



98-014-SPHA

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 8, 2018

Patrick C. Richardson, Jr.
Richardson Engineering, LLC
30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Dear Mr. Richardson:

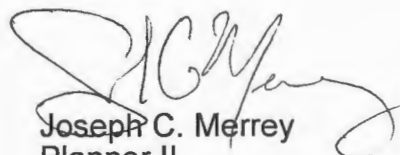
RE: Zoning Spirit and Intent Opimion, 1725 Taylor Avenue, Pappas Restaurant, 9th Election District

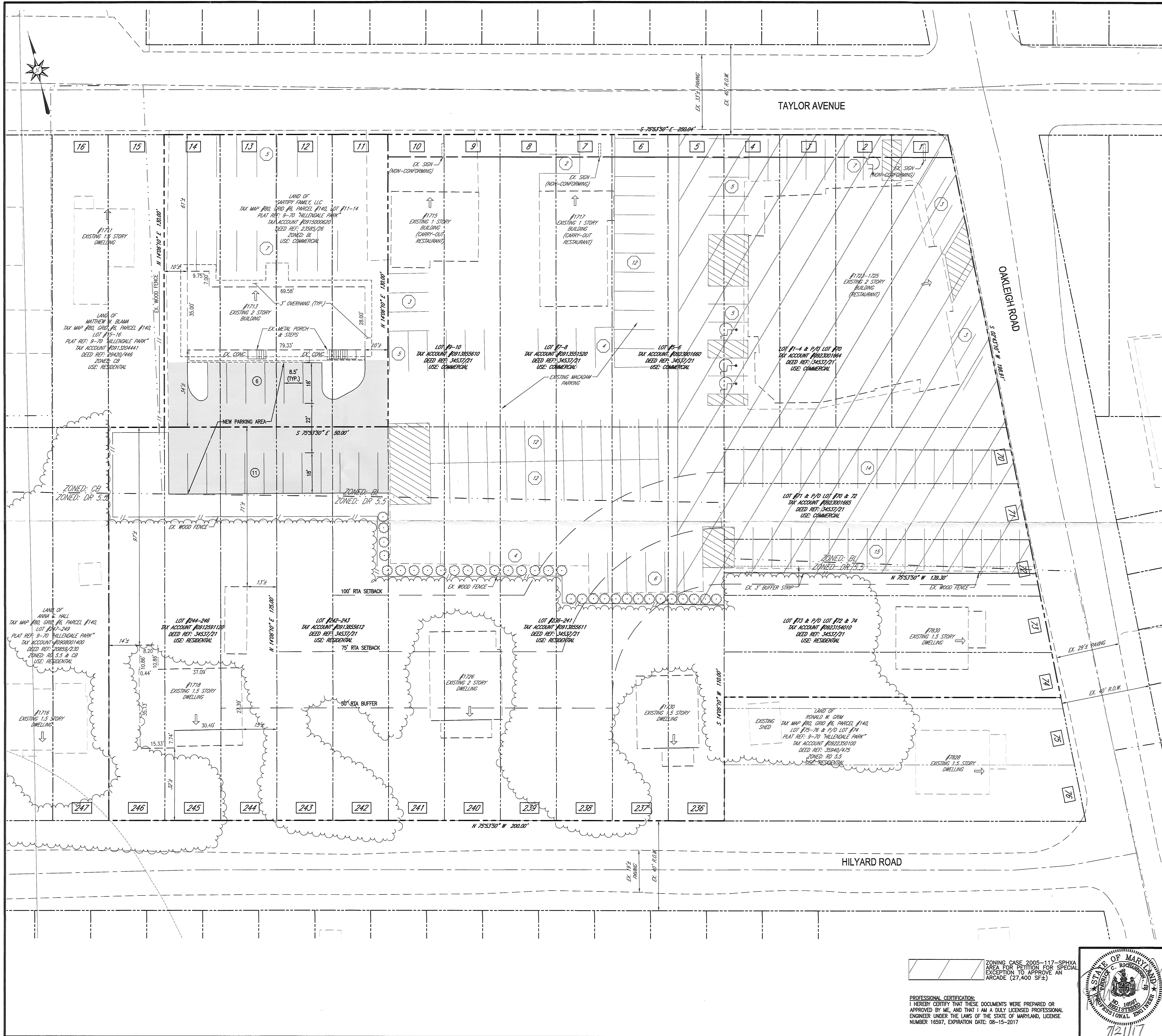
Your letter to Mr. Arnold Jablon, Director, concerning an opinion from this Office regarding a Spirit and Intent determination pertaining to the above referenced property and the proposed expansion to the parking lot has been given careful consideration by this Office, and the following is offered. I have been advised to inform you that the proposed expansion, with the addition of the landscaping shown on the revised plan is within the spirit and intent of the zoning history on this property. This letter must be copied onto all future site plans filed with this Office for review that pertain to the subject property.

This letter is strictly limited to the application of the BCZR as applied to the inquiries presented in your letter, and does not, in any fashion; represent verification for any other Local, State or other Regulations that may apply to this property.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely,


Joseph C. Merrey
Planner II
Zoning Review



Richardson, Patrick

From: Arnold Jablon <ajablon@baltimorecountymd.gov>
Sent: Monday, July 17, 2017 2:31 PM
To: Richardson, Patrick
Subject: FW: Pappas Restaurant
Attachments: scan0027.pdf; 16123 sp1-Layout1.pdf; 16123 S&I 06-23-17.doc

Rick, the problem is the plan you submitted with your S & I was not acceptable. Zoning does not have an issue with the parking on the commercial zoned property adjacent to the restaurant; however, there were conditions established by the previous hearings, and which must be continued and shown on your revised plan, e.g., fencing, plantings, et al. Also, the parking layout is not well shown and needs to be better described and shown. The restrictions were not erased simply because the zone was changed; the restrictions are still operable.

From: Arnold Jablon
Sent: Monday, July 17, 2017 2:07 PM
To: Richards, Carl (CRichards@baltimorecountymd.gov) <CRichards@baltimorecountymd.gov>
Subject: FW: Pappas Restaurant

Please come on down.

From: Richardson, Patrick [[ing.netmailto:rick@richardsonengineer](mailto:rick@richardsonengineer)]
Sent: Monday, July 17, 2017 10:24 AM
To: Arnold Jablon <ajablon@baltimorecountymd.gov>
Subject: Pappas Restaurant

Arnold, this is in regard to the discussion you had with Steve Pappas.
Attached is the plan and request submitted to the Zoning Office as Carl asked me to do.
The response letter is also attached. In the letter Joe Merrey directs us to have a special hearing to allow the parking.

I went to see Joe to ask him about why he did this. Joe told me to go see Carl if I did not agree with his letter.

I don't really know how to go to a hearing and ask for a special hearing to allow a by right permitted use.
I think Judge Beverungun will wonder the same thing.

Is there any chance you can speak with Joe or should I just do the hearing?
Please let me know your thoughts.
Thank you.

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road Suite 500
Timonium, MD 21093
410-560-1502-x112
fax: 443-901-1208



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

July 11, 2017

Patrick C. Richardson, Jr.
Richardson Engineering, LLC
30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Dear Mr. Richardson:

RE: Zoning Response Letter, 1725 Taylor Avenue, Pappas Restaurant, 9th Election District

The Zoning Office has given careful consideration to your request and has concluded that this Office is not vested with the requisite administrative authority to grant the requested relief, requiring instead, an opinion from the Administrative Law Judge (ALJ) pursuant to a public Special Hearing, particularly given the zoning history on the subject property. Additionally, the ALJ, should he decide in your client's favor, has the authority to include legally binding restrictions with his decision, which this Office does not.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely,

A handwritten signature in black ink, appearing to read "J. C. Merrey", is written over the typed name.

Joseph C. Merrey
Planner II
Zoning Review
410-887-3391

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

Tel: 410-560-1502
Fax 443-901-1208

June 23, 2017

Attn: Mr. Arnold Jablon
Director of Permits, Approval and Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

#17-250
\$150.00

Subject: Pappas Restaurant
1725 Taylor Avenue

Dear Mr. Jablon:

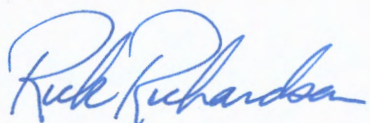
On behalf of my client, Pappas Restaurant, I am respectfully requesting a review of the proposed development to assure compliance with the Baltimore County Zoning Regulations. The site was subject of a Special Hearing and Variance in Case 98-14-SPHA, where they tried to install additional parking on the DR zoned property that they owned. The variance was denied and they were restricted to the parking already existing in the DR zoned property.

Recently Mr. Pappas and his neighbor Mr. Sartipy reached an agreement to alter their properties to allow more parking for them to use. The parking lot would be entirely within the BL zoned portion of the Pappas property and the area to the rear of the Sartipy property building. The configuration of this parking is shown on the attached plan. Since this parking is totally within the business zoned property, we believe that it is permitted as a matter of right.

The Code Enforcement Section has cited them for a violation of this case. In fact, they do not violate the order since the parking is not within the commercially zoned property.

Therefore, we are requesting a determination that this new parking is also within the spirit and intent of the previously approved plans and hearing, and do not represent a material change to the use or function of the property from what was previously approved or denied.

Very truly yours,



Patrick C. Richardson, Jr. PE

Encl: \$150.00 Processing Fee

7/24/17
L/m/f/Rick.
ADVISED:
WLR SAID HE WANTS
ADDITIONAL LANDSCAPING
BEHIND PROPOSED PKG.

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE *
SWC Taylor Avenue and Oakleigh * ZONING COMMISSIONER
Road *
1715-1725 Taylor Avenue * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District * Case No. 98-14-SPHA
Mark J. Pappas, et ux, Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and Petition for Variance for the property known as 1715-1725 Taylor Avenue in Parkville. The Petitions were filed by Mark J. Pappas and Harriet M. Pappas, his wife, property owners. Within the Petition for Special Hearing, relief is requested pursuant to Section 409.8.B. of the Baltimore County Zoning Regulations (BCZR) to permit business parking in the D.R.5.5 zoned portion of the site; to establish three nonconforming free standing signs for the 3 individual buildings (1 per building); and to establish the nonconforming parking areas and parking spaces for lots 1 thru 10 of the Hillendale Park Plat No. 2 (i.e., to permit vehicles backing into a public right-of-way, parking spaces less than 10 ft. from public right-of-way, etc.). Additionally, four specific variances are sought within the Petition for Variance. They are: (1) from Section 1B01.1.B(e)(3&5) of the BCZR to permit as little as a 0' buffer and a 3 ft. setback in lieu of the required 50 ft. buffer and 75 ft. setbacks respectively, as shown on the site plan; (2) from Section 1B02.3.C.(1) to allow a rear yard setback of 12 ft. in lieu of the required 30 ft. for the dwelling located at 1726 Hilyard Road; (3) from Section 409.8.A.4 to permit parking spaces to be situated 4 ft. from the right of way in lieu of the required 10 ft. ; and (4) from Section 409.6.A.2 to permit 128 spaces to serve all 3 commercial properties in

10/10/97
M. Pappas

lieu of the required 202 spaces. All of the requested relief and subject properties are more particularly shown on Petitioners' Exhibit No. 5, the plat to accompany the Petitions for Special Hearing and Variance.

