

M E M O R A N D U M

DATE: July 30, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0270-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 29, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

/dlw

c: / Case File
✓ Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(7308 Eastern Avenue)
12th Election District
7th Council District
WRC Properties, LLC
Legal Owner
Petitioner

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2019-0270-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by WRC Properties, LLC, legal owner of the subject property (“Petitioner”). In the request as filed petitioner sought variance relief from Section 409.6 of the Baltimore County Zoning Regulations (“BCZR”) to permit a tavern with 23 parking spaces in lieu of the required 59 spaces. The zoning petition was amended at the hearing and a revised site plan (Petitioner’s Exhibit 1) was submitted reflecting the use was a restaurant, which requires 47 parking spaces.

Herbert Chavez and David Billingsley appeared in support of the petition. Gary R. Maslan, Esq. represented Petitioner. Several community members attended and opposed the request. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning. That agency did not oppose the request.

The site is approximately 16,814 sq. ft. in size and is zoned BR-AS. The Greek Village Restaurant, a family-owned business, operated at the site for over 30 years. That business closed and Petitioner purchased the property. Mr. Chavez, a principal of the entity which owns the property, testified he proposes to operate a restaurant with a liquor license, not a tavern. The

ORDER RECEIVED FOR FILING

Date 6/28/19

By Sen

neighbors take issue with that characterization and believe the operation will be a tavern, since the liquor license Petitioner proposes to acquire from Martin's Hops Inn (Pet. Ex. 3) is known as a "tavern" license which would permit sales of alcohol, including carry-out package goods, seven days a week. Either use is permitted by right in the BR zone; the only distinction, for purposes of this hearing, is that the tavern use requires more parking spaces than a restaurant.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Based on a review of the site plan and photos it does not appear as if the property has any defining characteristics (*e.g.*, shape, topographical changes, or environmental features) which would render it unique in a zoning sense. Mr. Maslan indicated the property was unique since the small lot has a large building located on it. But according to Mr. Billingsley's site plan (Note 6) the floor area ratio ("FAR") is only 0.17, which is far below the 2.0 FAR permitted in the B.R. zone. BCZR §238.5. Based on the evidence and testimony at the hearing I do not believe Petitioner has satisfied the stringent requirements for variance relief, especially since only 50% of the required parking for the restaurant would be provided on site. The *Cromwell* court held that variances should be granted "sparingly" since it is "an authorization for [that] ...which is prohibited by a zoning ordinance." *Id.* at 699.

THEREFORE, IT IS ORDERED, this 28th day of **June, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations ("BCZR") to permit a restaurant with 23 parking spaces in lieu of the required

ORDER RECEIVED FOR FILING

Date 6/28/19
By sen

47 spaces, be and is hereby DENIED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 6/28/19

By slh



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 7308 Eastern Avenue which is presently zoned BRAS
Deed References: 38804/00337 10 Digit Tax Account # 1207030360
Property Owner(s) Printed Name(s) WRC Properties LLC

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s) 409.6, BCZR, TO PERMIT A TAVERN WITH 23 PARKING SPACES IN LIEU OF THE REQUIRED 59 SPACES.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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 petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Loren's Cafe, LLC
Name- Type or Print
Walter Choy
Signature
7308 Eastern Ave Baltimore Md
Mailing Address City State
21224 / /
Zip Code Telephone # Email Address

Attorney for Petitioner:

W. Timothy Sutton
Name- Type or Print
W. Timothy Sutton
Signature
7508 Eastern Ave Baltimore Md
Mailing Address City State
21224 / 410-282-2700 / tsutton@lwc.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

WRC Properties LLC
Name #1 - Type or Print Name #2 - Type or Print
Walter Choy /
Signature #1 Signature #2
2601 Luis Deane Dr. Parkville Md
Mailing Address City State
21234 / /
Zip Code Telephone # Email Address

Representative to be contacted:

W. Timothy Sutton
Name - Type or Print
W. Timothy Sutton
Signature
7508 Eastern Ave Baltimore Md
Mailing Address City State
21224 / 410-282-2700 / tsutton@lwc.com
Zip Code Telephone # Email Address

CASE NUMBER 2019-0270-A Filing Date 3/15/19 Do Not Schedule Dates: Reviewer JCM

ZONING DESCRIPTION 7308 EASTERN AVENUE

Beginning for the same at a point on the north side of Eastern Boulevard, Md. Rte. 150 (80 feet wide), distant 178 westerly from its intersection with the center of Westham Way, thence:

1. N 26°48'40" W 113.26 feet, thence:
2. N 13°43'51" E 22.80 feet, thence:
3. N 54°16'22" E 111.53 feet, thence:
4. S 26°48'40" E 147.87 feet, thence:
5. S 63°11'20" W 125 feet to the place of beginning.

Containing 17,147 square feet or 0.393 acre of land, more or less.

Being known as 7308 Eastern Avenue. Located in the 12TH Election District, 7TH Councilmanic District of Baltimore County, MD.



MY LICENSE EXPIRES 4-12-20

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

(443) 524-8100

<http://www.thedailyrecord.com>**PUBLISHER'S AFFIDAVIT**

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

4/19/2019

Order #: 11730123
 Case #: 2019-0270-A
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0270-A



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County**NOTICE OF ZONING HEARING**

The Administrative Law Judge 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: 2019-0270-A

7308 Eastern Avenue

NW/s Eastern Avenue, 179 ft. of Westerly Way

12th Election District - 7th Councilmanic District

Legal Owners: WRC Properties, LLC

Contract Purchaser/Lessee: Lorena's Cafe, LLC

Variance to permit a tavern with 23 parking spaces in lieu of the required 69 spaces.

Hearing: Friday, May 10, 2019 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

ap19

JB 5-10-19
11AM

Debra Wiley

From: David Billingsley <dwb0209@yahoo.com>
Sent: Monday, May 6, 2019 10:08 AM
To: Administrative Hearings
Cc: Timothy Sutton
Subject: 7308 EASTERN AVENUE CASE NO. 2019-0270-A
Attachments: Scan_0004.pdf

POSTING RECERTIFICATION ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL



CERTIFICATE OF POSTING

RECEIVED 5/6/19
Date: APRIL 19, 2019

RE: Project Name: 7308 EASTERN AVENUE #1
Case Number /PAI Number: 2019-0270-A
Petitioner/Developer: LORENA'S CAFE, LLC
Date of Hearing/Closing: MAY 10, 2019



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 7308 EASTERN AVE

The sign(s) were posted on _____

APRIL 19, 2019

(Month, Day, Year)

May 6, 2019 7:37:34 AM

RECEIVED 5/6/19

David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

ZONING NOTICE

CASE NO. 2019-0270-X
7308 EASTERN AVENUE

**A HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE**

**PLACE: ROOM 205 JEFFERSON BUILDING, 105 WEST
CHESAPEAKE AVENUE, TOWSON, MD. 21204**
TIME: FRIDAY, MAY 10, 2019 @ 11:00 AM

**VARIANCE TO PERMIT A TAVERN WITH 23 PARKING
SPACES IN LIEU OF THE REQUIRED 59 SPACES**

Postponements due to weather or other conditions are sometimes necessary. To confirm hearing or obtain additional information, contact Department of Permits, Approvals and Inspections, 111 West Chesapeake Avenue, Towson, Md. 21204 (410) 679-8719.

UNDER PENALTY OF LAW, DO NOT REMOVE THIS SIGN UNTIL THE DAY OF THE HEARING. HEARINGS ARE HANDICAPPED ACCESSIBLE.

CERTIFICATE OF POSTING

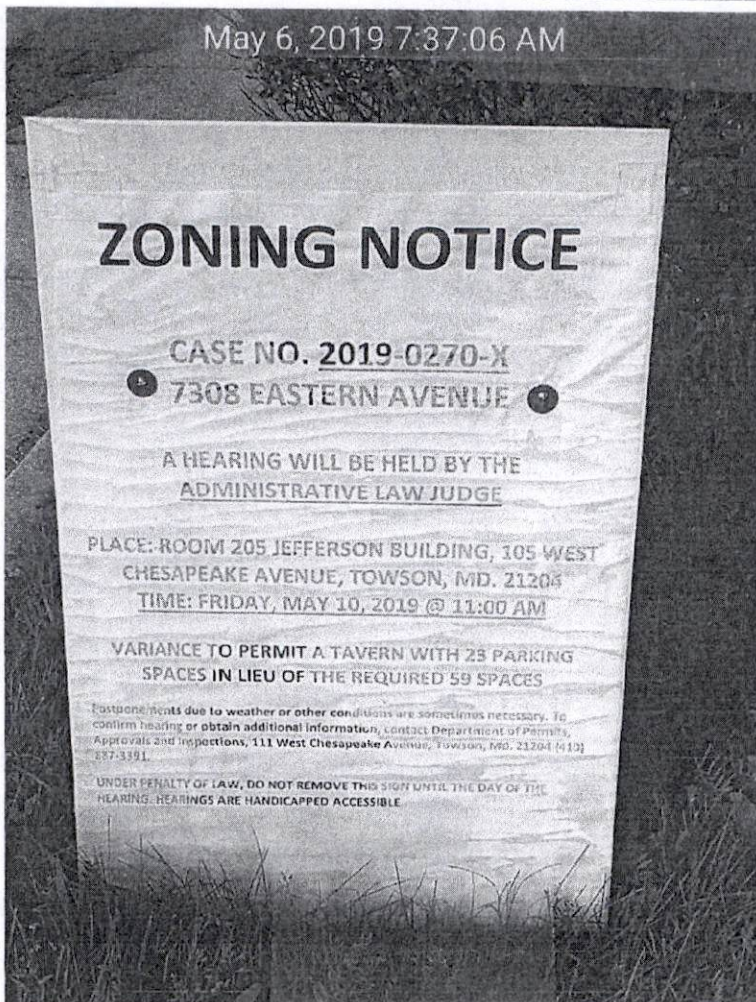
RECEIVED 5/6/19
Date: APRIL 19, 2019

RE: Project Name: 7308 EASTERN AVENUE #2
Case Number /PAI Number: 2019-0270-A
Petitioner/Developer: LORENA'S CAFE, LLC
Date of Hearing/Closing: MAY 10, 2019



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 7308 EASTERN AVE

The sign(s) were posted on APRIL 19, 2019
(Month, Day, Year)



David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: APRIL 19, 2019

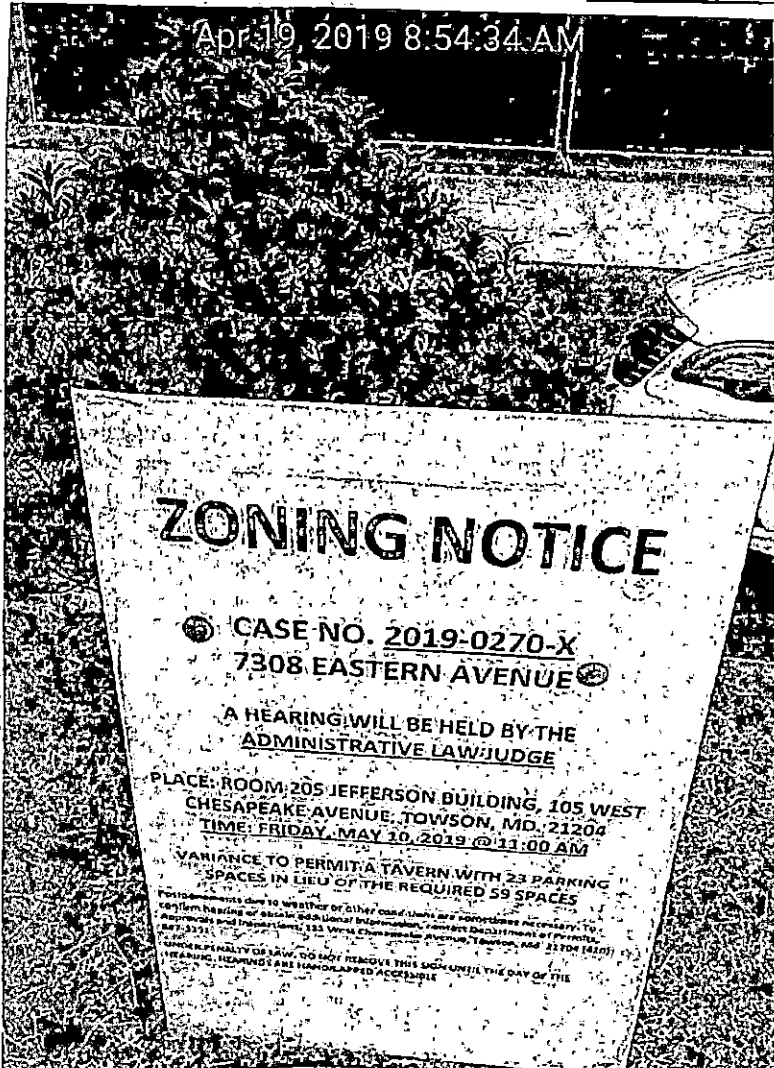
RE: Project Name: 7308 EASTERN AVENUE #1
Case Number /PAI Number: 2019-0270-A
Petitioner/Developer: LORENA'S CAFE, LLC
Date of Hearing/Closing: MAY 10, 2019

