•		86-88-XA
TO THE ZONING COMMISSIONE	FOR ZONING VA! ANCE R OF BALFIMORE COUNTY:	A section and the section and
and the same of th	(s) of the property situate in Baltimore County lat attached hereto and made a part hereof, hereby	petition for a
· · · · · · · · · · · · · · · · · · ·	to permit a free standing illuminated sign	
<u> </u>	ft. (counting both sides) in lieu of the	*
	1 8 sq. ft. non-illuminated sign attached	to
of the Zoning Regulations of Baltin following reasons: (indicate hards	nore County to the Zoning Year of Dally	inty; for the
	etback from york Road a will create abardship read	31gnificant
sign witached	to the building.	ling an
·	<b>,</b>	17. Economic States
	advertised as prescribed by Zoning Regulations.	9.7 CMPanana.
	s of above Variance advertising, posting, etc., upon are to be bound by the zoning regulations and rect to the Zoning Law For Baltimore County.	filing of this estrictions of
	I/We do solemnly declar under the penalties of perjurare the legal owner(s) of which is the subject of this Pe	ry, that I/we
Contract Purchaser:	Legal Owner(s):	MAPI 3C
(Type or Print Name)	Gus J. Livaditis (Type or Print Name)	RECTION O
Signature	Signature ()	DISTRICT: 9 DATE 7/22/66 TYPE
Address	(Type or Print Name)	HEARING, XA
City and State	Signature	FINAL:
Attorney for Petitioner:	Aspen Mill Professional E Suite 108 54 Scott Adam Road 56	
(Type or Print Name)		Phone No.
Signature	Cockeysville, Maryland 2 City and State	21093
Address	Name, address and phone number of leg tract purchaser or representative to be	al owner, con- contacted
City and State	Johnson, Mirmiran & Jhom Name	pson_P.A.
Attorney's Telephone No.:	Address	Phone No.
	Baltimore, Maryland 21 nmissioner of Baltimore County, this24tb	dov
out Baltimore County that property	that the subject matter of this petition be ac innore County, in two newspapers of general circulat be posted, and that the public hearing be had before in Properties.	ion through-
County on the 28th	in Room 106, County Office Building in Towson  day ofAugust, 1985, at 10	A Baltimore
S A S S		
Ta Can	Call Jable	
INISI C	Zoning Commissioner of Baltim	ore County.
To the second se	(over)	· ·
₩ <b>\</b>		; ;
DATE.		, 1 1 2
		man and the control of the control o

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class "B" office building in an R-O zone as per\_Section\_203.3.B.2\_ Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser Legal Owner(s): Gus J. Livaditis (Type or Print Name) Address (Type or Print Name) City and State Aspen Mill Professional Building Attorney for Petitioner 54 Scott Adam Road 561-1711 (Type or Print Name) \_Cockeysville, Maryland 21093 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Johnson, Mirmiran & Thompson, P.A. 810 Gleneagles Court 821-6500 Attorney's Telephone No.: Address Phone No. Baltimore, Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_24th\_\_\_\_\_ day ,  $19_{-}^{85}$ , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Z.C.O.—No. 1

86-88-KA

January 17, 1986

County Board of Appeals of Baltimore County Room 200 Court House (Hearing Room #218) Towson, Maryland 21204 (301) 494-3180

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIEN REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 86-88-XA

GUS J. LIVADITIS

SW/corner York and Othoridge Rds.

9th District

SE-Class B office building in RO zone VARIANCE-30' non-illuminated sign in lieu of permitted 8 sq. ft. non-illuminated sign

THURSDAY, APRIL 10, 1986, at 10 a.m.

People's Counsel for Balto. County

11/20/85 - DZC's Order-GRANTED w/restrictions

ASSIGNED FOR:

Petitioner

Keith E. Ronald, Esq. Counsel for Petitioner

Ruth Walker

Protestant

Mary Ginn

cc: Gus J. Livaditis

Eric Rockel

Johnson, Mirmiran & Thompson, P.A.

Phyllis C. Friedman

Norman E. Gerber

James Hoswell

Arnold Jablon

Received by:

Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

Towson, Maryland 21204

Your petition has been received and accepted for filing this

111 W. Chesapeake Avenue

Petitioner Gus J. Livaditis

day of July

cc: Johnson, Mirmiran & Thompson, P.A.

Petitioner's

Attorney

June Holmen, Secretary

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITT	
112 113 111 OOM MIT	EI
August 16, 1985	

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave.

MEMBERS

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Development

Zoning Administration

State Roads Commission

Engineering

Mr. Gus J. Livaditis Aspen Mill Professional Building Suite 108, 54 Scott Adam Road Cockeysville, Maryland 21093

> RE: Item No. 393 - Case No. 86-88-XA Petitioner - Gus J. Livaditis Special Exception and Variance Petitions

Dear Mr. Livaditis:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petitions. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

It should be noted that the petition was amended after it was accepted for processing to add a sign variance. Also, the layout and size of parking spaces were changed.

These positions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Johnson, Mirmiran & Thompson, P.A. 810 Gleneagles Court Baltimore, Maryland 21204

BALTIMORE COUNTY, MARYLAND

SUBDIVISION REVIEW COMMENTS DATE: Julu 16, 1985 Edward A. McDonough, P.E., Chief Developers Engineering Division PROJECT NAME: Livaditis Professional Center PROJECT NUMBER: 85160 York Road and Orthoridge Road LOCATION: DISTRICT:

The Plan for the subject site, dated June 3, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer is responsible for the full cost of all highway and storm drain

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, after which a Building Permit may be approved.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manhole;, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

. The Plan is satisfactory pending conformance with the following comments. HIGHWAY COMMENTS:

The Developer shall be responsible for the relocation of any utilities or poles as required by the road improvements.

Livaditis Professional Center *Project # 85160* July 16, 1985 Page 2

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way. "Special attention is called to the fillet (required) at the intersection of York Road and Orthoridge Road".

The entrance locations are subject to approval by the Department of Traffic

Commercial entrances shall be a minimum of 24' and a maximum of 35' feet wide. Depressed curb is to be used with no curb returns to the property line.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention: Mr. C. E. Brown, 494-3321.

Ramps shall be provided for physically handicapped persons at all street

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5' wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent une cumbered area.

Screening shall be placed so as to provent headlights within the parking areas from interfering with the traffic on the adjacent road.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer 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.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Caralogar's restance. hility. However, a drainage area map, scale l"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

Livaditis Professional Center Project # 85160 July 16, 1985 Page 3

The Developer 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 Developer.

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.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 13-85) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year and 10-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1984 Baltimore County Storm Water Management Policy and Design Manual adopted September 11, 1984. A sediment control plan is required.

Storm water management 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

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

Permitsion to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sever may be obtained from the Department of Permits and Licenses.

This property is subject to Water and/or Sewer System Connection Charges

Marin .

County Board of Appeals of Baltimore County Room 200 Court House Towson, Margland 21204 (301) 494-3180

May 28, 1986

Ms. Ruth Walker, President Orchard Hills Community Association 6 Westbury Road Cockeysville, Md. 21093

Dear Ms. Walker:

Re: Case No. 86-88-XA Gus J. Livaditis

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

cc: Gus J. Livaditis Keith E. Ronald, Esq. Ms. Mary Ginn Eric Rockel Johnson, Mirmiran & Thompson, P.A. Phyllis C. Friedman, Esq. Norman E. Gerber James Hoswell Arnold Jablon Jean M. H. Jung James E. Dyer

> يج بيادة الجنامج إنها يوه يوسطين الدوا ينجي بوالسائرات المتحصية ويريدون يقرط لياسي يرياني يواي والأس

IN THE MATTER OF GUS J. LIVADITIS FOR SPECIAL EXCEPTION AND VARIANCE ON PROPERTY LOCATED ON THE SOUTHWEST CORNER YORK AND OTHORIDGE ROADS 9th DISTRICT

heard unis day in its entirety.

COUNTY BOARD OF APPEALS BALTIMORE COUNTY No. 86-88-XA

OPINION

of the Deputy Zoning Commissioner granting the requested Special Exception for a Class B office building on property zoned R.O. and granting in part, a variance to permit a free-standing but non-illuminating sign, 3 ft. by 5 ft. (30 sq. ft. counting both sides) and no sign to be permitted on the building. Case was

This case comes before this Board on appeal from a decision

Mr. George Lambros, Civil Engineer, testified for Petitioner and introduced Petitioner's Exhibit No. 1, a plat of the site and proposed building. He described the site and adjacent and nearby properties. He also noted that the Floor Area Ratio (F.A.R.) calculated out to be .404, which is less than the required .55 ratio. He noted that ample parking was provided on this plan and that all access to the site was provided from Othoridge Road. He also noted that there were no satback requirements for a Class B office building in an R.O. zone, that this proposal had CRG approval pending the Special Exception authorization and that all the requirements of Section 502.1 had been satisfied. Mr. Lambros also testified as to the need for a Variance to permit an illuminated sign as shown on Petitioner's Exhibit No. 1, especially stressing the distance the proposed building is to be located away from York Road. Mr. George Salabes, Architect, described the existing building and all the reasons it was impractical to convert this existing structure into office use and described the proposed building, an artist's conception of which was

Gus J. Livaditis
Case No. 86-88-XA

entered as Petitioner's Exhibit No. 5. He testified that this building was designed to answer the need for its purpose as a medical office and still not be offensive to the neighboring residences. Mr. Gregory Jones, Traffic Engineer for Baltimore County, testified that the two access points on Othoridge Road were satisfactory to Baltimore County and that in his opinion this arrangement would not have any adverse effect on traffic in this area. This concluded

Mr. Eric Rockel testified in opposition to this proposal. He noted this site as being part of the development known as Orchard Hills comprising of some 650 families. His protest concerned the size of this particular building, the zero foot setback from Othoridge Road and concern that this building was not compatible with the residences in the area. He specifically noted the setback requirements for a Class B office building in an O1 zone. He also noted the comment from C. Richard Moore, Deputy Director of Traffic Engineering, dated July 15, 1985, which is part of the case file. This concluded Protestants' case.

The Board in this Opinion, will address the facts as produced by testimony in this case. There is an existing site, zoned RO, of some .78 acres gross area (emphasis added) that contains an existing residential type building that is not suitable for conversion to office use. The proposed Class B office building as shown on Petitioner's Exhibit No. 1, complies with all the Class B standards as required by the Baltimore County Zoning Regulations, (BCZR) i.e., amenity open space, floor area ratio, required on site parking, access points to the site, etc., and complies with all requirements of the BCZR. Sec. 502.1 and therefore will be granted. The Board will note that setback requirements do differ for a Class B office building between the R.O.

a nation of the second second second

Case No. 86-88-XA

zone and the O-1 zone but note that the minimum acreage for an O-1 zone is two acres while an R.O. zone may be applied to an existing lot of something less than two acres. Because of the setback distance of the proposed building from York Road, the Board will grant the variance to allow the free-standing sign to be erected as shown on Petitioner's Exhibit No. 1 but can find no need for this to be an illuminated sign and will so Order.

ORDER

this \_\_28th day of May, 1986, by the County Board of Appeals, ORDERED that the Petition for a Special Exception for a Class B office building in an R.O. zone in accordance with the plan prepared by Johnson, Mirmiran & Thompson, P.A., dated April 9, 1986, and entered as Petitioner's Exhibit No. 1, be and the same is GRANTED, subject to the noted restrictions, and

For the reasons set forth in the aforegoing Opinion, it is

IT IS FURTHER ORDERED that the Fetition for Variance to permit the free-standing sign as shown on the same plan be GRANTED in part, but that the sign may not be an illuminated sign. The following restrictions shall also

- 1. Staff and employees only shall park in the rear of the lot 2. This area to be densely screened between this parking area and the adjacent neighbor.
- 3. The hours of operation shall not exceed Monday thru Friday, 8:00 A.M. to 9:00 P.M. and Saturdays, 8:00 A.M.

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

8/27/85

Gus J. Livaditis Case No. 86-88-XA

----

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

0

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION

No. 007399 MISCELLANEOUS CASH RECEIPT

The state of the s

. 第二十二十二章 (120) 在西班牙中的 (120) (120) (120) (120) VALIDATION OR SIGNATURE OF CASHIER

GEORGE W WHITE, JR CHARLES MINDEL SAMUEL D HILL JOSEPH L JOHNSON R BRUCE ALDERMAN STANLEY L HOLMES

LAW OFFICES WHITE, MINDEL, CLARKE & HILL 6TH FLOOR, 29 W. SUSQUEHANNA AVENUE TOWSON, MARYLAND 21204 (301) 828 -1050

August 27, 1985

COUNSEL MONTON E HOME HAVRE DE GRACE, MD OFFICE 412 GREEN STREET, 21078 (30) 939-3456 Sart 3

ZONING DEPARTI

AU827 111

HAND DELIVERED

JAMES D STONE EUGENE L. MILES, III WILLIAM C. C. BARNES ROBERT R. BOWIE, JR

Mrs. Jean M. H. Jung Deputy Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mrs. Jung:

Thank you for the opportunity, yesterday, to discuss with you, once again, the question of the interpretation of the Zoning Regulation contained in Section 203.3(c) so as to allow the granting of a sign variance in an R.O zone if, in fact, the Petitioner can meet the required burden of proof.

The question involves the legal interpretation of that section to permit even the consideration of the granting of a Sign Variance by the Hearing Officer.

During the course of our conversation, we discussed a decision previously made by Zoning Commissioner Arnold Jablon in the "Dr. Glasser case". You pointed out that your decisions in all cases were made independently of each other (i.e. you and Mr. Jablon) and I agree totally with that concept.

I would, however, like to make one point which may be worthy of consideration. I support the wisdom and logic of decisions being made independently of each other in the determination of facts, credibility, meeting burdens of proof and all other matters that lead to a decision reached by applying evidence, testimony and facts to the applicable and appropriate law or regulation.

I would, however, respectfully suggest that completely independent decisions in matters that involve solely and purely the legal interpretation of a particular section of the BCZR could result in entirely different legal interpretations and lead to some uncomfortable results, not the least of which would

WHITE, MINDEL, CLARKE WHILL

Mrs. Jean M. H. Jung August 27, 1985 Page Two

be the "shopping" by Petitioners and their Attorneys for a Hearing Officer that renders a more favorable or advantageous legal interpretation of a particular regulation. I sincerely think unanimity in basic legal interpretation by a Commission consisting of more than one Hearing Officer is important to the Commission itself and its relationship to Petitioners, Protestants and the general public.

I point this out to both of you as an interested and concerned party for the welfare and well being of the Zoning Commission and you as Hearing Officers.

I thank you for your consideration of this contention and will certainly respect and abide by your thoughts and decisions relating to it. As a matter of convenience, I am forwarding a copy directly to Zoning Commissioner Arnold Jablon and, for Mr. Jablon's further information, a copy of my memorandum letter to you dated July 24, 1985.

RBA/mvj

cc: Mr. Arnold Jablon

166

1669

We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis:

Name,	Address
Mardia J. Smider	1402 Westbury (+. Loth, mD. 2107
Low B Delinske	1404 Westbery Cd. " "
Theres ( Xcharker	1404 WESTERRY CT
Cish Dlock	6 WESTBORY Rd
Flora M. Slevila	5 Westlan 61
There of Alson him	5 Westma-Ro
Low Niha	1324 Millay Dr
William M. Williams	1322 Melling De.
Helen Willeams	1322 mallay Dr.
Malolin V. Newin	1320 Malbay Dins
Lil m. nein	12,20 mally from
La Biorce cont-	1318 Mallon Drive
Kalch 1-5 Allery	1318 Marsay Dizive-
I Made & wars	2 malber Cf
Jasie Lavis	2 Mallay Ct.
2 other Myses	13 WethryRd.
Bunge Miyers	13 Westerny Rol
and Womenter	1402 Welflamy Ct
Chai W Senton	5 INESTEURY RA
	The state of the s

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Zoning Commissioner Date August 8, 1985 Norman E. Gerber, Director
FROM Office of Planning and Zoning SUBJECT Zoning Petition No. 86-88-XA The CRG plan (IX-461: Livaditis Professional Center) was approved on July 13, 1985. However, this office is opposed to the granting of the requested sign variance. It is this office's opinion that the permitted type and size signs for this zone are adequate. Further, a free standing sign would not be in keeping with the spirit and intent of the R.O. zone. Office of Planning and Zoning NEG:JGH:slm #86-88-XA

C.F.

CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on THE JEFFERSONIAN, R. non-illuminated sign attached to the building.

Being the property of Gus J. Livaditis, as shown on the plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period, for good cause shown. Such request must be received in writing by the date of the hears of above or made at the hearing.

By Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County Cost of Advertising 24.75 A STATE OF THE AND A STATE OF THE ADMINISTRATION OF THE ADMINISTRA 86-88-XA 1-10-86

PETITIONS FOR SPECIAL EXCEPTION & VARIANCE 9m Election District General Desires

LOCATION Southwest corner of York and Othoridge Roads (8 Othoridge Roads (8 Othoridge Roads)

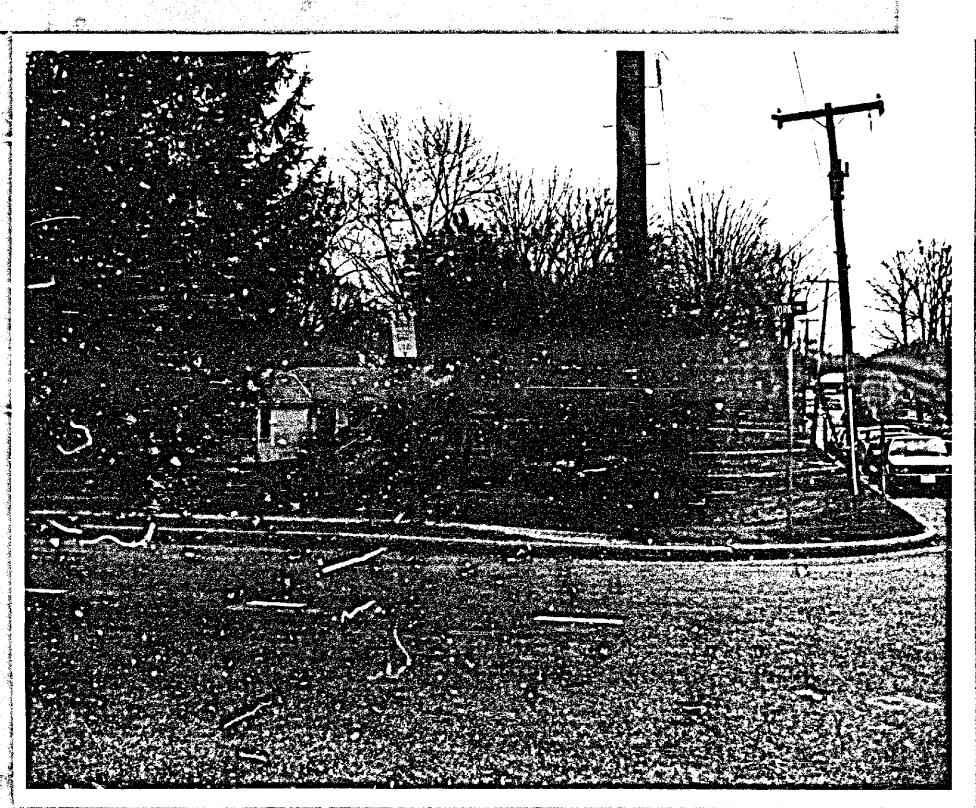
DATE AND THAE Wednesday August 28 1965 at 10 45 a m PUBLIC MEARING Roam 106 County Office Burlang 111 W Chersapeaus Avenue Towson Marytana The Zoning Commissioner of Bash-more County, by authority of the Zoning Act and Regulations of Bash-more County, will hold a public hear-Petrion for Special Exception for a Class B other building in a R O zone and Variance from Section 203 3 C to cermit a free-standing illuminated sign of 60 as B (counting both aidea) in less of the permitted 8 sq. B non-aluminated sign attached to the building. building.

