

IN THE MATTER OF
THE APPLICATION OF
SUSAN EMILY MANIATIS
FOR VARIANCE ON PROPERTY
LOCATED ON THE NORTHWEST
CORNER OF TAYLOR AND BEVERLY
HILL AVES. (814 TAYLOR AVENUE)
9th ELECTION DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 87-503-A

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner granting the requested variance to permit 20 parking spaces in lieu of the requested 25 parking spaces. Case was heard this day in its entirety.

Petitioner presented testimony and evidence from James Maniatis as to the business he operates and the need for the variance, Cicero H. Brown, Engineer who drew the site plan and addressed the storm water problems and Michael Flanigan, Associate Traffic Engineer for Baltimore County, who requested the provision for ingress and egress as shown on the current site plan.

Protestants presented Edward Ulanowicz, local resident who complained about the storm water run-off, traffic problems and concerns about a private alley abutting the subject site.

Lisa Schade, 7913 Beverly Avenue, noted the traffic problems on Taylor Avenue and the health problems associated with trash and debris from the existing business.

Rebuttal witnesses for the Petitioner were Mr. Leonard Urso, who resides at 7935 Beverly Avenue. He testified in favor of the proposal as did Mr. William Hains who lives at 7908 Beverly Avenue.

Mr. Maniatis testified that he owns the subject site, that it was once an abandoned service station and that it is now used exclusively for parking associated with his present business. Said business contains some 5,000 square feet which is located on an adjoining parcel and is a restaurant,

and drive out. The expected stay for those patrons would be approximately five minutes.

The protestants are concerned about trash, storm water run-off, parking on Beverly Avenue, and utilization of an alleyway to the rear of the site which the Petitioner intends to close.

The alleyway is apparently not the subject of a recorded easement and does not appear on any plat of record, which therefore enables the Petitioner to close off this access point, as shown on Petitioner's Exhibit 1. The County has attempted to mitigate the run-off problem by constructing a new drain, with an easement granted by the Petitioner. The parking on Beverly Avenue is a serious problem for the residents, but no evidence was presented to prove that the problem is the fault of patrons visiting the Petitioner's restaurant, although the Protestants are convinced that they contribute to the problem. The trash in the community is a legitimate concern.

The Petitioner seeks relief from Section 409.2.b.(3) and (6), pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Susan Emily Maniatis
Case No. 87-503-A

bar and lounge. At present he leases this site for the bar and lounge but wishes to build a new 2,200 square foot building on his own property for use as a pizza parlor. He testified that in his existing business there are 150 total seats, but that in the proposed business there would be a total of only 50 seats and that his business would concentrate mainly as a carry-out business rather than a sitdown business. He further testified that if he receives his parking variance and is allowed to build his proposed building, that he will abandon the rented properties and concentrate all his business in the new building. Cicero Brown, the Engineer, testified as to the improvements proposed to the storm drains, the site layout, especially the access area, the landscape plan and the lighting plan for the subject site. Mr. Flanigan testified that the site plan now meets with the Traffic Engineer's approval and noted that while more parking would be desirable, it cannot logically be accomplished.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance were not granted. There is no testimony that the requested variance would be detrimental to the public health, safety or general welfare. It is therefore the opinion of this Board that the variance as requested should be granted and will so order, with restrictions.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of February, 1988, by the County Board of Appeals, ORDERED that a variance to permit 20 parking spaces in lieu of the 25 parking spaces be and the same is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if a variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if a variance were not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, a variance will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, a variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of June, 1987, that a variance to permit 20 parking spaces in lieu of the required 25 spaces be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- The access point on Beverly Avenue must be closed.
- Screening, at least 5 feet in height, must be provided along the entire length of the Petitioner's east property line adjacent to Beverly Avenue and must be dense enough to prevent pedestrian traffic and vehicle lights from impacting the surrounding dwellings, as determined to be appropriate by the Baltimore County Landscape Manual.
- Shields must be provided for all outside lights in order to prevent intrusion onto surrounding residential properties.

ORDER RECEIVED FOR FILING
Date June 23, 1987
By [Signature]

Susan Emily Maniatis
Case No. 87-503-A

- The site must be developed as shown on the plot plan entered as Petitioner's Exhibit No. 1.
- Screening must be provided along the entire length of the property line adjacent to Beverly Avenue and must be dense enough to prevent pedestrian traffic and vehicle lights from impacting the surrounding dwellings, as determined to be appropriate by the Baltimore County Landscape Manual.
- Shields must be provided for all outside lights in order to prevent intrusion onto surrounding residential properties.
- The parking lot must be made level or swales must be provided to prevent run-off onto adjacent properties, as determined to be appropriate by the Department of Public Works.
- The site must be kept free of trash.
- Employees may not park their vehicles on Beverly Avenue.
- This variance is granted subject to compliance with the testimony of Mr. Maniatis that upon completion of his proposed new building and the start-up of business therein, that all businesses on the adjoining site now leased by Mr. Maniatis must cease.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

[Signature]
William T. Hackett, Chairman
[Signature]
Arnold G. Foreman
[Signature]
Henry H. Lewis

- The parking lot must be made level or swales must be provided to prevent run-off onto adjacent properties, as determined to be appropriate by the Department of Public Works.
- The site must be kept free of trash.
- Employees may not park their vehicles on Beverly Avenue.

[Signature]
Zoning Commissioner of
Baltimore County

AT/srl

cc: Mr. & Mrs. James Maniatis
Mr. Edward Ulanowicz
Ms. Kimberly Young
People's Counsel

ORDER RECEIVED FOR FILING
Date June 23, 1987
By [Signature]

IN RE: PETITION ZONING VARIANCE
814/corner of Taylor and
Beverly Hill Avenues
(814 Taylor Avenue) -
9th Election District
Susan Emily Maniatis,
Petitioner
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-503-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 18 parking spaces in lieu of the required 25 spaces, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by her husband, James Maniatis, appeared and testified. Cicero Brown, a registered architect; Leonard Urso, a neighbor; and a liquor board inspector testified on behalf of the Petitioner. Edward Ulanowicz and Kimberly Young, adjacent property owners, and others testified in opposition.

Testimony indicated that the subject property, located at the corner of Taylor and Beverly Avenues and zoned B-1, is presently improved with a parking lot. Adjacent to that lot is property which the Petitioner and her husband lease and from which they operate their carryout restaurant, bar, and lounge. They propose to relocate the business onto the instant property. In its present location, the business consists of approximately 3,100 square feet with 16 parking spaces provided. The proposed building will contain 2,200 square feet of business space and an apartment on the second floor, with 18 spaces provided.

Approximately 80% of the business consists of pizza sales, 75% of which is carryout. The remaining 20% is the bar and lounge business. A pick-up window is proposed for the pizza carryout business, which would allow customers to drive around the building to the pick-up window, get the ordered pizza,

PETITION FOR ZONING VARIANCE
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 Variance from Section 409.2.b.(3) and (6) to permit 18 parking spaces, in lieu of the required 25.

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

The existing restaurant/bar operation is approximately 3500 square feet. The new building is 2200 square feet to construct a smaller building is not economically profitable.

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

I, or we, agree to pay expenses of above Variance 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):
(Type or Print Name)	Susan Emily Maniatis
Signature	[Signature]
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	1814 TAYLOR AVE. 668-2926
(Type or Print Name)	Address
Signature	BALTO, Md. 21239
Address	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Attorney's Telephone No.:	Cicero H. Brown - Architect
	Name
	1008 Hart Road, Towson, Md.
	Address
	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of June, 1987, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of June, 1987, at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

apr associates, inc.
surveyors-engineers

ALEXANDER P. RAYSON, PRINC. L.S.
MICHAEL J. TRUELOVE, P.E.

DESCRIPTION OF PROPERTY TO ACCOMPANY ZONING PETITION
TAYLOR AVENUE AND BEVERLY HILL AVENUE
BALTIMORE COUNTY, MARYLAND

ADDRESS: 1814 Taylor Avenue
ELECTION DISTRICT: 9th

BEGINNING FOR THE SAME at the corner formed by the intersection of the Northerly side of Taylor Avenue, 40 feet wide, with the Westerly side of Beverly Hill Avenue, 40 feet wide; thence binding along the Northerly side of Taylor Avenue North 68 degrees 34 minutes West 125.00 feet; thence leaving Taylor Avenue and binding along the division line between Lots 265 and 266 as shown on the plat of Westmoreland Fruit Farm, recorded among the Land Records of Baltimore County in Plat Book 7, page 102; North 21 degrees 26 minutes East 125.00 feet to intersect the Southerly outline of Lot 233 as shown on said plat; thence binding thereon South 68 degrees 34 minutes East 102.89 feet to intersect the Westerly side of Beverly Hill Avenue; thence binding thereon South 11 degrees 22 minutes West 126.86 feet to the point of beginning; containing 14.243 square feet or 0.327 acres more or less.

