

IN RE: PETITION FOR ZONING VARIANCE
SE/for Joppa Road and
Baltimore Avenue
(608 Baltimore Avenue)
9th Election District
4th Councilmanic District
M. Stanley Radcliffe, et al
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-391-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side street setback of 6 feet in lieu of the required 10 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Nicholas J. Pistolas and Dennis P. Porsas, appeared and testified. Michael Radcliffe appeared on behalf of his mother and recently deceased father, M. Stanley Radcliffe. Peter G. Christ with TAA, Inc. also appeared on behalf of the Petition. There were no Protestants.

Testimony indicated that the subject property, zoned B.M.-C.T., is located at the corner of Baltimore Avenue and Joppa Road and is currently improved with a two-story office building. Mr. Pistolas testified that the Petitioners purchased the property in 1975. At that time, the Petitioners were aware of the County's intention to expand the existing right-of-way on both Baltimore Avenue and Joppa Road, as shown on Petitioner's Exhibit 1. The County had identified on its highway maps the future right-of-way at the time the Petitioners purchased the property.

The Petitioners propose expanding the existing office building by constructing two additions which will provide needed office space and a waiting room for their customers. However, the proposed additions would be located within the future right-of-way for Joppa Road, approximately 6 feet from the existing right-of-way and the Petitioners' property line. The Petitioners testified that the existing building is in the future right-of-way. The Petitioners

This Deed, Made this 23rd day of July, 1975, by and between
CLARK F. MACKENZIE, of Baltimore County, State of Maryland,

of the first part, GRANTOR, and THE SIX-O-EIGHT JOINT VENTURE, and THEODORE J. POTTHAST, JR., JOHN F. PADER, II, M. STANLEY RADCLIFFE, DENNIS J. PORSAS and NICHOLAS J. PISTOLAS, Vendors as per Joint Venture Agreement dated July 23rd, 1975,

of the second part, GRANTEE,

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said

Clark F. MacKenzie

doth and convey unto the said The Six-O-Eight Joint Venture, and Theodore J. Potthast, Jr., John F. Pader, II, M. Stanley Radcliffe, Dennis J. Porsas and Nicholas J. Pistolas, Vendors as per Joint Venture Agreement dated July 23rd, 1975, and their successors and assigns,

that portion of the parcel described in the Baltimore County Tax Map for the year 1975, located in the 9th Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a stone planted in the ground on the South side of Joppa Road or Old Court Road at the intersection of the West side of Baltimore Avenue and running thence binding on the West side of Baltimore Avenue, South 10-1/4 degrees West 46 feet, thence North 76 degrees 31 minutes East 105 feet to the lot of ground which by Deed dated October 28, 1968 and recorded in the Land Records of Baltimore County in Liber M.P.C. No. 336, folio 38, was conveyed by Jacob L. Hess to Thomas W. Stokser, thence reversing the last line of said conveyance North 17 degrees East 64 feet to the South side of Joppa Road or Old Court Road, thence binding on the South side of Joppa Road, South 66 degrees 13 minutes East 89 feet to the place of beginning. The improvements thereon being known as No. 608 Baltimore Avenue.

BEING the same lot of ground which by Deed dated May 14, 1971 and recorded among the Land Records of Baltimore County in Liber O.T.G. No. 5186, folio 129, etc., was granted and conveyed by Gertrude L. Croghan, et al., unto the within named Grantors.

11-000 2559141 51-52 IV
12-000 2559141 51-52 IV
13-000 2559141 51-52 IV
14-000 2559141 51-52 IV

ers further testified that it is also their intention to renovate the exterior of the existing building. The Petitioners further testified that there would be no loss of parking spaces as a result of this construction. Further, from their experience, additional parking would not be required as there would be no increase in clientele, just additional office space and waiting area for their present clients. They further testified that they have never had complaints from their clients regarding difficulty in finding parking spaces. The Petitioners testified that practical difficulty and unreasonable hardship will result if the variance is not granted. The premises are currently used by four lawyers as office space.

The Petitioners seek relief from Sections 235.2 and 232.2B pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations 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:

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

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

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requested variance would be detrimental to the public health, safety and general welfare, if granted. Further,

"DUPLICATE"
CERTIFICATE OF PUBLICATION

TOWSON, MD., March 10, 1988

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 March 10, 1988.

