

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R₁C₁ zone to an D.R. 2 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

RECEIVED
BALTIMORE COUNTY
COUNTY CLERK
BY: [Signature]
AUG 31 4 20 PM '81

Property is to be posted and advertised as prescribed by The Baltimore County Code.

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

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
Address: _____
City and State: _____

Legal Owner(s):
James G. Stratakis
(Type or Print Name)
Signature: *James G. Stratakis*
Georgia Stratakis
(Type or Print Name)
Signature: *Georgia Stratakis*

Address: 906 Shelley Road, Towson, MD 21204
City and State: _____

Attorney for Petitioner:
Edward C. Covahey, Jr.
(Type or Print Name)
Signature: *Edward C. Covahey, Jr.*
Address: 614 Bosley Avenue
Towson, MD 21204
City and State: _____


Attorney's Telephone No.: 828-9441

Legal Owner:
William W. O'Rourke
Signature: *William W. O'Rourke*
Address: _____
City and State: _____

Legal Owner:
Burnell Bentz
Signature: *Burnell Bentz*
Address: 1302 W. Seminary Ave., 5471 W.
Lutherville, MD 21093

Legal Owner:
Gus Stratakis
Signature: *Gus Stratakis*
Address: 906 Shelley Road, Towson, MD 21204

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

R-83-182
Case 9
James G. Stratakis, et al.
111 W. Chesapeake Ave., 5471 W.
of centerline of Tally Ho Rd.
R-83-182
8th

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 10, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo
Nicholas B. Commodari
Chairman

MEMBERS
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

Development Design Group, Ltd.
Riderwood Building, Suite 100
1107 Kenilworth Drive
Towson, Maryland 21204
Attn: Mr. Wayne E. Maisenholder

RE: Item No. 9 - Cycle No. II
Petitioner - James G. Stratakis, et ux
Reclassification Petition

Dear Mr. Maisenholder:

I have reviewed your letter of November 16, 1981 concerning the availability of public water and sewer for the subject property. Even though the 1981 draft water and sewer maps indicate "no planned service", you state that negotiations are presently underway to change this possible situation. After discussing this matter with Mr. James Dyer, Zoning Supervisor, we have decided to continue the processing of this petition. Your letter will be included in the file that is forwarded to the Board of Appeals for their review and further action.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

cc: Mr. Edward Covahey
614 Bosley Avenue
Towson, Maryland 21204

Mr. James Stratakis
906 Shelley Road
Towson, Maryland 21204

Development Design Group, Ltd.

Riderwood Building
Suite 100
1107 Kenilworth Drive
Towson, Maryland 21204

Richard B. Williams, President
Wayne E. Maisenholder
Land Surveyor

November 16, 1981

(301) 828-0727

Mr. Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

RE: Item No. 9 Cycle No. II
Petitioner - James G. Stratakis, Et Ux
Reclassification Petition

Dear Mr. Commodari:

Pursuant to your request inserted in the Zoning Advisory Comments for written verification that water and sewer are in fact available to the site, please be advised of the following. The Bureau of Engineering comments make reference to a previous case (#79-61-RSPH) of which the subject property was a part. This case was withdrawn. However, it should be mentioned that at that time, the site was designated W-16-B and S-16-B, i.e. planned water and sewer service in 6 to 10 years. Additionally, these comments stated that 12 inch water existed approximately 80 feet west of Tally Ho Road. This is not the case. Attention is directed to water plan 67-0902 which shows the existing 12" water to be approximately 500 feet west of the quoted termination point. The existence of this additional 500 feet has recently been confirmed after consultation with Baltimore County personnel. The point of termination of this water main is directly opposite the southeast corner of the subject site currently under petition. The comments also stated that the existing main is part of the Towson Fourth Zone of water service with a maximum service elevation of 480 feet. When comparing the subject site by means of Baltimore County Topography to the existence of the 480 foot contour, indication is that at least 75% of the site is below this maximum, and thus could be serviced by normal extension.

As to the availability of Sanitary Sewer, there is an existing 8" sewer in the bed of Seminary Avenue which terminates at Thornton Road. Utilization of this system would not be practical as it would require an extension of some 2030 feet westerly along Seminary Avenue. However, more close to the subject site there exists an 8" sewer in the bed of Tally Ho Road. This system could be extended approximately 160 feet northerly to Seminary Avenue then 550 feet westerly along Seminary Avenue to reach the southeast corner of the tract under petition.

The more recent comments by the Baltimore County Health Department mention that a large portion of the property is currently designated as W-5 and S-1 on the Master Water & Sewer Plan. Mention is also made as to the 1981 draft maps for the water and sewer plan contemplating W-7 and S-7 categories for this area which would downgrade the site under petition to "no planned service". The petitioner and his attorney are aware of this situation and negotiations are underway to gain relief from this impending restriction.

Summarizing, it would appear that existing conditions dictate that if granted, the reclassification of this site would enable the petitioner to pursue desirable development. The current draft work on the sewer and water master plan should at present remain subject to change. From a processing standpoint, it would appear the petition can be scheduled for hearing.

Very truly yours,
Wayne E. Maisenholder
Wayne E. Maisenholder

cc: Ed Covahey
614 Bosley Avenue
Towson, Maryland 21204

cc: James Stratakis
906 Shelley Road
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

ooo
Nicholas B. Commodari
Chairman

MEMBERS
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., Esquire
614 Bosley Avenue
Towson, Maryland 21204

RE: Item No. 9 - Cycle No. II
Petitioner - James G. Stratakis, et ux
Reclassification Petition

Dear Mr. Covahey:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October 1981 - April 1982 reclassification cycle (Cycle II). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before November 30. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

Located on the north side of Seminary Avenue west of Tally-Ho Road in the 8th Election District, the subject property is part of an overall tract of land that was the subject of Case #79-61-RSPH, which was eventually withdrawn. It is improved with a large residence, barn and other structures that are situated on a ridge to the north that overlooks the majority of the site. To the east and south are also large tracts of land, while dwellings on small lots exist to the southeast.

In view of your clients' proposal to reclassify this property to D.R.2, this hearing is required. Section 1A00.3A of the zoning regulations states that before a petition to reclassify land zoned R.C. to any other zone may be accepted for filing by the Zoning Commissioner, the property must be serviced by public water and sewer within two years after the

Item No. 9 - Cycle No. II
Petitioner - James G. Stratakis, et ux
Reclassification Petition

petition is submitted. Because of the comments from the Bureau of Engineering and Health Department, I am requesting written verification from you that water and sewer are "available" to the subject property. This should be presented to me prior to the above date in order that I may determine how to proceed with this petition.

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the enclosed comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or this Committee will be submitted when a proposed development is shown.

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between March 1 and June 30, 1982, will be forwarded to you in the future.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

cc: Development Design Group, Ltd.
Riderwood Building
1107 Kenilworth Drive
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E.
DIRECTOR

September 28, 1981

Mr. William T. Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

RE: Item #9 Zoning Cycle II (Oct. 1981-Apr. 1982)
Property Owner: James G. & Georgia Stratakis
N/S Seminary Ave. 547' W. from centerline of Tally-Ho Rd.
Existing Zoning: RC 5
Proposed Zoning: DR 2
Acres: 59.430 District: 9th

Dear Mr. Hackett:

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:

The comments supplied in conjunction with the Zoning Advisory Committee review of the overall tract of land (of which this site is a part) for Item 11 Zoning Cycle III (April-October 1978) are referred to for your consideration.

Those comments remain valid and applicable, modified to the smaller area indicated on this presently submitted plan as follows:

Highway Comments in regard to Finonium and Mays Chapel Roads are not applicable; and, the Baltimore County Water and Sewerage Plans W and S-16B, as presently amended, indicates the major portion of this smaller area as "Planned Service in 6 to 10 Years".

This Office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 9 Zoning Cycle II (Oct. 1981-Apr. 1982).

Very truly yours,
Robert A. Morton, P.E.
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

cc: Jek Wimbly

5-NW & SE Key Sheets
47-50 NW 7-9 Pos. Sheets
NW 12 & 13 B Topo
60 Tax Map

Attachment

JAMES G. STRATAKIS et al * BEFORE THE
for reclassification from * COUNTY BOARD OF APPEALS
RC 5 to DR 2 * FOR
N/S Seminary Ave. * BALTIMORE COUNTY
547' W. Tally-Ho Road * Case No. R-82-186
8th District *
*

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Please issue a summons duces tecum for the following witness:

Norman Gerber
Director of Planning for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All documents, writings, correspondence and recommendations of the witness and the Office of Planning for Baltimore County to the Baltimore County Council with respect to requests that the above-captioned property be reclassified from RC5 to DR2 with respect to the 1980 Baltimore County Council Comprehensive Zoning Map Issues.

Edward C. Covahey, Jr.
Atty. for Petitioners
614 Bosley Ave.
Towson, MD 21204
828-9441

Mr. Sheriff:

Please issue the above summons.

June Holmen
June Holmen, Board of Appeals

JAMES G. STRATAKIS et al * BEFORE THE
for reclassification from * COUNTY BOARD OF APPEALS
RC 5 to DR 2 * FOR
N/S Seminary Ave. * BALTIMORE COUNTY
547' W. Tally-Ho Road * Case No. R-82-186
8th District *
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REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Please issue a summons duces tecum for the following witness:

Joseph Maranto
Office of Planning for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

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COST \$ 5.00

SUMMONED 9-22-82 19

NON EST 19

NON SUNT 19

COPY LEFT 19

SHERIFF
CHARLES H. HICKEY, JR.
OF BALTIMORE COUNTY

Please issue the above summons.

June Holmen
June Holmen, Board of Appeals

Edward C. Covahey, Jr.
Atty. for Petitioners
614 Bosley Ave.
Towson, MD 21204
828-9441

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REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Please issue a summons duces tecum for the following witness:

Ellsworth N. Diver, Chief
Bureau of Engineering for Baltimore County
County Office Building - 2nd Floor
Towson, MD 21204

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All drawings and documents which show the existence of water mains at Seminary Avenue and Tally Ho Road in Baltimore County, Maryland and which show the existence of sanitary sewerage on Tally Ho Road, Clearfield Circle and Seminary Avenue, and further, to produce report pertaining to County Board of Appeals Item No. 2, Cycle 3, April-October, 1978 Cycle, property owner Martha F. Symington, and to produce 1979-1980 Baltimore County Water and Sewerage Plans as amended and its immediate predecessor Baltimore County Water and Sewerage Plan.

Mr. Sheriff:

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June Holmen
June Holmen, Board of Appeals

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June Holmen
June Holmen, Board of Appeals

JAMES G. STRATAKIS, et al * BEFORE THE
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N/S Seminary Ave. * BALTIMORE COUNTY
547' W. Tally-Ho Rd. * Case No. R-82-186
8th District *
*

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Please issue a summons duces tecum for the following witness:

Thomas Toporovich
Secretary
Baltimore County Council
Court House
Towson, MD 21204

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All records, notes, memorandum and maps pertaining to real estate of James G. Stratakis, Georgia Stratakis, Gus Stratakis situate on the northside of Seminary Avenue, 547' west of Tally-Ho Road in the Eighth Election District of Baltimore County, Maryland identified on Baltimore County Council Prefiled Summary of Issues as Issue No. 3200 and property of J. Burnell Bentz, 100' north of Seminary Avenue, west of Tally-Ho Road containing 1.25 acres identified on the Baltimore County Council Prefiled Summary of Issues as Issue No. 3199, and property of William W. O'Rourke and Frances V. O'Rourke, 8.0 acres +/- on Seminary Avenue and to produce all records and documents of the Baltimore County Council pertaining to a request that the Stratakis, O'Rourke and Bentz tracts

JAMES G. STRATAKIS, et al * BEFORE THE
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N/S Seminary Avenue * BALTIMORE COUNTY
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*

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Please issue a summons duces tecum for the following witness:

James T. Smith, Jr., Esquire
143 Main Street
Reisterstown, MD 21136

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All notes, documents, writings and memorandum with respect to a request that the above-captioned properties be reclassified from RC5 to DR2 on the 1980 Comprehensive Zoning Map Issues and specifically record of information you relief on with respect to your recommendations concerning classification of the subject tracts.

Mr. Sheriff:

Please issue the above summons.

June Holmen
June Holmen, Board of Appeals

Edward C. Covahey, Jr.
Atty. for Petitioners
614 Bosley Ave.
Towson, MD 21204
828-9441

be reclassified from RC5 (Rural Conservation) to DR2 (Density Residential) with respect to the 1980 Comprehensive Zoning Maps, including all reports, recommendations of the Office of Planning, Baltimore County Department of Public Works, and specifically to produce all notes, memorandum and correspondence between members of the County Council, the Office of Planning and any other County agency with respect to the subject three (3) properties.

Mr. Sheriff:

Please issue the above summons.

June Holmen
June Holmen, Board of Appeals

Edward C. Covahey, Jr.
Atty. for Petitioners
614 Bosley Ave.
Towson, MD 21204
828-9441

RECEIVED
BALTIMORE COUNTY
SEP 17 1 51 PM '82
COUNTY CLERK
OFFICE

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547' W. Tally-Ho Road * BALTIMORE COUNTY
8th District *
Case No. R-82-186 *
* * *

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:
Please issue a summons duces tecum for the following

witness:
Richard Moore
Traffic Engineering
Court House
Towson, MD 21204

To testify for the Petitioners. Returnable on December 14, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, Maryland 21204.

AND TO PRODUCE:

All traffic counts pertaining to existing and anticipated traffic on Seminary Avenue and Tally-Ho Road, Baltimore County, Maryland. And further to bring all studies, comprehensive plans, proposals or projections which in any manner pertain to existing traffic or projected traffic at Seminary Avenue and Tally-Ho Road or any projected improvements to either of said public highways.

COST \$ 5.00
SUMMONED 12/14/82
NON EST 19
NON SUIT 19
COPY LEFT 19

Mr. Sheriff:
Please issue the above summons.

Jane Holmen, Board of Appeals

be reclassified from RC5 (Rural Conservation) to DR2 (Density Residential) with respect to the 1980 Comprehensive Zoning Maps, including all reports, recommendations of the Office of Planning, Baltimore County Department of Public Works, and specifically to produce all notes, memorandum and correspondence between members of the County Council, the Office of Planning and any other County agency with respect to the subject three (3) properties.

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614 Bosley Ave.
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* * *

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:
Please issue a summons duces tecum for the following

witness:
James Hoswell
Office of Planning for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

To testify for the Petitioners. Returnable on December 14, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, Maryland 21204.

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COST \$ 5.00
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* * *

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Mr. Clerk:
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143 Main Street
Reisterstown, MD 21136

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COST \$ 19.00
SUMMONED 12/14/82
NON EST 19
NON SUIT 19
COPY LEFT 19

Mr. Sheriff:
Please issue the above summons.

Jane Holmen, Board of Appeals

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143 Main Street
Reisterstown, MD 21136

To testify for the Petitioners. Returnable on December 14, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All notes, documents, writings and memorandum with respect to a request that the above-captioned properties be reclassified from RC5 to DR2 on the 1980 Comprehensive Zoning Map Issues and specifically record of information you relied on with respect to your recommendations concerning classification of the subject tracts.

COST \$ 19.00
SUMMONED 12/14/82
NON EST 19
NON SUIT 19
COPY LEFT 19

Mr. Sheriff:
Please issue the above summons.

Jane Holmen, Board of Appeals

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

March 9, 1982

NOTICE OF HEARING

RE: Petition for Reclassification
N/S of Seminary Ave., 547' W of centerline of
Tally Ho Road
James G. Stratakis, et ux, et al - Petitioners
Case #R-82-186

TIME: 10:00 A.M.

DATE: Tuesday, April 6, 1982 - *Cont'd - Covahey in court*

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

7/22/82 - Notified of hearing scheduled for TUESDAY, SEPTEMBER 28, 1982 at 10 a.m.

