

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
W side Reisterstown Road; 225 feet S of the	*	DEPUTY ZONING
c/l of Old Court Road		
3 rd Election District	*	COMMISSIONER
2 nd Councilmanic District		
(1504-1508 Reisterstown Road)	*	FOR BALTIMORE COUNTY
Chong O. and Hye S. Ryee	*	
<i>Legal Owners</i>		
Pramukh Swami Donuts, LLC	*	
<i>Contract Lessee</i>		
	*	Case No. 2011-0015-SPHA
	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal property owners, Chong O. and Hye S. Ryee, and the contract lessee, Neil Patel, Authorized Member, on behalf of Pramukh Swami Donuts, LLC (hereinafter "Petitioner"). Special Hearing relief is requested in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the amendment of the approved site plans and Orders including restrictions in those Orders in Case Nos. 70-73-A and 91-424-SPHA, such that the approved site plan will be the site plan that is the subject of this Petition. If determined to be necessary given prior approvals, the Variance request is from Section 409.6 of the B.C.Z.R. to permit the existing 18 parking spaces in lieu of the required 43 spaces in accordance with the site plan that is the subject of this Petition. The subject property and requested relief are more fully described on site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief were Neil Patel and Gaurang Patel on behalf of Petitioner Pramukh Swami Donuts, LLC, the contract

ORDER RECEIVED FOR FILING

Date 9.22.10

By PS

lessee, and Stuart D. Kaplow, Esquire, attorney for Petitioner. Also appearing in support of the requested relief was Paul Weiner, the professional engineer who prepared the site plan. Appearing as an interested citizen was Alan Zukerberg of 7919 Long Meadow Road in Pikesville. There were no other interested persons in attendance.

The testimony and evidence was presented by way of a proffer from Mr. Kaplow and revealed that the subject property is irregular shaped and consists of approximately 15,363 square feet or 0.35 acre, more or less, zoned B.L.-C.T. The property is located on the southwest side of Reisterstown Road, south of Old Court Road and just north of Clovelly Road, in the Pikesville area of Baltimore County. As shown on the site plan, the property is improved with a one-story commercial building consisting of 4,800 square feet and 18 off-street parking spaces. Access to the property is via a 30 foot wide entrance at Reisterstown Road. There is also a 35 foot wide entrance that is shared with the adjacent property to the north. The commercial building contains several different businesses, including the China King carry out, the Pizza Man restaurant, a dry cleaner, and the Dunkin Donuts carry out that is the subject of the instant requests for zoning relief.

Further evidence revealed that Petitioner has been in business since 2004 and has been a Dunkin Donuts franchisee since 2007 -- and at the present location since 2008. In addition, Mr. Kaplow pointed out that this particular franchise is one of only two kosher Dunkin Donuts' in the State of Maryland. The subject Dunkin Donuts location is popular in the community, but is relatively small, measuring only 20 feet wide by 40 feet deep, for a total of about 800 square feet. Interior space is at a premium, with no seating and very little room inside for patrons. At this juncture, Petitioner is planning to make some improvements to the interior and also is desirous of additional space. As such, Petitioner proposes to add a dry box storage addition to

ORDER RECEIVED FOR FILING

Date 9.22.10 2

By PJ

the end of the building, as depicted on the site plan. The addition would measure 16 feet wide by 9 feet deep and would be used primarily as an overflow stock room.¹

There are currently four parking spaces at that end of the building. As a result of the proposed addition, one of the existing parking spaces must be eliminated; however, the four parking spaces will be maintained by adding the eliminated space to the other end of the row of spaces, as shown and labeled on the site plan. All other aspects of the property layout, and in particular the existing parking configuration, remain the same as before. Mr. Weiner, Petitioner's engineer, also noted that the proposed addition would be relatively small, and due to the diagonal layout of the building and the end of the building where the Dunkin Donuts is located being furthest from Reisterstown Road, the visibility of the addition should be relatively minor. Because of the requested amendment to the prior site plans and Orders for the subject property, Mr. Weiner also offered his expert opinion that the proposed addition would not be detrimental to the health, safety or general welfare of the locality, nor would it have any negative or detrimental impacts on the other applicable criteria set forth in Section 502.1 of the B.C.Z.R. Mr. Kaplow also mentioned that, other than updating and amending the previously approved site plans and Orders from prior cases and the movement of one parking space, the proposed addition does not require any additional zoning relief.

The Zoning Advisory Committee (ZAC) comments were received and are made a part of the record in this case. Comments were received from the Office of Planning dated August 16, 2010 which indicates that the property is within the Pikesville Revitalization District. The new construction of a storage cooler box is subject to the Pikesville Commercial Revitalization

¹ Presently, Petitioner is utilizing a temporary storage container in the location where the addition is proposed; obviously, Petitioner is looking for a more permanent solution to its storage issues and believes the planned addition would solve the problem.

Guidelines and should be reviewed by the Planning staff as part of the administrative review process. The property is improved with a commercial strip shopping center and what appears to be a metal storage container which Petitioner's engineer states is temporary and will be removed. The site plan and application do not provide detail concerning amendments to prior restrictions. The recommendations of staff in the Design Review Panel areas are binding upon the Zoning Commissioner and the Department of Permits and Development Management. Architectural elevation drawings, submitted for staff review are acceptable. The Planning Office supports approval of the special hearing provided the property owners submit a letter to the County indicating they will give the right of entry for future construction of 3 foot sidewalk widening and streetscape. This will allow for a smooth transition between the proposed sidewalk improvements to the northwest of the site (along the future Walgreen's frontage) and southwest of the site (Club Centre frontage).

In response to the Office of Planning's comments, Mr. Kaplow submitted the architectural elevation drawings that had been submitted to that office and they were marked and accepted into evidence as Petitioner's Exhibit 2. The drawings provide details as to the front and side elevations and the appearance of the building with the new addition and finishes, as well as the interior demolition plan and the proposed new layout of the interior. In addition, as requested, Mr. Kaplow submitted a letter authored by the property owners dated August 13, 2010 giving the County a right of entry for a period of five years in order to make the referenced sidewalk improvements. This letter was marked and accepted into evidence as Petitioner's Exhibit 3. Finally, Mr. Kaplow submitted a Petition in Support that was marked and accepted into evidence as Petitioner's Exhibit 4. This Petition was signed by 103 individuals, presumably patrons of the Dunkin Donuts, and asks that the requested relief be granted.

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By B

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As to the request for special hearing, this is merely to update and amend the previously approved site plans and Orders from the prior zoning cases. The granting of this relief will not change the fundamental nature of the previously granted relief, but merely serves to incorporate the proposed new addition and the slightly reconfigured parking layout.

As to the Petition for Variance, I am also persuaded to grant this relief. Although in my view, this matter seems to be less of a variance case and more of a special hearing to approve a modified parking plan, I shall nonetheless grant the relief as requested. In my judgment, there are certainly special circumstances or conditions existing that are peculiar to the land or structure which is the subject of the variance request. The property itself is an irregular triangle shape. It also has two access points on Reisterstown Road and backs up to Clovelly Road, which is no longer a thru-street but still constitutes a drive aisle behind the property. These constraints limit the extent to which improvements can be made on the property. Hence, in my view, strict interpretation of the B.C.Z.R. would impose a practical difficulty and unreasonable hardship upon Petitioner.

Finally, I find that the variance request can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered by the parties, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of September, 2010 that Petitioner's Special Hearing request in

ORDER RECEIVED FOR FILING

Date 9.22.10

5

By P30

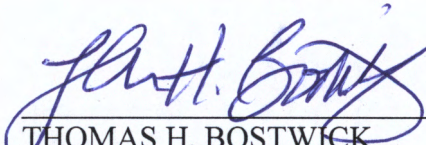
accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve the amendment of the approved site plans and Orders including restrictions in those Orders in Case Nos. 70-73-A and 91-424-SPHA, such that the approved site plan will be the site plan that is the subject of this Petition, be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's Variance request from Section 409.6 of the B.C.Z.R. to permit the existing 18 parking spaces in lieu of the required 43 spaces in accordance with the site plan that is the subject of this Petition be and is hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Architectural elevation drawings shall be submitted to the Office of Planning for review and approval prior to the issuance of any building permit.
3. As depicted in Petitioner's Exhibit 3, the property owners shall submit a letter to Baltimore County giving the right of entry for future construction of 3 foot sidewalk widening and streetscape to allow a smooth transition between the proposed sidewalk improvements to the northwest of the site (along the future Walgreen's frontage) and southwest of the site (Club Centre frontage).