3-12-87



7427 Harford Road Baltimore, Md. 21234 Tel: 301 444 4312



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

February 11, 1988

Phyllis C. Friedman
People's Counsel for Baltimore County
Rm. 223, Old Court House
Towson, Md. 21204

Re: Case No. 87-503-A
Susan E. Maniatis

Dear Mrs. Friedman:

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

Very truly yours,

June Holman
June Holman, Secretary

Encl.
cc: Glen D. Lazzaro, Esq.
Susan E. Maniatis
Cicero H. Brown
Lisa Schade
Kimberly Young
Edward Jlanowicz
David Fields
James Hoswell
J. Robert Haines
Ann M. Nastarowicz
Jane E. Dyer
Docket Clerk

APL

Ms. Susan Emily Maniatis
1814 Taylor Avenue
Baltimore, Maryland 21234

May 11, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S Taylor Ave. and Beverly Hill Ave.
(1814 Taylor Ave.)
9th Election District - 4th Councilmanic District
Susan Emily Maniatis - Petitioner
Case No. 87-503-A

TIME: 10:00 a.m.

DATE: Wednesday, June 17, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

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

DATE: 6/15/87 ACCOUNT: 8-01-615-300

AMOUNT: \$ 100.00

RECEIVED FROM: Susan E. Maniatis Remot

FOR: Commercial Variance

8073*****88724 81547

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3333

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 10, 1987

Ms. Susan Emily Maniatis
1814 Taylor Avenue
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
N/S Taylor Ave. and Beverly Hill Ave.
(1814 Taylor Ave.)
9th Election District - 4th Councilmanic District
Susan Emily Maniatis - Petitioner
Case No. 87-503-A

Dear Ms. Maniatis:

This is to advise you that \$88.72 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland

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

DATE: 6/15/87 ACCOUNT: 8-01-615-300

AMOUNT: \$ 88.72

RECEIVED FROM: The Original Maniatis, Inc., 1812 Taylor Ave., Balto., Md. 21234

FOR: ADVERTISING & POSTING COSTS RE CASE #87-503-A

8073*****88724 81547

VALIDATION OR SIGNATURE OF CARRIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 974 Date of Posting: 7/14/87

Posted for: Susan Emily Maniatis

Petitioner: Susan Emily Maniatis

Location of property: N/S Taylor Ave. & Beverly Hill Ave. 1814 Taylor Ave.

Location of Sign: 1814 Taylor Ave. & Beverly Hill Ave. 1814 Taylor Ave.

Remarks: No. 87-503-A

Posted by: [Signature]

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 28, 1987.

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 May 28, 1987.

THE JEFFERSONIAN,

[Signature]
Publisher

2896

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Taylor Ave. & Beverly Hill : OF BALTIMORE COUNTY
Ave. (1814 Taylor Ave.)
9th District
SUSAN EMILY MANIATIS, : Case No. 87-503-A
Petitioner

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.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Susan Emily Maniatis, 1814 Taylor Avenue, Baltimore, MD 21234, Petitioner; and Cicero H. Brown - Architect, 1008 Hart Rd., Towson, MD 21204, who requested notification.

[Signature]
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 974 Date of Posting: 6/1/87

Posted for: Variance

Petitioner: Susan Emily Maniatis

Location of property: N/S Taylor Ave. & Beverly Hill Ave.

Location of Sign: 1814 Taylor Ave. & Beverly Hill Ave. 1814 Taylor Ave.

Remarks: No. 87-503-A

Posted by: [Signature]

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 27, 1987.

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 May 27, 1987.

TOWSON TIMES,

[Signature]
Publisher

44.76

We, the undersigned, protest the enlargement of Maria's Restaurant and Bar for the following reasons:

1. Present parking for Maria's now extends into our neighborhood. The planned enlargement will extend into Maria's already undersized parking lot and will further limit residential parking.
2. With present Maria's parking extending into our neighborhood, our road has become narrowed into one lane, making it impossible for two cars to pass each other and limiting the passage of emergency vehicles.
3. Increased traffic flow of Maria's customers parking on our streets presents a hazard to the children playing in the area.

We believe that the extension of Maria's into its present parking lot, which will result in less parking area for the use of even more customers, will worsen the already existing problems.

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

[Signature]
Signature (Print)
1800 Wilson Ave
Street Address
Towson, MD 21204
City, State, ZIP

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
29th day of April, 1987.

[Signature]
Arnold Jablon
Zoning Commissioner

Petitioner: Susan Emily Maniatis Received by: James E. Dyer
Petitioner's Attorney: Chairman, Zoning Plans Advisory Committee

Zoning Item # 368 Zoning Advisory Committee Meeting of 3-31-87
Page 2

- () Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
 - { } The results are valid until _____
 - { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - { } shall be valid until _____
 - { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

[Signature]
Jim J. Fornace, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

#87-503-A 9th Election District
N/W corner of Taylor and Beverly Hill Avenues
(814 Taylor Avenue)
Susan Emily Maniatis
1 SIGN

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 13, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 87-503-A

This office shares the concerns expressed by the Department of Traffic Engineering. Further, any parking overlap would usurp parking spaces in the adjacent residential area.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:sib

CPS-008

RECEIVED
MAY 15 1987

ZONING OFFICE

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 22, 1987

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

c/o

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Ms. Susan Emily Maniatis
1514 Taylor Avenue
Baltimore, Maryland 21234

RE: Item No. 368 - Case No. 87-503-A
Petitioner: Susan Emily Maniatis
Petition for Zoning Variance

Dear Ms. Maniatis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Mr. Cicero H. Brown, Architect
1008 Hart Road
Towson, Maryland 21204

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

May 4, 1987

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 368 Zoning Advisory Committee Meeting are as follows:

Property Owner: Susan E. Maniatis
Location: N/S Taylor Ave. at intersection of Beverly Hill Ave.
District: 9th

APPLICABLE ITEMS ARE CIRCLED:

- (1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-86, the Maryland Code for the Building and Safety (A.A.S.H.T.O. #11-1-1985) and other applicable codes and standards.
- (2) A building and other miscellaneous permits shall be required before the start of any construction.
- (3) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- (4) 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. Stamped seals are not acceptable.
- (5) All the Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls (lower than 6'-0" to an interior lot line, 8'-0" the 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 501, Section 1707, Section 1708.2 and Table 1702. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- (6) The structure does not appear to comply with Table 505 for permissible 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 421 and 505 and have your Architect/Engineer contact this department.
- (7) The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- (8) When filing for a required Change of Use/Temporary 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 the _____ to the _____ of Mixed Use. See Section 317 of the Building Code.
- (9) The proposed project appears to be located in a Flood Plain, Flood/Riverine. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #17-86. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (10) Comments: Basement shall be sprinklered. Sections 1702.14 and/or 1702.15 provide fire separation between the various uses. Basement S-1 storage, 1 first floor A-3 Restaurant, 2nd floor R-2 Residential, see Section 313.2 and table 1702 for fire rating required.
- (11) 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 review. If review the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Mr. C. E. Parnham, Chief
Building Plans Service

LWZ/PM

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 368, Zoning Advisory Committee Meeting of 3-31-87

Property Owner: Susan E. Maniatis
Location: N/S Taylor Ave District 9
Water Supply: meteo Sewage Disposal: meteo

COMMENTS ARE AS FOLLOWS:

- (1) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (2) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- (3) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- (4) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- (5) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- (6) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appearances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- (7) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- (8) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

April 24, 1987

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

Item No. 368 -ZAC- Meeting of March 31, 1987
Property Owner: Susan E. Maniatis
Location: N/S Taylor Avenue at intersection of Beverly Hill Ave.
Existing Zoning: B-1 -CNS
Proposed Zoning: Variance to permit 18 parking spaces in lieu of the required 25
Area: .326 acres
District: 9th Election District

Dear Mr. Jablon:

The site plan should be revised to show the following items:

1. There should only be one point of access to Taylor Avenue and that access point should be moved as far as possible from Beverly Avenue.
2. The location of the order board for the drive-thru lane must be shown, along with the required stacking spaces.
3. The drive-thru lane must be designed to accommodate an "AASHTO" design vehicle "P" (a policy on Geometric Design of Highways and Streets, page 24).
4. The radius at the intersection will have to be improved to 30 feet.
5. The proposed road improvements must be shown on the plan. Contact Mr. John W. Slough, Department of Public Works, at 491-3797.