Being the property of Gus J. Lividdins, as shown on plat plan filled with the Zoning Office in the event that these Petitions are granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner with however, entertain sny requires for a stay of the resulance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

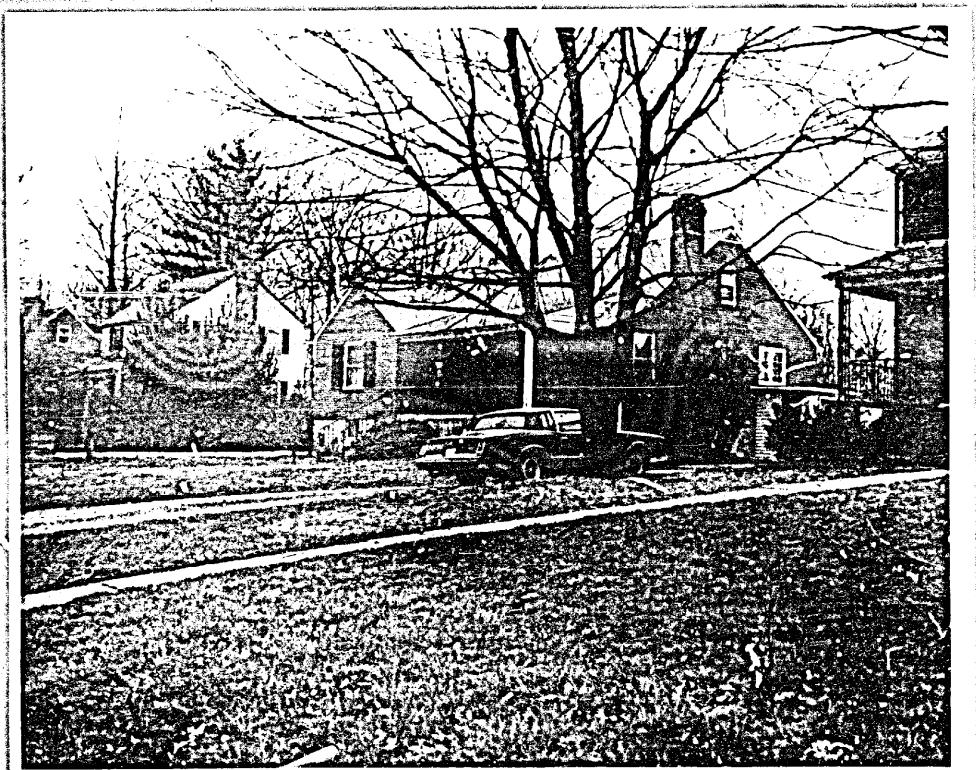
By ORDER OF

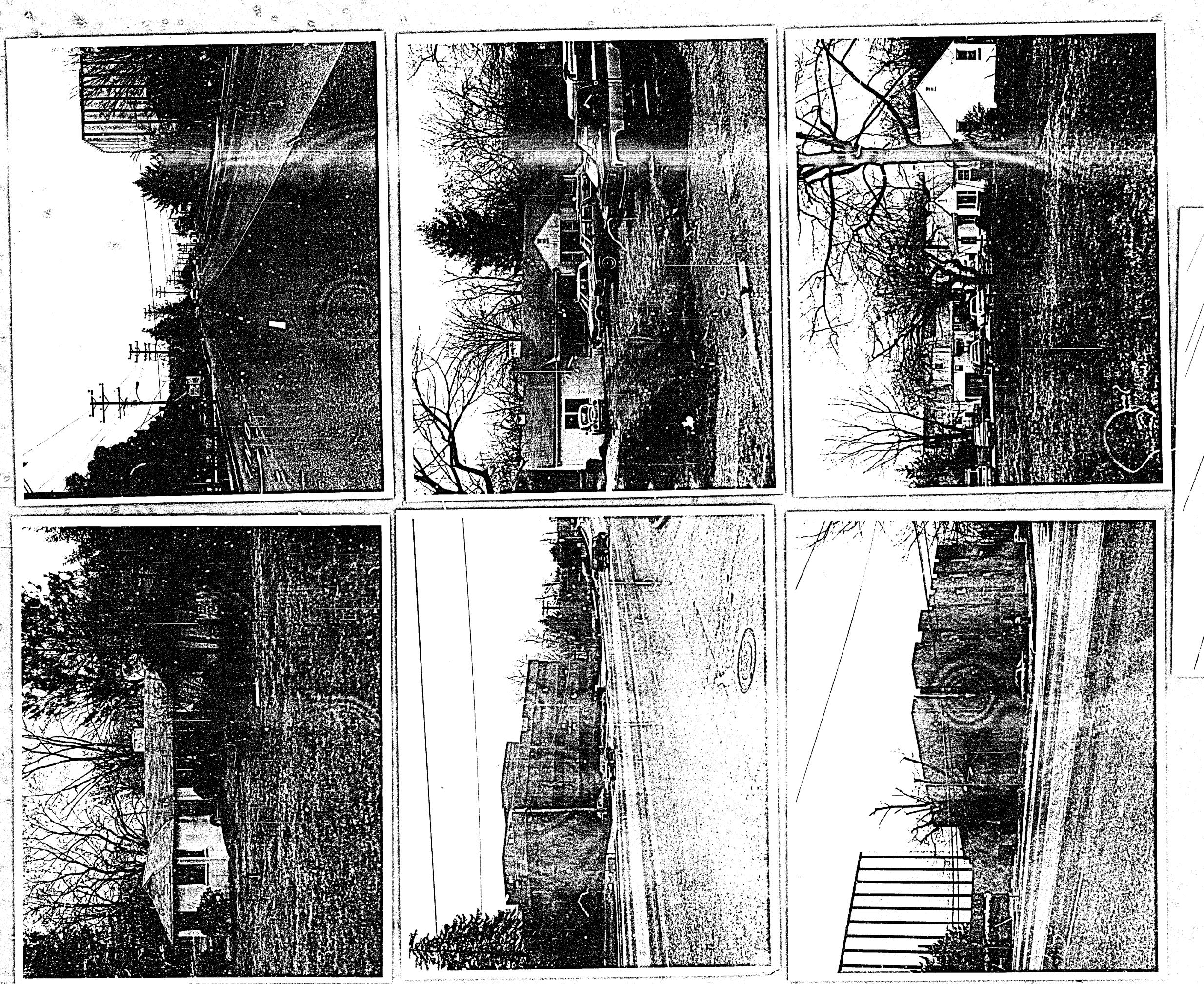
CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Location of Signe S' & corner of Josh & Cthoridge Road & Cthoridge Rt.) CERTIFICATE OF PUBLICATION TOWSON, MD., \_\_\_\_\_August\_7\_\_\_\_, 19\_85 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 7 , 19 . 85

86-88-XA











D /2

•		86-88-XA
TO THE ZONING COMMISSIONE	FOR ZONING VA! ANCE R OF BALFIMORE COUNTY:	A section and the section and
and the same of th	(s) of the property situate in Baltimore County lat attached hereto and made a part hereof, hereby	petition for a
· · · · · · · · · · · · · · · · · · ·	to permit a free standing illuminated sign	
<u> </u>	ft. (counting both sides) in lieu of the	*
	1 8 sq. ft. non-illuminated sign attached	to
of the Zoning Regulations of Baltin following reasons: (indicate hards	nore County to the Zoning Year of Dally	inty; for the
	etback from york Road a will create abardship read	31gnificant
sign witached	to the building.	ling an
·	<b>,</b>	17. Economic States
	advertised as prescribed by Zoning Regulations.	9.7 CMPanana.
	s of above Variance advertising, posting, etc., upon are to be bound by the zoning regulations and rect to the Zoning Law For Baltimore County.	filing of this estrictions of
	I/We do solemnly declar under the penalties of perjurare the legal owner(s) of which is the subject of this Pe	ry, that I/we
Contract Purchaser:	Legal Owner(s):	MAPI 3C
(Type or Print Name)	Gus J. Livaditis (Type or Print Name)	RECTION O
Signature	Signature ()	DISTRICT: 9 DATE 7/22/66 TYPE
Address	(Type or Print Name)	HEARING, XA
City and State	Signature	FINAL:
Attorney for Petitioner:	Aspen Mill Professional E Suite 108 54 Scott Adam Road 56	
(Type or Print Name)		Phone No.
Signature	Cockeysville, Maryland 2 City and State	21093
Address	Name, address and phone number of leg tract purchaser or representative to be	al owner, con- contacted
City and State	Johnson, Mirmiran & Jhom Name	pson_P.A.
Attorney's Telephone No.:	Address	Phone No.
	Baltimore, Maryland 21 nmissioner of Baltimore County, this24tb	dov
out Baltimore County that property	that the subject matter of this petition be ac innore County, in two newspapers of general circulat be posted, and that the public hearing be had before in Properties.	ion through-
County on the 28th	in Room 106, County Office Building in Towson  day ofAugust, 1985, at 10	A Baltimore
S A S S		
Ta Can	Call Jable	
LINIS C	Zoning Commissioner of Baltim	ore County.
To the second se	(over)	· ·
₩ <b>\</b>		; ;
DATE.		, 1 1 2
		man and the control of the control o

PETITION FOR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Class "B" office building in an R-O zone as per\_Section\_203.3.B.2\_ Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser Legal Owner(s): Gus J. Livaditis (Type or Print Name) Address (Type or Print Name) City and State Aspen Mill Professional Building Attorney for Petitioner 54 Scott Adam Road 561-1711 (Type or Print Name) \_Cockeysville, Maryland 21093 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Johnson, Mirmiran & Thompson, P.A. 810 Gleneagles Court 821-6500 Attorney's Telephone No.: Address Phone No. Baltimore, Maryland 21204 ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_24th\_\_\_\_\_ day ,  $19_{-}^{85}$ , that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore Z.C.O.—No. 1

86-88-KA

January 17, 1986

County Board of Appeals of Baltimore County Room 200 Court House (Hearing Room #218) Towson, Maryland 21204 (301) 494-3180

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIEN REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONE-MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL \$59-79

CASE NO. 86-88-XA

GUS J. LIVADITIS

SW/corner York and Othoridge Rds.

9th District

SE-Class B office building in RO zone VARIANCE-30' non-illuminated sign in lieu of permitted 8 sq. ft. non-illuminated sign

THURSDAY, APRIL 10, 1986, at 10 a.m.

People's Counsel for Balto. County

11/20/85 - DZC's Order-GRANTED w/restrictions

ASSIGNED FOR:

Petitioner

Keith E. Ronald, Esq. Counsel for Petitioner

Ruth Walker

Protestant

Mary Ginn

cc: Gus J. Livaditis

Eric Rockel

Johnson, Mirmiran & Thompson, P.A.

Phyllis C. Friedman

Norman E. Gerber

James Hoswell

Arnold Jablon

Received by:

Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

Towson, Maryland 21204

Your petition has been received and accepted for filing this

111 W. Chesapeake Avenue

Petitioner Gus J. Livaditis

day of July

cc: Johnson, Mirmiran & Thompson, P.A.

Petitioner's

Attorney

June Holmen, Secretary

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITT	
112 113 111 OOM MIT	EI
August 16, 1985	

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave.

MEMBERS

Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Development

Zoning Administration

State Roads Commission

Engineering

Mr. Gus J. Livaditis Aspen Mill Professional Building Suite 108, 54 Scott Adam Road Cockeysville, Maryland 21093

> RE: Item No. 393 - Case No. 86-88-XA Petitioner - Gus J. Livaditis Special Exception and Variance Petitions

Dear Mr. Livaditis:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petitions. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

It should be noted that the petition was amended after it was accepted for processing to add a sign variance. Also, the layout and size of parking spaces were changed.

These positions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, Zoning Plans Advisory Committee

JED:nr

Enclosures

cc: Johnson, Mirmiran & Thompson, P.A. 810 Gleneagles Court Baltimore, Maryland 21204

BALTIMORE COUNTY, MARYLAND

SUBDIVISION REVIEW COMMENTS DATE: Julu 16, 1985 Edward A. McDonough, P.E., Chief Developers Engineering Division PROJECT NAME: Livaditis Professional Center PROJECT NUMBER: 85160 York Road and Orthoridge Road LOCATION: DISTRICT:

The Plan for the subject site, dated June 3, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer is responsible for the full cost of all highway and storm drain

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, after which a Building Permit may be approved.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manhole;, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

. The Plan is satisfactory pending conformance with the following comments. HIGHWAY COMMENTS:

The Developer shall be responsible for the relocation of any utilities or poles as required by the road improvements.

Livaditis Professional Center *Project # 85160* July 16, 1985 Page 2

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way. "Special attention is called to the fillet (required) at the intersection of York Road and Orthoridge Road".

The entrance locations are subject to approval by the Department of Traffic

Commercial entrances shall be a minimum of 24' and a maximum of 35' feet wide. Depressed curb is to be used with no curb returns to the property line.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services, Attention: Mr. C. E. Brown, 494-3321.

Ramps shall be provided for physically handicapped persons at all street

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5' wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent une cumbered area.

Screening shall be placed so as to provent headlights within the parking areas from interfering with the traffic on the adjacent road.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

The Developer 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.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Caralogar's restance. hility. However, a drainage area map, scale l"=200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

Livaditis Professional Center Project # 85160 July 16, 1985 Page 3

The Developer 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 Developer.

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.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 13-85) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year and 10-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1984 Baltimore County Storm Water Management Policy and Design Manual adopted September 11, 1984. A sediment control plan is required.

Storm water management 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

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

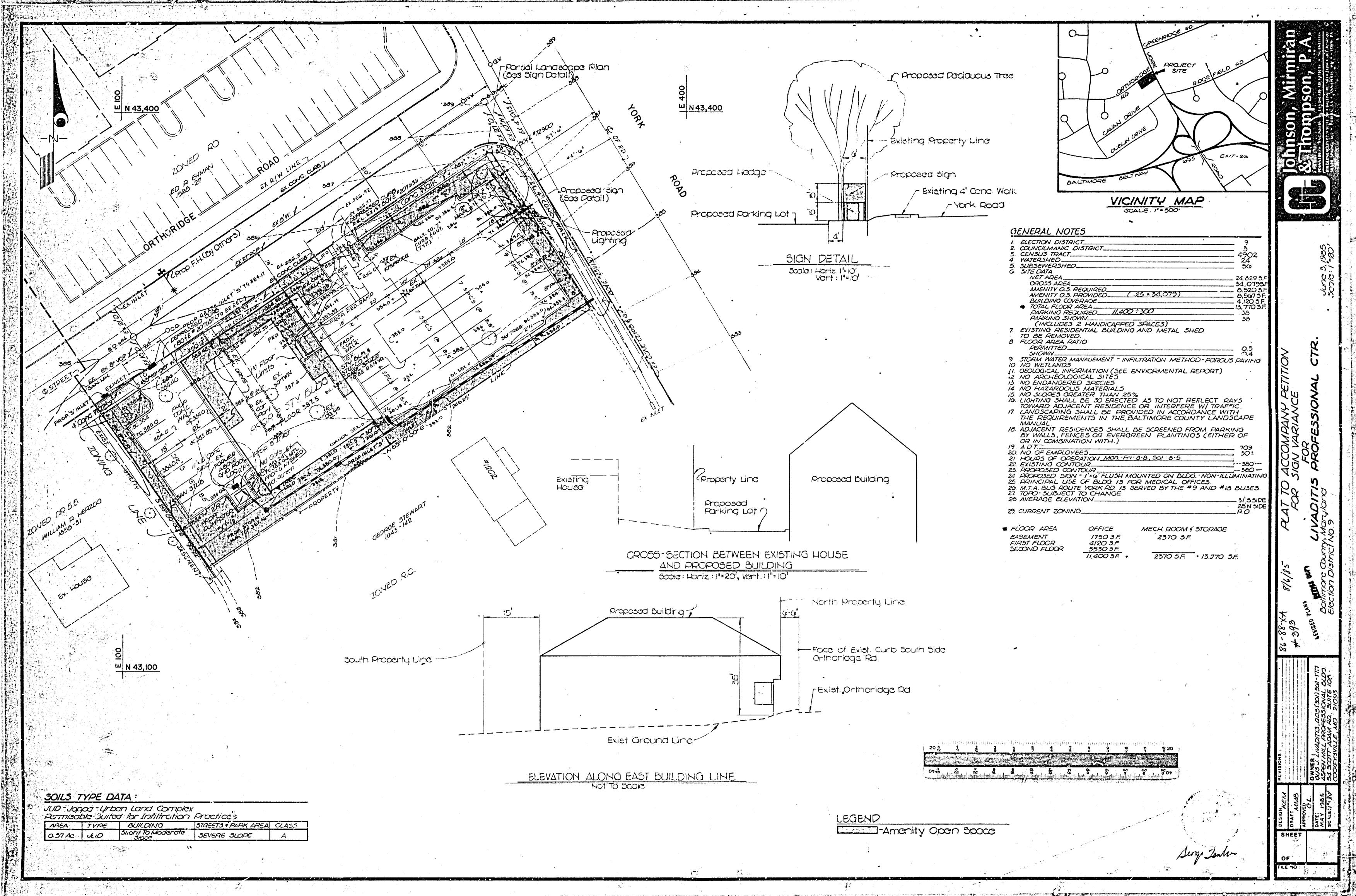
Permitsion to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

