

IN RE: PETITION FOR VARIANCE * BEFORE THE
W/S York Road, 200' N of the *
c/l of Church Lane * DEPUTY ZONING COMMISSIONER
(10010 York Road & 20 Church Lane) *
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 98-5-A

Chris Theodoropoulos, et ux, and
George D. Mathias - Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject adjoining properties, Chris and Konstantina Theodoropolous and George D. Mathias. Specifically, Mr. & Mrs. Theodoropolous own 10010 York Road and 20 Church Lane, which have been identified as Parcels 1 and 2 on the site plan submitted with this Petition. Mr. Mathias owns Parcels A-1, A-2, and B which are located immediately adjacent to Parcel 1, as shown on the site plan. Parcels A-1 and A-2 are leased by Mr. & Mrs. Theodoropolous and are utilized to provide parking for their businesses located on Parcels 1 and 2. The Petitioners come before me seeking relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 111 parking spaces in lieu of the required 149 for proposed additions to the existing buildings. The subject properties and relief sought are more particularly described on the site plan submitted, which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Chris Theodoropolous, property owner, Geoffrey Schultz, Professional Engineer with McKee and Associates, Inc., who prepared the site plan for these properties, Robert Brookman, and Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. Appearing as a Protestant in the matter was Jeff Jobe, who owns property adjoining 20 Church Lane.

ORDER RECEIVED FOR FILING

Date

By

Testimony and evidence offered revealed that the properties which are the subject of this request consist of adjoining lots with a combined gross area of 1.436 acres, zoned B.R.-I.M. Parcel 2, known as 10010 York Road, is an L-shaped parcel which fronts on the west side of York Road and the north side of Church Lane. Parcel 2 is improved with a one-story restaurant, known as the York Inn. Parcel 1, known as 20 Church Lane, abuts the rear of Parcel 2 and fronts on Church Lane. Parcel 1 is improved with a one-story catering hall, known as York Inn Caterers. The Petitioners propose to construct a 12' x 36' addition to the existing restaurant building to provide new and handicapped-equipped restroom facilities in order to meet ADA standards. In addition, the Petitioners propose to construct a 14' x 38.1' addition to the catering hall to provide a vestibule for guests. By virtue of the proposed expansion to the existing restaurant, additional parking must be provided. Furthermore, the proposed addition to the catering hall will result in the loss of two spaces. Thus, the requested variance is necessary in order to proceed with the proposed improvements.

As noted above, Jeff Jobe appeared as a Protestant in the matter. However, at the conclusion of the testimony presented by the Petitioners, Mr. Jobe indicated he had no objections to the proposal, and in fact, supported the Petitioners' request.

It should be noted that there were no adverse comments submitted by any Baltimore County reviewing agency. However, it was recommended by the Office of Planning that the parking lot be posted with a "Parking for Patrons Only" sign to restrict parking on the property to patrons of the businesses. Therefore, as a condition to the relief granted, I shall impose an appropriate restriction at the end of this Order.

ORDER RECEIVED FOR FILING
Date 9/13/97
By [Signature]

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

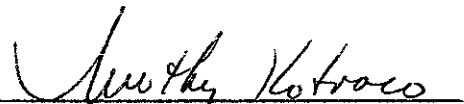
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING
Date 9/15/74
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of September, 1997 that the Petition for Variance seeking relief from Section 409.6 of the Baltimore County Zoning Regulations to permit 111 parking spaces in lieu of the required 149 for proposed additions, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) To insure that parking on the subject property is limited to patrons of either of the two businesses, the Petitioners shall have the parking lot posted with signs denoting "Parking for Patrons Only".
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/13/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

September 8, 1997

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
W/S York Road, 200' N of the c/l of Church Lane
(10010 York Road & 20 Church Lane)
8th Election District - 3rd Councilmanic District
Chris Theodoropoulos, et ux, and George D. Mathias - Petitioners
Case No. 98-5-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", is written over the typed name.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Chris Theodoropoulos
10835 Sandringham Road, Cockeysville, Md. 21030

Mr. George D. Mathias
3426 Benson Mill Road, Upperco, Md. 21155

Mr. Geoffrey C. Schultz, McKee & Associates, Inc.
5 Shawan Road, Hunt Valley, Md. 21030

People's Counsel; Case Files



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

10010 York Road and 20 Church Lane

which is presently zoned

BR-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 409.6 to permit a total of 111 parking spaces in lieu of the required 149.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) **TO BE DETERMINED AT HEARING**

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.

Legal Owner: Parcels A-1 and A-2

George D. Mathias

(Type or Print Name)

George D. Mathias

Signature

3426 Benson Mill Road

Address

Upperco

MD

21155

City

State

Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr.