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



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

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Date 9-22-10 6

By PZ



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 22, 2010

STUART D. KAPLOW, ESQUIRE
15 EAST CHESAPEAKE AVENUE
TOWSON MD 21286

Re: Petition for Special Hearing and Variance
Case No. 2011-0015-SPHA
Property: 1504-1508 Reisterstown Road

Dear Mr. Kaplow:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

- c: Chong O. and Hye S. Ryee, 7237 Preservation Court, Fullerton MD 20759
Neil Patel, 7000 Reisterstown Road, Baltimore MD 21215
Gaurang Patel, 512 Timber Springs Court, Reisterstown MD 21136
Paul Weiner, 2812 Laurelwood Court, Baltimore MD 21209
Alan Zukerberg, 7919 Long Meadow Road, Pikesville MD 21208



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1504 -1508 Reisterstown Road 21208

which is presently zoned BL-CT

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

See Attachment 1

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:

Pramukh Swami Donuts, LLC

Name - Type or Print

By:

Signature **NEIL PATEL, AUTHORIZED REPRESENTATIVE**

1508 Reisterstown Road 410-653-8182

Address

Telephone No.

Pikesville, MD 21208

City

State

Zip Code

Attorney For Petitioner:

Stuart Kaplow

Name - Type or Print

Signature

Stuart D. Kaplow, P.A.

Company

15 East Chesapeake Ave. 410-339-3910

Address

Telephone No.

Towson, MD 21286

City

State

Zip Code

Legal Owner(s):

Chong O. Ryee

Name - Type or Print

Signature

Hye S. Ryee

Name - Type or Print

Signature

7237 Preservation Ct. 410-339-3910

Address

Telephone No.

Fulton, MD 20759

City

State

Zip Code

Representative to be Contacted:

Stuart Kaplow

Name

15 East Chesapeake Ave. 410-339-3910

Address

Telephone No.

Towson, MD 21286

City

State

Zip Code

ORDER RECEIVED FOR FILING

OFFICE USE ONLY

Date 9.22.10

ESTIMATED LENGTH OF HEARING

Case No. 2011-0015-SPHA

UNAVAILABLE FOR HEARING

By REV 9/15/98

Reviewed By D.T.

Date 7/9/10

Petition for Special Hearing
Attachment 1

To approve the amendment of the approved site plans and orders, including restrictions in those orders, in cases 70-73-A and 91-424-SPHA; such that the approved site plan will be the site plan that is the subject of this petition.



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 1504-1508 Reisterstown Road, Pikesville 21208
which is presently zoned BL-CT

Deed Reference: 10065 / 014 Tax Account # 03 0304002

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attachment #1A

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

See Attachment #1B

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:

Pramukh Swami Donuts, LLC
Name - Type or Print
Signature [Signature]
NEIL PATRICK, AUTHORIZED MEMBER
1508 Reisterstown Road 410-653-8182
Address Telephone No.
Pikesville, MD 21208
City State Zip Code

Attorney For Petitioner:

Stuart Kaplow
Name - Type or Print
Signature [Signature]
Stuart D. Kaplow, P.A.
Company
15 East Chesapeake Ave. 410-339-3910
Address Telephone No.
Towson, MD 21286
City State Zip Code

Legal Owner(s):

Chong O. Ryee
Name - Type or Print
Signature [Signature]
Hye S. Ryee
Name - Type or Print
Signature
7237 Preservation Ct. 410-339-3910
Address Telephone No.
Fulton, MD 20759
City State Zip Code

Representative to be Contacted:

Stuart Kaplow
Name
15 East Chesapeake Ave. 410-339-3910
Address Telephone No.
Towson, MD 21286
City State Zip Code

Case No. 2011-0015-SPHA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by D.T. Date 9/11/10

REV 8/20/07 ORDER RECEIVED FOR FILING

Date 9-22-10

By [Signature]

Petition for Zoning Variance
Attachment 1

#1A

If the Zoning Commissioner determines it necessary to reaffirm the existing variance, a variance from BCZR Section 409.6 to permit the existing 18 parking spaces in lieu of the required 43 spaces, in accordance with the site plan that is the subject of this petition.

#1B

This commercially improved BL-CT zoned property, that is the subject of prior zoning approvals, is unique and unusual in a manner different from the nature of the surrounding properties (i.e., topography, shape, historical significance, etc.) such that the uniqueness causes the zoning regulations to impact disproportionately upon this property. And practical difficulty or undue hardship resulting from the disproportionate impact of the ordinance caused by the property's uniqueness exists.

ZONING DESCRIPTION

Beginning at a point on the west side of Reisterstown Road (MD State Route 140) which is 66 feet wide at the distance of 225' south of the centerline of the nearest improved intersecting street, Old Court Road, which is 80' wide. Thence the following courses and distances: S. 41°37'30" E. 118.45', S. 72°22'30" W. 48.35', N. 89°0'30" W. 128.50', S. 71°8'30" W. 9.76', N. 41°37'41" W. 52.18', N 48°22'19" E 147.90' to the place of beginning.

ZONING DESCRIPTION

This Zoning Description above is for ZONING PURPOSES ONLY. The description is from the prior zoning actions for this property, including specifically case 70-73-A and is consistent with the prior site plans. This Zoning Description does not reflect a boundary survey or benefit from a title search.



2011-0015-SPHA

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property that is the subject of an upcoming zoning hearing. For those petitions that require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number:

2011-0015-SPHA

Petitioner: Pramukh Swami Donuts, LLC

Address or Location:

1508 Reisterstown Road 21208

Please Forward Advertising Bill to:

Name: Mr. Neil Patel

Address: Dunkin Donuts

1508 Reisterstown Rd

Pikesville, MD 21208

Telephone: 410-653-8182



STUART D. KAPLOW, P.A.

ATTORNEYS AT LAW

15 EAST CHESAPEAKE AVENUE

TOWSON, MARYLAND 21286-5306

TELEPHONE 410-339-3910

FACSIMILE 410-339-3912

E-MAIL SKAPLOW@STUARTKAPLOW.COM

STUART D. KAPLOW

WWW.STUARTKAPLOW.COM

July 6, 2010

Via Hand Delivery

Timothy M. Kotroco, Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Drop Off Filing**
Special Hearing/ Variance – 1504-1508 Reisterstown Rd.

Dear Mr. Kotroco:

This is a Drop Off filing for petitions for special hearing and variance to permit a very modest 16 feet by 9 feet addition to the existing Dunkin Donuts at 1508 Reisterstown Road. Specifically, please find attached:

1. Three copies of the petition for special hearing;
2. Three copies of the petition for variance;
3. Twelve copies of the plat;
4. One copy of the 200' scale zoning map, with the property identified;
5. Three copies of the property description;
6. One copy of the advertising requirement form;
7. The client's check, payable to Baltimore County in the amount of \$650.

There are no known zoning violations on this property. Jeff Perlow authored a zoning verification letter on this property last month.

Please have the notice sent to me and I will cause the property to be appropriately posted. Thank you very much.

Sincerely,

Stuart Kaplow

Stuart D. Kaplow

SDK:tbm

cc: Mr. Neil Patel
Mr. Paul Weiner



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 56836

Date: 7/9/10

PAID RECEIPT

BUSINESS ACTION TIME MM
 7/12/2010 7/12/2010 11:35:21 2
 RECEIVED MARCH 0001 NEW
 RECEIPT N 57776 7/07/2010 0813
 9 120 DOWING VERIFICATION
 054034
 Recpt Tot 1650.00
 1650.00 (X) 4.00 (X)
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				650.00

Total: 650.00

Rec
 From: PRAMUKH SWAMI DONUTS LLC
 For: 2011-0015-SPHA
 1504-1508 REISTERSTOWN RD.
 D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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: # 2011-0015-SPHA

1504-1508 Reisterstown Road
W/side of Reisterstown Road, 225 feet south of the centerline of Old Court Road
2nd Election District — 3rd Councilmanic District
Legal Owner(s): chong & Hye Ryee

Special Hearing: to approve the amendment of the approved site plans and orders, including restrictions in those orders, in case 70-73 and 92-424-SPHA; such that the approved site plan will be the site plan that is the subject of this petition. **Variance:** to permit the existing 18 parking spaces in lieu of the required 43 spaces, in accordance with the site plan that is the subject of this petition.

