IN THE MATTER OF
THE APPLICATION OF
ELIAS RIZAKOS & VULA RIZAKOS - LEGAL
OWNERS FOR ZONING RECLASSIFICATION
ON PROPERTY LOCATED ON THE NORTHEAST SIDE WINDSOR MILL ROAD, 531.51'
SE OF C/L CRESSON AVENUE
(7218 WINDSOR MILL ROAD)

2ND ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT BEFORE THE

* COUNTY BOARD OF APPEALS

* OF

BALTIMORE COUNTY

Case No. CR-98-367-A Cycle III, 1998

ORDER OF DISMISSAL OF PETITION

This case came to the Board on a Petition for Reclassification filed by Newton A.

Williams, Esquire, and NOLAN, PLUMHOFF & WILLIAMS, CHTD, on behalf of Petitioners for zoning reclassification on property located on the northeast side Windsor Mill Road, 531.51' southeast of the centerline Cresson Avenue, known as 7218 Windsor Mill Road, in the Second Election District of Baltimore County.

WHEREAS, Petitions for Reclassification pending on the Board's Continued Docket on the date of adoption of the Comprehensive Zoning Maps are considered to be moot; and

WHEREAS, no further action has been taken in this matter since a continuance was granted on September 24, 1998,

IT IS, THEREFORE, this 21.1t day of Mountain, 2003, by the County Board of Appeals of Baltimore County

ORDERED that said Petition filed in Case No. CR-98-367-A be and the same is declared moot, and the Petition DISMISSED.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Lawrence M. Stahr, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

November 21, 2003

NOLAN, PLUMHOFF & WILLIAMS, CHTD. Suite 700, Nottingham Centre 502 Washington Avenue Towson, MD 21204

RE: In the Matter of: Elias Rizakos & Vula Rizakos
Case No. CR-98-367-A / Order of Dismissal of Petition

Dear Sir or Madam:

Enclosed please find a copy of the Order of Dismissal of Petition issued this date by the

Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco

Administrator

Enclosure

c: Elias and Vula Rizakos
APR Associates, Inc.
Carol Saffron-Brinks, Esquire
/Board of Ed. /MS 1102-J
People's Counsel for Baltimore County
Pat Keller, Planning Director
Jeffrey Long /Planning
Lawrence E. Schmidt /Zoning Commissioner
W. Carl Richards /PDM
Timothy M. Kotroco, Director /PDM



Petition Reclassincation

to the Board of Appeals of Baltimore County

for the Property at 7218 Windsor Mill Road

This Petition shall be filed the The undersigned, legal owner made a part hereof, hereby p	r(s) of the property situa	te in Baltimore	County and	which is de	scribed in th	e descriptio	n and plat atta	iched hereto and ing Law
of Baltimore County, from an given in the attached and (2)	D.R.5.5 for a Special Exception	under the Zon	zone to ar	ons of Baltir	.L.	to use the	zone herein describ	, for the reasons ed property for:
and (3) for the reasons given	in the attached stateme	nt a variance t	from the follo	wing sectio	ns of the Zor	ning Regulat	ions of Baltim	ore County:
409.6A.2, Generatived 20	ral Retail	to permit	t 16 par	king sp	aces in	lieu of	the M,	am.
Property is to be posted 1, or we, agree to p and are to be bound by the z	pay expenses of above S	pecial Except	tion advertisí altimore Cou I/We do so	ng, posting, nty adopted olemnly decla	etc., upon fil pursuant to	the Zoning i	Law for Baltim	rther agree to ore County. that I/we are the
ontract Purchaser/Lessee:			Legal Ow	,	porty willow	trio dabject of	titio i catacii,	
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	ton A. Williams		Address	4.4			Phone No	
Notan, Pro	mhoff & Willian	ns		dlawn_			MD	21107
			City Name, add	dress and pho	one number of	f legal owner	State contract purci	Zip Code naser or representa
Type or Print Name)	<u>-</u>		to be conta				,	
M+ 10	Villiams		Ne	wton A.	William	18		
Signature 502 Washington	Mum	-, 	Name	502 Wa	shington	Avenue	m Suite	700
JOZ WASHILING			1401110		, MD 212			
uite 700 ddress	410-823	3-7800 Phone No.	Address	~OMBOII	, +++/ 414	. 	410-823 Phone No	
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161				ALL		OTH	ER	