(Type or Print Name)

Howard L. Alderman, Jr.

Signature

Levin & Gann, PA

305 W. Chesapeake Avenue 410-321-0600

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

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): Parcels 1 and 2

Chris Theodoropoulos

(Type or Print Name)

Chris Theodoropoulos

Signature

Konstantina Theodoropoulos

(Type or Print Name)

Konstantina Theodoropoulos

Signature

10835 Sandringham Road 410-666-0006

Address

Phone No.

Cockeysville

MD

21030

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Geoffrey C. Schultz - McKee & Associates, Inc.

Name

5 Shawan Road Hunt Valley, MD 21030

410-527-1555

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1-2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

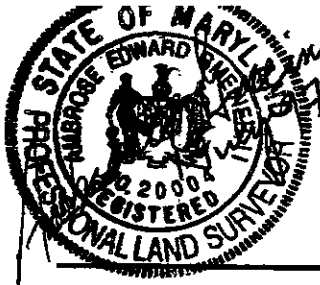
7/2/97

Printed with Soybean Ink
on Recycled Paper

ORDER RECEIVED FOR FILING

Date

By



5

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD

HUNT VALLEY, MARYLAND 21030

Telephone: (410) 527-1555

Facsimile: (410) 527-1563

98-S-A

July 1, 1997

Zoning Description of
#10010 York Road and
#20 Church Lane
8th Election District
Baltimore County, Maryland

Beginning at a point on the west side of York Road which is 80 feet wide at the distance of 200 feet North of the centerline of Church Lane which is 54 feet wide, thence the following courses and distances: South 71° 20' 20" West 112.56 feet, South 18° 39' 40" East 136.03 feet, North 83° 04' 55" West 219.65 feet, North 08° 05' 37" West 80.61 feet, North 71° 20' 20" East 23.32 feet, North 18° 36' 32" West 118.69 feet, North 82° 49' 30" East 277.96 feet, and South 18° 39' 40" East 101.30 feet to the place of beginning as recorded in Deed Liber 7370 Folio 561 and Deed Liber 5326 Folio 295 and containing 53,579 s.f. or 1.230 acres of land.

Also known as 10010 York Road and 20 Church Lane and located in the 8th Election District.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/24, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/24, 19 97.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

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 in Towson, Maryland on the property identified herein as follows:

Case #98-5-A
10010 York Road, 20

Church Lane
W/S York Road, 200 ft. c/ Church Lane
8th Election District
3rd Council District
Legal Owner(s):

Parcels A1 and A2: George D. Mathias
Parcels A1 and A2: George D. Mathias

Variance: to permit a total of 111 parking spaces in lieu of the required 149.

Hearing: Wednesday, August 13, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible: for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

7/334 July 24 C160174

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

041014

DATE 7/2/97 ACCOUNT 01-615

Item 5
By mk

AMOUNT \$ 250.00

RECEIVED FROM: York Int, Inc 10010 York Rd

FOR: 020- Comm Vac \$ 250.00

DISTRIBUTION

WHITE - CASHIER

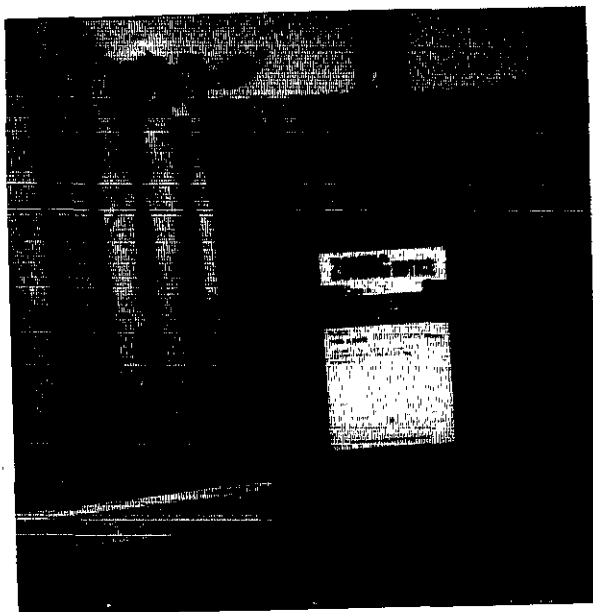
PINK - AGENCY

YELLOW - CUSTOMER

DATE RECEIVED

RECEIVED
7/2/97
041014
CASHIER
041014

CASHIER'S VALIDATION



98-5-A

TO: PUTUXENT PUBLISHING COMPANY

July 24, 1997 Issue - Jeffersonian

Please forward billing to:

Howard L. Alderman, Jr., Esq.

Levin & Gann, P.A.

