PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS
A SPECIAL HEARING FOR OFF-STREET PARKING IN A RESIDENTIAL ZONE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

EVA MACAIS EVA MACRIS legal owners 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 238.2 to permit a sideyard setback of 0 from the N 040 27' W 150' line instead of the required 30'.

To permit a rearyard setback of 3' instead of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Section 409.2 b (3) To permit 7 off-street parking places instead

of the required 18 spaces, and for Off-Street parking in a residential zone.

Zoning Commissioner of Baltimory County.

0

See attached description

*..

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

1, eve. agree to pay expenses of above Variance advertising, posting, etc., upon filing of this etition, and further agree to and are to be bound by the zoning regulations and restrictions of alimorphicounty adopted pursuant to the Zoning Law For Baltimore County. Narando a Mares D. Hours Eva Macres Legal Owner Contract purchaser Address 3148 Woodling and R RE Balto 21234 Petitioner's Attorney B Protestant's Attorney County, on the 550... day of Pobrusty 196 at 1100 o'clock DEC 1 5 167 PM

and it appearing that by reason of the following finding of facts the above Variance should be had; and it further appearing that by reason of..... a Variance should be granted IT IS ORDERED by the Zoning Commissioner of Baltimore County this 196 that the herein Petition for a Variance should be and the ame is granted, from and after the date of this order. Zoning Commissioner of Baltimore County Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty and wareaconable off-street parking in a residential some would adversely affect the health eafety and general welfare of the locality involved, therefore, should also be DE Musel D Harder Zoning Commissioner of Baltimore Count

SARANDOS A, and EVA MACRIS 68-176-ASPH NE corner Joppa & Emge Roads 9th District Special Hearing for Off-Street Parking in residential zone Variance for Side & Rear Yards 775 square feet 0.17 Acres 15 1967 Patition filed Variance and Permit for Off-Street Parking DENIED by D.Z.C. May 2 Appealed to C.B. of A. Order of the Board: "Since it has been resolved that the entire subject property is zoned B.R., the partitioner's request for a special heoring for off-street parking in a residential zone is no longer necessary and the question is moot. . . . ORDERED variances GRANTED" Feb 27. 1969 Order for Appeal filed in the Circuit Court by Manuel M. Nicolaides, Esq., Attorney for Protestants, Mr. and Mrs. Robert M. Donovan, Jr. (File #4191) 27 Answer to Order of Appeal filed in Circuit Court g / July Hearing had. Appeal dismissed in open court - Judge Turnbull Oral dismissal - copied from Caust Bocket (ne walten dismined per place well to me leve 1/25/19) Appealed 3/27/69

eNTA 68-176 RE: PETITION FOR SPECIAL HEARING: for Off-Street Perking (Section 409, 25(2), and : VARIANCE from Section 229, 2 of the Beltimore County Zening :

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

AT LAW Misc. Docket No.

Fello Ne. _ 423 File No. 4191

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEBORE THE ZONING COMMISSIONER AND BOARD APPEALS OF BALTIMORE COUNTY

1 1 1 1 1 1 1

Mr. Clarks

Please file &c.

Zoning File No. 68-176-ASPH

Muriel E. Buddeme

BE: Petition for Vallance and Special Henring-NE/corner depts East and Ease Real -9th District - 2-Address Section - 5th Control - 5th Contr

NOTICE OF APPEAL

Please enter an Appeal from the Order of Edward D. Hardesty, Deputy Zoning Commissioner, dated April 11, 1968, in the aforementioned case, and forward all papers to the Board of Appeals of Bellimore County.

101-2.40 PM COLUMN TO ARTHER

Enclosed by the above entitled above county. Petition for Var NE/corner Joppe garandor vacris The State of the S Tience and Special Hearing-Boad & Smgc Load - 9% h Dis Ford & Smgc Load - 9% h Dis

LTIMORE COUNTY OFFICE OF PLANNING AND ZONING

4

C. John Serio. Esquire 3 E. Lexington Street Baltimore, Maryland 21201

RE: Petition for Variance and Special Hearing - NE/corner Juppa Road and Emge Road -9th District - Sarandos Macris, Petitioner - NO, 68-176-A

Dear Mr. Serio:

I have this date passed my Order denying the above I have this date passed my Order denying the above captioned matter by reason of failure to show practical difficulty and unreasonable bardship and the permit for oil-street parking in a residential row would adversaly effect the health, safety and general welfare of the locality involved.

Very truly yours. Head , Hille EDWARD D. HARDESTY Deputy Zoning Commissioner

EDH/idr

cc: Mt. Charles Lilly 1744 E. Joppa Road Baltimore, Maryland 21234

Mr. Robert Donovan 8707 Emge Road Baltimore, Maryland 21214

May 22, 1969

Mr. Manuel M. Nicolaides, 546 Equitable Bunding, Baltimore, Maryland 21202

Mr. C. John Serio, 3 E. Lexington Street, Baltimore, Maryland #1202

County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland 21204

RE: Donovan, et al v. Balto. Co. Board of Appeals, Misc. Case #4191

The above matter has been assigned for hearing on July 1,1969, at 10:00 A. M. This matter will not be postponed after June 17.

In addition, I request that not later than June 20, you advise me of the portion of the transcript you wish me to read. As you know, in these matters there is much repetition which is of no help to the court in reaching a decision.

Further, if you have any authorities which you winh me to consider, I request that they be submitted to me that later than Tune 20.

Very truly yours,

the Grason Twent all

John Grason Turnbull

RE: PETITION FOR SPECIAL HEARING for off-street parking (Sec. 409.2b(3) and VARIANCE from Section 238.2 of the Zoning Regulations of Baltimore County : Northeast Corner of Joppa and Emge Rds.

Sarandos A. Macris and Eva Macris Petitioners

BEFORE COUNTY BOARD OF APPEALS

> OF BALTIMORE COUNTY

No. 68-176-ASPH

OPINION

This case comes before the Board upon an appeal by the petitioner irom a denial of the Deputy Zoning Commissioner. Since the original hearing before the Deputy Zoning Commissioner it has been determined and acknowledged by the protesta and petitioner that the entire subject property is presently zoned B.R. At the time of the first hearing a discrepancy existed in the written descriptions involving the subject This discrepancy has been corrected by an Order of the Zonina Commissione dated June 27, 1968. Since it has been resolved that the entire subject property is zoned B.R., the petitioner's request for a special hearing for off-street parking in a residential zone is no longer necessary and the question is moot. Therefore, this case upon appeal differs significantly from the case as originally heard by the Deputy Zoning Commissioner. The only remaining questions are one requesting a variance from Section 238.2 to permit 0' side yard on the east of the subject property, and a 20' side yard on the west instead of the required 30'; and secondly, a request for a variance from Section 409, 2b(3) to permit seven parking spaces instead of the required sixteen spaces

The subject property is located on the northeast corner of Joppa Road and Emae Road, in the 9th Election District of Baltimore County, and is presently improved by a dilapidated two-story frame building. This dwelling would be demolished if the petition is granted. The petitioner testified that he would erect and operate a small family run restaurant. It is proposed that same would be a one story structure approximately 20' x 40°, with possible seating arrangements for thirty to thirty-five patrons. The restaurant would be operated by the petitioner, his wife and perhaps two to four other employees, and

WHEREFORE, your Petitioners pray

- 1. That this Honorable Court shall reverse, vacate and set aside the decision of the County Board of Appeals of Baltimore
- That the decision of the Board stayed pending the hearing of this Appeal.
- 3. And for such other and further relief as the nature

Manuel H. Nicolaides Attorney for Petitioners 346 Equitable Building Baltimore, Maryland 21202 539-3703

I REMENY CENTIFY that on this day of yorll, 1969, a copy of the foregoing rettion was mailed so C. 700. Serio, Exculte units as the foregoing serion and the serion of the control of the serion of th

Manuel M. Nicolaides Attorney for Petitioners

S. A. Macris - No. 68-176-ASPH

would be similer to an oriention he has run in Baltimore City. The petitioner cited the commercialization along Joppa Road, including relatively new businesses such as Pep Boys' Stores, R.C.A. Service Center and Hoover Electronics, as evidence of reasonable need for his small restaurant. The petitioner testified that from his experience in this business he felt that the majority of his customers would come from his immediate commercial neighbors and that most would be walking patrons for lunch and dinner. The Board found this to be a reasonable conclusion.