Appearing and testifying at the requisite public hearing held for this case were Mark J. Pappas, Harriet Pappas, and Steve Pappas, members of the family which owns the property. Also appearing in support of the Petition was William Monk, a Land Planner, whose firm prepared the site plan. Also testifying in support of the Petition was Lois Bohmer, an employee of the Pappas family. The Petitioner was represented by Steven A. Thomas, Esquire. Appearing as interested persons/Protestants were a number of residents of the surrounding locale. They included Wayne Skinner, representing the Towson-Loch Raven Community Council and Paula Warrenfeltz of the Northbrook Community Association. A number of residents from the immediate vicinity also appeared and participated at the hearing. Their attendance is reflected on the Protestants' Sign-in Sheet which was circulated at the hearing and entered as part of the case file.

16/10/91
This rather complex property at issue is located on the southwest corner of the intersection of Taylor Avenue and Oakleigh Road in Parkville. The property is approximately 2.05 net acres in area, split zoned B.L. and D.R.5.5. The property is improved with three buildings, the largest of which is used by the Pappas family as a restaurant which bears their name. In addition to a sit down restaurant facility, the family business at this location (known as 1723-1725 Taylor Avenue) also includes a carry-out restaurant, a catering facility, a bar and a package goods store. The second building on site fronts Taylor Avenue and is located in a westerly direction from the Pappas restaurant building. The second building is known as 1717 Taylor Avenue and is used as a Pizza/Carry-out restaurant. The third and final building is farthest from the intersec-

tion of Taylor Avenue and Oakleigh Road, situated in a westerly direction. This building is known as 1715 Taylor Avenue and is used as an oriental carry-out restaurant.

Mr. Monk testified and outlined the current use of the property as set forth above, described the immediate vicinity and discussed the zoning history of the site. As noted above, the property is split zoned, with the B.L. classification occupying the majority of the property. The B.L. zone occupies the "front" part of the property adjacent to Taylor Avenue, including the three building described above. The rear of the property carries a residential zoning classification (D.R.5.5) and contains a parking area.

As to the locale, the Taylor Avenue/Oakleigh Road intersection has long supported a small area of commercial activity. As pictures submitted at the hearing indicate, there are commercial uses on all four corners of the intersection. These uses include restaurants, retail businesses, etc. However, once one travels away from the intersection, the character of the neighborhood changes and becomes all residential.

Mr. Monk also indicated that the property has been used in a commercial fashion since the 1940s. Originally, immediately after World War II, a restaurant business known as Wargos occupied the site. The Pappas family acquired the property in the 1970s and have operated their restaurant business since that time.

Mr. Monk also testified extensively about the split zoning of the property and how the exact location of the zone lines has changed as the zoning maps have been adopted during the County's quadrennial zoning process. As shown on the site plan, the zoning in 1971 originally depicted the B.L. portion of the property to extend further into the depth of the lot. To the contrary, the 1996 map shows a greater area of D.R.5.5

zoning. The line has shifted, it appears, about 20 ft. towards the intersection over the years. This discrepancy is no doubt due to the imprecise scale used on the zoning maps and the difficulty in precisely placing the zone line on the property, when same does not mirror the property line.

The existence of this zone line also contributes to many of the requests which are contained in the Petitions before me. Specifically, as shown on the site plan, the balance of the property (other than the buildings) is used as a parking lot. There are parking areas surrounding all three of the buildings, including the rear portion of the lot, which is zoned D.R.5.5. In essence, the Petitioner wishes to legitimize the existing parking arrangement, including the parking in the D.R.5.5 zone. Additionally, as the photographs of the site showed, the current parking arrangement leaves much to be desired. The parking lot is not striped or laid out in an organized fashion and the cars appear to park somewhat haphazardly throughout the property. There are no plans to enlarge or change the buildings or uses on site. That is, the existing businesses will remain in their present fashion. However, the Petitioner does desire to enlarge the parking lot so as to provide more spaces, specifically within the D.R.5.5 portion thereof. Additionally, the Petitioners propose re-striping and reconfiguring the lot so as to better utilize existing areas of parking.

Mr. Monk testified extensively about each of the requests within the Petitions and the justification for each. He also discussed the mixed uses of the Pappas restaurant building, which includes not only a restaurant but a catering facility, package goods store and a tavern. Mr. Monk's parking calculations shown in Note 15 of the plan, describe his opinion of the parking requirements for each of the uses on site and the parking provided. As shown within that note, Mr. Monk concluded that 202

spaces are required under the regulations, while only 128 are provided. The methodology employed to determine the parking requirements is debatable. Note 15 on the plan indicate that the entire Pappas' restaurant building should require parking at the rate of 16 spaces per 1,000 sq. ft. This calculation is taken from Section 409.6 of the BCZR, which requires that ratio for "standard restaurants". However, it is clear that only a portion of the Pappas' restaurant is used as a standard restaurant. Significant portions of the building are devoted to other uses. For example 4500 sq. ft. of the building, comprising the second floor, is used as a catering hall. In my judgment, this portion of the building should be designated, pursuant to the parking regulations, as a catering hall, which requires 20 spaces per 1,000 sq. ft. Using this calculation for that area, an additional 18 spaces would be required on the site for a total of 220 spaces. Thus, the plan should be amended to reflect the 4500 sq. ft. "catering hall" use of the building and the parking requirements attached thereto.

Similar logic could be employed for other parts of the building, for example, the tavern and package goods store. There was no testimony, however, about the square footage dedicated to those parts of the operation. Moreover, the entire use may be "nonconforming" to the parking regulations, given the long standing history of this use. In any event, no matter what approach is employed, it is clear that the site has insufficient parking (from the regulation's standpoint) than is required.

However, notwithstanding the precise number which is required by regulation, the most important consideration are actual conditions in the field. In this regard, testimony was received not only from members of the Pappas family, but their employee, Lois Bohmer, and a number of the residents of the surrounding community. Ms. Bohmer's testimony specifical-

ly described the catering use and the parking arrangement. The community residents described their concerns as they relate to the general use of the site, including parking and storm water runoff. In that no additions are planned to the building and no change of use proposed, I was able to obtain an accurate understanding of existing and anticipated conditions. Moreover, I visited the site and neighborhood and obtained an accurate perception of the activity thereon.

I have carefully considered all of the testimony and evidence offered as described above. The volume of testimony and evidence was substantial, including photographs, documentary exhibits, as well as the oral testimony offered by both the Petitioner and the community representatives. In my judgment, the Petitions should generally be granted, however, relief should be restricted to minimize impact of this commercial use on the surrounding residential community.

The Petition for Special Hearing shall, therefore, be granted. Clearly, relief should be permitted to allow parking in the D.R.5.5 zoned portion of the site. Testimony and evidence was overwhelming that that portion of the property has traditionally been used for parking and this should continue. To prohibit parking on the D.R.5.5 portion of the site would unduly restrict the use of the property and cause a spill-over of parking into the surrounding residential community and side streets. The second portion of the special hearing request should also be approved. This is to allow the three nonconforming free standing signs. It was indicated that there would be no change to the existing sign package. Apparently, the signs have been there for many years and since there are three separate businesses on the site, it is not unreasonable that each should have its own sign. Lastly, that portion of the special hearing to

establish nonconforming parking areas and parking spaces for lots 1 thru 10, Hillendale Park Plat, shall also be granted, as modified hereinafter.

As to the Petition for Variance, same will be granted, in part, and denied, in part. Relief will be permitted to allow a fewer number of parking spaces than required. As noted above, in my judgment, at least 220 spaces are required under the regulations. There will be fewer than that number provided. The exact number to be provided cannot now be determined, due to conditions attached to this Order. Nonetheless, a variance to the numeric parking requirement shall be granted. There is no evidence of a parking deficiency now and conditions are not expected to change. Additionally, variance relief to permit a 0 ft. buffer and a 3 ft. setback, in lieu of the required 50 ft. and 75 ft. setbacks, respectively, shall be granted. This variance for the buffer and setback requirements relates to the southeast corner of the property. Lastly, a variance from the requirement to permit parking spaces to be situated 4 ft. from a right of way line in lieu of the required 10 ft. should also be approved. In this regard, there are a series of parking spaces which are immediately adjacent to the right of ways on Taylor Avenue and Oakleigh Road. In view of the historic use of these spaces, same may continue.

The other requested variance requested shall be denied. That variance seeks relief to allow a rear yard setback of 12 ft. for the property known as 1726 Hilyard Road. Testimony and evidence offered at the hearing was that in addition to the commercial property containing the three buildings described above, the Petitioners own two residential dwellings to the rear of the site. These dwellings actually front a side street known as Hilyard Road, which intersects Oakleigh Road. The dwellings, thereon, are known as 1726 and 1730 Hilyard Road. The dwelling known as 1730 Hilyard Road is located closer to Hilyard Road and maintains an

adequate setback from the parking lot. The other dwelling, 1726 Hilyard Road, is located farther back from Hilyard Road and closer to the commercial parking lot. The Petitioner proposes increasing the area of parking behind this dwelling and requests variances and special hearing relief to do so. The neighbors who appeared testified that such an increase would make the practical use of that building as a residence impossible. The Office of Planning concurred within its Zoning Plans Advisory Committee (ZAC) comment, opining that a reduced setback to this dwelling would make same undesirable.

Generally, I agree that an adequate setback must be maintained. However, on the other hand, the historic use of the property must be recognized and the needs of these long established businesses met. A spill-over of parking into the residential community must be avoided. A re-configuration and re-striping of the lot is warranted. However, a further intrusion into the residential community which immediately abuts this property from the south is not warranted. For these reasons, I will grant, in part, and deny, in part, the relief requested as set forth above. Moreover, the following conditions shall be established:

1. The Petitioners have proposed additional parking on the south side of the property. This new area of parking is shown by shading and cross hatching on the plan. The parking arrangement presently contains a "notched" area where a limited number of spaces extend deeper into the D.R.5.5 portion of the property. The Petitioner proposes eliminating this "notch", as more particularly shown on the plan, to create a uniform line of parking across the rear of the property. The eight spaces in the notch behind the dwelling known a 1730 Hilyard Avenue should be permitted. However, those spaces beginning in a westerly direction from the 8th space (behind the house at 1726) shall not be allowed. That is, the parking lot

shall not be extended further in a southerly direction and into the D.R.5.5 zone. I agree that a reduced rear yard setback of 12 ft. for the house as 1726 is not appropriate. I recognize that the Pappas family owns that dwelling. Nonetheless, it is residential in character and so zoned. A further intrusion to within 12 ft. of the house would be improper. Thus, the present parking line on the southern portion of the site in that area shall be allowed to continue, however, there shall be no expansion of same. Obviously, the parking will have to be reconfigured to achieve the most desirable result in terms of better utilization of available area. In sum, there may be a "notch" to allow 8 additional spaces to the rear of 1730 Hilyard Road, however, the existing boundary of the parking lot on the south side shall remain and may not be enlarged.

2. Additionally, the Petitioners shall cause there to be constructed an 8 ft. board on board fence along the southern property line to buffer this commercial use and the dwellings in that area. There is an existing fence, but it is dilapidated and should be repaired/replaced. In conjunction therewith, the property line shall be landscaped to the extent possible. I will require the Petitioner to submit a landscape plan to Mr. Avery Harden, the County's Landscape Architect, for review. If the Petitioners and Mr. Harden are unable to agree as to landscaping, I will retain jurisdiction to resolve landscaping issues. Clearly, the Petitioner will be unable to strictly comply with the Landscape Manual in view of the historic use and existing conditions on the property. However, increased landscaping, including the fence, as well as natural vegetation, shall be installed to the extent possible.

