

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Orkat, Inc., legal owner, 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 409, Ord. 27, parking spaces, to be located on the required 32' front road.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reason: (indicate hardship or practical difficulty)
 1. Improvement, consist of medical office building designed to serve the medical needs of the Parkville community and denial of the variance would preclude utilization of the building for medical offices.
 2. That the building could be utilized for general offices under the existing conditions, however, all present and prospective tenants desire same for use as medical offices.
 3. Denial of the variance, which would necessitate zoning for non-medical offices would deny to the community of Parkville medical facilities to be offered and would necessitate the renting of office space to tenants who would not primarily serve the needs of the Parkville and Baltimore County area.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. We agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and we to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Orkat, Inc.
 Contract purchaser
 Address: 2007 York Road, Timonium, Md.
 Petitioner's Attorney
 Address: 314 W. York Rd., Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of May 1976 that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of July 1976, at 10:45 o'clock A.M.

John W. Heslan, III
 Zoning Commissioner of Baltimore County
 (over)

6713 OLD HARFORD ROAD
 BALTIMORE, MD. 21234

David W. Dallas, Jr.
 CIVIL ENGINEER
 Registered Professional Engineer & Land Surveyor

ZONING DESCRIPTION
 PARKING VARIANCE
 4103 HARFORD ROAD

BEGINNING for the same as at the point formed by the intersection of the eastermost side of Harford Road (60 feet wide) with the southermost side of Third Avenue (30 feet wide), thence binding on the southermost side of said Third Avenue south 53 degrees 05 minutes 42 seconds west 145 feet to the division line between Lots No. 283 and 282 as shown on the Plat of Carney Heights as filed among the Land Records of Baltimore County in Plat Book 12174, thence binding on said division line south 36 degrees 51 minutes 01 seconds east 100.00 feet, thence binding on the southermost side of said Lot No. 283 and Lot No. 282 north 53 degrees 05 minutes 42 seconds west 10.00 feet, thence binding on the eastermost side of Lot No. 38 south 36 degrees 51 minutes 01 seconds east 125.00 feet, thence binding on the southermost side of said Lot No. 38 north 53 degrees 05 minutes 42 seconds east 125.00 feet to the eastermost side of said Harford Road, thence binding on said road north 36 degrees 51 minutes 01 seconds east 125.00 feet to the place of beginning.

CONTAINING 0.45 acres of land more or less.

BEING Lots No. 37, 35, 36, 37, 38, 283 and 282 as shown on the Plat of Carney Heights filed as aforesaid.

April 30, 1976



RE: PETITION FOR VARIANCE SE/C of Harford Road and 3rd Avenue, 9th District
 ORKAT, INC., Petitioners
 Case No. 77-11-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Heslan, III
 John W. Heslan, III
 People's Counsel
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 2nd day of July, 1976, a copy of the foregoing Order was mailed to Edward C. Covahay, Jr., Esquire, 614 Bosley Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Heslan, III



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: June 24, 1976
 FROM: William D. Fromm, Director of Planning Petition #77-11-A
 SUBJECT: Petition for Variance for Off-Street Parking Southeast corner of Harford Road and 3rd Avenue Petitioner - Orkat, Inc.

9th District

HEARING: Wednesday, July 7, 1976 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

William D. Fromm
 William D. Fromm
 Director of Planning

WDF:JGH:fw

TITLE NUMBER
 ST. PAUL & LEXINGTON STREETS
 BALTIMORE, MD. 21202

June 17th, 1975

Haurice F. Hickey, Jr., Esquire
 Callahan, Callwell & Landrum
 210 E. Lombard Street
 Baltimore, Maryland 21202

RE: Lots 34 to 38 and 283 and 284 Carney Heights

Dear Maurice:

Ed Covahay has supplied us with a copy of an architect's plat showing the location of proposed improvements on the captioned property. This plat indicates that the building is intended to be erected 10 feet from Harford Road in violation of the Carney Heights restrictions.

On June 13th, 1975, an inspection was made of this area, which disclosed that all of the improvements located south of Second Avenue, obviously violate the set-back restriction, however, the improvements located in the several blocks north of Second Avenue, do not appear to violate the 25 foot set-back restriction.

We do not believe that the violation of the restrictions in one block, would prevent the enforcement in another block. (Telles vs. Ritman, 189 Md. 10, at 17)

We would not be willing to authorize the issuance of our policy of insurance with the inclusion of an affirmative guarantee against loss or damage by reason of the proposed violation of the restrictions.