Hearing: Thursday, September 2, 2010 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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 8/800 August 17 251070

CERTIFICATE OF PUBLICATION

8/19/, 2010

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 8/17/, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 08/15/10

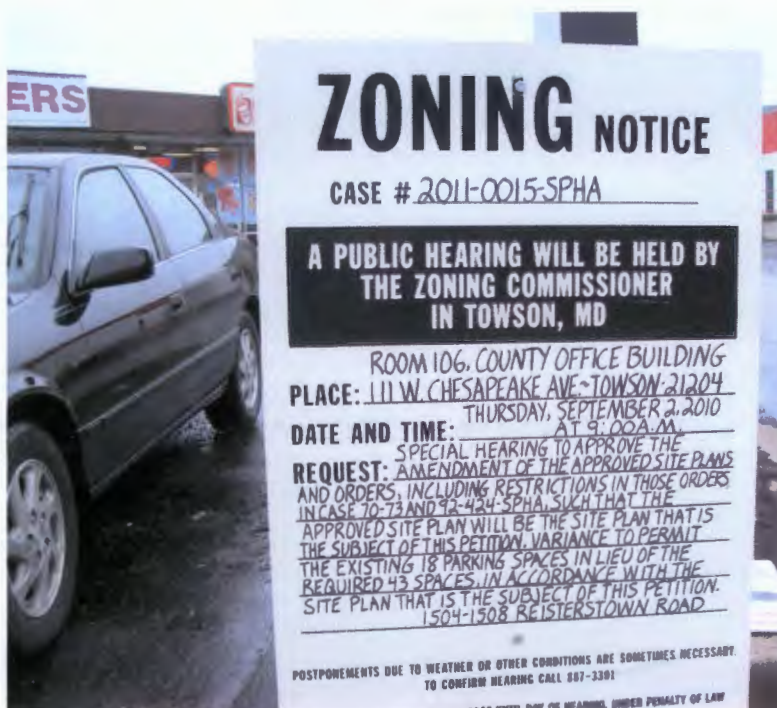
Case Number: 2011-0015-SPHA

Petitioner / Developer: STUART KAPLOW, ESQ.~PRAMUKH SWAMI
DONUTS~MR. & MRS. RYEE

Date of Hearing (Closing): SEPTEMBER 2, 2010

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
1504-1508 REISTERSTOWN ROAD (ON-SITE)

The sign(s) were posted on: AUGUST 15, 2010



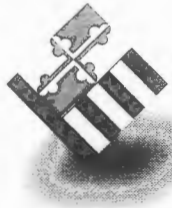
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
August 4, 2010
Office Management

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: 2011-0015-SPHA

1504-1508 Reisterstown Road

W/side of Reisterstown Road, 225 feet south of the centerline of Old Court Road

2nd Election District – 3rd Councilmanic District

Legal Owners: Chong & Hye Ryee

Special Hearing to approve the amendment of the approved site plans and orders, including restrictions in those orders, in case 70-73 and 92-424-SPHA; such that the approved site plan will be the site plan that is the subject of this petition. Variance to permit the existing 18 parking spaces in lieu of the required 43 spaces, in accordance with the site plan that is the subject of this petition.

Hearing: Thursday, September 2, 2010 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:kl

C: Stuart Kaplow, 15 East Chesapeake Avenue, Towson 21286
Pramukh Swami Donuts, 1508 Reisterstown Road, Pikesville 21208
Mr. & Mrs. Ryee, 7237 Preservations Court, Fulton 20759

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 18, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, August 17, 2010 Issue - Jeffersonian

Please forward billing to:

Neil Patel
Dunkin Donuts
1508 Reisterstown Road
Pikesville, MD 21208

410-653-8182

NOTICE OF ZONING HEARING

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CASE NUMBER: 2011-0015-SPHA

1504-1508 Reisterstown Road

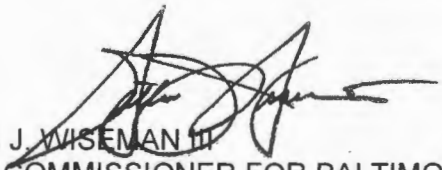
W/side of Reisterstown Road, 225 feet south of the centerline of Old Court Road

2nd Election District – 3rd Councilmanic District

Legal Owners: Chong & Hye Ryee

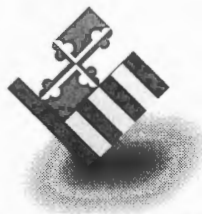
Special Hearing to approve the amendment of the approved site plans and orders, including restrictions in those orders, in case 70-73 and 92-424-SPHA; such that the approved site plan will be the site plan that is the subject of this petition. Variance to permit the existing 18 parking spaces in lieu of the required 43 spaces, in accordance with the site plan that is the subject of this petition.

Hearing: Thursday, September 2, 2010 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

August 27, 2010

Stuart Kaplow
15 East Chesapeake Ave.
Towson, MD 21286

Dear: Stuart Kaplow

RE: Case Number 2011-0015-SPHA, 1504 – 1508 Reisterstown Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 09, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

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

Very truly yours,

A handwritten signature in black ink that reads "Carl Richards Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Chong & Hye Ryee; 7237 Preservation Ct.; Fulton, MD 20759
Pramukh Swami Donuts, LLC; 1508 Reisterstown Rd.; Pikesville, MD 21208



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

July 20, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 2, 2010

Item No.: **Special Hearing / Variance:** 2011-0015SPHA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable and required to be corrected or incorporated into the final plans for the above listed properties.

Special Hearing: The above site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or the beginning of operation. **(Approved Site Plan)**

Variance: The Fire Marshal's Office has no comments at this time. **(Parking Spaces)**

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File

TP - 9-2-10 9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 16, 2010

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

RECEIVED

AUG 17 2010

SUBJECT: 1504-1508 Reisterstown Road

Item Number: 11-015

ZONING COMMISSIONER

Petitioner: Pramukah Swami Donuts, LLC

Zoning: BL-CT

Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

The property in question is within the Pikesville Revitalization District. The new construction of a storage cooler box is subject to the Pikesville Commercial Revitalization Guidelines and should be reviewed by the Planning staff as part of the Administrative Review process. The property is improved with a commercial strip shopping center and what appears to be a metal storage container, which the petitioner's engineer states is temporary and will be removed. The instant case is a special hearing to amend a previously approved site plan including restrictions in cases 70-73a and 91-424spha, and if the Zoning Commissioner determines it necessary to reaffirm the existing parking variance for 18 spaces in lieu of the required 43 parking spaces. The site plan and application does not provide detail concerning amendments to prior restrictions.

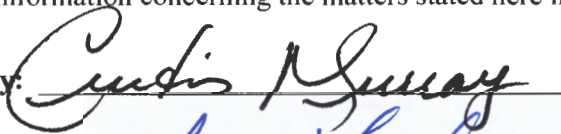
SUMMARY OF RECOMMENDATIONS:

The recommendations of the staff in Design Review Panel areas are binding upon the Zoning Commissioner and the Department of Permits and Development Management. Architectural elevation drawings, submitted for staff review are acceptable.

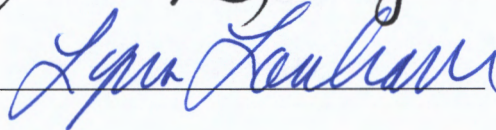
The Office of Planning supports approval of the special hearing provided the property owners submit a letter to the county indicating they will give the right of entry for future construction of 3 foot sidewalk widening and streetscape. This will allow for a smooth transition between the proposed sidewalk improvements to the northwest of the site (along the future Walgreen's frontage) and southwest of the site (Club Centre frontage).

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: July 30, 2010

FROM: Dennis A. Kennedy, Supervisor *DK*
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 2, 2010
Item Nos. 2010-363, 2011- 008, 009, 010,
011, 012, 013, 014, 015, 018, 019 and 020

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08022010 -NO COMMENTS.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: JULY 26, 2010

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

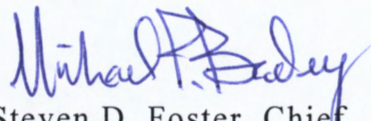
RE: Baltimore County
Item No. 2011-0015-SPHA
1504-1508 REISTERSTOWN RD
MD 140
RYEE PROPERTY
SPECIAL HEARING -
VARIANCE -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 7/23/2010. A field inspection and internal review reveals that an entrance onto MD 140 is consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 1508 REISTERSTOWN RD, Case Number 2011-0015-SPHA.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

TR- 9/2 - 9 AM - 106

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

AUG 23 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: August 20, 2010

SUBJECT: Zoning Item # 11-015-SPHA
Address 1504-1508 Reisterstown Road
(Ryee Property)

Zoning Advisory Committee Meeting of July 19, 2010

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 8/20/10

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
1504-1508 Reisterstown Road; W/S Reisterstown* ZONING COMMISSIONER
Road, 225' S of c/line Old Court Road *
2nd Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Chong & Hye Ryee
Contract Purchaser(s): Pramukh Swami Donuts* BALTIMORE COUNTY
Petitioner(s) *
2011-015-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 all 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
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JUL 27 2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of July, 2010, a copy of the foregoing Entry of Appearance was mailed to Stuart Kaplow, Esquire, 15 East Chesapeake Avenue, Towson, Maryland 21286, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TB-
9/2 @
9am**Thomas Bostwick - Case 2011-0015-SPHA on Sept. 2**

From: Patricia Zook
To: Bostwick, Thomas; Lewis, Kristen
Date: 8/18/2010 3:29 PM
Subject: Case 2011-0015-SPHA on Sept. 2

Allen Zuckenburg, with a Pikesville Community Association, called to complain that the advertising for this case lists an incorrect election district and councilmanic district. He believes this is a fatal flaw in the advertising and the hearing needs to be postponed.

