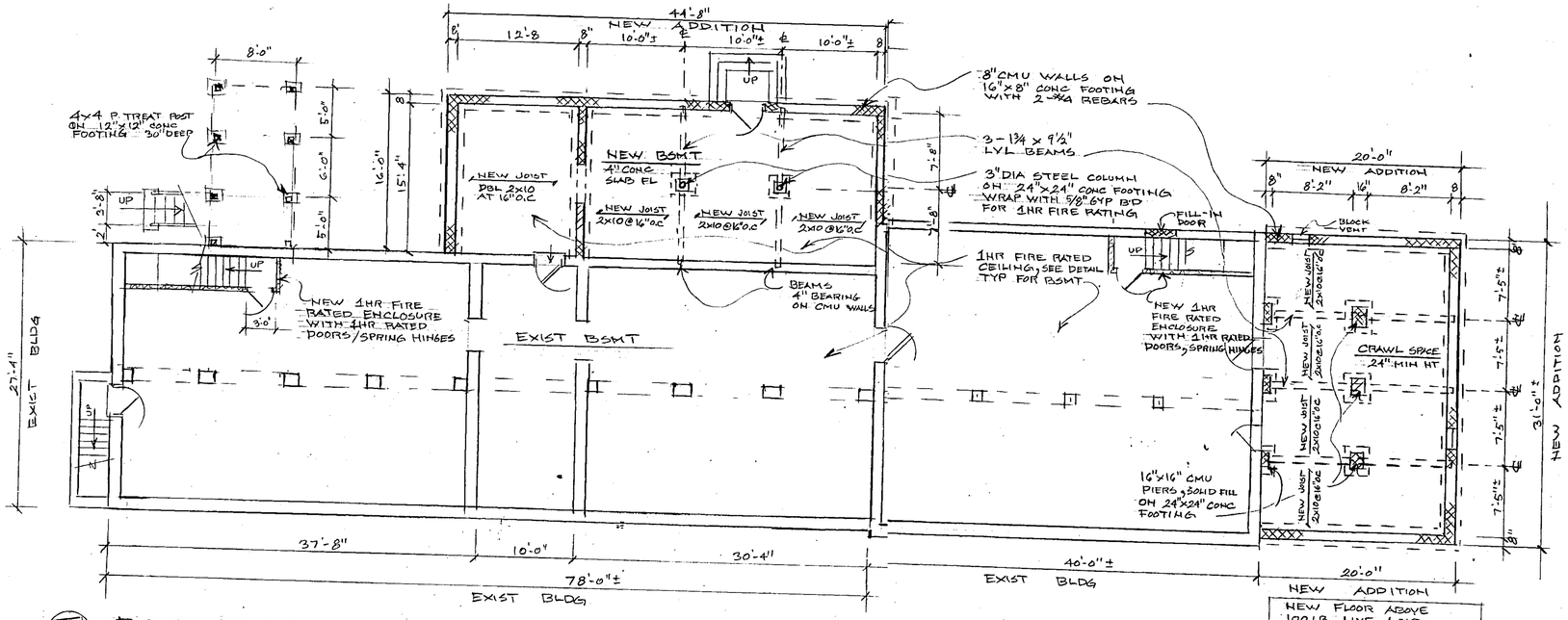
BOARD OF ARCHITECTS 9408
ROBERT R. GISRIEL
STATE OF MARYLAND
5/25/04

PROJECT
BECKER'S RESTAURANT
9610 PULASKI HWY
BALTO CO. MD 21220

DATE
MAY 25, 2004

ARCHITECT
Robert R. Gisriel Design Corp.
Architecture and Renovation
105 W. Hughes Street
Baltimore, Maryland 21230
410-625-0392