THE JEFFERSONIAN,

Sharon L. Johnson
Publisher

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 3/1/88
Posted for: *Michael Radcliffe, et al*
Petitioner: *Michael Radcliffe, et al*
Location of property: *SE/for Joppa Rd & Baltimore Ave*
Location of sign: *SE/for Joppa Rd & Baltimore Ave*
Remarks: *See property of Petitioner*
Posted by: *Michael Radcliffe* Date of return: 3/1/88
Number of Signs: 1

the Petitioners were advised of the County's plans to expand the right-of-way at the time they purchased the subject property.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Zoning Variance should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of May, 1988 that the Petition for Zoning Variance to permit a side street setback of 6 feet in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

Ann N. Nystrom
ANN N. NYSTROM
Deputy Zoning Commissioner
of Baltimore County

AMN:bj

ORDER RECEIVED FOR FILM
Date: 3/1/88
By: *Michael Radcliffe*

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-5553

J. Robert Hansen
Zoning Commissioner

Nicholas J. Pistolas, Esq.
608 Baltimore Avenue
Towson, Maryland 21204

Re: Petition for Zoning Variance
Case number: 88-391-A
SE/for Joppa Road and Baltimore Avenue
(608 Baltimore Avenue)
9th Election District - 4th Councilmanic District
Petitioner(s): M. Stanley Radcliffe, et al
HEARING SCHEDULED: THURSDAY, MARCH 31, 1988 at 9:00 a.m.

Dear Mr. Pistolas:
Please be advised that \$15.00 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL BE RE-TRIGGERED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND No. 52461
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 3/1/88 ACCOUNT: *Radcliffe*
AMOUNT: \$ 69.10
RECEIVED FROM: *M. Stanley Radcliffe, et al*
FOR: *3/1/88*
B 8176*****120103 7314
VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and where it is described in the description and plat attached hereto and made a part hereof, hereby petition you for the following reasons: (Indicate hardship or practical difficulty.)
Variance from Section 235.2 (232.2-B) to permit a side street setback of 6 feet in lieu of the required 10 feet.

The Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty.)
The existing side street setback is 6'. We are maintaining the 6' setback with the new addition, although logging the new addition is not aesthetically appealing as it would be if we were in line with the existing bldg. If we were to comply with the 10 foot setback we would lose a considerable amount of square feet and aesthetic appeal. Losing such a considerable amount of floor space would destroy the functionality of the space and negate the addition completely.

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.

Legal Owner(s):
Nicholas J. Pistolas
Peter G. Christ
M. Stanley Radcliffe
Dennis J. Porsas
Nicholas J. Pistolas
Dennis J. Porsas & Wife
Dennis J. Porsas & Wife
Dennis J. Porsas & Wife

508 Baltimore Avenue
Towson, Maryland 21204
City and State

Attorney for Petitioner:
Name (Type or Print Name)
Address
City and State

Name, address and phone number of legal owner, contact person or representative to be contacted
JAA, Inc.
102 W. Pennsylvania Ave.
Towson, Maryland 21204
City and State

Attorney's Telephone No. 705-5000
Address

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of May, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law, in the Baltimore County, in the newspapers of general circulation through-out Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County, in Room 100, County Office Building in Towson, Baltimore County, on the 31st day of March, 1988, at 9:00 o'clock A.M.

J. Robert Hansen
Zoning Commissioner of Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
484-5553

J. Robert Hansen
Zoning Commissioner

DATE: 3/1/88

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 100 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case number: 88-391-A
SE/for Joppa Road and Baltimore Avenue
(608 Baltimore Avenue)
9th Election District - 4th Councilmanic District
Petitioner(s): M. Stanley Radcliffe, et al
HEARING SCHEDULED: THURSDAY, MARCH 31, 1988 at 9:00 a.m.

Variance to permit a side street setback of 6 feet in lieu of the required 10 feet.

In the event that this Petition is granted, a building permit may be issued within one year, however, extension during this period for good reason may be granted by the date

BALTIMORE COUNTY, MARYLAND No. 47424
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 3/1/88 ACCOUNT: *Radcliffe*
AMOUNT: \$ 120.00
RECEIVED FROM: *M. Stanley Radcliffe, et al*
FOR: *3/1/88*
B 8176*****120103 7314
VALIDATION OR SIGNATURE OF CARRIER

88-391-A

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
7th day of January, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner M. Stanley Radcliffe, et al Received by: James E. Dyer
Petitioner's Attorney _____ Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO Zoning Commissioner _____ Date February 23, 1988

P. David Fields
FROM Director of Planning and Zoning

SUBJECT: Zoning Petition No. 88-391-A

RECEIVED
MAR 1 1988
ZONING OFFICE

This office is opposed to the granting of this petition. The petition correctly notes that the building is exempt from off-street parking requirements. It should be noted, however, that depending upon the type of office use, the actual parking needs for small buildings can be significant. Consequently, this office is opposed to the granting of any variances that would permit the expansion of the building to a size greater than that provided for by the existing requirements.