- 2 -

There was little or no significant opposition to the variance for the rear and side yard setbacks, same coming only from the immediate property owners; one operating a commercial establishment with a paved parking area, and the other, a residen who hed apparently at one time sought to sell her property to the petitioner for use in this posed venture. As to the variance from the off-street parking regulation, the Board was impressed by the possible use of this site in such a manner as to possibly attract patro who could walk to the establishment, thereby diminishing the need for on-site parking. Considering the above and the balance of the testimony presented, it is the judgment of the Board that it would be a practical difficulty for the petitioner to use this lot withou the requested variances, and furthermore, it is the considered opinion, and the Board finds as a fact, that to agent these variances would not cause substantial injury to the public health, safety and/or general welfare of the surrounding area. Considering the practical difficulty involved, the granting of these variances would be in keeping with the spirit and intent of the Regulations. Therefore, it is the judgment of this Board that the variances from Section 238,2 and Section 409,2b.(3) of the Zoning Regulations shall be

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 27th day of February, 1969 by the County Board of Aspeals ORDERED, that the variances petitione for be and the same are hereby Granted.

MR. & MRS. ROBERT M. DCNOVAN, JR. * 8707 Emge Road Baltimore, Maryland 21234 * CERCUIT COURT FOR

PLAINTIFFS BALTIMORE COUNTY

BALTIMORE COUNTY BOARD OF ZONING APPEALS and the COUNTY OF BALTIMORE COUNTY OFFICE BUILDING TOWSON, WARYLAND 21204

Pile

Folio No.

ORDER FOR APPEAL FROM DECISION COUNTY BOARD OF ZONING APPEALS

MR. CLERK

Pursuant to Sub-title b of Chapter 1100 of the Maryland Rules of Procedure, please enter an appeal to the Circuit Court for Baltimore County on behalf of Mr. & Mrs. Robert M. Donovan, Jr., Appellants from the Order, action and decision of the Baltimore County Board of Zoning Appeals taken in Appeal No. 68-176 ASPH on February 27, 1969.

Manuel M. Nicolaides Attorney for Appellants 546 Equitable Building Baltimore, Maryland 21202 Telephone: LE 9-3703

I HEREBY CERTIFY that on this 26th day of March, 1969, a copy of the aforegoing Order for Appeal was mailed to the Baltiacre County Board of Zoning Appeals, County Office Building, Towann, Maryland 21204.

Manuel M. Nicolaides Attorney for Appealants

S. A. Macris - No. 68-176-ASPH

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

> > I.a. Source

John A. Slowik, Acting Chairman

MANUEL M. NICOLAIDES ATTORNET AT LAW 548 EQUITABLE BLDG. CLIEBER & FAIRFIR WILL BALTIMORE, MARYLAND 21292

March 26, 1969

Clerk Circuit Court for Baltisore County Court House son, Maryland 21204

> Re: Order for Appeal from Decision County Board of Zoning Appeals

Mr. Clerks

Enclosed please find Order for Appeal to be filed in the above entitled case. I am also enclosing a blank endorsed check to coverelling fees on which you have my permission to these the proper filing fees. This is being control to the set of the control of the proper filing fees. This is being control to the proper filing fees. This is being control to the proper filing fees. This is being control to the proper filing fees. The set of the proper filing fees the proper filing fees the proper filing fees the cost of filing.

Your cooperation in this matter is very much appreciated.

Very truly yours,

Manuel M. Nicolaides

MMN:11

cc: Baltimore County Board of Zoning Appeals County Office Building Towson, Maryland 21204



Baltimore County Board of Zoning Appeals County Office Building Towson, Maryland 21204

CIRCUIT COURT FOR BALTIMORE COURSE

PETITION

RABLE, THE JUDGE OF SAID COURTS

Mr. and Mrs. Robert M. Don

The Petition of Mr. and Mrs. Robert M. D novan, Jr.

2. That your Potitioners are the Road. Hear the property involved in the Appeal, our tax payers of Baltimore County, and are directly by the tecision of the County Board of Appeals of County for all of which reasons Petitioners are duly to maintain this Appeal from the decision of said Board.

That your Petitioners, the Appellants herein, were pgrieved by the action of the Board in granting a variance for off street parking under Section 409.2b(3) of the Daltimore County rdiance and a variance in the yard requirements under ction 238.2 of the soning regulations of Baltimore County on the heast corner of Joppa and Emgee Roads and alleges that said ranting of the variances is entirely unreasonable, arbitrary, illegel and in direct violation of the soning regulations of Baltimore County for the following reasons:

a) That the authorization is in conflict with sound oning principles and practices.

b) That the granting of the variances are detricental the health, safety and general welfare of the surrounding residents in that these variances will create undue traffic on setions and problems and also diminish the value of the rounding residential properties.

MANUEL M. NICOLAIDES

REGISTERED NO.4482-

Return Receipt Requested

Roca 4/20/69

Re. a specier

| PETITION FOR SPECIAL HEARING | | IN THE |
|------------------------------------|-----|-------------------|
| for Off-Street Parking | | |
| (Section 409.2b(3), and | . 1 | CIRCUIT COURT |
| VARIANCE from Section 231.2 | | |
| of the Baltimore County | 1 | FOR |
| Zoning Regulations | | |
| NE corner Jopps and Emge Roads | 1 | BALTIMORE COUNTY |
| 9th District | | |
| Sarandos A. and Eva Macris | 1 | AT LAW |
| Petitlonan | | |
| | 1 | Misc. Docket No 8 |
| Zonir- File No. 68-176-ASPH | | |
| | | Folio No. 423 |
| Mr.and Mrs. Robert M. Donovan, Jr. | | |
| Protestants-Appellants | | File No. 4191 |
| | | |

TO THE HONORABLE, THE JUDGE OF SAID COURT

And now come John A. Slowik, Walter A. Reiter, Jr. and John A Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

.

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 68-176-ASPH

| Dec. | 15, 1967 | Partition of Sarendos A. Macris and Eva Macris for special hearing for off-street parking (Section 409.2b(3), and variance from Section 238 of Baltimore County Zoning Regulations, on property located on the northeast corner of Joppa and Emge Roads, 9th District – filed |
|------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| • | | Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for February 5, 1988 at 1:00 p.m. |
| Jan. | 19, 1968 | Certificate of Posting of property - filed |

. 22 Certificate of Publication in newspaper - file

At 1:00 p.m. hearing held on petition by Deputy Zoning Commi

Order of appeal to County Board of Appeals from Order of Deputy

Hearing on appeal before County Roam of Appeals - once held sub-cur

Feb. 27, 1969 Order of County Board of Appeals granting variance

Mar. 26 Order for Annual filled in Circuit Court for Buildings County . Cartificate of Notice seet to all Interested partiage

Petition to accompany Order for Appeal filed in the Circuit Court Apr. 23

24

Transcript of testimony filed - 1 volume

Petitioners' Exhibit No. 1 - Photo of subject plet - 7/10/68, re-vised by J. D. Thompson 2A - Description - R-6-1 Correction

28 - Description - 8-R-1 Correction 2C - Description - Correction of dis-crepancy apposite page 89 in Zoning Regulations

Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent seconds of the Zoning Department of Seltimore County, as are also the use district maps, and your respondents respectively suggest that it would be ent and inappropriate to file the same in this proceeding, but your res aduce any and all such rules and regulations, tagether with the zoning use district

County Board of Appeals
of Baltimore County

RE: PETITION FOR SPECIAL HEARING BEFORE for off-street parking (Sec. 409, 25(3) and VARIANCE from Section 238.2 of the Zoning Regulations of Baltimans County COUNTY BOARD OF APPEALS OF Baltimore County
Northeast Corner of Joppa and Emge Rds.
9th District BY TIMORE COUNTY No. 68-176-ASPH Sarandos A. Maeris and Eva Maeris

OPINION

This once comes before the Board upon an appeal by the patitioner from a dunial of the Deputy Zoning Commissioner. Since the original hearing before the Deputy Zaning Commissioner it has been determined and acknowledged by the protestants and petitioner that the entire subject property is presently zoned B.R. At the time of the first hearing a discrepancy existed in the written descriptions involving the subject property. This discrepancy has been corrected by an Order of the Zoning Commissions dated June 27, 1968. Since it has been resolved that the entire subject properly is zoned B.R., the politioner's request for a special hearing for off-street parking in a ensidential zone is no longer necessary and the question is most. Therefore, this cases upon appeal differs significantly from the case as originally heard by the Deputy Zoning Commissioner. The only remaining questions are one requesting a variance from Section 238.2 to permit 0' side yard on the east of the subject property, and a 20' side yard on the west instead of the required 30°; and secondly, a request for a variance from Section 409.26(3) to paintit seven parking spaces instead of the required sixteen spaces.