Revised 9/5/95

COUNTY BOARD OF AFPEN. §
RECEIVED

CP-98-367-A

THIS MA S- NAM 88 MAR -2 PM 3: LT

RIZAKOS SITE 7218 WINDSOR MILL ROAD

N/S WINDSOR MILL ROAD, W OF RUTHERFORD ROAD,

ADJOINED BY: WEST-- WOODLAWN POLICE STATION TO WEST

NORTH--BOARD OF EDUCATION, STORAGE YARD

EAST--BL RETAILSTORES

SOUTH -- NEW FIRE STATION, ML IM USES, WINDSOR INN

DR 5.5 TO BL

JUSTIFICATION:

- I. SINGLE ORPHAN SITE SURROUNDED BY POLICE, FIRE, STORAGE YARD USES
- 2.NO LONGER SUITABLE FOR RESIDENTIAL USE OR INCORRECT ZONING
- 3. ONLY 0.40 ACRES, 17,500 SF, SMALL BL SITE
- 4.BL ERROR SHOULD HAVE BEEN CORRECTED LONG AGO, AS ON 1996 MAPPING
- 5. SURROUNDING USES 24 HOURS PER DAY, 365 DAYS PER YEAR
- 6.BL LEAST INTENSE ZONE AND FITS SITE AND ADJACENT USES
- 7. CORRECT ZONE, FAIR TO COMMUNITY AND OWNERS
- 8. NEARBY ZONES INCLUDE BL,RO,BM,ML_IM, AND SAFETY USES
- 9. TAX BASE, JOBS, AND RETAIL CONVENIENCE ENHANCED
- 10. NO DOWNSIDE INVOLVED
- BL ZONE IS CORRECT, APPROPRIATE, AND OVERDUE



Petiton for Variance

to the Zoning Commissioner of Baltimore County for the property located at 7218 Windsor Mill Road which is presently zoned

rit metri en le li le file i celta de Affica el Wanten de Administration & Douglanmont Managamant

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

The undersigned, legal owner(s) of the property situate in Baitimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section(s) 409.6A.2, General Retail, 16 spaces for the required 20 spaces;

f the Zoning Regulations of Baltimore County, to the Zoning ifficulty)	g Law of Baltimore County; for the follo	owing reasons: (indic	ate hardship or prac
See Attached			
Property is to be posted and advertised as por we, agree to pay expenses of above Variance advertising the zoning regulations and restrictions of Baltimore County at	, posting, etc., upon filing of this petition	n, and further agree t	1
	i, We do solemnly declare and affin owners(s) of the property which is the	rm, under the penalties of subject of this Petition.	perjury, that I/We fite the
Contract Purchaser/Lessee:	Legal Owner(s):		(C)
Type or Print Name)	Elias Rizakos (Type or Print Name)	<u>, </u>	·
Signature	Signature Signature		<u> </u>
Address	Vula Rizakos (Type or Print Name)	/n	<u> </u>
City State Zip Code	Signature	Keyhold seeken	<u></u>
Attorney for Petitioner:	7207 Windsor Mill Ros Address	<u>ad</u>	410-944-0446 Phone No.
Newton A. Williams Nolan, Plumhoff & Williams, Chtd. Type or Print Name)	Woodlawn. City	MD State	21107 Zip Code
Newton a. Williams	Name, Address and phone num Newton A. Williams Nolan, Plumhoff & Wil		be contacted.
700 Nottingham Centre 502 Washington Avenue 410-823-7800	Name 700 Nottingham Centr 502 Washington Aven Towson, MD 21204	nue	410-823-7800
Address Phone No.	Address		Phone No.
Towson MD 21204 City State Zip Code	ESTIMATED LENGTH OF HI unavailable for I the following dates	Hearing	wo Months
A Palministration of the Palministration of t	ALLREVIEWED BY:	OTHEROATE_	