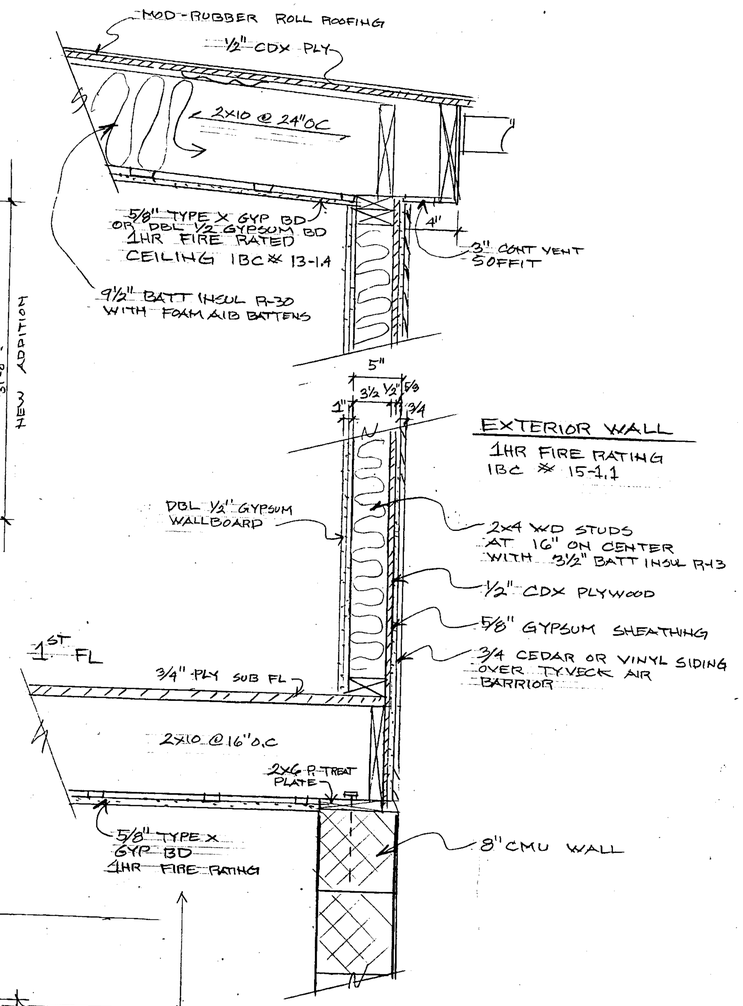
SHEET 1 OF 3

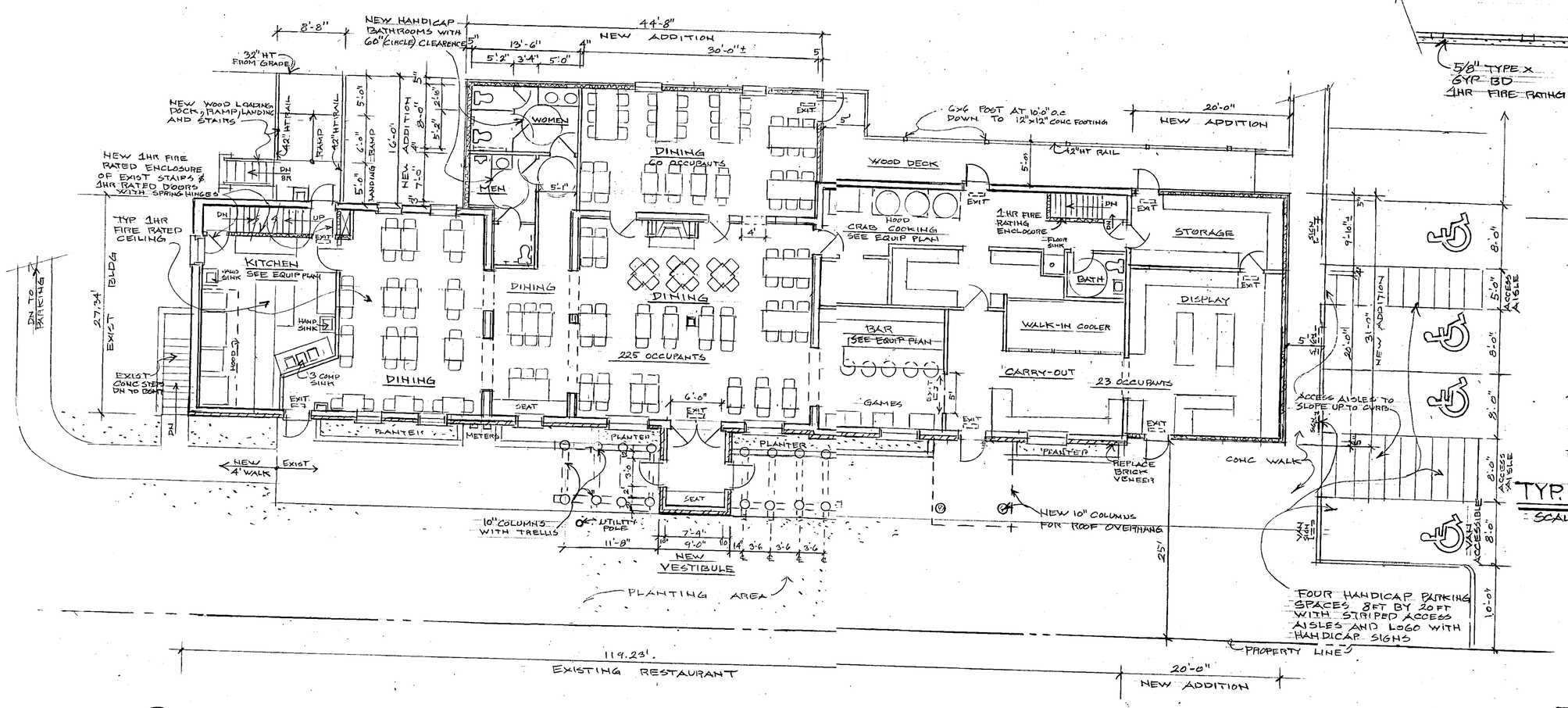


NEW FLOOR ABOVE
100 LB LIVE LOAD
TYPICAL NEW ADDITIONS

BSMT PLAN

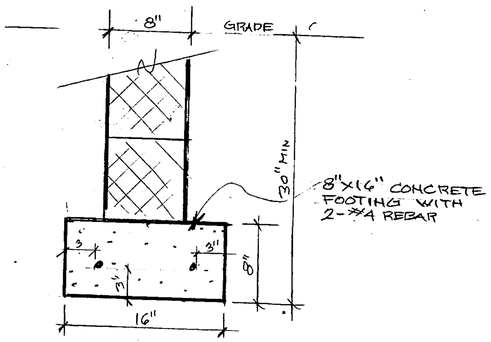
1/8" = 1'-0"





FIRST FLOOR PLAN

1/8" = 1'-0"