The subject property is located on the northeast corner of Jappa Road and Enge Road, in the 9th Election District of Baltimore County, and is presently improved by a dilapidated twa-story frame building. This dwelling would be demalished if the petition is aranted. The petitioner testified that he would erect and operate a small family run restaurant. It is proposed that same would be a one story structure approximately 201 x 40°, with possible seating arrangements for thirty to thirty-five patrons. The restaurant would be operated by the patitioner, his wife and pemaps two to four other employees, and S. A. Macris - No. 68-176-ASPH

would be similar to an operation he has run in Baltimore City. The petilioner cited the commercialization along Joppa Road, including relatively new businesses such as Pea Boys' Stores, R.C.A. Service Center and Hoover Electronics, as evidence of reasonable need for his small restaurant. The patitioner testified that from his experience In this business he felt that the majority of his customers would come from his immediate commercial neighbors and that most would be walking patrons for lunch and dinner. The Board found this to be a reasonable conclusion.

There was little or no significant apposition to the variance for the rear and side yard setbacks, same coming only from the immediate property owners; are operating a commercial establishment with a paved parking area, and the other, a residen who had apparently at one time sought to sell her property to the petitioner for use in this proposed venture. As to the variance from the off-street parking regulation, the Board was impressed by the possible use of this site in such a manner as to possibly attract patro who could work to the establishment, thoreby diminishing the need for on-site parking. Considering the above and the balance of the testimony presented, it is the judgment of the Board that it would be a practical difficulty for the petitioner to use this lot without he requested variances, and furthermore, it is the considered opinion, and the Board find as a fact, that to must these variances would not cause substantial injury to the public health, rafety and/or neneral welfare of the surrounding area. Considering the practical difficulty involved, the granting of these variances would be in keeping with the spirit and intent of the Regulations. Therefore, it is the judgment of this Board that the varlances from Section 238, 2 and Section 407, 25. (3) of the Zoning Regulations shall be

ORDER

For the reasons set forth in the ofere olin Opinion, it is this 27% deof Fubruary, 1969 by the County Board of Appeals ORSERED, that the variances actified for he and to speed the ket of Granted.

RE: PETITION FOR SPECIAL HEARING IN THE for Off-street Parking (Section 409, 26(3), and VARIANCE from Section 239.2 of the Zaning Regulations NE corner Joppa and Emge Kaods, 9th District CIRCUIT COURT FOR BALTIMORE COUNTY Sarandos A. and Eva Macris, ATLAW Petitioners
Zoning File No. 68-176-ASPH Mr. and Mrs. Robert M. Don 423 4191

CERTIFICATE OF NOTICE

Mr. Clerks

Pursuant to the provisions of Rule 1101-8 (4) of the Monday Rules of Rule John A. Slowik, Walter A. Reiter, Jr., and John A. Miller, constituting the County Board of Appeals of Baltimare County, have given notice by mail of the filing of the Appeal to lve of every party to the proceeding before It; namely, C. John Serio, Esq., Suite 25, Central Savings Bank Building, Baltimore, Maryland 21202, Attorney for the Petitioners, and Manuel M. Nicolaides, Esq., 546 Equitable Building, Baltimore, Maryland 21202, Attorney for the Protestants, and Mr. Charles Lilly, 1744 E. Joppa Road, Baltimare, Maryland 21234, Protestant, a copy of which notice is attached horeto and prayed that it may be morie a part thereof.

County Board of Appeals of Baltimore County County Office Building, Towson, Md. 21204 VAlley 3-3000 Fee 570

I hereby certify that a copy of the aforegoing Certificate of Notice has been mailed to C. John Serio, Esq., Suite 25, Central Savings Bank Building, Baltimore, Maryland 21202, Atterney for the Petitioners, and Manuel M. Nicolaides, Esq., 546 Equitable Building, Baltimore, Maryland 21202, Attorney for the Profesionis, and Mr. Charles Lilly, 1744 E. Joppa Road, Boltimore, Maryland 21234, Protestant, on this 27th day of March, 1969.

Edith T. Eisenhart, Secretary County Board of Appeals of Baltimore County

cc: Zoning Mr. Robert L. Hinton, Land Acquisition

S. A. Macris - No. 68-176-ASPH

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

John A. Slowik, Acting Chairman

February 27, 1949

with is a copy of the Osinian and Orde

today by the County Board of Appeals in the glove entitled core

Very truly yours,

Marial V Buddans In

Mr. Manuel M. Nicolaides, 546 Equitable Building, Baltimore, Maryland 21202

Baltimore County Board of Zoning Appeals, County Office Building, Towson, Maryland 21204

> FE: Denovan et al v. Baltimore County Board of Zoning Appeals Misc. Case #4191

Cards were mailed to you stating that the above appeal had been assigned for a hearing on June 3. This is to notify you that the hearing has been postponed and it will be rescheduled at a later date.

Yours very truly.

Athe Treson Tumbura

IGT/stp

John Grason Turnbull

(. . . 1/00/45

Sarandos A. Maeris and Eva Maeris

SECONE COUNTY SOARD OF APPEALS OF

BALTIMORE COUNTY

No. 68-176-ASPH

OPINION

This case comes before the Roard upon an appeal by the putitioner from a denial of the Deputy Zoning Commissioner. Since the original hearing before the Deputy Zoning Commissioner it has been determined and acknowledged by the protestant. and partitioner that the entire subject property is presently zoned B.R. At the time of the first hearing a discrepancy existed in the written descriptions involving the subject property. This discrepancy has been corrected by an Order of the Zoning Commission dated June 27, 1968. Since it has been resolved that the entire subject property is zaned B.R., the petitioner's request for a special hearing for off-street parking in a residential zone is no longer necessary and the question is moot. Therefore, this case upon googal differs significantly from the case as originally heard by the Deputy Zoning Commissioner. The only remaining questions are one requesting a variance from Section 228.2 to permit 0' side yard on the east of the subject property, and a 20' side yard on the west instead of the required 30'; and secondly, a request for a variance from Section 409.2b(3) to permit seven parking spaces instead of the required sixteen spaces

The subject property is located on the northeast corner of Jappa Road and Emge Road, in the 9th Election District of Baltimore County, and is presently improved by a dilabilated two-story frame building. This dwelling would be demalished if the periition is granted. The periitioner testified that he would erect and operate a small family run restaurant. It is proposed that same would be a one story structure approximately 20' \times 40°, with possible seating anangements for thirty to thirty-rive patrons. The restaurant would be operated by the petitioner, his wife and perhaps two to four other employees, and

EE: Petition for Variance and Special Hearing-NE/corner Joppa Road and Eage Road -9th District - Serendos Macris, Petitioner -NO. 66-176-A

NOTICE OF APPEAL

Please enter an Appeal from the Order of Edward D. Hardesty, Deputy Zoning Commissioner, dated April 11, 1968, in the aforementioned case, and forward all papers to the Board of Appeals of Baltimore County.

WW -2 FRPM o had o to had TONING DEPARTMENT S. A. Macris - No. 58-176-ASPH

would be similar to an operation he has run in Saltimore City. The paritimer cited the commercialization along Joppa Road, including relatively new businesses such as Pap Bays' Stores, R.C.A. Service Center and Hoover Electronics, as evidence of reasonable need for his small restaurant. The petitioner testified that from his experie in this business he felt that the majority of his customers would come from his immediate commercial neighbors and that most would be walking patrons for lunch and dinner. The Board found this to be a reasonable conclusion.

There was little or no significant opposition to the variance for the rear and side yard satbacks, same coming only from the immediate property owners; one operating a commercial establishment with a paved parking area, and the other, a residen who had apparently at one time sought to sell her property to the petitioner for use in this proposed venture. As to the variance from the off-street parking regulation, the Board was impressed by the possible use of this site in such a manner as to possibly attract patr who could walk to the establishment, thereby diminishing the need for on-site parking. Considering the above and the balance of the testimony presented, it is the judgment of the board that it would be a practical difficulty for the politioner to use this lot without the requested variances, and furthermore, it is the considered opinion, and the Board find as a fact, that to grant these variances would not cause substantial injury to the public health, safety and/or general welfare of the surrounding area. Considering the practical difficulty involved, the granting of these variances would be in keeping with the spirit and listent of the Regulations. Therefore, it is the judgment of this Board that the varlances from Section 238.2 and Section 409.25.(3) of the Zoning Regulations shall be

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 27th day of February, 1989 by the County Board of Appeals ORDERED, that the variances polition for be and the same are hereby Granted.