Very truly yours,

Joseph S. Knapp, III
 Vice President and
 Assistant Counsel

JSK:III/mf
 CC: Edward C. Covahay, Jr., Esquire

PETITIONER'S EXHIBIT B

COPY

Edward C. Covahay, Jr., Esquire
 614 Bosley Avenue
 Towson, Maryland 21204

July 14, 1976

RE: Petition for Variance SE corner of Harfo 1 Road and Third Avenue - 9th Elect. District Orkat, Inc. - Petitioner NO. 77-11-A (Item No. 228)

Dear Mr. Covahay:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

S. Eric DiNenna
 S. ERIC DINENNA
 Deputy Zoning Commissioner

GJM/mc

Attachments

cc: John W. Heslan, III, Esquire
 People's Counsel

Mr. Henry Davis
 3086 Second Avenue
 Baltimore, Maryland 21234

Item 230

Edward C. Covahay, Jr., Esq.
 614 Bosley Avenue
 Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing this 14th day of July 1976.

S. Eric DiNenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Orkat, Inc.
 Petitioner's Attorney: Edward C. Covahay, Jr. Reviewed by: Franklin T. McGinnis, Jr.
 cc: David W. Dallas, Jr. Chairman, Zoning Plans
 6713 Old Harford Road Baltimore, Md. 21234
 Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner

the above Variance should be had, and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety and general welfare of the community.

to permit 27 off-street parking spaces instead of the Variance required 32 spaces should be granted

IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of July, 1976, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above Variance should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of 1976 that the above Variance be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 111 E. CHARLES ST. TOWSON, MARYLAND 21286

June 30, 1976

Franklin T. Hogan, Jr. Chairman

- BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Edward C. Covahey, Jr. Esq. 614 Bosley Avenue Towson, Maryland 21204

RE: Variance Petition Item 228 Orkat, Inc. - Petitioner

Dear Mr. Covahey:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case.

The subject property is located on the southeast corner of Harford Road and Third Avenue, and is currently improved with an office building. The petitioner is requesting a Variance to permit 27 parking spaces in lieu of the required 32 parking spaces in order that the building may be utilized as medical offices.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less

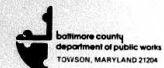
Edward C. Covahey, Jr., Esq. 614 Bosley Avenue Item 228 June 30, 1976 Page 2

than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours, Franklin T. Hogan, Jr. Chairman, Zoning Plans Advisory Committee

FTM:JD Enclosure

cc: David W. Dallas, Jr. 8713 Old Harford Road Baltimore, Md. 21234



June 17, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item #228 (1975-1976) Property Owner: Orkat, Inc. S/E cor. Harford Rd. and Third Ave. Existing Zoning: B.L. Proposed Zoning: Variance to permit 27 parking spaces in lieu of the required 32. Acres: 0.465 District: 11th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied in connection with the Zoning Advisory Committee review of the plan submitted in connection with Item #153 (1972-1973).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review of this Item #228 (1975-1976).

Very truly yours, ELLEN SMITH N. DIXON, P.E. Chief, Bureau of Engineering

END:EAM:FWH:SS

W-NE Key Sheet 35 NE 17 Pos. Sheet NE 9 E Topo 71 Tax Map



WILLIAM J. FROMM DIRECTOR

June 11, 1976

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #228, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Orkat, Inc. Location: SE/C Harford Road and Third Avenue Existing Zoning: B.L. Proposed Zoning: Variance to permit 27 parking spaces in lieu of the required 32. Acres: 0.465 District: 11th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours, John L. Wimbley Planning Specialist II Project and Development Planning



Mary R. Hughes Secretary Bernard M. Evans Administrator

June 1, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Bldg. Towson, Md. 21204

Att: Mr. Franklin Hogan

Dear Mr. DiNenna,

The requested parking variance should not have any appreciable effect on Harford Road. The existing entrance is acceptable.