Edward C. Covahey, Jr., Esq.
James G. & Georgia Stratakis
Wm. W. and Frances V. O'Rourke
J. Burnell Bentz
Gus Stratakis
James McAteer, Esq.
John W. Hessian, Esq.

9/28/82 - Above notified of continued hearing set for Tuesday, Dec 14, 1982, at 10 a.m. *(J. Spanier)*

1/20/83 - Above notified of continued hearing set for Wednesday, March 9, 1983 at 10 a.m.

3/10/83

3/10/83 - Above notified of continued hearing set for WEDNESDAY, MAY 25, 1983 at 10 a.m. 1 PM

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

March 9, 1982

NOTICE OF HEARING

RE: Petition for Reclassification
N/S of Seminary Ave., 547' W of centerline of
Tally Ho Road
James G. Stratakis, et ux, et al - Petitioners
Case #R-82-186

TIME: 10:00 A.M.

DATE: Tuesday, April 6, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Paul Solomon Date: June 6, 1983

FROM: James A. Markle

SUBJECT: Zoning Appeal - Seminary Avenue
RC-5 to DR-2

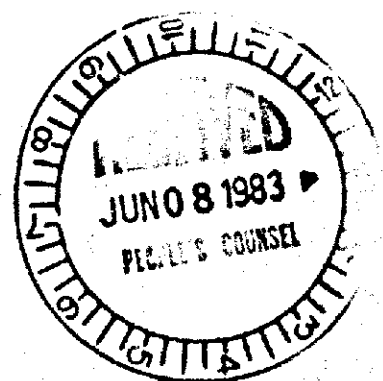
Attn: Jack Wembley

This office wishes to advise you of our findings concerning a requested change in zoning for the 59 acre subject site from RC-5 to DR-2. Using the TR-55 method, we found that discharge for a 100 year storm from the site would increase 4.6% if the site were fully developed to DR-2 zoning instead of RC-5 zoning. The two (2) year storm, for which storm water management must be provided under current County regulations, increased discharge by over 10% under the same assumptions. This seems to us to be a significant increase in discharge from this site.

We are forwarding a set of our computations and your maps that were forwarded to us. If we can be of further help, please feel free to contact us at extension 3711.

James A. Markle
JAMES A. MARKLE, P.E.
Chief, Storm Drain Design &
Approval Section

JAM/DAS/al
Attachment



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY
TO: ZONING BOARD OF APPEALS Date: June 8, 1983

FROM: Paul J. Solomon, Environmental Planner
Baltimore County Office of Planning and Zoning

SUBJECT: Cycle II, Item 9, R-82-186, Jos. G. Stratakis, et al

Pursuant to your request, I have attached information which quantifies in some detail the additional runoff that can be anticipated if the subject property were rezoned from RC-5 to DR-2. As you will note, the increase has been characterized as significant.

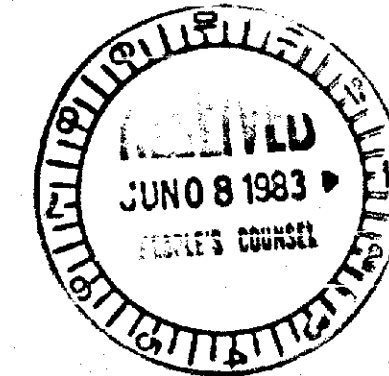
Two feet of freeboard (extra capacity) is being built into the protective dike to be constructed in the downstream watershed near Dennis Avenue. This freeboard will absorb the additional DR-2 related runoff from the subject property.

Except for the culvert under the Beltway, all of the downstream culverts below the subject property are undersized. Most culverts are unable to handle even a ten-year storm. The Circle Road Bridge presently cannot even accommodate a two-year storm flow.

I appreciate the opportunity to provide this additional information and trust it be useful to you.

PJS:vh

Paul J. Solomon
PAUL J. SOLOMON
Environmental Planner



Attachment:
Memo from James A. Markle
dated 6-6-83, Zoning Appeal,
Seminary Avenue

*Rec'd 6-8-83
3:45 PM
Hand delivered to this*

Being the property of James G. Stratakis, et al, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 6, 1982 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

August 16, 1984

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, MD 21204

Re: Case No. R-82-186
James G. Stratakis, et al

Dear Mr. Covahey:

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

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

cc: James G. and Georgia Stratakis
William W. and Frances V. O'Rourke
J. Burnell Bentz
Gus Stratakis
James McAteer, Esquire
Phyllis Cole Friedman
Arnold Jablon
Jean Jung
James E. Dyer
Norman E. Gerber
James G. Hoswell
Board of Education

494-3180

County Board of Appeals

Room 218, Court House
Towson, Maryland 21204
March 10, 1983

NOTICE OF ASSIGNMENT

CONTINUED HEARING

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-82-186

JAMES G. STRATAKIS, ET AL

N/S Seminary Ave., 547'
W. of Tally-Ho Road

8th District

Reclassification from R.C.5 to D.R. 2

ASSIGNED FOR:

WEDNESDAY, MAY 25, 1983 at 10:00 AM 1 PM

cc: Edward C. Covahey, Jr., Esq. Counsel for Petitioners
James Stratakis, et ux Petitioners
W. & F. O'Rourke "
J. Burnell Bentz "
Gus Stratakis "
James McAteer, Esq. Counsel for Protestants
John W. Hessian, III, Esq. People's Counsel
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell
Board of Education

Edith T. Eisenhart, Adm. Secretary

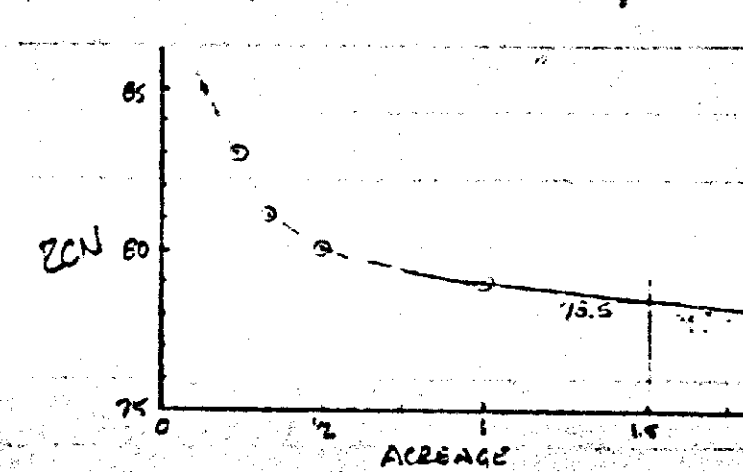
*Use method to about estimate C soil - in study
purpose, this estimate will be used.*

$$\begin{aligned} \text{Area} &= \frac{(400 \times 1200)}{2} + \frac{(1200 \times 1000)}{2} + \frac{(1000 \times 800)}{2} + \frac{(800 \times 600)}{2} + \frac{(600 \times 400)}{2} \\ &= 200' \times \frac{(100' \times 1100')}{2} + 60' \times \frac{(110' \times 1100')}{2} + \frac{230' \times 1150'}{2} \\ &= 1,044,000 + 1,150,000 + 85,000 + 5000 + 45000 + 118,000 + 17,250 \\ &= 2,566,500 \text{ sq. ft.} = 58.92 \text{ ac.} \end{aligned}$$

*0.667 dwelling units / acre existing conditions (RC-5)
(1.5 Acres / dwelling unit)*

For C type soils the RCN & residential densities are as follows:

- 1 acre : 79
- 1/2 acre : 80
- 1/3 acre : 81
- 1/4 acre : 83



Extrapolation indicates that a 1.5 acre residential site could have an expected RCN of 78.5. If we are conservative and use 78 as the RCN for existing conditions, a change to DR2 provides a change in RCN from 78 to 80. For a Tc of 0.10, Q100 for this site changes as follows:

$$\begin{aligned} \text{existing RCN} &= 78 : P_{100} = 4.53', Q_{100} = 402.3 \text{ cfs} ; Q_2 = 115.0 \\ \text{proposed RCN} &= 80 : P_{100} = 4.79', Q_{100} = 420.7 \text{ cfs} (+4.6\%); Q_2 = 123.0 \text{ cfs} (+7.0\%) \end{aligned}$$



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

May 12, 1983

James H. McAteer, Esquire
1213 Clearfield Circle
Lutherville, Md. 21093

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

Re: Case No. R-82-186
James G. Stratakis, et al

Hearing: May 25, 1983 at 1 p.m.

Gentlemen:

After conversation with Mr. McAteer, it is my understanding that his problems with the May 25th date deal principally with the 10 a.m. scheduling time.

Since the remainder of this hearing is anticipated to consume some two to two and one-half hours, it would seem reasonable to maintain the date of May 25, 1983, and reschedule the time for 1 p.m. Please note this change of time on your calendar.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

cc: John W. Hessian, III, Esquire

Blind cc: Carol Pelesh
Keith S. Franz
Leroy B. Spurrier
Patricia Phipps

COVAHEY & BOOZER

ATTORNEYS AT LAW
814 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEVAH
J. MELVILLE TOWNSEND

May 11, 1983

AREA CODE 301
828-9441

Ms. Judith I. Eisenhart
Administrative Secretary
County Board of Appeals
Room 219 Court House
Towson, MD 21204

RE: Case No. R-82-186

Dear Ms. Eisenhart:

I am in receipt of a copy of a letter dated May 6, 1983 from James McAteer requesting a postponement of the above-captioned matter which is set for May 25, 1983. The May 25 date was agreed upon between all counsel and the Board and accordingly the rights of the Applicants will be seriously jeopardized if this matter is in fact postponed. The above date was an agreed date and accordingly Mr. McAteer should have requested that his Baltimore City trial be continued and I would in fact suggest that if he does same at this time that the Court in Baltimore City would be inclined to grant his postponement.

Very truly yours,

Edward C. Covahey, Jr.
Edward C. Covahey, Jr.

ECC/a
cc: James H. McAteer, Esquire
John W. Hessian, III, Esquire

*Rec'd. 5-12-83
11:45 am*



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

May 11, 1983

James H. McAteer, Esquire
1213 Clearfield Circle
Lutherville, Md. 21093

Re: Case No. R-82-186
James G. Stratakis, et al
Hearing: May 25, 1983 at 10 a.m.

Dear Mr. McAteer:

Replying to your letter of May 6, 1983, requesting postponement of the above entitled case, please be advised that all parties in the case are prepared to proceed.

The notice for this hearing was sent on March 10, 1983, and since your notice for the hearing in Baltimore City was evidently just received by you, we feel that our case takes precedence and, therefore, your request for postponement is denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:a

cc: Edward C. Covahey, Jr., Esquire
John W. Hessian, III, Esquire

May 11, 1983

James H. McAteer, Esquire
1213 Clearfield Circle
Lutherville, Md. 21093

Re: Case No. R-82-186
James G. Stratakis, et al
Hearing: May 25, 1983 at 10 a.m.

Dear Mr. McAteer:

Replying to your letter of May 6, 1983, requesting postponement of the above entitled case, please be advised that all parties in the case are prepared to proceed.

The notice for this hearing was sent on March 10, 1983, and since your notice for the hearing in Baltimore City was evidently just received by you, we feel that our case takes precedence and, therefore, your request for postponement is denied.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:a

James H. McAteer

ATTORNEY AT LAW

1213 CLEARFIELD CIRCLE
LUTHERVILLE, MARYLAND 21093
TELEPHONE 301-983-6799
May 6, 1983

Ms. Edith T. Eisenhart
Adm. Secretary
County Board of Appeals
Rm. 219, Court House
Towson, Md. 21204

Re: Case No. R-82-186 - STRATAKIS

Dear Ms. Eisenhart,

I am requesting a postponement of the above captioned matter set forth Wednesday, May 25, 1983 at 10:00 a.m. in accordance with Board Rule 2(b).

Yesterday, I received notice of a court date in Baltimore City with trial scheduled to commence the morning of May 25, 1983. Under these circumstances, I will be unavailable to be in Towson at the time and date in question.

Your favorable consideration of my request is appreciated.

Yours very truly,

James H. McAteer
James H. McAteer

cc: Edward C. Covahey, Jr., Esq.
John W. Hessian, III, Esq.

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
January 20, 1983

NOTICE OF ASSIGNMENT

(CONTINUED HEARING)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-82-186 JAMES G. STRATAKIS, ET AL
N/S Seminary Ave., 547' W. of Tally-Ho Road
8th District
Reclass.—R.C. 5 to D.R. 2
WEDNESDAY, MARCH 9, 1983, at 10 a.m.

ASSIGNED FOR:
cc: Edward Covahey, Jr., Esq. Counsel for Petitioners

James Stratakis, et ux Petitioners
W. & F. O'Rourke "
J. B. Bentz "
Gus Stratakis "
James McAteer, Esq. Counsel for Protestants
J. W. Hessian, Esq. People's Counsel for Balto. County
W. Hammond
J. Dyer
N. Gerber
J. Hoswell
Board of Education

June Holmen, Secretary

1302 W. Seminary Avenue
Lutherville, Md. 21093
November 29, 1982

County Board of Appeals
Room 200
Court House
Towson, Md. 21204

RE: R-82-186

My only question is why I am listed as a "PETITIONER"

in this case. When I purchased the land from Mr. Stratakis, I agreed not to protest any re-zoning.

Sincerely,

J. Burnell Bentz
J. Burnell Bentz

11/18/82 - Mr. Bentz called and was upset that we continue to send out notices on this case listing him as "petitioner" as he had notified us and People's Counsel that he was not the petitioner but at first had agreed to support this rezoning but now doesn't care whether or not it is granted. For the second time I pointed out to him that he is listed on the petition which he has signed as "legal owner" and, therefore, we would continue to notify him as we could not remove his name from the file without some written notification from him. He then wanted to know if his property was still included on the plat and discussed at the hearing as he had not attended. I advised him to come in to see the plat and that if there was any question to have some corrected. He said he would write a letter saying he was not a "petitioner"

RECEIVED
BALTO. CITY BOARD OF APPEALS
DEC 1 9 40 AM '82
COUS. COUNSEL
BY: J. W. HESSIAN, III

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

September 28, 1962

NOTICE OF ASSIGNMENT

(CONTINUED HEARING)

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-82-186 JAMES G. STRATAKIS, et al
Item #9 N/S Seminary Ave. 547' W. of Tally-Ho Road
8th District
Reclass.—R.C. 5 to D.R. 2

ASSIGNED FOR: TUESDAY, DECEMBER 14, 1982, at 10 a.m.

cc: Edward C. Covahey, Jr., Esq. Counsel for Petitioners
James Stratakis, et ux Petitioners
Wm. & Frances O'Rourke "
J. Burnell Bentz "
Gus Stratakis "
James McAteer, Esq. Counsel for Protestants
J. W. Hessian, Esq. People's Counsel
W. Hammond
J. Dyer
N. Gerber
J. Hoswell
Board of Education

June Holmen, Secretary

*Rec'd. 5-9-83
11:50 am*

mlm/jhm

July 15, 1982

AREA CODE 301
828-9441

County Board of Appeals
County Office Building
Towson, MD 21204

RE: James G. Stratakis, et al
Property Seminary Avenue, Lutherville
R.C. 5 to D.R. 2

7-82-186

Gentlemen:

With respect to my letter dated June 7, 1982 I would appreciate it if you would apprise me of the hearing date with respect to the instant matter.

Thank you.

Very truly yours,

Edward C. Covahay, Jr.