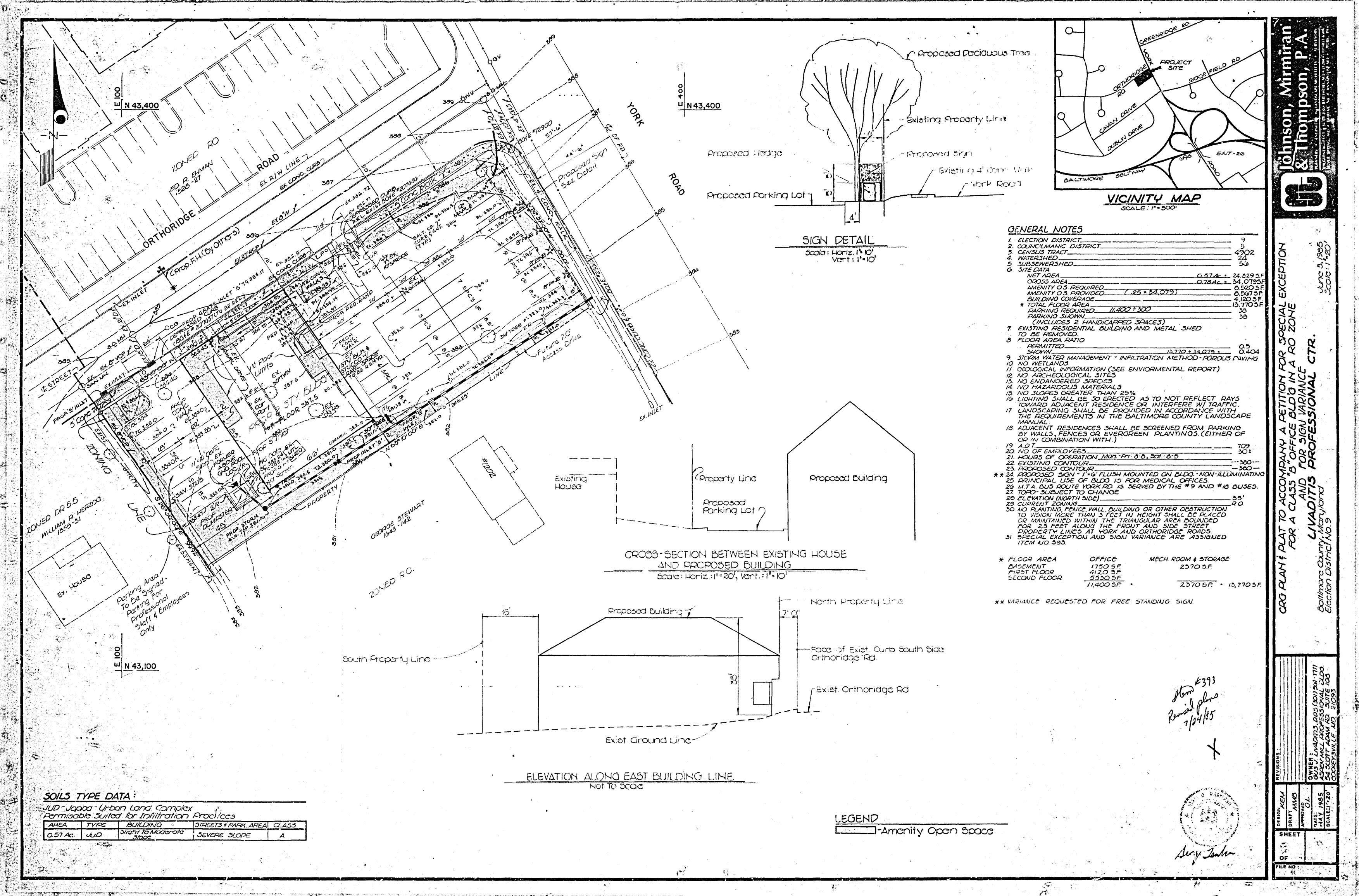
The Developer is responsible for the cost of capping or plugging any existing house connection not used to serve the proposed site.

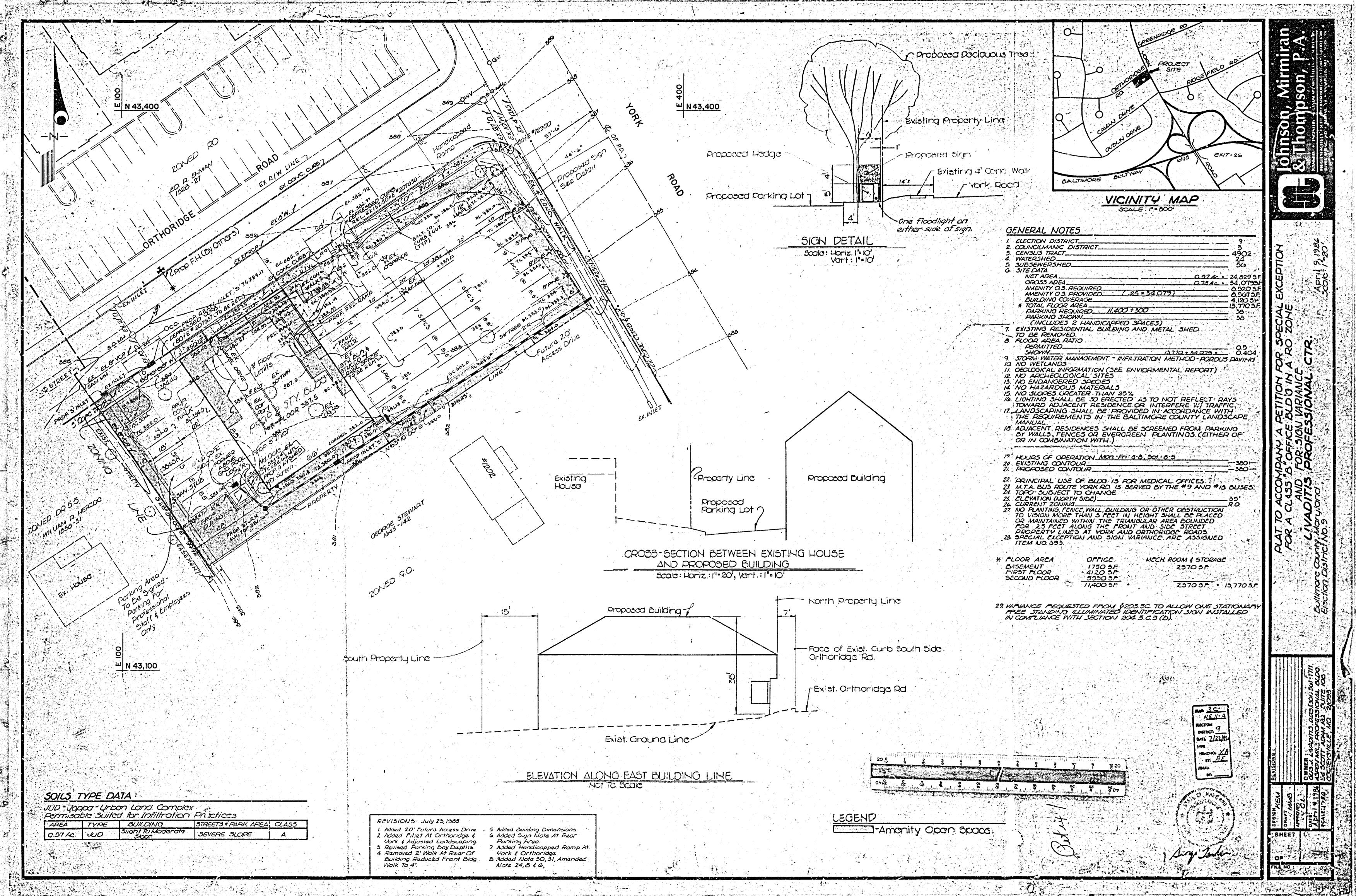
Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sever may be obtained from the Department of Permits and Licenses.

This property is subject to Water and/or Sewer System Connection Charges

Marin .







Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not eversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS OUDERED by the Zoning Commissioner of Baltimore County, this -, 19 -, that the herein Petition for Variance(s) to permit

Same and the second of the second of the second

Livaditis Professional Center Project # 85160 July 16, 1985

> The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

Onsite private water mains with fire hydrants shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards, Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Edward A. McDonough, P.E., Chief Developers Engineering Division

EAM:REC:mm

110110712125

CRG MEETING OF JULY 10,1985 LIVADITIS PROFESSIAMEN CONTER

1. Infiltration using porous paving to proposed for S.W.M. The soils report indicates that infiltration is feasible, however, care must be take to insure that the bottom of the parement subbase is not in fill that it it is at least 4' above nock. Also, no infiltration device may be with 50' of "1204 York Road if tr' structure has a basement.

. . . . . . .

COASTAL CRITICAL AREA COMMENTS:

July 8, 1985

Mr. J. Markle, Chief Bureau of Public Services County Office Building Towson, Maryland 21204

Re: CRG Meeting of 7-18-85 "Liuaditis Professional Center" W/S York Rd., Route 45 @ Orthoridge Road

Dear Mr. Markle:

On review of the submittal of May 1985 and field inspection, the State Highway Administration finds the plan generally acceptable with all access to the site by way of Orthoridge Road.

We (State Highway Administration) recommend a Handicap Ramp be constructed at the York Road and Orthoridge Road Intersection with sidewalk reconstruction.

With the proposed storm drain system along the south side of the property making a direct connection to the State storm drain system, the State Highway Administration will require the developer to provide approved Baltimore County storm drain plan to State Highway Administration Hydraulics for review and effects on the State System.

> Very truly yours, Ohend Ra Charles Lee, Chief Bureau of Engineering Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle√

ZONING OFFICE

My telephone number is (301) 659-1350Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: July 18, 1985

PROJECT NAME: LIVADITIS PROFESSIONAL CENTER DEVELOPMENT PLAN: 8 Othoridge Road 9th Election District

The following comments were written on the C.R.G. plan dated June 3, 1985.

1. A Special Exception for a Class B Office Building in an R.O. zone, Item 393 was filed on 6/12/85 with this office. If a free-standing sign is proposed, a Variance will be required from Section 203.3.C. of the Baltimore County Zoning Regulations. Petition forms and amended site plans showing an elevation drawing of the proposed sign, its dimensions, square footage, lettering and location must be submitted to the Zoning Office. If CRG approval occurs, final approval of any building permits will be contingent upon the outcome of that hearing.

2. The following revisions must occur on the plan prior to CRG approval.

a. In the general notes, Site Data, how the required amenity open space was calculated should be shown, i.e.  $34,079 \text{ sq.ft.} \times .25 = 8520 \text{ sq.ft.}$ Note the site area (gross and net) in terms of acreage as well as square footage.

Note 8 should indicate how floor area ratio was determined, i.e.,

c. Note 24 concerning the proposed sign should reflect the Variance request for a free-standing sign, if it is proposed. An elevation detail showing the height, dimensions and lettering on the freestanding sign should also be added to the plan. The location of the proposed free-standing sign should be shown on the plan. It should be noted that Section 102.5 of the Baltimore County Zoning Regulations states that on a corner lot in a residential zone, no planting, fence, wall, building or other obstruction to vision more than 3 feet in height shall be placed or maintained within the triangular area bounded for 25 ft. along the front and side street property lines. If this requirement cannot be met, a Variance may be requested from this

d. All areas included as amenity open space must be clearly indicated on the plan. It appears that the overhang areas for parking spaces have been included in the a.o.s. If this is the case, then there may be insufficient a.o.s. provided. In order to be included as a.o.s., areas that abut parking may be 7 ft. in width, areas which do not must be 10 ft. in width.



JULY 30, 1985

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Zoning Advisory Meeting of JUNE 25, 1985

Item # 393
Property Owner: GUS J. LIVADITIS
Location: SW/COR. YORK RD.+

ORTHORIOGE RD.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

(X)There are no site planning factors requiring comment.

( )A County Review Group Meeting is required.
(X)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. )A record plat will be required and must be recorded prior to issuance of a building permit. )The access is not satisfactory. )The circulation on this site is not satisfactory.

)The parking arrangement is not satisfactory. IThis property contains sails which are defined as wetlands, and development on these soils is prohibited. )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development

Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
)The amended Development Plan was approved by the Planning Board (X)Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve

Capacity Use Certificate has been issued. The deficient service )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

are re-evaluated annually by the County Council. THE CRG PLOW# TX-46/ (LIVADITIS PROFESSIMAL CTR) WAS APPROVED ON 7/18/85, PLOW APPROVED EXPIRES ON 7/18/88

Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS FROM: OFFICE OF PLANNING AND ZONING

DATE:	July	17,	198

PROJECT NAME: Livaditis Professional Center COUNCIL & ELECTION DISTRICT IX-461 PLAN EXTENSION REVISED PLAN

The Office of Planning has reviewed the subject plan dated June 3, 1985 and has the Following comments:

The following is required in order for the CRG to review for compliance with the provisions of Saction 22-104. Section 22-104 states:

II. Requirement for development of R-O property. The following objectives are as stated in Section 22-104, Baltimore County Development Regulations.

DEVELOPMENT OF PROFERTY IN AN R-O ZONE SHALL BE DESIGNED TO ACHIEVE:

PLAT

Compatibility of the proposed development with surrounding uses: Tree preservation; Protection of watercourses and bodies of water from erosion and siltation;

Safety, convenience and amenity for the neighborhoods.

A cross section is required from the proposed building to the neighboring house on Orthoridge Road. The cross section will show the relationship of the new development to the existing residences.

The rear parking area should be limited to and signed for professional staff and employees only due to the small size and the proximity to the adjacent existing dwelling.

The parking spaces in the rear lot must be 18' in length and must not overhang into the 8' landscape area.

Additional detail is needed for the 8' landscape area between the proposed building and the right-of-way of Orthoridge Road. The plan is not clear as to whether the required 8' planting area can be provided.

The plan should show a future 20' access drive to the Stewart Property. This access drive would be required to be provided at the time of addition or expansion of the development on the Stewart Property. Further, the existing driveway on the Stewart Property will need to be closed at that time and all access provided from Orthoridge Drive. This plan shows a future access

No conflict W/ transportation element of Master Plan

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

EUGENE A. BOBER, Chief

GENERAL COMMENTS:

HISTORICAL COMMENTS:

ENVIRONMENTAL COMMENTS:

TRANSPORTATION COMMENTS:

LOS COMMENTS:

TO Office of Planning and Zoning

FROM Office of Planning and Zoning

Current Planning and Development Div.