His phone number is 410 484 5047.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

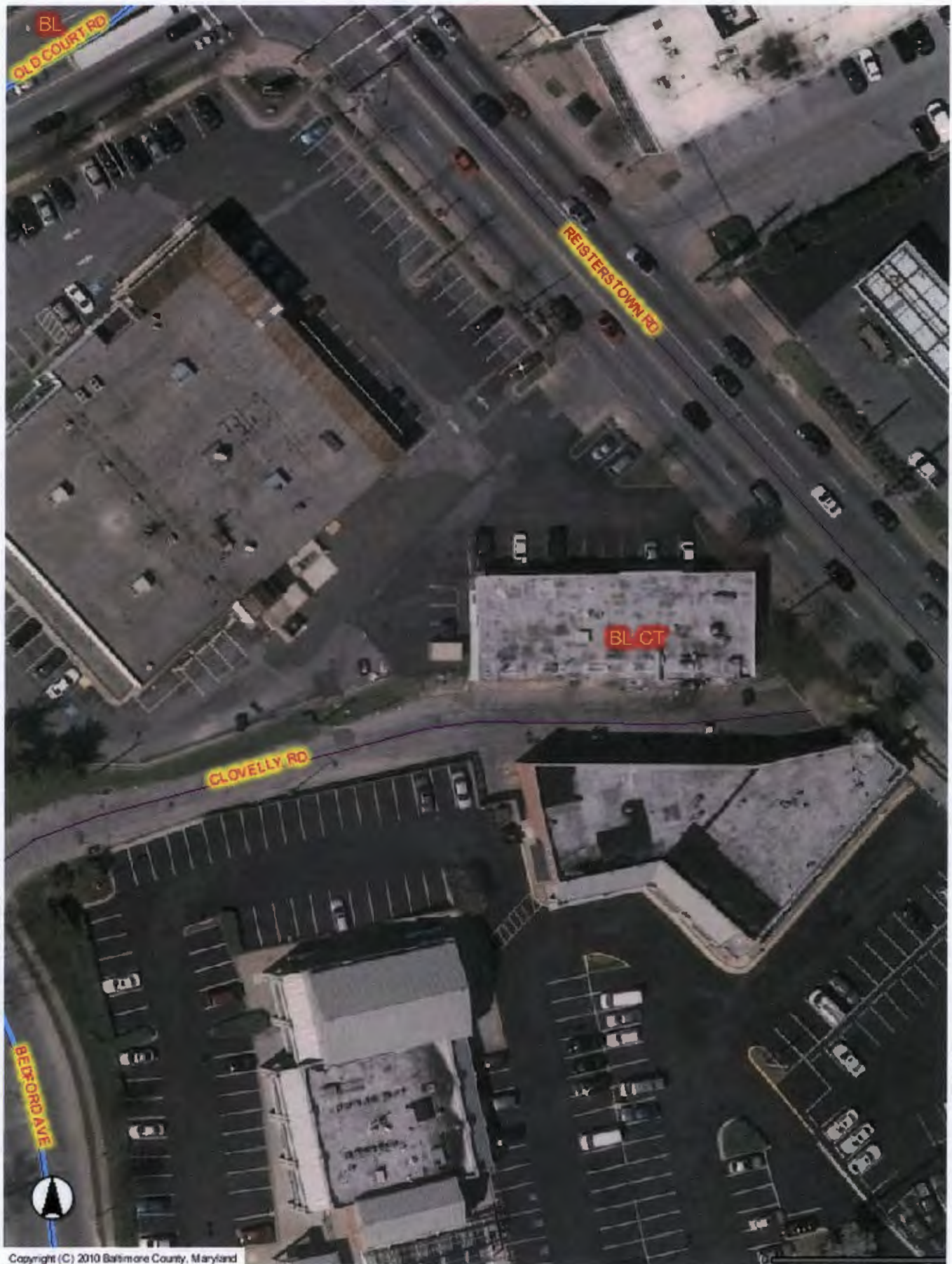
pzook@baltimorecountymd.gov

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>7-30</u>	DEVELOPMENT PLANS REVIEW	<u>None</u>
<u>8-23</u>	DEPRM (if not received, date e-mail sent _____)	<u>None</u>
<u>7-20</u>	FIRE DEPARTMENT	<u>SPH - Compey w/ Fire Code</u>
<u>8-17</u>	PLANNING (if not received, date e-mail sent _____)	<u>Comments</u>
<u>7-26</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. -)PRIOR ZONING (Case No. 70-73-A & 91-424-SPHA)NEWSPAPER ADVERTISEMENT Date: 8-17-10SIGN POSTING Date: 8-15-10PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: ★ Note re: Zukerberg Complaint - Incorrect
Elect. District + Council District on advertising... Hearing
needs to be p/p...



Copyright (C) 2010 Baltimore County, Maryland

CASE NAME _____
CASE NUMBER 2011-0015-SPHA
DATE 9-2-10

[illegible]

Case No.: 2011-0015-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	elevation drawings	
No. 3	letter of entry for future sidewalk widening	
No. 4	petition of support	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Chong O. Ryee
Hye S. Ryee
7237 Preservation Court
Fulton, Maryland 20759

August 13, 2010

Baltimore County Maryland
Attn: Arnold F. Keller, III, Director, Office of Planning
101 West Chesapeake Avenue
Towson, Maryland 21204

Re: Right of Entry 1504 – 1508 Reisterstown Road

Dear Mr. Keller:

This letter is written incident to Baltimore County's review and consideration of zoning petitions filed as case no 2011-0015-SPHA for the property known as 1504-1508 Reisterstown Road, Pikesville, Maryland.

We are the owners of that property.

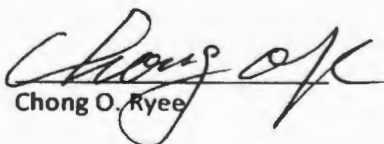
Baltimore County Office of Planning staff has suggested that a uniform network of sidewalks along Reisterstown is desirable. We are aware that the property to the north of ours (what is now the Staples site) has committed to make sidewalk improvements incident to the redevelopment of that site. The precise nature and style of improvements has yet to be determined, although the improvements will widen the area of the existing sidewalk beyond the road right of way.

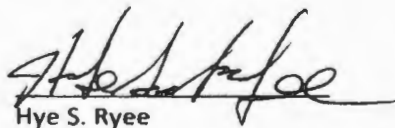
By this letter we are granting to Baltimore County, Maryland a right of entry to enter upon our property at 1504 – 1508 Reisterstown Road, during all reasonable times, for a period of 5 years from the date of this letter, to make sidewalk improvements including the replacement of the existing sidewalk, construction, installation, maintenance and repair of a new sidewalk, the precise nature and style of which has yet to be determined, but with the intent that such will be consistent with that done on the Staples site and transition to the property on the south of ours.

Nothing in this letter shall be deemed in any way to grant any easement in, over, under or through any of the property.

We agree to enter into or otherwise execute such other writings as may be reasonable required to memorialize and facilitate this grant of a right of entry.

Thank you,


Chong O. Ryee


Hye S. Ryee

PETITIONER' S

EXHIBIT NO. 3

Petition in Support

Renovation and Building Addition to 1508 Reisterstown Road

I am signing this Petition in Support to indicate that I support the request by the operator of the Dunkin Donuts at 1508 Reisterstown Road and ask the Zoning Commissioner of Baltimore County to grant the relief necessary to permit the renovation and 9 feet by 16 feet addition to the building, as described in case no. 2011-0015 SPHA.

Name

Address

David Necker

3913 Pinedale Dr, Baltimore

PAUL EVANS.