The proposed addition extends within the proposed future right-of-way of Joppa Road. Hence, this office is diametrically opposed to the granting of the requested variance.

P. David Fields per J. Pittman
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

cc: *Nicholas J. Pittman, Esq.*
3/23/88

CPS-009



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 22, 1988

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

Mr. & Mrs. M. Stanley Radcliffe
608 Baltimore Avenue
Towson, Maryland 21204

Item No. 240 - Case No. 88-391-A
Petitioner: M. Stanley Radcliffe, et al
Petition for Zoning Variance

Dear Mr. & Mrs. Radcliffe:

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:crn

Enclosures



Baltimore County
Fire Department
Towson, Maryland 21204-2506
494-4500

Paul H. Reinke
Chief

January 11, 1988

Re: Property Owner: M. Stanley Radcliffe, et al
Location: SE/C Joppa Road and Baltimore Avenue
Item No.: 240 Zoning Agenda: Meeting of 1/12/88

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.

1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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.

REVIEWER: *John F. O'Neill* Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

*Petitioner's
Exhibits
SA-SC
Color Photographs*

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3354

February 18, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

Item No. 240 - ZAC - Meeting of January 12, 1988
Property Owner: M. Stanley Radcliffe, et al
Location: SE/C Joppa Road and Baltimore Avenue
Existing Zoning: IM-CF
Proposed Zoning: Variance to permit a side street setback of 6' in lieu of the required 10'.
Area: 5,700 Square feet (+ or -)
District: 14th Election District

The proposed addition to the building on this site should not be placed in the proposed R.O.W. for Joppa Road.

The proposed expansion of this site is not providing for any increase in parking. The Town area is an area with parking problems at this time, additional parking is undesirable.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/pml-b

TAA Inc.

PETER G. CHRISTIE, R.I.B.A.

BORN: November 8, 1920, Baltimore, Maryland

EDUCATION: McDonogh School, 1935-1938
Johns Hopkins University (engineering)
University of Virginia, 1940-1943, B.S. in Architecture
Massachusetts Institute of Technology, Sum 1941 (architectural)
Harvard Graduate School of Design, 1946-1949, Masters Architecture

BACKGROUND: U.S. Army Air Corps, 1943-1946
Lucius R. White, Architect, 1946-1947, Designer, Architect
Alec C. Cochran, Architect, 1947-1950, Designer, Architect
Wilson and Christie, 1950-1963, Partner
Christie, Hess and Andrews, 1963-1967, Partner
The Architectural Affiliates, 1967-1974, Partner
TAA Inc., 1974 to Present, President

RESPONSIBILITY: Design, Functional programming, project management, construction technology, fire safety systems, town planning, architectural production systems.

EXPERIENCE: Office buildings, hospitals, commercial, schools and colleges, housing, town planning, single to multi-story prefabrication techniques (concrete panels).

PROJECTS: Fire & Police Headquarters, Baltimore County
Loyola Federal Savings & Loan, Towson, Maryland
First Federal Savings & Loan, Pikesville, Maryland
Marquette Safe Deposit and Trust, Towson, Maryland
Alec Brown Buildings, Towson, Maryland
Greater Baltimore Medical Center, (Project Architect) Baltimore, Maryland
Goucher College, (Dormitory), Stables, Service Center, infirmary
Western Maryland College, Apartments
Declar College Center, Alumni Hall (Theater)

PROFESSIONAL HONORS AND SERVICES: Design awards from Baltimore Chamber of Commerce Citizens Planning and Housing, Baltimore County Chamber of Commerce, Towson Development Association.