Very truly yours, Charles Lee, Chief Bur. of Eng. Access Permits by: John R. Meyers

CL-JL/4/s

Re: Z.A.C. Meeting May 25, 1976 Item: 228. Property Owner: Orkat, Inc. Site 147 Location: SE/C Harford Rd. & Third St. Existing Zoning: B.L. Proposed Zoning: Var. to permit 27 parking spaces in lieu of the required 32. Acres: 0.465 District: 11th

June 27, 1976



STEPHEN COLLINS DIRECTOR

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item 228 - ZAC - May 25, 1976

Property Owner: Orkat, Inc. Location: SE/C Harford Road and Third Avenue Existing Zoning: B.L. Proposed Zoning: Variance to permit 27 parking spaces in lieu of the required 32. Acres: 0.465 District: 11th

Dear Mr. DiNenna:

A reduction in the required parking can be expected to cause some parking problems in the area.

Very truly yours, Michael S. Flanigan Traffic Engineer Associate

MSF/2/sa



DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE AND COUNTY HEALTH OFFICER

August 16, 1976

Mr. S. Eric DiNenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #228, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Orkat, Inc. Location: SE/C Harford Rd. & Third Ave. Existing Zoning: B.L. Proposed Zoning: Variance to permit 27 parking spaces in lieu of the required 32. Acres: 0.465 District: 11th

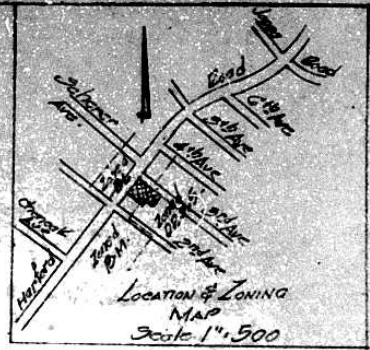
Metropolitan water and sewer are available. Therefore, no health hazard is anticipated.