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 7308 EASTERN AVE

The sign(s) were posted on

APRIL 19, 2019

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD, 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

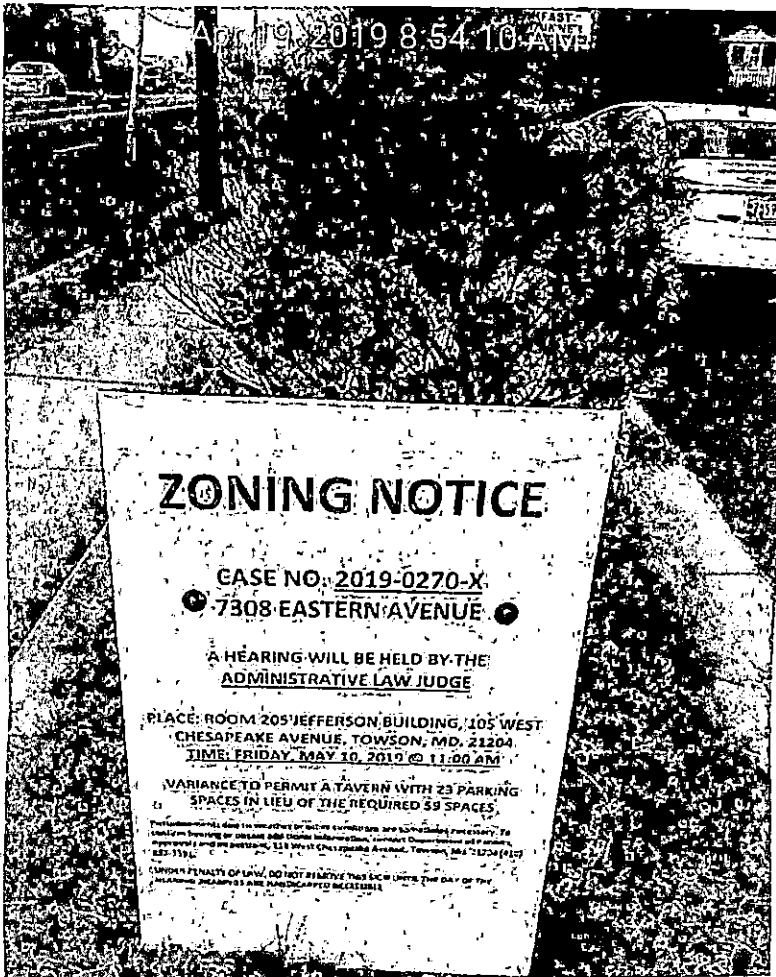
Date: APRIL 19, 2019

RE: Project Name: 7308 EASTERN AVENUE #2
Case Number /PAI Number: 2019-0270-A
Petitioner/Developer: LORENA'S CAFE, LLC
Date of Hearing/Closing: MAY 10, 2019

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 7308 EASTERN AVE

The sign(s) were posted on APRIL 19, 2019

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 11, 2019

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0270-A

7308 Eastern Avenue
NW/s Eastern Avenue, 179 ft. of Westerly Way
12th Election District – 7th Councilmanic District
Legal Owners: WRC Properties, LLC
Contract Purchaser/Lessee: Lorena's Café, LLC

Variance to permit a tavern with 23 parking spaces in lieu of the required 59 spaces.

Hearing: Friday, May 10, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: W. Timothy Sutton, 7508 Eastern Avenue, Baltimore 21224
Lorena's Café, 7308 Eastern Avenue, Baltimore 21224
WRC Properties, 2601 Luis Deane Dr., Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 21, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: THE DAILY RECORD
Friday, April 20, 2019 - Issue

Please forward billing to:
W. Timothy Sutton
7508 Eastern Avenue
Baltimore, MD 21224

410-282-2700

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0270-A

7308 Eastern Avenue
NW/s Eastern Avenue, 179 ft. of Westerly Way
12th Election District – 7th Councilmanic District
Legal Owners: WRC Properties, LLC
Contract Purchaser/Lessee: Lorena's Café, LLC

Variance to permit a tavern with 23 parking spaces in lieu of the required 59 spaces.

Hearing: Friday, May 10, 2019 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204 .



Mike Mohler
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
7308 Eastern Avenue; NW/S Eastern Avenue, * OF ADMINISTRATIVE
179' from c/line of Westerly Way * HEARINGS FOR
12th Election & 7th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): WRC Properties, LLC *
Contract Purchaser(s): Lorena's Café LLC *
Petitioner(s) * 2019-270-A

* * * * *

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.

RECEIVED
MAR 22 2019

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of March, 2019, a copy of the foregoing Entry of Appearance was mailed to W. Timothy Sutton, Esquire, 7508 Eastern Avenue, Baltimore, Maryland 21224, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0270-A
Property Address: 7308 EASTERN AVE.
Property Description: LOCATED ON THE NW/SIDE of
EASTERN AVE. 179ft E from & of WESTHAM
WAY.
Legal Owners (Petitioners): WCR PROPERTIES LLC
Contract Purchaser/Lessee: LORENA'S Cafe

PLEASE FORWARD ADVERTISING BILL TO:

Name: W. TIMOTHY SUTTON, Esq.
Company/Firm (if applicable):
Address: 7508 EASTERN AVE.
BALTO., Md. 21224
Telephone Number: 410-282-2700

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

No. **181943**

Date: **3/15/19**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 3/18/2019 3/15/2019 09:41:50 5
 REG USDS WALKIN LRB
 >>RECEIPT 000170 3/15/2019 OFLN
 Dept 5 528 ZONING VERIFICATION
 181943
 Recd Tot \$ 500.00
 500.00 CK .00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					500.00

Total: **500.00**

Rec

From: **WCR PROPERTIES, LLC.**

For:

2019-0270-A

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

May 1, 2019

W. Timothy Sutton
7508 Eastern Ave
Baltimore MD 21224

RE: Case Number: 2019-0270-A, 7508 Eastern Ave

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 15, 2019. 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, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
WRC Properties LLC 2601 Lais Deane Dr. Parkville MD 21234

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

DATE: 5/9/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-270

INFORMATION:

Property Address: 7308 Eastern Avenue
Petitioner: WRC Properties, LLC
Zoning: BR, AS
Requested Action: Variance

The Department of Planning has reviewed the petition for variance to permit a tavern with 23 parking spaces in lieu of the required 59 spaces.

A site visit was conducted on March 27, 2019. The subject site is part of the Greater Dundalk Sustainable Community and is improved with an existing 1-story restaurant.

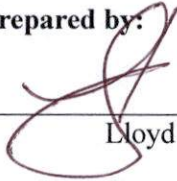
The Department is supportive of economic activities in the sustainable community areas and is not opposed to the grant of zoning relief to facilitate such activities. That notwithstanding, the Department maintains some concern on the parking layout. The following comments are basing upon a red-lined site plan received on April 6, 2019 subsequent by a request from Department staff to accurately depict the dimensions of the angled parking proposed on the east side of the building.

The Department of Planning has no objection to granting variance for parking relief conditioned upon the following:

- Pursuant to BCZR§409.4.C parking angled at 45 deg. requires a 14 foot wide one way access drive aisle. The plan does not confirm that the required drive aisle is provided nor does it confirm that the petitioners have the right to use the adjacent property for access purposes, being contrary to the requirements of BCZR§102.2. Petitioners must confirm their plan meets all requirements of the BCZR. The Department recommends that the current location of angled parking on the site be utilized. This allows greater access into the site at the main entrance and reduces the chance that the entrance is blocked due to vehicles backing out of the proposed spaces thereby creating traffic and safety issues. Petitioners apprised the Department of their concerns that the angled parking at its present location risks patrons backing into the building. The use of bollards would prevent that scenario.
- All parking spaces shall be clearly marked on site and the parking area landscaped to the extent possible pursuant to BCZR§409.8.
- Screen all dumpsters to the satisfaction of the Baltimore County Landscape Architect.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jennifer G. Nugent

JM/JGN/LTM/

c: Krystle Patchak
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
W. Timothy Sutton
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

FROM: *MCD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

DATE: April 2, 2019

SUBJECT: Zoning Advisory Committee Meeting
For March 25, 2019
Item No. 2019-0265-A, 0266-A, 0268-A, 0269-A, 0270-A & 0271-A

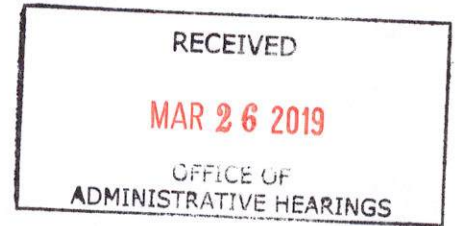
The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: March 26, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0270-A
Address 7308 Eastern Avenue
(WRC Properties, LLC Property)

Zoning Advisory Committee Meeting of **March 25, 2019**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

Date: 3/20/19

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

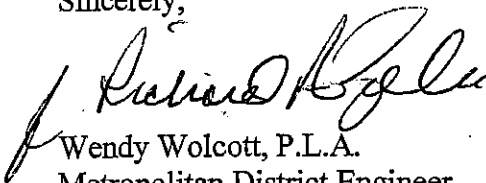
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 3/20/19. A field inspection and internal review reveals that an entrance onto 174150 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2019-0270-A.

WRC Properties, LLC
7308 Eastern Avenue

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

DATE 6/26/19

[illegible]

CASE NAME _____
CASE NUMBER _____
DATE _____

6/26/2019

[illegible]

CASE NAME 2019-270-A
CASE NUMBER _____
DATE MAY 10, 2019

[illegible]

Development, Zoning Hearings & Meetings

Location:
 1st Council District
 2nd Council District

Type:
 Event or Activity
 meet

Keyword(s):

Previous **Jun 2019** **Next**

Select 26 27 28 29 30 31 1

Select 2 3 4 5 6 7 8

Select 9 10 11 12 13 14 15

Select 16 17 18 19 20 21 22

Select 23 24 25 26 27 28 29

Select 30 1 2 3 4 5 6

Show Events By: Day Week Month RSS

RSS

Wednesday, June 26, 2019

Development Plan Conference—Townes at Pahls Farm County Office Building, Room 123

10:00am - 11:00am

Zoning Hearings - 7308 Eastern Avenue

10:00am - 11:00am

7th Council District

Sherry Nuffer

From: Lynne Mitchell <lmitchell@bodie-law.com>
Sent: Thursday, May 30, 2019 2:18 PM
To: Sherry Nuffer
Subject: RE: 2019-0270-A

CAUTION: This message from lmitchell@bodie-law.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Sherry,

Here is the post that was copied from right from the calendar on the Baltimore County website page. We wouldn't have the case number otherwise:

Date/Time:
Mon. Jun 3, 2019 1:30pm - 3:30pm
Location:
7th Council District
Details:
Case Number: 2019-0270-A
Legal Owners: WRC Properties, LLC
Variance to permit a tavern with 23 parking spaces in lieu of the required 59 parking spaces.
Hearing location: Jefferson Building, 105 W. Chesapeake Avenue, Rm. 205, Towson 21204
Contact:
PAI 410-887-3391

Thank you.