No. 68-176-ASPH -- Serendos A. Hacris and Eve Hacris

Certificate of posting

Order of Appeal

Certificate of publications

Plat filed with petition

Comments of Office of Planning

C. John Serio Suite 25 Central Savings Bank Building Baltimore, Md. 21202

Hr. Garles Lilly 1744 E. Joppa Road Baltimore, Md. 21234

Mr. Robert Donovan 870/ Emge Road Bultimore, Hd. 21234

Copy of Petition, description of property and Order of the Deputy Japan Commission

1 sign

Counsel for petitioner

Protestant

Protestant

E. A. Maret - No. 20, 127 Logs

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 ARREATE OF BALTIMORE COUNTY

John A. Slowik, Acting Chair

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

C. John Seris, Esq., 3 E. Lexington Street Baltimore, Maryland 21202

Special Hearing for off-street parking in a residential zone, side yard setheck, roar yard setheck in parking variance, for Sarandos A. Nacris, located M/S of Joppa Rd. L/Z of Enge Road Oth Disastreet 9th District (Item 9, November 7th, 1967)

Gear Sirs

The Zoning Advisory Committee has reviewed the subject petition and has the following comments to offer:

BUREAU OF ENGINEERING:
Road - Joppe Rd. Is to be developed as a stnimus 40' road on a 70' R/V. Enge Rd. is to
be developed as a stnimus 30' road on a 40' R/V.

BUREAU OF TRAFFIC ENGINEERING:

sured, or inverse Embanasanses Aug PROJECT PLANNING DIVISION The plans should provide for a 50° R/W on eage Road to provide for sidewelks on the East side of this road.

HEALTH OFFAITHENT:

Public sater and sower are available to the subject site. Prior to construction, removation, indoor installation of equipment for this food service facility, complete plane and specifications must be substited to the Division of Food Control, Baltimore County, Dept. of Health for review and approve:

STATE ROADS COMMISSION: There are no State roads involved; therefore, this office has no comment.

ZONING ADMINISTRATION DIVISION:
The constitute is of the opinion that the site is not large enough to accommodate the

The countities is of the opinion that the site is not large enough to accommodate the proposal users as the commodate the proposal users as the commodate the proposal users as the commodate the proposal users as the counties that the seven spaces could be provided. This world require an additional Variance Hearing.

It is seven to be proposal users as the proposal users are the proposal users as the proposal users as the proposal users are the proposal users as the proposal users are the proposal users are the proposal users as the proposal users are t

The above comments are not intended to indicate the appropriateness of the tending action requested, but to assure that all parties are meds mare of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Coning will substire recommendations on the appropriateness of the requested tening 10 days before the Loning Counfasioner's hearing.

The following members had no comment to offer:

Bureau of Fire Prevention Building Engineer Board of Education Industrial Development cc: Carlyle Brown-Bur. of Engr.
C. Richard Moore-Bur. of Traffic Engr.
Albert V. Quinby-Project Planning
William Greenwelt-Health Dept.
John Meyers-State Reads Comm.

Very truly yours.

JAMES E. DYER, Principal Zoning Technician

C. John Serio, Esq.
3 E. Lexington Street NOTICE OF HEARING
Sultimore, Hd. 21202

Res Patition for Variance & Special Hearing for Sarandos A. Nacris

TIME: - 1:00 P.H.

DATE: Monday, February 5, 1968

PLACE: ROOM 106 COUNTY OFFICE BUILDING, III W. Chesapeake Avenue

TOWEON, MARYLAND

PETITION FOR VARIANCE and SPECIAL HEARING

ZON ING

Petition for Veriance for 51de & Rear Yards and Parking. Parking for Off-Street Parking in

LOCATIONS

Hortheast corner of Juppa and Enge Roads.

MIE & THE

PUBLIC HEAR ING

MONDAY, FEURUARY 5, 1968 GAT 1:00 P.M. Room 108, County Office Building, 111 W. Che Aranue, Touson, Heryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Resulations of Baltimore County, will hold a public hearing:

registron for Variance from the Zening legulations of Baltimore County to permit a slidy yard satheds of Zen foot from the North Ot degrees 27 minutes tax 150 foot line instead of the required 30 feet late 150 foot line instead of the required 30 feet just to permit a rear year estable. of 3 feet instead of the required 30 feet. To permit 7 off-atreet parking spaces instead of the required is appear. Futition for Special Nearing to permit off-street parking spaces instead of the required is spaces.

The Zoning Regulation to be excepted as follows:

Section 138,2 - Side and Reer Yards - 30 feet. Section 409,2 b (3) - Bence Hell, night club or massabs restaurant - 1 for each 50 squire feet of total floor area.

All that percel of land in the Winth District of Bultimore County

Baing the property of Sarandos a Mocris and Eva Macris, as shown on play plan filed with the Zoning Department.

Haaring Date: Honday, February 5, 1968 at 1:00 P.M. Public Hearing: Room 108, County Office Duilding, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF JOHN G. ROSE ZOHING COMMISSIONER OF BALTIMORE COUNTY

ZONING COMMISSIONER OF BALTIMORE COUNTY

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

SARANDOS A. MACRIS and XXXX w. SVA NACRIS legal owners of the preperty 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 238.2 to permit a pideyard setback of 0' from the N 04° 27' W 150' line instead of the required 30'.

To persit a rearyard setback of 3' instead of the required 30'.

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

Section 409.2 b (3) To permit 7 off-street parking places instead of the required 18 spaces, and for Off-Street parking in a residential zone.

| | ree to pay expenses of above Va ther agree to and are to be bound adopted pursuant to the Zonin, | t by the zoning regulation | ns and restriction: |
|-------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------|
| Balimore County | adopted pursuant to the Zonin | Masaudh a | 8 |
| V | Contract purchaser | Eva Macris | Legal Owner |
| ddress | | Address 3148 120 | dring and |
| | John Sens | Belto | 2123.4 |
| DAT | John Serie Petitioner's Attorney | *************************************** | rotestant's Attorn |
| Address3_5. | Lexiogica Street 21 | 202 | |
| ORDERED I | By The Zoning Commissioner of | Baltimore County, this | 15th |
| required by the out Baltimore Co | Zening Law of Baltimore County unty, that property be posted, at Baltimore County in Room 106 | , in two newspapers of gene of that the public hearing be | ral circulation thro had before the Zo |
| | | | 9 1 22 |
| | 5thday of | repruary 1 | 68 at 1:00 c'e |

and it appearing that by reason of the following finding of facts the above Variance should be had; and it further appearing that by reason of IT IS ORDERED by the Zoning Commissioner of Baltimore County this 196 that the herein Petition for a Variance should be and the same is granted, from and after the date of this order Zoning Commissioner of Baltimore County Pursuant to the advertisement, pesting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty and unreasonable hardship the above VARIANCE should not be granted, and the permit for off-street parking in a residential zone would adversely affect the health safety and general welfare of the locality involved, therefore, should also be DENIED. NAMES OF THE PARTY Ξ IT IS ORDERED by the Zoning Commissioner of Baltimore County, this RECEIVED FOR Elegand Starker BY & Harry ORDER

seet passing of property, and public hearing on the above petition

Appeal filed 3/20169 RE: PETITION FOR SPECIAL HEARING IN THE for Off-street Parking (Section 409.2b(3), and VARIANCE from Section 238.2 of the CIRCUIT COURT FOR BALTIMORE COUNTY Sarandas A. and Eva Macels ATTAW Zanina File No. 68-176-ASPH Misc. Docket No. Folio No. 423 4191

CERTIFICATE OF NOTICE

Pursuant to the provisions of Rule 1101-B (4) of the Maryland Rules of Procedure: John A. Slawik, Walter A. Reiter, Jr., and John A. Miller, constituting the County Board of Appeals of Baltimare County, have given notice by mall of the filling of the Appeal to tative of every party to the proceeding before its namely. C. John Seria. Fee Suite 25, Central Savings Bank Building, Baltimore, Maryland 21202, Attorney for the Petitioners, and Manuel M. Nicolaides, Esq., 546 Equitable Building, Baltimore, Maryland 21202, Attorney for the Protestants, and Nr. Charles Lilly, 1744 E. Joppa Road Baltimare, Maryland 21234, Protestant, a copy of which notice is attached hereto and proyed that it may be made a part thereof.

Edith T. Elsenhart, Socretary County Board of Appeals of Baltimore County County Office Building, Towson, Md. 21704 VAlley 3-3000, Ext. 570

I hereby certify that a copy of the Garegoing Certificate of Notice has been mailed to C. Juhn Seria, Esq., Suite 25, Central Savings Bank Building, Baltimore, Maryland 21202, Atterney for the Petitioners, and Manuel M. Nicolaides, Esq., 546 Equitable Building, Baltimare, Maryland 21202, Attorney for the Protestants, and Mr. Charles Lilly, 1744 E. Joppa Road, Baltimore, Maryland 21234, Protestant, on this 27th day of March, 1969

Edith T. Elsenhart, Secretary County Board of Appeals of Balticrore County

cc: Zoning Mr. Robert L. Hinton, Land Acquisition

AT LAW Sarandos A. and Eva Macris Misc. Docket # 8 MOTION TO EXTEND TIME FOR TRANSMITTING RECORD Now come Mr. & Mrs. Robert M. Donovan, Jr., by Panuel M. Nicolaides, their attorney and moves pursuant to Rule b7 of the Maryland Rules of Practice and Procedure that the time within to file the Record of the Administrative Agency be extended and for reasons say: 1. That C. Leonard Perkins, Court Reporter, has advised that due to his heavy schedule and back log of work he will not be able to comp'ste a transcript of the record in this matter within the time prescribed and has requested additional time, namely thirty to forty days to prepare said transcript. 2. That the Administrative Agency needs an additional time to prepare this Record for transmittal. WHEREFORE, the movants pray that this Honorable court grant permission to extend the time for transmission of the Record.