The requested variance to parking can be expected to cause parking problems in the residential area to the north of the site.

Very truly yours,

[Signature]
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204 2586
494-4500

PAUL H. RENCKE
CHIEF

March 31, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Susan E. Maniatis

Location: N/S Taylor Avenue at intersection of Beverly Hill Avenue

Item No.: 368 Zoning Agenda: Meeting of 3/31/87

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site.
- (X) 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 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.
- (X) 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *[Signature]* Noted and Approved: *[Signature]*
Planning Group: John F. O'Neill
Special Inspection Division: Fire Prevention Bureau

/mb

TO: J. Robert Haines, Esquire
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

DATE 4 March 1988
CASE # 87-503-A
Permit # 99891, C-2490-87

Dear Mr. Haines:

We, the undersigned, being the owner(s) of the subject property and the applicant for the above referenced building permit, do hereby acknowledge that we are fully aware of the appeal filed in the above referenced zoning case that was granted by the Zoning Commissioner on 6/23/87. We understand that it is our right and we wish to proceed with the construction and improvements on the property prior to a final decision by the Board of Appeals.

We hereby hold Baltimore County, Maryland and any of its agents or employees including the Zoning Commissioner harmless from any liability or responsibility in this matter. We agree to assume any and all financial responsibility for any reversal of the Zoning Commissioner's decision and any consequences which might arise during this and any future appeals.

We further agree to return the property to its original condition, and in compliance with the zoning regulations should the appeal result in a partial or complete denial.

Very truly yours,

James E. Maniatis
Owner, Type Residential DATE

Owner, Type Name DATE

cc: Zoning Case File
Building Permit File (2)
MS066 (kkb)

Paul H. Renckle
4/1/88
uor

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3550

Arnold Jablon
Zoning Commissioner

July 22, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
NW/Corner of Taylor and Beverly Hill Avenues
(814 Taylor Avenue)
Susan Emily Maniatis - Petitioner
Case No. 87-503-A

Dear Board:

Please be advised that on July 22, 1987 an appeal of the decision rendered in the above-referenced case was filed by People's Counsel for Baltimore County.

Please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ:bjs

cc: Ms. Susan Emily Maniatis
1814 Taylor Avenue, Baltimore, Md. 21234

Mr. Cicero H. Brown, Architect
1008 Hart Road, Towson, Md. 21204

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Rm. 223, Towson, Maryland 21204

File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 22, 1987

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

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Ms. Susan Emily Maniatis
1814 Taylor Avenue
Baltimore, Maryland 21234

RE: Item No. 368 - Case No. 87-503-A
Petitioner: Susan Emily Maniatis
Petition for Zoning Variance

Dear Ms. Maniatis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Mr. Cicero H. Brown, Architect
1008 Hart Road
Towson, Maryland 21204



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

April 24, 1987

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

Item No. 368 -ZAC- Meeting of March 31, 1987
Property Owner: Susan E. Maniatis
Location: N/S Taylor Avenue at intersection of Beverly Hill Ave.
Existing Zoning: B.L. - C-NS
Proposed Zoning: Variance to permit 18 parking spaces in lieu of the required 25
Area: .326 acres
District: 9th Election District

Dear Mr. Jablon:

The site plan should be revised to show the following items:

1. There should only be one point of access to Taylor Avenue and that access point should be moved as far as possible from Beverly Avenue.
2. The location of the order board for the drive-thru lane must be shown, along with the required stacking spaces.
3. The drive-thru lane must be designed to accommodate an "AASHTO" design vehicle "D" (a policy on Geometric Design of Highways and Streets, page 24).
4. The radius at the intersection will have to be improved to 30 feet.
5. The proposed road improvements must be shown on the plan. Contact Mr. John W. Slough, Department of Public Works, at 494-3797.

The requested variance to parking can be expected to cause parking problems in the residential area to the north of the site.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

NSF:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKLE
CHIEF

March 31, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Susan E. Maniatis

Location: N/S Taylor Avenue at intersection of Beverly Hill Avenue

Item No.: 368

Zoning Agenda: Meeting of 3/31/87

Gentlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY John F. O'Neill Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

Zoning Item # 368 Zoning Advisory Committee Meeting of 3-31-87
Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
{ } The results are valid until _____.
{ } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
{ } shall be valid until _____.
{ } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (X) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Jan J. Forrest
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 368, Zoning Advisory Committee Meeting of 3-31-87

Property Owner: Susan E. Maniatis

Location: N/S Taylor Ave District 9

Water Supply meter Sewage Disposal meter

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- (X) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S Taylor Ave. A Beverly Hill : OF BALTIMORE COUNTY
Ave. (1814 Taylor Ave.) :
9th District :
SUSAN EMILY MANIATIS, : Case No. 87-503-A
Petitioner :
: : : : :
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.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to Susan Emily Maniatis, 1814 Taylor Avenue, Baltimore, MD 21234, Petitioner; and Cicero H. Brown - Architect, 1008 Hart Rd., Towson, MD 21204, who requested notification.

Peter Max Zimmerman
Peter Max Zimmerman

TED ZALESKI, JR.
DIRECTOR

May 4, 1987

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 368 Zoning Advisory Committee Meeting are as follows:

Property Owner: Susan E. Maniatis
Location: 814 Taylor Ave. at intersection of Beverly Hill Ave.
District: 9th

APPLICABLE ITEMS ARE CITED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Building and Code Enforcement Act (J.S.M. 1986) and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. 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.
4. 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. Sealed copies are not acceptable.
5. All One Group except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 One Group 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 101, Section 1107, Section 1105.2 and Table 1107. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible 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 101 and 505 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. 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 to Mixed Use _____. See Section 312 of the Building Code.
9. The proposed project appears to be located in a Flood Plain: Flood/Overwash. 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 elevation above sea level for the lot and the finish floor levels including basement.
10. Comments: Basement shall be sprinklered. Sections 1702.14 and or 1702.15 provide fire separation between the various uses. Basement S-1 storage, 1 first floor A-3 Restaurant, 2nd floor R-2 Residential, see Section 313.2 and table 1402 for fire rating required.
11. 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 112 of the County Office Building at 111 V. Chesapeake Avenue, Towson, Maryland 21204.

Wanda P. Schade
W. C. E. Schade, Inc.
Building Plans Serv.

L/27/87

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: May 13, 1987

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition No. 87-503-A

This office shares the concerns expressed by the Department of Traffic Engineering. Further, any parking overlap would usurp parking spaces in the adjacent residential area.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
MAY 15 1987

ZONING OFFICE

CPS-008

County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

October 15, 1987

AMENDED NOTICE 10/26/87 to
reflect & sent to Council
for Petitioner & Protestants
as listed.

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79.

CASE NO. 87-503-A

SUSAN EMILY MANIATIS

NW/cor. Taylor and Beverly Hill Aves.
(814 Taylor Avenue)

9th Election District

Variance-To permit 18 parking spaces
in lieu of the required 25.

6/23/87 - Z.C.'s Order - That the Variance
to permit 20 parking spaces in lieu of the
required 25 spaces, be GRANTED, subj. to
restrictions.

THURSDAY, JANUARY 14, 1988, at 10 a.m.

ASSIGNED FOR:

cc: Ms. Susan E. Maniatis

Petitioner

Mr. Cicero H. Brown

Architect

Phyllis C. Friedman

People's Counsel

Norman E. Gerber

James Hoswell

J. Robert Haines

Ann Nastarowicz

James E. Dyer

Margaret E. duBois

Glen D. Lazzaro, Esq.

Counsel for Appellee/Petitioner

Lisa Schade

Protestant

Edward Ulanowicz

Kimberly Young

June Holmen, Secretary

Lisa B. Schade
7913 Beverly Avenue
Baltimore, Maryland 21234

November 27, 1987

RE: Susan Emily Maniatis, Petitioner
Zoning Case No. 87-503-A (Item 368)

Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
Old Courthouse, Room 200
Towson, Maryland 21204

Dear Chairman Hackett:

As a neighboring property owner, I am writing to advise you formally of my interest in the above-noted case and to describe my concerns about the proposed use of the subject property.

As you know, American zoning law has its roots in the concept of "public nuisance," permitting government to place restrictions on the particular use of a property when the use would be detrimental to the public safety and welfare. I believe that the plans of the petitioner/appellee for the subject property constitute a nuisance and a threat to the public safety and welfare.