305 W. Chesapeake Avenue

Towson, MD 21204

410-321-0600

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-5-A

10010 York Road and 20 Church Lane

W/S York Road, 200' N of c/l Church Lane

8th Election District - 3rd Councilmanic

Legal Owner(s): Parcels 1 and 2: Chris and Konstantina Theodoropoulos

Legal Owner(s): Parcels A1 and A2: George D. Mathias

Variance to permit a total of 111 parking spaces in lieu of the required 149.

HEARING: WEDNESDAY, AUGUST 13, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 5

Petitioner: Chris Theodoropoulos

Location: 10010 York Rd & 20 Church Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Howard Alderman

ADDRESS: 305 W. Chesapeake Ave

Towson, MD 21204

PHONE NUMBER: (410) 321-0600

AJ:ggs

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 24, 1997

NOTICE OF REASSIGNMENT

Postponed from 8/13/97

CASE NUMBER: 98-5-A

10010 York Road and 20 church Lane

W/S York Road, 200' N of c/l Church Lane

8th Election District - 3rd Councilmanic

Legal Owner(s): Parcels 1 and 2: Chris and Konstantina
Theodoropoulos

Legal Owner(s): Parcels A1 and A2: George D. Mathias

Variance to permit a total of 111 parking spaces in lieu of the
required 149.

HEARING: THURSDAY, AUGUST 28, 1997 at 9:00 a.m., Room 407 Courts
Building, 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Chris and Konstantina Theodoropoulos
Geoffrey C. Schultz/McKee & Associates
George D. Mathis
Howard L. Alderman, Jr., Esq.

PLEASE NOTE THAT THE ZONING SIGN ON THE PROPERTY MUST BE ALTERED TO
GIVE NOTICE OF THE ABOVE HEARING ON OR BEFORE AND CERTIFICATION OF
SAME FILED WITH THIS OFFICE. PLEASE CONTACT THE SIGN VENDOR USED FOR
THE ORIGINAL POSTING.



TO: PUTTIXENT PUBLISHING COMPANY
July 24, 1997 Issue - Jeffersonian

Please forward billing to:

Howard L. Alderman, Jr., Esq.
Levin & Gann, P.A.
305 W. Chesapeake Avenue
Towson, MD 21204
410-321-0600

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-5-A
10010 York Road and 20 Church Lane
W/S York Road, 200' N of c/l Church Lane
8th Election District - 3rd Councilmanic
Legal Owner(s): Parcels 1 and 2: Chris and Konstantina Theodoropoulos
Legal Owner(s): Parcels A1 and A2: George D. Mathias

Variance to permit a total of 111 parking spaces in lieu of the required 149.

HEARING: WEDNESDAY, AUGUST 13, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 17, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-5-A

10010 York Road and 20 church Lane

W/S York Road, 200' N of c/l Church Lane

8th Election District - 3rd Councilmanic

Legal Owner(s): Parcels 1 and 2: Chris and Konstantina Theodoropoulos

Legal Owner(s): Parcels A1 and A2: George D. Mathias

Variance to permit a total of 111 parking spaces in lieu of the required 149.

HEARING: WEDNESDAY, AUGUST 13, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

Arnold Jablon
Director

cc: Chris and Konstantina Theodoropoulos
Geoffrey C. Schultz
George D. Mathias
Howard L. Alderman, Jr., Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 29, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

Item # 5

ZONING NOTICE

Case No.: 98-5-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: Variance to permit 111 parking spaces in lieu
of 149.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 8, 1997

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
305 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No.: 005
Case No.: 97-5-A
Petitioner: Chris Theodoropoulos

Dear Mr. Alderman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 2, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

7/24/97
8
R4E

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 24, 1997 *WU*

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 10010 York Road and 20 Church Lane

INFORMATION

Item Number:

5

Petitioner: Mathias and Theodoropoulos Property

Zoning: BR-IM

Requested Action: Variance

Summary of Recommendations:

Staff does not oppose the requested variance because it would appear that sufficient parking spaces exist to serve the restaurant and catering hall. However, the site should not be utilized to provide parking for off-premise commercial uses that are currently deficient in terms of the provision of parking spaces. Therefore, a small informational sign restricting off-site parking should be erected at the Church Lane entrance of the applicants' site to discourage the parking of vehicles whose occupants are not patronizing the restaurant or catering hall or any other such future permitted use of the subject property.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Kerns



Baltimore County Government
Fire Department



700 East Joppa Road Suite 901

Towson, MD 21286-5500

(410) 887-4500

Arnold Jablon, Director

Zoning Administration and Development Management

Baltimore County Office Building

Towson, MD 21204

MAIL STOP-1105

RE: Property Owner: LRS Group, L.L.C.