IN THE

FOR

CIRCUIT COURT

BALTIMORE COUNTY

Mr. & Mrs. Robert M. Donovan, Jr.

The County Board o' Appeals of Baltimore County

Manuel M. Nicolaides Attorney for Movants 546 Equitable Building Baltimore, Maryland 21202 539-3703

Joseph D. Thomps

CIVIL ENGINEERS & LAND SURVEYORS IDI SHELL BUILDING - 200 EAST JOPPA POAD TOWSON, MARYLAND 21204 · VAiley 3-8820

DESCRIPTION FOR ZONING VARIANCE

BEGINNING for the same at the corner formed by the intersection of the north side of Joppa Road, 40 feet wide, and the east side of Emge Road, 24 feet wide, and running thence and binding on the east side of Emge Road North 11 degrees 02 minutes 06 seconds West 147 feet, more or less, thence leaving the east side of Emgc Road and running North 82 degrees 59 utos Fast 50 00 foot and South 11 degrees 02 minutes 06 seconds Fast 143 feet, more of less to the north side of Joppa Road, herein referred to and running thence and binding thereon South 79 degrees 36 minutes 48 seconds West 47.44 feet and South 77 degrees 23 minutes 50 seconds West 2.5 feet, more or less, to the place of beginning

CONTAINING 0.17 acres more or less.

SUBJECT to the proposed widening of Joppa Road as shown on Bureau of Lond Acquisition Baltimore County Plat RW-66-085-15.

Robert E. Spellon, Rand Surveyor

JOSEPH D. THOMPSON PEALS

CIVIL ENGINEERS & LAND SURVEYORS ISI SHELL BUILDING - 200 EAST IOPPA POAD

TOWSON MARYLAND group . VAIL- a keep

DESCRIPTION OF A PARCEL OF LAND TO BE USED FOR OFFSTREET PARKING IN A RESIDENTIAL ZONE

BEGINNING for the same at a point on the east side of Emge Road at the distance of 130,00 feet northerly measured along the east side of Emge Road from the north side of Joupa Road said point being on the dividing line between the BR and R6 zoned areas and running thense and binding on the east side of Emge Road, north II degrees 02 minutes 06 seconds west 17 feet, more or less, thence leaving the east side of Emge Road and running north 82 degrees 59 minutes east 50.00 feet and south II degrees 02 millutes 06 seconds east 13.5 feet, more or less, to the dividing line berein referred to and running thence and binding thereon south 79 degrees 36 minutes 48 seconds west 50 feet, more or less, to the place of

CONTAINING 775 square feet of land, more or less.

Robert E. Spellman, Land Surveyor No. 4503

10-27-67



Mr. & Mrs. Robert M. Donovan, Jr. IN THE VS. CIRCUIT COURT The County Board of Appeals of Baltimore County FOR BALTIMORE COUNTY AT LAW Sarandos A. and Eva Macris Misc. Docket # 8 Folio No. 423 File No. 4191

ORDER

Upon the aforegoing Motion this day of Arri 1969.

ORDERED that the time for transmitting Record is hereby extended to day of

BALTMORE COUNTY MARYLAN

INTER-OFFICE CORRESPONDENCE

70 Mr. John G. Rose, Zoning Commissioner Date January 1968 FROM George E. Gavrelis, Director of Planning

NUBECT. Petition ⁶,68-176-A. Northeast corner of Joppa & Enge Roads. Petition for Variance to permit a side yard of Zero feet from the North O4 degrees 27 minutes Wast 150 foot line instead of the required 30 feet) and to permit a roar yard of 3 feet Instead of the required 30 feet and to permit 7 off-river perfulg spocss. Instead of the required 18 spocess. Petition for Special Hearing to permit off-rivers parking in a residential zone.

Sarandos Macris - Petitioner

9th District

HEARING: Monday, February 5, 1968. (1:00 P.M.)

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

- As we have noted before, the Zorling Regulations state: "It is the Intent of
 these Regulations that adequate off-street parking spaces be provided for all
 buildings, and that the requirements inserinders set forth are and shall be
 taken as absolute minimums, to be exceeded wherever featible." The subject
 property should be used for a purpose that will require fewer parking spaces,
 in compliance with the Zorling Regulations.
- Even if the drastic --ductice in the required number of spaces were to be allowed, the site is too small to permit sufficiently free vehicle moneuvering. (A rea-foot-wide strip of land on the westerly side of the lot is to be reserved for the widualing of Enga Road.)
- 3. We have no comment with regard to the variances for side and rear yards.

Con Ex 20 Charges a disrepancy entite between the setters description in Jones 9-25 -1 and 9-3-5-1 and with the content and correct and when the north cide of Jopes head; thence running and binding on cold parallel time so crown in a routinestarty 2/20/69 Expets Copied These for our files

ON EP 21

Poginoing as a point in the contestine of Cableigh Bood, cald point being at the distance of 200 ford neethnostory from the point of the interpostion of said contestine with the convertion of Coursel Austr results thomes et might engine to eats lest erectored point in a continuaterir direction for the distance of the sum to interest the contestion of the Belliners County teltour as proposed Angest L, 1977, cold point being encoured northwesterly 600 fort clen; the conception of the Valotory County Enterny from the point of intercretion with the contestine of Cardeigh Rend; thomas remains and blooking in the contestine of the british done Granty Baltury in a westerly direction 2000 feet to a point; themes remains in a good and binding thereon for a park on the vectormeet and in a caldiviolan known on these is resorded cases the Land Escords of Daleiters County for a distance of 655 feet to a point; theme shift binding on said plat the two solinging comment and Cloteness: Ecochocatariy 70 feet to a point; thomas concasterly 382.53 fact to a point to interpose the Borth side of a 15 feet alloy which alloy is located in the Borth side of Each Send Apartments; treating theres to a portheasterly direction to feet to interest the Book adds of a 15 foot alley as laid out ou said Look Bond Aparenous, said alley being the conference the aforesents Apartments; therese rurning and binding along the test side of sald allay in a continued only dis cotich for the distance of 300 feet to intermed a line drawn purallel to and at the distance of 150 feet coetherly secound so right angles from the Borth size of Jope Read; these binding on said line in a porth constartly direction for the distance of 1965 foot to incorrect the contrition of Catheigh Boads thomas municiand hinding on the contralign or Cakleigh Road for the distance of Nio foot to the place of toglarities

anel 28 Regimning for the same at a point in the ematerime of Joppa Rend and the controline of Cableigh Rends theree wending and binding on the contestine of Cableigh Read in a northwesterly direction 190 feet more or less to talercook a time drawn parallel to end at the distance of 150 feet montharly anasared at right angles *** from the contestion of Joppa Road; thouse running and binding on soil parallel line so drawn in a southerness; directive 1945 feet to interest the contention of an alley there situate, and alley toing the employments property lies of the look Bend Apartments; thence running and binding along the conterline of anid alloy in a continuatorly Giraction 197 fact more or less to intersect the conterline of Joppa Hond; thomas running and binding so the conterline of Joppa Read to a northeasterly directic. 120 foot to a point; thomas sunning in a southeasterly direction 335 foot to a point on the Borth aids of a 15 foot alloy as show and intd out on a plat entitled Ridgeleigh Subdivision plus of Ricek 19 and part of Blocks 12 and 15, said point on the Forth side of said 15 foot alloy being measured 105 feet mosthussterly along said forth side thereof free its fators with the test side of Lackwann Avenue; thence remains and binding on the North side of coid if foot alloy as shown to said plat of Hidgeleigh Subdivision plat of Slock 10 and purts of Blooks 12 and 15 and on the North ide of a 15 foot alloy as shown on plat entitled Ridgoleigh Substitution plat of Blocks 1-2-11-13-15-16 and p of Blocks 3-7-8-12 and erosping said Lackmann Avenue in a northeasterly direction 1300 feet to a point, said soint boing the northeasternment corner of said plat entitled Ridgeleigh Sabdivision plat of Blocks leg-12-13-16 and parts of Blooks 3-7-8-12; thence receips and binding on a line dr 1 in prolongation of the Mant side an alloy there loid out and shown as the easternmost boundary of last mantioned plat in a northwasterly direct M.S. foot more or less to intermed a Line drawn parallel to and at the distance of 150 feet goutherly manufactured at right angles from the centerline of Joppa Road; thence running and binding on said parallel 1 - so draine a northogopherly direction 200 feet to intersect the conterline of Cableigh Road; theses running and binding o the conterline of Carleigh Read in a mortheasterly direction 190 feet more or loss to the place of beginning

| 1. Lyn | CENTERPLATE OF POSTING. ZONING DEPARTMENT OF BALTIMORE COUNTY Towner, Maryland | 17 |
|-----------------------|----------------------------------------------------------------------------------|------------|
| Location of property: | ander A. Mecro & Ela Marco. W. Corara Joppe & Engr Lords | <i>'</i> , |
| Location of Signs: | I Sign Could son Front of Spiriting Billy | |
| Posted by | the distance that of return Many /7 | 19 |
| 4 Sym | CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Town, Maryland | 95 |