3. The Petitioners shall stripe the spaces on the parking lot to improve the efficiency thereof. Such striping shall be in accordance with the plan, as modified herein.

4. There shall be no additional lighting of the lot and existing lights shall be directed so as to avoid glare and/or reflection into neighboring residential properties.

5. The Petitioners shall be required to maintain the raised curb along the property boundary on its south side adjacent to the house which fronts Oakleigh Road. Testimony and evidence offered was that storm water can run off onto this neighbors' property. Presently, per my site inspection, there is a raised curb which prevents water flow onto the property. Improvement of the parking lot shall not eliminate this curb. Thus, the raised curb shall be retained to so direct the water away from adjacent residences.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted, in part and denied, in part.

10/10/97
M. Gorkh
Date By
THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of October 1997 that, under the Petition for Special Hearing, approval to permit business parking in the D.R.5.5 zoned portion of the site, pursuant to Section 409.8.B. of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, as modified herein; and,

IT IS FURTHER ORDERED that approval to establish three nonconforming free standing signs for the 3 individual buildings (1 per building), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that approval to establish the nonconforming parking areas and parking spaces for lots 1 thru 10 of the Hillendale Park Plat No. 2 (i.e., to permit vehicles backing into a public right-of-way, parking spaces less than 10 ft. from public right-of-way, etc.), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B(e)(3&5) of the BCZR to permit as little as a 0' buffer and a 3' setback in lieu of the required 50' buffer and 75' setbacks respectively, as shown on the site plan, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B02.3.C.(1) to allow a rear yard setback of 12 ft., in lieu of the required 30 ft., from 1726 Hilyard Road, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that a variance from Section 409.8.A.4 to permit parking spaces to be situated 4 ft. from the right-of-way in lieu of the required 10 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6.A.2 to permit 128 spaces to serve all 3 commercial properties in lieu of the required 202 spaces, be and is hereby GRANTED, as modified herein; subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall cause there to be constructed an 8 ft. board on board fence along the southern property line to buffer this commercial use and the dwellings in that area. Increased landscaping, including the fence, as well as natural vegetation, shall be installed to the extent possible, in accordance with the above opinion.

3. The Petitioners shall stripe the spaces on the parking lot to include the efficiency thereof. Such striping shall be in accordance with the site plan as modified herein.

4. There shall be no additional lighting of the lot and existing lights shall be directed so as to avoid glare and/or

10/10/97
M. Howard
Date
By

reflection into neighboring residential properties.

5. The Petitioners shall be required to maintain a raised curb along the property boundary on its south side to the house which fronts Oakleigh Road.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR PLANS
Date 10/10/97
By M. Gorkh



Baltimore County
Zoning Commissioner
Office of Planning

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

October 10, 1997

Steven A. Thomas, Esquire
Suite 1100, 100 Light Street
Baltimore, Maryland 21202

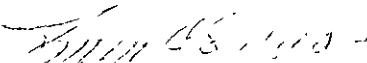
RE: Petitions for Special Hearing and Variance
Property: 1715-1725 Taylor Avenue
Case No. 98-14-SPHA
Mark J. Pappas, et al, Petitioners

Dear Mr. Thomas:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, in part, and denied, in part, with restrictions.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

- c: Mr. and Mrs. Mark Pappas
306 Ridgely Road
Lutherville, Maryland 21093
- c: Mr. Steve Pappas
11 Barrow Court
Baltimore, Maryland 21204
- c: Mr. William Monk
222 Bosley Avenue, Suite C-6
Towson, Maryland 21204
- c: Mr. Wayne Skinner
Towson-Loch Raven Community Council
1813 Edgewood Road, Baltimore, Md. 21234
- c: Ms. Paula Warrenfeltz
Northbrook Community Association
1658 Wentworth Avenue, Baltimore, Md. 21234





14

Petition for Special Hearing

98-14-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at 1715 - 1725 Taylor Avenue
which is presently zoned BL & DR 5.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

- 1) Section 409.8.B to permit business parking in the DR 5.5 zoned portion of the site.
- 2) To establish (3) non-conforming free standing signs for the 3 individual commercial buildings (1 per building).
- 3) To establish the non-conforming parking areas and parking spaces for Lots 1-10, Hillendale Park Plat 2 (i.e. vehicles backing into a public right-of-way, parking spaces less than 10' from public right-of-way, etc.).

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

I, or we, agree to pay expenses of above Special Hearing 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/lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

Mark J. Pappas

(Type or Print Name)

Signature

Harriet M. Pappas

(Type or Print Name)

Signature

1725 Taylor Ave.

Address

410-661-4357

Phone No

Baltimore

City

MD 21234

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

William Monk

Name

410-494-8931

222 Bosley Ave., C-6; Towson, MD 21204

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1715 - 1725 Taylor Avenue
which is presently zoned BL & DR 5.5

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)

- 1) Section 1B01.1.B.(1)(e)(3&5) to permit as small as a 0' buffer and a 3' setback in lieu of the required 50' buffer and 75' setbacks respectively as shown on the plan. 2) Section 1B02.3C(1) to allow a rear setback of 12' in lieu of the required 30' for 1726 Hilyard Road. 3) 409.8 A 4 to permit parking spaces to be situated 4' from the right-of-way in lieu of the required 10'. 4) From Section 409.6 A 2 to permit 128 spaces to serve all 3 commercial properties in lieu of the required 202 spaces. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Due to unique circumstances & hardship conditions as more fully explained at the 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

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address Phone No.

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).

Mark J. Pappas
(Type or Print Name)

Signature Mark J. Pappas

Harriet M. Pappas
(Type or Print Name)

Signature Harriet M. Pappas

1725 Taylor Avenue 410-661-4357
Address Phone No.

Baltimore MD 21234
City State Zipcode
Name, Address and phone number of representative to be contacted

William Monk 410-494-8931
Name
222 Bosley Ave., C-6; Towson, MD 21204
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE



Printed with Soybean Ink
on Recycled Paper

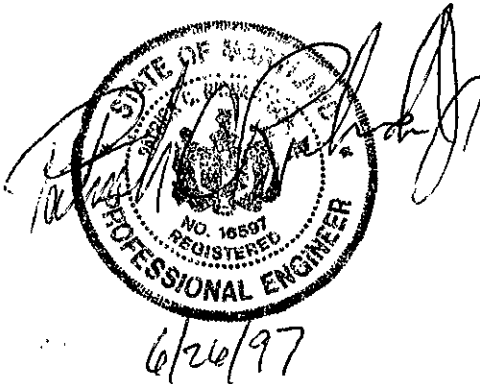


ZONING DESCRIPTION #2
PAPPAS RESTAURANT
1723 TAYLOR AVENUE
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

98-14-SP.HA

BEGINNING FOR THE SAME on the westernmost side of Oakleigh Road at the south side of the intersection of Taylor Avenue; thence binding on the west side of Oakleigh Road the following courses and distances: (1) South 09 degrees 56 minutes 00 seconds West 198.91 feet, thence leaving the roadbed of Oakleigh Road, 2) North 68 degrees 41 minutes 00 seconds West 139.30 feet, (3) South 21 degrees 19 minutes 00 seconds West 110.00 feet, (4) North 68 degrees 41 minutes 00 seconds West 200.00 feet, (5) North 21 degrees 19 minutes 00 seconds East 175.00 feet, (6) South 68 degrees 41 minutes 00 seconds East 50.00 feet, (7) North 21 degrees 19 minutes 00 seconds East 130.00 feet, thence binding on the south side of Taylor Avenue, (8) South 68 degrees 41 minutes 00 seconds East 250.05 feet, to the place of beginning.

Containing 2.05 acres of land, more or less.



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 #98-14-SPHA

1715-1725 Taylor Avenue

SWC Taylor Avenue and Oakleigh Road

9th Election District

4th Councilmanic District

Legal Owners:

Mark J. Pappas and Pamela M. Pappas

Special Hearing: to permit business parking in the D R.5-5 zone portion of the site, to establish 3 non-conforming freestanding signs for the 3 individual commercial buildings (1 per building); and to establish the non-conforming parking areas and parking spaces for lots 1-10, Hillendale Park, Plat 2.

Variance: to permit as small as a zero foot buffer and a 3 foot setback in lieu of the required 50 foot buffer and 75 foot setbacks respectively, to allow a rear setback of 12 feet in lieu of the required 30 feet for 1726 Hilyard Road; to permit parking spaces to be situated 4 feet from the right-of-way in lieu of the required 10 feet, and to permit 128 spaces to serve all commercial properties in lieu of the required 202 spaces

Hearing: Wednesday, August 27, 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
7/454 July 31 C16220

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

7/31, 1997

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 7/31, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JLL # 1A No.

041024

DATE 7/10/97 ACCOUNT R0016150

AMOUNT \$ 500.00

RECEIVED
FROM:

PAPPAS

FOR:

Commercial SPHA filing

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
7/11/1997 7/10/1997 15:47:34

REG 1805 CASHIER STRY EXT DRAWER 5
E MISCELLANEOUS CASH RECEIPT

Receipt # 014171

CR NO. 041024

OFLN

500.00 CHECK

Baltimore County, Maryland

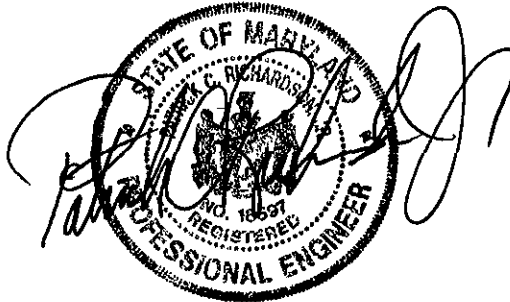
CASHIER'S VALIDATION

**ZONING DESCRIPTION #1
PAPPAS RESTAURANT
1723 TAYLOR AVENUE
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
(PARKING IN RESIDENTIAL ZONE)**

98-14-SPHA

BEGINNING FOR THE SAME on the westernmost side of Oakeigh Road at a point 168.31 feet south of the south side of the intersection of Taylor Avenue; thence binding on the west side of Oakleigh Road the following courses and distances: (1) South 09 degrees 56 minutes 00 seconds West 30.60 feet, thence leaving the roadbed of Oakleigh Road, 2) North 68 degrees 41 minutes 00 seconds West 139.30 feet, (3) South 21 degrees 19 minutes 00 seconds West 16.00 feet, (4) North 68 degrees 41 minutes 00 seconds West 200.00 feet, (5) North 21 degrees 19 minutes 00 seconds East 75.70 feet, (6) South 68 degrees 41 minutes 00 seconds East 217.00 feet, (7) South 21 degrees 19 minutes 00 seconds East 31.70 feet, (8) South 68 degrees 41 minutes 00 seconds East 116.27 feet, to the place of beginning.

Containing 21,300 square feet or 0.49 acres of land, more or less.