Parcels 1 & 2: Chris Theodoropoulos &

Konstantin Theodoropoulos; Parcel A-1

& A-2: George D. Mathias

Location: DISTRIBUTION MEETING OF July, 14, 1997

Item No.: 002. 635

Zoning Appeal

Gentlemen:

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

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", 1991 edition or its equivalent.

REVIEWER: LT. ROBERT A. CALDWELL

Fire Marshal Office, PHONE 807-460

43-11027

1: File



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

DATE: July 21, 1997

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SIGNED: ROBERT W. BOWLING

SUBJECT: Zoning Advisory Committee Meeting
 for July 21, 1997
 Item Nos. 590, 591, 003, 004, 005,
 007, 008

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7/14/97

DATE: 7/14/97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

591
559
579
002
005
006
007
004

RBS:sp

BRUCE2/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND

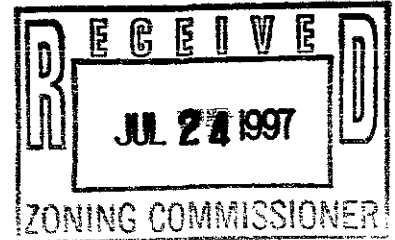
INTER-OFFICE CORRESPONDENCE

Turn 8/13
(Case P.P.)

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 24, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning



SUBJECT: 10010 York Road and 20 Church Lane

INFORMATION

Item Number: 5

Petitioner: Mathias and Theodoropoulos Property

Zoning: BR-IM

Requested Action: Variance

Summary of Recommendations:

Staff does not oppose the requested variance because it would appear that sufficient parking spaces exist to serve the restaurant and catering hall. However, the site should not be utilized to provide parking for off-premise commercial uses that are currently deficient in terms of the provision of parking spaces. Therefore, a small informational sign restricting off-site parking should be erected at the Church Lane entrance of the applicants' site to discourage the parking of vehicles whose occupants are not patronizing the restaurant or catering hall or any other such future permitted use of the subject property.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

RE: PETITION FOR VARIANCE
10010 York Road & 20 Church Lane, W/S
York Road, 200' N of c/l Church Lane
8th Election District, 3rd Councilmanic

Legal Owner(s): Parcels 1 and 2:
Chris & Konstantina Theodoropoulos
Legal Owner(s): Parcels A1 and A2:
George D. Mathias
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-5-A

* * * * *

ENTRY OF APPEARANCE

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


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esquire, Levin & Gann, 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioner.


PETER MAX ZIMMERMAN

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
halderma@counsel.com

July 22, 1997

VIA TELEFAX & U.S. MAIL

Ms. Gwendolyn Stephens, Docket Clerk
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: 10010 York Road
Case No. 98-55-A
Request to Reschedule Hearing

Dear Ms. Stephens:

As we discussed on the telephone earlier today, I have just received the Notice of Hearing, dated July 17, 1997, in the above referenced case. The hearing is scheduled for August 13, 1997. I will be out of the State from August 8th through and including the 18th. I, therefore, respectfully request that this matter be scheduled for hearing as soon after August 18, 1997 as possible.

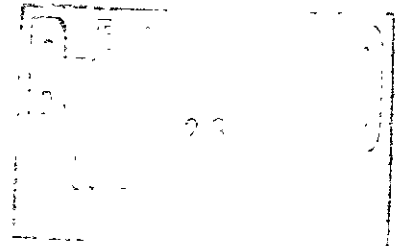
Thank you for your cooperation in this matter and please do not hesitate to call me should you need additional information regarding this case.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Mr. and Mrs. Chris Theodoropoulos
Mr. Geoffrey C. Schultz



BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
TWO HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
SUITE 113
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
haldema@counsel.com

July 22, 1997

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
Ms. Gwendolyn Stephens	410-887-5708
Mr. Geoffrey C. Schultz	410-527-1563

FROM: HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]: 2

CLIENT/MATTER: Case No. 98-5-A

COMMENTS: Gwen: thanks for trying to reschedule this as soon as possible. Howard.

[x] ORIGINAL TO FOLLOW VIA MAIL

If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible.
My return FAX Number is (410) 296-2801.

WARNING: UNAUTHORIZED INTERCEPTION OF THIS TELEFAX COMMUNICATION
COULD BE A VIOLATION OF FEDERAL AND MARYLAND LAW.

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone collect and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for expenses. Thank You.

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TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
halderma@coursol.com

July 22, 1997

VIA TELEFAX & U.S. MAIL

Ms. Gwendolyn Stephens, Docket Clerk
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: 10010 York Road
Case No. 98-55-A 98-5-A
Request to Reschedule Hearing

Dear Ms. Stephens:

As we discussed on the telephone earlier today, I have just received the Notice of Hearing, dated July 17, 1997, in the above referenced case. The hearing is scheduled for August 13, 1997. I will be out of the State from August 8th through and including the 18th. I, therefore, respectfully request that this matter be scheduled for hearing as soon after August 18, 1997 as possible.