7846 SMITH AVE, MD 21208

Sirody

1777 REISTERSTOWN RD.

Robert Johnson

3684 Park Height Ave Baltimore

HARVEY L. OKUN

10461 MILL RUN CIRCLE OWNING -
MILL

Thomas Neary

8840 Stanford Blvd, Columbia

Anthony Lashy

6400 Reisterstown Road, Baltimore

Jeffery M. London.

124 Glade Avenue. Pikesville.

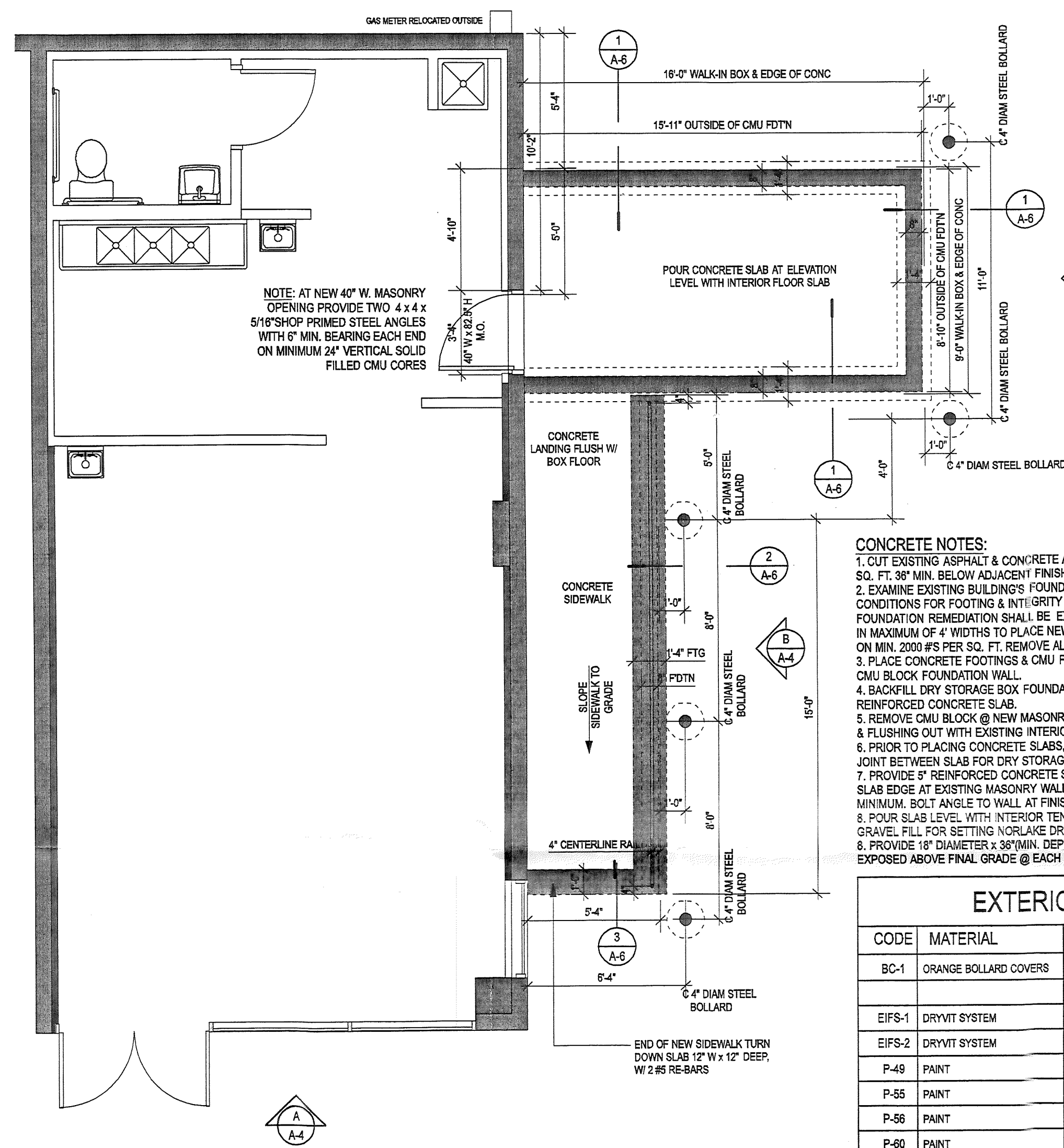
Richard Lynas

2 market Pl, Dndk, 21222

PETITIONER'S

EXHIBIT NO.