Comprehensive Planning Division

SUBJECT CRG Comments on LIVADITIS PRO CENTER

No historic or archaeological sites .-- J. McGrain 700

RALTIMODE COUNTY	DETERMINATION CONTINUE AND CONT	=	7-17-85 Late
BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550	BALTIMORE COUNTY, MARYLAND  INTER-OFFICE CORRESPONDENCE	Mr. Brooks Stafford Environmental Effects Report <u>LIVADITIS PROFESSION</u> AL CENTER (Name)	COUNTY REVIEW GROUP COMMENTS ON PROPOSED SUBDIVISION PLANS BALTIMORE COUNTY DEPARTMENT OF HEALTH
STEPHEN E. COLLINS	Mr. Brooks Stafford, Director	Page Two	LIVADITIS PROFESSIONAL CENTER
June 25, 1985	TO Environmental Support Services Date LLY 15 1985	1. The developer must follow the Health Department Wetland Guidelines.	Subdivision Name, Section and/or Plat
Mr. Arnold Jablon	FROM PLOTT Waste and Water Quality Management	2. (Other)	Developer and/or Engineer Johnson Mirmiran + Thompson
Zoning Commissioner County Office Building	SURJECT ENVIRONMENTAL EFFECTS REPORT LIVADITIS PROFESSIONAL CIR.		Watershed No. of Lots Total Acreage Rublic Public Sewer
Towson, Maryland 21204	CRG MEETING / 18. 1985 /1:00 (Time)	C. BEST MANAGEMENT PRACTICES  1. All areas except that used for buildings, sidewalks and	or Units
Item No. 393 -ZAC- Meeting of June 25, 1985 Property Owner: Gus Livaditis	PLAN REVIEW NOTES	paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.	COMMENTS ARE AS FOLLOWS:  Soil percolation tests are required; a minimum of two test are required within
Location: SW/Cor. York Road and Orthoridge Road Existing Zoning: R.O. (CRG)	1. Medical Building proposed on 0.57 nere lot.	2. Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through	information regarding these requirements, contact this office at 494-2762.
Proposed Zoning: Special exception for a Class B Office Building	(Describe Site)	October, concurrent with grass mowing; November through April, monthly.	Soil percolation test have been conducted. Revised plans, must be submitted prior to approval of plat, are not required and the plat can be approved as submitted. Contact this office for more complete information,
	2. Public water and public sewer is proposed.	3. Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.	1 73-2702.
Acres: 34,079 sq.ft.	. 3. No streams on site.  (Describe streams on-site)	4. Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative	Public sewers, public water, must be utilized and/or extended to serve the property.
District: 9th		Extension Service.	A Hydrogeological Study and Environmental Effects Report for this subdivision,  must be submitted, are not required, is incomplete and must be revised, has/have been reviewed and approved.
Dear Mr. Jablon:	5. Na wettend soils on site.	5. Filling will not occur in grassed or lined drainage ditches or swales.	A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with
Item #393 is a C.R.G. Item.	(Describe wetland soils on-site)	6	I made resources relativistration as part of the permit process.
· ·	Milesteren.	***	It is recommended the plan, be approved as submitted, be approved as submitted subject to the following conditions noted: the approved as mum_ drill 7-15-85
	6. Storm Water Management required.		It is recommended this plan not be approved at this time. See revisions and/or
Michael S. Flanigan	7. <u>0.51 acrec</u> proposed impervious area.		comments. (Comments: See revisions and/or REVISIONS AND/OR COMMENTS:
Traffic Engineering Associate II	RESPONSES	:pms	
MSF/ccm	The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.		
	The Environmental Effects report is approved, subject to the following checked items/conditions.		
	A. No development is allowed in		
	(soil/name & symbol)		
	B. A revised site plan indicating no development in must be submitted.		
			SS 783R
DEPARIMENT OF TRAFFIC ENGINEERING	BALTIMORE COUNTY, MARYLAND		
TO: Mr. James & Martin		BALTIMORE COUNTY, MARYLAND	BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500
FROM : C. Richard Moore	INTER-OFFICE CORRESPONDENCE	SUBJECT: SUBDIVISION REVIEW COMMENTS  Date: July 5, 1985	494-4500 MARTEAND 21204-2588
SUBJECT: C.R.G. Comments	TO Sy Benson  June 3, 1985  Date	FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU	PAUL H. REINCKE CHIEF July 2, 1985
PROJECT NAME: Lincoln D. C.	FROMCharles K. Weiss	Captain Joseph Kelly  FROJECT NAME: Livaditis Prof. Center	Mr. Arnold Jablen
PROJECT NAME: Livatitus Professional Center C.R.G. PLAN: X PROJECT NUMBER & DISTRICT:	Livaditis Frofessional CNTR. York & Orthoridge Roads SUBJECT	PROJECT NUMBER: CRG Agenda 7-18-85 11:00 AM	Zoning Commissioner Office of Planning and Zoning  Baltimore County Office Building
ICCATION: York Road	CRG 7/18/85	LOCATION: York and Othoridge Roads DISTRICT: 9  CONDENTS	Towson, Maryland 21204
RECORD PLAT:	Dumpster site is acceptable as to size & location.		Attention: Nick Commoduri, Chairman Zoning Plans Advisory Committee
		(x) 1. Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.	SE: Froperty Owner: Gus J. Livaditis
The amaza at the second se		() 2. Fire flow test is required to be conducted by the Baltimore City Water Dept. on as close to proposed site as possible. Test results are to be forwarded to the office of the Fire Protection Engineer.	Location: S/W cor. York Road and Orthoridge Road
The proposed building and supporting structures and landscaping should be set back at least 10ft. from the edge of paving.		() 3. Proposed panhandle driveways must be a minimum of 16 feet in width and of a hard surface capable of supporting emergency apparatus, weighing 50,000	Item No.: 393 Zoning Agenda: Meeting of June 25, 1985 Gentlemen:
,		pounds on two axles.  ( ) 4. Access road shall be posted with Fire Lane signs along its entire length.	Fursuant to your request, the referenced property has been surveyed by this
$ \sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$	CKW/rab	() 5. Standard cul-de-sac or t-turnaround shall be provided at deadend street near	Sureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.
C. Richard Moore	CITAL LAG	() 6. All roads shall have a minimum width of 20 feet.	(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in
Deputy Director of  CRM/GMJ/ccm  Traffic Engineering		() 7. Driveways in excess of 300 feet shall have standard cul-de-sac or t-turnaround. () 8. Maximum angle of departure (grade percentage) shall not exceed % per NFPA	located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
0.0 7 Gray C (m)		fire apparatus from gaining access to the site.	( ) 2. A second means of vehicle access is required for the site.
· · · · · · · · · · · · · · · · · · ·		W /Y\ O Cubmatation to a man and a contract to the contract to	
Cic 7 GELS7 CCm		(x) 9. Submitted site plan fails to indicate proposed fire hydrant spacing at feet intervals in accordance with Baltimore County Standard Design Manual.	( ) 3. The vehicle dead end condition shown at
on y Gray eem		()10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to	( ) 3. The vehicle dead end condition shown at
ole 7 Gray eem		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCEEDS the maximum allowed by the Fire Department.  ( ) 4. The site shall be made to comply with all applicable parts of the
Cic 7 GHS/ CCB		()10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while cond	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.
ole 7 Gris7 Cem		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.
CIC 7 GELS / CCIN		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCESS 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.
GR 7 GPS 7 GCR		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCESS 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.
Cit / Grad/ CCm		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.
GL 7 OLLY CER		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.

DAVID A. WILSON

W. LEE THOMAS, P. A. ATTORNEYS AT LAW SUFFE 314 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

AREA CODE 3GI

The second secon

Mrs. Jean H. Jung Deputy Zoning Commissioner for Baltimore County Room 105 County Office Building 111 W. Chesapeake Street Towson, Maryland 21204

> Re: Petitions for Special Exception and Variance -- SW Corner of York and Othoridge Roads Gus J. Livaditis, Petitioner Case No. 86-88-XA

Dear Krs. Jung:

On behalf of my client, Dr. Gus J. Livaditis, I am obligated to bring to your attention that it has now been some sixty days since a hearing was held on the above and that we are anxiously awaiting your decision in the matter.

I would also take this opportunity to inform you that a hearing before the Board of Appeals has been scheduled for January 7, 1986, to review the CRG approval granted to Dr. Livaditis. In the event an appeal were to be taken from your opinion, the most efficient use of every participant's time and efforts (especially those of the various County agencies involved) would be to consolidate the issues into one hearing. As you are aware, however, in order to keep this option available, it would be necessary for an order to issue from your office within the next two to three weeks.

All of us who work with the Zoning Office recognize and appreciate the workload and staff limitations you have to deal with. In light of all the factors I have mentioned, however, I would respectfully request that you render an opinion at your earliest convenience.

cc: Dr. Gus J. Livaditis Mrs. Ruth D. Walker, President

PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE SW Corner York & Othoridge Rds.

 BEFORE THE ZONING COMMISSIONER

(8 Othoridge Rd.), 9th District \* OF BALTIMORE COUNTY

GUS J. LIVADITIS, Petitioner

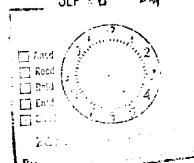
\* Case No. 86-88-XA

# ENTRY OF APPEARANCE

Please enter the appearance of Keith E. Ronald, Esquire in the above-captioned matter as counsel for the Petitioner, Dr. Gus J. Livaditis. Please forward notices of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order to my attention.

> Keith E. Ronald, Esquire Suite 314 409 Washington Avenue Towson, Maryland 21204 301-296-6777

I HEREBY CERTIFY that on this \_\_\_\_\_ September, 1985, a copy of the foregoing Entry of Appearance was mailed to Peter Max Zimmerman, Esquire, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.



9th Election District

LOCATION:

Southwest corner of York and Othoridge Roads (8 Othoridge Road)

Wednesday, August 28, 1985 at 10:45 a.m.

DATE AND TIME:

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception for a Class "B" office building in a R.O. zone and Variance from Section 203.3.C to permit a free-standing illuminated sign of 60 sq.ft. (counting both sides) in lieu of the permitted 8 sq.ft. non-illuminated sign attached to the building.

Being the property of Gus J. plan filed with the Zoning Office. Gus J. Livaditis , as shown on plat

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON

> > BALTIMORE COUNTY
> > OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZONI TOWSON MARYLAND 21204

> > > arnold jablon ZONING COMMISSIONER

> > > > Gus J. Livaditis

54 Scott Adam Road

Cockeysville, Maryland 21093

Suite 108

Aspen Mill Professional Building

Re: Petitions for Special Hearing and Variance SW/corner of York and Othoridge Roads (8 Othoridge Road) - 9th Election Dist. Gus J. Livaditis, Petitioner Case No. 86-88-XA

Dear Mr. Livaditis:

This is to advise you that \$73.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

August 20, 1985

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office Poor 117-6 y Office Building,

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

No. 012630

Johnson, Mirmiran and Thompson, P.A. PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

### LIVADITIS PROFESSIONAL CENTER

Metes and Bounds Description of a parcel of land lying and being in the Ninth Election District of Baltimore County, Maryland and described in accordance with a plan made by Johnson, Mirmiran and Thompson, P.A. in June 1985 said plat of survey entitled "CRG Plan and Plat To Accompany Petition For Special Exception".

BEGINNING for the same at the corner formed by the intersection of the southwest side of the York Road with the southeast side of a fifty food road heretofore laid out in a deed dated December 6, 1940, and recorded among the Land Records in Baltimore County in Liber C.W.B. Jr. No. 1143, folio 1, which was conveyed by the Ridgely Land Company to J. Hall Aiken, Jr. and wife, said place of beginning being distant South twenty-four degrees thirty-seven minutes east fifty and five one-hundredths feet (S 24 37' E 50.05') from the beginning of the third line of said parcel of land; and running thence and binding on the southeast side of said fifty foot road, with the right and use thereof in common with others entitled thereto, (1) South sixty-three degrees ten minutes west (S 63° 10' W) running parallel with and distant fifty feet southeasterly measured at right angles from said third line, two hundred fifty and twelve one-hundredths feet (250.12'); thence leaving said Road and running for lines of division the two following courses and distances, viz: (2) South twenty-six degrees fifty minutes east ninety-nine and ninety-two one-hundredths feet (S 26° 50' E 99.92') and (3) North sixty-three degrees ten minutes east two hundred forty-six and twenty-five one hundredths feet (N 63 10' E 246.25') to the southwest side of the York Road; and thence binding on the southwest side of said Road, (4) North twenty-four degrees thirty seven minutes west one hundred feet (N 24° 37' W 100') to the place of beginning. Containing fifty seven one-hundredths (.57) acre of land, more or less. The improvements thereto being known as 1206 York Road.

BEING the same property which by a Deed dated August 24, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3002, folio 89 was granted and conveyed from Neal I. Bohn and Betty Lou Bohn, his wife, to Gordon V. Deitz and Sallie A. Deitz, his wife, the above named Grantors.

SAVING AND ACCEPTING therefrom all that property described in a Deed dated June 7, 1961 from the Grantors herein unto the State Roads Commission of Maryland acting for and on behalf of the State of Maryland which Deed is recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3855 folio 231.

6 Westbury Road Lutherville, Maryland 21093

December 19, 1985

Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Petition for Special Exception and Variance Case No. 86-88-XA

Dear Mr. Jablon:

FOR PROMAL THE FOR Case No. 86-86-14

8 72800001100013 22321

VALIDATION OR SIGNATURE OF CASHIER

Gus J. Livaditis

54 Scott Adam Road

Cockeysville, Maryland 21093

Suite 108

On behalf of the Orchard Hills Community Association, I am herein appealing the decision of the Deputy Zoning Commissioner, Ms. Jean M. H. Jung, in regard to the Special Exception for a Class B Office Building and the Variance for a 30 square foot sign as set forth in her Order of November 20, 1985.

It is the community association's position that this Order would injure the general welfare and safety of the community, is not in keeping with zoning regulations, and was not objective in its finding.

Enclosed herein is a check for \$1 0.00 to cover the cost of this appeal.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT ker, President Hills Community Association

RECEIVED Cronword Hills Community Association

July 26, 1985 Aspen Mill Professional Building

> NOTICE OF HEARING RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE SW/corner Of York & Othoridge Roads (8 Othoridge Road) - 9th Election Dist.

TIME:	10:45 a.m.
DATE:	Wednesday, August 28, 1985

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

Avenue, Towson, Maryland

409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

W. LEE THOMAS, P.A. SUITE \$14

-

ZONING COMMISSIONER OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER PETITION FOR VARIANCE SW Corner York & Othoridge Rds.: OF BALTIMORE COUNTY (8 Othoridge Rd.), 9th District

GUS J. LIVADITIS, Petitioner Case No. 86-88-XA

# ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

People's Counsel for Baltimore County

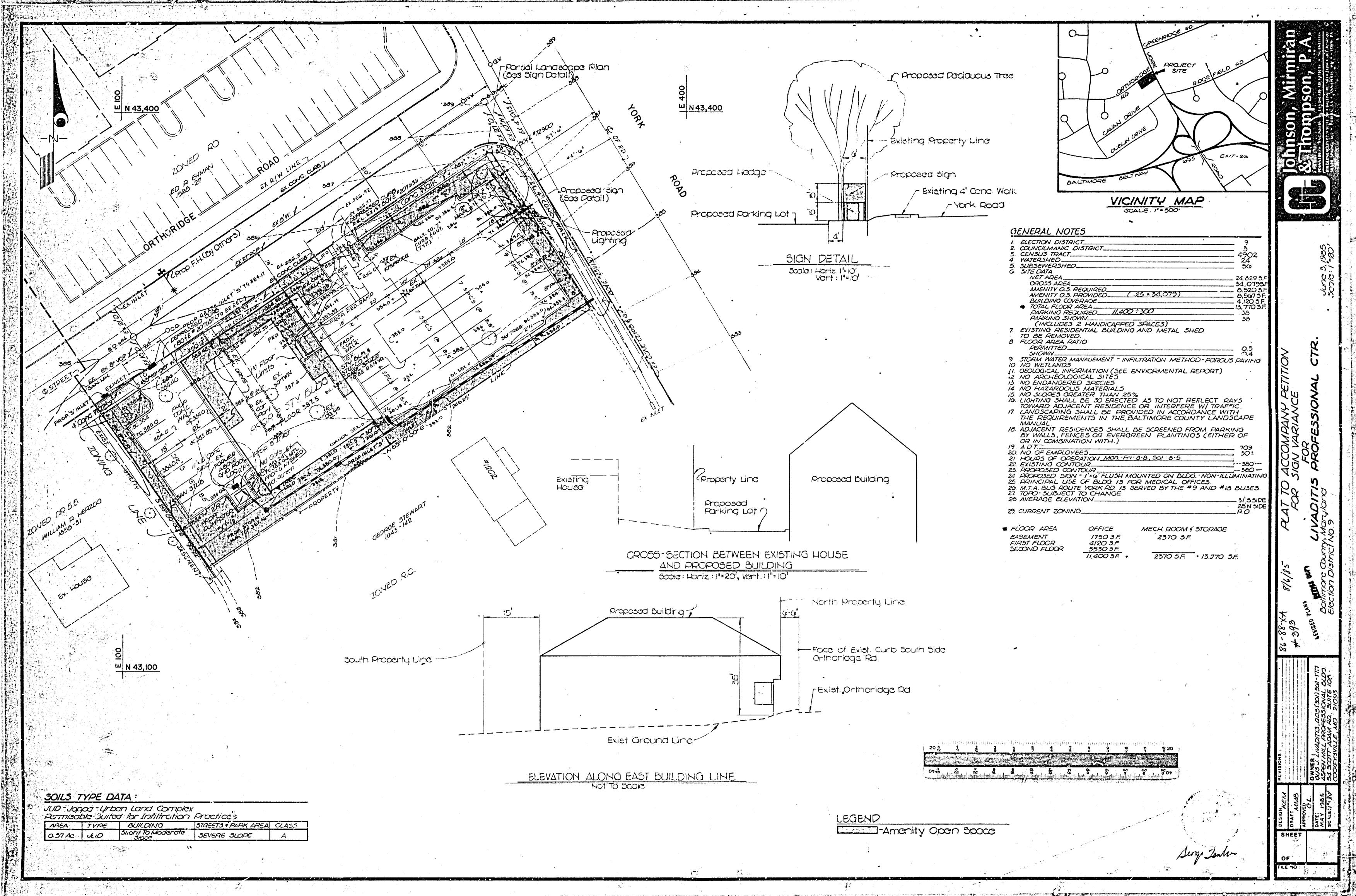
Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 31st day of July, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Gus J. Livaditis, Aspen Mill Professional Bldg., Suite 108, 54 Scott Adam Rd., Cockeysville, MD 21093, Petitioner; and Johnson, Mirmiran & Thompson, P.A., 810 Gleneagles Ct., Towson, MD 21204, who requested notification.

Peter Max Zimmerman

BOITMENSON'S CIE Clief

VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES BALTIMORE COUNTY, MARYLAND TOWSON, MARYLAND 21204 July 18, 1985 W. LEE THOMAS, P. A. INTER-OFFICE CORRESPONDENCE 494-3610 ATTORNEYS AT LAW SUME 314 409 WASHINGTON AVENUE TED ZALESKI, JR. 6 Westbury Road DAVID A. WILSON KEITH E. RONALD AREA CODE 301 TO Catherine Warfield, C. R. G. TOWSON, MARYLAND 21204 Lutherville, Maryland 21093 FROM C. E. Eurnham, Chief, Building Plans Review ( , 5, ) December 26, 1985 December 19, 1985 Mr. Arnold Jablon, Zoning Commissioner SUBJECT Livaditis Professional Center
District 903 York and Orthoridge Road Office of Flanning and Zoning Mr. William T. Hackett, Chairman Board of Appeals of Baltimore County Zoning Commissioner Comments on Item # 393 Zoning Advisory Committee Meeting are as follows: County Office Building Room 220, Court House 1) The proposed structure shall comply with the following Codes: Froperty Owner: Gus J. Livaditis Towson, Maryland 21204 Towson, Maryland 21204 SW/Cor. York Road and Orthoridge Road B.O.C.A. Basic National Building Code 1984 Districts Re: Livaditis Professional Center Re: Petition for Special Exception B.O.C.A. Basic Mechanical Code 1984 Appeal From Order of Deputy Commissioner and Variance APPLICABLE ITEMS ARE CIRCLED: B.O.C.A. Basic Energy Code 1984 Granting Special Exception Case No. 86-88-XA All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards. Baltimore County Council Bill #17-85 Case No. 86-88XA Dear Mr. Jablon: Also, the current National Electric Code, the 1973 Edition of the Dear Mr. Hackett: (2) A but ing and other miscellaneous permits shall be required before the start of any construction, Baltimore County Plumbing and Gas Fitting Code and the Maryland On behalf of the Orchard Hills Community Association, State Regulation .05.01.07 and A.N.S.I. Standard All7.1 - 1980. This will serve to confirm my telephone conversation I am herein appealing the decision of the Deputy Zoning Commis-C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. with June Holmen on December 23, in which I was informed sioner, Ms. Jean M. H. Jung, in regard to the Special Exception that the Board was unable to grant my request for a for a Class B Office Building and the Variance for a 30 square 2) Separate permits for building, razing, paving and various other Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable. consolidation of the above referenced appeal with that foot sign as set forth in her Order of November 20, 1985. site improvements are required. scheduled for January 7, due to the fact that your office had not received the Zoning Office's file as of this day It is the community association's position that this E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. and accordingly, could not comply with the ten day rule for notice to the necessary parties. Order would injure the general welfare and safety of the community, is not in keeping with zoning regulations, and was not objective in its finding. CEB/vw I would appreciate your scheduling the zoning appeal as soon as possible, preferably on the date of any future F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table h01 and 505 and have your Architect/Engineer contact this department. Enclosed herein is a check for \$100.00 to cover the postponements or dismissals of other matters currently cost of this appeal. pending before the Board. My client, who obtained CRG approval in July and went before the Deputy Zoning G. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore Commissioner last August, is anxious to complete the County approval process and commence construction. Any assistance your office might be able to provide in H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use or See Section 312 of the Building Code. expediting this already too drawn out procedure would be Ruth Walker, President greatly appreciated. Orchard Hills Community Association Thank you for your assistance in this matter. RW:cem I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement. very truly yours. Enclosure SPECIAL NOTE: (J.) Comments: The number of stories shall be determined by Section 501.3. If it is determined this structure is 3 stories, a handicapped elevator could be required. See Section .05.01.07.06 of State Regulations. Show signs, curb 'uts, etc. as Keith E. Ronald required by State Code and A.N.S.I. -All7.1 - 1980 dealing with access and useability by the Handicapped.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office building at 111