RE: Case No.: 98-14-SPHA

Petitioner/Developer: M.J. PAPPAS, ETAL
C/O WILLIAM MONK

Date of Hearing/Closing: 8/27/97

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at #1715 & 1725 TAYLOR AVE.
@ OAKLEIGH ROAD (2 SIGNS)

The sign(s) were posted on 8/10/97
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 8/21/97
 (Signature of Sign Poster and Date)

Patrick M. O'Keefe
 (Printed Name)

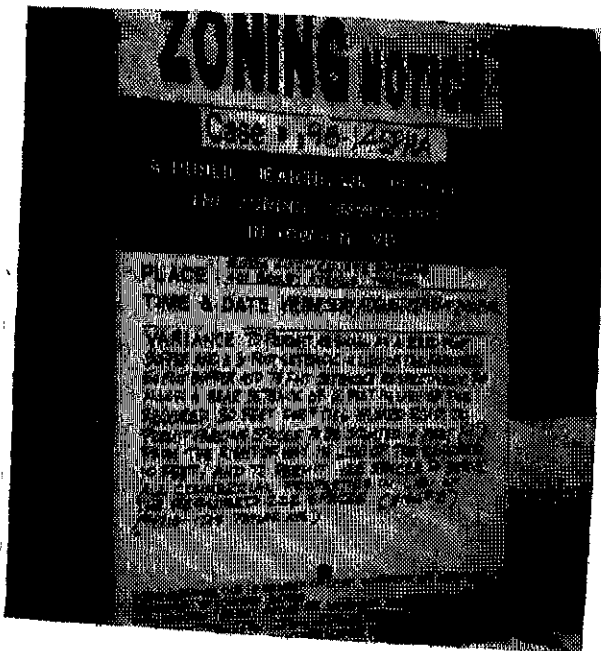
523 Penny Lane
 (Address)

Hunt Valley, MD 21030
 (City, State, Zip Code)

(410) 666-5366

Page (410) 666-6364

985 8571



PAPPAS



PAPPAS



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring 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 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 posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) 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.: 14

Petitioner: MARK J PAPPAS

Location: 1715-25 TAYLOR AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MARK J PAPPAS

ADDRESS: 1725 TAYLOR AVE

BALTIMORE, MD 21239

PHONE NUMBER: 410-661-4357

AJ:ggs

(Revised 04/09/93)

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:

ZONING NOTICE

Case No.: 98-14-SPHA

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

PLACE: *

DATE AND TIME: *

REQUEST: FOR SPECIAL HEARING AND VARIANCE TO PERMIT BUSINESS PARKING IN A RES-
IDENTIAL ZONE TO ^{APPROVE} ~~ESTABLISH~~ NONCONFORMING SIGNS AND PARKING ALSO TO PERMIT
LESS RPA BUFFERS AND SETBACKS FROM ADJACENT RESIDENTIAL USES THAN REQUIRED TO VARIANCE
A DWELLING- REAR YD. SETBACK, TO PERMIT PARKING CLOSER TO THE STREET RIGHT OF WAY THAN
REQUIRED AND TO PERMIT 128 PARKING- SPACES IN LIEU OF THE 202 REQUIRED.

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

TO: PUTUXENT PUBLISHING COMPANY
July 25, 1997 Issue - Jeffersonian

Please forward billing to:

Mark J. Pappas
1725 Taylor Avenue
Baltimore, MD 21239
410-661-4357

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: 98-14-SPHA
1715-1725 Taylor Avenue
SWC Taylor Avenue and Oakleigh Road
9th Election District - 4th Councilmanic
Legal Owner(s): Mark J. Pappas and Harriet M. Pappas

Special Hearing to permit business parking in the D.R.5-5 zone portion of the site; to establish 3 non-conforming freestanding signs for the 3 individual commercial buildings (1 per building); and to establish the non-conforming parking areas and parking spaces for lots 1 - 10, Hillendale Park, Plat 2. Variance to permit as small as a zero foot buffer and a 3 foot setback in lieu of the required 50 foot buffer and 75 foot setbacks respectively; to allow a rear setback of 12 feet in lieu of the required 30 feet for 1726 Hilyard Road; to permit parking spaces to be situated 4 feet from the right-of-way in lieu of the required 10 feet; and to permit 128 spaces to serve all commercial properties in lieu of the required 202 spaces.

HEARING: WEDNESDAY, AUGUST 27, 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 25, 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: 98-14-SPHA
1715-1725 Taylor Avenue
SWC Taylor Avenue and Oakleigh Road
9th Election District - 4th Councilmanic
Legal Owner(s): Mark J. Pappas and Harriet M. Pappas

Special Hearing to permit business parking in the D.R.5-5 zone portion of the site; to establish 3 non-conforming freestanding signs for the 3 individual commercial buildings (1 per building); and to establish the non-conforming parking areas and parking spaces for lots 1 - 10, Hillendale Park, Plat 2. Variance to permit as small as a zero foot buffer and a 3 foot setback in lieu of the required 50 foot buffer and 75 foot setbacks respectively; to allow a rear setback of 12 feet in lieu of the required 30 feet for 1726 Hillyard Road; to permit parking spaces to be situated 4 feet from the right-of-way in lieu of the required 10 feet; and to permit 128 spaces to serve all commercial properties in lieu of the required 202 spaces.

HEARING: WEDNESDAY, AUGUST 27, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

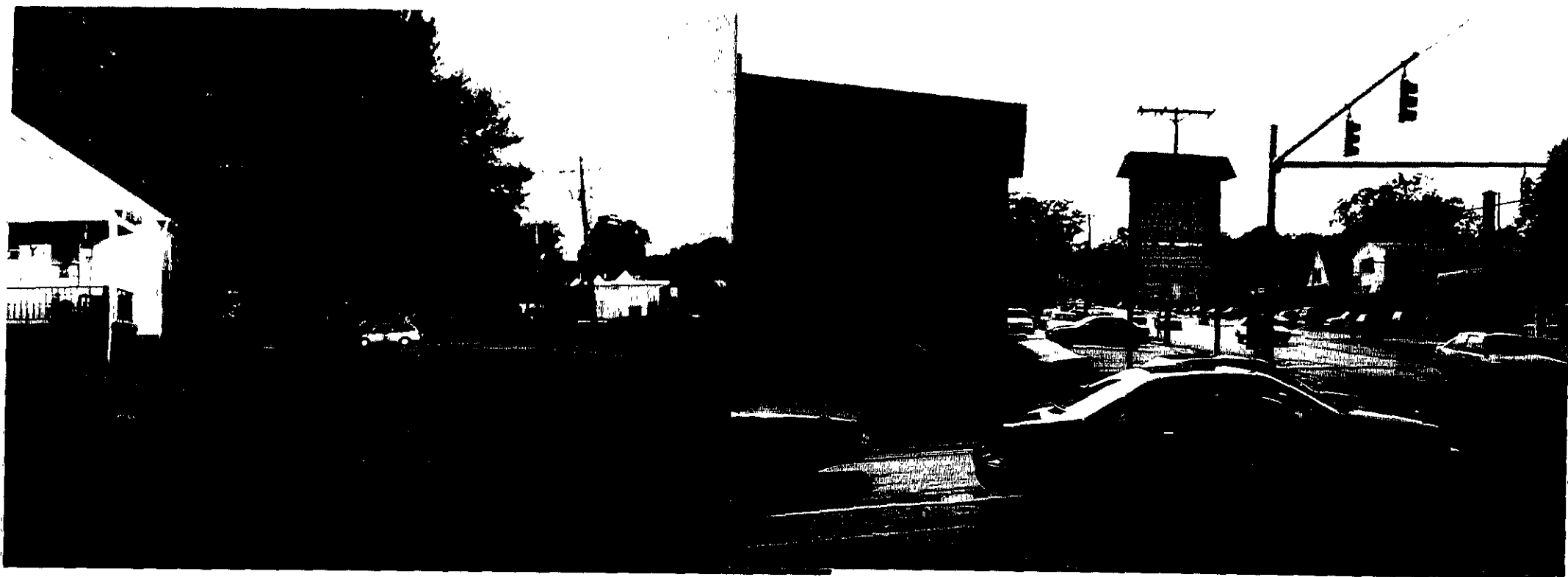
A handwritten signature in dark ink, appearing to read "Arnold Jablon".

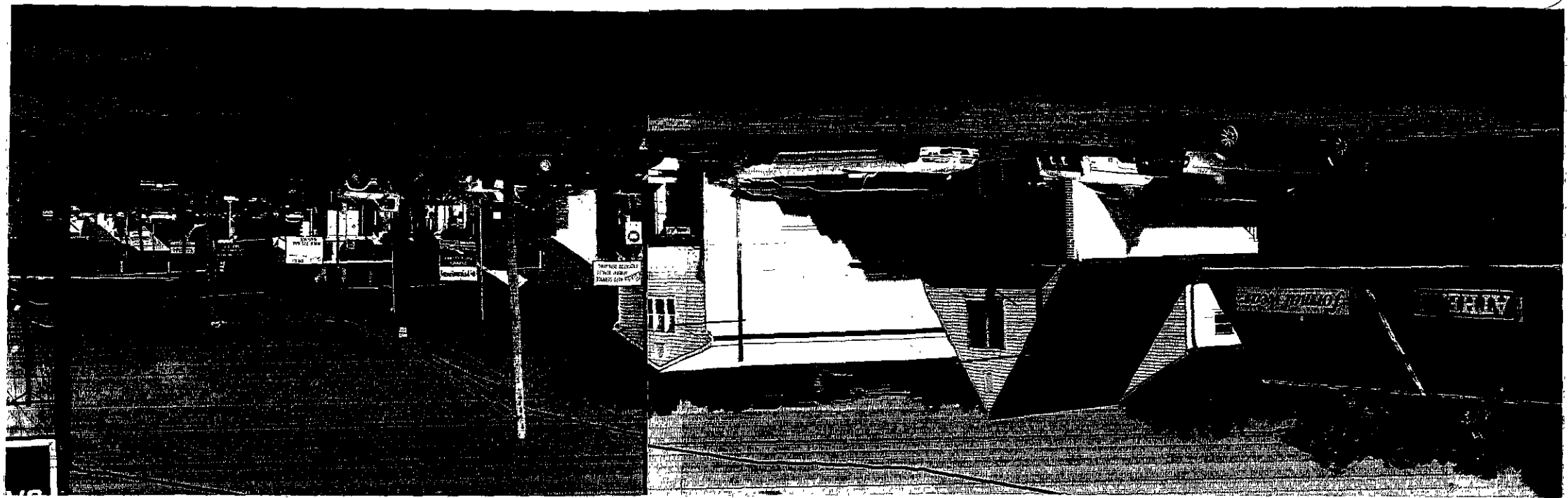
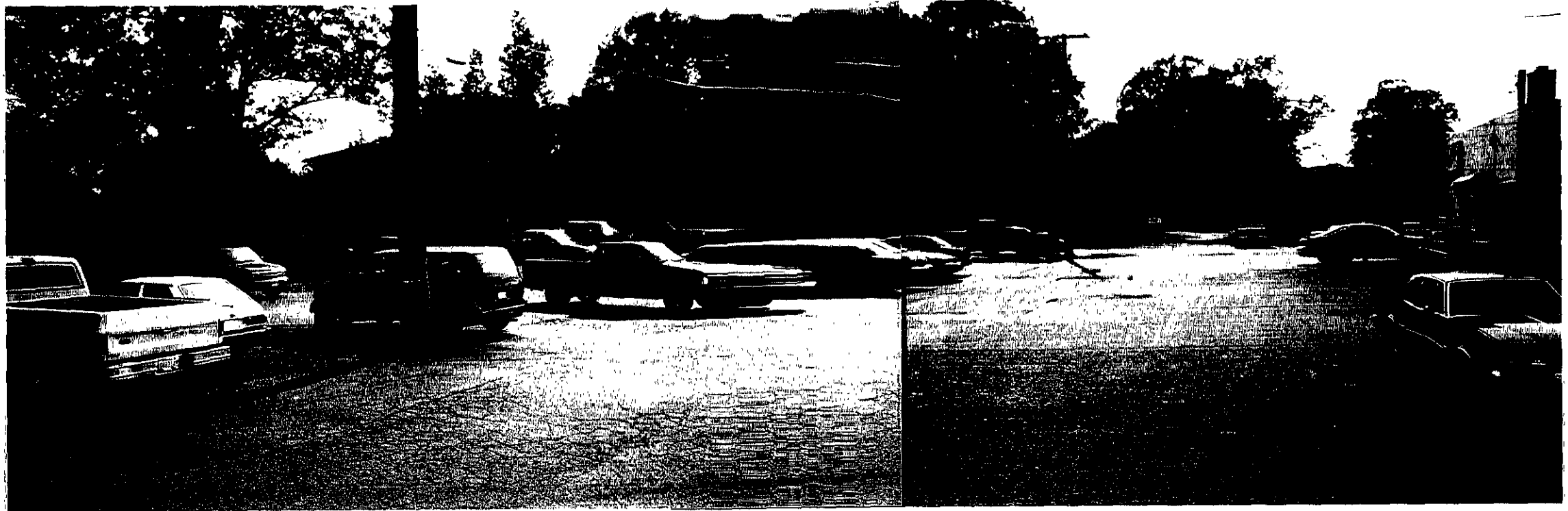
Arnold Jablon
Director