ECC/pa
cc: James H. McAteer, Esquire

June 7, 1982

AREA CODE 301
828-9441

County Board of Appeals
County Office Building
Towson, MD 21204

RE: James G. Stratakis, et al
Property Seminary Avenue, Lutherville
R.C. 5 to D.R. 2

Gentlemen:

Per discussions when this matter was originally set, counsel for the Protestants and counsel for the Applicant have agreed to a hearing date in the latter part of September and we would request that this matter be scheduled for September 28, 29 or thereafter at the Board's convenience.

Thank you.

Very truly yours,

Edward C. Covahay, Jr.

ECC/pa
cc: James H. McAteer, Esquire

OK
WTH

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

Re: Item #9, Case #R-82-186
Cycle II, James G. Stratakis, et al

Dear Mr. Covahay:

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

Home Builders Assn. of Md., Inc., et al v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al - Circuit Court Equity #108029

Shore Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1981.

The Board has attached one very important provision to its willingness to co-operate in the granting of postponements for the purpose outlined above, which is that it will not countenance the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:

cc: James G. and Georgia Stratakis
William W. and Frances V. O'Rourke
J. Bernell Bentz
Gus Stratakis

Seminary Ridge Owners Association Inc.

March 31, 1982

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

Re: R82-186
Item 9 Scheduled for Hearing
on April 6, 1982

Sir:

This is to advise that in accordance with Rule 8, c. d. and e. of the Rules of Practice and Procedure of the County Board of Appeals, the Seminary Ridge Owner's Association during the regular meeting held Monday, March 29, 1982, did meet to consider the aforementioned pending petition to reclassify the Stratakis property from R.C.5 to D.R.2 with the result that:

RESOLVED: Seminary Ridge Owner's Association is on record as opposing the requested reclassification of the Stratakis property from R.C.5 to D.R.2.

RESOLVED: Seminary Ridge Owner's Association authorized James H. McAteer, Esq., a member of the Association and residing within the geographical limits of the Association to speak for and present the views of the Association at the hearing.

Mr. McAteer has been the representative of the Association on the Seminary Valley Council for the past several years.

John W. Greenleaf, Jr.
President
Seminary Ridge Owner's Association, Inc.

Seminary Ridge Owners Association Inc.

March 31, 1982

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

Re: R82-186
Item 9 Scheduled for Hearing
on April 6, 1982

Sir:

This is to advise that in accordance with Rule 8, c. d. and e. of the Rules of Practice and Procedure of the County Board of Appeals, the Seminary Ridge Owner's Association during the regular meeting held Monday, March 29, 1982, did meet to consider the aforementioned pending petition to reclassify the Stratakis property from R.C.5 to D.R.2 with the result that:

RESOLVED: Seminary Ridge Owner's Association is on record as opposing the requested reclassification of the Stratakis property from R.C.5 to D.R.2.

RESOLVED: Seminary Ridge Owner's Association authorized James H. McAteer, Esq., a member of the Association and residing within the geographical limits of the Association to speak for and present the views of the Association at the hearing.

Mr. McAteer has been the representative of the Association on the Seminary Valley Council for the past several years.

John W. Greenleaf, Jr.
President
Seminary Ridge Owner's Association, Inc.

Accredited:
James H. Foyer
Secretary

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

March 9, 1982

NOTICE OF HEARING

RE: Paction for Reclassification
N/s of Seminary Ave., 547' W of centerline of
Tally Ho Road
James G. Stratakis, et ux, et al - Petitioners
Case #R-82-186

TIME: 10:00 A.M.

DATE: Tuesday, April 6, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

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

Re: Case No. R-82-186
James G. Stratakis, et al

Dear Mr. Covahay:

In regard to your request for a postponement of case No. R-82-186, the Board must deny this request. The property in question has been posted and duly advertised, and the Board has absolutely no way of knowing how many Protestants there are, or how much time, effort and money they may have expended in preparation for this case as scheduled. Since there is no way to correct any of these interested parties it is patently unfair to grant any postponements on reclassification cases. There have been occasions, because of extreme circumstances, in which the Board has granted a continuance of a case, but only in cases hearing affording all interested parties the opportunity to become parties of record.

For these reasons, the Board must deny your request and we hope you can adjust your schedule to accommodate the scheduled hearing date.

Very truly yours,

William T. Hackett, Chairman

WTH:

Attorneys
James H. Foyer
Secretary

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
APR 7 10 17 AM '82

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
APR 7 10 17 AM '82

COVAHEY & BOOZER
ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEWAY
6668066660
J. MELVILLE TOWNSEND
JAMES A. HAYNES

March 15, 1982

AREA CODE 301
828-9441

County Board of Appeals
Court House
Towson, MD 21204

RE: Petition for Reclassification
N/S Seminary Ave., 547' W of centerline of
Tally Ho Road
James G. Stratakis, et ux, et al - Petitioners
Case #R-82-186

Gentlemen:

I am in receipt of a notice setting in the above-captioned matter for hearing on April 8, 1982. However, on that date undersigned counsel has cases scheduled in the District Court for Baltimore County, and accordingly requests that this matter be rescheduled at the convenience of the Court.

Very truly yours,

Edward C. Covahay, Jr.

ECC/pa

RECEIVED
BALTIMORE COUNTY
MAR 15 11 14 AM '82
COUNTY CLERK
BY: _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 105742

DATE: 3/10/82 ACCOUNT: 01-662

AMOUNT: \$50.00

RECEIVED FROM: Edward C. Covahay, Jr., Esquire

FOR: Filing fee for Case #R-82-186 R (Stratakis)

2825 64MM 11 500046

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 1, 1982

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

RE: Petition for Reclassification
N/S Seminary Ave., 547' W of centerline of
Tally Ho Road
COVAHEY & BOOZER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 107621

DATE: 4/27/82 ACCOUNT: 01-662

AMOUNT: \$53.93

RECEIVED FROM: George Stratakis

FOR: Advertising & Posting Case #R-82-186

2841 74MM 26 539346

VALIDATION OR SIGNATURE OF CASHIER

PLEASE REPLY TO Edward C. Covahay, Jr.

FORM RM-87

WHITE AND PINK COPIES ARE MAILED INTACT. WHITE COPY IS RETURNED WITH REPLY.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

March 8, 1982

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

RE: Petition for reclassification
N/S of Seminary Ave., 547' W from centerline of
Tally Ho Rd.
James C. Stratakis, et ux - Petitioner
Cycle 2 - - Item #9
Case #R-82-186

Dear Mr. Covahay:

This is to advise that \$52.75 is due for the 2nd full page add of the cycle 2 billing. You have already been billed for the 1st full page add. A third bill for the individual advertising and posting of the above property will be forthcoming. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as soon as possible.

Very truly yours,

E. Hammond
Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 106825

DATE: 3/23/82 ACCOUNT: 01-662

AMOUNT: \$52.75

RECEIVED FROM: Georgia Stratakis

FOR: 2nd Full page add for Case #R-82-186 (Stratakis)

2813 74MM 23 527546

VALIDATION OR SIGNATURE OF CASHIER

TC FROM **COVAHEY & BOOZER**
ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 301
828-9441

TO: Ms. Karen Riegel
Zoning Office
County Office Building
Towson, MD 21204

REPLY NECESSARY YES NO DATE: 3/8/82

SUBJECT: RE: Stratakis zoning

Dear Ms. Riegel:

Per your request, enclosed please find check in the amount of \$50.00 per the above. Please return our check #11134 at your convenience.

I am attaching herewith your check #11134 along with receipt for \$50.00 filing fee on the above subject property.

SIGNED: Karen Riegel DATE: 3/11/82

PLEASE REPLY TO Edward C. Covahay, Jr.

FORM RM-87

RECIPIENT: WRITE REPLY. RETURN WHITE COPY TO SENDER. KEEP THIS BLUE COPY.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 18, 1982

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

RE: Petition for Reclassification
N/S Seminary Ave., 547' W from centerline of
Tally Ho Rd.
James C. Stratakis, et ux - Petitioners
Cycle 2 - Item #9

Dear Mr. Covahay:

This is to advise you that \$96.89 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEB:mch

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 104543

DATE: 2/3/82 ACCOUNT: 01-662

AMOUNT: \$96.89

RECEIVED FROM: James G. Stratakis

FOR: 1st full page add for Item #9 - Cycle 2

2872 9272 4 968946

VALIDATION OR SIGNATURE OF CASHIER

Mr. Walter Raiter, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Raiter:

Comments on Item #9, Facing Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of
Tally Ho Road
Existing Zoning: R-C-1
Proposed Zoning: R-C-1
Acres: 59.430
District: 9th

The two drillings onsite are presently served by one well and separate septic systems. Metropolitan water is located in Seminary Road, near the property line. Sanitary sewer service would require an extension from the existing sewer located at Tally Ho Road and Briarfield Court.

At present, a large portion of the property is designated as W-5 (construction anticipated 6-10 years) and S-1 (Existing Service Area) by the Master Water and Sewerage Plan. The existing W-5 classification dictates that metropolitan water can not be utilized for the proposed subdivision, at present. It should be noted that according to the 1981 Draft Maps for the Water and Sewerage Plan, the entire property would be reclassified as W-7 and S-7 (No Planned Services). If the W-7 and S-7 classification is enacted, metropolitan sewer, in addition to water, could not be utilized, necessitating the usage of private wells and septic systems for the proposed subdivision. This would greatly decrease the density that could be achieved under the proposed change to D.R. 2.

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and/or sewerage systems must be complied with prior to approval of tentative subdivision plans.

Very truly yours,

James J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LTV/HT/agt

Maryland Department of Transportation
State Highway Administration

James J. O'Donnell
Secretary
M. S. Eastler
Administrator

September 30, 1981

September 25, 1981

Mr. William Hackett
Chairman Board of Appeals
Cycle II
Baltimore County
County Office Bldg.
Towson, Md. 21204

Re: Z.A.C. Meeting of 9/14/81
ITEM: #9.
Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue
Route 131, 547' W. from
centerline of Tally Ho Road
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430
District 9th

Dear Mr. Hackett:

On review of the plat plan of August 25, 1981 and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show highway improvements along the frontage to meet State Highway Administration standards.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Wimbley

My telephone number is (301) 659-1350

RECEIVED
BALTIMORE COUNTY
OCT 7 10 21 AM '81
COUNTY CLERK
BY: _____

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William Hackett-Chairman Board of Appeals September 23, 1981
CC: Nick Commodari
FROM: Charles E. Burnham Cycle II - 1981
SUBJECT: Item #9 Zoning Advisory Committee Meeting 9-14-81

Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2

Acres: 59.430
District: 9th

Any proposed structures and improvements shall comply with the Baltimore County Building Code in force at the time. Compliance to the State of Maryland, regulations 05.01.07 and other applicable codes, rules and regulations shall be required.

Permit shall be secured for any improvement or new uses beyond which currently exist.

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

RECEIVED
BALTIMORE COUNTY
APR 25 10 50 AM '81
BY: CHARLES E. BURNHAM

MICROFILMED

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
February 26, 1982

Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Md. 21204

Re: Item #9, Case #R-82-186
Cycle II, James G. Stratakis, et al

Dear Mr. Covahey.

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

Home Builders Assn. of Md., Inc., et al. v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al - Circuit Court Equity #108029

Shoppo Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

MICROFILMED

Page Two

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1981.

The Board has attached one very important provision to its willingness to co-operate in the granting of postponements for the purpose outlined above, which is that it will not countenance the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:e

cc: James G. and Georgia Stratakis
William W. and Frances V. O'Rourke
J. Bernell Bantz
Gus Stratakis

MICROFILMED

March 3, 1982

County Board of Appeals
Court House
Towson, MD 21204

RE: Petition for Reclassification
N/S Seminary Ave., 547' W of centerline of
Tally Ho Road
James G. Stratakis, et ux, et al - Petitioners
Case #R-82-186

Gentlemen:

I am in receipt of a notice setting in the above-captioned matter for hearing on April 26, 1982. However, on that date undersigned counsel has cases scheduled in the District Court for Baltimore County, and accordingly requests that this matter be rescheduled at the convenience of the Court.

Very truly yours,

Edward C. Covahey, Jr.

ECC/ps

MICROFILMED

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

4/6/82
Petitioners Exhibit I

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

Re: Case No. R-82-186
James G. Stratakis, et al

Dear Mr. Covahey:

In regard to your request for a postponement of case No. R-82-186, the Board must deny this request. The property in question has been posted and duly advertised, and the Board has absolutely no way of knowing how many Protestants there are, or how much time, effort and money they may have expended in preparation for this case as scheduled. Since there is no way to contact any of these interested parties it is patently unfair to grant any postponements on reclassification cases. There have been occasions, because of extreme circumstances, in which the Board has granted a continuance of a case, but only in open hearing affording all interested parties the opportunity to become parties of record.

For these reasons, the Board must deny your request and we hope you can adjust your schedule to accommodate the scheduled hearing date.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman

WTH:e

MICROFILMED

Development Design Group, Ltd.
Riderwood Building
Suite 100
1107 Kenilworth Drive
Towson, Maryland 21204

Rickard B. Williams, President (301) 828-0727
Wayne E. Misenholder
Land Surveyor

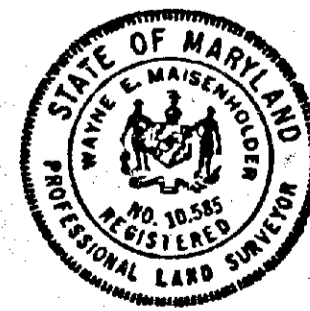
August 24, 1981

Description to accompany zoning petition for reclassification from existing RC-5 Zone to DR 2 Zone, property north side Seminary Ave. 547'± West of Tally-Ho Road.

Beginning for the same at a point in the center of Seminary Avenue, said point being North 80°38'18" west and distant 547 feet more or less from the intersection of the center lines of said Seminary Avenue and Tally-Ho Road, running thence in the center of said Seminary Avenue (1) North 86°59'55" West 535.29 feet, thence leaving said Avenue and running the eight following courses viz: (2) North 4°50'38" East 2415.88 feet, (3) South 85°44'39" East 307.17 feet, (4) North 82°41'58" East 271.80 feet, (5) South 80°32'50" East 375.41 feet, (6) South 33°57'10" East 435.00 feet, (7) South 21°06'16" East 331.00 feet, (8) South 58°10'16" East 120.97 feet and (9) South 31°19'14" West 2079.33 feet to the place of beginning.

Containing 59.430 acres of land more or less.

Saving and excepting therefrom that portion of land currently zoned DR 2.



MICROFILMED

OFFICE COPY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland R-82-186

District: 8th Date of Posting: 3-18-82
Posted for: Re-classification
Petitioner: James G. Stratakis et al
Location of property: N/S of Seminary Ave. 547' W of Centerline of Tally Ho Rd.
Location of Signs: North side of Seminary approx. 750' West of Centerline of Tally Ho Road
Remarks:
Posted by: A. J. Quate Date of return: 3-25-82
Number of Signs: 1

MICROFILMED

Form with fields for TO: Ms. Karen Riegel, Room 113 County Office Bldg., Towson, MD 21204. SUBJECT: RE: Case R-82-186, N/S of Seminary Ave., James G. Stratakis, et ux - Petitioner, Cycle 2 - Item #9. DATE: 3/19/82.

Dear Ms. Riegel: Enclosed please find my client's check in the amount of \$52.75 for advertising and posting re the above. PLEASE REPLY TO: Edward C. Covahey, Jr.