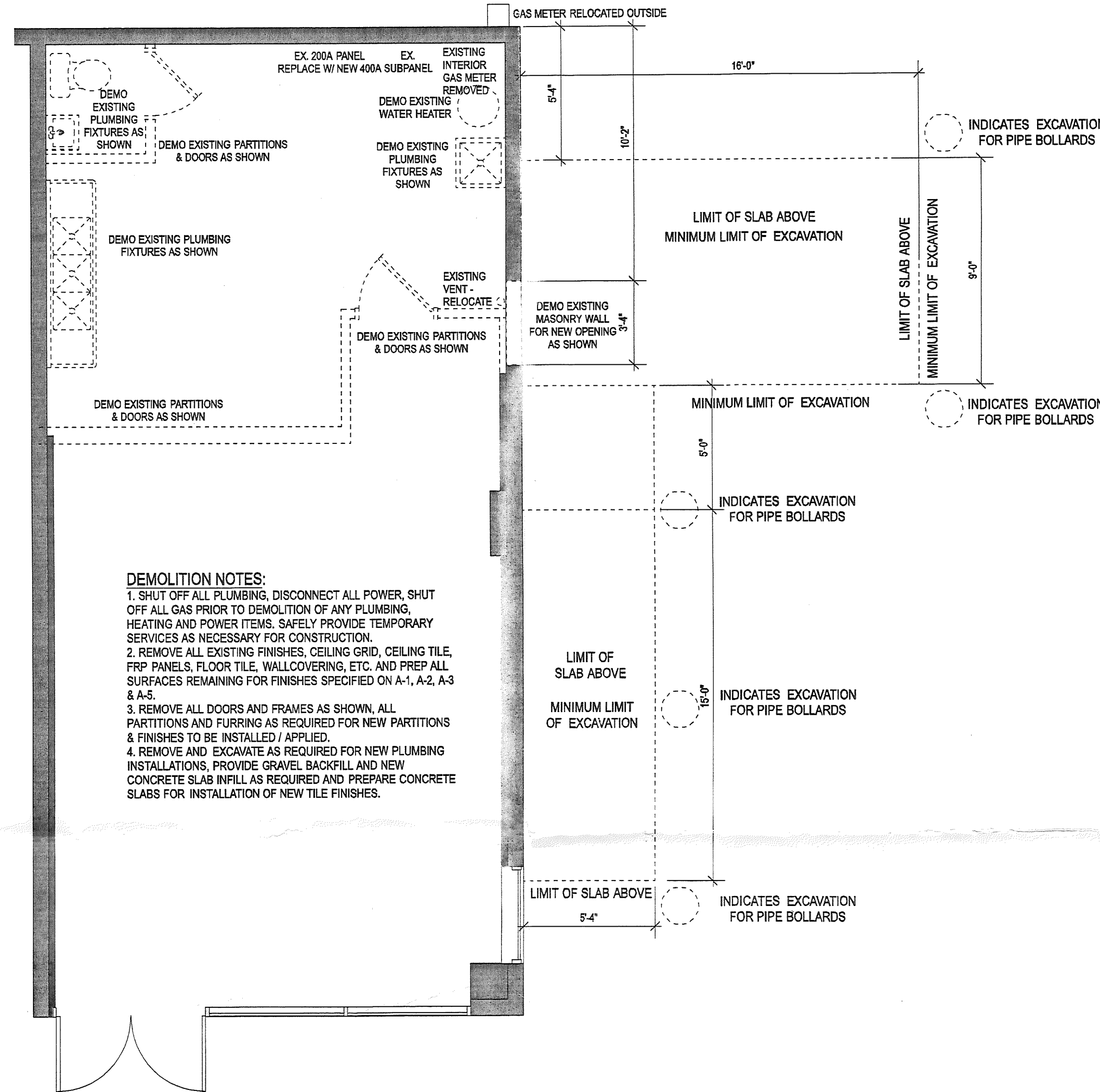
4



- CONCRETE NOTES:**
1. CUT EXISTING ASPHALT & CONCRETE AS REQUIRED TO EXCAVATE FOR FOUNDATION & FOOTINGS. BEARING MUST BE ON MIN. 2000 LBS PER SQ. FT. 36" MIN. BELOW ADJACENT FINISH GRADE.
 2. EXAMINE EXISTING BUILDING'S FOUNDATION WALL & FOOTING. PROVIDE REMEDIAL WORK AS REQUIRED TO MAINTAIN ADEQUATE BEARING CONDITIONS FOR FOOTING & INTEGRITY OF EXISTING FOUNDATION WALL PRIOR TO INSTALLATION OF ANY NEW WORK. AREAS REQUIRING FOUNDATION REMEDIATION SHALL BE EXCAVATED BELOW EXISTING BLDG FOOTING TO MIN. DEPTH OF 36" BELOW ADJACENT FINISH GRADE IN MAXIMUM OF 4' WIDTHS TO PLACE NEW CONCRETE AS REQUIRED TO SUPPORT EXISTING FOOTING AND WALL ABOVE. BEARING MUST BE ON MIN. 2000 #S PER SQ. FT. REMOVE ALL AREAS OF UNSUITABLE BEARING CONDITIONS AND INFILL WITH CONCRETE.
 3. PLACE CONCRETE FOOTINGS & CMU FOUNDATION WALLS PER PLANS & DETAILS. PROVIDE 16" x 8" CONCRETE FOOTING @ PERIMETER W/ 8" CMU BLOCK FOUNDATION WALL.
 4. BACKFILL DRY STORAGE BOX FOUNDATION & SIDEWALK FOUNDATION W/ COMPACTED SOIL OR GRAVEL FILL & PREPARE FOR 5" REINFORCED CONCRETE SLAB.
 5. REMOVE CMU BLOCK @ NEW MASONRY OPENING AS REQUIRED TO PROVIDE A MINIMUM 2" CONCRETE SILL- FILLING ALL JAMB & SILL CORES & FLUSHING OUT WITH EXISTING INTERIOR SLAB.
 6. PRIOR TO PLACING CONCRETE SLABS, PREP AND PROVIDE 1/2" SS CHANNEL W/ BACKER ROD & EPOXY SELF LEVELLING JOINT FILLER @ JOINT BETWEEN SLAB FOR DRY STORAGE BOX & EXISTING INTERIOR.
 7. PROVIDE 8" REINFORCED CONCRETE SLAB & SIDEWALK FROM INTERIOR SLAB ELEVATION TO GRADE AT END OF SIDEWALK. TO SUPPORT SLAB EDGE AT EXISTING MASONRY WALL PROVIDE 4 x 4 x 5/16" STEEL ANGLE BOLTED TO MASONRY 8" O.C. W/ 1/2" SS BOLTS WITH 4" BEARING MINIMUM. BOLT ANGLE TO WALL AT FINISH SLAB SLOPE / ELEVATION (+) 5".
 8. POUR SLAB LEVEL WITH INTERIOR TENANT SPACE SLAB ON 6 MIL POLYETHYLENE VAPOR BARRIER ON 2" MIN. RIGID INSULATION ON 4" MIN. GRAVEL FILL FOR SETTING NORLAK DRY STORAGE CONTAINER.
 9. PROVIDE 16" DIAMETER x 36" (MIN. DEPTH) CONCRETE FOOTING WITH 4" DIAM. STEEL PIPE BOLLARD. SIZE LENGTH OF BOLLARD FOR 42" EXPOSED ABOVE FINAL GRADE @ EACH BOLLARD LOCATION.

EXTERIOR FINISH MATERIAL SCHEDULE

CODE	MATERIAL	MANUFACTURER	PRODUCT NO.	DESCRIPTION	REMARKS
BC-1	ORANGE BOLLARD COVERS	IDEAL SHIELD	BC1-CC-4-52-S	4"W X 52"H ORANGE SLEEVE	
EIFS-1	DRYVIT SYSTEM	DRYVIT SYSTEM, INC.	TO BE SELECTED	MATCH P-49 NIGHT SHADE	
EIFS-2	DRYVIT SYSTEM	DRYVIT SYSTEM, INC.	TO BE SELECTED	MATCH P-56 YOSEMITE SAND	
P-49	PAINT	BENJAMIN MOORE	BM 2116-10	NIGHT SHADE	MONOLITH & COPING CAPS
P-55	PAINT	BENJAMIN MOORE	HC-46	JACKSON TAN	
P-56	PAINT	BENJAMIN MOORE	AC-4	YOSEMITE SAND	
P-60	PAINT	BENJAMIN MOORE	2016-10	STARTLING ORANGE	
P-64	PAINT	BENJAMIN MOORE	1348	RAZZLE DAZZLE	
WC-17A	SINTRA SIGN GRAPHICS	DGS RETAIL		18" X 9'-4" EXTERIOR CUP SILHOUETTE	COFFEE CUP ICON

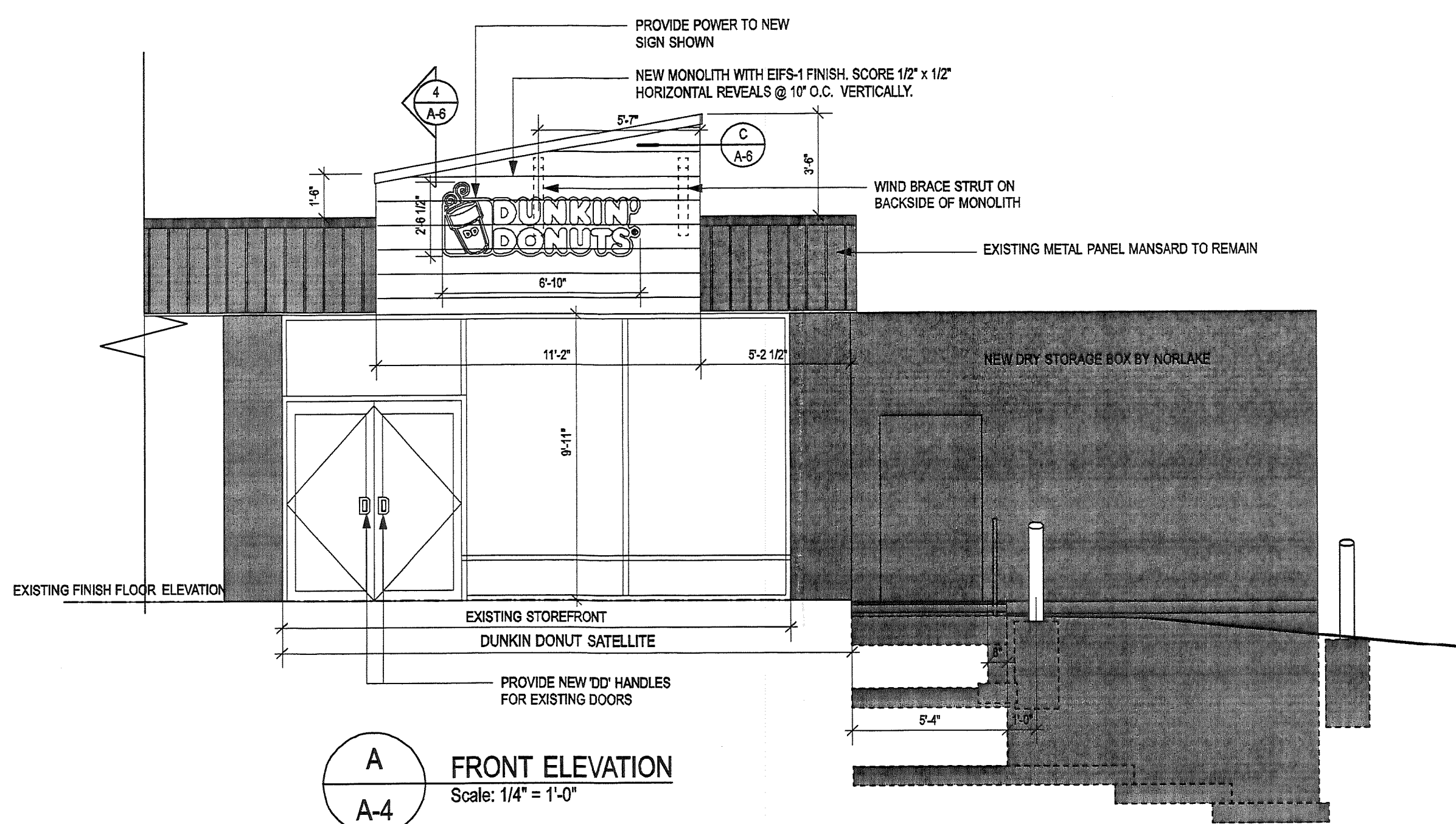


- DEMOLITION NOTES:**
1. SHUT OFF ALL PLUMBING. DISCONNECT ALL POWER. SHUT OFF ALL GAS PRIOR TO DEMOLITION OF ANY PLUMBING, HEATING AND POWER ITEMS. SAFELY PROVIDE TEMPORARY SERVICES AS NECESSARY FOR CONSTRUCTION.
 2. REMOVE ALL EXISTING FINISHES, CEILING GRID, CEILING TILE, FRP PANELS, FLOOR TILE, WALLCOVERINGS, ETC. AND PREP ALL SURFACES REMAINING FOR FINISHES SPECIFIED ON A-1, A-2, A-3 & A-5.
 3. REMOVE ALL DOORS AND FRAMES AS SHOWN. ALL PARTITIONS AND FURRING AS REQUIRED FOR NEW PARTITIONS & FINISHES TO BE INSTALLED / APPLIED.
 4. REMOVE AND EXCAVATE AS REQUIRED FOR NEW PLUMBING INSTALLATIONS. PROVIDE GRAVEL BACKFILL AND NEW CONCRETE SLAB INFILL AS REQUIRED AND PREPARE CONCRETE SLABS FOR INSTALLATION OF NEW TILE FINISHES.