RIZAKOS PROPERTY

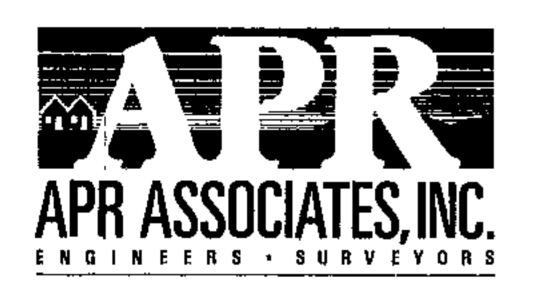
7218 WINDSOR MILL ROAD

REQUESTED PARKING VARIANCES

The Rizakos property on Windsor Mill Road is seeking its proper and correct BL zone. As a part of that documented site plan, a modest parking variance is sought, namely 20 spaces required and 16 spaces provided.

The request is appropriate for the following reasons:

- 1. Site surrounded by 24 hour per day, 365 day uses, police station, fire station, highway and bus yard.
- 2. Small additional building area fits site and area.
- 3. Retail and service uses likely to only draw local users.
- 4. Wasteful not to fill rear of site frontage.
- 5. All stores will not have same hours or peak hours.
- 6. Sixteen spaces will work.
- 7 Site is unique in its surroundings, width, and proposed neighborhood retail and service uses.
- 8. Single entrance insures slow entrance and exits.
- 9. Site will serve area public and private employees, many of whom will walk to its stores.
- 10. The site will provide jobs, tax dollars, needed services, in a modern, landscaped setting and will complement this industrial, public and commercial area.
- 11. Without the variance the owners will sustain practical and unreasonable hardship.
- 12. The new site and building will foster the health, safety and welfare of the area.



ZONING DESCRIPTION

BEGINNING FOR THE SAME at a point on the Northeasterly side of Windsor Mill Road, originally 30 feet wide; at the distance of 531.51 feet measured in the Southeasterly direction along said Windsor Mill Road from the centerline of the nearest improved intersecting street, which is Cresson Avenue, 30 feet wide; thence leaving said Windsor Mill Road and running North 13 degrees 43 minutes 10 seconds East 175.00 feet, South 58 degrees 16 minutes 50 seconds East 100.00 feet South 13 degrees 43 minutes 10 seconds West 175.00 feet and then along the Northeasterly side of Windsor Mill Road North 58 degrees 16 minutes 50 seconds West 100.00 feet to the place of beginning as recorded in Deed Liber 9239, Folio 576; containing 17,500 square feet or 0.40 acres. Also known as 7218 Windsor Mill Road and located in the Second Election District.

02/25/98

7427 Harford Road Baltimore, Maryland 21234-7160 (410) 444-4312 Fax: (410) 444-1647

NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Sec. 602.(e) and Sec. 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #CR-98-367-A
7218 Windsor Mill Road
NE/S Windsor Mill Road,
531.51' SE of centerline Cresson Avenue
2nd Election District
2nd Councilmanic District
Legal Owner(s)

Elias Rizakos & Vula Rizakos
Reclassification: from
D.R.-5.5 to B.L. Variance: to
permit 16 parking spaces in
lieu of the required 20..
Hearing: Thursday, September 24, 1998 at 10:00 a.m. in
Room 48 of the Old Courthouse, 400 Washington Avenue.

KRISTINE K. HOWANSKI Chairman

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3180.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3180.