Petitioner Sozandos Marris

Location of property N/6 Comes Jepa & Eng & Level Location of Signs Q 2 forces JoH a M2 forces Charge Bil

Remarks
Posted by March Name Date of return Jan. 25 65

Case \$ 68-176-45PH

Petitionery Special Sp

11/6/68

#68-176 ASPH

2x Citats

| BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE District of College and Annie Town, MARYLAND Town, | | NE come of Japan on Seconda A. March on Paristinan | 9th District of Engo Rends at Ever Miscelle, 1 SIGN | | THE JEFFERSONAN, | TOWNON, MD | FICATE OF PUBLICATION |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMOTE | | Delication in 0442 String strong strong derivation of the String String strategy and the String Str | BALFHORN DOWNY, MARY OFFICE OF FINANCE OF FINANCE Distant of Californ and Resign (TOWNY, MARYLAND 21204) TOWNY, MARYLAND 21204 | BESTAIT, MAKE CHECKS PAYABLE TO BALTIMONE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECLIFTS, COURT HOUSE, TOWGON, MARYLAND | STATE THE SECOND SECOND STATE OF SECOND SECO | ALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE District of Columbus and Include TOWNOR, MARYLAND 22000 Bp.420 |

| EPHONE 13-3000 17. 367 | BALT ORE COUNTY, MAR AND OFFICE OF FINANCE Dittion of Collection as Resigns CART HOUSE TOWSON, MARKAND 21204 FYLIA CROWN BROWN BRO | 7810 |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| o acque | Michael M. Nicolation, Eq. (Coving) 66 Spiritals action 68 Spiritals | \$10.00 |
| | Cost of costilled captur of decements - Cross No., 46-176-ASPN Section A., and five Macris NC contex Japan and Enge Sands Wh District | \$10.00 |
| | | |

| 4 War | ys Dd o de leggels |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| NOTICE: There will | // // , as indicated below. |
| () 1. Densurrer to | |
| () 2. Demand for | r articulars |
| () 4. Motion | |
| CX 5. GOORAL | l from decision |
| () 6. | |
| on n | |
| Direct all inquiries | to Same Samebull |
| The Office of Judge | o John Grason Turnbull son, Maryland 21204 |
| Court House, Town | son, Maryland 21204 |
| | |
| | |
| | |
| | |
| 7 | |
| 1 | MESSAGE |
| | MESSAGE |
| <u> </u> | MESSAGE |
| | MESSAGE |
| CATE 5/16/69 | тіме 10 ат |
| CATE 5/16/69 | The second second |
| CATE 5/16/69 | тіме 10 ат |
| M SATE 5/16/69 WHILE | тіме 10 ат |
| CATE 5/16/69 WHILE | TIME 10 am |
| M SATE 5/16/69 WHILE | TIME 10 am YOU WERE OUT |
| CATE 5/16/69 WHILE | TIME 10 am YOU WERE OUT |

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

AND FOR A SPECIAL HEARING FOR OFF-STREET PARKING IN A RESIDENTIAL ZONE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

XXX WEVA HACEIS WEVA HACKEIS legal owners of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof, ereby petition for a Variance from Section 336,2 to pormate a sadeyard setback

of 0' from the N C40 27' N 150' line instead of the required 30'.

To permit a rearyard setback of 3' instead of the soquired 30'.

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

Section 409.2 b (3) to servit 7 off-street parking places instead of the required 18 spaces, and for Off-Street

parking in a residential zone.

See attached description

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

1. or we agree to pay exprises of above Variance advertising posting, etc., upon filing of this settion, and further agree to and are to be bound by the roning regulations and restrictions of alm. re-County adopted pursuant to the Zoning Law For Raltimore County. Jarando a Mercon Menrie Erra Macris Legal Owner 8 Contract purchaser RECE

Petitioner's Atterney

ORDE

PA

Address 311/8 boodaing ave Bolta 212.34 Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this. 15th day of. 196...1, that the subject matter of this peumon or solverment, required by the Zoning Law of Baltimore County, in two nexappears of general circulation through and Baltimore County, that properly to posted, and that the public hearing be sha before the Zoning Communication of Baltimore County in Room 168, County Office Bailding in Towns, Baltimore County in Room 168, County Office Bailding in Towns, Baltimore County in Room 168, County Office Bailding in Towns, Baltimore County in Room 168, County Office Bailding in Towns, Baltimore County in Room 168, County Office Bailding in Towns, Baltimore County of the Baltimore County of the Baltimore County of the Baltimore County Office Bailding in Towns, Baltimore County Office Baltimore Count

Zoning Commissioner of Baltimore County.

-2-

Feb. 27, 1969 Order of County Board of Appeals granting variances Order for Appeal filed in Circuit Court for Baltimore County

Certificate of Notice sent to all interested parties

Potition to accompany Order for Appeal filed in the Circuit Court for Baltimore County Apr. 23

. 24

Transcript of testimony filed - 1 volume May 5

Petitioners' Exhibit No. 1 - Photo of subject plat - 7/10/68, re-vised by J. D. Thompson

" " 2A - Description - R-6-1 Correction " " 28 - Description - 8-R-1 Correction

Description - Correction of dis-crypancy opposite page 89 in Zoning Regulations

Record of proceedings flied in the Circuit Court for Boltimore County

Record of proceedings pursuant to which and Order was entered and said Board acted are permanent seconds of the Zoning Department of Raltimore County, as are also the use district maps, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your res will produce any and all such rules and regulations, together with the zoning use distric new at the hearing on this netition, or whenever directed to do so by this Coun

Respectfully submitted,

Muriel E. Buddemei County Board of Appeals of Baltimore County

sent, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts the above Variance should be had; and it further appearing that by reason ofa Variance _ should be granted IT IS ORDERED by the Zoning Commissioner of Baltimore County this, 196, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to show practical difficulty and unreasonable hardship the above VARIANCE should not be granted, and the permit for off-street parking in a residential zone would adversely affect the health safety and general welfare of the locality involved, therefore, should also be DENIED.

JOS. PH D. THOMPSON, P.E.AL.S.

89/14

DATE

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this

April 190 8, that the above Variance be and the same is hereby DENIED.

CIVIL ENGINEERS & LAND SURVEYORS

TO SHELL BUILDING - 200 EAST JOPPA ROAD

TOWSON, MARYLAND 21204 . VAlley 3-8820

DESCRIPTION OF A PARCEL OF LAND TO BE USED FOR OFFSTREET PARKING IN A RESIDENTIAL ZONE

the distance of 130.00 feet northerly measured along the east side of Emge Road

from the north side of Joppa Road said point being on the dividing line between

the BR and R6 zoned areas and maning thence and binding on the east side of Emge

Road, north 11 degrees 02 minutes 06 seconds west 17 feet, more or less, thence

leaving the east side of Emge Road and running north 82 degrees 59 minutes east

50,00 feet and south II degrees 02 minutes 06 seconds east 13.5 feet, more or less,

to the dividing line berein referred to and running thence and binding thereon south

79 degrees 36 minutes 48 seconds west 50 feet, more or less, to the place of

CONTAINING 775 square feet of land, more or less.

Course Speller

BEGINNING for the same at a point on the east side of Erge Road at

DEPUTY Zoning Commissioner of Baltimore County

REI FETITION FOR SPECIAL HEARING : for Off-Street Parking (Section 409, 2b(3), and VARIANCE from Section 238,2 of the Baltimore County Zening Regulations NE corner Joppa and Emge Roade Sarandos A. and Eva Macris

Zoning File No. 68-176-ASPH

CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW Misc. Docket No. _ Folio No. 423

4191

File No.

IN THE

ANSWER TO ORDER OF APPEAL TO CIRCUIT COUPT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEBORE THE ZONING COMMISSIONER AND BOARD APPEALS OF BALTIMORE COUNTY

1 1 1 1 1 1 1 1

Mr. Clarks

JOSEPH D. THOMPSON, P.E.AL. ..