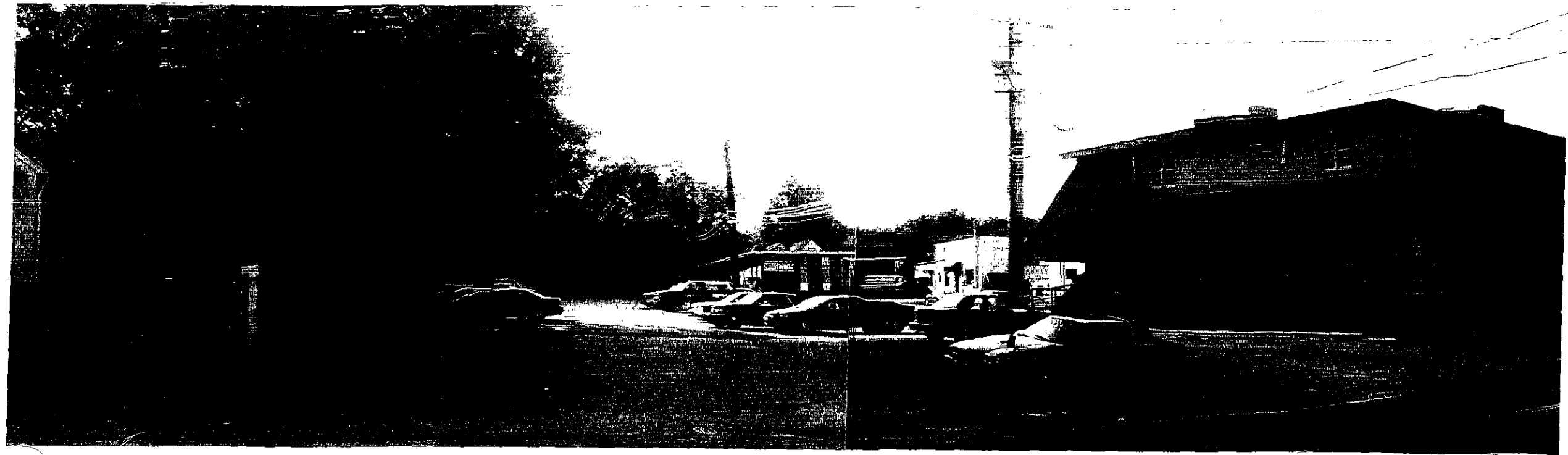
cc: Mark and Harriet Pappas
William Monk

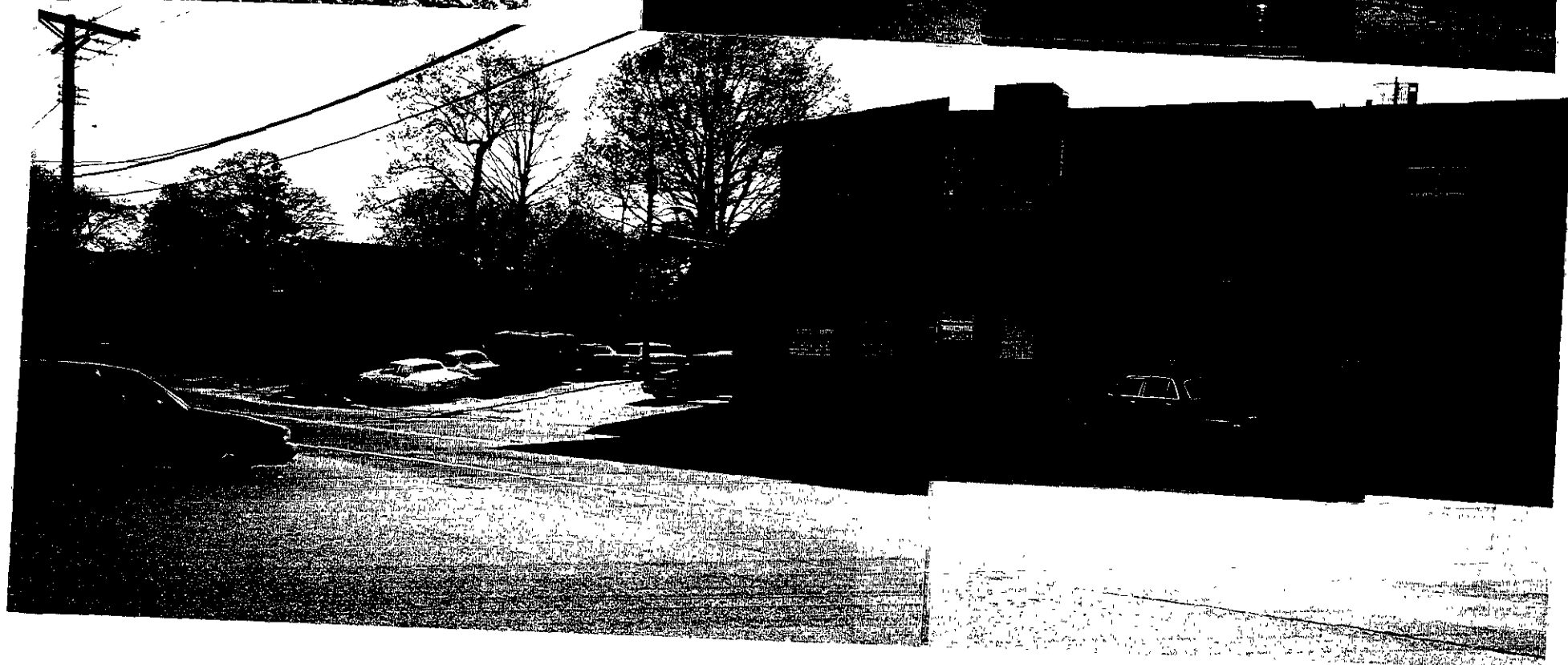
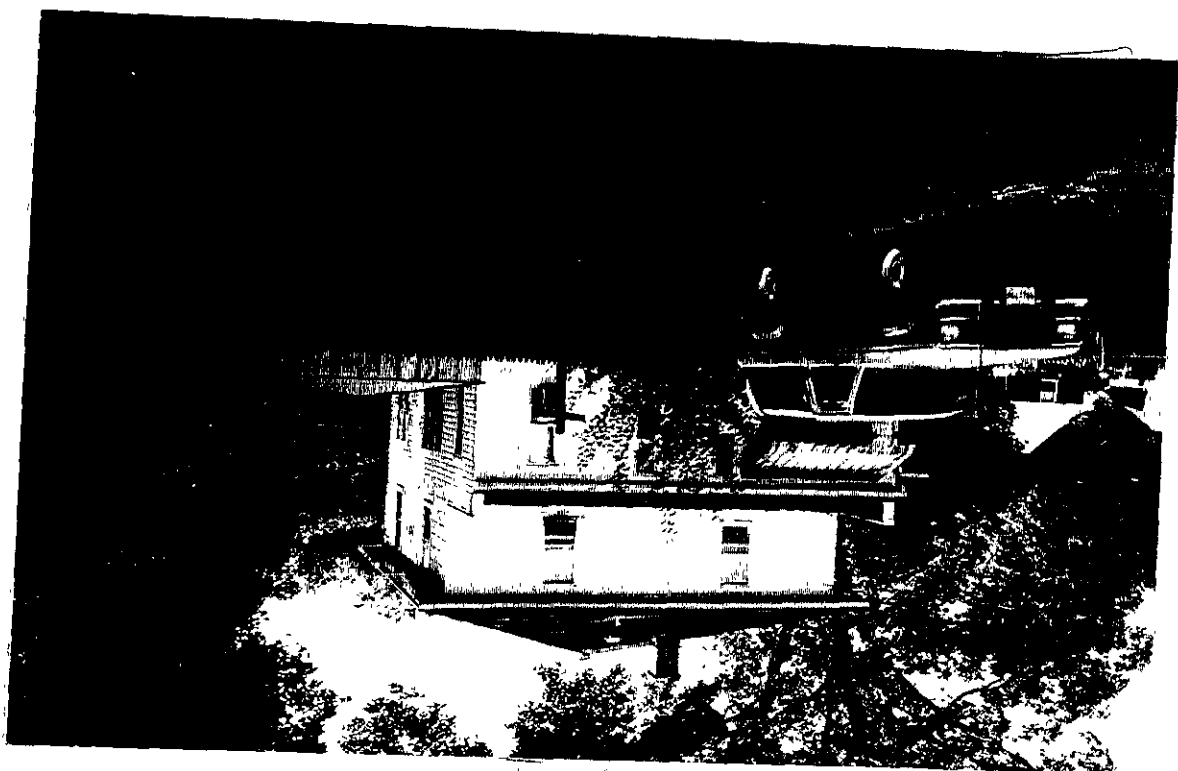
- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 12, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