Thank you for your cooperation in this matter and please do not hesitate to call me should you need additional information regarding this case.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Mr. and Mrs. Chris Theodoropoulos
Mr. Geoffrey C. Schultz

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

44-3756
7/21/97
S
RYE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 24, 1997 *WLL*

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 10010 York Road and 20 Church Lane

INFORMATION

**PETITIONER'S
EXHIBIT 2**

Item Number:

5

Petitioner:

Mathias and Theodoropoulos Property

Zoning:

BR-IM

Requested Action:

Variance

Summary of Recommendations:

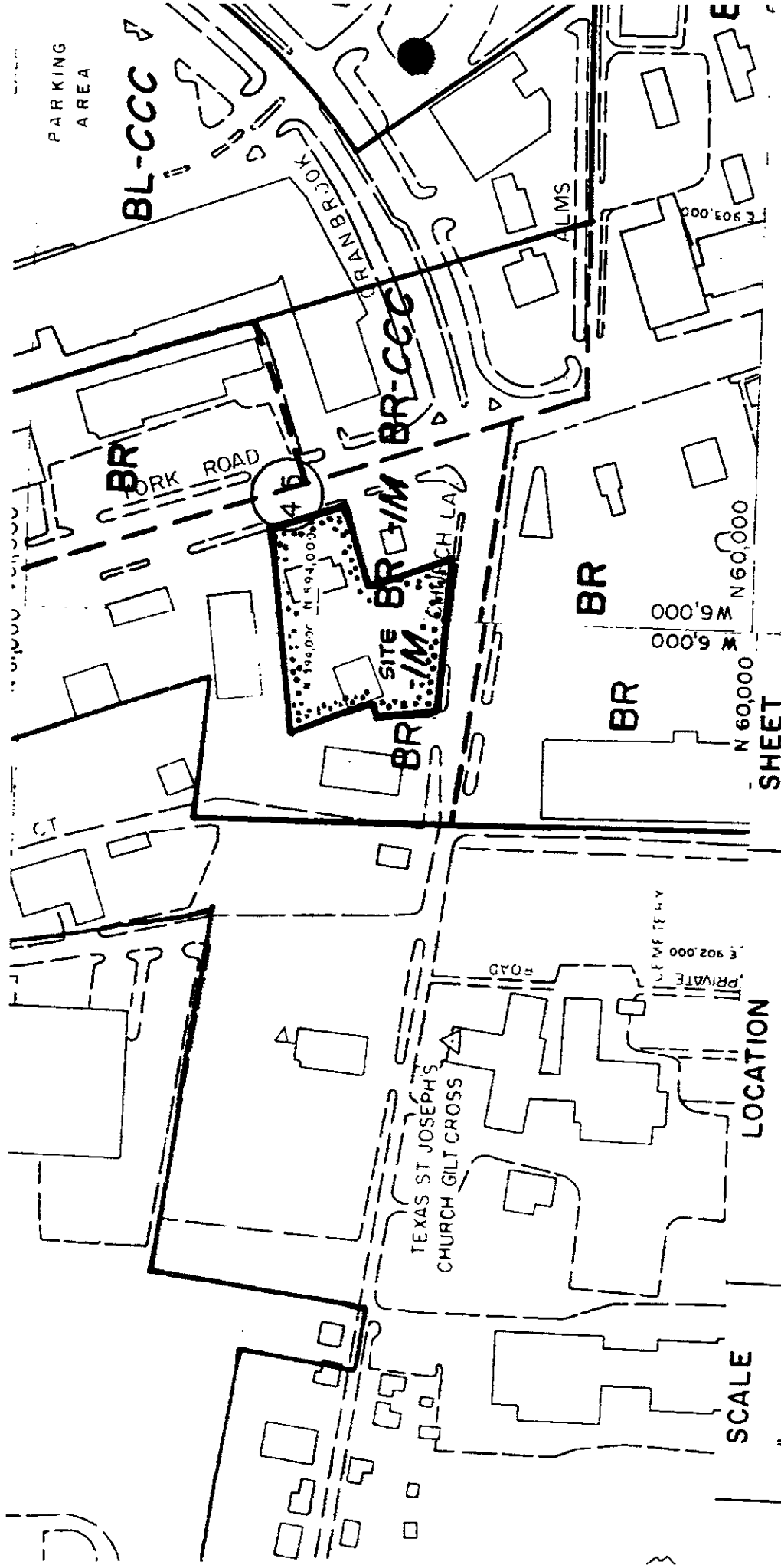
Staff does not oppose the requested variance because it would appear that sufficient parking spaces exist to serve the restaurant and catering hall. However, the site should not be utilized to provide parking for off-premise commercial uses that are currently deficient in terms of the provision of parking spaces. Therefore, a small informational sign restricting off-site parking should be erected at the Church Lane entrance of the applicants' site to discourage the parking of vehicles whose occupants are not patronizing the restaurant or catering hall or any other such future permitted use of the subject property.