Very truly yours,

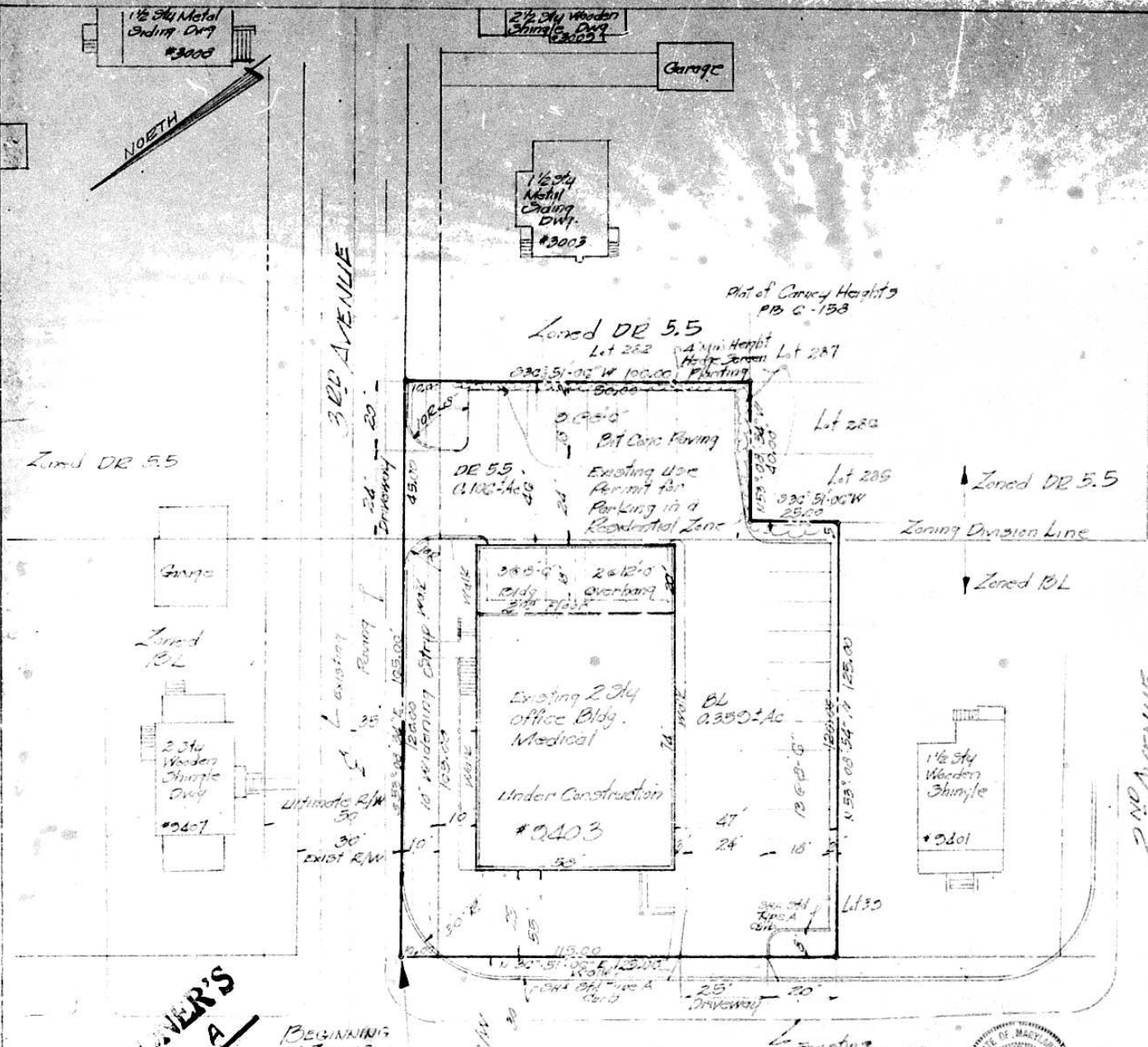
RJM:mah

Thomas W. DeVin, Director BUREAU OF ENVIRONMENTAL SERVICES

ORDER RECEIVED FOR FILING DATE 7/1/76



- ZONING DATA**
1. Existing Zoning BL & DR 5.5 with use permit for parking in a residential zone. 0.4651 Ac
 2. Gross Acreage of Tract 0.3951 Ac
 3. Partial Zoned BL 0.3951 Ac
 4. Partial Zoned DR 5.5 0.1002 Ac
 5. Proposed Use Medical office 1019
 6. Required Parking
 - 1st Floor 4200 SF/300 = 14.00 Spaces
 - 2nd Floor 5320 SF/300 = 17.73 Spaces
 - Total 31.73 Spaces
 7. Proposed Parking 27 Spaces
 8. Request Variance to allow 27 parking spaces instead of required 32 spaces.



PLANNERS' EXHIBIT A

BEGINNING OF ZONING DESCRIPTION

HARFORD ROAD (STATE ROAD)



DAVID W. CALLAS, JR.
CIVIL ENGINEER
6713 OLD HARFORD RD.
BALTIMORE, MD. 21234
(301) 665-7422

ZONING PLAT FOR 3003 HARFORD ROAD
1st Election District Baltimore Co., MD
Scale 1" = 20' April 30, 1976