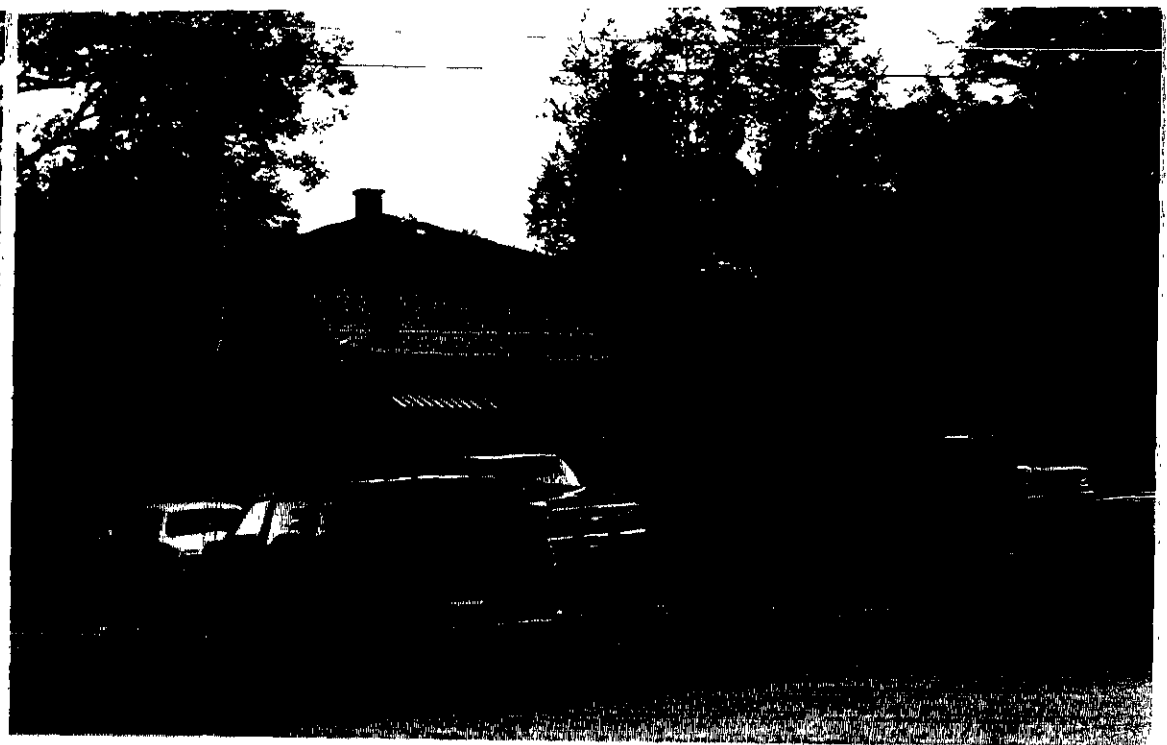
















Baltimore County
Department of Permits and
Development Management

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

August 22, 1997

Mr. and Mrs. Mark Pappas
1725 Taylor Avenue
Baltimore, MD 21234

RE: Item No.: 14
Case No.: 97-14-SPHA
Petitioner: Mark Pappas, et ux

Dear Mr. and Mrs. Pappas:

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 10, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: August 4, 1997
Department of Permits & Development
Management

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

SUBJECT: Zoning Advisory Committee Meeting
for August 4, 1997
Item No. 014

The Development Plans Review Division has reviewed the subject zoning item.

The existing parking spaces along Taylor Avenue and Oakleigh Road should be eliminated so as to eliminate backing out onto public streets.

This office recommends against the requested parking variances so as to reduce parking on residential streets.

This office recommends against granting any variance that results in new paving next to residences, i.e. variance request noted as (A) on the Plan. This office does not oppose the other variance request noted as B, C, and D on the Plan.

RWB:HJO:jrb

cc: File

ZONE804.014



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 7-25-97
Item No. 014 JLL

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

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

TO: POM

FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 7/28/92

DATE: 7/31/92

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

Item #'s:

11

13

14

17

RBS:sp

BRUCE2/DEPRM/TXTSBP



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 6, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF July 28, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

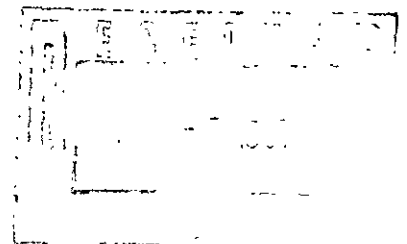
2. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

011, 012, 014, 016, 018, and 019

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL HEARING
1715-1725 Taylor Avenue, SWC Taylor Ave
and Oakleigh Road, 9th Election
District, 4th Councilmanic

Mark J. and Harriet M. Pappas
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-14-SPH

* * * * *

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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 William Monk, 222 Bosley Avenue, C-6, Towson, MD 21204, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

WILLIAM MONK, INC.**ENGINEERS • PLANNERS**

COURTHOUSE COMMONS, SUITE B-6
222 BOSLEY AVENUE, TOWSON, MD 21204-4300
410-494-8931 • FAX 410-494-9903

TO:

PADM**LETTER OF TRANSMITTAL**

Date	7/7/98	Our Job No.
Attention		
Re:		
1725 TAYLOR AVENUE		
PAPPAS' RESTAURANT		
CASE # 98-14 SPHA		

WE ARE SENDING YOU: ☒ Attached ☐ Under separate cover via _____ the following items:

- | | | | |
|--|---|---|--|
| ☒ Prints | ☐ Disk | ☐ Specifications | ☐ Shop drawings |
| ☐ Plans | ☐ Copy of letter | ☐ Change order | ☐ Other |

QTY.	DESCRIPTION	ACTION
1	SITE & LANDSCAPE PLAN	
1	PLAT TO ACCOMPANY SPECIAL	
	HEARINGS & VARIANCES APP. (AMENDED PER ORDER)	

THESE ARE TRANSMITTED AS CHECKED BELOW:

- | | | |
|---|---|---|
| ☐ For approval | ☐ As requested | ☐ Prints returned after loan to us |
| ☐ For your use | ☐ For review and comment | ☐ Per _____ |
| ☐ For bids due _____ | ☐ Other _____ | |

REMARKS: PURSUANT TO THE ZONING COMMISSIONER'S ORDER IN CASE # 98-14 SPHA, AMENDED IS THE APPROVED LANDSCAPE PLAN FOR THE SITE

COPY TO: MATEK PAPPAS

SIGNED:

W. F. Monk

If enclosures are not as noted, please notify us at once.



Baltimore County
Zoning Commissioner
Office of Planning

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

March 12, 1998

Steven A. Thomas, Esquire
Suite 1100, 100 Light Street
Baltimore, Maryland 21202

RE: Petitions for Special Hearing and Variance
Property: 1715-1725 Taylor Avenue
Case No. 98-14-SPHA
Mark J. Pappas, et al, Petitioners

Dear Mr. Thomas:

I have received an inquiry regarding my Findings of Facts and Conclusions of Law and Order issued in the above matter on October 10, 1997. This specific nature of the question presented was the timing of the implementation of the restrictions which I ordered. These restrictions included, for example, the implementation of landscaping around the property, the striping of the parking lot, and the construction of a board-on-board fence.

In my judgment, the parking lot striping and fence construction should be completed on or before July 31, 1998. I believe that this deadline provides your client with more than enough time to implement these improvements. Moreover, by that date, the Petitioner should have submitted a landscape plan to Mr. Avery Harden, the County's Landscape Architect, for review and approval. The actual implementation of the landscape will be at the discretion of Mr. Harden, depending on the growing season and weather conditions.

Please do not hesitate to contact me should you have any questions regarding the above.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt

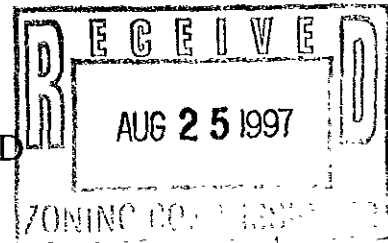
LES:mmn

- c: Mr. and Mrs. Mark Pappas, 306 Ridgely Road, Lutherville, Md. 21093
Mr. Steve Pappas, 11 Barrow Court, Baltimore, Md. 21204
Mr. William Monk, 222 Bosley Avenue, Suite C-6, Towson, Md. 21204
Mr. Wayne Skinner, Towson-Loch Raven Community Council
1813 Edgewood Road, Baltimore, Md. 21234
Mr. Paula Warrenfeltz, Northbrook Community Association
1658 Wentworth Avenue, Baltimore, Md. 21234
c: Ms. Pam Ellis, Code Enforcement Section, Permits & Dev. Mge.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Dept. of Permits and
Development Management

DATE: August 22, 1997

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

SUBJECT: 1715-1725 Taylor Avenue

Item Number: 14
Petitioner: Pappas Property
Zoning: BL & DR 5.5

SUMMARY OF RECOMMENDATIONS:

This Office of Planning recommends denial of the variance request for commercial parking in a residential zone. This recommendation is made in light of the following information:

1. That the owner is said to be leasing some of his existing off-street parking to other businesses at this time. That at the time of the site visit (Aug. 12, 1997) the owner indicated that employees of "other businesses" are using his parking area and that this is part of the reason why he feels that he needs to expand his parking area into the residential zone.
2. The parking area is not striped nor are there any wheel stops to indicate just how many spaces are available. Because of this obvious deficiency, it is impossible to tell how many spaces are available or whether the existing lot is being utilized efficiently.
3. That the owner's existing lot already appears to encroach into the residential zone with minimal buffering of adjacent residential uses.
4. That three mature trees and other vegetation and pervious surfaces will be paved to accommodate this expanded lot.
5. That this encroachment into the residential zone will make at least two existing residential structures undesirable places to live.

*Pappas
denies
Feb*

6. That this neighborhood and neighborhoods surrounding it are the object of substantial County-supported efforts at residential stabilization and community conservation. The proposed further encroachment of this commercial use into this residential neighborhood is likely to threaten neighborhood stability and frustrate County-supported efforts at Community Conservation in this area. **Absent any observable greater community good to be achieved by this incursion, the variance should be denied.**

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL:lsn

Statewide

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Keith Connor	1710 Hilyard Rd 21234
Duane McKeever	1714 Hilyard Rd 21234
Margaret W Hardner	1729 Hilyard Rd 21234
Miriam E. Reilly	1727 Hilyard Rd. 21234
Dore Powell	7828 Oakleigh Rd 21234
Suzanne Ford	7824 Oakleigh Rd 21234
Margaret A Weber	7830 Oakleigh Rd.
Jack R Weber Jr	7830 Oakleigh Rd
Diane RACHUBA	1731 Hilyard Road.

WARNE SKINNER

TLRC 1813 EDGEMOOD RD
21234

NORTH BROOK Camp 1551

PAULA WARREN FELTZ

1650 WENTWORTH AVE 21234



PETITIONER(S) SIGN-IN SHEET

Serial 1106 ADDRESS

100 Light St. Balt. Md.
21202

306 Ridgely Rd 21093
9941 Britney Lane 21234
306 Ridgely Rd 21093
11 Barrow Ct 21204
222 RISLEY AVE
SUITE C-6
TOWSON MD 21204

ENGINEERS • PLANNERS



CASE #3375

RECLASS TO "E" COMMERCIAL 2/15/55

NONCONFORMING PARKING



ADJACENT TO OAKLEIGH ROAD



ADJACENT TO TAYLOR AVENUE]