Prepared by:

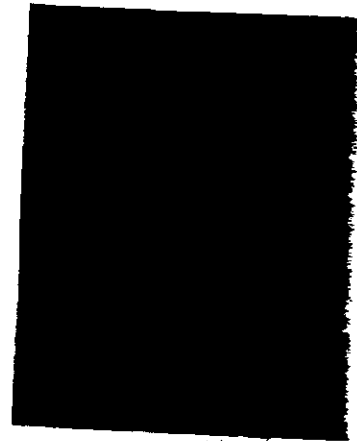
Jeffrey A. Long

Division Chief:

Gary L. Kerns



V-SE U-SW
S-NE R-NW



SHEET

N. W.

16-B

ZONING MAP

TEXAS

10010 YORK ROAD

20 CHURCH LANE

SCALE

1" = 200' ±

DATE

OF

PHOTOGRAPHY

JANUARY

1986

LOCATION

TEXAS ST JOSEPH'S
CHURCH GILT CROSS

PRIVATE
CEMETERY

90-5-A

#5

PETITIONER(S) SIGN-IN SHEET

ROBERT BROOKMAN

10000 YORK RD. COCKEYSVILLE

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Do not
mail

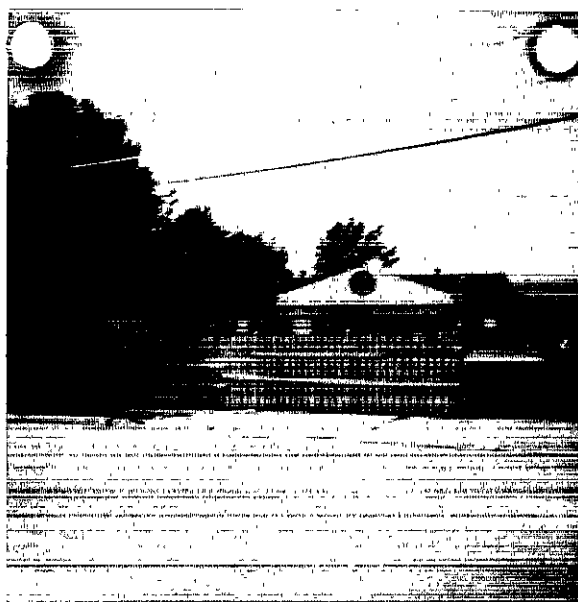
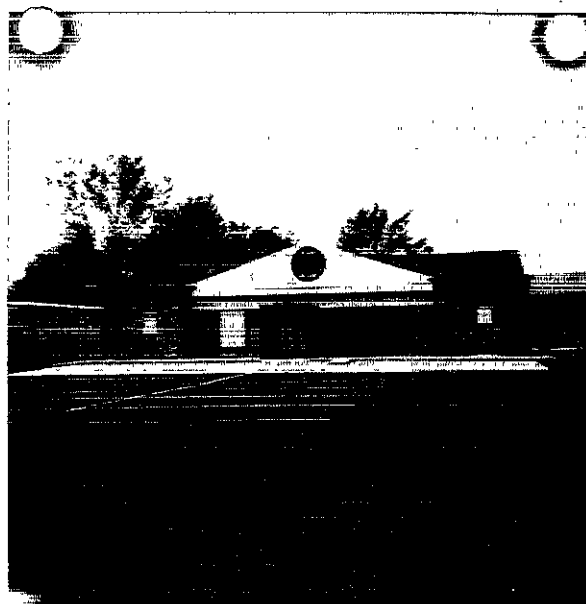
JEFF JOBE