From: Sherry Nuffer [mailto:snuffer@baltimorecountymd.gov]
Sent: Thursday, May 30, 2019 1:24 PM
To: Lynne Mitchell
Cc: John E. Beverungen; Kristen L Lewis
Subject: 2019-0270-A

Ms. Mitchell,

I am writing to make you aware that the new scheduled date for the above mentioned case is now scheduled for **June 26, 2019 @10:00AM in Room 104**

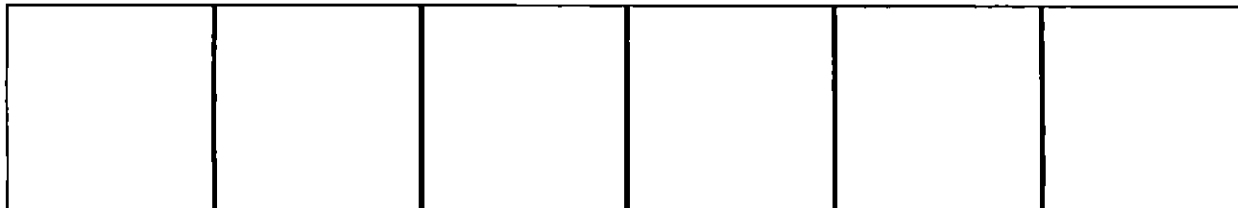
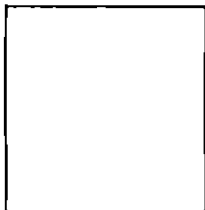
The location is listed below:

Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue
The Jefferson Building
Towson, Maryland 21204

Should you have any questions or concerns, please feel free to contact our office at 410-887-3868.

Sherry Nuffer
Legal Assistant
Baltimore County Office of Administrative Hearings
410-887-3868

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Total Control Panel

[Login](#)

To: lmitchell@bodie-law.com

Message Score: 1

High (60): Pass

From:

My Spam Blocking Level: Medium

Medium (75): Pass

prvs=046881a82=snuffer@baltimorecountymd.gov

Low (90): Pass

[Block](#) this sender

[Block](#) baltimorecountymd.gov

This message was delivered because the content filter score did not exceed your filter level.

CASE NO. 2019-

0270-A

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

4/2

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

N/C

3/26

DEPS
(if not received, date e-mail sent _____)

N/C

5/19

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)NO OBJ
w/conditions

3/20

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

Opposition letter
letters of
opposition

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4/19/19

SIGN POSTING (1st) Date: 4/19/19

by Billingsley

SIGN POSTING (2nd) Date: 5/8/19

by Billingsley

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 12 Account Number - 1207030360			
Owner Information					
Owner Name:		WRC PROPERTIES LLC		Use:	COMMERCIAL
Mailing Address:		2601 LUISS DEANE DR PARKVILLE MD 21234-0000		Principal Residence:	NO
				Deed Reference:	/38804/ 00337
Location & Structure Information					
Premises Address:		7308 EASTERN AVE BALTIMORE 21224-		Legal Description:	NWS EASTERN AV .386 AC 140 SE WESTHAM WAY
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0096	0015	0072		0000	
					Block:
					125
					Lot:
					2019
					Assessment Year:
					Plat No:
					Plat Ref:
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1966	2400		16,814 SF	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		RESTAURANT			
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2019	07/01/2018	07/01/2019	
Land:	168,100	168,100			
Improvements	145,700	146,900			
Total:	313,800	315,000	313,800	314,200	
Preferential Land:	0			0	
Transfer Information					
Seller: DNP INC		Date: 04/04/2017		Price: \$450,000	
Type: NON-ARMS LENGTH OTHER		Deed1: /38804/ 00337		Deed2:	
Seller: TESTA PROCOLO		Date: 08/05/1987		Price: \$140,000	
Type: ARMS LENGTH IMPROVED		Deed1: /07631/ 00575		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:

Sherry Nuffer

From: Sherry Nuffer
Sent: Thursday, May 30, 2019 1:17 PM
To: 'Rosanne Ivey'
Cc: Kristen L Lewis; John E. Beverungen
Subject: RE: 2019-0270

Ok, Thank you. We will lock this date and time in on our June Calendar.

Room 104 @ 10AM on June 26, 2019

From: Rosanne Ivey <rivey@mmandrlaw.com>
Sent: Thursday, May 30, 2019 12:40 PM
To: Sherry Nuffer <snuffer@baltimorecountymd.gov>
Subject: RE: 2019-0270

CAUTION: This message from rivey@mmandrlaw.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon,

Mr. Maslan is available on June 26, 2019 at 10:00 a.m.

Rosanne Ivey, Legal Assistant
Maslan, Maslan & Rothwell, P.A.
7508 Eastern Avenue
Baltimore, Maryland 21224
(410) 282-2700

This transmission contains information from the Law Firm of Maslan, Maslan & Rothwell, P.A., which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

From: Sherry Nuffer [<mailto:snuffer@baltimorecountymd.gov>]
Sent: Thursday, May 30, 2019 12:15 PM
To: Rosanne Ivey
Cc: Kristen L Lewis; John E. Beverungen
Subject: 2019-0270

Roseanne,

I am contacting you in reference to the new date for the above mentioned hearing.

The following dates are available:

June 19, 2019 @ 1:30PM
June 25, 2019 @ 10AM in Room 104
June 26, 2019 @ 10 AM in room 104

Please let me know which date will work for Mr. Maslan so that we can lock the date and time in on our June Calendar.

Thank you,

Sherry

Sherry Nuffer

Legal Assistant

Baltimore County Office of Administrative Hearings

410-887-3868



CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Sherry Nuffer

From: Sherry Nuffer
Sent: Thursday, May 30, 2019 1:24 PM
To: 'lmitchell@bodie-law.com'
Cc: John E. Beverungen; Kristen L Lewis
Subject: 2019-0270-A

Ms. Mitchell,

I am writing to make you aware that the new scheduled date for the above mentioned case is now scheduled for **June 26, 2019 @10:00AM in Room 104**

The location is listed below:

Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue
The Jefferson Building
Towson, Maryland 21204

Should you have any questions or concerns, please feel free to contact our office at 410-887-3868.

Sherry Nuffer
Legal Assistant
Baltimore County Office of Administrative Hearings
410-887-3868

John E. Beverungen

From: John E. Beverungen
Sent: Friday, May 10, 2019 11:40 AM
To: 'Gary R. Maslan'; 'lodge70@comcast.net'
Cc: Sherry Nuffer (snuffer@baltimorecountymd.gov); Kristen L Lewis; Deborah Wiley (dwiley@baltimorecountymd.gov); 'rivey@mmandrlaw.com'
Subject: Case No. 2019-270-A; Greek Village

The above case was scheduled for this morning at 11 am, at which time the hearing was opened and continued upon request of counsel. Mr. Maslan and his client will be meeting with the Eastwood Community Association on Wednesday, May 15 at 7 pm at the Berkshire Elementary School to discuss Petitioner's request for a parking variance in the above case. Following that meeting counsel should contact Ms. Lewis to reschedule the hearing, and as I indicated I will make every effort to accommodate the rescheduling of the case. No posting or advertisement is required with respect to the rescheduled hearing. Chuck Neal attended the hearing and indicated he wanted to be notified when this matter is rescheduled, and I would ask that Mr. Maslan's office notify him via email (lodge70@comcast.net) copying the undersigned when this matter is rescheduled.

John Beverungen
ALJ



EASTWOOD RESIDENTS & BUSINESS
ASSOCIATION OF BALTIMORE COUNTY

Lynne M. Mitchell
President
lmitchell@bodie-law.com
(443) 525-6431

May 10, 2019

Via Email and First Class Mail
jbeverungen@baltimorecountymd.gov
Honorable John E. Beverungen
Administrative Judge
Department of Permits, Approvals and Inspections
111 West Jefferson Street
Baltimore, Maryland 21204

Re: Case No. 2019-0270-X
Greek Village Restaurant
7308 Eastern Avenue, Baltimore, MD 21224

Dear Judge Beverungen:

Enclosed please find a copy of a letter I received from Mr. Maslan's office dated May 8, 2019, that I was told was emailed to the Department of Permits, Approvals and Inspections, and also which Mr. Maslan assured me on Tuesday, May 7, 2019, he would have no problem in requesting and receiving a postponement of the above-referenced Hearing. I even explained to Mr. Maslan that I would attend the Hearing today if needed, but he assured me that my attendance would not be necessary, and that he could get the postponement even though I questioned him about it being so close to the Hearing date. His response was that his office could get it with "one phone call."

Our residents are very concerned regarding Greek Village's request for a variance. Greek Village has new owners, who have taken over within the past two years. This restaurant has never had a liquor license in its history. The restaurant has been mainly a breakfast, lunch, carry-out and early dinner eatery. It is a very small building, and the parking lot is very small with only 23 parking spaces, not 29 spaces as Mr. Maslan told you today. Another problem for the business is that row homes sit almost directly on top of the business. There is an alley that runs between the rowhomes in the Eastwood Community and the Greek Village Restaurant, with barely 15 feet of extra space on either side of the alley. Therefore, noise would be a huge factor for these residents for patrons drinking alcohol and leaving the restaurant, not to mention that Eastwood is very congested and is going to be the Test Neighborhood for Permit Parking for District 7. Our Councilman Todd Crandall, can



confirm that parking is a terrible problem in the Eastwood Community and for a restaurant to take more parking spaces away from the residents is unthinkable! It is difficult for us to believe that Greek Village is going to pay for Valet Parking 7 days a week, and that the restaurant would close every evening at 9:00 p.m. and there wouldn't be any music and no parking places would be taken or families would be disturbed. In order to get a full view of just how small an area we are talking about, you will be need to see photographs of the area.

I was shocked to receive a telephone call today at my office, from Chuck Neal, to tell me that he was the only person there for the Variance Hearing. I truly did not know what he was talking about. As you can see from the enclosed letter, Mr. Maslan apparently tried to pull a fast one on Your Honor, and the good citizens of Eastwood. Mr. Maslan does not have a letter from the community association agreeing to the variance.

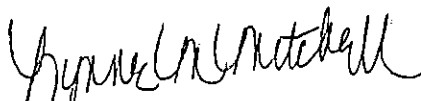
The only thing the community association has agreed to, is to listen to what the Owners of the Greek Village have to say at our Meeting on Wednesday, May 15, 2019, at 7pm, and we agreed to a postponement of the Hearing until the Meeting on Wednesday night.

I just advised the Homeowners of Eastwood Residents & Business Community Association of Baltimore County that I am very skeptical for having even listened to Mr. Maslan, as I had not expected him to try and have a Hearing without the presence of any community residents, or the President of the Community Association.

I would respectfully request that you please let me know when the new Hearing Date is, via email, at the email address above so that I can be present on behalf of the residents of the Eastwood Community.

Thank you for your consideration of this request.

Respectfully yours,


Lynne M. Mitchell

Enclosure

cc: Gary R. Maslan, Esquire (w/enclosure, via email – gmaslan@mmadrllaw.com)
Mr. Chuck Neal (w/enclosure, via email – lodge70@comcast.net)
snuffer@baltimorecountymd.gov
klewis@baltimorecountymd.gov
dwiley@baltimorecountymd.gov
rivey@mmadrllaw.com

GARY R. MASLAN
gmaslan@mmandrlaw.com

Of Counsel:
Amanda Zorn**
azorn@mmandrlaw.com

W. Timothy Sutton
tsutton@mmandrlaw.com

Law Offices of
MASLAN, MASLAN & ROTHWELL, P.A.