This zoning case is unusual in that the petitioner/appellee, Susan Emily Maniatis, has sought a variance that would allow her, in effect, to move an existing commercial operation from one site to its adjacent parcel. Because the basic use - a pizza parlor and lounge - already exists directly next to the subject property, there is an opportunity to examine the history of the Maniatis family in operating the business in this neighborhood. Based on this history, I find that the existing operation already is detrimental to my community, which detriment would be exacerbated if the current zoning order is upheld, allowing the relocation of the operation with the addition of a "drive-through" for food pick-up.

My first concern, at the heart of this case, is parking. Testimony before the Zoning Commissioner indicated that the

-cont-
Mr. Hackett:
Attached is the letter, Peter Z. Schade, presented from Lisa Schade concerning the Maniatis case set for 10/14/88 (wherein his office had reached possible agreement w/ Petitioner but there are many opposing neighbors). Please note Ms. Schade's comment at the end (page 4) re having her letter read at the hearing in the event she cannot attend personally.
kathi

2 - Mr. William T. Hackett, November 27, 1987

present Maniatis operation has 16 parking spaces. While this is technically true, in that there are 16 spaces on the single parcel where the business's building is now located, the operation relies upon additional parking being available on the adjacent Maniatis lot, i.e., where the proposed new building would be constructed. This additional parking consists of 36 marked spaces. The current operation, therefore, actually uses 52 parking spaces, which offer are full or nearly full during the business's peak operating hours.

Were the petitioner/appellee to meet the requirements of the Baltimore County Zoning Regulations on the new site, available parking would be reduced by more than 50 percent, from 52 to 25 spaces. The zoning order under review allows a further reduction, to 20 spaces, or less than 40 percent of the spaces currently available and frequently near capacity. Assuming a similar pattern of patronage on the current and proposed sites, therefore, parking would be far below adequate, representing a threat to the public welfare.

My second, related concern is traffic. The section of Taylor Avenue where the subject property is located is a bottleneck. To the west of the area, Taylor Avenue has four traffic lanes, which narrow to two lanes four blocks from the Maniatis property (the western narrowing occurs at the 1500 block, and the property in question is at the east end of the 1800 block). On the east, a similar narrowing occurs exactly at the subject property, where the four-lane intersection of Perring Parkway and Taylor drops to two lanes at Taylor's intersection with Beverly Avenue (also known as Beverly Hill Avenue), the eastern boundary of the Maniatis lot.

During afternoon rush hour and continuing into the evening hours - the apparent peak time for the Maniatis operation - traffic frequently backs up through the Taylor/Beverly intersection and beyond, making it very difficult for drivers to enter or exit Beverly. The traffic situation is complicated and made more dangerous by customers' efforts to enter and exit the Maniatis operation, whose curb cuts on both the current and proposed sites are located in the worst area of congestion. With the reduction in available parking spaces and the addition of a drive-through window on the proposed site, this congestion can only worsen, a threat to public safety.

Finally, the current operation is an eyesore and a health concern, and there is no indication that the proposed operation will be any better. The existing building is poorly painted and has long been missing a significant portion of its large roof sign. The petitioner/appellee might argue that the building's appearance is the responsibility of the current landlord; not knowing the

-continued-

3 - Mr. William T. Hackett, November 27, 1987

terms of the lease agreement, I will partially concede this point but would argue that any caring business operator would resolve this issue, particularly when the necessary financial investment to correct the problems would be relatively modest and would work to the operator's advantage, both for customers and for neighbors.

Clearly the responsibility of the petitioner/appellee are the appearance of the subject lot, which she owns, and the negative health implications of the conditions on both parcels. The proposed site has a retaining wall topped by fencing along the north and east property lines; the fencing is almost constantly in disrepair, with some sections missing and other sections apparently smashed by vehicles parked on the lot. As noted in the zoning order, the proposed site already creates a stormwater run-off problem: the sloped, impervious pavement routes stormwater onto Beverly Avenue and onto adjacent properties. Both parcels are frequently host to a substantial amount of litter, including broken glass on the public right-of-way, where neighborhood children await their school buses; and rats have been seen on the property, the only site on the immediate block where food is served. For all these reasons, the current use constitutes a threat to the public welfare and safety; and I have been given no reason to believe that the Maniatis family will be better neighbors under the proposed plan.

I am grateful that the Zoning Commissioner addressed some of these concerns by specifying a number of restrictions that serve as conditions to his grant of the requested parking variance. These conditions offer the neighborhood the potential of some relief from the existing problems, if only through the broadened opportunities to cite the petitioner/appellee for violations of the zoning order. Given the history of the current operation, I fear that the County's zoning enforcement officials would hear from the neighbors frequently if the order stands.

The conditions in the zoning order, however, do not address my concerns about the basic issue of parking nor about traffic. I reiterate that the order functionally allows the petitioner/appellee to reduce available parking from 52 to 20 spaces, and patrons who cannot park on-site might well park on the substandard Beverly Avenue or, worse, stack up on Taylor Avenue while awaiting access to on-site parking or the drive-through lane.

As the members of the Board of Appeals well know, it is reasonable to grant a variance when strict application of the zoning regulations would prevent the use of a property for a permitted purpose or would make conformance unnecessarily burdensome, so long as the granting of the variance is in keeping with the spirit of the law and does not impair the public safety

-continued-

4 - Mr. William T. Hackett, November 27, 1987

and welfare. Considering the issue in its most narrow sense - the request for a parking variance - I contend that the petitioner/appellee can develop the subject property in conformance with the regulations without unnecessary burden; simply eliminating the proposed drive-through lane, which does not exist at the current site of the operation and thus does not appear to be critical to it, should free an area adequate for the additional five parking spaces required for conformance. Reviewing all the implications of the issue, I contend that the operation of the petitioner/appellee at its current location already constitutes a threat to the public safety and welfare and that its relocation to the adjacent lot, particularly with the variance upheld, would only serve to heighten this threat.

I hope to be present at the Board's hearing of this case, currently scheduled for January 14, 1988, at which time I will testify as to my concerns. Should I be unable to attend, I will so notify the Board with my respectful request that the members consider permitting this letter to be read and entered as my testimony.

My sincere thanks for your attention in this matter.

Sincerely,

Lisa B. Schade
Lisa B. Schade

pc: Mr. Peter Max Zimmerman, Deputy People's Counsel

CICERO H. BROWN, JR.
ARCHITECT

21 October 1987

Baltimore County Md.
Peoples Council
Room 220 Court House
Towson, Maryland

Re: Susan Emily Maniatis
Zoning Case No. 87-503-A
Item 368

Attn: Peter M. Zimmerman
Deputy Peoples Council

Dear Mr. Zimmerman:

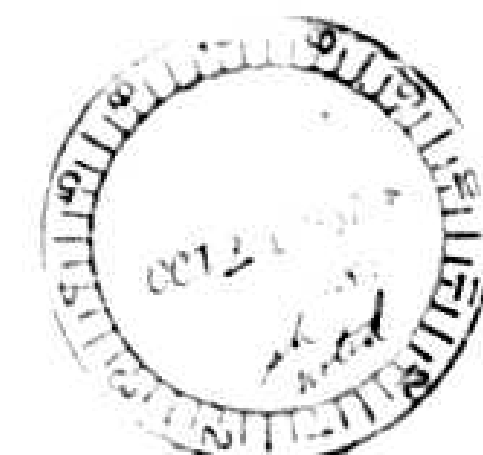
In accordance with your letter of Oct. 19, I am forwarding herewith one print of the above reference property plan, which was revised to conform with the comments of Michael Flannigan of the Traffic Dept.

I trust you will make every effort to expedite this appeal process as we are prepared to file for a building permit.

Very truly yours

Cicero H. Brown
Cicero H. Brown

CHB/jb
cc: Janis Maniatis



RECEIVED
COUNTY BOARD OF APPEALS
OCT 21 1987

1008 HART ROAD · TOWSON · MARYLAND 21204



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 26, 1987

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Susan Emily Maniatis, Petitioner
Zoning Case No. 87-503-A (Item 368)

Dear Chairman Hackett:

I have received a copy of an amended plan from Cicero H. Brown, and request by this letter that he forward a print to your office.

It is my preliminary understanding that the Traffic Engineering office is satisfied with the revisions, so that it would be acceptable to this office to advance the hearing date to a 9:00 a.m. session at the Board's convenience.

I do note, however, that there are neighboring Protestants who may also wish to be heard.