West 2.5 feet, more or less, to the place of beginning

Acquisition Baltimore County Plat RW-66-085-15.

CONTAINING 0.17 acres more or less.

1150

DESCRIPTION FOR ZONING VARIANCE NO. 1742 JOPPA ROAD, 9th DISTRICT BALTIMORE COUTNY, MARYLAND

f Joppa Road, 40 feet wide, and the east side of Emge Road, 24 feet wide, and running thence

nimutes East 50.00 feet and South 11 degrees 02 minutes 06 seconds Last 143 feet, more or less,

to the north side of Joppa Road, herein referred to and running thence and binding thereon South

79 degrees 36 minutes 48 seconds West 47.44 feet and South 77 degrees 23 minutes 50 seconds

SUBJECT to the proposed widening of Joppa Road as shown on Burcau of Land

and binding on the east side of Emge Road North 11 degrees 02 minutes 06 seconds West 147

BEGINNING for the same at the corner formed by the intersection of the north side

or less, thence leaving the east side of Emge Road and running North 82 degrees 52

Please file &c

CIVIL ENGINEERS & LAND SURVEYORS

101 SHELL BUILDING . 200 EAST JOPPA RGAD

TOWSON, MARYLAND 21204 · VAlley 3-8820

Aluriel E. Buddameler County Board of Appeals of Baltimore County RE: PETITION FOR SPECIAL HEARING for Off-Street Parking (Section 409.2b(3), and VARIANCE from Section 239.2 Sarandos A. and Eva Macris Zonling File No. 68-176-ASPH

BALTIMORE COUNTY AT LAW Misc. Docket No. : Folio No. 423 Mr.and Mrs. Robert M. Donovan, Jr.

: File No.

THE

CIRCUIT COURT

FOR

4191

TO THE HONORA E .. JUDGE OF SAID COURT:

And new come John A. Slowik, Walter A. Reiter, Jr. and John A. Miller, constitution are County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of edings had in the above entitled netter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

> ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 68-176-ASPH

Duc. 15, 1967 Patition of Smandos A. Meeris and Eva Macris for special bearing for off-street parking Section 497, 29(3), and variance from Section 238, 2 of Builtimers County Zoning Regulations, or property located on the northwest corner of Jopp and Enga Roads, 9th District – filled

Order of Zoning Commissioner Circoting advertisement and posting of property - date of hearing set for Tebruary 5, 1963 at 1:00 p.m.

Jan. 19, 1968 Certificate of Posting of property - filed 22

Certificate of Publication in newspaper - filed Feb. 5

At 1:00 p.m. hearing held on petition by Deputy Zoning Commissione Order of Deputy Zoning Commissioner denying variance and off-stree

Order of appeal to County Board of Appeals from Order of Deputy

Hearing on appeal before County Board of Appeals - case held sub curia

Enclosed herewith is a copy of the Opinion and Order passed today by the County Brand of Appeals in the above entitled case.

Very truly yours,

Murial E. Juddemeier

Mr. George E. Gayrel

Polate Speller no 10-13-67

February 37, 1969

C. John Serio, Esq. Central Savings Bank Bldg. Reltimore, Maryland 21202

Re: File No. 68-176-ASPH Sarandos A. Macris

Dear Mr. Serio

Encl.

Mr. Robert Donovan Mr. Robert L. Hinton Mr. John G. Rose Mr. Sdwaed D. Harde

Plate 2.6965 Plate 2.1946

C. JOHN SERIO
ATTORNEY AT LAW
CENTRAL SAVINGS BANK BUILDING

April 30, 1968

Mr. John G. Rose Zoning Commissioner of Baltimore County County Office Building Towson, Karyland 21204

RE: Petition for Variance and Special Hearing-NE/Corner Joppa Road & Eage Road - 9th Dist. Sarandos Macris - Petitioner - NO.68-176-A

Enclosed herewith you will find Notice of Appeal in the above entitled matter, together with check payable to Bellimore County, Maryland, in the amount of \$40.00.



68-176-A

Ofther man hother - new greed BR.

Inter already of BW L Lewise (May 1967)

Grander Mow has restainent at 1234
Speciment and Jamily style
Marris restainent dear on busines 4-their
clusts in unimal area which is
heavily communically it—

Art Donard Enge Alis naver trophic

Protestant =

chh fen 3. John Serio

BALTMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date January 5, 1968

FROM. George E. Gavrelis, Director of Planning

Perition ⁶ 68-176-A. Northeast comer of Joppa & Emge Roads. Petition for Variance to permit a side yard of Zero feet from the North 04 degrees 27 minutes West 150 foot line instead of the required 30 feet; and to permit or one yard of 3 feet instead of the required 30 feet; and to permit or fest-street parking spaces instead of the required 18 spaces. Petition for Special Hearing to permit off-street parking in a residential zone.

Soundow Macris - Petitioner

9th District

HEARING: Monday, February 5, 1968. (1:00 P.M.)

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

- 1. As we have noted before, the Zoning Regulations state: "It is the intent of these Regulations that adequate off-street parking spaces be provided for all buildings, and that the requirements hereinotire set forth are and shall be taken as absolute minimum, to be exceeded wherever feasible." The subject property should be used for a purpose that will require fewer parking spaces, in compliance with the Zoning Regulations.
- Even if the drastic reduction in the required number of spaces were to be allowed, the site is too small to permit sufficiently free vehicle maneuveri (A ten-foot-wide stip of land on the westerly side of the lot is to be reser for the widening of Linge Road.)
- 3. We have no comment with regard to the variances for side and rear yards.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesnpeake Avenue Towson 4, Maryland

| EXT. 307 | , B | BALTIMORE COUNTY, MARYLAND | Ma. 5176 |
|------------|-------------------|---------------------------------------------------------------------------------------------------|----------------|
| | | OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWNON, MARYLAND 21204 BU-LED | DATENDO S, 196 |
| To: (| • | MARYLAND 21204 | of Balton On |
| 233 | | | |
| QUPOSIT TO | ACCOUNT NO 09-422 | | TOTAL A |
| 6 | Advertising and | DETACH ALONG PERFORATION AND KEEF THIS PORTION FOR YOU POSSESS OF property for breades & Regris | UN RECORDS CO. |
| | | | |
| | | | |
| a | | | |
| | | | |
| 36 | | | |
| 30 | | | |

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT &

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

JOHN G. ROSE

C. John Serio. Esquire 3 J. Lexington Street Baltimore, Maryland 21201

> RE: Petition for Variance and Special Heating - NE/corner Joppa Road and Emge Road -9th District - Sarandos Macris, Petitioner - NO. 68-176-A

Dear Mr. Serio;

I have this date passed my Order denying the above captioned matter by reason of failure to show practical difficulty and unreasonable hardship and the permit for off-street parking in a residential rone would adversely effect the health, safety and general

> Heart Stander of EDWARD D. HARDESTY Deputy Zoming Commissioner

EOH/idr

cc: Mr. Charles Lilly 1744 E. Joppa Road Baltimore, Maryland 21234 Mr. Robert Donovan 8707 Emge Road Baltimore, Maryland 21234

C. JOHN SERIO BALTIKORE, MD. 21202

February 29, 1968

Mm. Edward Hardesty Deputy Joning Commissioner of Heltimore County County Office Building Towson, Maryland 21264 He: Serandos A.

He: Servados A. Macris and Eve Macris No. 68-176-A Froperty: 17-2 E. Joppe Road

FOUNDATION 17 2 E. Joppe Ros the Pestition for Vortence in connection with the above matter, additional land.

Company union here informed by Mr. Madris that the known in 100 here owns has purchased toe fee simple property and here; 172 E. Joppe Bead. This represy is cone commercial 182 feet, frontage of \$5 feet, more or lets, and adapts of

Very truly yours,

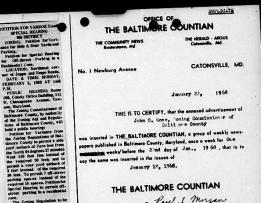
Charles dono

C. John Serio

Deer Mr. Herdesty:

C. VICTOR MCPARLAND

| | | DO NOT MICHOFILM | CEMAT | | |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| | | | 68-176 | | |
| FOLDER NAME OR NUMBER | DATE | POLDER NAME OR NUMBER | DATE | POLIDER NAME OR NU YOUR | 947 |
| | 444 | | EN PERSON OF | | |
| 5860 Col Many | - the | | | | |
| 5717 World | 2/10/12 | And the second second second | | | |
| Cole | 10/27 | | | | |
| 00 0 17:0 | | | | | |
| - Maryon C 61-60-R | 10/27 | | | | 4 12 19 2 |
| Wimble 68-85 | 11-2 | | | | - |
| James Harry | 1 | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| / | | | | | + |
| A | | | | | |
| X . | | | | | |
| | | | | | |
| | | | | | |
| | The state of the s | | | | 1000 |
| | | | | | |
| | | | | | |
| | | | | | 100 |
| Carrier and the second | | | 7 | | A CONTRACT |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | 100 |
| | | | 1 | | -/1 |
| | | | + - | | |
| | | | | Comment of the Commen | MANAGE |
| | | | | | 1000 |
| | | | | | |
| | | | | | |



John G. Rose, Toning Commissioner of Balti ore County was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for Or.e.

pupers pusitamed in continues County, Maryland, once a week for U.S. seasonable weeks/before the 2'md day of Jan., 19.68, that is to say the same was inserted in the issues of January 18, 1968.