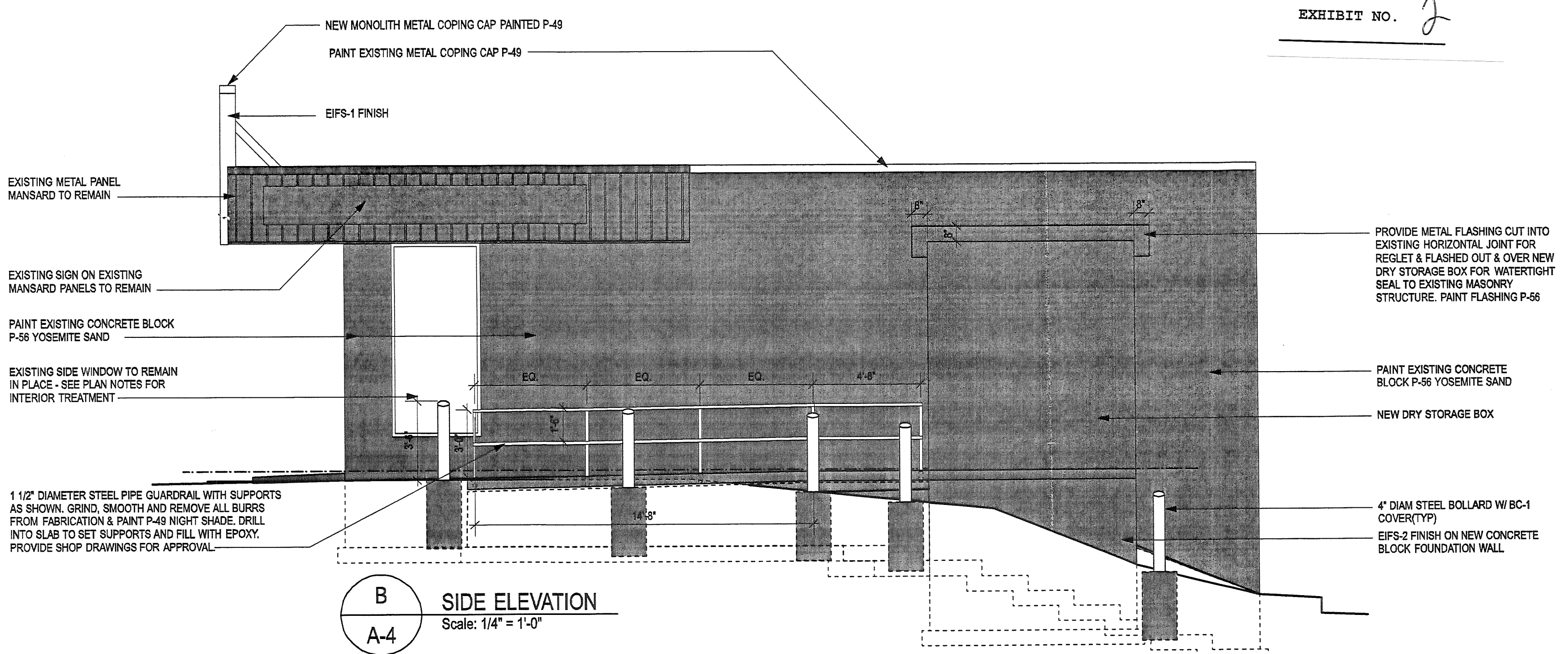
2 STRUCTURAL PLAN
Scale: 1/4" = 1'-0"

1 DEMOLITION PLAN
Scale: 1/4" = 1'-0"

PETITIONER'S
EXHIBIT NO. 2



A FRONT ELEVATION
Scale: 1/4" = 1'-0"



B SIDE ELEVATION
Scale: 1/4" = 1'-0"

MARKS
SCOPAL

0319000225

BL

0304020954

Pt. Bk./Folio # MP07159

PDM # 030485

DR 2

2500000728

OLD COURT RD

1517

Pt. Bk./Folio # 030132

0326000026

1515

1515

0319001994

Pt. Bk. 30, Folio 132

PDM # 030117

Pt. Bk./Folio # 034060

1509

1600002155

Lot # X

Pt. Bk. 34, Folio 60

Lot # B

1600002156

SITE

1510

1504

0319035910

1509

1505

1503

3 ED

0311067275

078A1

2 CD

NW 8-F

BL CT

0304002740

1508

1504

1502

CLOVELLY RD

BEDFORD AVE

1450

RAE 2

2200027288

Pt. Bk. 68, Folio 112

Lot # 2

Pt. Bk./Folio # 068112

PDM # 030314

Pt. Bk./Folio # 058109

2100005926

Pt. Bk. 58, Folio 109

1498

1496

1500

1500

1500

1600006180

1430

1430

1430

1426

0312060827

1422

1420

1416

0303053170

1800001350

1414

MCHENRY AVE

0306001700

2011-0015-SPHA

ZONING HISTORY

CASE NO. 70-73 A VARIANCE TO PERMIT 18 PARKING SPACES IN LIEU OF REQUIRED 24 PARKING SPACES, 10' FRONT YARD SETBACK IN LIEU OF REQUIRED 58' AND A SIDE YARD SETBACK OF 0' IN LIEU OF REQUIRED 10'. GRANTED BY AMENDED ORDER 11-28-69

CASE NO. 79-83-A A VARIANCE TO PERMIT 18 PARKING SPACES IN LIEU OF REQUIRED 48 PARKING SPACES. PETITION DENIED BY BOARD OF APPEALS.

CASE NO. 91-424-SPHA A SPECIAL HEARING TO ALLOW AN AMENDMENT TO THE PREVIOUSLY APPROVED SITE PLAN IN CASE NO. 70-73-A. A VARIANCE TO PERMIT 18 SPACES IN LIEU OF THE REQUIRED 60 PARKING SPACES. GRANTED 9-18-1991.