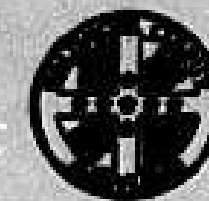
Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: Cicero H. Brown
Lisa Schade
Glen D. Lazzaro, Esquire
Michael S. Flanigan

PMZ:ah

RECEIVED
COUNTY BOARD OF APPEALS
OCT 26 1987



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 19, 1987

Cicero H. Brown, Jr., Architect
1008 Hart Road
Towson, Maryland 21204

RE: Susan Emily Maniatis, Petitioner
Zoning Case No. 87-503-A (Item 368)

Dear Mr. Brown:

Pursuant to our conversation this morning, please be advised that the People's Counsel does not intend to withdraw its appeal. A further hearing will be necessary in order to review the amended site plan. Please forward such site plan to our office as well as to Mr. Michael S. Flanigan. Once that plan is submitted, if it is acceptable, then we will cooperate with you in attempting to expedite the scheduling of a hearing.

I hope that you will submit the plan as soon as possible because an additional hearing will be necessary.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: County Board of Appeals
Michael S. Flanigan
Susan Emily Maniatis

PMZ:ah

10/19/87

Mr. Hackett:

Mr. Cicero Brown, architect in Case No. 87-503-A (Susan Emily Maniatis) --appeal filed by People's Counsel --, stopped in to see Peter Zimmerman and spoke w/him by telephone.

Mr. Brown is requesting an early hearing date; he stated that Peter told him to request the earlier hearing date --for 9:00 a.m. one morning (scheduled for hearing on January 14, 1988). Apparently, Mr. Brown is claiming that he has addressed the concerns of Traffic Engineering and if that is the case then Peter feels only a brief hearing is needed.

I spoke w/Peter. He said the hearing is necessary, but believes that if you could set for 9:00 a.m., it could be resolved in a short time.

k

19 October 1987

Baltimore County
Dept. of Traffic Eng.
Towson, Maryland 21204

Re: Case No. 87-503-A
Susan Emily Maniatis
NW/Cor. Taylor & Beverly Ave.

Att: Mr. Michael S. Flanigan

Dear Mr. Flanigan;

I have just received a hearing date for the Appeal of the Zoning Hearing of Wednesday, June 17, 1987.

After meeting with you in your office and revising my Plot Plan to conform with your appeal items. I was under the impression that your appeal would be withdrawn. You mentioned that you would contact People's Counsel and be in touch with Mr. Zimmerman to clear this appeal.

I today called Mr. Zimmerman and advised him of our meeting and the revising of the plan and he and he said that a short meeting could be arranged with the Board to expedite this matter. However, the office of Appeals advised that they felt that a letter from you would be sufficient to withdraw this appeal.

I am, for your records, forwarding the revised plan which we worked out. I hope you can clear this up so that further time consuming meetings and hearings will not be necessary.

Very truly yours,

Cicero H. Brown
Cicero H. Brown

CHS/jb

cc: Mr. J. Maniatis
People's Council

RECEIVED
COUNTY BOARD OF APPEALS
OCT 22 1987



County Board of Appeals of Baltimore County

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

October 26, 1987

Glen D. Lazzaro, Esquire
11 Stream Run Court
Timonium, MD 21093

RE: Case No. 87-503-A
Susan Emily Maniatis

Dear Mr. Lazzaro:

Your appearance has been entered in the subject case on behalf of the appellees as requested in your letter received today by this office.

This case has been set for hearing on January 14, 1988. Enclosed is a copy of the Notice of Assignment which was sent on October 15, 1987 and which has been amended to reflect your appearance as well as the names of the protestants who were present at the zoning hearing.

If you have any questions, please contact this office.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Peter Max Zimmerman, Esquire
Susan E. Maniatis

GLEN D. LAZZARO

ATTORNEY AT LAW
11 STREAM RUN COURT
TIMONIUM, MARYLAND 21093
(301) 561-0357

October 22, 1987

Mr. William Hackett, Chairman
County Board of Appeals
Room 200
Old Court House
Towson, Md. 21204

re: Susan Emily Maniatis, Case # 87-503-A
Petition for Variance to Permit Eighteen Parking Spaces
In Lieu of Required Twenty-Five Spaces.

Dear Mr. Hackett,

Please enter my appearance in the above-captioned case on behalf of the appellees.

I understand that there has been no hearing date set as of yet.

I would appreciate receiving a summons when the case is set in for hearing. Thank you very much.

Very truly yours,

Glen D. Lazzaro
Glen D. Lazzaro, Esq.

GDL

cc: Peter Max Zimmerman, Esq.
Susan E. Maniatis.

RECEIVED
COUNTY BOARD OF APPEALS
OCT 26 1987

10/15/87 - Following were notified of hearing set for Thurs. Jan. 14, 1988, at 10 a.m.

Susan E. Maniatis
Cicero H. Brown
Phyllis Friedman
N. Gerber, J. Hoswell
J. R. Haines, Ann Nastarowicz, J. Dyer, M. Galsis

10/26/87 -Sent notice to:

Glen D. Lazzaro, Esq. (entered appearance 10/26 -for Petitioner)
Lisa Schade
Edward Ulanowicz
Kimberly Young

10/27/87 -WTH to discuss correspondence w/D.P.C. on 10/29: Request from P.Z. for brief 9:00 a.m. hearing to view amended plan for approval re compliance with Traffic Engineering concerns.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL & REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 85235

DATE Jan 7, 1988 ACCOUNT 0117428

AMOUNT \$9.50

RECEIVED FROM Glen Lazzaro, 11 Stream Run Ct., Timonium, Md.
FOR copies from File No. 87-503-A, Susan Emily Maniatis

8 209*****9501 5078F

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

July 22, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
NW/Corner of Taylor and Beverly Hill Avenues
(814 Taylor Avenue)
Susan Emily Maniatis - Petitioner
Case No. 87-503-A

Dear Board:

Please be advised that on July 22, 1987 an appeal of the decision rendered in the above-referenced case was filed by People's Counsel for Baltimore County.

Please notify all parties to the case of the appeal hearing date and time when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJbjs

cc: Ms. Susan Emily Maniatis
1814 Taylor Avenue, Baltimore, Md. 21204

Mr. Cicero H. Brown, Architect
1008 Hart Road, Towson, Md. 21204

Phyllis Cole Friedman, Esquire
People's Counsel for Baltimore County
Old Courthouse, Rm. 223, Towson, Maryland 21204

File

RECEIVED
COUNTY BOARD OF APPEALS
JUL 24 1987

APPEAL

Petition for Zoning Variance
NW/corner of Taylor and Beverly Hill Avenues
(814 Taylor Avenue)
9th Election District - 4th Councilmanic District
Susan Emily Maniatis - Petitioner
Case No. 87-503-A

Petition for Zoning Variance
Description of Property
Certificate of Posting
Certificates of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Director of Planning & Zoning Comments
Petitioner's Exhibits: 1) Plat of Property dated 2/26/87
Protestant's Exhibits: 1) Signed Petition (3 pages)
Zoning Commissioner's Order dated June 23, 1987
Appeal received July 22, 1987 from People's Counsel for Baltimore County

Ms. Susan Emily Maniatis, Petitioner
1814 Taylor Avenue, Baltimore, Md. 21234

Mr. Cicero H. Brown, Architect
1008 Hart Road, Towson, Md. 21204

Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

Request Notification: Norman E. Gerber, Director of Planning
James Howell, Office of Planning & Zoning
Ar. J. Jablon, Zoning Commissioner
Jean M. H. Jung, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. duBois, Docket Clerk

RE: PETITION FOR VARIANCE
NW Corner of Taylor &
Beverly Hill Aves.
(814 Taylor Ave.)
9th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
ZONING OFFICE

SUSAN EMILY MANIATIS,
Petitioner
Case No. 87-503-A

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned case,
under date of June 23, 1987, to the County Board of Appeals and forward
all papers in connection therewith to the Board for hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 22nd day of July, 1987, a copy of
the foregoing Notice of Appeal was mailed to Susan Emily Maniatis, 1814
Taylor Ave., Baltimore, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE
9th Election District - 4th Councilmanic District
Case No. 87-503-A

LOCATION: North Side Taylor Avenue and Beverly Hill Avenue
(1814 Taylor Avenue)
DATE AND TIME: Wednesday, June 17, 1987, at 10:00 a.m.
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 Zoning Variance to permit 18 parking spaces in lieu of the
required 25 spaces

Being the property of Susan Emily Maniatis, as shown on plat
plan filed with the Zoning Office.