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 18, 1982

THIS IS TO CERTIFY, that the annexed advertisement published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on one time before the 6th day of April, 1982, the next publication appearing on the 18th day of March 1982.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

PETITION FOR RE-CLASSIFICATION
SOWING: Petition for Re-classification
LOCATION: North side of Seminary Avenue, 547' West of Centerline of Tally Ho Road
DATE & TIME: Tuesday, April 6, 1982 at 10:00 A.M.
PUBLIC HEARING: Room 219, Court House, Towson, Maryland
The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing on the above-captioned matter at the place and time hereinbefore stated.
All that parcel of land in the Eighth District of Baltimore County, Maryland, for the same at a point in the center of Seminary Avenue and Tally-Ho Road, running thence in the center of said Seminary Avenue (1) North 86°59'55" West 535.29 feet, thence leaving said Avenue and running the eight following courses viz: (2) North 4°50'38" East 2415.88 feet, (3) South 85°44'39" East 307.17 feet, (4) North 82°41'58" East 271.80 feet, (5) South 80°32'50" East 375.41 feet, (6) South 33°57'10" East 435.00 feet, (7) South 21°06'16" East 331.00 feet, (8) South 58°10'16" East 120.97 feet and (9) South 31°19'14" West 2079.33 feet to the place of beginning.
Containing 59.430 acres of land more or less.
Saving and excepting therefrom that portion of land currently zoned DR 2 and DR 2A.
By Order of: WILLIAM T. HACKETT, Chairman, County Board of Appeals of Baltimore County
Mar. 18, 1982

MICROFILMED

Petition for Re-Classification
 5TH DISTRICT
 ZONING: Petition for Re-Classification
 LOCATION: North side of Seminary Ave. at West of centerline of Tally Ho Road.
 DATE & TIME: Tuesday, April 6, 1962 at 10:00 A.M.
 PUBLIC HEARING: Room 215, Courthouse, Towson, Maryland.
 The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing.
 Present Zoning: R.C.S.
 Proposed Zoning: D.R.2

The Times

Middle River, Md., *March 18* 19*62*

Photo This is to Certify, That the annexed

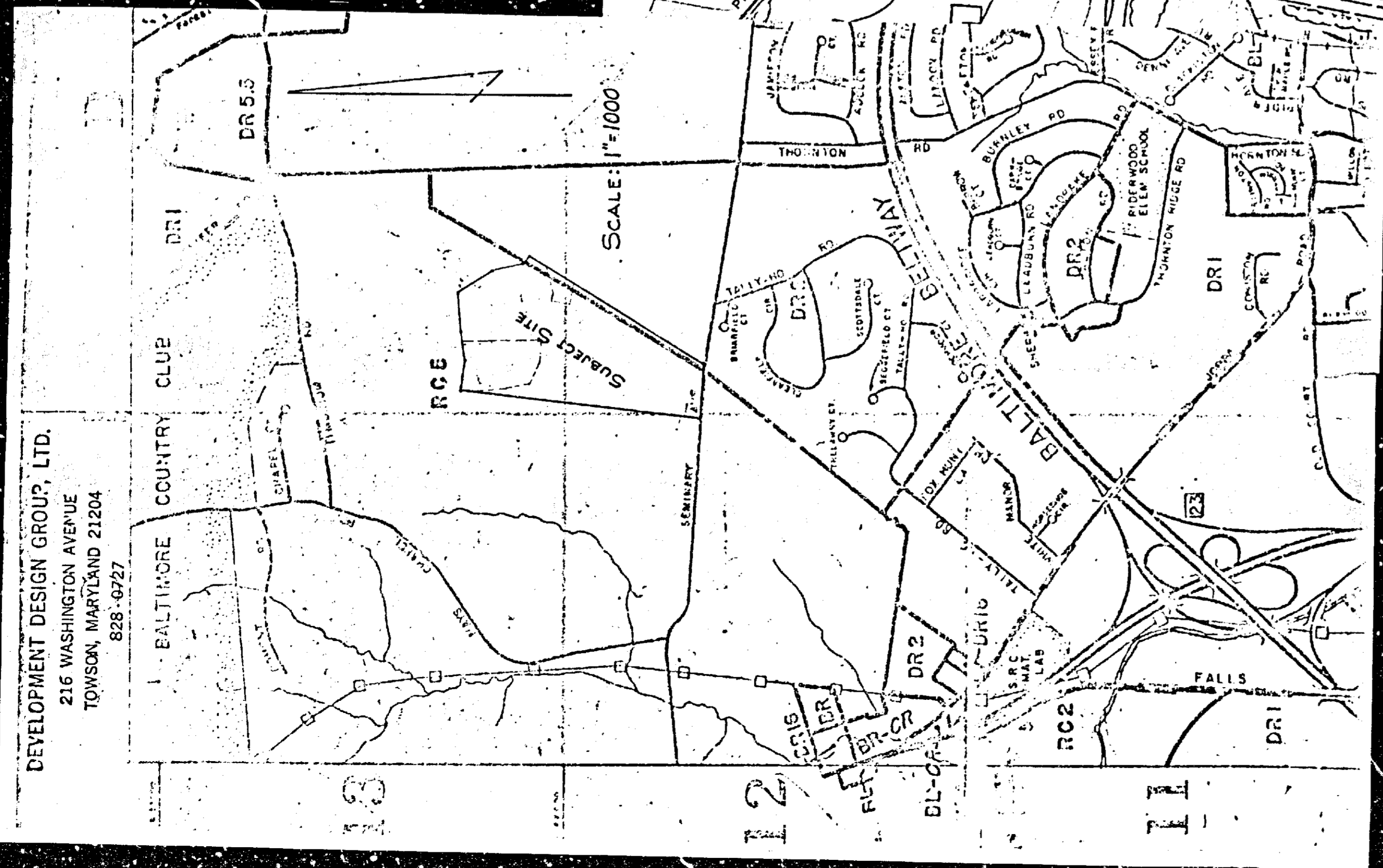
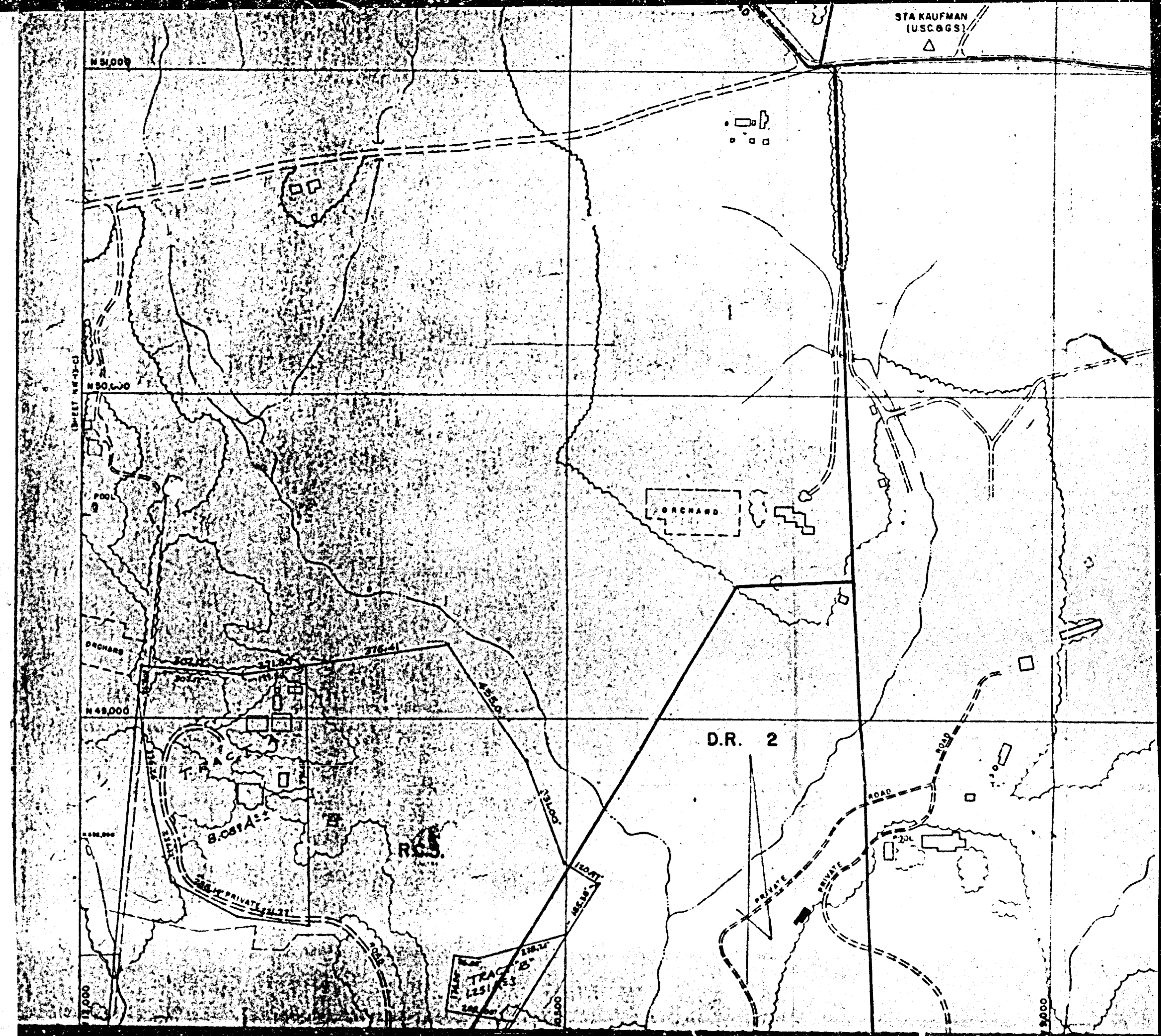
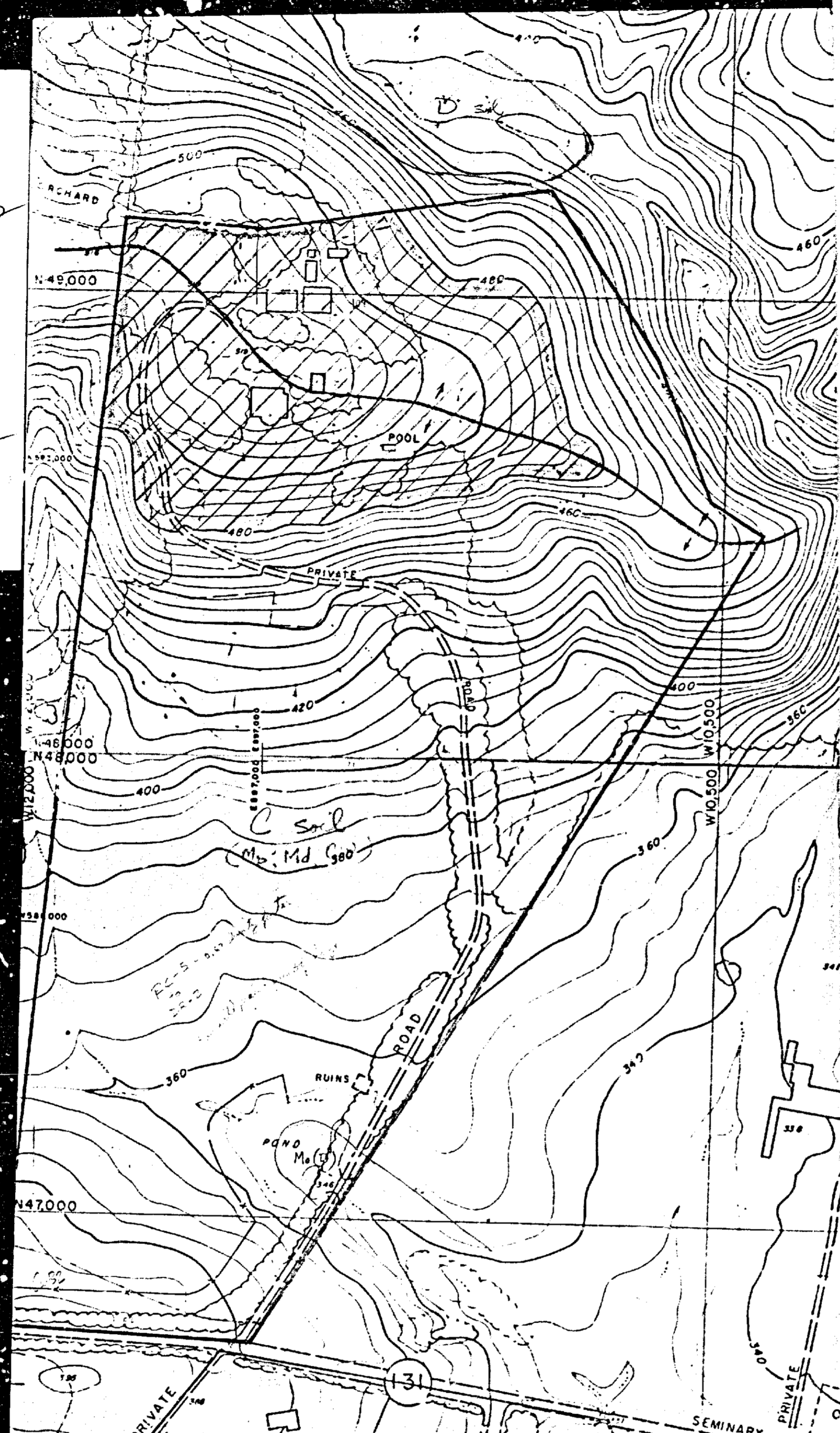
was inserted in *The Times*, a newspaper printed and published in Baltimore County, once in each of *one* successive weeks before the *18th* day of *March* 19*62*

John J. Wayne Publisher.