7508 EASTERN AVENUE
BALTIMORE, MD 21224
410-282-2700 (OFFICE)
410-282-3336 (FAX)
Website: maslanmaslanrothwell.com

M. MICHAEL MASLAN
(1911-1996)
RALPH K. ROTHWELL, Jr.
(1949-2008)

**DC

May 8, 2019

administrativehearings@baltimorecountymd.gov

Baltimore County, Maryland
Administrative Hearings Office
ATTENTION: JUDGE BEZERUNGEN
Jefferson Building, Room 205
105 W. Chesapeake Avenue
Towson, MD 21204

Re: **ZONING HEARING DATE: MAY 10, 2019**
Case No.: 2019-0270-A
7308 Eastern Avenue
Owners: WRC Properties, LLC
Contract Purchaser/Lessee: Lorena's Café, LLC

Dear Judge Bezerungen:

Please be advised that this office represents the Owners and Contract Purchaser with regard to the above captioned property. At this time we are requesting a postponement of the Zoning Hearing scheduled for this Friday, May 10, 2019.

The Owners and Contract Purchaser have met with the Community Association who consents to postponing this hearing as they are working to resolve any concerns the Association may have with this matter. I thank you for your consideration.

Very truly yours,



Gary R. Maslan

GRM/ri

Nancy Cudnik
407 Pembroke Blvd.
Baltimore, MD 21224

May 7, 2019

Administrative Judge
105 West Chesapeake Ave.
Jefferson Building, Room 205
Towson, MD 21204

RE: Case #2019-0270-X
Greek Village Restaurant

To Whom It May Concern,

I am writing this letter to voice my concerns in regards to Greek Village asking for a variance for parking, so that they may extend their hours and get a liquor license. I am STRONGLY against this. There are already 3 bar/restaurants in this community as well as a Moose Lodge (which server alcohol) and a liquor store. We DO NOT need another establishment selling liquor.

I am asking that you DENY THE VARIANCE FOR PARKING, which is there first step to obtaining a liquor license.

Sincerely,

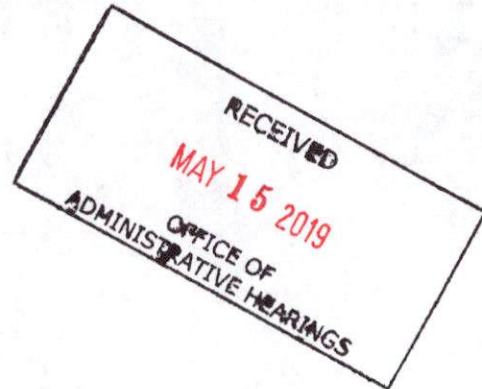
Nancy Cudnik



John Huber
7205 Stratton Way
Baltimore, MD 21224

RE: Case # 2019-0270-X
Greek Village Restaurant
Parking Variance

Administrative Judge
105 West Chesapeake Ave
Jefferson Building, Room 205
Towson, MD 21204



Your Honor,

I being a resident and original homeowner in the Eastwood community, where Greek Village is located, am strongly against the request made by Greek Village for a variance for parking. This will move them a step closer to obtaining a liquor license.

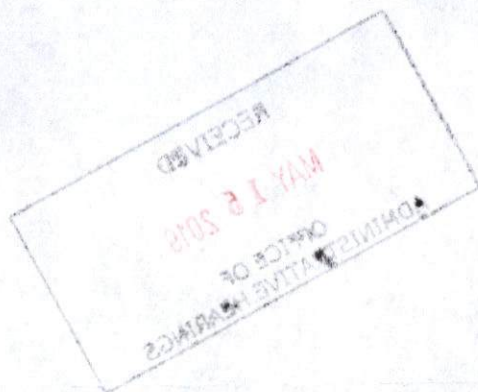
My house is directly behind Greek Village and I DO NOT want the trouble that fellow community residence have who live behind other bar/restaurants in our community. Greek Village, under the newest management, already has issues with keeping the property clean outside.

There are already 3 bar/restaurants, in our small community; North Point Inn, Mo's Seafood, and The Glass Grill. There is also a Moose Lodge and a liquor store. Our community does not need or want another liquor run business.

I am asking that you deny the variance for parking requested by Greek Village.

Sincerely,

John Huber



May 8, 2019

RE: Case No. 2019-0270-X Greek Village Restaurant

Dear Administrative Judge for Baltimore County,

Please DO NOT grant the parking variance for the subject liquor license.
Eastwood is already experiencing parking issues within our neighborhood.
Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Laura: Rick DeMarr". The signature is written in a cursive, flowing style. The word "Laura:" is on the left, followed by a colon, and then "Rick DeMarr" is written in a larger, more prominent cursive script.

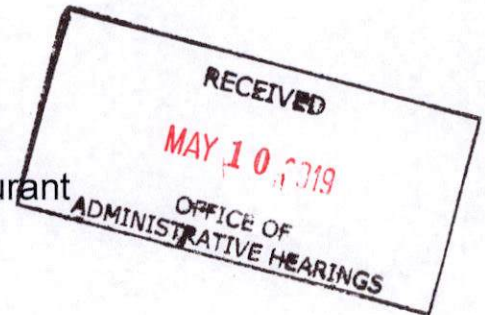
Rick & Laura DeMarr

7155 Gough Street

Baltimore, MD 21224

May 8, 2019

RE: Case No. 2019-0270-X Greek Village Restaurant



Dear Administrative Judge for Baltimore County,

Please DO NOT grant the parking variance for the subject liquor license. Eastwood is already experiencing parking issues within our neighborhood. Thank you for your consideration in this matter.

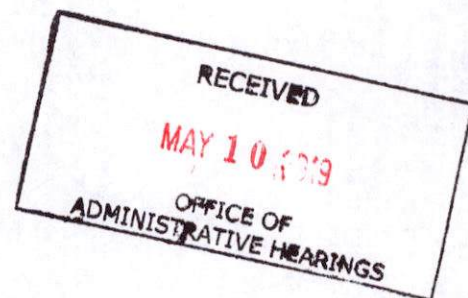
Sincerely,

Randall and Joann Taylor

Randall & Joann Taylor
7067 Eastbrook Avenue
Baltimore, MD 21224

May 8, 2019

RE: Case No. 2019-0270-X Greek Village Restaurant



Dear Administrative Judge for Baltimore County,

Please DO NOT grant the parking variance for the subject liquor license.

Eastwood is already experiencing parking issues within our neighborhood.

Thank you for your consideration in this matter.

Sincerely,

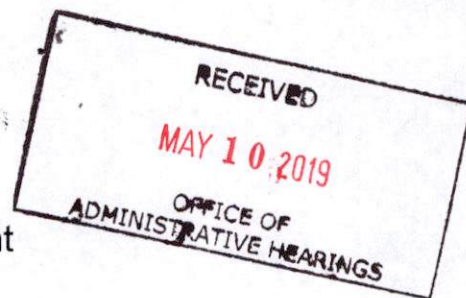
Mario & Merle Teresi

Mario & Merle Teresi

7151 Gough Street

Baltimore, MD 21224

May 8, 2019



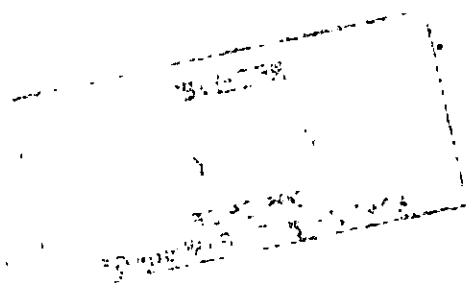
RE: Case No. 2019-0270-X Greek Village Restaurant

Dear Administrative Judge for Baltimore County,

Please DO NOT grant the parking variance for the subject liquor license.
Eastwood is already experiencing parking issues within our neighborhood.
Thank you for your consideration in this matter.

Sincerely,

Pauline Eckenrode
7149 Gough Street
Baltimore, MD 21224



Sherry Nuffer

From: John E. Beverungen
Sent: Wednesday, May 8, 2019 4:22 PM
To: gmaslan@mmandrlaw.com
Cc: Sherry Nuffer; Kristen L Lewis
Subject: Case No. 2019-270-A

I am in receipt of your postponement request, which I am willing to grant. I would prefer if you or someone from your office could appear on Friday, at which point I would simply "open and continue" the hearing. This would allow the hearing to be rescheduled at a later date without needing to again post the property with signs, etc. If that is not possible, the hearing would be postponed but you would be required to contact Ms. Lewis to reschedule the matter, and would need to post the property as required by the County Code.

John Beverungen
ALJ

GARY R. MASLAN
gmaslan@mmandrlaw.com

Of Counsel:
Amanda Zorn**
azorn@mmandrlaw.com

W. Timothy Sutton
tsutton@mmandrlaw.com

Law Offices of
MASLAN, MASLAN & ROTHWELL, P.A.

7508 EASTERN AVENUE
BALTIMORE, MD 21224
410-282-2700 (OFFICE)
410-282-3336 (FAX)
Website: maslanmaslanrothwell.com

M. MICHAEL MASLAN
(1911-1996)
RALPH K. ROTHWELL, Jr.
(1949-2008)

**DC

May 8, 2019

administrativehearings@baltimorecountymd.gov

Baltimore County, Maryland
Administrative Hearings Office
ATTENTION: JUDGE BEZERUNGEN
Jefferson Building, Room 205
105 W. Chesapeake Avenue
Towson, MD 21204



Re: **ZONING HEARING DATE: MAY 10, 2019**
Case No.: 2019-0270-A
7308 Eastern Avenue
Owners: WRC Properties, LLC
Contract Purchaser/Lessee: Lorena's Café, LLC

Dear Judge Bezerungen:

Please be advised that this office represents the Owners and Contract Purchaser with regard to the above captioned property. At this time we are requesting a postponement of the Zoning Hearing scheduled for this Friday, May 10, 2019.

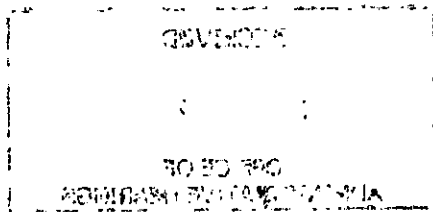
The Owners and Contract Purchaser have met with the Community Association who consents to postponing this hearing as they are working to resolve any concerns the Association may have with this matter. I thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to be "G. Maslan".

Gary R. Maslan

GRM/ri



Rosanne Ivey

From: Lynne Mitchell <lmitchell@bodie-law.com>
Sent: Thursday, May 09, 2019 12:49 PM
To: Rosanne Ivey
Cc: Gary R. Maslan
Subject: RE: FROM: GARY R. MASLAN, ESQUIRE RE: GREEK VILLAGE HEARING

Thank you for your assistance.

I look forward to seeing your client at the Eastwood Community Association Meeting on Wednesday, May 15, 2019 at 7 pm at Berkshire Elementary School.

From: Rosanne Ivey [mailto:rivey@mmandrlaw.com]
Sent: Thursday, May 09, 2019 12:40 PM
To: Lynne Mitchell
Subject: FROM: GARY R. MASLAN, ESQUIRE RE: GREEK VILLAGE HEARING

Good Afternoon,

Pursuant to your request, please see attached copy of the postponement request.
Please note that the Hearing is going to be postponed and you do not need to appear.

Thank you for your attention.

Rosanne Ivey, Legal Assistant
Maslan, Maslan & Rothwell, P.A.
7508 Eastern Avenue
Baltimore, Maryland 21224
(410) 282-2700

This transmission contains information from the Law Firm of Maslan, Maslan & Rothwell, P.A., which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

Total Control Panel

[Login](#)

To: lmitchell@bodie-law.com
From: rivey@mmandrlaw.com

Message Score: 60
My Spam Blocking Level: Medium

High (60): Fail
Medium (75): Pass
Low (90): Pass

[Block](#) this sender
[Block](#) mmandrlaw.com

This message was delivered because the content filter score did not exceed your filter level.