W. Chesapeake Avenue, Towson, Maryland 21204. cc: Dr. Gus J. Livaditis Mrs. Ruth D. Walker, President Thomas J. Bollinger, Esquire BY: C. E. Burnham, Chief
Building Plans Review 0 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING RE: PETITIONS FOR SPECIAL EXCEPTION \* TOWSON, MARYLAND 21204 the following restrictions: AND VARIANCE Testimony by the Protestants indicated that they believe that the use of SW/corner of York and Othoridge \* DEPUTY ZONING COMMISSIONER 1. Staff and employees only shall park in the rear. Roads (8 Othoridge Road) the existing house as an office would be a R.O. use compatible to the ARNOLD JABLON JEAN M. H. JUNG 9th Election District OF BALTIMORE COUNTY ZONING COMMISSIONER 2. The preferences of the adjacent property owner shall be DEPUTY ZONING COMMISSIONER neighborhood and that the proposed building is too large for the lot. They are considered by Current Planning prior to its approval of Gus J. Livaditis Case No. 86-88-XA screening for the eight foot strip along the rear opposed to the two entrances onto Orthoridge Road where there is an existing property line. parking problem. Setbacks for existing residences facing Orthoridge Road range 3. Hours of operation shall not exceed Monday through \* \* \* \* \* \* \* \* \* \* Keith E. Ronald, Esquire Friday, 8:00 a.m. to 9:00 p.m. and Saturdays 8:00 p.m. from about 35 to 55 feet. A building with a zero foot setback on the second The Petitioner herein requests a special exception for a Class B office 409 Washington Avenue floor is not appropriate or compatible, will detract from the homogeneous nature Towson, Maryland 21204 building in a R-O zone and a variance to permit a free-standing, illuminated 4. Signage shall be limited to a 3' x 5' (30 square foot counting both sides) free-standing, non-illuminated of the neighborhood, and might set a precedent for undeveloped property in the sign of 60 square feet, in lieu of the permitted 8 square foot non-illuminated sign. No sign shall be installed on the building. RE: PETITIONS FOR SPECIAL EXarea zoned R-O. The Petitioner know the property was zoned residential when he CEPTION AND VARIANCE sign on the building. SW/cor. York & Othoridge Rds. purchased it and took a speculative risk, and, in their opinion, has not Testimony on behalf of the Petitioner indicated that the property is part (8 Othoridge Road) -9th Election District compromised with the community regarding the proposed office building. In of the heavy commercial area bordering on York Road. A Class A office building Gus J. Livaditis, Fetitioner Case No. 86-38-XA addition, there was opposition to the size, location and lighting of the sign. is located immediately to the south and a Class B office building under Dear Mr. Ronald: Pursuant to the advertisement, posting of property and public hearing, in JMHJ:bg construction is north of Orthoridge Road. The existing one-story brick and I have this date passed my Order in the above captioned matter in accordthe opinion of the Deputy Zoning Commissioner, strict compliance with the Baltiance with the attached. stucco dwelling does not provide sufficient flexibility for conversion to more County Zoning Regulations (BCZR) would result in practical difficulty or offices. The proposed brick office building, providing two stories plus base-Very truly yours, unreasonable hardship upon the Petitioner, the requirements of Section 502.1, ment, will present a low profile with a sloping roof, and, although the second BCZR have been met, and the health, safety, and general welfare of the community floor has a zero foot setback from Orthoridge Road, the first floor has a nine JEAN M. H. JUNG Députy Zoning Commissioner will not be adversely affected, and, therefore, the special exception should be foot setback designed to relieve the boxiness of the building. The State granted and the variance should be granted in part. JMHJ:bg Highway Administration required that access be to Orthoridge Road not York Road. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore Attachments Parking in the rear will be limited to staff and employees. In addition to oc-County, this 202 day of November, 1985, that the herein Petition for cc: People's Counsel cupanry by the owner, a physician, two to seven other tennants are proposed. Special Exception for a Class B office building in a R-O zone and, additionally, Ms. Ruth Walker Because of the considerable distance from the building to York Road, the Peti-6 Westbury Road Cockeysville, Md. 21093 the stition for Variance to permit a free-standing, 30 square foot non-illutioner proposes to install a free-standing, illuminated informational sign 6 minated sign in lieu of the permitted 8 square foot non-illuminated sign on the Ms. Mary Ginn inchese from the York Road property line and 36 feet south of the Orthoridge Road 506 Horncrest Road building, in accordance with the plan prepared by Johnson, Mirmiran and Towson, Md. 21204 prope so line. He will place no sign on the building. The Petitioner is of the Thompson, P.A., dated June 3, 1985, marked Petitioner's Exhibit 1, be and are Mr. Eric Rockel opinite that he has taken the community into consideration in his plans to - 3 -

Cr

\_\_\_\_\_\_\_

40

16 5 1926

**5** 

We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: Hug. 27,1985 Huy 27, 1985 Address Sane of Comy <u>Name</u> Address 1311 Malban De Juhunde 21093 29c CavaN DR 1216 Mallau dr. Letherullo Med Marc Je Ames Romanda de Felice Eorole Norman 25 CAVAN DRIVE 23 Com Dive 1511 Markey Dr & thewille Hd. 21093 12/6 Molbin Dr. Luthewill mg Orlando K Da Felice 26 Cavan Frive 1326 Burleigh Rdfath Md 21093 Short E. Springer 26 Cowan Drive 21 Cavan Dipe Comment 1326 Burle of Pd Luth Md 21093 5 Thelma M! Apringer 1214 Mallan Dr Litherville ha 34 Cavan Drive Tiolet A. Hudson 4 Sandshan Rd Lith Ind 3/093 Maccella M Fice. 36 Caron 17 Cavan Pr Mary Freeman 16 Cavan Prive Am Freeman 17 Cavan St. 1205 Kurdy St. Lutherwille 21093 1314 MALBAY DR 21093 magine C. Wood 16 Cavan Prive 7 Cavandri 1911 malla Do Sutterite 21 093 108 Brths dun Rd 21093 5 Sansbury Rd 1211 Walkay Drive Satherette 21093 21093 12 Caran Or 15 Cavan Drup Sin Phai Wi & SanosbuyRd 34 OThale Pel Futheril 31093 24 CAVAN Dr Kenne Crusia 11/2 Westbury Rd. 21093 6 Cavan Dr 145 Westeury Rd. 21093 Offiction alread Thomy Schrabulis 30 Cavan Ma Low Myus 4 Cavan Drive 4 Cavan Drive Charles My Mus Barbers Tward 3 Cavan Drew-28 Cavan DN (Asenhine M. Jacia) 27 Cavar Dr 27 Cavan Dr. 32 Cavan Dr. 32 Cavan Dr. Lutherville, 21093 35 Chilan DC Listrasula md 2193 /Eliabeth P. Schnitt Walter 7. Meyer 31 CAVAN DR butherville MD 21093 3/ Cayar DR Sutherirle, Md 2193 Elmabetha Meiser Flow Marie Mayor 8/an/85 8/20/85 8/an/85 749 6 8 9 We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: Roads as requested by Doctor Gus Livaditis: <u>Address</u> Address 1 6 Otheridge Rd Latherville William R Hergy 1 1205 Purdy Court, Luttowill md. 9-Otheridge Rd Paul Jere Clapper Mh Eugene Ar Woody 1 1204 PURPY COURT Marles R. Sysi & OTHORISEE RD. 138 Dullei Or 1203 Purdy Ct / Lutherville -Bard Ara & Horton Mary Esthe Clorker INOU PURDY COURT Office M. Esizar Prop. 502 Hellew Pd Tovan #4 INOVPURBY COURT Koler B Hetherington Cawleer The Eason Malbay 502 Helen Rd. 21204 mary Setherington 1201 Dublen CT 21093 112 Dublin Dr Othonider Opris Jackson Herriet E. Cudrens 1201 Dublin Ot 21073 123 Dublin Dr 18 Ochredos. Rd Elleworth 9 Undrews 139 Dublin Dr. 21093 T. Collenberg 132 Oublin On Otheredos Pol 21693 Ommos & Million. O Memon 23 Ollardy Ra 133 Dubli 10 109 Derblin Str. 1330 Warrel Dr. Kullandle 21093 2/093 Barbara W Funts 133 Dullan Dr. 108 Dully Dr 21093 1) 13 MALBAY DRIVE 21093 133 Dublu Dr. ITIS MARSON DRIVE noma Lyhiyu 125 Dublin No. 2/093 1210 mavaguen. 36 Doblin Dr. 21093 1210 mally Us. 115 Dublin are 21093 Ken EBITZ 32 DULLIN Dr. Maura Jaio Mallry Us 32 DULLIN Dr. 1) Aue-MArch 21093 1200 molder Da 30 Dubi Da 21093 Willeam Muller 1207 Malhay De. 1200 PURDY Ct. matter & Unies 1200 Purly Cy. 21 tables Dr. 17 STACKIOSE 14 21093 21093 Seli 2,21093 9 Rules River 8 othordo Frad 21093 Paula 2 Gutehus 23 Sullin Drive 13 Other dae Rd 21093 34 Ollivale RA - 21093 (4. merke 105 Phonidge Rd. 21093 In Silomuna 1309 Burleigh Rd 13 Othoridge Rd. 31077 Hon Keldrallon 12 Oilvidge Rd 21093 Jenny Killgallon

8/27/85

County Board of Appeals of Baltimore County Room 200 Court House Towson, Margland 21204 (301) 494-3180 May 28, 1986

Ms. Ruth Walker, President Orchard Hills Community Association 6 Westbury Road Cockeysville, Md. 21093

Dear Ms. Walker:

Re: Case No. 86-88-XA Gus J. Livaditis

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

cc: Gus J. Livaditis Keith E. Ronald, Esq. Ms. Mary Ginn Eric Rockel Johnson, Mirmiran & Thompson, P.A. Phyllis C. Friedman, Esq. Norman E. Gerber James Hoswell Arnold Jablon Jean M. H. Jung James E. Dyer

> يج بيادة الجنامج إنها يوه يوسطين الدوا ينجي بوالسائرات المتحصية ويريدون يقرط لياسي يرياني يواي والأس

IN THE MATTER OF GUS J. LIVADITIS FOR SPECIAL EXCEPTION AND VARIANCE ON PROPERTY LOCATED ON THE SOUTHWEST CORNER YORK AND OTHORIDGE ROADS 9th DISTRICT

COUNTY BOARD OF APPEALS BALTIMORE COUNTY No. 86-88-XA

OPINION

of the Deputy Zoning Commissioner granting the requested Special Exception for a Class B office building on property zoned R.O. and granting in part, a variance to permit a free-standing but non-illuminating sign, 3 ft. by 5 ft. (30 sq. ft. counting both sides) and no sign to be permitted on the building. Case was heard unis day in its entirety.

This case comes before this Board on appeal from a decision

Mr. George Lambros, Civil Engineer, testified for Petitioner and introduced Petitioner's Exhibit No. 1, a plat of the site and proposed building. He described the site and adjacent and nearby properties. He also noted that the Floor Area Ratio (F.A.R.) calculated out to be .404, which is less than the required .55 ratio. He noted that ample parking was provided on this plan and that all access to the site was provided from Othoridge Road. He also noted that there were no satback requirements for a Class B office building in an R.O. zone, that this proposal had CRG approval pending the Special Exception authorization and that all the requirements of Section 502.1 had been satisfied. Mr. Lambros also testified as to the need for a Variance to permit an illuminated sign as shown on Petitioner's Exhibit No. 1, especially stressing the distance the proposed building is to be located away from York Road. Mr. George Salabes, Architect, described the existing building and all the reasons it was impractical to convert this existing structure into office use and described the proposed building, an artist's conception of which was

Gus J. Livaditis
Case No. 86-88-XA

entered as Petitioner's Exhibit No. 5. He testified that this building was designed to answer the need for its purpose as a medical office and still not be offensive to the neighboring residences. Mr. Gregory Jones, Traffic Engineer for Baltimore County, testified that the two access points on Othoridge Road were satisfactory to Baltimore County and that in his opinion this arrangement would not have any adverse effect on traffic in this area. This concluded

Mr. Eric Rockel testified in opposition to this proposal. He noted this site as being part of the development known as Orchard Hills comprising of some 650 families. His protest concerned the size of this particular building, the zero foot setback from Othoridge Road and concern that this building was not compatible with the residences in the area. He specifically noted the setback requirements for a Class B office building in an O1 zone. He also noted the comment from C. Richard Moore, Deputy Director of Traffic Engineering, dated July 15, 1985, which is part of the case file. This concluded Protestants' case.

The Board in this Opinion, will address the facts as produced by testimony in this case. There is an existing site, zoned RO, of some .78 acres gross area (emphasis added) that contains an existing residential type building that is not suitable for conversion to office use. The proposed Class B office building as shown on Petitioner's Exhibit No. 1, complies with all the Class B standards as required by the Baltimore County Zoning Regulations, (BCZR) i.e., amenity open space, floor area ratio, required on site parking, access points to the site, etc., and complies with all requirements of the BCZR. Sec. 502.1 and therefore will be granted. The Board will note that setback requirements do differ for a Class B office building between the R.O.

a nation of the second second second

Case No. 86-88-XA

zone and the O-1 zone but note that the minimum acreage for an O-1 zone is two acres while an R.O. zone may be applied to an existing lot of something less than two acres. Because of the setback distance of the proposed building from York Road, the Board will grant the variance to allow the free-standing sign to be erected as shown on Petitioner's Exhibit No. 1 but can find no need for this to be an illuminated sign and will so Order.

#### ORDER

this \_\_28th day of May, 1986, by the County Board of Appeals, ORDERED that the Petition for a Special Exception for a Class B office building in an R.O. zone in accordance with the plan prepared by Johnson, Mirmiran & Thompson, P.A., dated April 9, 1986, and entered as Petitioner's Exhibit No. 1, be and the same is GRANTED, subject to the noted restrictions, and

For the reasons set forth in the aforegoing Opinion, it is

IT IS FURTHER ORDERED that the Fetition for Variance to permit the free-standing sign as shown on the same plan be GRANTED in part, but that the sign may not be an illuminated sign. The following restrictions shall also

- 1. Staff and employees only shall park in the rear of the lot 2. This area to be densely screened between this parking area and the adjacent neighbor.
- 3. The hours of operation shall not exceed Monday thru Friday, 8:00 A.M. to 9:00 P.M. and Saturdays, 8:00 A.M.

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

8/27/85

Gus J. Livaditis Case No. 86-88-XA

----

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

0

BALTIMORE COUNTY, MARYLAND

No. 007399 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

The state of the s

. 第二十二十二章 (120) 在西班牙中的 (120) (120) (120) (120) VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES WHITE, MINDEL, CLARKE & HILL GEORGE W WHITE, JR CHARLES MINDEL SAMUEL D HILL JOSEPH L JOHNSON R BRUCE ALDERMAN

6TH FLOOR, 29 W. SUSQUEHANNA AVENUE TOWSON, MARYLAND 21204 (301) 828 -1050

August 27, 1985

COUNSEL MONTON E HOME HAVRE DE GRACE, MD OFFICE 412 GREEN STREET, 21078 (30) 939-3456 Sart 3

AU827 111 ZONING DEPARTI

Mrs. Jean M. H. Jung Deputy Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mrs. Jung:

HAND DELIVERED

STANLEY L HOLMES

JAMES D STONE EUGENE L. MILES, III WILLIAM C. C. BARNES ROBERT R. BOWIE, JR

Thank you for the opportunity, yesterday, to discuss with you, once again, the question of the interpretation of the Zoning Regulation contained in Section 203.3(c) so as to allow the granting of a sign variance in an R.O zone if, in fact, the Petitioner can meet the required burden of proof.

The question involves the legal interpretation of that section to permit even the consideration of the granting of a Sign Variance by the Hearing Officer.

During the course of our conversation, we discussed a decision previously made by Zoning Commissioner Arnold Jablon in the "Dr. Glasser case". You pointed out that your decisions in all cases were made independently of each other (i.e. you and Mr. Jablon) and I agree totally with that concept.

I would, however, like to make one point which may be worthy of consideration. I support the wisdom and logic of decisions being made independently of each other in the determination of facts, credibility, meeting burdens of proof and all other matters that lead to a decision reached by applying evidence, testimony and facts to the applicable and appropriate law or regulation.

I would, however, respectfully suggest that completely independent decisions in matters that involve solely and purely the legal interpretation of a particular section of the BCZR could result in entirely different legal interpretations and lead to some uncomfortable results, not the least of which would

WHITE, MINDEL, CLARKE WHILL

Mrs. Jean M. H. Jung August 27, 1985 Page Two

be the "shopping" by Petitioners and their Attorneys for a Hearing Officer that renders a more favorable or advantageous legal interpretation of a particular regulation. I sincerely think unanimity in basic legal interpretation by a Commission consisting of more than one Hearing Officer is important to the Commission itself and its relationship to Petitioners, Protestants and the general public.

I point this out to both of you as an interested and concerned party for the welfare and well being of the Zoning Commission and you as Hearing Officers.

I thank you for your consideration of this contention and will certainly respect and abide by your thoughts and decisions relating to it. As a matter of convenience, I am forwarding a copy directly to Zoning Commissioner Arnold Jablon and, for Mr. Jablon's further information, a copy of my memorandum letter to you dated July 24, 1985.