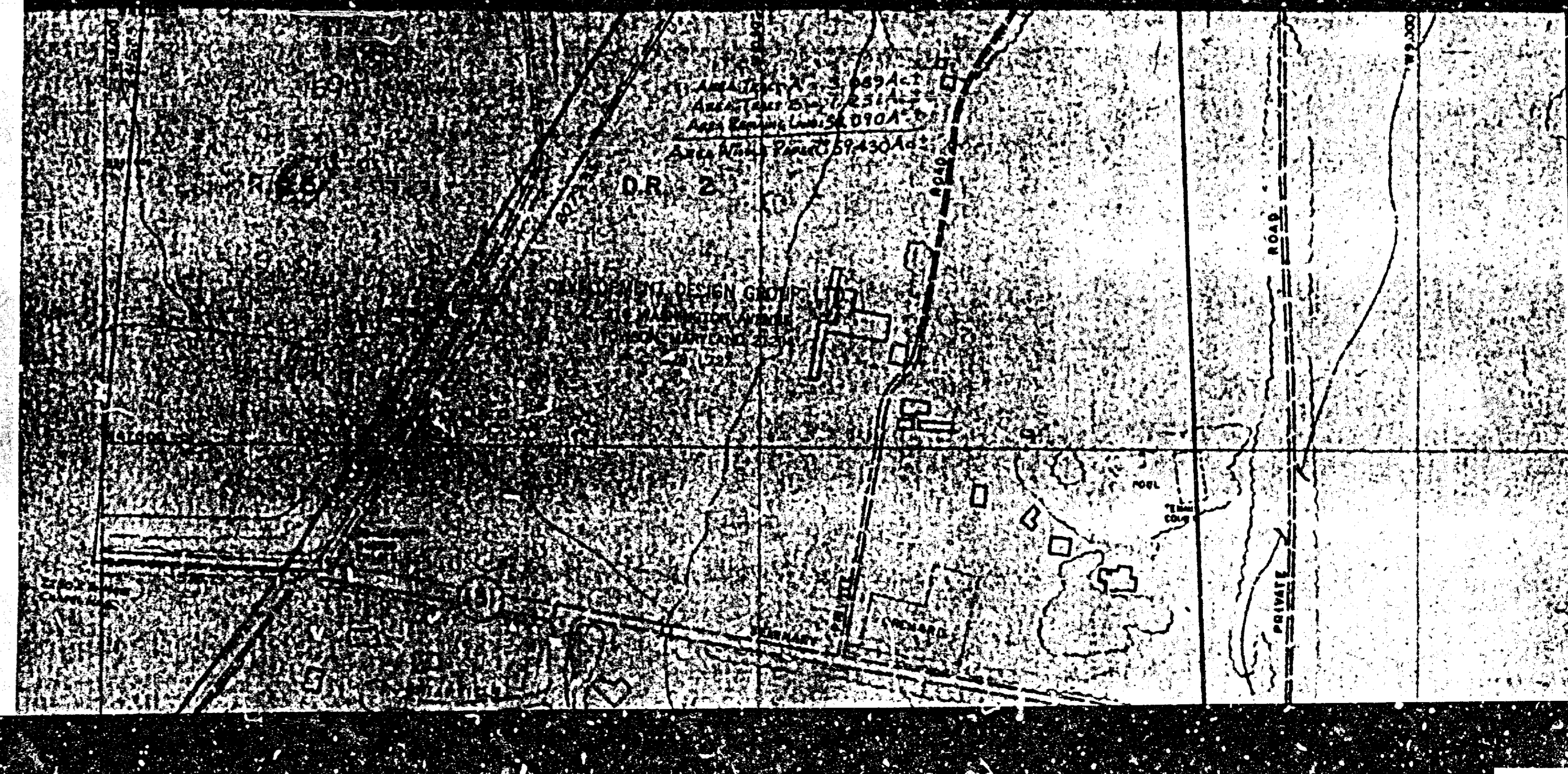
except 27.93
21.20
53.93

All that parcel of land in the Fifth District of Baltimore County, Maryland, beginning for the same at a point in the center of Seminary Avenue, said point being 117.11 feet West and 107.11 feet more or less from the intersection of the center lines of said Seminary Avenue and Tally Ho Road, running thence to the center of said Seminary Avenue (1) North 89°42'50" West 53.29 feet thence leaving said Avenue and running the eight following courses: (2) North 4°00'28" East 241.58 feet, (3) South 80°44'38" East 207.17 feet, (4) North 82°41'00" East 271.30 feet, (5) North 80°52'50" East 375.41 feet, (6) South 85°07'10" East 438.00 feet, (7) South 11°08'14" East 231.89 feet, (8) South 68°40'16" East 120.97 feet and (9) South 11°18'44" West 207.33 feet to the place of beginning. Containing 60.60 acres of land more or less. Saving and excepting therefrom that portion of land currently zoned D.R. 2, being the property of James G. Hirstakle, et al, as shown on plan filed with the Zoning Department of Baltimore County, Maryland, on 10/15/58. Hearing Date: Tuesday, April 6, 1962 at 10:00 A.M. Public Hearing: Room 215, Courthouse, Towson, Maryland.

BY ORDER OF
 Chairman
 County Board of Appeals
 of Baltimore County



DEVELOPMENT DESIGN GROUP, LTD.
 216 WASHINGTON AVENUE
 TOWSON, MARYLAND 21204
 828-0227



PLAT TO ACCOMPANY ZONING PETITION
 FOR RECLASSIFICATION FROM EXISTING
 RC-5 ZONE TO DR-2 ZONE
 PROPERTY NORTH SIDE OF SEMINARY AVENUE,
 347 1/2 WEST OF TALLY-HO ROAD
 THIRD COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT N# 8
 SCALE: 1" = 100' DATE: AUGUST 25, 1981

VICINITY MAP
 SCALE 1" = 1000'

BALTIMORE COUNTY METROPOLITAN DISTRICT DATUM

MARTHA F. SYMINGTON
 T.B.S. 1005 FOLIO 274
 EXISTING ZONING - RC-5 AND DR-2
 PRESENT USE - UNIMPROVED

FRANCIS GRANGER MARBOURS AND WIFE
 C.W.D. JR. 1018 FOLIO 406
 EXISTING ZONING - DR-2
 PRESENT USE - AGRICULTURAL

MARTHA F. SYMINGTON
 M.C.D. 417 FOLIO 100
 EXISTING ZONING - RC-5 & 6
 PRESENT USE - AGRICULTURAL / UNIMPROVED

TOTAL ACREAGE - 59 430 AS±

MARTHA F. SYMINGTON
 G.L.B. 3227 FOLIO 441 (2ND PARCEL)
 EXISTING ZONING - RC-5
 PRESENT USE - AGRICULTURAL / UNIMPROVED

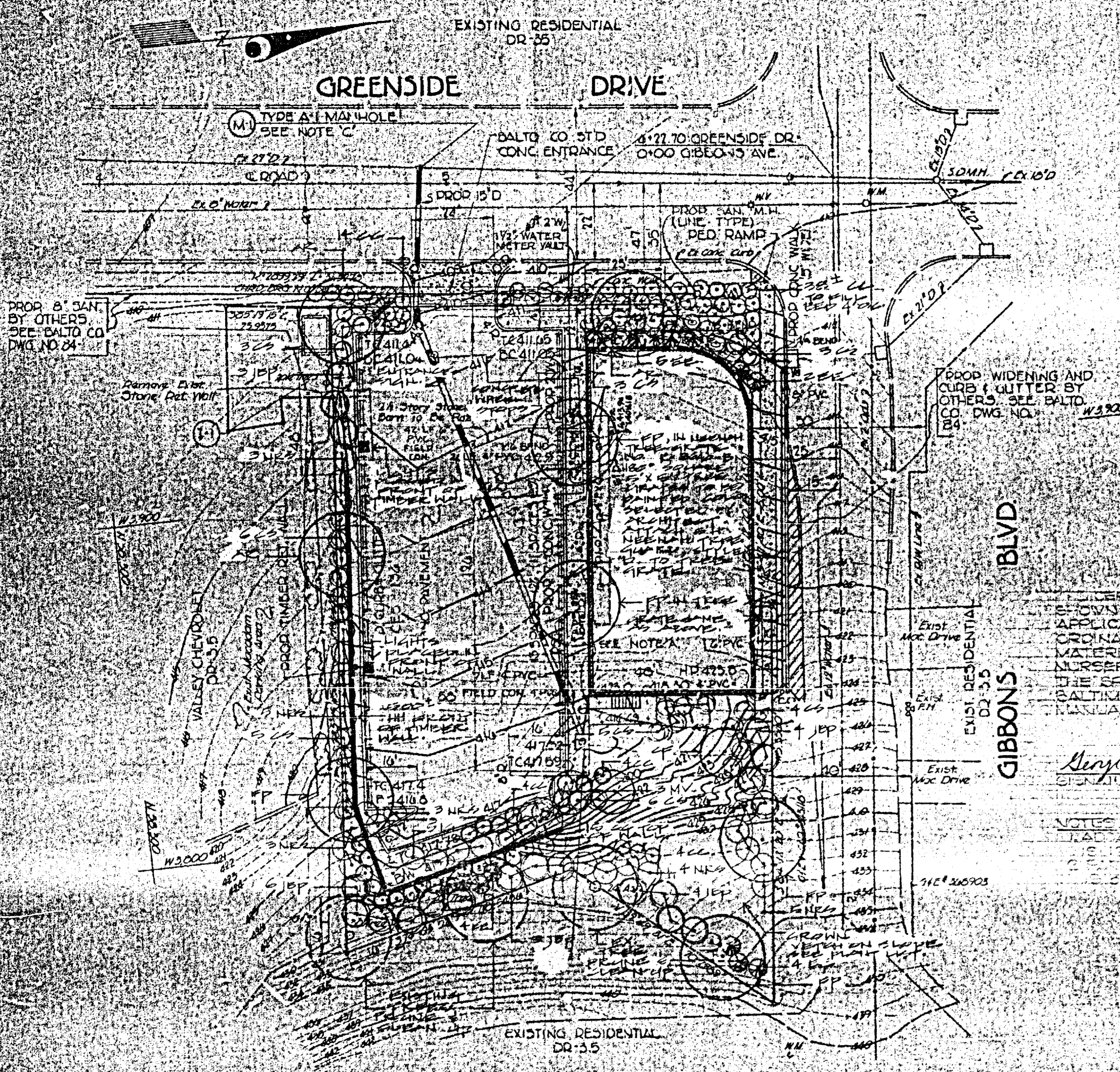
MARTHA F. SYMINGTON
 G.L.B. 3227 FOLIO 421
 EXISTING ZONING - RC-5
 PRESENT USE - AGRICULTURAL

CARL F. WALLACE
 S.H.K. JR. 811 FOLIO 826
 EXISTING ZONING - RC-5
 PRESENT USE - MANUFACTURAL

FRANK J. WILSON
 O.T.G. 32 FOLIO 20
 EXISTING ZONING - DR-2
 PRESENT USE - RESIDENTIAL



DEVELOPMENT DESIGN GROUP, LTD
 SUITE 100
 RIVERWOOD BUILDING
 1101 KENILWORTH DRIVE
 TOWSON, MARYLAND 21204



PROVIDE WIDENING AND CURB (GUTTER) BY OTHERS. SEE BALTO. CO. DWG. NO. W3300

EXIST. RESIDENTIAL DR-35
 GIBBONS BLVD
 Exist. Woc Drive

THE CONTRACTOR SHALL VERIFY THAT THE PLANTING PLAN SHOWN HEREIN IS CONSISTENT WITH APPLICABLE POLICY, GUIDELINES AND ORDINANCES, AND THAT ALL PLANT MATERIAL TO BE FURNISHED WILL BE NURSERY-GROWN IN ACCORDANCE WITH THE SPECIFICATIONS STATED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, 1983, DATED MAY 7, 1984.

[Signature]
 SIGNATURE OF APPLICANT

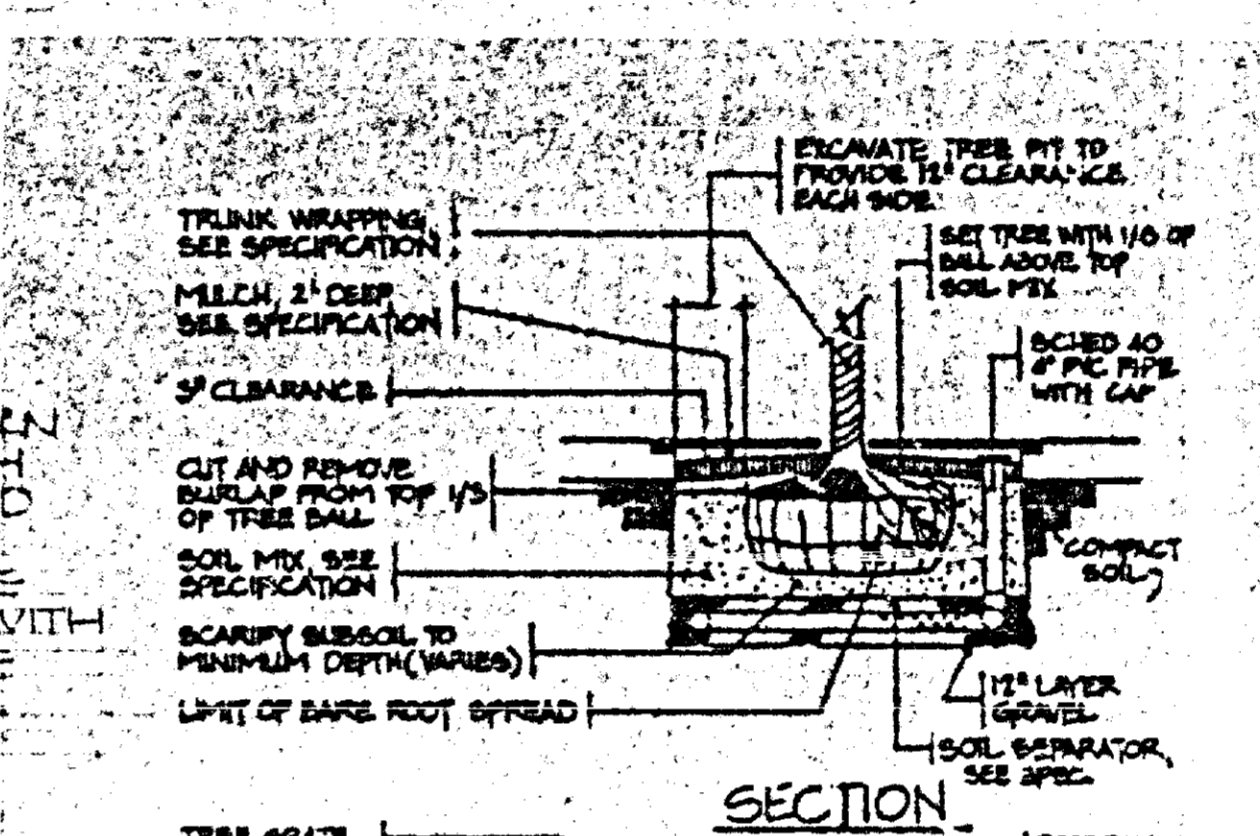
NOTES:
 1. ALL PLANTING MATERIAL TO BE FURNISHED SHALL BE NURSERY-GROWN IN ACCORDANCE WITH THE SPECIFICATIONS STATED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, 1983, DATED MAY 7, 1984.

NOTES:
 1. The 6" CIP Foundation Drain line shall have a standard backwash valve at the outfall end.
 2. Cleanouts located within areas of vehicular and pedestrian activity shall have metal caps mounted flush with adjacent grade.
 3. Construct Type A-1 Manhole over existing 27" line in Greenside Drive.
 4. Floor drains shall be spaced 20'-00" and shall be brass pedestrian type grates. Connect via 2" PVC lateral line with 1/2" x 1/2" CPVC in bend reducing. Field connect & outfall to street.