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

1715-1725 TAYLOR AVENUE





OAKLEIGH AVE LOOKING SOUTH



TAYLOR AVENUE LOOKING EAST

1723-25 TAYLOR AVENUE

CASE #549-S

**RECLASS TO "E" COMMERCIAL FOR A
GAS STATION AND TAVERN APPROVED 2/4/46**





1717 TAYLOR AVENUE

CASE # 1695

RECLASS TO "E" COMMERCIAL 5/17/50

TAYLOR @ OAKLEIGH

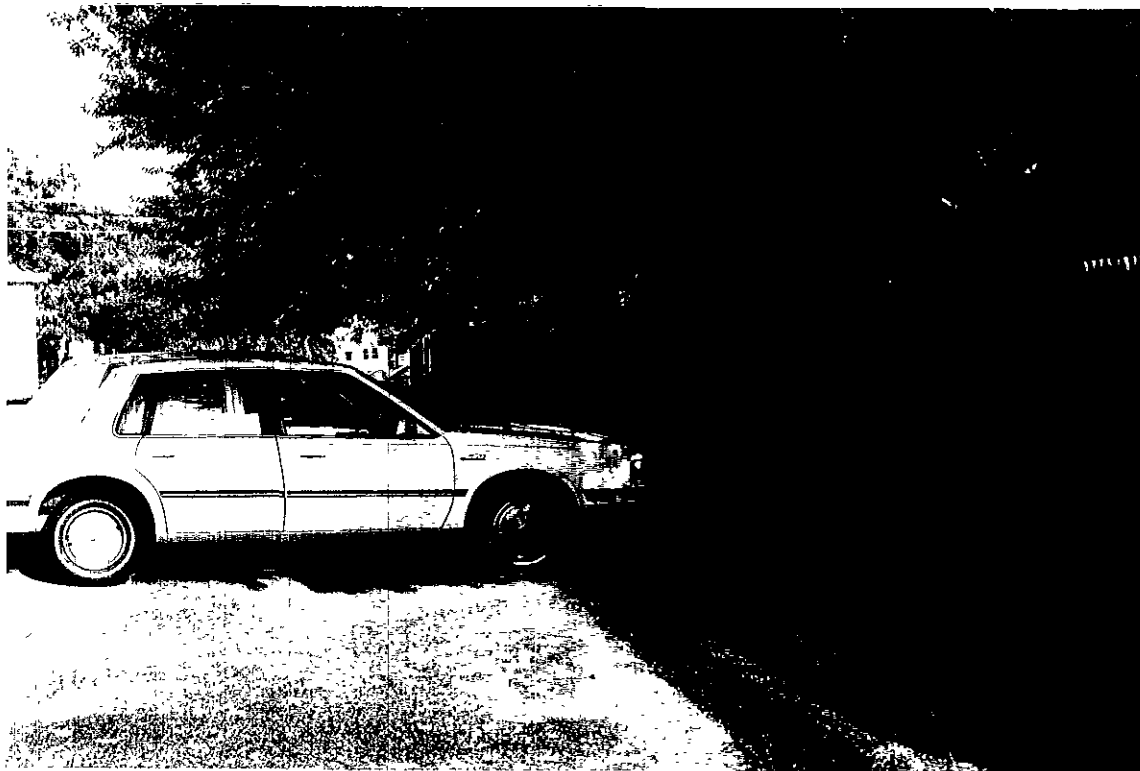


NW CORNER



NE CORNER

EXISTING FENCE AND PARKING AREA





**RESIDENTIAL PROPERTY, FENCE AND PARKING LOT
FRONTING ON OAKLEIGH ROAD**

WILLIAM MONK, INC.

ENGINEERS • PLANNERS



1730 HILYARD ROAD



1726 HILYARD ROAD

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

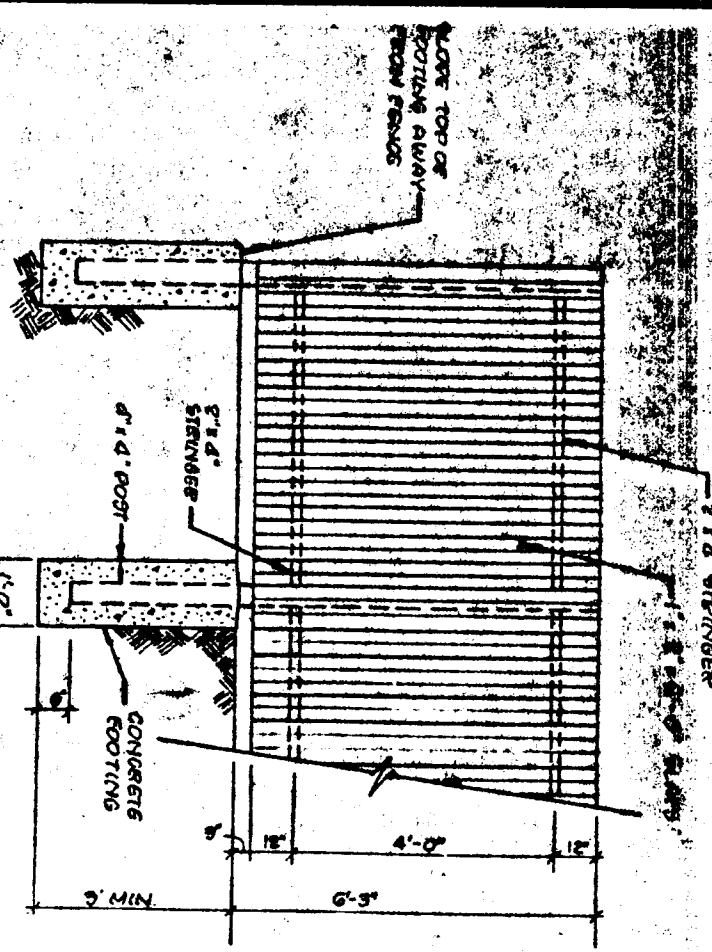


**ADJACENT OFFICE BUILDING WITH DRIVEWAY
INTO PAPPAS' PARKING LOT**

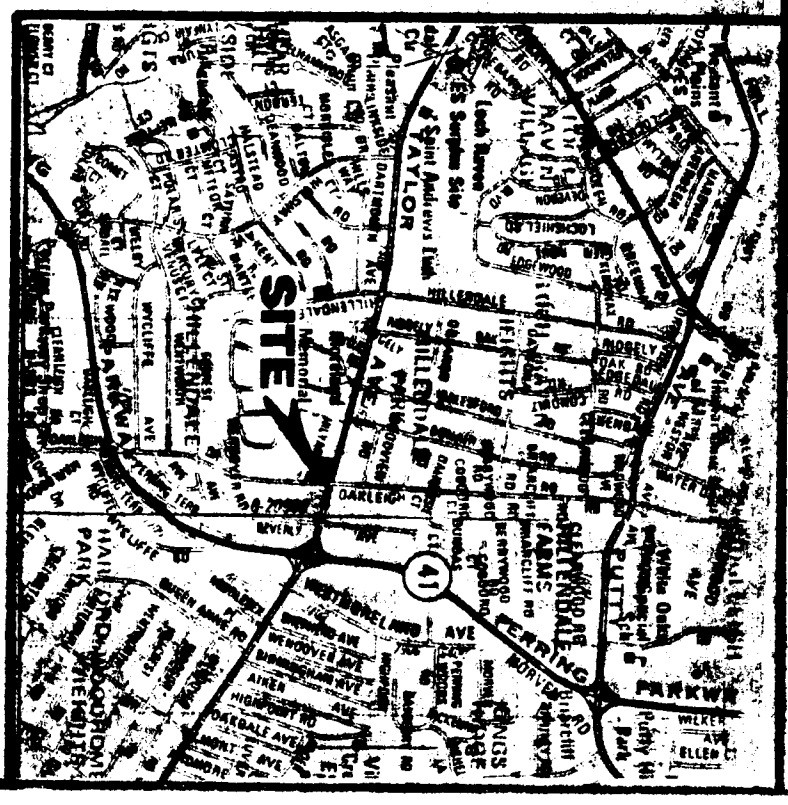
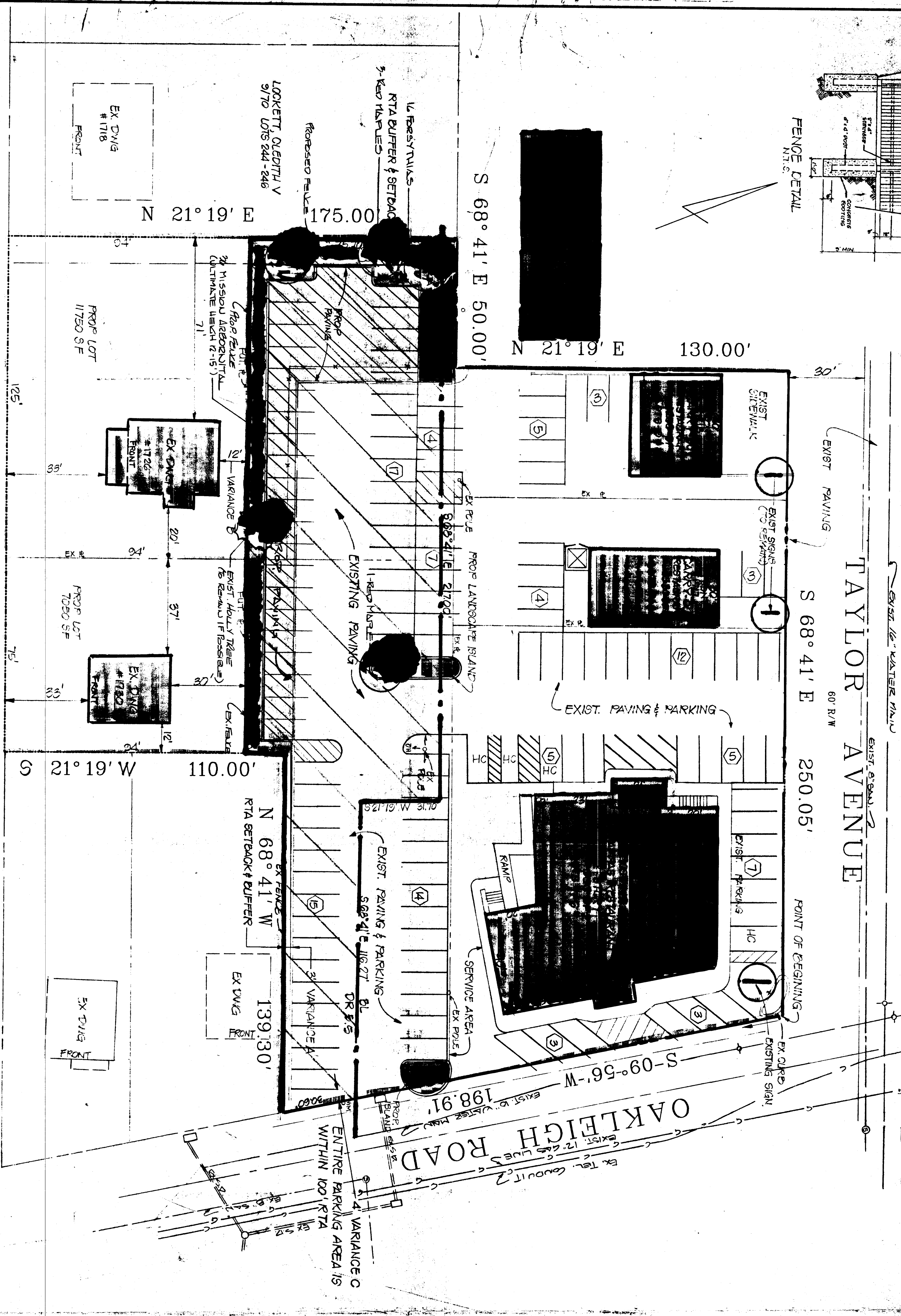
EXISTING PARKING LOT







FENCE DETAIL
NOTES



VICINITY MAP
SCALE: 1"=2000'