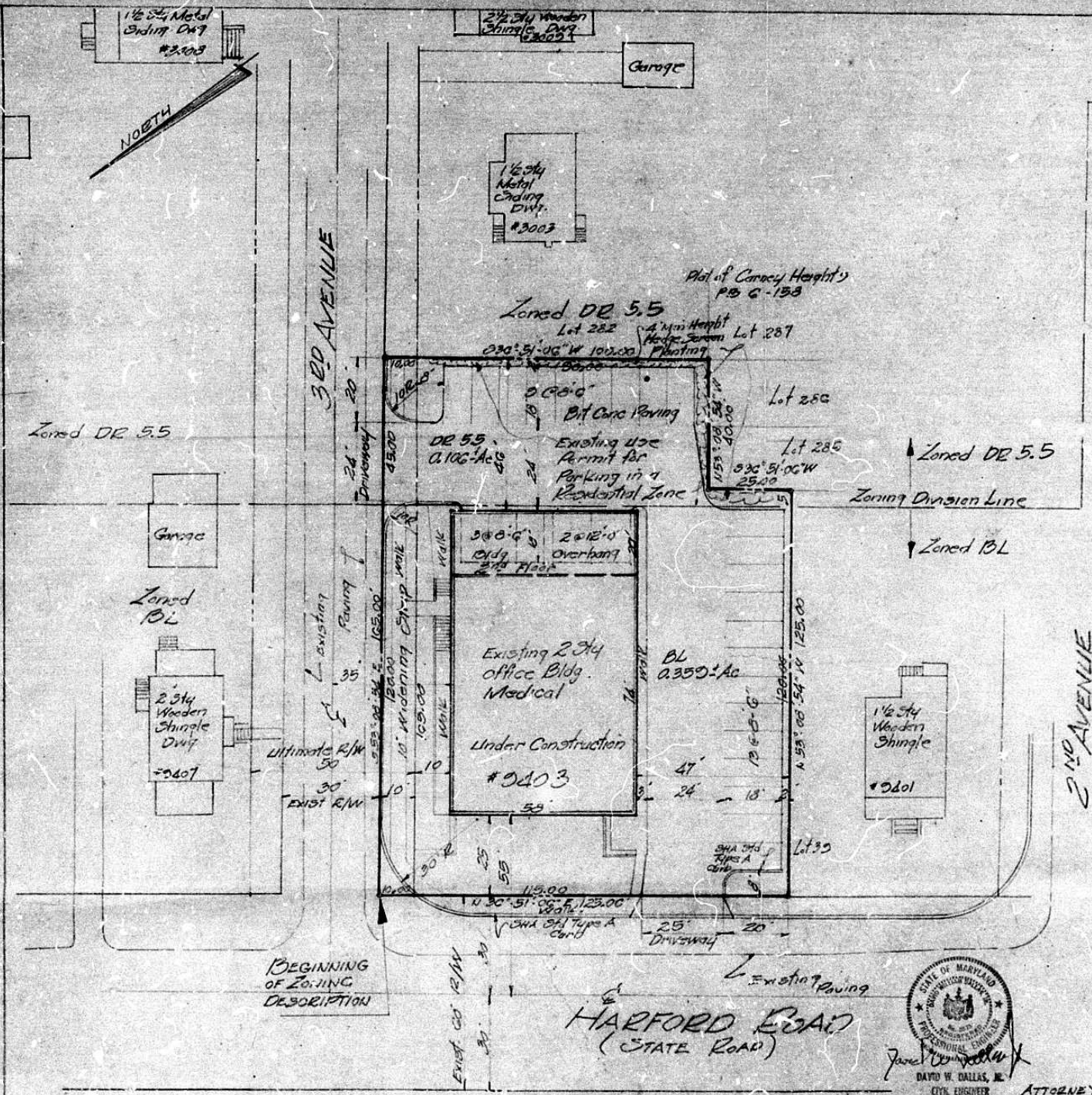
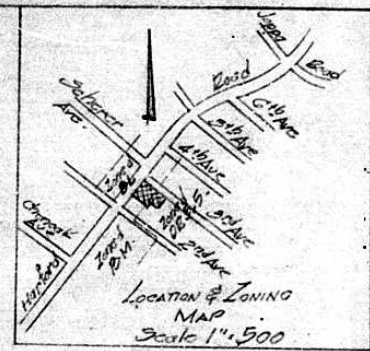
ATTORNEY
COURTNEY & P...
C/O BODLEY AIR
TOWNSHIP MD 21204
Phone 228-2441

DEED REFERENCE
070 5109 - 670
Lot 24, 3B, 3C, 37, 38
230 E. 240 CARNEY
HEIGHTS P.B. C-158

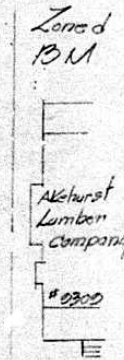
OWNER
ORCAT, INC
2007 YORK ROAD
TOWNSHIP MD 21023
Phone 252-2010

Zoned BL





- ZONING DATA**
- Existing Zoning BL & DR 5.5 with use permit for parking in a residential zone.
 - Gross Acreage of Tract 0.4651 AC
 - Portion Zoned BL 0.3301 AC
 - Portion Zoned DR 5.5 0.106 ± AC
 - Proposed Use Medical office Bldg
 - Required Parking
 - 1st Floor 4200 SF/300 = 14.00 Spaces
 - 2nd Floor 5320 SF/300 = 17.73 Spaces
 - Total 31.73 Spaces
 - Proposed Parking 27 Spaces
 - Request Variance to allow 27 parking spaces instead of required 32 spaces.



PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY *[Signature]*
 DATE 1-27-77
 77-11-A



ZONING PLAT
 FOR
3203 HARFORD ROAD
 11th Election District Baltimore Co., Md
 April 30, 1976
 Scale 1" = 20'

DAVID W. DALLAS, JR.
 CIVIL ENGINEER
 8713 OLD HARFORD RD.
 BALTIMORE, MD. 21284
 (301) 665-7474

ATTORNEY
 Conway & Roper
 614 Bayview Ave
 Towson Md 21284
 Phone 286-2441

DEED REFERENCE
 OTG 5105-GTC
 Lots 34, 35, 36, 37, 38
 283 & 284 CARMEN
 HEIGHTS P.B. G-158

OWNER
 ORCAT, INC
 2037 York Road
 7710 Harford Md 21103
 Phone 252-2010