5-10-19
Mm

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(7308 Eastern Avenue)		
12 th Election District	*	OF ADMINISTRATIVE
7 th Council District		
WRC Properties, LLC	*	HEARINGS FOR
<i>Legal Owner</i>		
Petitioner	*	BALTIMORE COUNTY
	*	CASE NO. 2019-0270-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by WRC Properties, LLC, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from Section 409.6 of the Baltimore County Zoning Regulations (“BCZR”) to permit a tavern with 23 parking spaces in lieu of the required 59 spaces. A site plan was marked as Petitioner’s Exhibit 1.

_____ appeared in support of the petition. W. Timothy Sutton, Esq. represented Petitioner. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

The site is approximately 16, 814 sq. ft. in size and is zoned BR-AS.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

_____. If the Regulations were strictly interpreted, Petitioner would

experience a practical difficulty because it would be unable to _____.

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

This is demonstrated by the absence of County and/or community opposition.

THEREFORE, IT IS ORDERED, this ___ day of **May, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations ("BCZR") to permit a tavern with 23 parking spaces in lieu of the required 59 spaces, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

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

JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

It is this _____ day of June 2019 agreed between WRC PROPERTIES, LLC and MASLAN, MASLAN & ROTHWELL, P.A. that WRC Properties, LLC will be allowed to use the parking lot located at the rear 7506 Eastern Avenue, Baltimore, Maryland 21224 owned by Maslan, Maslan & Rothwell, P.A. for valet parking for the patrons of their restaurant located at 7308 Eastern Avenue, Baltimore, Maryland 21224.

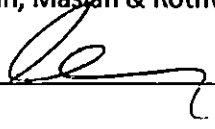
Attest:

WRC Properties, LLC

_____ by: _____ (SEAL)

Attest:

Maslan, Maslan & Rothwell PA

_____ by:  _____ (SEAL)

Pet. 2



7002 railman
DIACHED FOR
EXTENSION REQ
ON 8/5/19

JOHN A. OLSZEWSKI, JR.
County Executive

CHARLES KLEIN, *Chairman*
Board of Liquor License Commissioners

June 4, 2019

Gary Maslan, Esq.
7508 Eastern Ave.
Baltimore, MD 21224

RE: **MARTIN'S HOPS INN, INC.**
Hardship Hearing

Dear Mr. Maslan:

The Board of Liquor License Commissioners for Baltimore County is confirming their decision of June 3, 2019 regarding the above referenced. The Hardship extension is approved to November 3, 2019.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Mohler", is written over a horizontal line.

Mike Mohler
Chief Administrator

MM:th

cc: license file
day file

APPRHARD.SHIP

Baltimore County - My Neighborhood



PET 4

8:00 PM

**Greek Village
immediately closed
for business until
further notice**

Please call 410-321-0066 if you have purchased a gift certificate

Prot. 1

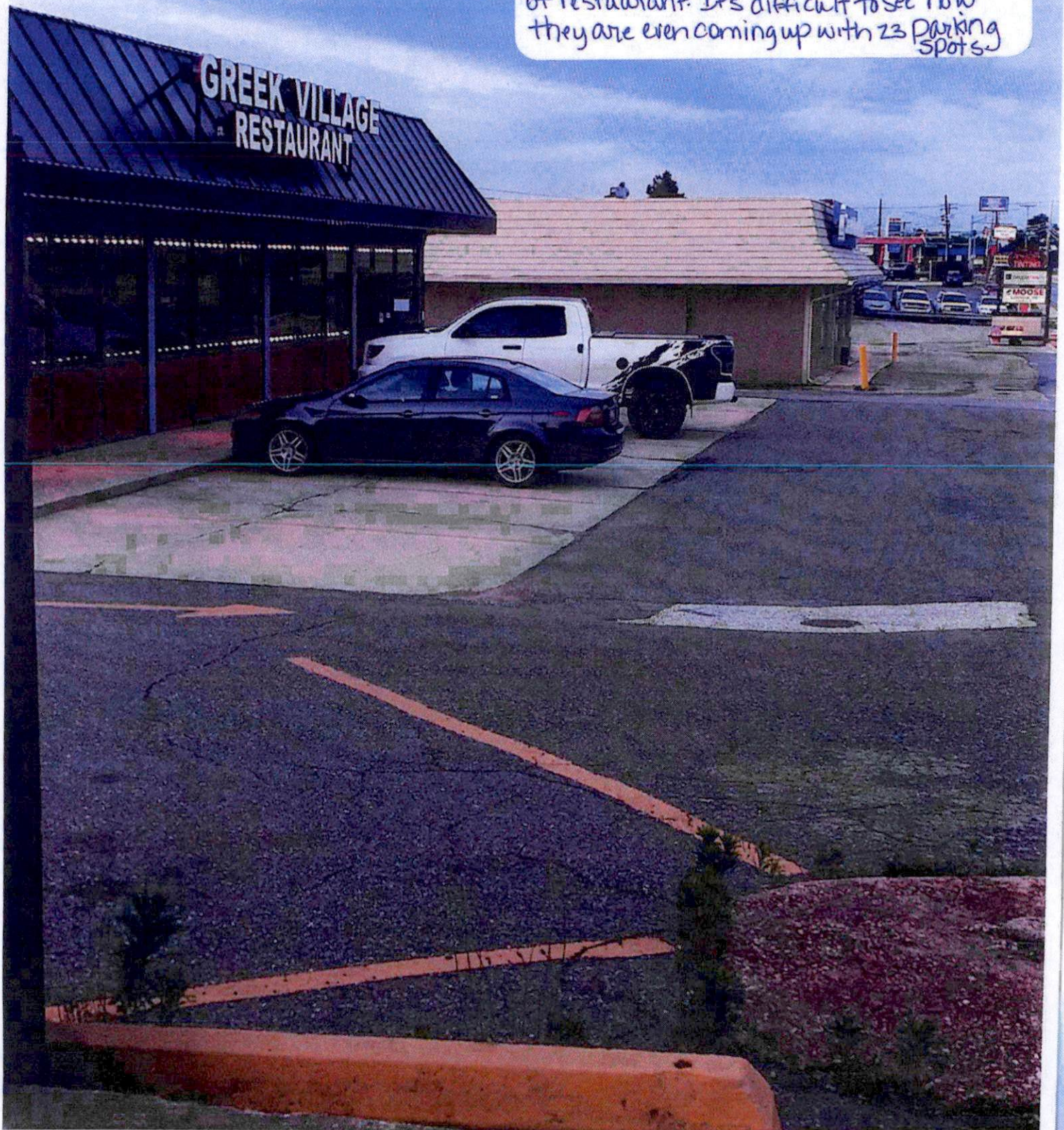


No parking back of
building - pass through
only. Photo taken after
restaurant closed.

Directly behind Greek
Village Restaurant - Note
how close the rowhomes are
to the restaurant. Yards
are 30 ft. from Building.



Photo taken from Vard on Westham Way
right next to Greek Village. Note only 5
Parking spots in front of Restaurant
and 6 parking spots on side of
restaurant. There are only a few
additional parking spots toward back
of restaurant. It's difficult to see now
they are even coming up with 23 parking
spots.



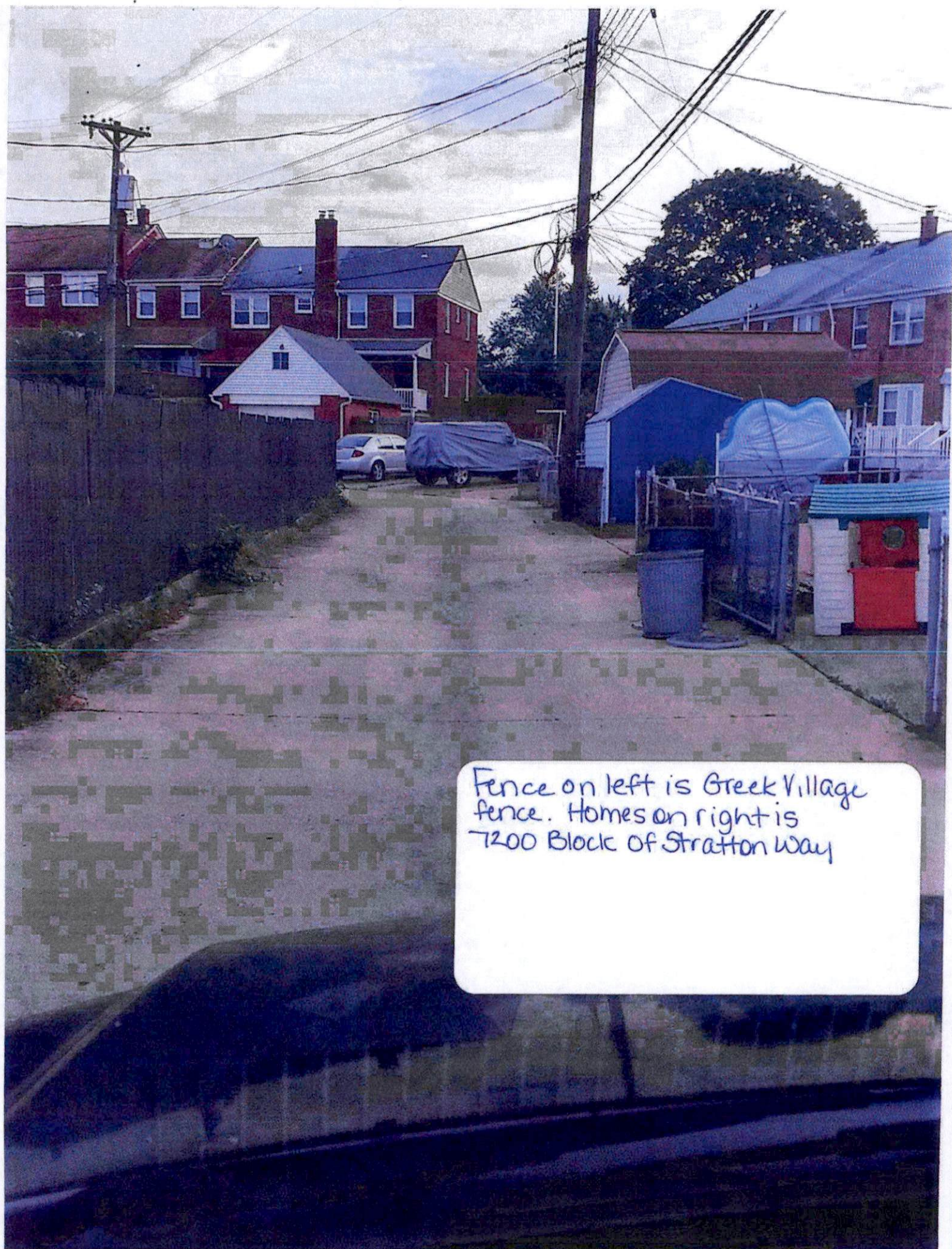
Note: There is no parking in front of building. There are arrows on each side of building for vehicles to be able to drive completely around building because there is no room to turn around.