RBA/mvj

cc: Mr. Arnold Jablon

166

1669

We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis:

Name,	<u>Address</u>
Mardia J. Shuder	1402 Westbury (+. Loth, mD. 2107
dow B Delinske	1404 Westbery Cd. " "
Though Achaska	1404 WETEURY CT
Cish Della	6 WESTBURY Rd
Flora M. Slevila.	5 Westly 4
Thanks of Most in in	5 Westling-Rd.
Low Niha	1324 Millay Dr
William M. Williams	1322 Mulhat Dr.
Helen Willeams	1322 mallay Dr.
Maholm V. Newin	1320 Melbay Dino
Lide m. nein	18,20 mally Dine
La Bissocoul-	1318 Mallon Drine
Kalch 1-5 chlower	1318 Marsay 1 2,2,0e-
Made & war	2 malbay Cf
Daris Davis	2 Mollay Ct.
20th Myses	13 WethryRd.
Burge Diyers	13 Westerny Rol
and Which	1402 likeflang Ct
· Chai - W tenton	5 INESTEURY RD
	La Carrier Control of the Control of

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Zoning Commissioner Date August 8, 1985 Norman E. Gerber, Director
FROM Office of Planning and Zoning SUBJECT Zoning Petition No. 86-88-XA The CRG plan (IX-461: Livaditis Professional Center) was approved on July 13, 1985. However, this office is opposed to the granting of the requested sign variance. It is this office's opinion that the permitted type and size signs for this zone are adequate. Further, a free standing sign would not be in keeping with the spirit and intent of the R.O. zone. Office of Planning and Zoning NEG:JGH:slm #86-88-XA

C.F.

CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on THE JEFFERSONIAN, R. non-illuminated sign attached to the building.

Being the property of Gus J. Livaditis, as shown on the plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period, for good cause shown. Such request must be received in writing by the date of the hears of above or made at the hearing.

By Order Of ARNOLD JABLON, Zoning Commissioner of Baltimore County Cost of Advertising 24.75 A STATE OF THE AND A STATE OF THE ADMINISTRATION OF THE ADMINISTRA 86-88-XA 1-10-86

PETITIONS FOR SPECIAL EXCEPTION & VARIANCE 9m Election District General Desires

LOCATION Southwest corner of York and Othoridge Roads (8 Othoridge Roads (8 Othoridge Roads)

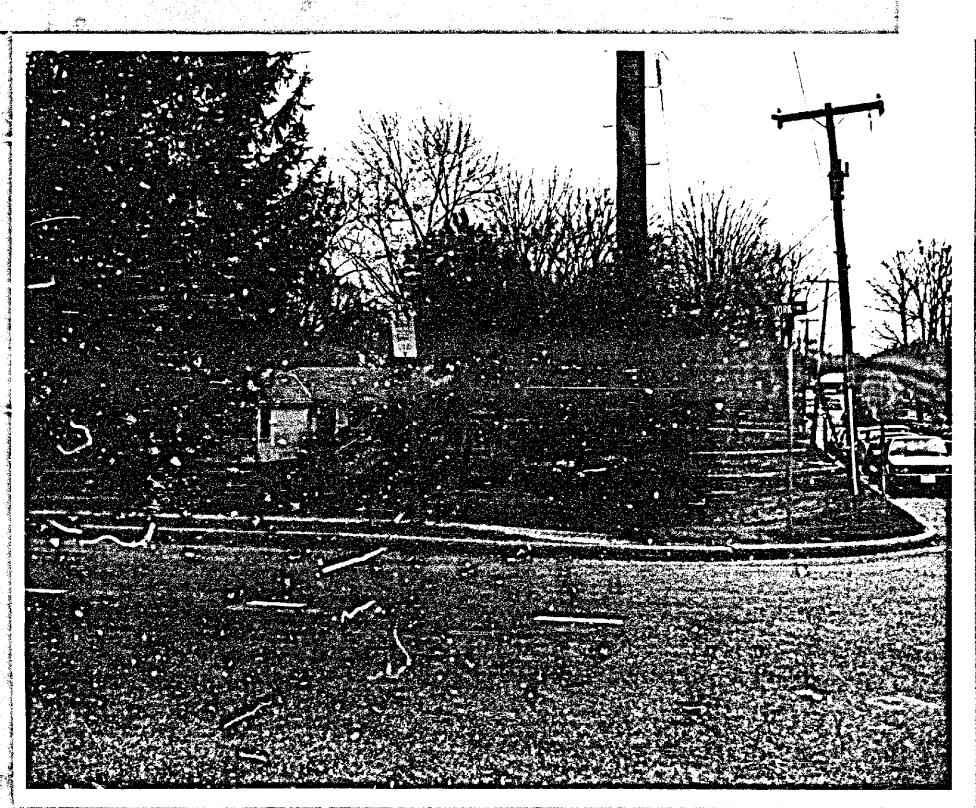
DATE AND THAE Wednesday August 28 1965 at 10 45 a m PUBLIC MEARING Roam 106 County Office Burlang 111 W Chersapeaus Avenue Towson Marytana The Zoning Commissioner of Bash-more County, by authority of the Zoning Act and Regulations of Bash-more County, will hold a public hear-Petrion for Special Exception for a Class B other building in a R O zone and Variance from Section 203 3 C to cermit a free-standing illuminated sign of 60 as B (counting both aidea) in less of the permitted 8 sq. B non-aluminated sign attached to the building. building.

Being the property of Gus J. Lividdins, as shown on plat plan filled with the Zoning Office in the event that these Petitions are granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner with however, entertain sny requires for a stay of the resulance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

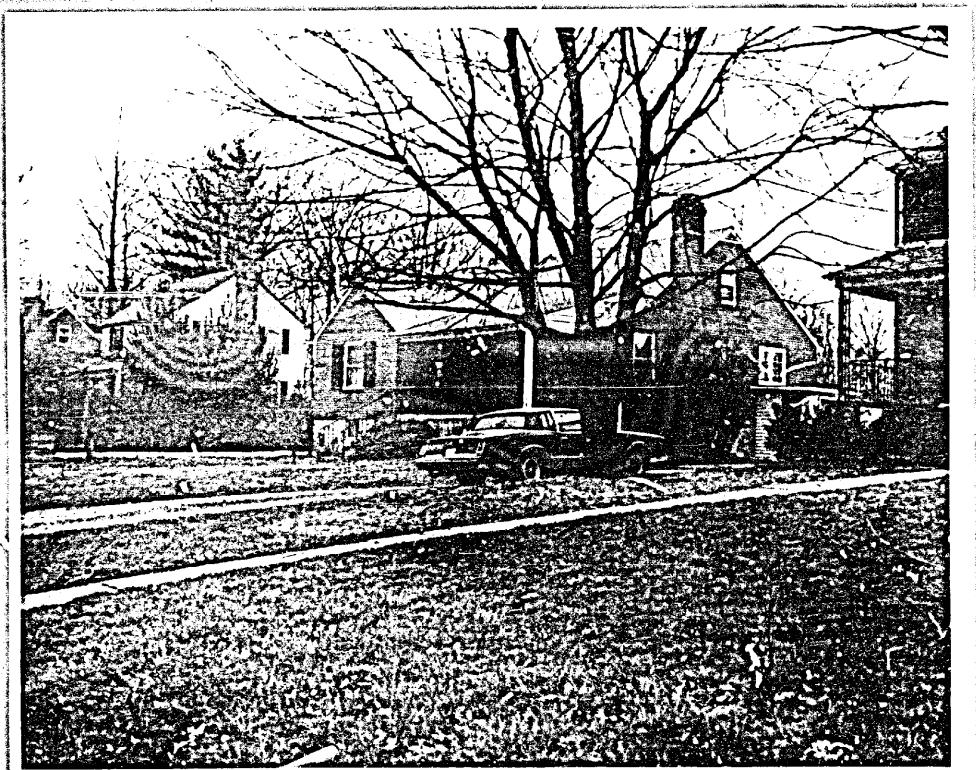
By ORDER OF

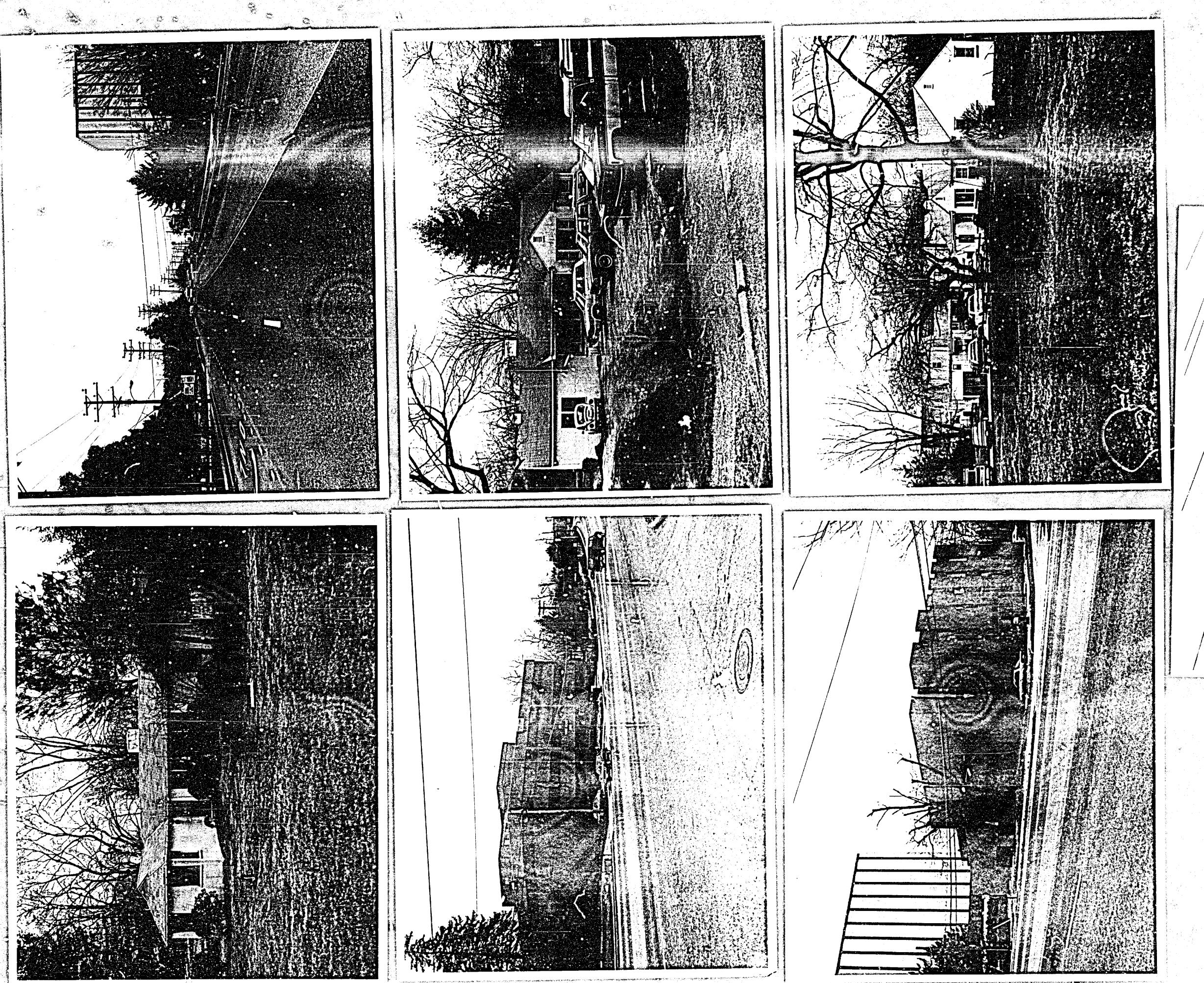
CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Location of Signe S' & corner of Josh & Cthoridge Road & Cthoridge Rt.) CERTIFICATE OF PUBLICATION TOWSON, MD., \_\_\_\_\_August\_7\_\_\_\_, 19\_85 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 7 , 19 . 85

86-88-XA



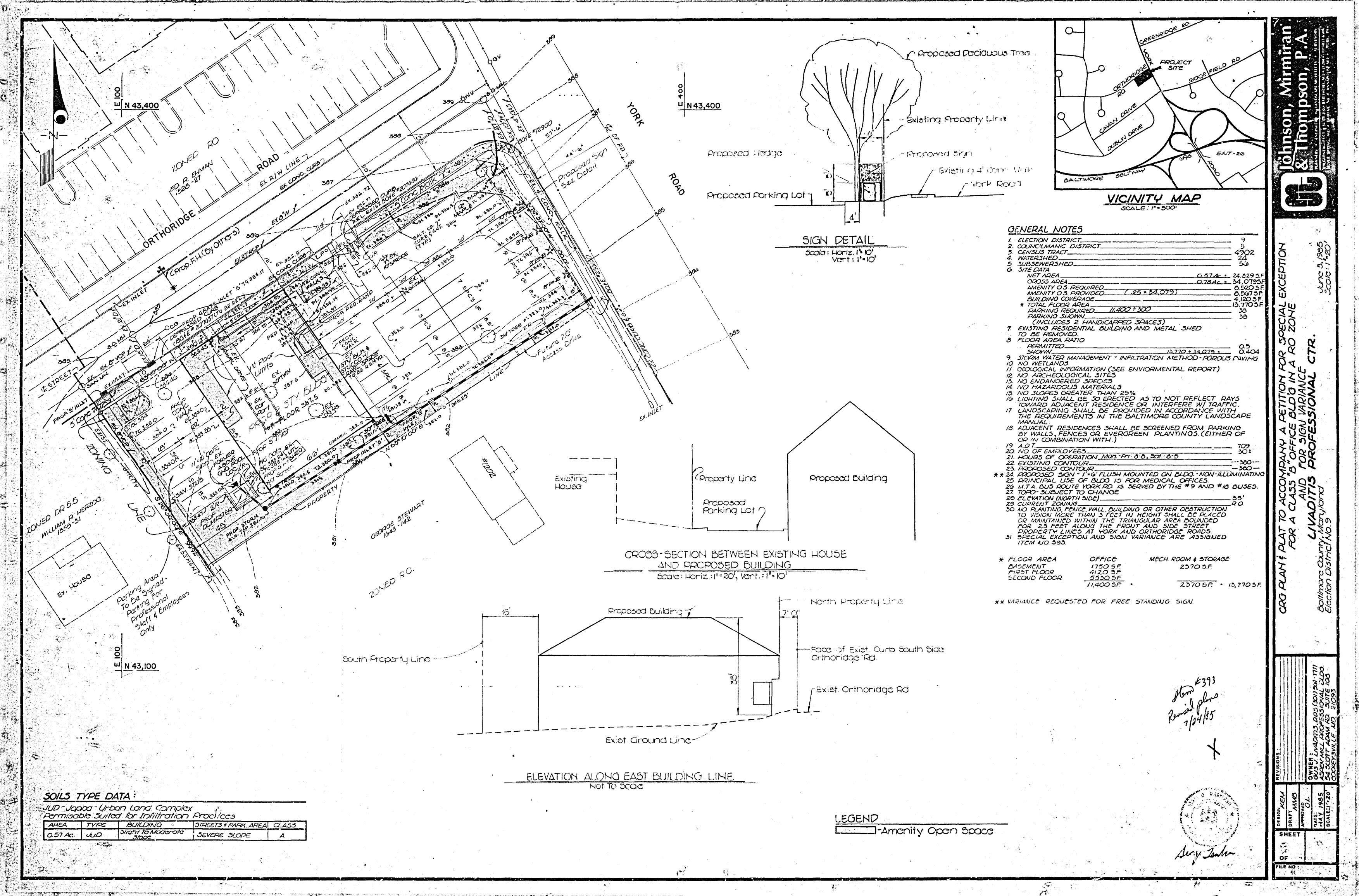


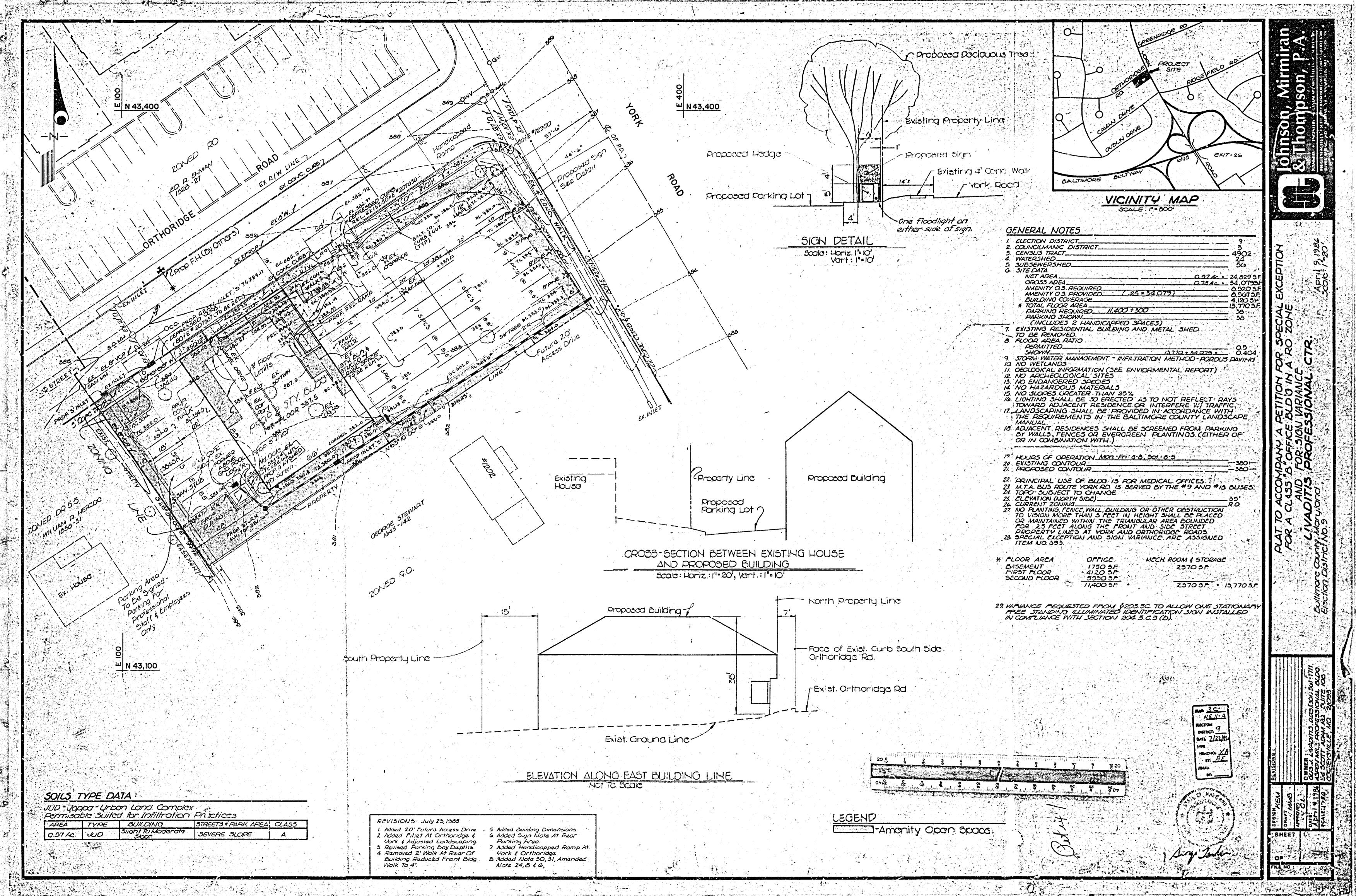






D /2





Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not eversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS OUDERED by the Zoning Commissioner of Baltimore County, this -, 19 -, that the herein Petition for Variance(s) to permit

Same and the second of the second of the second

Livaditis Professional Center Project # 85160 July 16, 1985

> The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

Onsite private water mains with fire hydrants shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards, Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Edward A. McDonough, P.E., Chief Developers Engineering Division

EAM:REC:mm

110110712125

CRG MEETING OF JULY 10,1985 LIVADITIS PROFESSIAMEN CONTER

1. Infiltration using porous paving to proposed for S.W.M. The soils report indicates that infiltration is feasible, however, care must be take to insure that the bottom of the parement subbase is not in fill that it it is at least 4' above nock. Also, no infiltration device may be with 50' of "1204 York Road if tr' structure has a basement.