In the event that this Petition(s) is 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

RE: PETITION FOR VARIANCE
NW Corner of Taylor &
Beverly Hill Aves.
(814 Taylor Ave.)
9th District

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
ZONING OFFICE

SUSAN EMILY MANIATIS,
Petitioner
Case No. 87-503-A

NOTICE OF APPEAL

Please note an appeal from your decision in the above-captioned case,
under date of June 23, 1987, to the County Board of Appeals and forward
all papers in connection therewith to the Board for hearing.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

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

I HEREBY CERTIFY that on this 22nd day of July, 1987, a copy of
the foregoing Notice of Appeal was mailed to Susan Emily Maniatis, 1814
Taylor Ave., Baltimore, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

apr associates, inc.
surveyors-engineers

DESCRIPTION OF PROPERTY TO ACCOMPANY ZONING PETITION
TAYLOR AVENUE AND BEVERLY HILL AVENUE
BALTIMORE COUNTY, MARYLAND
ADDRESS: 1814 Taylor Avenue
ELECTION DISTRICT: 9th

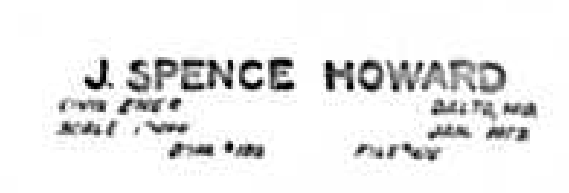
BEGINNING FOR THE SAME at the corner formed by the
intersection of the Northerly side of Taylor Avenue, 40 feet
wide, with the Westerly side of Beverly Hill Avenue, 40 feet
wide; thence binding along the Northerly side of Taylor
Avenue North 68 degrees 34 minutes West 125.00 feet; thence
leaving Taylor Avenue and binding along the division line
between Lots 265 and 266 as shown on the plat of
Westmoreland Fruit Farm, recorded among the Land Records of
Baltimore County in Plat Book 7, page 102; North 21 degrees
26 minutes East 125.00 feet to intersect the Southerly
outline of Lot 233 as shown on said plat; thence binding
thereon South 68 degrees 34 minutes East 102.89 feet to
intersect the Westerly side of Beverly Hill Avenue; thence
binding thereon South 11 degrees 22 minutes West 126.86 feet
to the point of beginning; containing 14.243 square feet or
0.327 acres more or less.

3-12-87



[illegible]

Protestants Exhibit 28



W.P.C. № 7 PART 2 - 10

A-5 LONGITUDINAL & CROSS SECTIONS, ALT. ~~ENTRANCE~~ BASEMENT FRAMING.

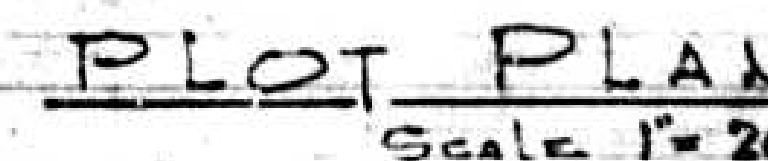
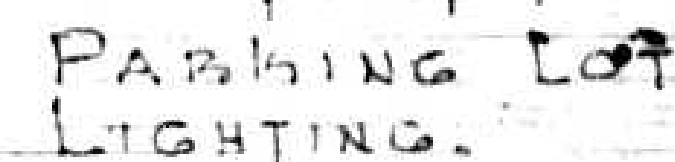
SCHEDULES.

M-1 FLOOR PLANS & DETAILS HVAC.



INLET MAY BE CONSTRUCTED OF BRICK OR
REINFC. CONC. TOP 4" OF WALL MAY BE
BRICK. MANHOLEY ADDITIONAL BRICK MAY BE
USED TO BRING GRADE TO GRADE.
SLOPE CURB FACE TO MEET INSIDE EDGE
OF RAMP AS SHOWN, SECT. A-A

SPALDING CORONA I
150W CVI-150-NPS-FG
(1) Single Head Unit
(1) Double Head Unit



1. AREA OF PROPERTY 14,273 S.F. OR 326 AC
2. AMENITY OPEN SPACE. 600'±
3. PROPERTY IS PRESENTLY MACADAM
SURFACED.

First Floor: CARRY OUT 1351 SF/200
DINING EPAC 857 SF/500
BASEMENT - BULK STORAGE 0
SECOND FLOOR - FUTURE APARTMENT 1
• SPACES REQUIRED 24.84 (25)
• SPACES PROVIDED 20
VARIANCE GRANTED 6/23/87 FOR 5 SPACES
CASE NO. 87-503-A

CICERO H. BROWN
ARCHITECT
1008 HART RD.
TOWSON, MD. 21204
410-547-4787

PROPOSED
PIZZA CARRY OUT/MARIA'S PIZZAZZA
1814 TAYLOR AVE., BALTIMORE COUNTY, MD. 21218
OWNER - JAMES N. MANIATIS.

PLOT
PLAN

Proj. No. 8604
DATE: 26 Feb. 87
SCALE: 1" = 20' 0"
LAST REV. 16 Nov. 87
DRAWING No.
A-1
OF 2 SHEETS

LIST OF DRAWINGS.

LOT PLAN.
FIRST FLOOR & BASEMENT PLAN.
ELEVATIONS.
LONGITUDINAL & CROSS SECTIONS.
TYPICAL WALL SECTIONS.

FIRST FLOOR, SECOND FLOOR AND ROOF
FRAMING PLAN.
ELECTRICAL PLAN & SCHEDULES.
PLUMBING PLAN, KITCHEN & BAR EQUIPMENT
SCHEDULE.
HVAC PLAN, SECTION & SCHEDULES.

PLANT LIST

KEY	QUANTITY	BOTANICAL NAME COMMON NAME	SIZE	CONDITION	REMARKS
+	10	PYRUS CALLERTANA 'RED SPIRE' RED SPIRE PEAR	2-2 1/2' CAL.	B & B	
*	23	X CIPRESSOCYPARIS 'LEYLANDII' LEYLAND CYPRESS	2 1/2-3' HT.	B & B	SPACE 4' O.C.
o	30	ELONIMUS SIEBOLDIANA SIEBOLD ELONIMUS	2 1/2-3' HT.	B & B	SPACE 4' O.C.
+	3	VIBURNUM RHYTHOPHYLLUM LEATHERLEAF VIBURNUM	2 1/2-3' HT.	B & B	SPACE 4' O.C.
o	15	COTONEASTER DAMMERI 'KOGSHOLMEN' COTONEASTER	15-18" SPD.	CAN	SPACE 3' O.C.