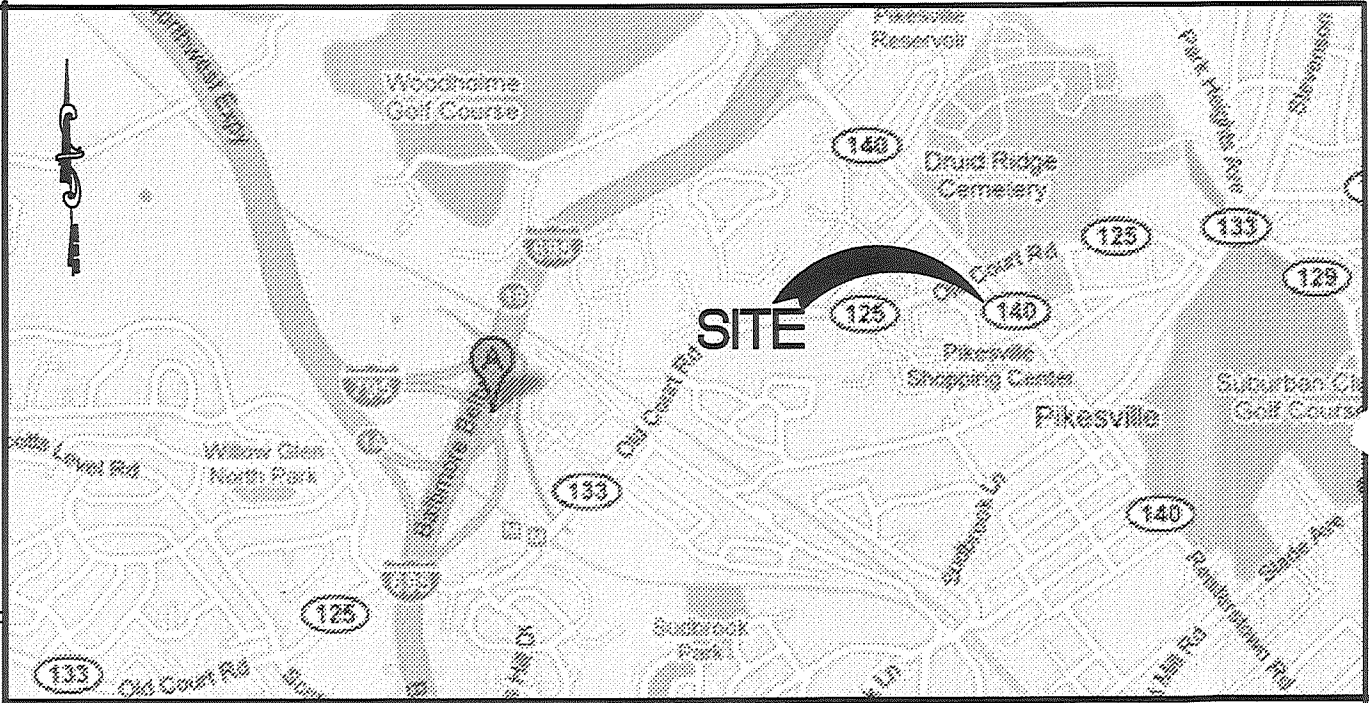
SPECIAL HEARING AND VARIANCE

SPECIAL HEARING

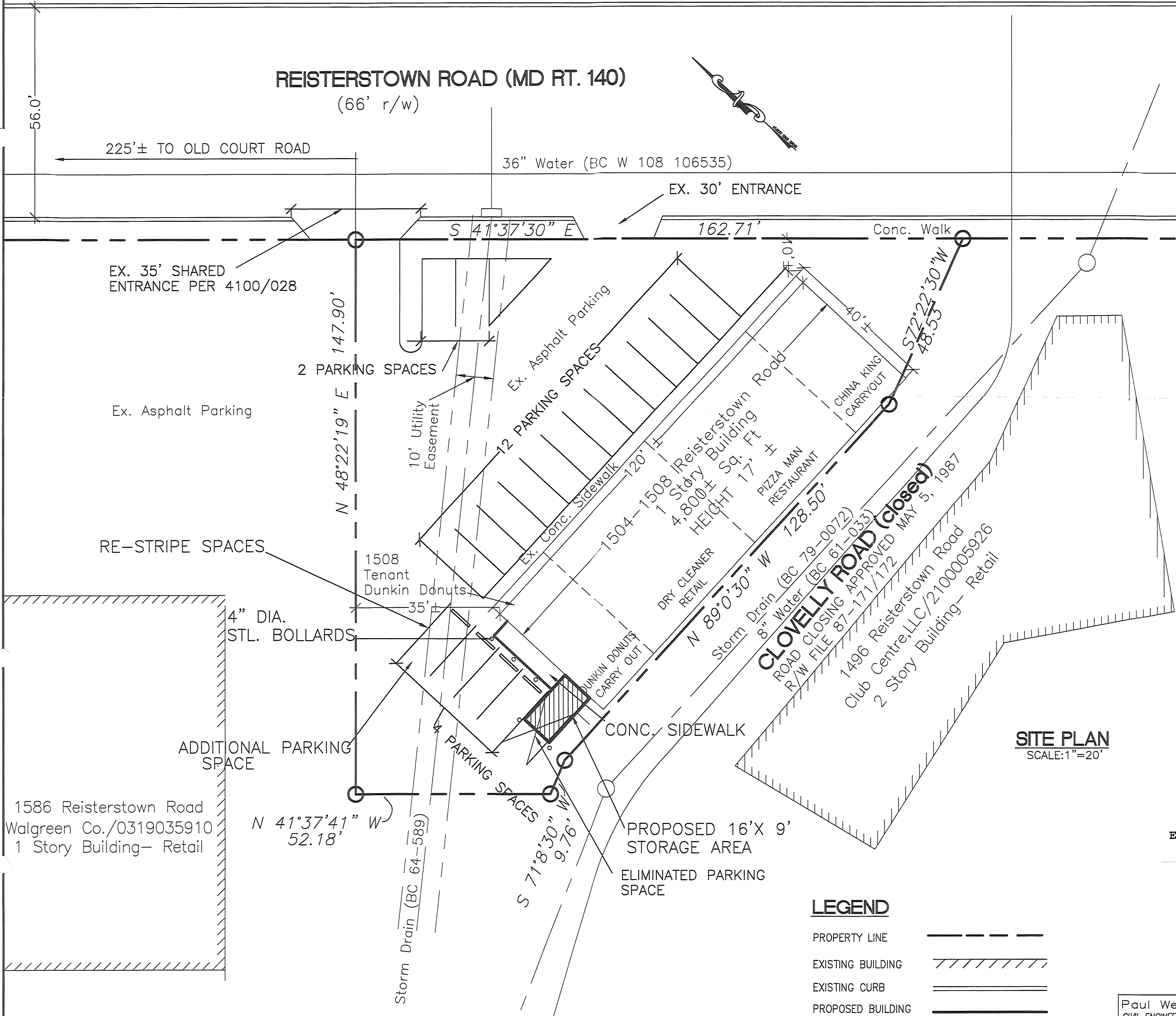
TO APPROVE THE AMENDMENT OF THE APPROVED SITE PLANS AND ORDERS, INCLUDING RESTRICTIONS IN THOSE ORDERS, IN CASES 70-73-A AND 91-424-SPHA; SUCH THAT THE APPROVED SITE PLAN WILL BE THE SITE PLAN THAT IS THE SUBJECT OF THIS PETITION.

ZONING VARIANCE

IF THE ZONING COMMISSIONER DETERMINES IT NECESSARY TO REAFFIRM THE EXISTING VARIANCE, A VARIANCE FROM BCZR SECTION 409.6 TO PERMIT THE EXISTING 18 PARKING SPACES IN LIEU OF THE REQUIRED 43 SPACES, IN ACCORDANCE WITH THE SITE PLAN THAT IS THE SUBJECT OF THIS PETITION.



VICINITY MAP
SCALE: 1"=2000'



SITE INFORMATION

COUNCILMANIC DISTRICT 2
ELECTION DISTRICT 3
ZONING BL-CT
TAX MAP 78 P. 32 AREA 15,363 SF (.35 ACRES)

TAX ACCT NO. 0304002740
OWNER CHONG AND HYE RYEE\
7237 PRESERVATION COURT
FULTON, MD 20759

NO NEW SIGNAGE IS PROPOSED. ALL EXISTING SIGNAGE TO COMPLY WITH BCZR

SITE IS NOT IN A CHESAPEAKE BAY CRITICAL AREA

THERE ARE NO STREAMS ON THE SITE.

NOT AN HISTORIC PROPERTY.

GENERAL NOTES

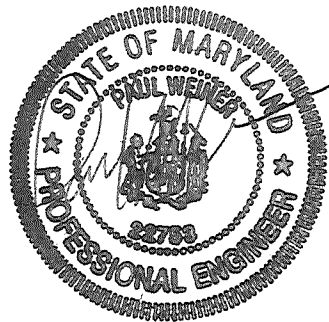
- ALL FEATURES SHOWN ON THIS SITE PLAN ARE APPROXIMATE. CONTRACTOR, OWNER OR OTHERS SHALL VERIFY LOCATIONS. METES AND BOUNDS DESCRIBING THIS PROPERTY ARE FROM PLAN TO ACCOMPANY ZONING CASE 70-73-A DATED AUGUST 5, 1969. FOR THE PURPOSE OF ZONING ONLY.

PARKING CALCULATIONS

RETAIL SPACE 1,744 SF X 5/1000 = 9 SPACES.
RESTAURANT (CARRY OUT) 1,600 SF X 5/1000 = 8 SPACES
RESTAURANT (WITH SEATING) 1,600 SF X 16/1000 = 26 SPACES
TOTAL SPACES REQ'D = 43 SPACES

PETITIONER'S
EXHIBIT NO. _____

2011-0015-SPHA



Paul Weiner, LLC
CIVIL ENGINEER
443-248-1337

PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING
& ZONING VARIANCE
1508 REISTERSTOWN ROAD