TYP. WALL SECTION

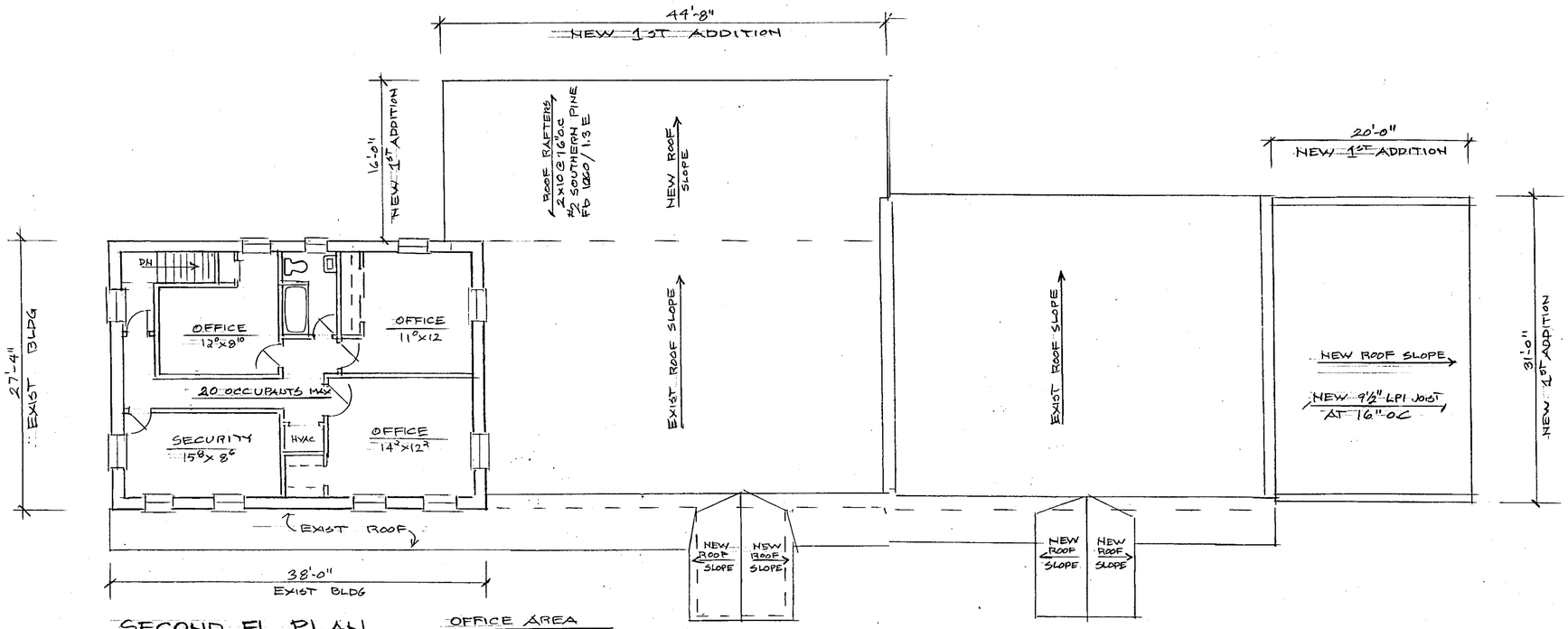
SCALE 1½" = 1'-0"

PROJECT
BECKER'S RESTAURANT
9610 PULASKI HWY
BALTO CO, MD 21220

DATE
JULY 26TH, 2004

SHEET 2 OF 3

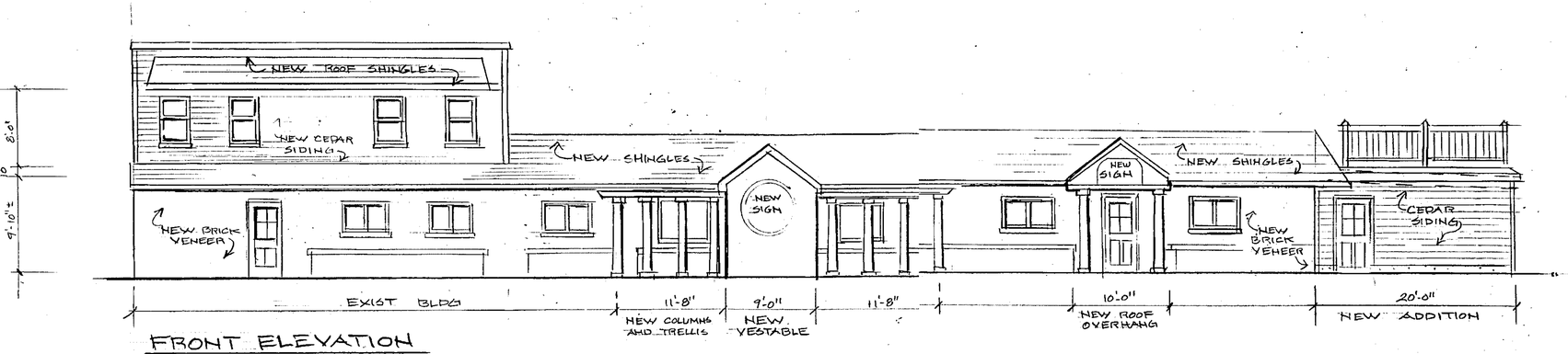
ARCHITECT
Robert R. Gisriel Design Corp.
Architecture and Renovation
105 W. Hughes Street
Baltimore, Maryland 21230
410-625-0392