NOTES

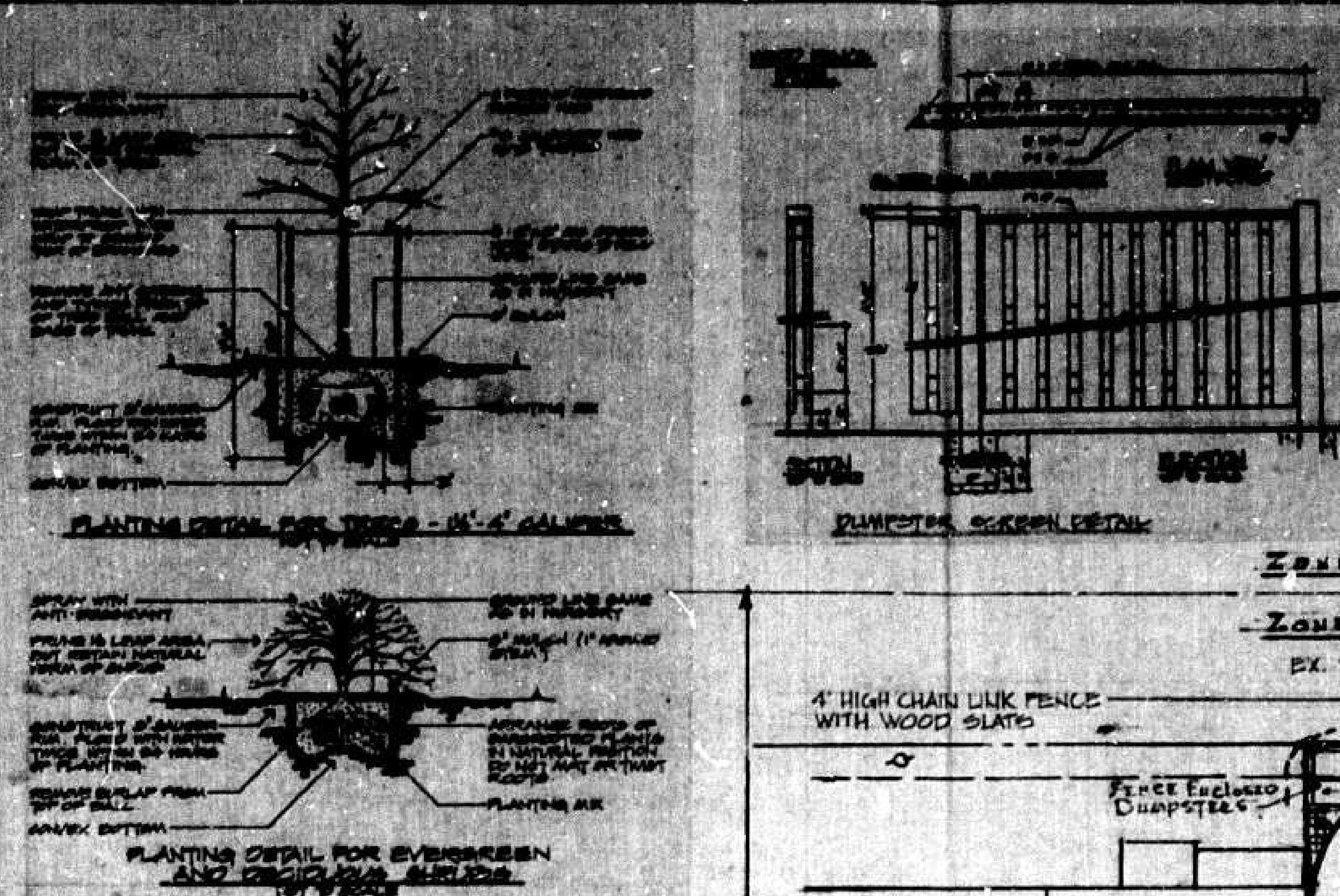
- CONTRACTOR SHALL NOTIFY 'MISS UTILITY' A MIN. OF 72 HOURS PRIOR TO DIGGING.
- THE LOCATION OF ALL PLANT MATERIAL IS TO BE APPROVED IN THE FIELD BY THE LANDSCAPE ARCHITECT.
- THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED 48 HOURS BEFORE PLANTING BEGINS.

LANDSCAPE REQUIREMENTS

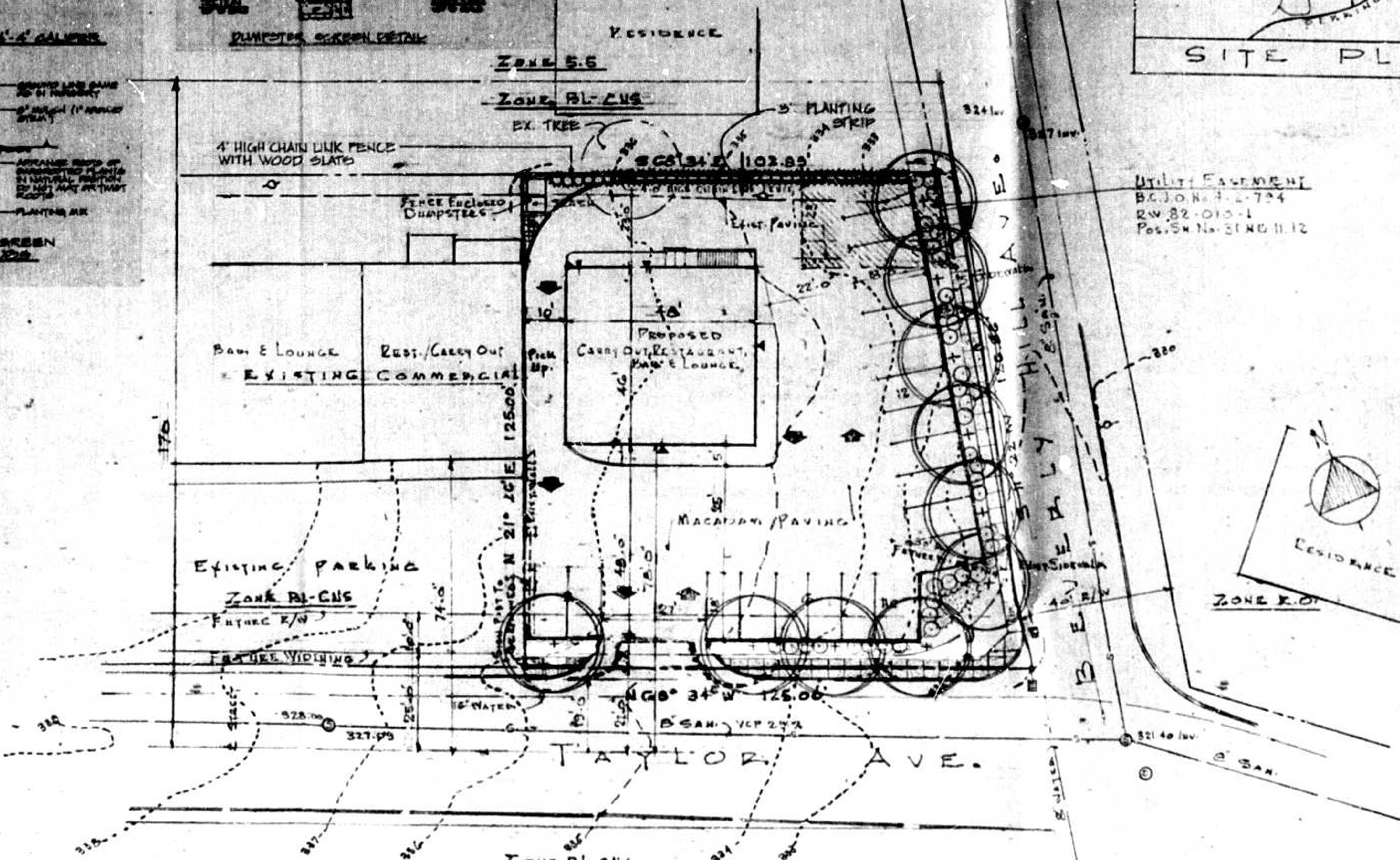
- ONE TREE PER 40 LINEAR FEET OF ROAD FRONTAGE:
 $240 \text{ LF.} \div 40 = 6 \text{ TREES}$
- ONE TREE FOR EVERY 12 PARKING SPACES
 $20 \text{ P.S.} \div 12 = 2 \text{ TREES}$
- ONE TREE PER 20 LINEAR FEET OF INTERIOR ROAD
 $100 \text{ LF.} \div 20 = 5 \text{ TREES}$
13 TREES TOTAL REQ'D.
- PLANTING ZONE ALONE P/L ABUTTING RESIDENTIAL ZONE OR PUBLIC STREET.
- SCREEN PARKING FROM RESIDENTIAL ZONE & PUBLIC STREET
- SCREEN DUMPSTERS.

PROVIDED

- 10 MAJOR DECIDUOUS TREES
- PLANTING ZONES
- PARKING IS SCREENED
- DUMPSTER IS SCREENED



PETITIONER'S EXHIBIT No. 2



Request a modification of Sec. IX B 2 of the Baltimore County Landscape Manual which states that "1 Evergreen tree 9' 6" o.c. and 1 Evergreen shrub 9' 3" o.c. shall be provided along property lines abutting residential zones and public streets." We feel the landscaping for these areas as shown more than complies with the screening intent of the Landscape Manual.

PLOT PLAN Scale 1" = 20'

- AREA OF PROPERTY 14,243 S.F. OR 326 AC.
- AMOUNT OPEN SPACE 600'
- PROPERTY IS PRESENTLY MACADAM SURFACED

PARKING REQUIREMENTS

FIRST FLOOR: CARRY OUT 135 S.F./2ND
DINING & BAR 457 S.F./2ND

BASEMENT - BULK STORAGE
SECOND FLOOR - FUTURE APARTMENT

SPACES REQUIRED
SPACES PROVIDED

VARIANCE GRANTED 12/87 FOR 5 SPACES
CASE NO. 87-503-A

SPECIFICATION FOR PLANTING

Plant Identification: All plants shall be properly marked for identification and marking.

Plant Material: The Contractor will verify plant quantities prior to bidding and any discrepancies shall be brought to the attention of the Landscape Architect. The Contractor shall furnish and plant all plants required to complete the work as shown on the drawings. Substitutions shall not be made without the written approval of the Landscape Architect. This contract will be based on the material having verified, prior to planting, the availability of the required plant materials as specified on the plant list.