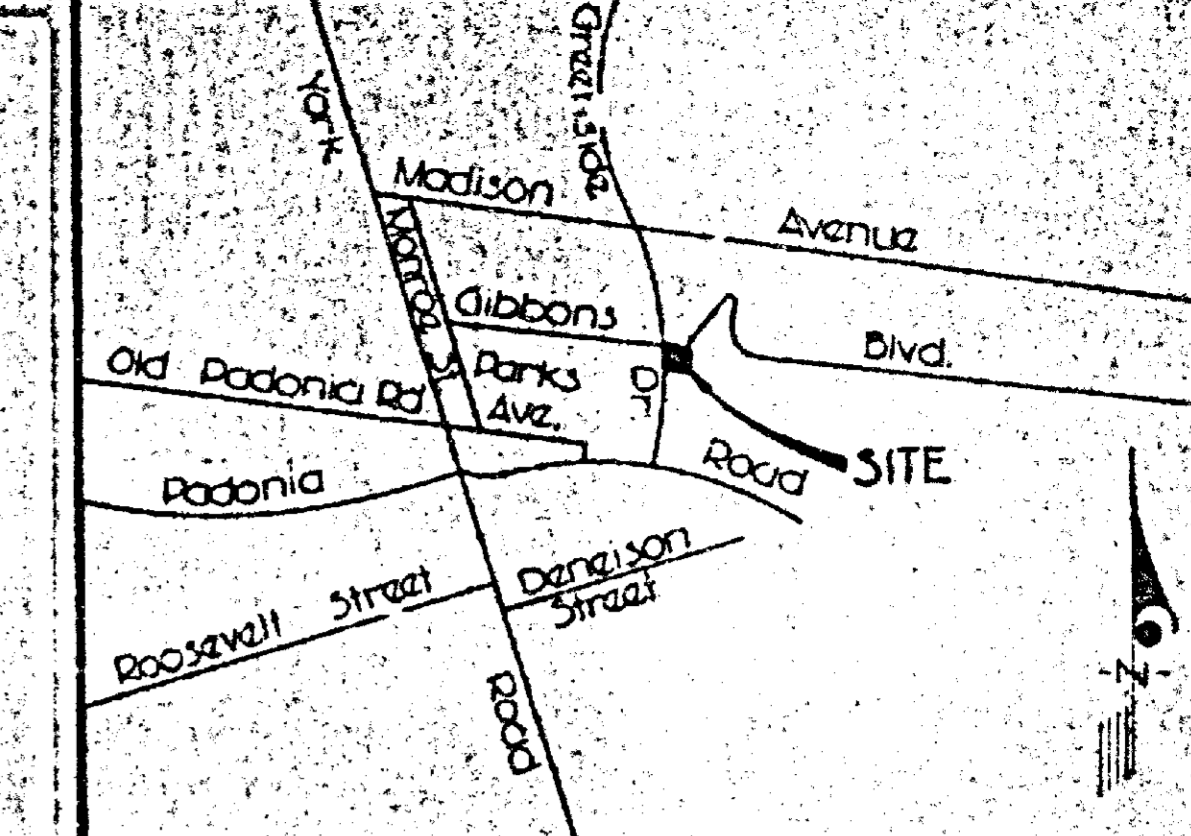
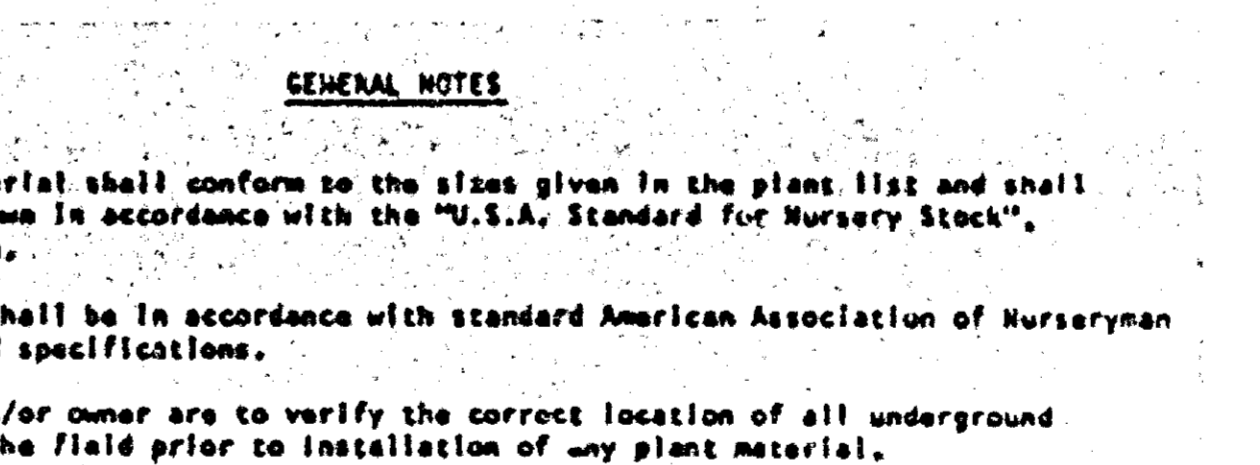
PLANT LIST

SYMBOL	NAME	REMARKS	SYM. QTY	QTY	NAME	REMARKS
1	ACER FLORIDA	12" x 14" FULL HEAD	1	1	ACER FLORIDA	12" x 14" FULL HEAD
2	QUERCUS FLORIDA	12" x 14" FULL HEAD	1	1	QUERCUS FLORIDA	12" x 14" FULL HEAD
3	MAGNOLIA VICTORIANA	12" x 14" FULL HEAD	1	1	MAGNOLIA VICTORIANA	12" x 14" FULL HEAD
4	YUCCA	12" x 14" FULL HEAD	1	1	YUCCA	12" x 14" FULL HEAD
5	HYDRANGEA	12" x 14" FULL HEAD	1	1	HYDRANGEA	12" x 14" FULL HEAD
6	IRIS	12" x 14" FULL HEAD	1	1	IRIS	12" x 14" FULL HEAD
7	ROSE	12" x 14" FULL HEAD	1	1	ROSE	12" x 14" FULL HEAD
8	SPYRALIS	12" x 14" FULL HEAD	1	1	SPYRALIS	12" x 14" FULL HEAD
9	VERONICA	12" x 14" FULL HEAD	1	1	VERONICA	12" x 14" FULL HEAD
10	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
11	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
12	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
13	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
14	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
15	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
16	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
17	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
18	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
19	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD
20	HEXAGONAL	12" x 14" FULL HEAD	1	1	HEXAGONAL	12" x 14" FULL HEAD

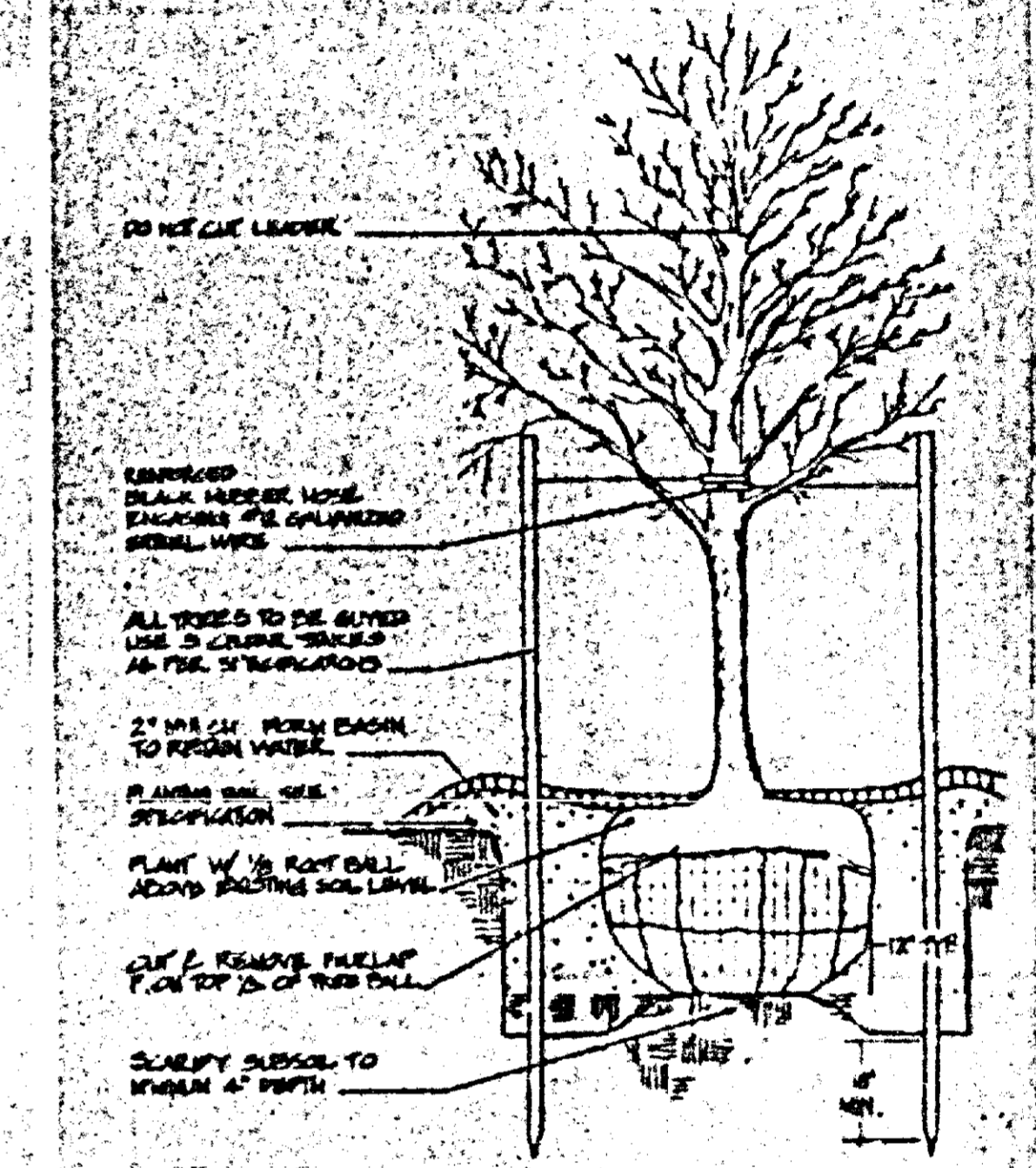
TYPICAL CONIFER PLANTING
 NO SCALE



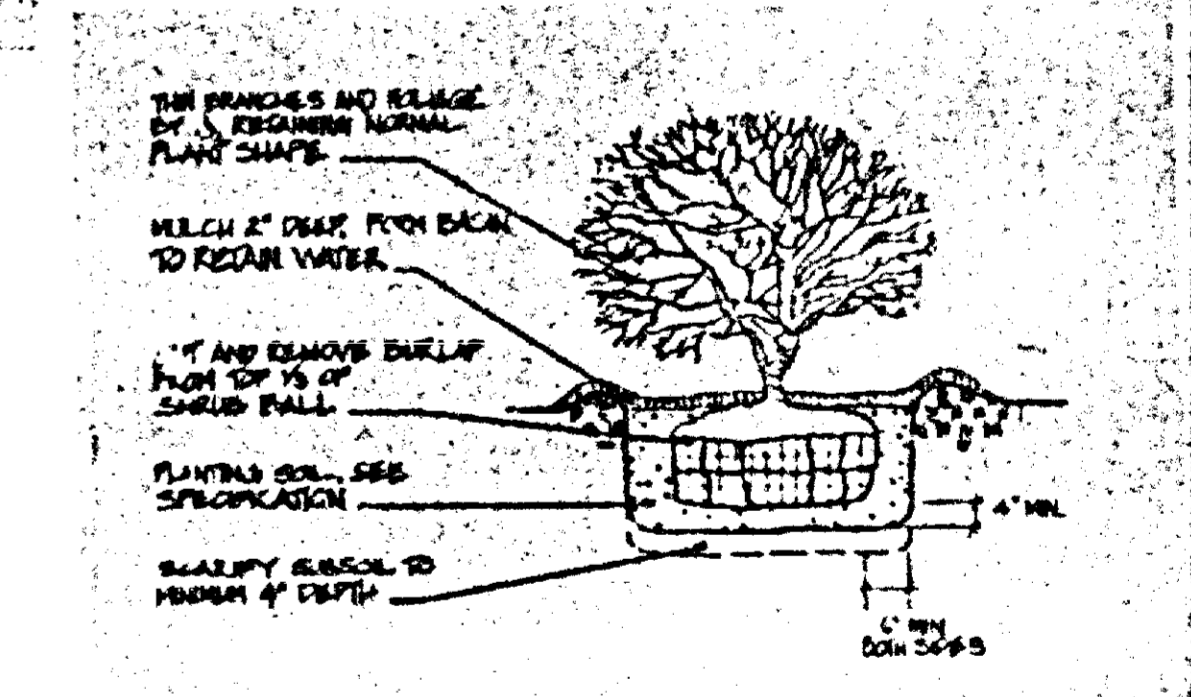
TREE IN PIT WITH GRATE
 NO SCALE



VICINITY MAP
 Scale: 1" = 1000'



TYPICAL TREE PLANTING
 NO SCALE



TYPICAL SHRUB PLANTING
 NO SCALE

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 LANDSCAPE PLAN APPROVED

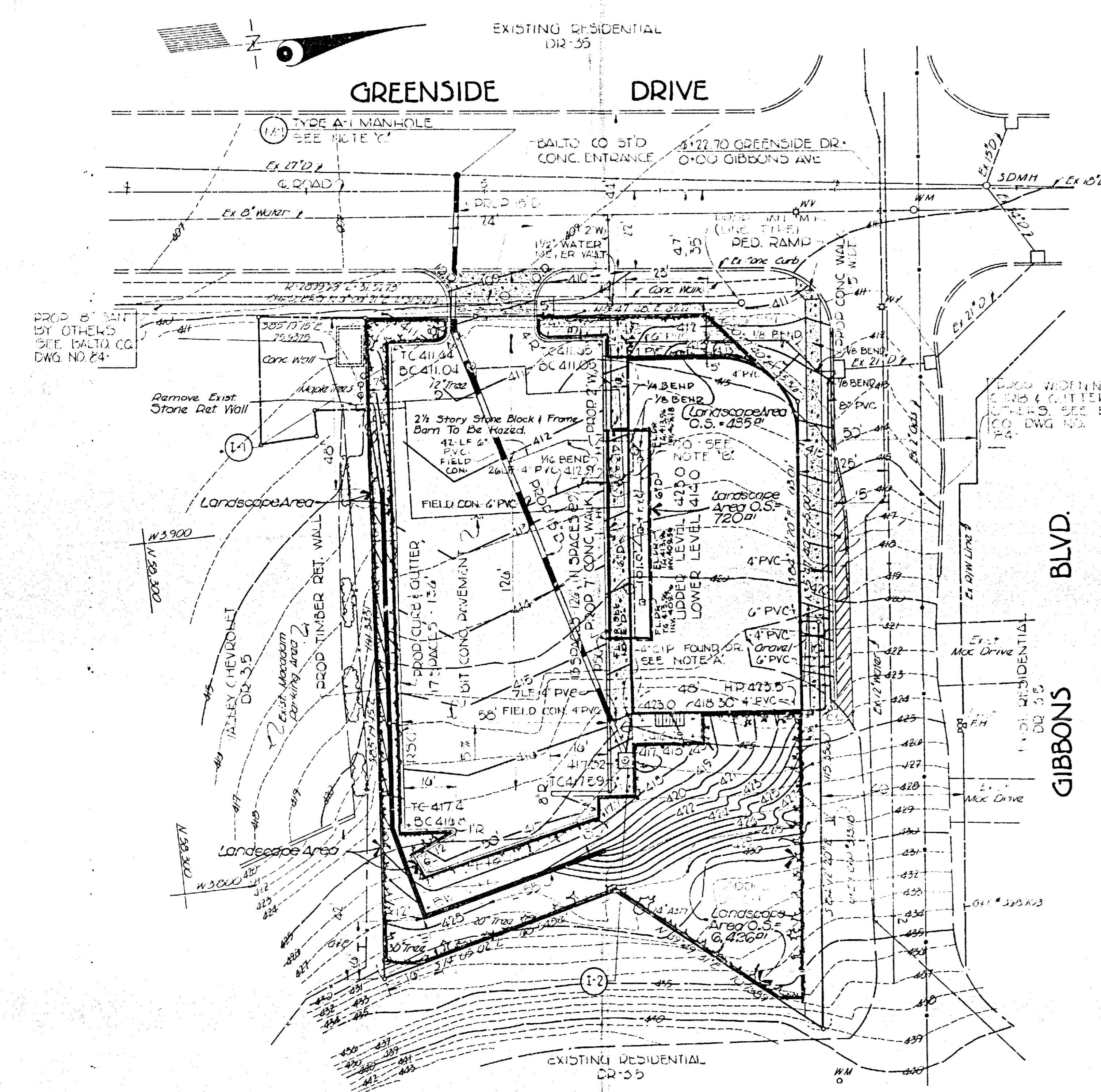
by P. Budzinski
 Oct 15, 1984
 data

STATE OF MARYLAND
 PROFESSIONAL LANDSCAPE ARCHITECT

Catherine Mahan & Associates
 Landscape Architects
 721 St. Paul Street / Suite 204
 Baltimore, Md. 21202
 301/576-1214