. . . . . . .

COASTAL CRITICAL AREA COMMENTS:

July 8, 1985

Mr. J. Markle, Chief Bureau of Public Services County Office Building Towson, Maryland 21204

Re: CRG Meeting of 7-18-85 "Liuaditis Professional Center" W/S York Rd., Route 45 @ Orthoridge Road

Dear Mr. Markle:

On review of the submittal of May 1985 and field inspection, the State Highway Administration finds the plan generally acceptable with all access to the site by way of Orthoridge Road.

We (State Highway Administration) recommend a Handicap Ramp be constructed at the York Road and Orthoridge Road Intersection with sidewalk reconstruction.

With the proposed storm drain system along the south side of the property making a direct connection to the State storm drain system, the State Highway Administration will require the developer to provide approved Baltimore County storm drain plan to State Highway Administration Hydraulics for review and effects on the State System.

> Very truly yours, Ohend Ra Charles Lee, Chief Bureau of Engineering Access Permits

By: George Wittman

CL:GW:maw

Attachment

cc: Mr. J. Ogle√

ZONING OFFICE

My telephone number is (301) 659-1350Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: July 18, 1985

PROJECT NAME: LIVADITIS PROFESSIONAL CENTER DEVELOPMENT PLAN: 8 Othoridge Road 9th Election District

The following comments were written on the C.R.G. plan dated June 3, 1985.

1. A Special Exception for a Class B Office Building in an R.O. zone, Item 393 was filed on 6/12/85 with this office. If a free-standing sign is proposed, a Variance will be required from Section 203.3.C. of the Baltimore County Zoning Regulations. Petition forms and amended site plans showing an elevation drawing of the proposed sign, its dimensions, square footage, lettering and location must be submitted to the Zoning Office. If CRG approval occurs, final approval of any building permits will be contingent upon the outcome of that hearing.

2. The following revisions must occur on the plan prior to CRG approval.

a. In the general notes, Site Data, how the required amenity open space was calculated should be shown, i.e.  $34,079 \text{ sq.ft.} \times .25 = 8520 \text{ sq.ft.}$ Note the site area (gross and net) in terms of acreage as well as square footage.

Note 8 should indicate how floor area ratio was determined, i.e.,

c. Note 24 concerning the proposed sign should reflect the Variance request for a free-standing sign, if it is proposed. An elevation detail showing the height, dimensions and lettering on the freestanding sign should also be added to the plan. The location of the proposed free-standing sign should be shown on the plan. It should be noted that Section 102.5 of the Baltimore County Zoning Regulations states that on a corner lot in a residential zone, no planting, fence, wall, building or other obstruction to vision more than 3 feet in height shall be placed or maintained within the triangular area bounded for 25 ft. along the front and side street property lines. If this requirement cannot be met, a Variance may be requested from this

d. All areas included as amenity open space must be clearly indicated on the plan. It appears that the overhang areas for parking spaces have been included in the a.o.s. If this is the case, then there may be insufficient a.o.s. provided. In order to be included as a.o.s., areas that abut parking may be 7 ft. in width, areas which do not must be 10 ft. in width.



JULY 30, 1985

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Zoning Advisory Meeting of JUNE 25, 1985

Item # 393
Property Owner: GUS J. LIVADITIS
Location: SW/COR. YORK RD.+

ORTHORIOGE RD.

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

(X)There are no site planning factors requiring comment.

( )A County Review Group Meeting is required.
(X)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services. This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract. )A record plat will be required and must be recorded prior to issuance of a building permit. )The access is not satisfactory. )The circulation on this site is not satisfactory.

)The parking arrangement is not satisfactory. IThis property contains sails which are defined as wetlands, and development on these soils is prohibited. )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development

Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
)The amended Development Plan was approved by the Planning Board (X)Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve

Capacity Use Certificate has been issued. The deficient service )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas

are re-evaluated annually by the County Council. THE CRG PLOW# TX-46/ (LIVADITIS PROFESSIMAL CTR) WAS APPROVED ON 7/18/85, PLOW APPROVED EXPIRES ON 7/18/88

Chief, Current Planning and Development

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS FROM: OFFICE OF PLANNING AND ZONING

DATE	July	17, 1	
DAIL	`		

PROJECT NAME: Livaditis Professional Center COUNCIL & ELECTION DISTRICT IX-461 PLAN EXTENSION REVISED PLAN

The Office of Planning has reviewed the subject plan dated June 3, 1985 and has the Following comments:

The following is required in order for the CRG to review for compliance with the provisions of Saction 22-104. Section 22-104 states:

II. Requirement for development of R-O property. The following objectives are as stated in Section 22-104, Baltimore County Development Regulations.

DEVELOPMENT OF PROFERTY IN AN R-O ZONE SHALL BE DESIGNED TO ACHIEVE:

PLAT

Compatibility of the proposed development with surrounding uses: Tree preservation; Protection of watercourses and bodies of water from erosion and siltation;

Safety, convenience and amenity for the neighborhoods.

A cross section is required from the proposed building to the neighboring house on Orthoridge Road. The cross section will show the relationship of the new development to the existing residences.

The rear parking area should be limited to and signed for professional staff and employees only due to the small size and the proximity to the adjacent existing dwelling.

The parking spaces in the rear lot must be 18' in length and must not overhang into the 8' landscape area.

Additional detail is needed for the 8' landscape area between the proposed building and the right-of-way of Orthoridge Road. The plan is not clear as to whether the required 8' planting area can be provided.

The plan should show a future 20' access drive to the Stewart Property. This access drive would be required to be provided at the time of addition or expansion of the development on the Stewart Property. Further, the existing driveway on the Stewart Property will need to be closed at that time and all access provided from Orthoridge Drive. This plan shows a future access

No conflict W/ transportation element of Master Plan

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

EUGENE A. BOBER, Chief

GENERAL COMMENTS:

HISTORICAL COMMENTS:

ENVIRONMENTAL COMMENTS:

TRANSPORTATION COMMENTS:

LOS COMMENTS:

TO Office of Planning and Zoning

FROM Office of Planning and Zoning

Current Planning and Development Div.

Comprehensive Planning Division

SUBJECT CRG Comments on LIVADITIS PRO CENTER

No historic or archaeological sites .-- J. McGrain 700

RALTIMODE COUNTY	DETERMINATION CONTINUE AND CONT	=	7-17-85 Late
BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550	BALTIMORE COUNTY, MARYLAND  INTER-OFFICE CORRESPONDENCE	Mr. Brooks Stafford Environmental Effects Report <u>LIVADITIS PROFESSION</u> AL CENTER (Name)	COUNTY REVIEW GROUP COMMENTS ON PROPOSED SUBDIVISION PLANS BALTIMORE COUNTY DEPARTMENT OF HEALTH
STEPHEN E. COLLINS	Mr. Brooks Stafford, Director	Page Two	LIVADITIS PROFESSIONAL CENTER
June 25, 1985	TO Environmental Support Services Date LLY 15 1985	1. The developer must follow the Health Department Wetland Guidelines.	Subdivision Name, Section and/or Plat
Mr. Arnold Jablon	FROM PLOTT Waste and Water Quality Management	2. (Other)	Developer and/or Engineer Johnson Mirmiran + Thompson
Zoning Commissioner County Office Building	SURJECT ENVIRONMENTAL EFFECTS REPORT LIVADITIS PROFESSIONAL CIR.		Watershed No. of Lots Total Acreage Rublic Public Sewer
Towson, Maryland 21204	CRG MEETING / 18. 1985 /1:00 (Time)	C. BEST MANAGEMENT PRACTICES  1. All areas except that used for buildings, sidewalks and	or Units
Item No. 393 -ZAC- Meeting of June 25, 1985 Property Owner: Gus Livaditis	PLAN REVIEW NOTES	paved parking will be planted with vegetated cover and/or landscaped as soon as possible after final grading and maintained in such condition.	COMMENTS ARE AS FOLLOWS:  Soil percolation tests are required; a minimum of two test are required within
Location: SW/Cor. York Road and Orthoridge Road Existing Zoning: R.O. (CRG)	1. Medical Building proposed on 0.57 nere lot.	2. Dirt and debris accumulating on private roads and parking lots will be removed according to the following schedule: May through	information regarding these requirements, contact this office at 494-2762.
Proposed Zoning: Special exception for a Class B Office Building	(Describe Site)	October, concurrent with grass mowing; November through April, monthly.	Soil percolation test have been conducted. Revised plans, must be submitted prior to approval of plat, are not required and the plat can be approved as submitted. Contact this office for more complete information,
	2. Public water and public sewer is proposed.	3. Snow removal will be by mechanical means except in severe snow and ice conditions, when deicing compounds may be used.	1 73-2702.
Acres: 34,079 sq.ft.	. 3. No streams on site.  (Describe streams on-site)	4. Application of fertilizers, herbicides and pesticides will not exceed recommendations of the University of Maryland Cooperative	Public sewers, public water, must be utilized and/or extended to serve the property.
District: 9th		Extension Service.	A Hydrogeological Study and Environmental Effects Report for this subdivision,  must be submitted, are not required, is incomplete and must be revised, has/have been reviewed and approved.
Dear Mr. Jablon:	5. Na wettend soils on site.	5. Filling will not occur in grassed or lined drainage ditches or swales.	A Water Appropriation Permit Application, must be submitted, has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with
Item #393 is a C.R.G. Item.	(Describe wetland soils on-site)	6	I made resources relativistration as part of the permit process.
· ·	Milesteren.	***	It is recommended the plan, be approved as submitted, be approved as submitted subject to the following conditions noted: the approved as mum_ drill 7-15-85
	6. Storm Water Management required.		It is recommended this plan not be approved at this time. See revisions and/or
Michael S. Flanigan	7. <u>0.51 acrec</u> proposed impervious area.		comments. (Comments: See revisions and/or REVISIONS AND/OR COMMENTS:
Traffic Engineering Associate II	RESPONSES	:pms	
MSF/ccm	The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.		
	The Environmental Effects report is approved, subject to the following checked items/conditions.		
	A. No development is allowed in		
	(soil/name & symbol)		
	B. A revised site plan indicating no development in must be submitted.		
			SS 783R
DEPARIMENT OF TRAFFIC ENGINEERING	BALTIMORE COUNTY, MARYLAND		
TO: Mr. James & Martin		BALTIMORE COUNTY, MARYLAND	BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2586 494-4500
FROM : C. Richard Moore	INTER-OFFICE CORRESPONDENCE	SUBJECT: SUBDIVISION REVIEW COMMENTS  Date: July 5, 1985	494-4500 MARTEAND 21204-2588
SUBJECT: C.R.G. Comments	TO Sy Benson  June 3, 1985  Date	FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU	PAUL H. REINCKE CHIEF July 2, 1985
PROJECT NAME: Lincoln D. C.	FROMCharles K. Weiss	Captain Joseph Kelly  FROJECT NAME: Livaditis Prof. Center	Mr. Arnold Jablen
PROJECT NAME: Livatitus Professional Center C.R.G. PLAN: X PROJECT NUMBER & DISTRICT:	Livaditis Frofessional CNTR. York & Orthoridge Roads SUBJECT	PROJECT NUMBER: CRG Agenda 7-18-85 11:00 AM	Zoning Commissioner Office of Planning and Zoning  Baltimore County Office Building
ICCATION: York Road	CRG 7/18/85	LOCATION: York and Othoridge Roads DISTRICT: 9  CONDENTS	Towson, Maryland 21204
RECORD PLAT:	Dumpster site is acceptable as to size & location.		Attention: Nick Commoduri, Chairman Zoning Plans Advisory Committee
		(x) 1. Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.	SE: Froperty Owner: Gus J. Livaditis
The amaza at the second se		() 2. Fire flow test is required to be conducted by the Baltimore City Water Dept. on as close to proposed site as possible. Test results are to be forwarded to the office of the Fire Protection Engineer.	Location: S/W cor. York Road and Orthoridge Road
The proposed building and supporting structures and landscaping should be set back at least 10ft. from the edge of paving.		() 3. Proposed panhandle driveways must be a minimum of 16 feet in width and of a hard surface capable of supporting emergency apparatus, weighing 50,000	Item No.: 393 Zoning Agenda: Meeting of June 25, 1985 Gentlemen:
,		pounds on two axles.  ( ) 4. Access road shall be posted with Fire Lane signs along its entire length.	Fursuant to your request, the referenced property has been surveyed by this
$ \sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$ $\sim$	CKW/rab	() 5. Standard cul-de-sac or t-turnaround shall be provided at deadend street near	Sureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.
C. Richard Moore	CITAL LAG	() 6. All roads shall have a minimum width of 20 feet.	(x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in
Deputy Director of  CRM/GMJ/ccm  Traffic Engineering		() 7. Driveways in excess of 300 feet shall have standard cul-de-sac or t-turnaround. () 8. Maximum angle of departure (grade percentage) shall not exceed % per NFPA	located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
0.0 7 Gray C (m)		fire apparatus from gaining access to the site.	( ) 2. A second means of vehicle access is required for the site.
· · · · · · · · · · · · · · · · · · ·		W /Y\ O Cubmatation to a man and a contract to the contract to	
Cic 7 GELS7 CCm		(x) 9. Submitted site plan fails to indicate proposed fire hydrant spacing at feet intervals in accordance with Baltimore County Standard Design Manual.	( ) 3. The vehicle dead end condition shown at
on y Gray eem		()10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to	( ) 3. The vehicle dead end condition shown at
ole 7 Gray eem		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCEEDS the maximum allowed by the Fire Department.  ( ) 4. The site shall be made to comply with all applicable parts of the
Cic 7 GHS/ CCB		()10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while cond	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.
ole 7 Gris7 Cem		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.
CIC 7 GELS / CCIN		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCESS 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.
GR 7 GPS 7 GCR		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	EXCESS 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.
Cit / Grad/ CCm		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.
GL 7 OLLY CER		( )10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to UEPA 30 local Edition	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.

DAVID A. WILSON

W. LEE THOMAS, P. A. ATTORNEYS AT LAW SUFFE 314 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204

AREA CODE 3GI

The second secon

Mrs. Jean H. Jung Deputy Zoning Commissioner for Baltimore County Room 105 County Office Building 111 W. Chesapeake Street Towson, Maryland 21204

> Re: Petitions for Special Exception and Variance -- SW Corner of York and Othoridge Roads Gus J. Livaditis, Petitioner Case No. 86-88-XA

Dear Krs. Jung:

On behalf of my client, Dr. Gus J. Livaditis, I am obligated to bring to your attention that it has now been some sixty days since a hearing was held on the above and that we are anxiously awaiting your decision in the matter.

I would also take this opportunity to inform you that a hearing before the Board of Appeals has been scheduled for January 7, 1986, to review the CRG approval granted to Dr. Livaditis. In the event an appeal were to be taken from your opinion, the most efficient use of every participant's time and efforts (especially those of the various County agencies involved) would be to consolidate the issues into one hearing. As you are aware, however, in order to keep this option available, it would be necessary for an order to issue from your office within the next two to three weeks.

All of us who work with the Zoning Office recognize and appreciate the workload and staff limitations you have to deal with. In light of all the factors I have mentioned, however, I would respectfully request that you render an opinion at your earliest convenience.

cc: Dr. Gus J. Livaditis Mrs. Ruth D. Walker, President

PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE SW Corner York & Othoridge Rds.

 BEFORE THE ZONING COMMISSIONER

(8 Othoridge Rd.), 9th District \* OF BALTIMORE COUNTY

GUS J. LIVADITIS, Petitioner

-

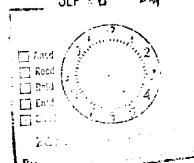
\* Case No. 86-88-XA

# ENTRY OF APPEARANCE

Please enter the appearance of Keith E. Ronald, Esquire in the above-captioned matter as counsel for the Petitioner, Dr. Gus J. Livaditis. Please forward notices of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order to my attention.

> Keith E. Ronald, Esquire Suite 314 409 Washington Avenue Towson, Maryland 21204 301-296-6777

I HEREBY CERTIFY that on this \_\_\_\_\_ September, 1985, a copy of the foregoing Entry of Appearance was mailed to Peter Max Zimmerman, Esquire, Deputy People's Counsel, Room 223, Court House, Towson, Maryland 21204.



W. LEE THOMAS, P.A. SUITE \$14 409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

9th Election District

LOCATION:

Southwest corner of York and Othoridge Roads (8 Othoridge Road)

Wednesday, August 28, 1985 at 10:45 a.m.

DATE AND TIME:

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception for a Class "B" office building in a R.O. zone and Variance from Section 203.3.C to permit a free-standing illuminated sign of 60 sq.ft. (counting both sides) in lieu of the permitted 8 sq.ft. non-illuminated sign attached to the building.

Being the property of Gus J. plan filed with the Zoning Office. Gus J. Livaditis , as shown on plat

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the

People's Counsel for Baltimore County

above-captioned matter. Notices should be sent of any hearing dates or

other proceedings in this matter and of the passage of any preliminary

Peter Max Zimmerman

Rm. 223, Court House

Towson, MD 21204

of the foregoing Entry of Appearance was mailed to Mr. Gus J. Livaditis,

MD 21093, Petitioner; and Johnson, Mirmiran & Thompson, P.A., 810 Glen-

Peter Max Zimmerman

eagles Ct., Towson, MD 21204, who requested notification.