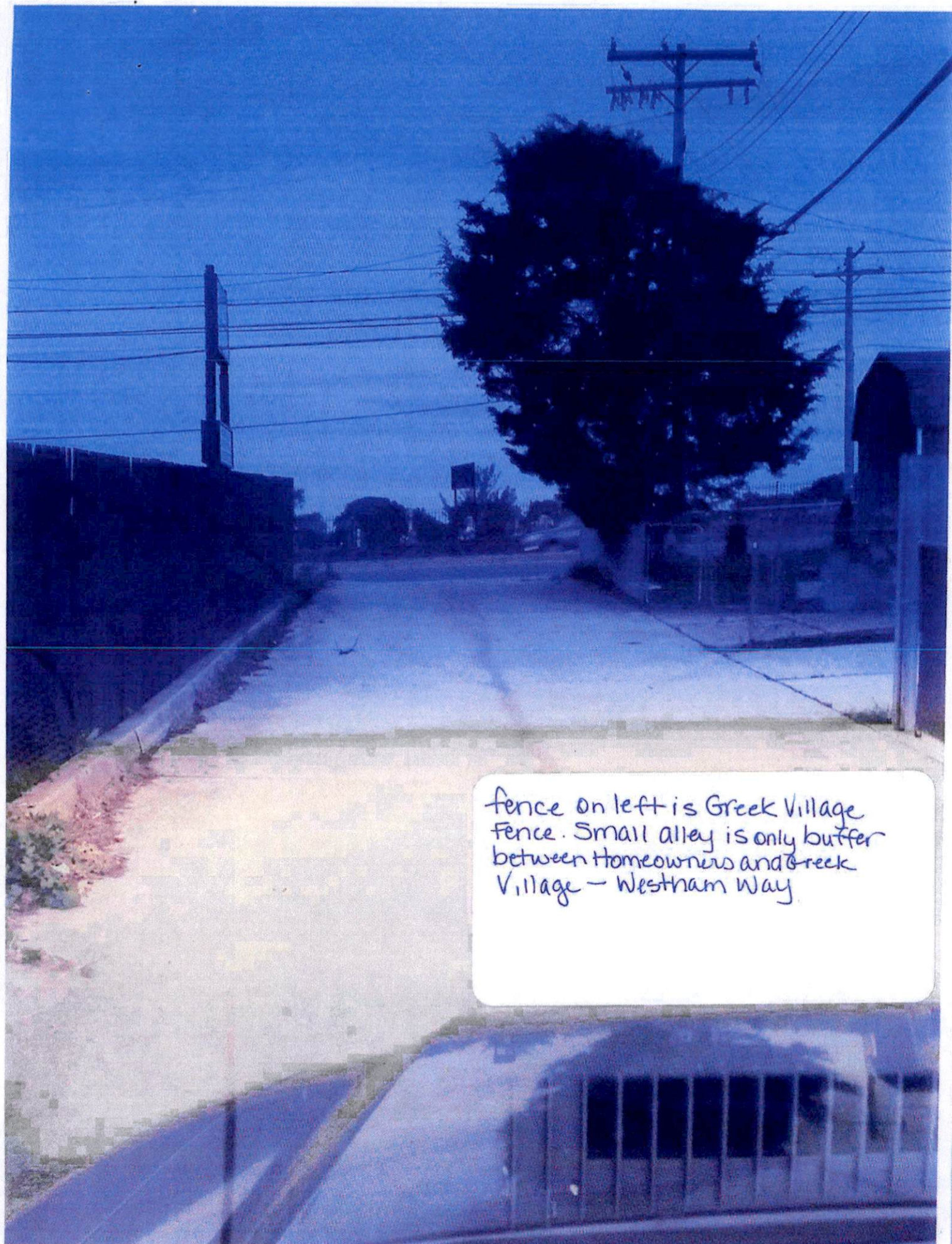


Side of Building
6 parking spots

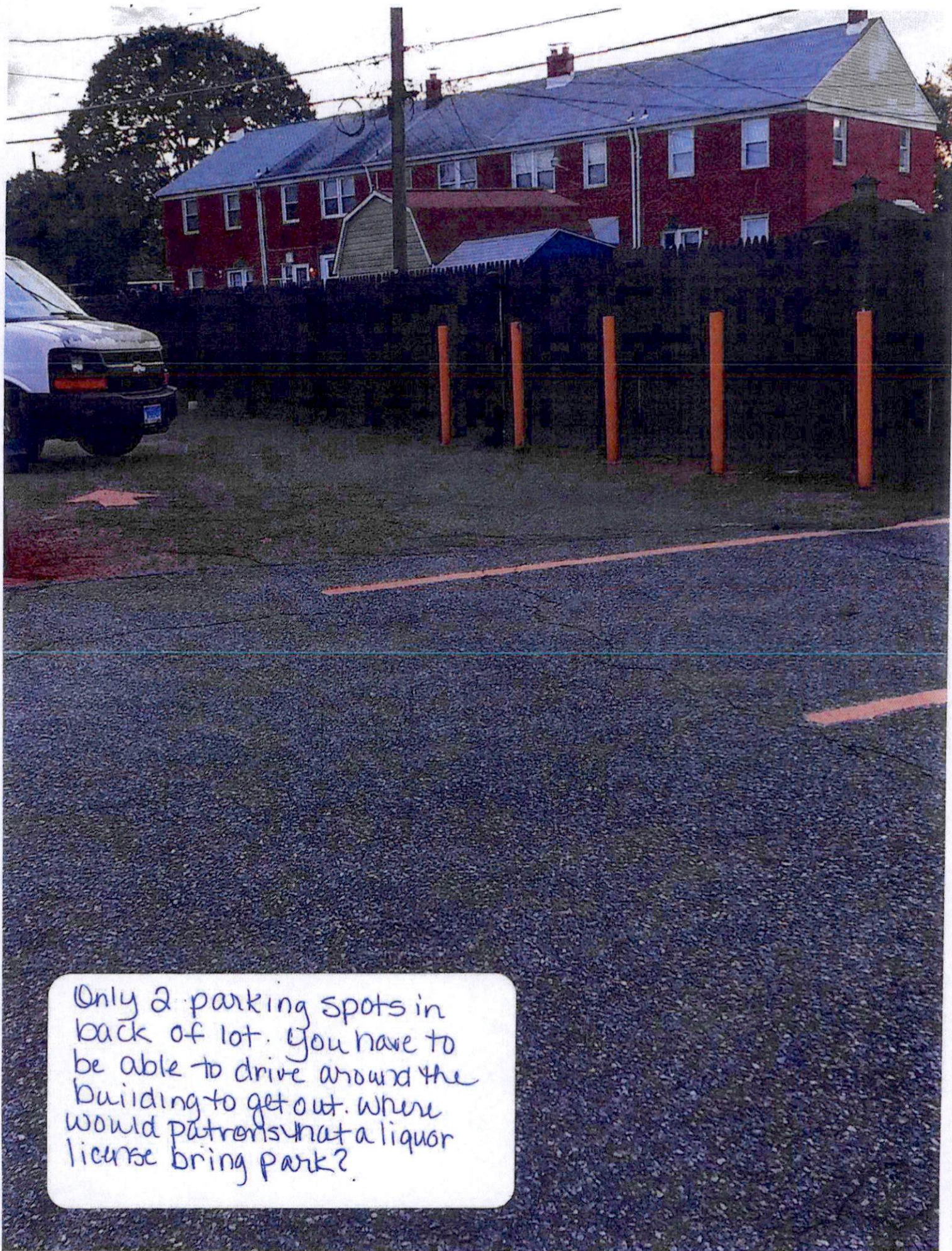
Please note how close the homes
are to the restaurant. A liquor license
with late night patrons outside smoking,
entering and leaving, talking, laughing,
slamming car doors, and employees
throwing bottles in dumpsters would
disturb neighbors and children trying
to sleep.



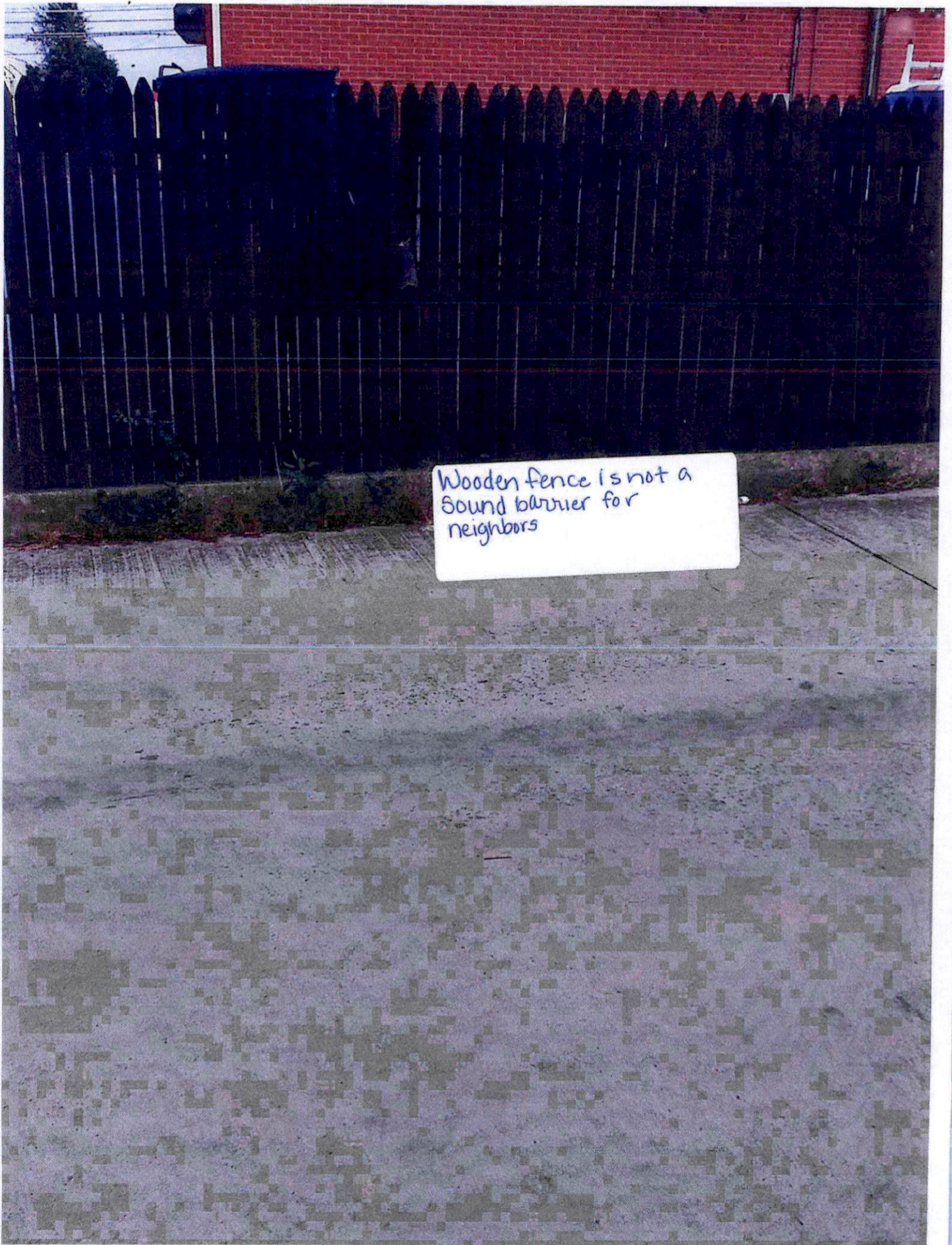
Fence on left is Greek Village
fence. Homes on right is
7200 Block of Stratton Way



fence on left is Greek Village
Fence. Small alley is only buffer
between homeowners and Greek
Village - Westham Way



Only 2 parking spots in back of lot. You have to be able to drive around the building to get out. Where would patrons that a liquor license bring park?