PLANTING PLAN
GREENSIDE PROFESSIONAL CENTER
 BALTO. CO., MD.
 ELECTION DISTRICT NO. 8

DATE	10/15/84
PROJECT	GREENSIDE PROFESSIONAL CENTER
SHEET	OF 1
FILE NO.	864-148

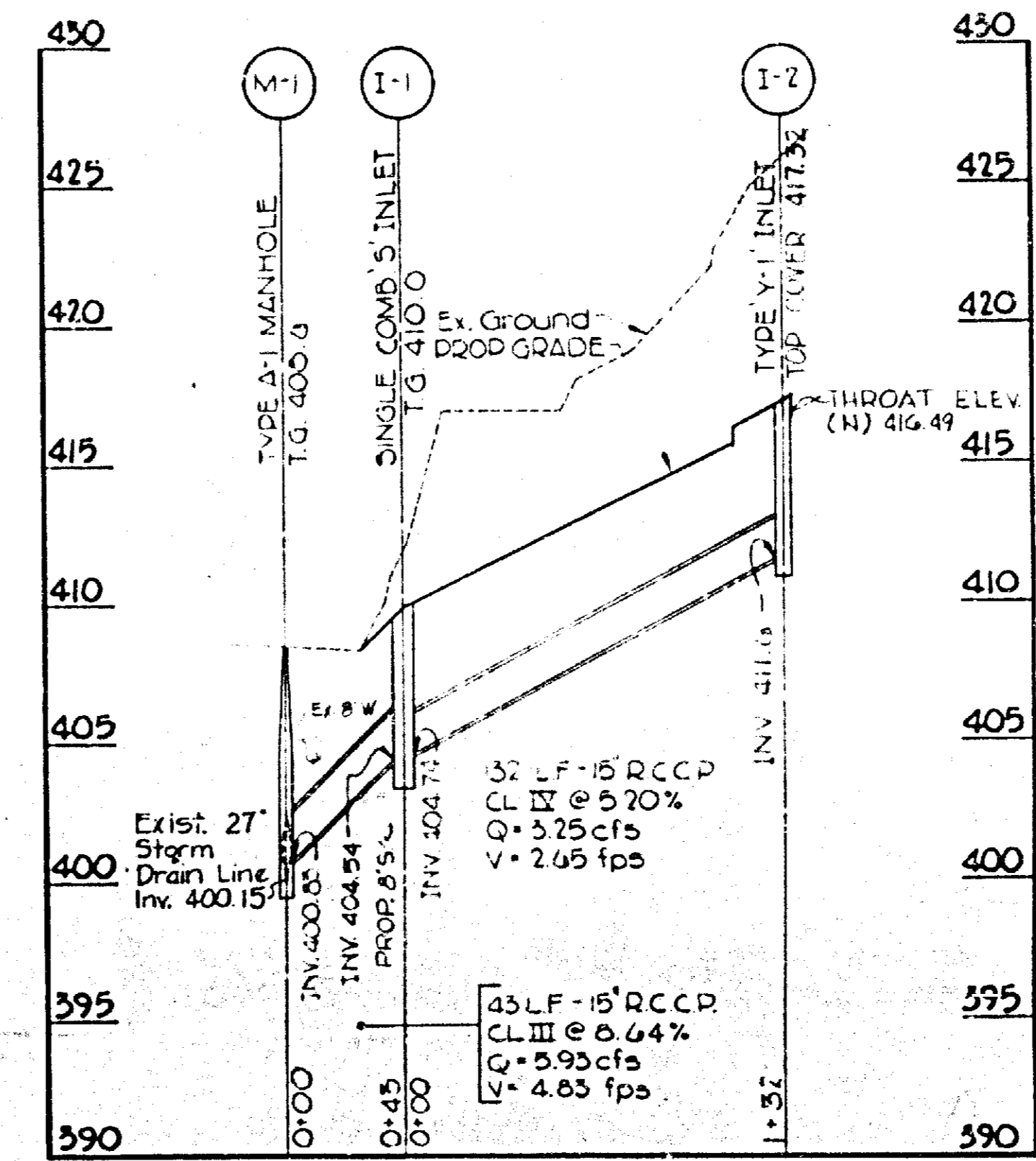


NOTES:
 1. The 6" CID Foundation Drain line shall have a std. flipper type backwater valve at the outfall end.
 2. Cleanouts located within areas of vehicular and pedestrian activity shall have metal caps mounted flush with the adjacent grade.
 3. Construct Type A-1 Manhole over existing 27" storm drain line in Greenside Drive.
 4. Floor Drains shall be spaced 20' o.c. and shall have min. 10"x10" brass pedestrian type grates. Connect vertical 4" dia. PVC lines to 6" PVC lateral line with 6"x6"x4" comb. wye conn. with 1/2" bend reducing. Field connect 6" out-fall drain line to 15" RCCP.

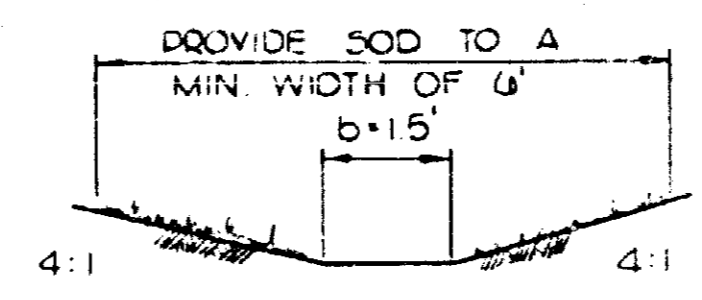
PLAN
 Scale: 1" = 20'

GENERAL NOTES

- Site Data**
 Net Area 20,081 s.f.
 Gross Area 27,231 s.f.
 Amenity O.S. Required (75%) 6,808 s.f.
 Amenity O.S. Provided 7,631 s.f.
 Building Coverage 4,409 s.f.
- Floor Area Ratio**
 Permitted .50
 Shown .32
- Lighting** Shall Be So Erected As To Not Reflect Rays Toward Adjacent Residences Or Interfere With Traffic.
- Soil Type** BmB2
- ADT** 639 ie. (75/1000 s.f.)
- Employees** 32
- Hours Of Operation** 8am. to 9p.m.

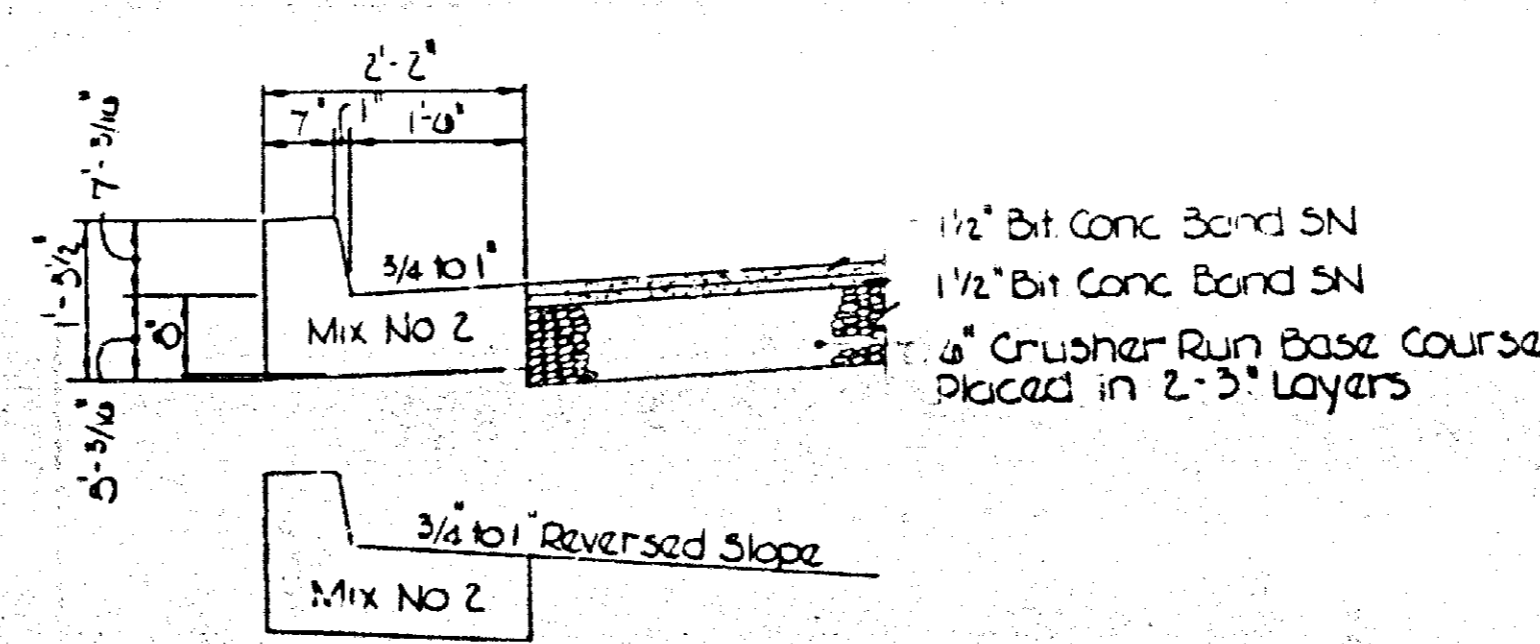


STORM DRAIN
 Scale: Horiz. 1" = 50'
 Vert. 1" = 5'-0"

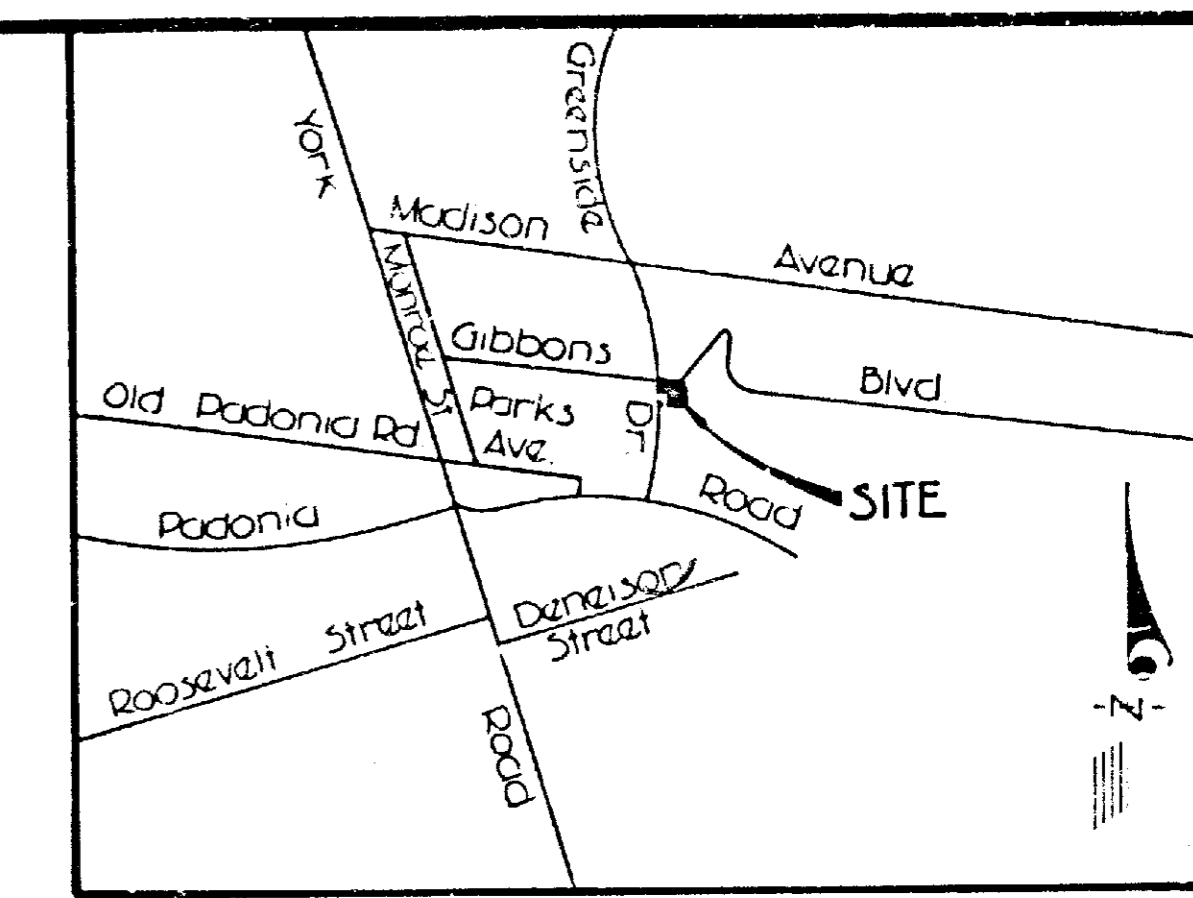


SODDED DITCH
 Not To Scale

Q = 2.25 cfs
 S = 24.0 %
 Δ = 4.45 F
 WD = 4.7
 D = 0.09
 Dr = 0.70'
 V = 5.1 fps
 L = 50'



CURB & GUTTER / PAVING DETAIL
 Not To Scale



VICINITY MAP
 Scale: 1" = 1000'

DEVELOPMENT NOTES

Parcel Area: 0.40425 Acres
 Zoning: R.O.
 Existing Use: Vacant
 Proposed Development: 8,810 s.f. Medical Office Building
 building type: 2 story Masonry Building (Steel Frame Masonry Pier Supported Wood Frame in-fill System on Masonry Retaining Walls).
 Parking Provided: 30 spaces (including 2 handicapped spaces)
 Parking Required: Medical Area - 8,810 s.f. @ 1/300 s.f. = 30 spaces

GENERAL NOTES

- The existing information shown on these plans is for the convenience of those concerned only. The correctness or completeness of the information shown is not warranted or guaranteed. The Contractor shall verify all information to his own satisfaction.
- Location of manholes, inlets, handboxes, etc., are not guaranteed. The Contractor shall verify to his satisfaction all utility locations. The Contractor shall test all existing utilities within the limits of construction to determine the exact location and depth as required. Report any discrepancies from that indicated on plan to the Engineer. All utilities are to be retained unless marked otherwise, and appurtenances are to be adjusted to finish grade. Damage to existing conditions and utilities to be retained shall be repaired as requested by the Owner or his agent at the expense of the Contractor.
- The Contractor shall notify Miss Utility at 1-559-0100 a minimum of three (3) working days prior to construction and again prior to planting.
- All construction shall follow the latest Baltimore County Standards and Specifications or as detailed on the drawing.
- All disturbed areas and yard areas within contract limits disturbed during or prior to construction, not designated to receive paving, or mulch in planting areas, shall be fine graded and sodded or seeded and mulched in accordance with the specifications and site plan.
- All slopes 3:1 and steeper, as well as swales on this site shall be sodded. All sod shall be securely stapled.
- Install new water service in accordance with Baltimore County standards and specifications.
- Provide 4'-0" minimum cover over all proposed water lines to finish grades.
- Spot elevations shown in the parking areas and drives are for pavement surfaces and bottom of curbs unless otherwise noted.
- Reference Drawings:
 Sanitary Sewer 71-0578
 Storm Drain 68-0631
 Water 68-0796
- Contractor is to replace any paving and curb and gutter in kind according to Baltimore County Standards.
- Contractor shall at all times keep the premises free from accumulation of waste material or rubbish caused by his employees or work, and at the completion of work, he shall remove all waste, rubbish, and equipment so as to leave the work and premises neat and clean.

PLANS APPROVED

OFFICE OF PLANNING & ZONING
 BY: [Signature]
 DATE: 11/21/84
 ZONING COMMISSIONER

84-373
 C-1453-84

Johnson, Mirmiran & Thompson, P.A.
 ARCHITECTS, ENGINEERS, PLANNERS, INTERIORS, ENVIRONMENTAL DESIGNERS
 1000 EAST BALTIMORE AVENUE, SUITE 1000
 BALTIMORE, MARYLAND 21202

SITE PLAN
GREENSIDE PROFESSIONAL CENTER
 BALTO. CO., MD.
 ELECTION DISTRICT NO. 8

DESIGNER	DATE	APPROVED
DATE	DATE	DATE
SHEET	OF	FILE NO.
1	1	C-1453-84

April 21, 1978

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

Re: Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Svingington
N/S Seminary Ave. 550' W. Tally Ho Rd.
Existing Zoning: RC 5
Proposed Zoning: D.R. 2 and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of a RC zoned property.
Acres: 149.53 District: 8th

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.

