RE: PETITION FOR RECLASSIFICATION : PETITION FOR RECLASSIFICATION from R-6 zone to R-A zone; to Special Exception for Offices and Office Building; and for Variance from Zettion 217.3 and Section 217.2 of Bultimore County Zoning Regulations. West Side of York Road 229' South of County Research Cavan Drive, 9th District James G. Stratakis, et al.

BEEORE COUNTY BOARD OF APPEALS BALTIMORECOUNTY

No. 67-74-RXA

MYS York

Rd.

229

5 0

UPINION

This case involves an application for reclassification of the property from R-6 to an R-A zone, with a special exception for offices and a request for some variances relating to side yard and front yard depths. The property concerned is located on the west side of York Road and more than half of it actually abuts on the Beltway interchange ramp. It consists of two separate old frame houses, one of which has an existing driveway directly onto the ramp and the other of which has an existing y a few feet north of where the ramp begine. They are both owned by the applicant and are o cupied as homes at present on a rental basis. Both of the homes are located as of now much closer to the paved highway than would be allowed by the Zoning Regulations for any new construction; hence the request for setback variances. The property is zoned R-6. All of the land on both sides of York Road north of the Beltizay is zoned residential, either R-6 or R-10, all the way to Westbury Road on the west and to a point approximately 150 feet north of Greenridge Road on the east, and the character of this neighborhood has been and remains residential. A reclassification of the subject property to R-A would, of course, maintain its residential zoning and would allow no commercial uses other than the requested use for offices under a specia exception.

The plat plan for development presented by the potitioner (Exhibit ${}^{\sharp}$ 1) is in evidence, and together with the testimony in the case shows that the petitioner pro poses to eliminate the driveway entrance onto the ramp and to have one driveway located



BALL MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose, Zoning Commissioner Date September 16, 1966

George E. Gavrelis, Director of Planning

Petition *67-74-8XA. West side of York Road 229 feet South of Cavan Drive.
Petition for Reclassification from R-6 to R.A. Petition for Special Exception for Offices and Office Building. Petition for Variance to permit side yards of 12 feet and 15 feet for Let *1134 and and 16 teef for Lot *1134 instead of the required 35 feet; to permit front yard of 16 feet for Lot 1134 and 15 feet for Lot 1138 instead of the reggined 30 feet.

James G. Stratakir, et al. – Petitioners.

9th District

HEARING: Wednesday, September 28, 1966. (2:00 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

We note that the Ninth District Comprehensive Rezoning Map has been challenged with regard to the vicinity at the subject property at least five times. In each case the Map has been found to be correct.

James G. Stratakis, et al

in the northernmost portion of the lot leading to parking spaces in the rear of the existing buildings, and the testimony indicated that the intention of the petitioner is not to construct any new buildings but to remodel the present existing residences for office use, which seems to be Board to be a reasonable request.

-2-

In addition to testimony presented by the applicant, James G. Stratakis, testimony was presented by a qualified resiltor, appraiser and land use expert and by an engineer and traffic expert, and without going into the details of their testimon in this Opinion, this Board finds that the proposed plat of land use as prepared by Matz, Childs & Associates, Inc. showed an improvement trafficwise over the present existing conditions; that the requested special exception meets all of the requirements of Section 502.1 of the Zoning Regulations; and that there was error in the original zoning as at the time of the udoption of the zoning map the location of these houses with respect to the location of the Beltway ramp was apparently overlooked, and it would be impossible to use this land for any new construction under an R-6 classification. The variances requested are for no more than what presently exists on the property, due not to anything done by the owners, but due entirely to the widening of York Road and the construction of the Beltway ramp along the front of the property as it previously existed. The reclassification from R-6 and R-A will therefore be granted, as will the special exception for office use, provided that it must be used strictly in accordance with the proposed use restified to by the applicant, i.e.:

(1) That there be no construction other than remodeling of the existing buildings for office use;

(2) That the egress and ingress be as proposed on the Mat :, Childs plat (Petitioner's Exhibit #1);

(3) That there will be adequate screening by dense planting on the north and west sides of the tract as shown on the said plat;