Plant Quality: All shrubs shall be dense, heavy in the crown, and well grown, showing evidence of having been sheared recently, and shall be well rooted. All plants shall be free of insect damage, disease, or other defects and shall have a healthy root system. Plants shall be properly grown. Plants shall not be planted prior to delivery. The shape of the plant shall be maintained to the maximum extent possible. The shape of the plant shall be maintained to the maximum extent possible. The shape of the plant shall be maintained to the maximum extent possible.

Plant Spacing: Plant spacing is to be as specified on the plant list. All plants shall be spaced as specified on the plant list. All plants shall be spaced as specified on the plant list.

Plant Water: All plants shall be watered as specified on the plant list. All plants shall be watered as specified on the plant list. All plants shall be watered as specified on the plant list.

Plant Protection: All plants shall be protected as specified on the plant list. All plants shall be protected as specified on the plant list. All plants shall be protected as specified on the plant list.

Planting: All plants shall be planted as specified on the plant list. All plants shall be planted as specified on the plant list. All plants shall be planted as specified on the plant list.

"I certify that the schematic planting plan shown herein is consistent with the goal and intent of the Baltimore County Landscape Manual, 1985, and meets all applicable policy, guidelines and ordinances."

Signature of Applicant: *[Signature]* 10-19-87

"I certify that the planting plan shown herein is consistent with applicable policy, guidelines and ordinances, and that all plant material to be furnished will be nursery-grown in accordance with the specifications stated in the Baltimore County Landscape Manual, dated November 18, 1985."

Signature of Applicant: *[Signature]* 10-19-87

"I certify that the planting plan shown herein is consistent with applicable policy, guidelines and ordinances, and that all plant material to be furnished will be nursery-grown in accordance with the specifications stated in the Baltimore County Landscape Manual, dated November 18, 1985."

Signature of Applicant: *[Signature]* 10-19-87

"I certify that the planting plan shown herein is consistent with applicable policy, guidelines and ordinances, and that all plant material to be furnished will be nursery-grown in accordance with the specifications stated in the Baltimore County Landscape Manual, dated November 18, 1985."

Signature of Applicant: *[Signature]* 10-19-87

HUMAN & ROHDE, INC.
Landscape Architects
110 E. Pennsylvania Avenue
Towson, Maryland 21204
(301) 825-3885

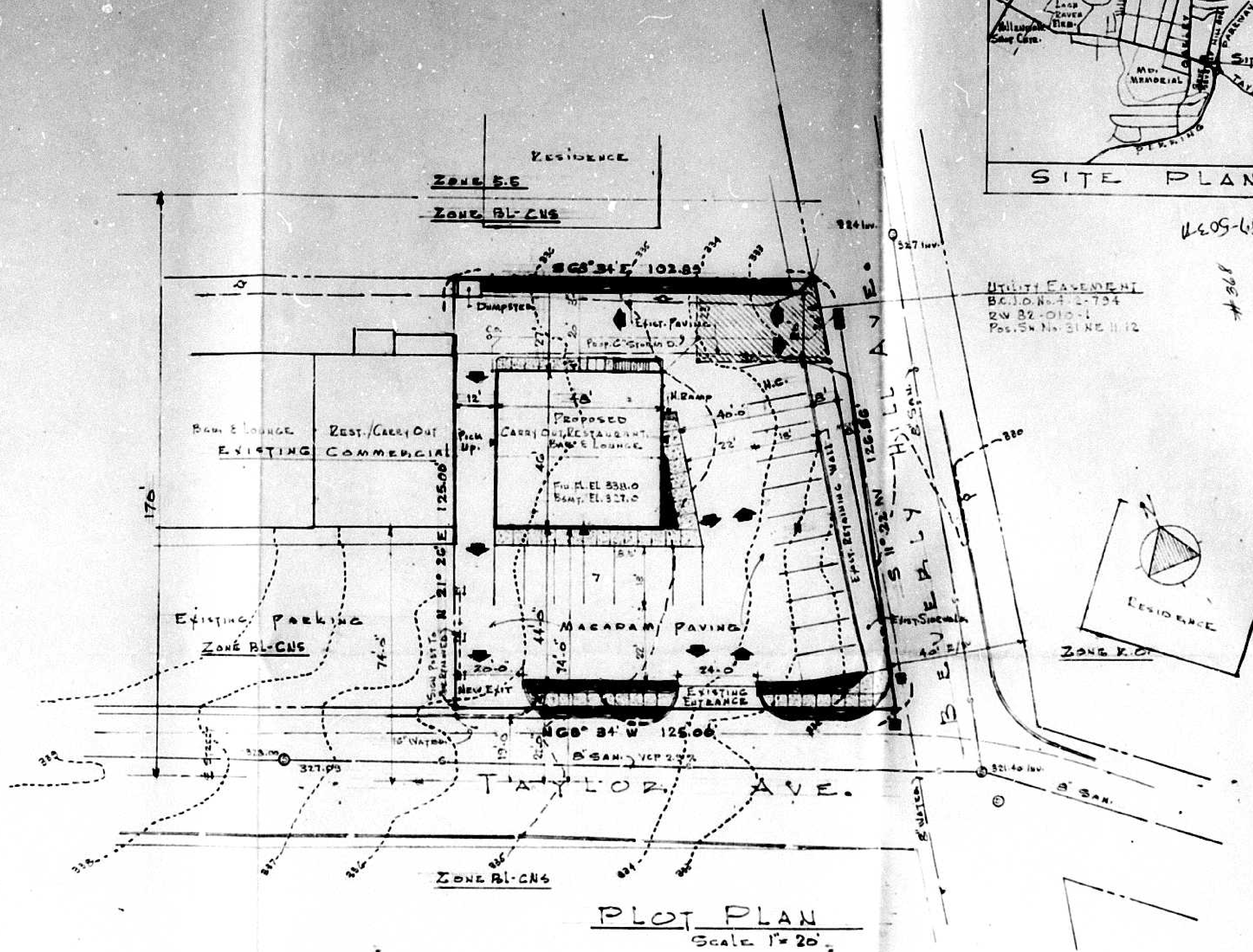
CICERO H. BROWN
ARCHITECT
1008 HART RD.
TOWSON, MD 21204
825-4192

PROPOSED
PIZZA CARRY OUT/MARIA'S PIZZERIA
1814 TAYLOR AVE., BALTIMORE COUNTY, MD. 9th Dist.
OWNER - JAMES N. MANIATIS

PLANTING PLAN
DATE 10-19-87
Proj. No.
DATE 26 Feb. 87
SCALE 1" = 20'
LAST REV.
DRAWING NO.
A-1a
OF SHEETS

LIST OF DRAWINGS.

- A-1 PLOT PLAN.
- A-2 FIRST FLOOR & BASEMENT PLAN.
- A-3 ELEVATIONS.
- A-4 LONGITUDINAL & CROSS SECTIONS.
- A-5 TYPICAL WALL SECTIONS.
- S-1 FIRST FLOOR, SECOND FLOOR AND ROOF FRAMING PLAN.
- E-1 ELECTRICAL PLAN & SCHEDULES.
- P-1 PLUMBING PLAN, KITCHEN & BAR EQUIPMENT SCHEDULE.
- M-1 HVAC PLAN, SECTION & SCHEDULES.



PLOT PLAN
Scale 1"=20'

1. AREA OF PROPERTY 14,213 SF. OR 326 AC.
2. AMENITY OPEN SPACE 500 SF
3. PROPERTY IS PRESENTLY MACADAM SURFACED.

PARKING REQUIREMENTS

FIRST FLOOR - CARRY OUT	1351 SF/200'	6.7 Spaces
DINING & BAR	857 SF/50'	17.14 "
BASMENT - BULK STORAGE		0 "
SECOND FLOOR - FUTURE APARTMENT		1 "
SPACES REQUIRED	24.84 (25)	
SPACES PROVIDED	19 Spaces	
UNMET REQUIREMENT FOR	5 Spaces	

PLOT
PLAN
C.B.G.
WALKER
Proj. No.
DATE: 26 FEB. 87
SCALE: 1"=20'-0"
LAST REV.
DRAWING NO.
A-1
OF SHEETS

PROPOSED
PIZZA CARRY OUT/MARIA'S PIZZAZZA
1814 TAYLOR AVE., BALTIMORE COUNTY, MD. 9th Dist.
OWNER - JAMES N. MANIATIS

CICERO H. BROWN
ARCHITECT
1008 HART RD.
TOWSON, MD 21204
825-4232