Aspen Mill Professional Bldg., Suite 108, 54 Scott Adam Rd., Cockeysville,

494-2188

Deputy People's Counsel

I HEREBY CERTIFY that on this 31st day of July, 1985, a copy

GUS J. LIVADITIS, Petitioner Case No. 86-88-XA

PETITION FOR VARIANCE

or final Order.

SW Corner York & Othoridge Rds.:

(8 Othoridge Rd.), 9th District

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

> > OF BALTIMORE COUNTY

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZONI TOWSON MARYLAND 21204

> arnold jablon ZONING COMMISSIONER

> > Gus J. Livaditis

54 Scott Adam Road

Cockeysville, Maryland 21093

Suite 108

Aspen Mill Professional Building

Re: Petitions for Special Hearing and Variance SW/corner of York and Othoridge Roads (8 Othoridge Road) - 9th Election Dist. Gus J. Livaditis, Petitioner Case No. 86-88-XA

Dear Mr. Livaditis:

This is to advise you that \$73.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

August 20, 1985

This fee must be paid and the zoning sign and post returned on the day of the hearing. Do not remove sign until day of the

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office Poor 117-6 y Office Building,

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

BOITHANNIANS LIN Clief

VALIDATION OR SIGNATURE OF CASHIER

No. 012630

Johnson, Mirmiran and Thompson, P.A. PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

### LIVADITIS PROFESSIONAL CENTER

Metes and Bounds Description of a parcel of land lying and being in the Ninth Election District of Baltimore County, Maryland and described in accordance with a plan made by Johnson, Mirmiran and Thompson, P.A. in June 1985 said plat of survey entitled "CRG Plan and Plat To Accompany Petition For Special Exception".

BEGINNING for the same at the corner formed by the intersection of the southwest side of the York Road with the southeast side of a fifty food road heretofore laid out in a deed dated December 6, 1940, and recorded among the Land Records in Baltimore County in Liber C.W.B. Jr. No. 1143, folio 1, which was conveyed by the Ridgely Land Company to J. Hall Aiken, Jr. and wife, said place of beginning being distant South twenty-four degrees thirty-seven minutes east fifty and five one-hundredths feet (S 24 37' E 50.05') from the beginning of the third line of said parcel of land; and running thence and binding on the southeast side of said fifty foot road, with the right and use thereof in common with others entitled thereto, (1) South sixty-three degrees ten minutes west (S 63° 10' W) running parallel with and distant fifty feet southeasterly measured at right angles from said third line, two hundred fifty and twelve one-hundredths feet (250.12'); thence leaving said Road and running for lines of division the two following courses and distances, viz: (2) South twenty-six degrees fifty minutes east ninety-nine and ninety-two one-hundredths feet (S 26° 50' E 99.92') and (3) North sixty-three degrees ten minutes east two hundred forty-six and twenty-five one hundredths feet (N 63 10' E 246.25') to the southwest side of the York Road; and thence binding on the southwest side of said Road, (4) North twenty-four degrees thirty seven minutes west one hundred feet (N 24° 37' W 100') to the place of beginning. Containing fifty seven one-hundredths (.57) acre of land, more or less. The improvements thereto being known as 1206 York Road.

BEING the same property which by a Deed dated August 24, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 3002, folio 89 was granted and conveyed from Neal I. Bohn and Betty Lou Bohn, his wife, to Gordon V. Deitz and Sallie A. Deitz, his wife, the above named Grantors.

SAVING AND ACCEPTING therefrom all that property described in a Deed dated June 7, 1961 from the Grantors herein unto the State Roads Commission of Maryland acting for and on behalf of the State of Maryland which Deed is recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3855 folio 231.

6 Westbury Road Lutherville, Maryland 21093

December 19, 1985

Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Petition for Special Exception and Variance Case No. 86-88-XA

Dear Mr. Jablon:

On behalf of the Orchard Hills Community Association, I am herein appealing the decision of the Deputy Zoning Commissioner, Ms. Jean M. H. Jung, in regard to the Special Exception for a Class B Office Building and the Variance for a 30 square foot sign as set forth in her Order of November 20, 1985.

It is the community association's position that this Order would injure the general welfare and safety of the community, is not in keeping with zoning regulations, and was not objective in its finding.

Enclosed herein is a check for \$1 0.00 to cover the cost of this appeal.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT ker, President Hills Community Association

RECEIVED Cronword Hills Community Association FOR: "PONAL THE FOR Case No. 66-96-14 8 72800001100013 22321

Gus J. Livaditis Aspen Mill Professional Building Suite 108 54 Scott Adam Road Cockeysville, Maryland 21093

VALIDATION OR SIGNATURE OF CASHIER

July 26, 1985

NOTICE OF HEARING RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE SW/corner Of York & Othoridge Roads (8 Othoridge Road) - 9th Election Dist. Gus J. Livaditis, Petitioner

TIME:	10:45 a.m.	
DATE:	Wednesday, August 28, 1985	
PLACE: Roo	m 106, County Office Building, 111 West Chesape	e a '
Ave	nue, Towson, Maryland	

Case No. 86-88-XA

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

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES BALTIMORE COUNTY, MARYLAND TOWSON, MARYLAND 21204 July 18, 1985 W. LEE THOMAS, P. A. INTER-OFFICE CORRESPONDENCE 494-3610 ATTORNEYS AT LAW SUME 314 409 WASHINGTON AVENUE TED ZALESKI, JR. 6 Westbury Road DAVID A. WILSON KEITH E. RONALD AREA CODE 301 TO Catherine Warfield, C. R. G. TOWSON, MARYLAND 21204 Lutherville, Maryland 21093 FROM C. E. Eurnham, Chief, Building Plans Review ( , 5, ) December 26, 1985 December 19, 1985 Mr. Arnold Jablon, Zoning Commissioner SUBJECT Livaditis Professional Center
District 903 York and Orthoridge Road Office of Flanning and Zoning Mr. William T. Hackett, Chairman Board of Appeals of Baltimore County Zoning Commissioner Comments on Item # 393 Zoning Advisory Committee Meeting are as follows: County Office Building Room 220, Court House 1) The proposed structure shall comply with the following Codes: Froperty Owner: Gus J. Livaditis Towson, Maryland 21204 Towson, Maryland 21204 SW/Cor. York Road and Orthoridge Road B.O.C.A. Basic National Building Code 1984 Districts Re: Livaditis Professional Center Re: Petition for Special Exception B.O.C.A. Basic Mechanical Code 1984 Appeal From Order of Deputy Commissioner and Variance APPLICABLE ITEMS ARE CIRCLED: B.O.C.A. Basic Energy Code 1984 Granting Special Exception Case No. 86-88-XA All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards. Baltimore County Council Bill #17-85 Case No. 86-88XA Dear Mr. Jablon: Also, the current National Electric Code, the 1973 Edition of the Dear Mr. Hackett: (2) A but ing and other miscellaneous permits shall be required before the start of any construction, Baltimore County Plumbing and Gas Fitting Code and the Maryland On behalf of the Orchard Hills Community Association, State Regulation .05.01.07 and A.N.S.I. Standard All7.1 - 1980. This will serve to confirm my telephone conversation I am herein appealing the decision of the Deputy Zoning Commis-C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data. with June Holmen on December 23, in which I was informed sioner, Ms. Jean M. H. Jung, in regard to the Special Exception that the Board was unable to grant my request for a for a Class B Office Building and the Variance for a 30 square 2) Separate permits for building, razing, paving and various other Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable. consolidation of the above referenced appeal with that foot sign as set forth in her Order of November 20, 1985. site improvements are required. scheduled for January 7, due to the fact that your office had not received the Zoning Office's file as of this day It is the community association's position that this E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line. and accordingly, could not comply with the ten day rule for notice to the necessary parties. Order would injure the general welfare and safety of the community, is not in keeping with zoning regulations, and was not objective in its finding. CEB/vw I would appreciate your scheduling the zoning appeal as soon as possible, preferably on the date of any future F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table h01 and 505 and have your Architect/Engineer contact this department. Enclosed herein is a check for \$100.00 to cover the postponements or dismissals of other matters currently cost of this appeal. pending before the Board. My client, who obtained CRG approval in July and went before the Deputy Zoning G. The requested variance appears to conflict with Section(s) \_\_\_\_\_\_, of the Baltimore Commissioner last August, is anxious to complete the County approval process and commence construction. Any assistance your office might be able to provide in H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use to Use or See Section 312 of the Building Code. expediting this already too drawn out procedure would be Ruth Walker, President greatly appreciated. Orchard Hills Community Association Thank you for your assistance in this matter. RW:cem I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement. very truly yours. Enclosure SPECIAL NOTE: (J.) Comments: The number of stories shall be determined by Section 501.3. If it is determined this structure is 3 stories, a handicapped elevator could be required. See Section .05.01.07.06 of State Regulations. Show signs, curb 'uts, etc. as Keith E. Ronald required by State Code and A.N.S.I. -All7.1 - 1980 dealing with access and useability by the Handicapped.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office building at 111

W. Chesapeake Avenue, Towson, Maryland 21204. cc: Dr. Gus J. Livaditis Mrs. Ruth D. Walker, President Thomas J. Bollinger, Esquire BY: C. E. Burnham, Chief
Building Plans Review 0 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING RE: PETITIONS FOR SPECIAL EXCEPTION \* TOWSON, MARYLAND 21204 the following restrictions: AND VARIANCE Testimony by the Protestants indicated that they believe that the use of SW/corner of York and Othoridge \* DEPUTY ZONING COMMISSIONER 1. Staff and employees only shall park in the rear. Roads (8 Othoridge Road) the existing house as an office would be a R.O. use compatible to the ARNOLD JABLON JEAN M. H. JUNG 9th Election District OF BALTIMORE COUNTY ZONING COMMISSIONER 2. The preferences of the adjacent property owner shall be DEPUTY ZONING COMMISSIONER neighborhood and that the proposed building is too large for the lot. They are considered by Current Planning prior to its approval of Gus J. Livaditis Case No. 86-88-XA screening for the eight foot strip along the rear opposed to the two entrances onto Orthoridge Road where there is an existing property line. parking problem. Setbacks for existing residences facing Orthoridge Road range 3. Hours of operation shall not exceed Monday through \* \* \* \* \* \* \* \* \* \* Keith E. Ronald, Esquire Friday, 8:00 a.m. to 9:00 p.m. and Saturdays 8:00 p.m. from about 35 to 55 feet. A building with a zero foot setback on the second The Petitioner herein requests a special exception for a Class B office 409 Washington Avenue floor is not appropriate or compatible, will detract from the homogeneous nature Towson, Maryland 21204 building in a R-O zone and a variance to permit a free-standing, illuminated 4. Signage shall be limited to a 3' x 5' (30 square foot counting both sides) free-standing, non-illuminated of the neighborhood, and might set a precedent for undeveloped property in the sign of 60 square feet, in lieu of the permitted 8 square foot non-illuminated sign. No sign shall be installed on the building. RE: PETITIONS FOR SPECIAL EXarea zoned R-O. The Petitioner know the property was zoned residential when he CEPTION AND VARIANCE sign on the building. SW/cor. York & Othoridge Rds. purchased it and took a speculative risk, and, in their opinion, has not Testimony on behalf of the Petitioner indicated that the property is part (8 Othoridge Road) -9th Election District compromised with the community regarding the proposed office building. In of the heavy commercial area bordering on York Road. A Class A office building Gus J. Livaditis, Fetitioner Case No. 86-38-XA addition, there was opposition to the size, location and lighting of the sign. is located immediately to the south and a Class B office building under Dear Mr. Ronald: Pursuant to the advertisement, posting of property and public hearing, in JMHJ:bg construction is north of Orthoridge Road. The existing one-story brick and I have this date passed my Order in the above captioned matter in accordthe opinion of the Deputy Zoning Commissioner, strict compliance with the Baltiance with the attached. stucco dwelling does not provide sufficient flexibility for conversion to more County Zoning Regulations (BCZR) would result in practical difficulty or offices. The proposed brick office building, providing two stories plus base-Very truly yours, unreasonable hardship upon the Petitioner, the requirements of Section 502.1, ment, will present a low profile with a sloping roof, and, although the second BCZR have been met, and the health, safety, and general welfare of the community floor has a zero foot setback from Orthoridge Road, the first floor has a nine JEAN M. H. JUNG Députy Zoning Commissioner will not be adversely affected, and, therefore, the special exception should be foot setback designed to relieve the boxiness of the building. The State granted and the variance should be granted in part. JMHJ:bg Highway Administration required that access be to Orthoridge Road not York Road. Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore Attachments Parking in the rear will be limited to staff and employees. In addition to oc-County, this 202 day of November, 1985, that the herein Petition for cc: People's Counsel cupanry by the owner, a physician, two to seven other tennants are proposed. Special Exception for a Class B office building in a R-O zone and, additionally, Ms. Ruth Walker Because of the considerable distance from the building to York Road, the Peti-6 Westbury Road Cockeysville, Md. 21093 the stition for Variance to permit a free-standing, 30 square foot non-illutioner proposes to install a free-standing, illuminated informational sign 6 minated sign in lieu of the permitted 8 square foot non-illuminated sign on the Ms. Mary Ginn inchese from the York Road property line and 36 feet south of the Orthoridge Road 506 Horncrest Road building, in accordance with the plan prepared by Johnson, Mirmiran and Towson, Md. 21204 prope so line. He will place no sign on the building. The Petitioner is of the Thompson, P.A., dated June 3, 1985, marked Petitioner's Exhibit 1, be and are Mr. Eric Rockel opinite that he has taken the community into consideration in his plans to - 3 -

Cr

\_\_\_\_\_\_\_

40

6 5 1026 B 5 1026

e de la companya de

We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: Hug. 27,1985 Huy 27, 1985 Address Jane & Comy <u>Name</u> Address 1311 Malban De Juhunde 21093 29c CavaN DR 1216 Mallau dr. Letherullo Med Marc Je Ames Romanda de Felice Eorole Norman 25 CAVAN DRIVE 23 Com Dive 1511 Markey Dr & thewille Hd. 21093 12/6 Molbin Dr. Luthewill mg Orlando K Da Felice 26 Cavan Frive 1326 Burleigh Rdfath Md 21093 Short E. Springer 26 Cowan Drive 21 Cavan Dige . Comment 1326 Burle of Pd Luth Md 21093 5 Thelma M! Apringer 1214 Mallan Dr Litherville ha 34 Cavan Drive Tiolet A. Hudson 4 Sandshan Rd Lith Ind 3/093 Maccella M Fice. 36 Caron 17 Cavan Pr Mary Freeman 16 Cavan Prive Am Freeman 17 Cavan St. 1205 Kurdy St. Lutherwille 21093 1314 MALBAY DR 21093 magine C. Wood 16 Cavan Prive 7 Cavandri 1911 malla Do Sutterite 21 093 108 Brths dun Rd 21093 5 Sansbury Rd 1211 Walkay Drive Satherette 21093 21093 12 Caran Or 15 Cavan Drup Sin Phai Wi & SanosbuyRd 34 OThale Pel Futheril 31093 24 CAVAN Dr Kenne Crusia 11/2 Westbury Rd. 21093 6 Cavan Dr 145 Westeury Rd. 21093 Offiction alread Thomy Schrabulis 30 Cavan Ma Low Myus 4 Cavan Drive 4 Cavan Drive Charles My Mus Barbers Tward 3 Cavan Drew-28 Cavan DN (Asenhine M. Jacia) 27 Cavar Dr 27 Cavan Dr. 32 Cavan Dr. 32 Cavan Dr. Lutherville, 21093 35 Chilan DC Listrasula md 2193 /Eliabeth P. Schnitt Walter 7. Meyer 31 CAVAN DR butherville MD 21093 3/ Cayar DR Sutherirle, Md 2193 Elmabetha Meiser Flow Marie Mayor 8/an/85 8/20/85 8/an/85 749 6 8 9 We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: We the undersigned are against the granting of a special exception for a Class B Office Building on the southwest corner of York and Othoridge Roads as requested by Doctor Gus Livaditis: Roads as requested by Doctor Gus Livaditis: <u>Address</u> Address 1 6 Otheridge Rd Latherville William R Hergy 1 1205 Purdy Court, Luttowill md. 9-Otheridge Rd Paul Jere Clapper Mh Eugene Ar Woody 1 1204 PURPY COURT Marles R. Sysi & OTHORISEE RD. 138 Dullei Or 1203 Purdy Ct / Lutherville -Bard Ara & Horton Mary Esthe Clorker INOU PURDY COURT Office M. Esizar Prop. 502 Hellew Pd Tovan #4 INOVPURBY COURT Koler B Hetherington Cawleer The Eason Malbay 502 Helen Rd. 21204 mary Setherington 1201 Dublen CT 21093 112 Dublin Dr Othonider Opris Jackson Herriet E. Cudrens 1201 Dublin Ot 21073 123 Dublin Dr 18 Ochredos. Rd Elleworth 9 Undrews 139 Dublin Dr. 21093 T. Collenberg 132 Oublin On Otheredos Pol 21693 Ommos & Million. O Memon 23 Ollardy Ra 133 Dubli 10 109 Derblin Str. 1330 Warrel Dr. Kullandle 21093 2/093 Barbara W Funts 133 Dullan Dr. 108 Dully Dr 21093 1) 13 MALBAY DRIVE 21093 133 Dublu Dr. ITIS MARSON DRIVE noma Lyhiyu 125 Dublin No. 2/093 1210 mavaguen. 36 Doblin Dr. 21093 1210 mally Us. 115 Dublin are 21093 Ken EBITZ 32 DULLIN Dr. Maura Jaio Mallry Us 32 DULLIN Dr. 1) Aue-MArch 21093 1200 molder Da 30 Dubi Da 21093 Willeam Muller 1207 Malhay De. 1200 PURDY Ct. matter & Unies 1200 Purly Cy. 21 tables Dr. 17 STACKIOSE 14 21093 21093 Seli 2,21093 9 Rules River 8 othordo Frad 21093 Paula 2 Gutehus 23 Sullin Drive 13 Other dae Rd 21093 34 Ollivale RA - 21093 (4. merke 105 Phonidge Rd. 21093 In Silomuna 1309 Burleigh Rd 13 Othoridge Rd. 31077 Hon Keldrallon 12 Oilvidge Rd 21093 Jenny Killgallon

8/27/85