(4) That the variance from Section 217 of the Zoning Regulations

James G. Stratakis, et al

shall be granted, as requested, and as shown on the said plat

(5) That the plat filed in this case as Petitioner's Exhibit #1 shall become a part of this Order, and any use of the property must be carried out as shown thereon; an

(6) That any building permit to be issued shall be subject to the approval of the site plan and other details by the Department of Planning and Zoning for Baltimore County and the State Roads

Only two protestants appeared in this case and the protest was mainly based upon their foars that any change in zoning would lead to further commercialization or strip zoning north from the Beltway on York Road. The Board wishes to make it clear that it does not agree with this position, and certainly the reclassification within the residential zone area and the special exception as granted should not have any effect upon any future application for business zoning in this immediate area.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 5 day of December, 1967, by the County Board of Appeals ORDERED, that the reclassification special exception and variances requested be granted, subject to and limited by the restrictions as stated in the Opinion.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

W. Giles Parke

#67-74 12XA MAP

NO 67-74-RXA MES & STRATAKIS ET AL W York Road 229' south of Caye : Drive

Osh District 0.6422 Acre

5EC.3-C SE - Offices and Office Building

Variance from Section 217.3 to permit side yards of 12' and 15' for Lat #1134 and 16' for Lot #1138 instead of the required 25', and

Variance from Section 217.2 to permit front yard setback of 16' for Lot *1134 and 15' for Lot #1138 instead of required 30'

Aug. 16, 1966 retition filed

1 1967 Reclassification . SE and variances DENIED by D.Z.C.

Order of Appeal to C. B. of A.

Reclasification, SE and variances GRANTED, subject to and limited by restrictions - by the Board

GRANTED

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUN'Y Katherine Strakes and Mary Antonakos

I, or we Janus S. Stratakis — ...legal owners of the property situate in Baltimore County and which's described in the descrip in and plat attached hereto in made a part hereof. hereby petition for a Variance from Section 217., 3 from 25' side-yard to 121 and 151. (#1134), & 16' (#1138) and from Section 217, 2 from 30' frost yard to 16' and (#1134) and 15' (#1138)

of the Zoning Regulations of Balt of ore County, to the Zoning Law of Baltimore County; for the foll wing reasons: (indicate hardship in practical difficulty)

Practical difficulty and extreme hardship.

Property is to be no ted and advertised as I, or we, agree to pay expenses of above Varietition and fur her agree to and are to be bound latimore County adopted pu suant to the Zoning	by the zoning regulation and restrictions of
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	Atherney Thatez
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	Towson, Maryland 21204

W. Lee Harrison,
ress 607-Loyela Foderal Ruilding
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ORDERED By The Z ning Commissioner

of __44,445.

196. 5, that the subject matter of this petch:n be advertised, as requected by the Zoning Law of Baltimore County in two newspers of general circulation through utilities and the Little and the Law and the Law Commissioner of Baltimore County in Room 106, ounty Office Bu⁴¹ing in Towson, Baltimore County in Room 106, ounty Office Bu⁴¹ing in Towson, Baltimore County on the ... 28th 16 66 AM. dag

PETITION OR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Attherine Strakes and Mary Antonakos

L, or we, James G. Stratukts,legal owners of the property situate in Baltimore may

County and which is described in the description and plat attached hereto and made a part perced, # 9 hereby petition (1) that the zoning status of the herein described property be re-classified, part NF - 11-.....zone; for the following reasons: R-A

Error in original zoning and a genuine change in conditions

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Offices and Office Building

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore nu y Stratation

county.	James G. Stratakis
	Katherine Strakes
Contract purchaser	Mary Antonakos Legal Owner
Address	Address 718 York Road
	Towson, Maryland 21264

W Lee Carrison, Esq. Petitioner's Attorney Protestant's Attorney 34 W Chesarrolls Are

Address 607 Loyola Federal Building Towson, Maryland 21204 oper of Baltimore County, this 14th ORDERED By The Zoning Com

..... 196_6., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation Urroughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning ioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

Lhard D. Hardes by County, on the 28th day of September. 3

200

9/28/65 12och

RE: Petition for Reclassification Special Exception & Variance W/S York Road 229 feet South W/S York Road 229 leet S of Cavan Drive 9th District James G. Stratakis, et a'

BEFORE THE DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY

NO. 67-74-RXA 111111111111

The Petitioner seeks a reclassification his property from an P -6 zone to an RA zone, a special exception (offices and veral variances.