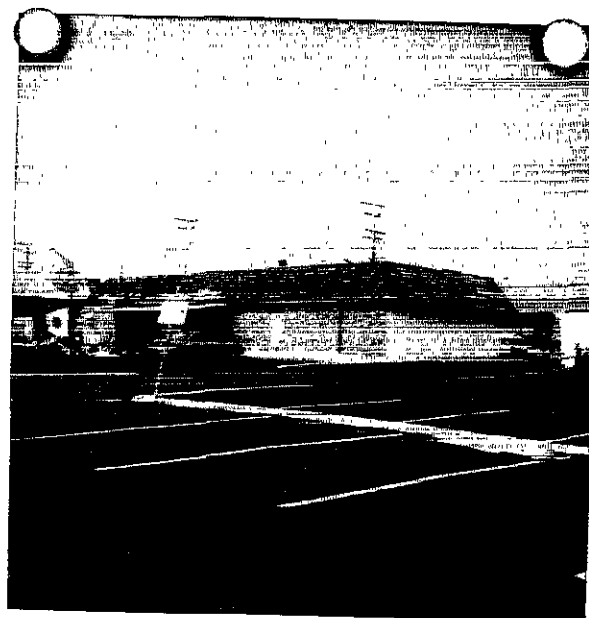
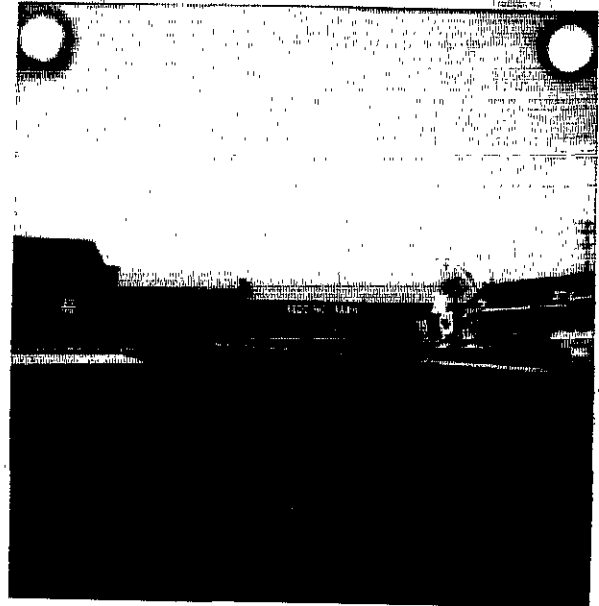
22 Church La
Cockeysville, MD 21030





PEPPER CORN
EAST 3



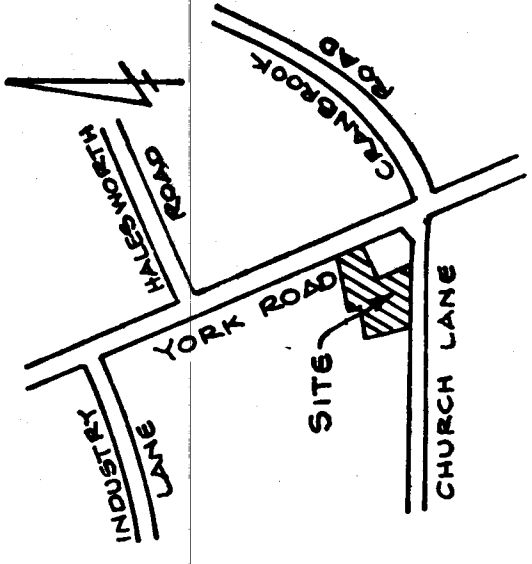


OWNERS
PARCELS 1 AND 2

CHRIS & KONSTATINA THEODOROPoulos
10938 SANDRINGHAM ROAD
COCKEYSVILLE, MD 21030
DEED REF.: 7370 / 561
ACCT. NOS.: 0807016062 0807016490