ORGANIZATIONS: American Architecture Association/American Institute of Architecture/Construction Specifications Institute/Baltimore County Chamber of Commerce/International Hospital Federation/National Fire Protection Association, Principal Subcommittee, Committee on Residential, The Engineering Society of Baltimore/The Urban Land Institute Museum of Art/Royal Institute of British Architects

REGISTRATION: Maryland-680A, Pennsylvania-63310, Delaware-265B, District of Columbia-1778



PATIENT CARE DOCUMENTATION SHEET

20121778 KECKICH, WALTER A MD
WATSON, TASHARA
05/14/01 F 14 02/11/87 CHES
M/R # 0617076

PRBH

DATE 5/17/01

CLINICAL TRAILS DAY # _____

7:00-3:30 (CIRCLE ALL THAT APPLY)

PROGRAM	ADULT	SENIOR	CLINICAL TRAILS	ADOLESCENT ACUTE	RESIDENTIAL
SPECIAL PRECAUTIONS	1:1 15 MINUTE CHECKS	30 MINUTE CHECKS	UNIT RESTRICTION	CAFETERIA RESTRICTION	SCHOOL PLAN
	SECLUSION	RESTRAINT	CRP (24 HOURS)	CRP (48 HOURS)	CRP (72 HOURS)
	ROOM PLAN (15/45)	(30/30)			
BEHAVIOR	AGITATED	IMPULSIVE	AVOIDS EYE CONTACT	ANXIOUS	THREATENING
	SOMATIC	ISOLATIVE	TEARFUL	HYPERACTIVE	SEDATED
MOOD/AFFECT	SAD	EUPHORIC	LABILE	FEARFUL	DEPRESSED
THOUGHT CONTENT	APPROPRIATE	GRANDIOSE	FIGHT OF IDEAS	DELUSIONS	LOOSE ASSOCIATIONS
	HALLUCINATIONS	PHOBAS	OBSESSIONS	SUICIDAL	HOMICIDAL
ORIENTATION	TIME	PLACE	PERSON	SITUATION	
SPEECH	COHERENT	INCOHERENT	SOFT	LOUD	PRESSURED
MOTOR ACTIVITY	NORMAL	RESTLESS	PACING	SLOW MOVEMENT	SLOW
INCIDENTS	FALL	SEXUAL MISCONDUCT	CONTRABAND	PHYSICAL DISTURBANCE	ATTEMPTED AWOL
PATIENT EDUCATION	MEDICATION GROUP	SYMPTOM MANAGEMENT GROUP	OTHER		

* Describe behaviors in narrative note below

NOTE: Pt. was aggressive throughout the shift. Pt. refused to take any medication. Pt. was very combative with staff and peers.

STAFF SIGNATURE [Signature] DATE/TIME 5/17/01 1800

DATE 05-17-01

CLINICAL TRAILS DAY # _____

3:00-11:30 (CIRCLE ALL THAT APPLY)

PROGRAM	ADULT	SENIOR	CLINICAL TRAILS	ADOLESCENT ACUTE	RESIDENTIAL
SPECIAL PRECAUTIONS	1:1 15 MINUTE CHECKS	30 MINUTE CHECKS	UNIT RESTRICTION	CAFETERIA RESTRICTION	SCHOOL PLAN
	SECLUSION	RESTRAINT	CRP (24 HOURS)	CRP (48 HOURS)	CRP (72 HOURS)
	ROOM PLAN (15/45)	(30/30)			
BEHAVIOR	AGITATED	IMPULSIVE	AVOIDS EYE CONTACT	ANXIOUS	THREATENING
	SOMATIC	ISOLATIVE	TEARFUL	HYPERACTIVE	SEDATED
MOOD/AFFECT	SAD	EUPHORIC	LABILE	FEARFUL	DEPRESSED
THOUGHT CONTENT	APPROPRIATE	GRANDIOSE	FIGHT OF IDEAS	DELUSIONS	LOOSE ASSOCIATIONS
	HALLUCINATIONS	PHOBAS	OBSESSIONS	SUICIDAL	HOMICIDAL
ORIENTATION	TIME	PLACE	PERSON	SITUATION	
SPEECH	COHERENT	INCOHERENT	SOFT	LOUD	PRESSURED
MOTOR ACTIVITY	NORMAL	RESTLESS	PACING	SLOW MOVEMENT	SLOW
INCIDENTS	FALL	SEXUAL MISCONDUCT	CONTRABAND	PHYSICAL DISTURBANCE	ATTEMPTED AWOL
PATIENT EDUCATION	MEDICATION GROUP	SYMPTOM MANAGEMENT GROUP	OTHER		

* Describe behaviors in narrative note below

NOTE: Client has been enjoying food interaction with peers. Been playing cards with peers. No foul language use or any inappropriate interaction.