THE BALTIMORE COUNTIAN

By Paul J Morgan Honoger

CERTIFICATE OF PUBLICATION

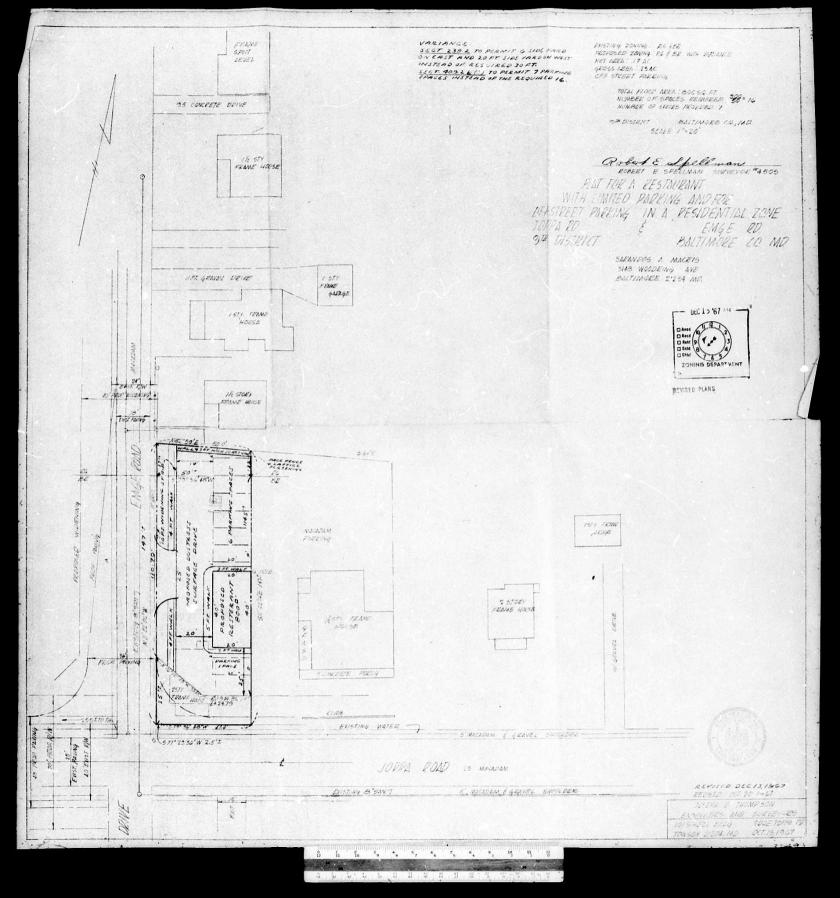
TOWSON, MD.,....JAN 1 8 1968 , 19.... THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

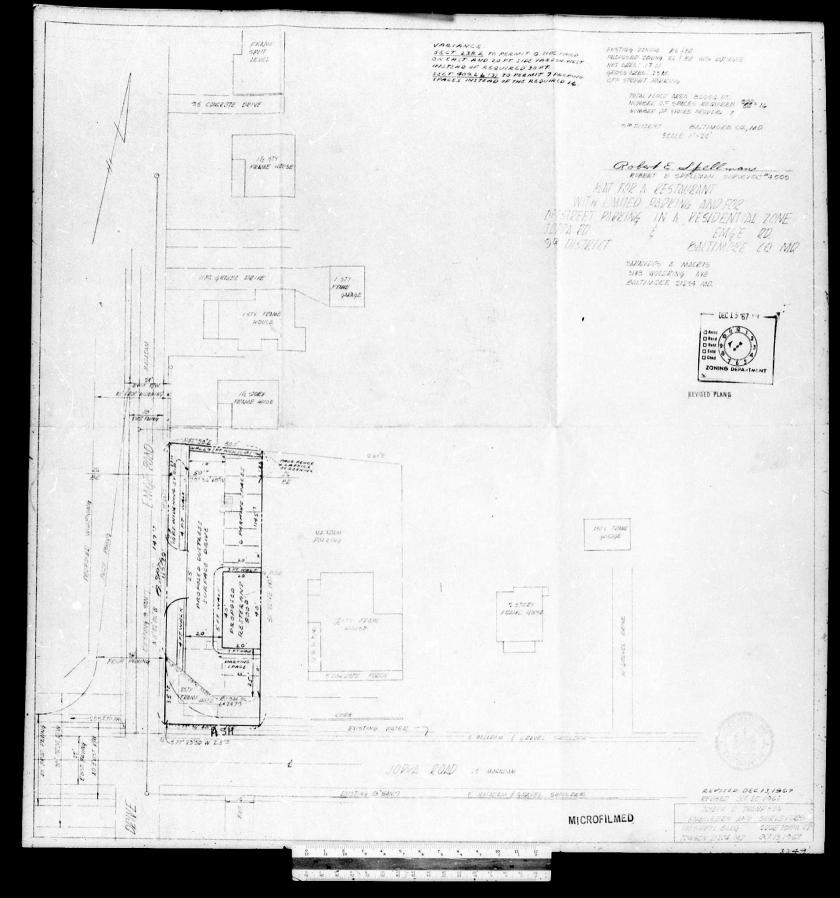
and published in Towson, Baltimore County, Md., once in each day of February 19.68, the first publication

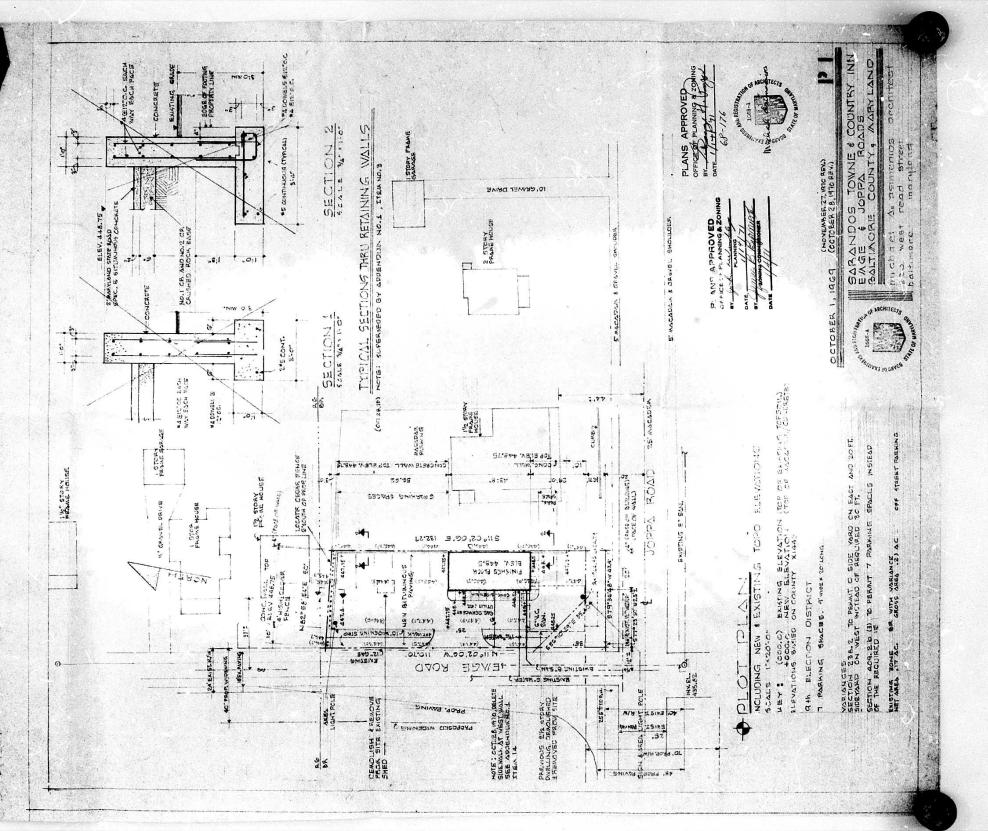
appearing on the 18th day of Jarratic

L Leanh Streeton Manager

Cost of Advertisement, \$....







See the second s