Wooden fence is not a
sound barrier for
neighbors

Persons who live in direct
Contact w/ Restaurant

**PETITION AGAINST GREEK VILLAGE RESTAURANT
GETTING EITHER PARKING VARIANCE OR LIQUOR LICENSE**

NAME	ADDRESS	PHONE #	E-MAIL
Jennifer Joyner	7203 Stratton Way	410-446-0366	jennifer.joyner@net
MARY LOU Dilutis	7807 STRATTON WAY	410-284-9908	
John R. Haba	7205 STRATTON	410-288-1679	
WES BEERE	7203 STRATTON	410-375-3697	WESBEEBE@gmail.com
Nancy Cudnik	407 Pembroke Blvd	443-529-6893	Ncm407@aol.com
Mark Jones	407 Pembroke Blvd	443-354-6917	Pammarkof3@aol.com
RON TEUFELER	7201 STRATTON way	443-567-1775	
Mara Maczka	2612 Linwood Rd	410-258-9048	mara.maczka.comcast.net
Diane Timms	7230 Gough St	443-519-6212	diane.timms@gmail.com
Charles Timms	7230 Gough St	410-294-8456	
Rob Shuey	423 Westham Way	443-841-4387	rshuey85@gmail.com
Kathy Burns	7205 Stratton Way	410-288-1679	Kids2131@gmail.com
Monica Matthews	7209 Stratton way	410-282-5494	josh-ratti@yahoo.com
KEN HUNT	429 WESTHAM WAY	410-285-6805	
charlette hunt	- - -	- - -	
Phyllis Stolba	7231 Stratton Way		
Rosemarie Schuck	7229 Stratton Way		
Wang Zhengchun	7225 Stratton way		
Wang Zhengchun	7225 Stratton Way		
Julie Mehr	7219 Stratton Way		
Paul Mehr	7219 Stratton Way	413-744-2709	gmc1852@comcast.net
Paul Proke	7213 Stratton way		
Maryanne Swante	7242 Gough St	410-790-6892	mswante420@comcast.net
John Swante	7242 Gough St	410-967-7206	jswante400@gmail.com
Debbie McLaughlin	7234 Gough St	410-227-4809	l.mclaughlin@yahoo.com
Mike Gault	7234 Gough St	410-227-3672	
Michael Gault	7210 Conley St.	410-284-7091	MIKEGAULT@yahoo.com
Nancy Gault	7210 Conley St	410-284-7091	
Kedron Wells	7202 Conley St	410-282-3516	Kedron202@gmail.com
CONNIE LEWIS	7260 CONLEY ST	443-756-9663	CONNIELEW@aol.com
Shanna Clark	7220 Conley St.	443-629-3511	Shanna.Clark@comcast.net
John Huber	2141 Graythorn Rd	443-904-7458	
Charles Huber	1823 Sunnyside Ln	410-780-7088	chubcr@pennnet.com
Megan Cudnik	407 Pembroke Blvd.	410-284-3809	megan.cudnik@aol.com
Kerry Burns	7205 Stratton Way	410-288-1679	Kburns102@gmail.com
Adam Willis	421 West Ham way	301-379-9134	AWILLIS371@yahoo.com
Jimmy Tate	425 Westham	443-421-5646	metillemanc@yahoo.com
Robbie Adams	4244 Stratton Way	443-291-3736	

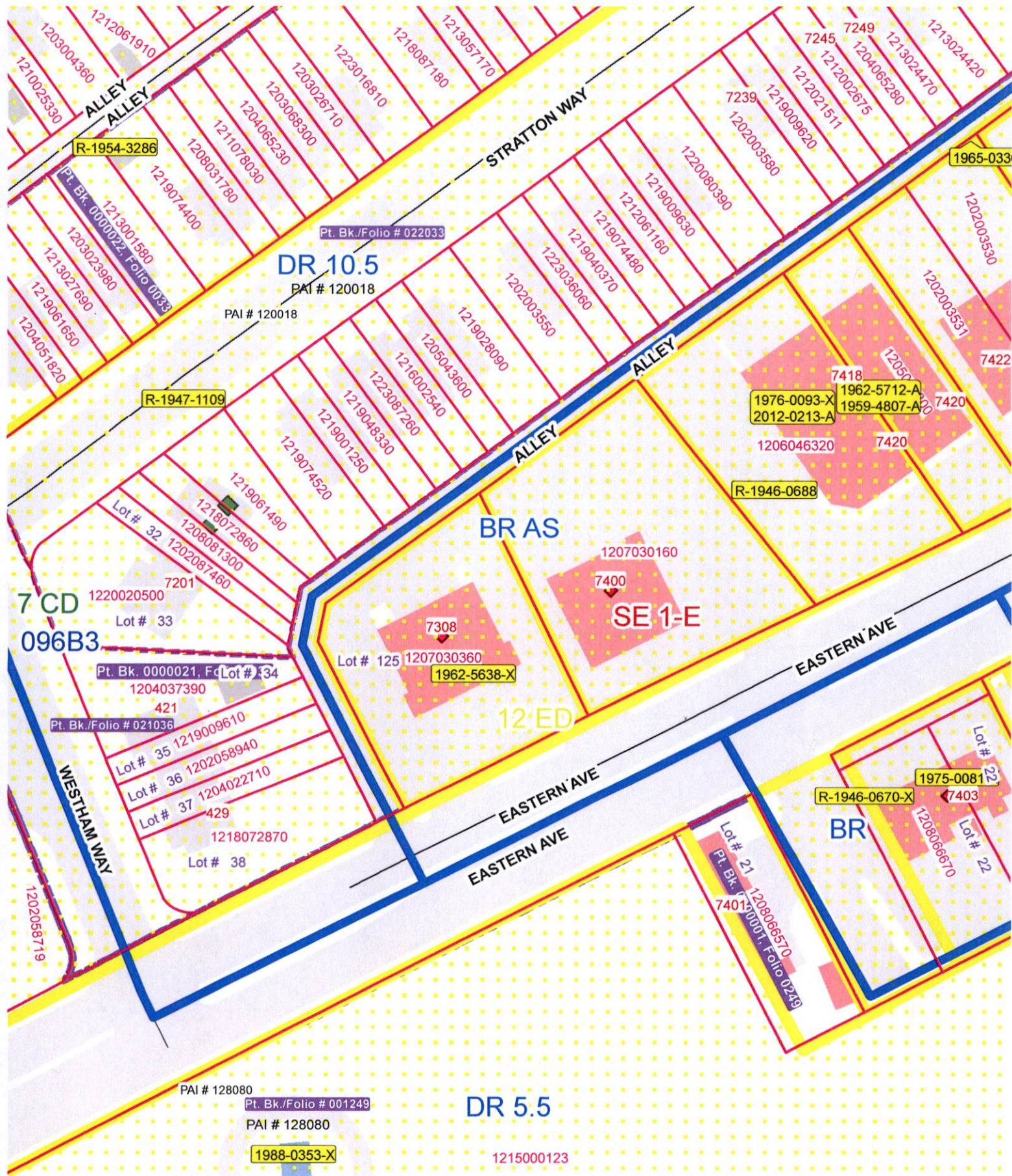
**PETITION AGAINST GREEK VILLAGE RESTAURANT
GETTING EITHER PARKING VARIANCE OR LIQUOR LICENSE**

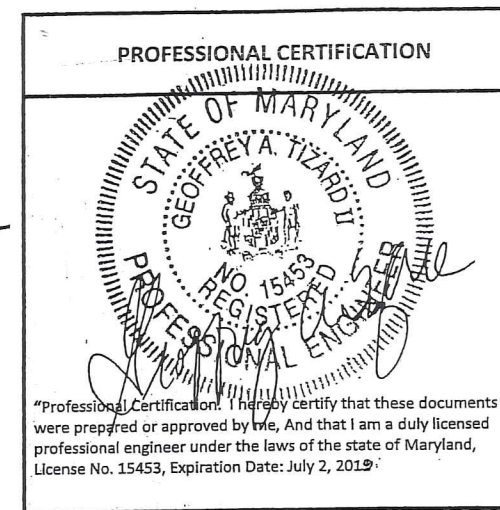
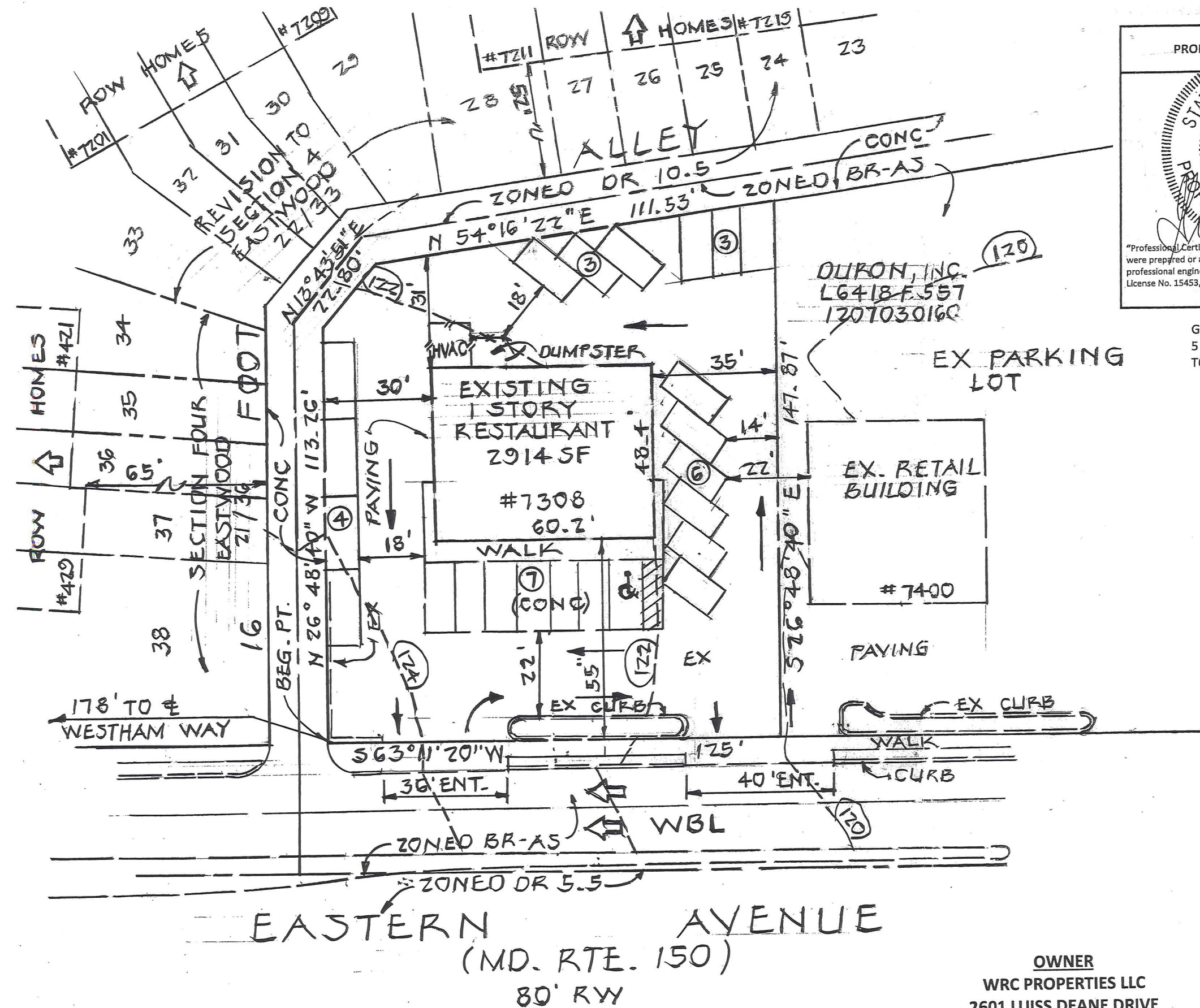
[illegible]