SECOND FL PLAN

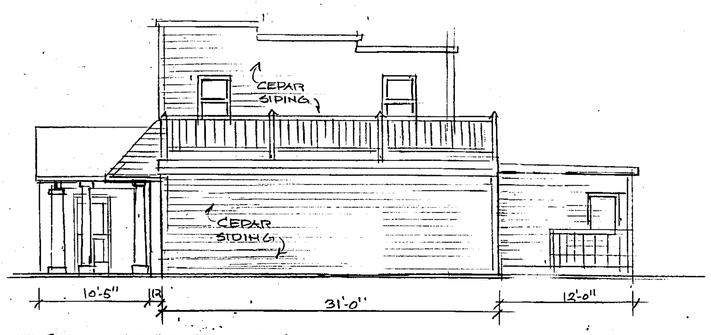
SCALE 1/8" = 1'-0"

OFFICE AREA
INCIDENTAL USE AREA
FOR TAVERN BELOW ONLY
(NOT TO BE SUB-LEASED OUT)
PRIVATE NOT OPEN TO PUBLIC



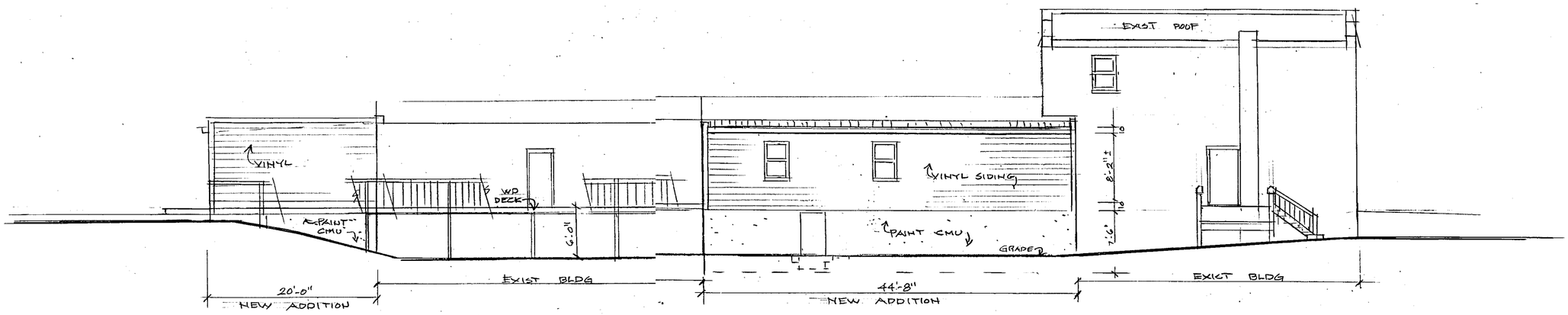
FRONT ELEVATION

SCALE 1/8" = 1'-0"



SIDE ELEVATION

1/8" = 1'-0"



REAR ELEVATION

1/8" = 1'-0"

PROJECT
BECKER'S RESTAURANT
9610 PULASKI HWY
BALTO CO. MD 21220

DATE
JULY 26TH, 2004

ARCHITECT
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105 W. Hughes Street
Baltimore, Maryland 21230
410-625-0392

SHEET 3 OF 3