Without reviewing the testimony in detail, the Deputy Zon-Ing Commissioner is of the opinion that the Petitioner has failed to show error in the original zoning map or such changes in the character of the heighborhood to justify the reclassification.

For the aforegoing reasons. IT IS ORDERED by the Deputy
Zoning Commissioner of Baltimore County, this _____ day of March,
1967, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-6 zone; and the Special Exception for offices be and the same is hereby DENIED. The requested Variances are also DENIED.

W LEE HARRISON March 3, 1967



Mr. John G. Rose Zoning Commissioner County Office Building Towson, Maryland 21204

Re: No. 67 i4-RNA--Petition for Reclassification, Special Exception and Variance W/S York Road, 229 feet South of Cavan Drive, 9th District, James G. Stratakis, et al., Petitioner

Please enter an appeal to the County Board of Appeals from the decision and Order of Edward D. Hardesty, Deputy Zoning Commissioner dated March 1, 1967, on behalf of James G. Stratakis.

Please find enclosed my check in the amount of \$75,30 to cover the cost of

Mode Hamser W. Lee Harrison

Enclosure -- check no. 2632

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avent Towson, Maryland 21204

Your petition has been received and accepted for fil

day of Allagist 1965.

Petitioner James C. Stratakis

Petitioner's Attorney . Lee Harrison Reviewed by Chairman

Advisory Committee

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN, D. Leank Structur

PETITION FOR
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EXCEPTION AND VASIANCE

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67-7412XA

DESCRIPTION

0, 6442 ACRE PARCEL LOCATED ON WEST SIDE OF YORK ROAD AND SOUTH OF CAVAN DRIVE, NINTH ELECTION DISTRICT,

BALTIMORE COUNTY, MARYLAND.

PRESENT ZONING R-6

PROPOSED ZONING R-A

WITH SPECIAL EXCEPTION FOR OFFICE BUILDING

USE WITH FRONT AND SIDE YARD VARIANCES

section of the West side of York Road extended and the south side o No. 10576 thence binding on said westernmort right of way of Rame "H the two following courses and distances (2) S 01*27'47" W 89, 43 feet on the Plat of Section "A" Towsonvale as recorded among the L nd Records of Baltimore County in Plat Book G. L. B. 17, page 53, running thence and binding on Lots 59, 60 and a part of 61 the two following

OFFICE OF
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS

No. I Newburg Avenue

PETITION FOR
RECLASSIFICATION AND
SPECIAL EXCEPTION
AND VARIANCE
9th DISTRICT
ZONING: From R-6 to B. A.

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American Special Exception for Office and Office Building, Petition for Variance for side and from system and side and from System State Sta

SEPTEMBER 28, 1966 at 2:00 P.M.,
PUBLIC HEARING: Room 108,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
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217,3 - Side Yards

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CATONSVILLE, MD.

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three weekly newspapers published in Baltimore County, Maryone successive weeks before

THE BALTIMORE COUNTIAN



courses and distances (5) N 31°50'43" W 75, 00 feet, (6) N 32°07'13" W 126, 07 feet thence leaving said line and binding on the division line of Lots Nos. 68 and 69 of the aforementioned Plat (7) N 57°52'47" F 149 C4 feet to the place of beginning.

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6/23/66



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Fire Bureau Health Copartment Industrial Development Board of Education Buildings Department

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No. 44329 BALTIMORE COUNTY, MAR DAND OFFICE OF FINANCE 3/7/67

BILLED

POSIT TO	ACCOUNT NO. 01-623	RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	TOTAL AM
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IMPORTANT: MAKE CHECKS PAYABLE TO RALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 2120

> BALTIMORE COUNTY, MAR AND No.40671 OFFICE OF FINANCE DATE 9/29/66

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