1950-1955-1956
1957-1958-1959

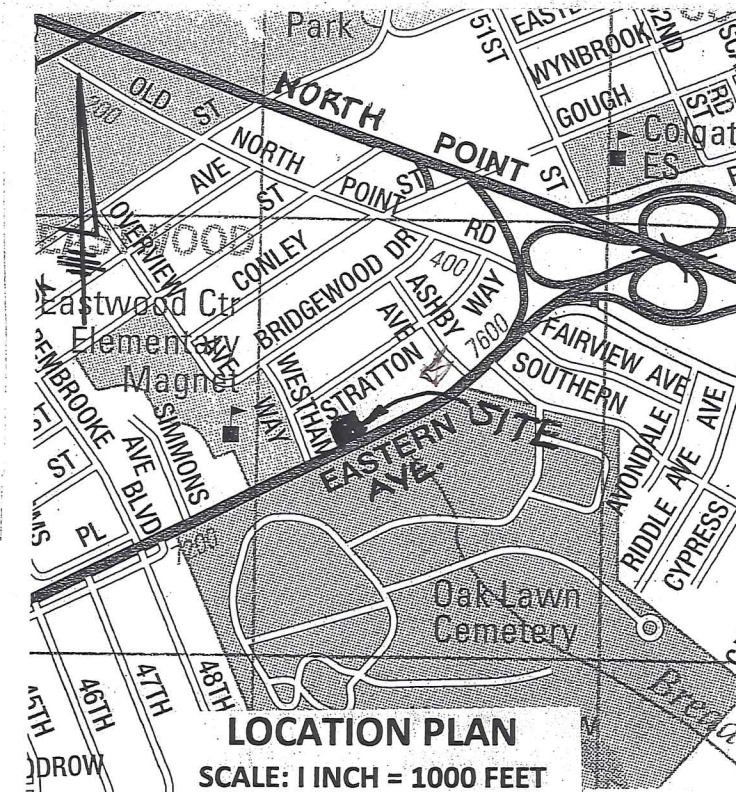
1950-1955-1956
1957-1958-1959

1950-1955-1956
1957-1958-1959





GEOFFREY A. TIZARD, II, P.E.
5 LEADBURN COURT
TOWSON, MD. 21204



NOTES

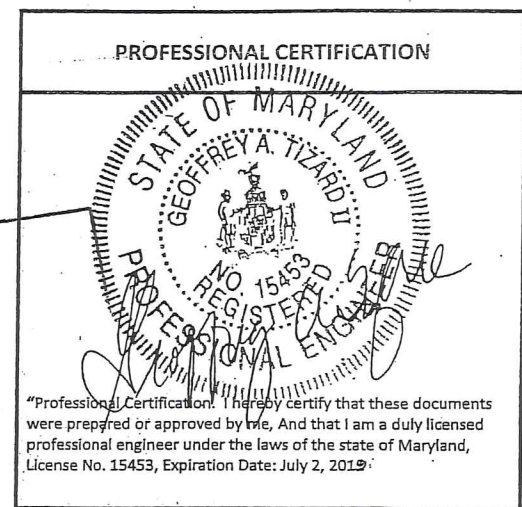
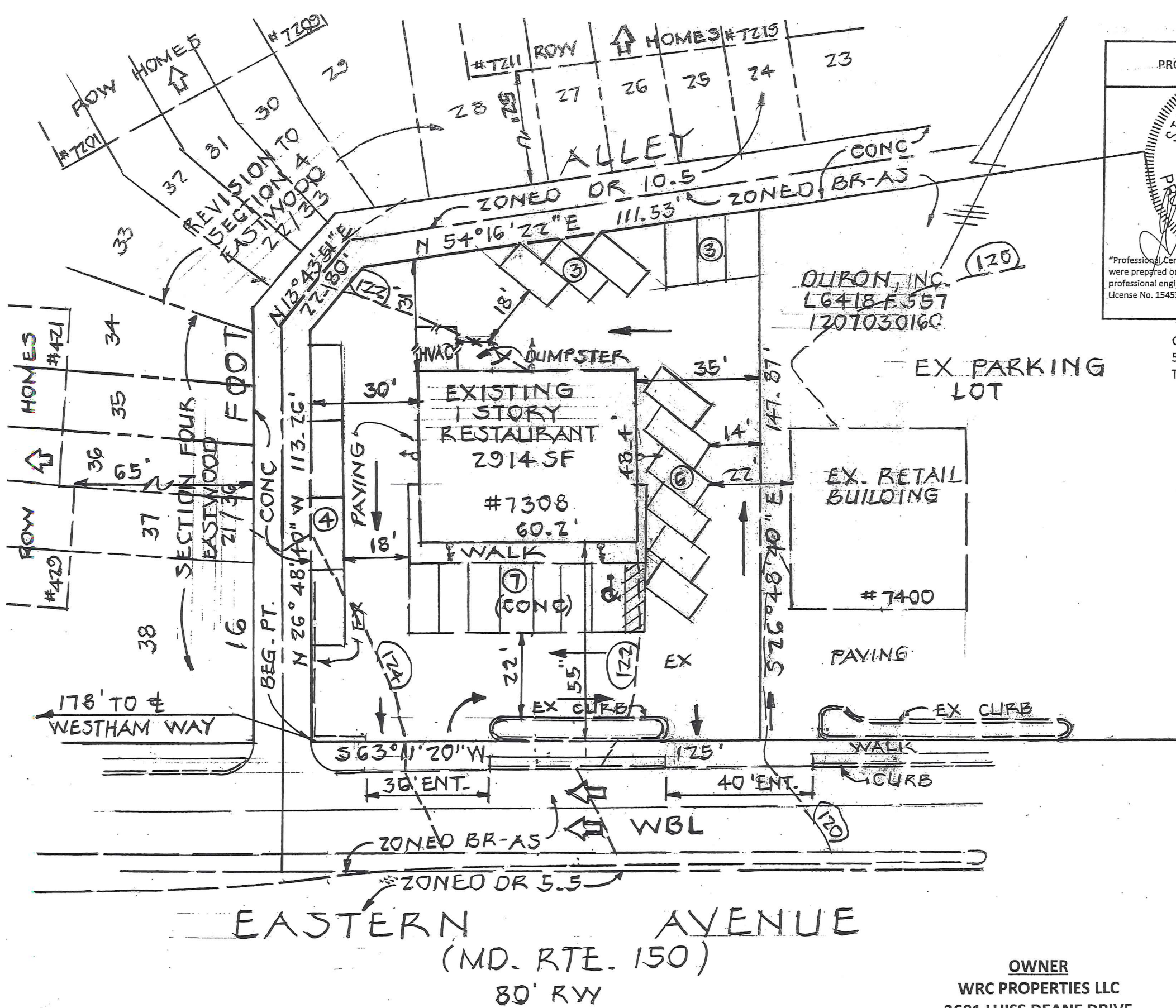
1. ZONING.....BR-AS (MAP NO. 096B3)
2. GROSS AREA.....17,2914 SF OR 0.393 ACRE
3. EXISTING USE.....RESTAURANT
4. PROPOSED USE.....~~TAVERN~~ **RESTAURANT**
5. BUILDING AREA.....2914 SF
6. FLOOR AREA RATIO.....2914 / 17,147 = 0.17
7. OFFSTREET PARKING DATA **16** **47**
REQUIRED.....2914 SF @ 20 SPACES / 1000 = 59 SPACES
PROVIDED.....23 SPACES
ALL SPACES ARE TO BE 8.5' X 18'. ALL SPACES, MANEUVERING AND ACCESS AISLES ARE TO BE PAVED AND STRIPED.
8. DENOTES WALL MOUNTED LIGHTING TO BE DIRECTED AWAY FROM RESIDENTIAL PROPERTIES AND PUBLIC STREETS.
9. PREVIOUS ZONING HISTORY -
CASE NO. R-1946-0688 JULY 25, 1946 REZONED PROPERTY FROM A RESIDENTIAL TO E COMMERCIAL
CASE NO. 1962-5638-X REQUESTING A SPECIAL EXCEPTION FOR A GAS STATION WAS WITHDRAWN OCTOBER 11, 1962
10. ANY NEW SIGNAGE MUST COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS.
11. TO THE PREPARERS KNOWLEDGE, NO VIOLATIONS, HISTORIC STRUCTURES, CRITICAL AREAS OR UNDERGROUND STORAGE TANKS EXIST.
12. THIS SITE IS NOT IN ANY FAILED BASIC SERVICES MAP AREA.
13. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE OR THE CBCA

CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

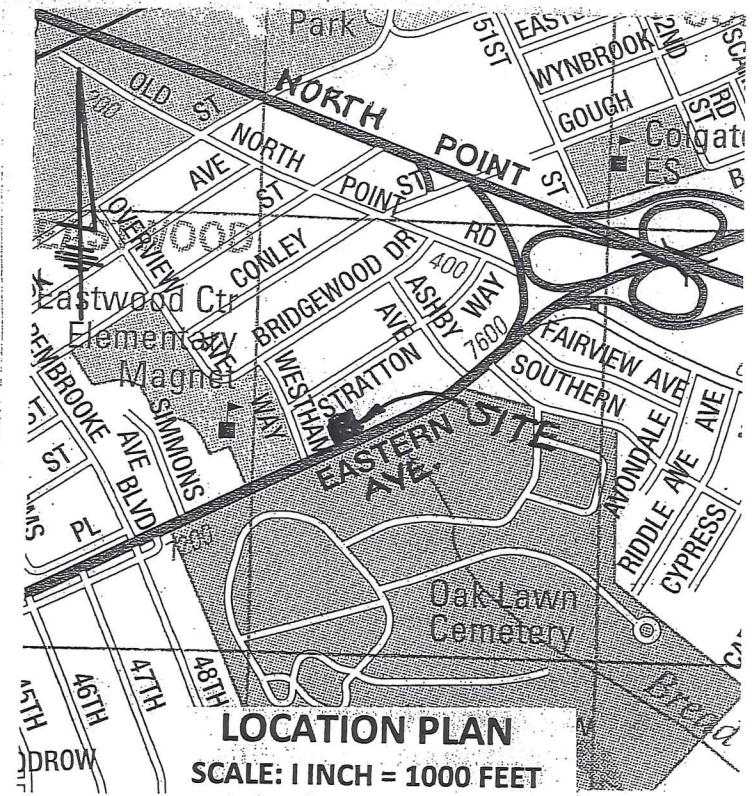
OWNER
WRC PROPERTIES LLC
2601 LUISS DEANE DRIVE
PARKVILLE, MD 21234
DEED REF: L.38804 F.337
ACCT. NO. 1207030360
PETITIONER
LORENA'S CAFÉ LLC
7308 EASTERN AVENUE
BALTIMORE, MD. 21224

PLAT TO ACCOMPANY PETITION FOR VARIANCE
7308 EASTERN AVENUE
ELECTION DISTRICT 12C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 22, 2019

Pet. 1



GEOFFREY A. TIZARD, II, P.E.
5 LEADBURN COURT
TOWSON, MD. 21204



NOTES

1. ZONING.....BR-AS (MAP NO. 096B3)
2. GROSS AREA.....17,147 SF OR 0.393 ACRE
3. EXISTING USE.....RESTAURANT
4. PROPOSED USE.....TAVERN
5. BUILDING AREA.....2914 SF
6. FLOOR AREA RATIO.....2914 / 17,147 = 0.17
7. OFFSTREET PARKING DATA
REQUIRED.....2914 SF @ 20 SPACES / 1000 = 59 SPACES
PROVIDED.....23 SPACES
ALL SPACES ARE TO BE 8.5' X 18'. ALL SPACES, MANEUVERING AND ACCESS AISLES ARE TO BE PAVED AND STRIPED.
8. DENOTES WALL MOUNTED LIGHTING TO BE DIRECTED AWAY FROM RESIDENTIAL PROPERTIES AND PUBLIC STREETS.
9. PREVIOUS ZONING HISTORY -
CASE NO. R-1946-0688 JULY 25, 1946 REZONED PROPERTY FROM A RESIDENTIAL TO E COMMERCIAL
CASE NO. 1962-5638-X REQUESTING A SPECIAL EXCEPTION FOR A GAS STATION WAS WITHDRAWN OCTOBER 11, 1962
10. ANY NEW SIGNAGE MUST COMPLY WITH THE BALTIMORE COUNTY ZONING REGULATIONS.
11. TO THE PREPARERS KNOWLEDGE, NO VIOLATIONS, HISTORIC STRUCTURES, CRITICAL AREAS OR UNDERGROUND STORAGE TANKS EXIST.
12. THIS SITE IS NOT IN ANY FAILED BASIC SERVICES MAP AREA.
13. THIS SITE IS NOT LOCATED IN A 100 YEAR FLOOD ZONE OR THE CBCA

CENTRAL DRAFTING & DESIGN
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

OWNER
WRC PROPERTIES LLC
2601 LUISS DEANE DRIVE
PARKVILLE, MD 21234
DEED REF: L38804 F.337
ACCT. NO. 1207030360
PETITIONER
LORENA'S CAFÉ LLC
7308 EASTERN AVENUE
BALTIMORE, MD. 21224

PLAT TO ACCOMPANY PETITION FOR VARIANCE
7308 EASTERN AVENUE
ELECTION DISTRICT 12C7 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 30 FEET FEBRUARY 22, 2019