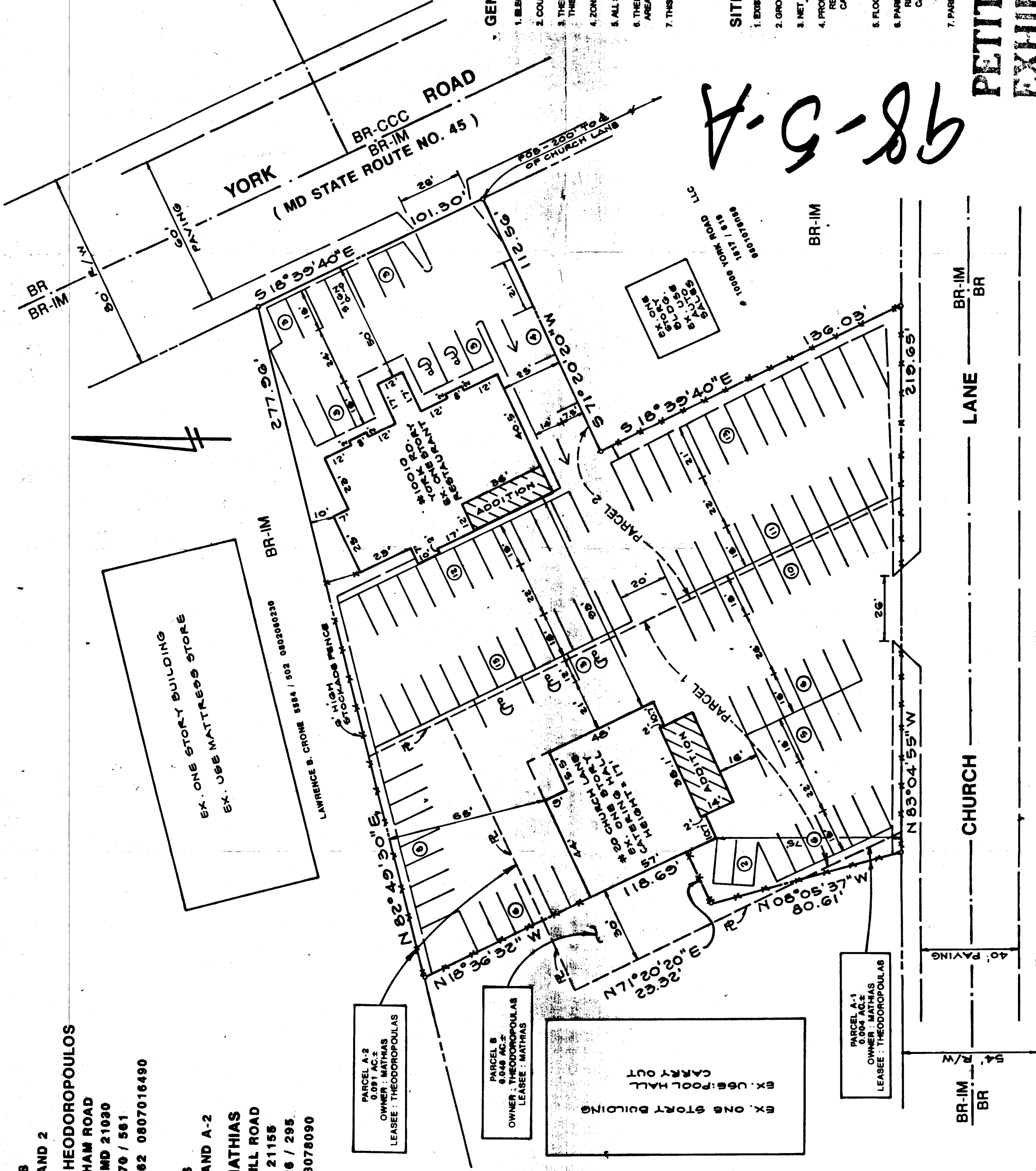
OWNERS

PARCELS A-1 AND A-2
GEORGE D. MATHIAS
3426 BENSON MILL ROAD
UPPERCO, MD 21155
DEED REF.: 5326 / 295
ACCT. NO.: 0813078090



VICINITY MAP

1" = 800'



GENERAL NOTES

1. ELECTION DISTRICT NO. 8
2. COUNCILMANIC DISTRICT NO. 3
3. THERE HAVE BEEN NO PREVIOUS ZONING HEARINGS FOR THIS SITE.
4. ZONING MAP NOS. NW 16A & 10B
5. ALL SIGNS SHALL COMPLY WITH APPLICABLE ZONING REGULATIONS.
6. THERE ARE NO WETLANDS, STREAMS, FLOOD PLAINS, CRITICAL AREAS, OR STEEP SLOPES WITHIN 100 FEET OF THIS SITE.
7. THIS PROPERTY IS SERVED BY PUBLIC WATER & SEWER.

SITE DATA

1. EXISTING ZONING OF SITE BR - IM
2. GROSS AREA OF SITE 82,552 S.F. = 1.88 AC
3. NET AREA OF SITE 53,579 S.F. = 1.230 AC
4. PROPOSED USES OF BUILDINGS
RESTAURANT 4507 S.F.
CATERING HALL 3828 S.F.
TOTAL 8335 S.F.
5. FLOOR AREA RATIO (8335 S.F. / 1.439 AC) = 0.198
6. PARKING PROVIDED
RESTAURANT (4507 S.F. / 1000'²) = 72.1 SPACES
CATERING HALL (3828 S.F. / 1000'²) = 76.6 SPACES
TOTAL = 148 SPACES
7. PARKING PROVIDED 111 SPACES

PETITIONER'S
EXHIBIT
PLAY TO ACCOMPANY

PETITION FOR ZONING VARIANCE

10010 YORK ROAD AND # 20 CHURCH LANE

8 TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SCALE : 1" = 30'

DATE : JUNE 27, 1997



McKee & Associates, Inc.
CIVIL ENGINEERS - LAND SURVEYORS
SHAWAN PLACE 5 SHAWAN ROAD
HUNT VALLEY, MD 21030
PHONE - (410) 527-1555