PETITIONER'S
EXHIBIT 7

William Monk, Inc.
ENGINEERS - PLANNERS

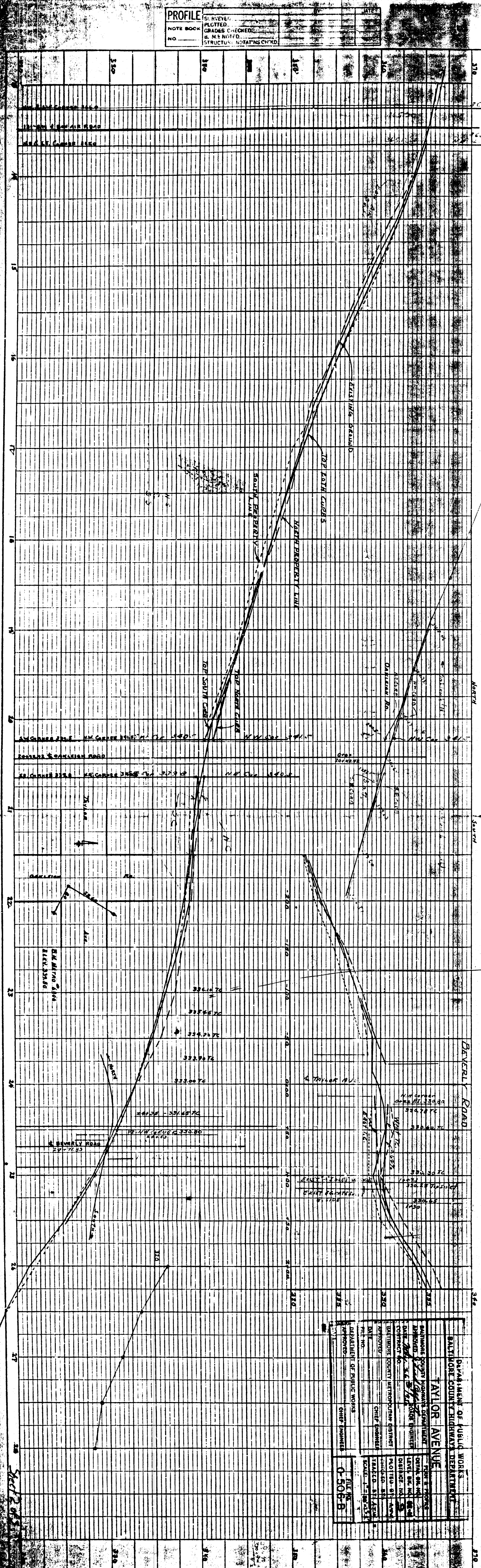
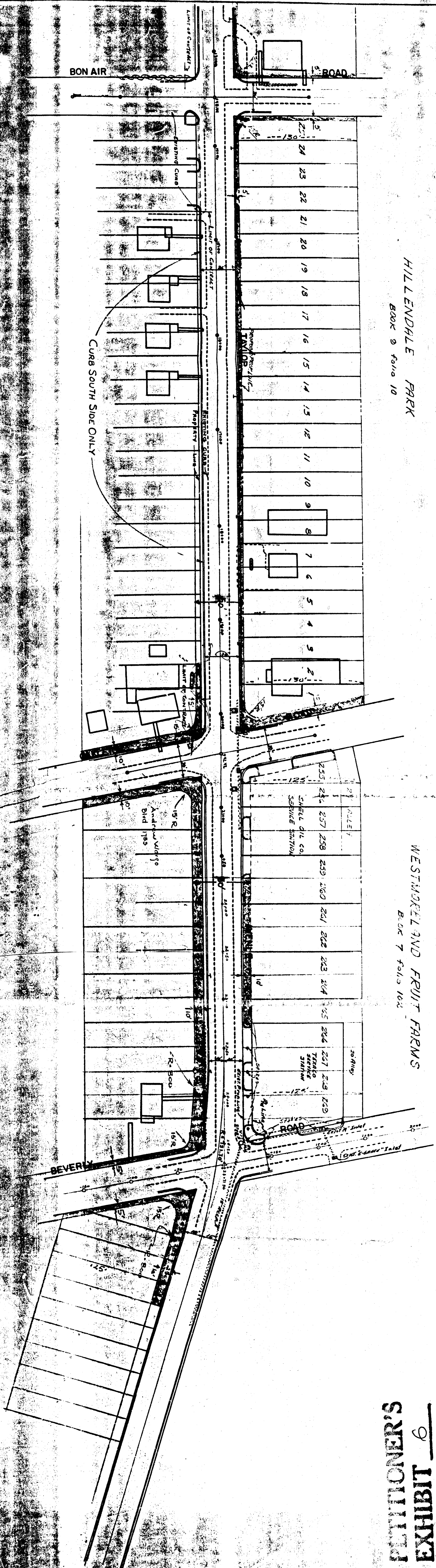
222 Bayview Avenue, Suite C-4
Baltimore, Maryland 21224
Phone: 410-494-8981 Fax: 410-494-8983

SITE AND LANDSCAPE PLAN

PAPPAS RESTAURANT
1723 TAYLOR AVENUE

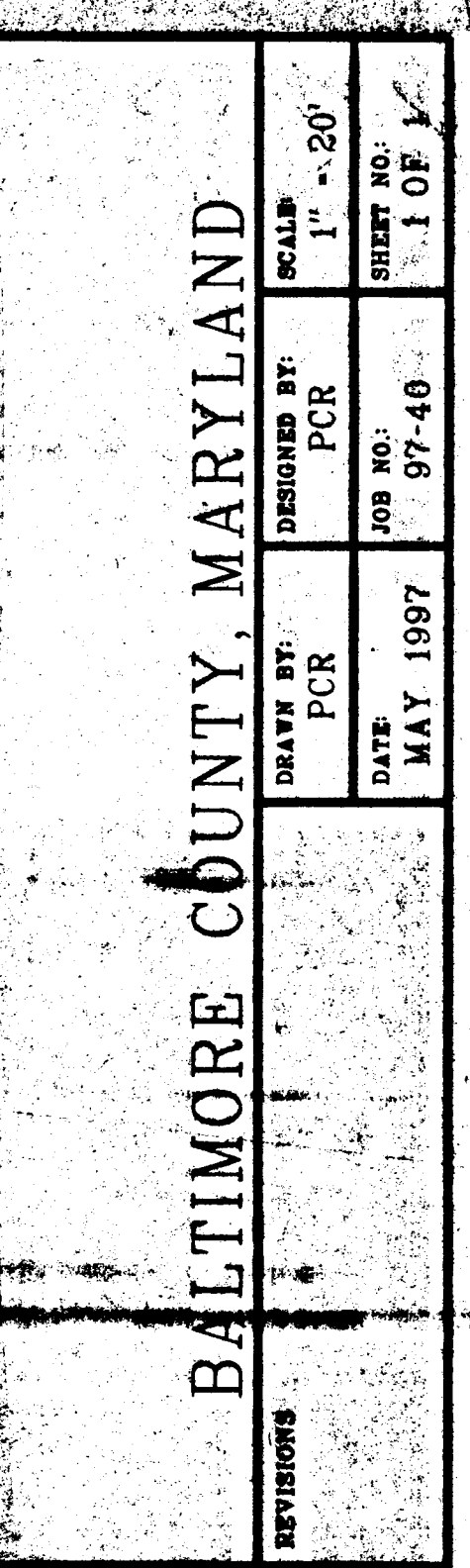
BALTIMORE COUNTY, MARYLAND

REVISIONS			
DATE	BY	DESIGNED BY	SCALE
MAY 1997	PCR	PCR	1" = 20'
		JOB NO.	SHEET NO.
		97-40	1 OF 1



31 NE 10

N-NW C-50630-20

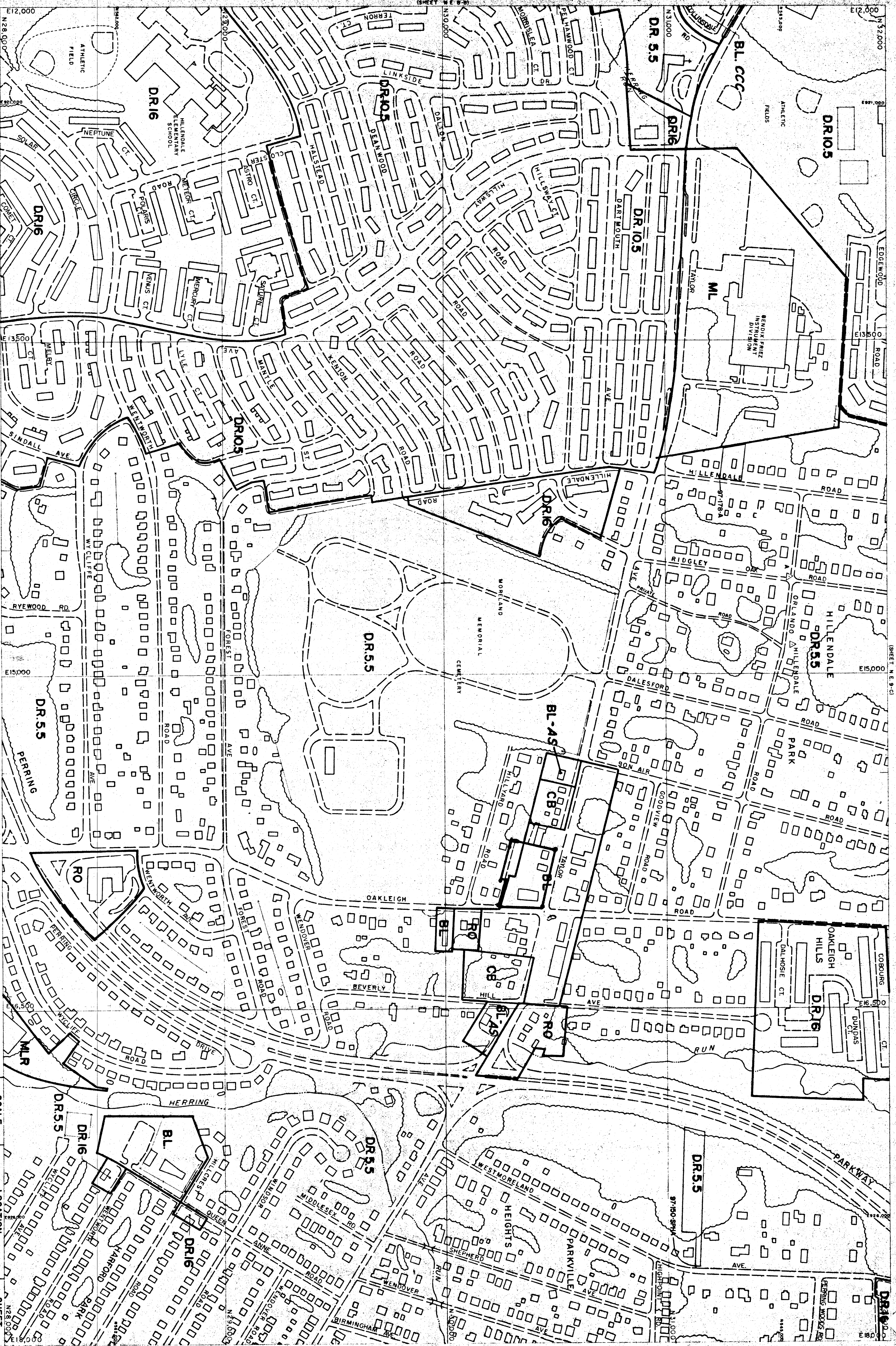


ALL SIGNS ARE EXISTING
DOUBLE FACED ILLUMINATED

SIGN DETAIL
#1723-25 TAYLOR

SIGN DETAIL
#1717 TAYLOR

SIGN DETAIL
#1715 TAYLOR



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

N-SW N-SE
N-NW N-NE

1996 COMPREHENSIVE ZONING MAP
ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bill Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

Karin Kamenev
Chairman, County Council

PETITIONER'S
EXHIBIT 1

SCALE	LOCATION	SHEET
1" = 200'		
DATE OF PHOTOGRAPHY	HARFORD PARK	N-E
JANUARY 1986		8-C