Highways:

Seminary Avenue (Md. 131) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Seminary Avenue is proposed to be improved in the future, and become a County road, with a 50-foot closed section roadway.

Timonium Road and Mays Chapel Road (formerly Md. 132), existing public roads, are proposed to be improved in the future as 50 and 40-foot closed section roadways on 70 and 60-foot rights-of-way, respectively.

Future proposed onsite roads, to be improved as County roads, will be determined by the Joint Site Planning Committee and shall be constructed in accordance with Baltimore County Design and Construction Standards.

All other onsite rights-of-way are private. It is the responsibility of the Petitioner to ascertain and clarify such rights-of-way and to determine his rights therein.

Highway rights-of-way widenings, including necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Svingington
Page 2
April 21, 1978

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Future drainage and utility easements and/or reservations will be required through this property.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water:

There is a public 12-inch water main in Seminary Avenue, approximately 80 feet west of Tally Ho Road (Drawing #67-0163, File 3), public water main extensions would be required therefrom. However, this main is part of the Towson Fourth Zone of Water Service, with a maximum service elevation of 480 feet.

This property is within the Urban-Rural Demarcation Line and the Baltimore County Metropolitan District. The Baltimore County Water Plan W-16B, indicates this property in three categories: the northwesternmost portion as "No Planned Service"; the area northwesterly thereof as "Immediate Priority"; and the major portion of this site as "Planned Service" in 6 to 10 years.

Additional fire hydrant protection is required in the area.

Sanitary Sewer:

There is public 8-inch and 15-inch sanitary sewerage in Tally Ho Road and easterly thereof, near Clearfield Circle, as indicated, (Drawings #67-0163 and #67-0164, File 1) respectively. Public sanitary sewerage extensions would be required therefrom. This

Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Svingington
Page 3
April 21, 1978

Sanitary Sewer: (Cont'd)

Property is tributary to the Roland Run-Mt. Washington Plume-Jones Falls Sanitary Sewerage System. The Baltimore County Sewer Plan S-16B, indicates this property in two categories: the northwesternmost area as "No Planned Service" and the major portion of this site as "Planned Service" in 6 to 10 years.

The Petitioner is responsible for the determination of the adequacy of the public water and sanitary sewer facilities to serve this proposed development.

Very truly yours,
Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EMW/PWR:es

cc: J. Trannor
W. Munchal
J. Somers

S-NE & S-Z Key Sheets
47-51 NW 6 & 9 Pos. Sheets
NW 12 & 13 B & C Topo
60 Tax Map



Maryland Department of Transportation
State Highway Administration

James I. O'Donnell
Secretary
M. S. Caltrider
Administrator

September 25, 1981

Mr. William Hackett
Chairman Board of Appeals
Cycle II
Baltimore County
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting of 9/14/81
ITEM: #9
Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue
Route 131, 547' W. from
centerline of Tally-Ho Road
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430
District 9th

Dear Mr. Hackett:

On review of the plat plan of August 25, 1981 and field inspection, the State Highway Administration will require the plan to be revised.

The revised plan must show highway improvements along the frontage to meet State Highway Administration standards.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

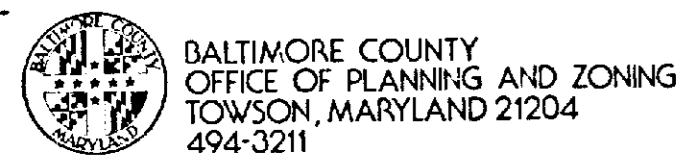
cc: Mr. J. Wimbley

By: George Wittman

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
OCT 2 9 51 AM '81

My telephone number is (301) 659-1350

P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21203



NORMAN E. GERBER
DIRECTOR

October 29, 1981

Mr. William Hackett - Chairman
Board of Appeals
Room 219 - Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #9, Zoning Cycle II - 1981, are as follows:

Property Owner: James G and Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of Tally-Ho Road
Acres: 59.430
District: 9th

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.

Any subdivision of the property will require compliance with Title 22 of the Baltimore County Code.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JLW:rh



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

October 8, 1981

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Dear Mr. Hackett:

Cycle II - Meeting of September 14, 1981
Item No. - 9
Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of Tally-Ho Road
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430
District: 9th.

Dear Mr. Hackett:

The existing R.C. 5 zoning for this site can be expected to generate approximately 360 trips per day and the proposed D.R. 2 zoning can be expected to generate approximately 1470 trips per day.

Michael S. Firnigan
Michael S. Firnigan
Traffic Engineering Associate II

MSF/r1j



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

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

September 30, 1981

Mr. Walter Reiter, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #9, Zoning Advisory Committee Meeting for Cycle II, are as follows:

Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of Tally-Ho Road
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430
District: 9th

The two dwellings onsite are presently served by one well and separate septic systems. Metropolitan water is located in Seminary Road, near the property line. Sanitary sewer service would require an extension from the existing sewer located at Tally-Ho Road and Briarfield Court.

At present, a large portion of the property is designated as W-5 (construction anticipated 6-10 years) and S-1 (Existing Service Area) by the Master Water and Sewerage Plan. The existing W-5 classification dictates that metropolitan water can not be utilized for the proposed subdivision, at present. It should be noted that according to the 1981 Draft Maps for the Water and Sewerage Plan, the entire property would be reclassified as W-7 and S-7 (No Planned Service). If the W-7 and S-7 classification is enacted, metropolitan sewer, in addition to water, could not be utilized, necessitating the usage of private wells and septic systems for the proposed subdivision. This would greatly decrease the density that could be achieved under the proposed change to D.R. 2.

All requirements of the Maryland State Department of Health and Baltimore County Department of Health pertaining to private water and/or sewerage systems must be complied with prior to approval of tentative subdivision plans.

Very truly yours,
Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/JRP:mgt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7210

PAUL H. RENCKE
CHIEF

October 9, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: James G. and Georgia Stratakis

Location: N/S Seminary Avenue 547' W. from centerline of Tally-Ho Road

Item No.: 9 Zoning Agenda: Meeting of September 14, 1981

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *George M. McCormick*
Noted and Approved: George M. McCormick
Special Inspection Division
Fire Prevention Bureau

JK/mb/cn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: William Hackett-Chairman Board of Appeals Date: September 23, 1981
FROM: Nick Comodari Charles E. Burnham
SUBJECT: Cycle II - 1981 Item #9 Zoning Advisory Committee Meeting 9-14-81

Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Avenue 547' W. from centerline of Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430
District: 9th

Any proposed structures and improvements shall comply with the Baltimore County Building Code in force at the time. Compliance to the State of Maryland, regulations 05.01.07 and other applicable codes, rules and regulations shall be required.

Permit shall be secured for any improvement or new uses beyond which currently exist.

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrf

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent Towson, Maryland - 21204
Date: 9/22/81

Mr. Walter Reiter
Chairman, Board of Appeals
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Zoning Cycle #11 - 1981
Meeting of 9/14/81

RE: Item No: 9
Property Owner: James G. & Georgia Stratakis
Location: N/S Seminary Ave. 547' W. from centerline of Tally-Ho Rd.
Present Zoning: R.C. 5
Proposed Zoning: D.R. 2
Acres: 59.430

Table with 4 columns: School, Enrollment, Capacity, Over/Under. Rows include Riderwood El., Ridgely Jr., and Dulaney Sr.

Table with 4 columns: Student Yield With, Existing Zoning, And, Proposed Zoning. Rows include Elementary, Junior High, and Senior High.

Projected enrollments indicate that the schools servicing this area can absorb the additional pupils.

Very truly yours,
Walter Reiter
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

IN THE MATTER OF THE APPLICATION OF JAMES G. STRATAKIS, ET AL FOR RECLASSIFICATION FROM R.C. 5 TO D.R. 2 N/S SEMINARY AVENUE 547' W. OF TALLY-HO ROAD 8th DISTRICT
BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
NO. R-82-186

OPINION

This matter comes before the Board on a petition for reclassification of the subject property which is located on the north side of Seminary Avenue 547 feet west of Tally-Ho Road, in the Eighth Election District of Baltimore County. The requested reclassification is from R.C. 5 to D.R. 2.

The Petitioners based their request on geographical, physical and topographical conditions that exist on the subject property. The close proximity to the Baltimore Beltway and the existence of County water and sewer facilities in close proximity to this property, they argue, were not appropriately considered by the County Council when last this property was reviewed as a specific issue in the 1980 comprehensive zoning process. Though the Petitioners acknowledge that a flood problem exists within the Roland Run, which is directly affected by the subject property, they contend that such a problem will not be significantly increased as a result of the development that would be permitted under the requested zoning.

Testimony established that there is a twelve inch water interceptor that exists on Seminary Avenue at the corner of the property line. Additionally, a sanitary sewer line exists within 700 to 800 feet from the property, which could be utilized for service on the subject property. The evidence further indicated that the Roland Run Interceptor would not be in jeopardy if reasonable additional development was accomplished within that area handled by the interceptor, including the subject property. Testimony also

future. Testimony indicated that the County has bought or is in the process of buying twenty-five homes in the Roland Run watershed in conformity with County legislation requiring the purchase of residences within the flood plain. Testimony by Paul Solomon, an expert environmental planner for Baltimore County, indicated that a significant increase in impervious surface area could substantially increase flooding problems within the watershed. The increased density that D.R. 2 would provide for this parcel could add to the already strained flooding conditions within this area.

In view of the possible detrimental effects that increased development could have in this area and in light of the testimony that a reasonable use can be made of the subject property with the existing zoning, the Board holds that the petition for reclassification should be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of August, 1984, by the County Board of Appeals, ORDERED that the reclassification from R.C. 5 to D.R. 2 petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Walter S. Franz, Acting Chairman
Leroy H. Spurr, Jr.
Patricia Phipps

reflected that the Metropolitan water supply available to the subject property is of adequate quantity to more than meet the needs of the development proposed on the property that is the subject of this petition. It was admitted, however, that ten lots situated higher on the tract would not be able to attract Metropolitan water and sewer but rather would still require private water and sewer as is the case with the entire tract as it is presently zoned.

Petitioners also established that the increase in traffic generated as the result of development on this parcel would not be detrimental to the general public health, safety and welfare, and that sufficient enough sight distances exist to the east and west along Seminary Avenue so as not to cause significant traffic safety concerns.

It was the opinion of John Taback, a civil engineer who was recognized as an expert by this Board, that based on the assumption that there are public services and facilities available it was in error for the Baltimore County Council to have zoned this property R.C. 5; rather it should have been zoned D.R. 2. A significant element of the basis for such an opinion is that not only did the public services and facilities exist in 1980 but that the County Council relied on maps that were wrong as to the exact location of such facilities relative to the subject property. Evidence to that effect was presented to the Board, however, it was admitted by the expert for the Petitioners that the Baltimore County Master Water and Sewer Plan (BCMWSWP), as a legislative act of the County Council which provides long range planning for public services, indicates that no water service is planned for the subject property even after 1990. There was no indication from the testimony presented to the Board by the Petitioners that if no water service was planned that the Petitioners would, in fact, be able to hook up to the Metropolitan

system.

The Petitioners' expert also admitted that there are no significant physical changes in the neighborhood of the subject property since 1980.

The Petitioners' other expert, William Kirwin, a land planner and landscape architect, provided testimony consistent with that of Mr. Taback. Additionally, he classified the property as "urban fringe" not "conservation" as the R.C. 5 classification was intended to support. Mr. Kirwin stated that when no public facilities were intended to be placed, R.C. 5 classification is appropriate. In this instance, Petitioners argue there presently exists public facilities that are not consistent with the R.C. 5 classification.

In Mr. Kirwin's opinion, D.R. 2 zoning would be most appropriate and would enable the Petitioners to better control the storm water problems that admittedly exist by providing the ability to cluster the development. Under D.R. 2 zoning the success of the public facilities is apt to be much greater than private wells and septic where there is no monitoring and the likelihood of individual facilities breaking down is greater. It was admitted, however, by Mr. Kirwin that the County Council could have been aware of the Master Plan, conditions of the sewer and water, and the flooding of Roland Run at the time their decision was made in 1980. It was also admitted that most of the land on the north of Seminary Avenue is classified R.C. 5.

The County presented James Hoswell, a planner with Baltimore County, who is recognized as an expert in his field. Mr. Hoswell confirmed that no planned service is provided on the BCMWSWP. Mr. Hoswell further testified that unless an amendment to the BCMWSWP was adopted, the property could not be hooked into the County facilities. Mr. Hoswell further testified

that the present zoning of R.C. 5 provides for a reasonable use of the property and thus is not in error.

On cross-examination Mr. Hoswell admitted that during the 1984 reclassification process he would recommend possibly a D.R. 1 or D.R. 2 zoning for a significant portion of the property, but that the higher elevation should remain R.C. 5. He acknowledged that D.R. 2 would be consistent with the Baltimore County Master Plan.

Though the appropriateness of D.R. 2 zoning on the property is significant assuming we find that error exists, such a determination is not of consequence unless we believe that sufficient change or error exists on the property so as to hold that the existing zoning is inappropriate. As we have often stated, our determination is not what are the possible appropriate uses and zoning for a subject property or even what is the most appropriate use or zone, but rather was the County Council given sufficient truthful, correct information in order to make a decision and, if so, was their decision in error given all of the information that we must assume they did consider inasmuch as it was available for them to consider. If their decision to zone any particular parcel provides a reasonable use of the property, in view of the information they could have considered, we cannot usurp their legislative prerogative and state that such a decision is in fact an error. The mere appropriateness or more appropriate zoning of a parcel as requested by a Petitioner is not sufficient enough basis where the presently zoned classification provides for a reasonable use of the land.

In this case we believe the evidence indicated that significant flooding within the Roland Run watershed has existed on a number of occasions and its serious flooding problems will continue to exist into the

future. Testimony indicated that the County has bought or is in the process of buying twenty-five homes in the Roland Run watershed in conformity with County legislation requiring the purchase of residences within the flood plain. Testimony by Paul Solomon, an expert environmental planner for Baltimore County, indicated that a significant increase in impervious surface area could substantially increase flooding problems within the watershed. The increased density that D.R. 2 would provide for this parcel could add to the already strained flooding conditions within this area.

In view of the possible detrimental effects that increased development could have in this area and in light of the testimony that a reasonable use can be made of the subject property with the existing zoning, the Board holds that the petition for reclassification should be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 16th day of August, 1984, by the County Board of Appeals, ORDERED that the reclassification from R.C. 5 to D.R. 2 petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
Walter S. Franz, Acting Chairman
Leroy H. Spurr, Jr.
Patricia Phipps

JAMES G. STRATAKIS et al for reclassification from RC 5 to DR 2 N/S Seminary Ave. 547' W. Tally-Ho Road 8th District
* BEFORE THE COUNTY BOARD OF APPEALS
* FOR BALTIMORE COUNTY
* Case No. R-82-186

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk: Please issue a summons duces tecum for the following witness:

Norman Gerber
Director of Planning for Baltimore County
County Court's Building
401 Bosley Avenue
Towson, MD 21204

To testify for the Petitioners. Returnable on Tuesday, September 28, 1982 at 10:00 a.m., County Board of Appeals, Room 218, Court House, Towson, MD 21204.

AND TO PRODUCE:

All documents, writings, correspondence and recommendations of the witness and the Office of Planning for Baltimore County to the Baltimore County Council with respect to requests that the above-captioned property be reclassified from RC5 to DR2 with respect to the 1980 Baltimore County Council Comprehensive Zoning Map Issues.

COST \$ 100.00

SUMMONED 9-22-82 19
NON EST 19
NON SUNT 19
COPY LEFT 19

Mr. Sheriff: Please issue the above summons
Edward C. Cavanaugh, Jr.
Atty. for Petitioners
614 Bosley Ave.
Towson, MD 21204
June Holmen, Board of Appeals

with 185