9/012 Sept. 3 C255567

CERTIFICATE OF PUBLICATION

TOWSON, MD.,	S, 19 <u>78</u>
THIS IS TO CERTIFY, that the annexed advert	isement was
published in THE JEFFERSONIAN, a weekly newspap	
in Towson, Baltimore County, Md., once in each of	/ successive
weeks, the first publication appearing on	<u>3</u> , 19 <i>28</i> .

THE JEFFERSONIAN,

LEGAL AD - TOWSON

BALTIMORE COUNTY, MARYLATTO OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	CHP# //49 No. 035923	
DATE 3-2-78 ACCOUNT	001-6181 820 CC	SOCION SOCION UNIONA RESIDENTE CASTRETEN RECEPT TO MAN (2002)
	12AKOS 1 SINARIANCE	Haltimore County, Norstand
FOR: NECLASS/FICATION		

NOTICE OF ZONING RECLASSIFICATION HEARING

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2nd Councilmanic District
Legal Owner(s):
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fleu of the required 20.
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in Room 48 of the Old Courthouse 400 Weeklanton Ave. house, 400 Washington Aveune.

KRISTINE K. HOWANSKI,

Chairman

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call (410) 887-3180.

(2) For Information concerning the File and/or Hearing,
Please Call (410) 887-3180.

CAT/9/112 Sept. 10 C257359

CERTIFICATE OF PUBLICATION

**** · · · · · · · · · · · · · · · · ·	9/10		,19 <u>98</u>
THIS IS TO CERTIFY,	that the annexed	advertisement wa	ıs publish-
ed in the CATONSVILLE T	IMES, a weekly	newspaper pul	blished in
Baltimore County, Md., once	in each of	successive weeks	the first
publication appearing on	9/10		19 <u>98</u> .
	CATONSVILLI	E TIMES	
4	· Hen	relesson	حا
	LEGAL AD	TOWSON	

CERTIFICATE OF PUBLICATION

	5 14	,19 98
THIS IS TO CERTIF	Y, that the annexed a	dvertisement was publish-
ed in the CATONSVILLE	TIMES, a weekly	newspaper published in
Baltimore County, Md., on	ce in each of 2_s	uccessive weeks, the first
publication appearing on	517	

CATONSVILLE TIMES

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING	3
Marine Marine	RE: Case No.: CR - 98 - 367-A
$h_{i,0}$,	Petitioner/Developer: Elias Rizako
	Vula Rvzakos
	Date of Hearing/Closing: 9/24/98
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:	1
were posted conspicuously on the property!	perjury that the necessary sign(s) required by law ocated at 7218 Windsor Mill
The sign(s) were posted on $\frac{9/8}{9}$	B
	(Month, Day, Year)
	Sincerely, Sincerely, Steely Feelen 9/
	(Signature of Sign Poster and Date)
	(Printed Name)
	(Address)
	(City, State, Zip Code)
r	(Telephone Number)

9/96 cert.doc

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number:	R-98-367-A
Petitioner: MRIA MRS, ELIAS RIZAKOS	
Address or Location: O/O WINDSOR INN, 720	TWINDSOR MILL ROAD,
Address or Location: O/O WINDSOR INN, 720	BALTIMORE, MD, 21244
PLEASE FORWARD ADVERTISING BILL TO:	ı
Name: MR, ELIAS RIZAKOS	······································
Address: <u>C/o windsor in</u>	
7207 WINDSOR MILL ROAD	
BALTIMORE, MD, 21244	
Telephone Number: 410-944-0446	

TO: Patuxent Publishing Company

September 9, 1998 Issue - Catonsville Times

Please forward billing to:

Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 Towson, MD 21204

410-823-7800

NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Sec. 602.(e) and Sec. 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: CR-98-367-A

7218 Windsor Mill Road

NE/S Windsor Mill Road, 531.51' SE of centerline Cresson Avenue

2nd Election District - 2nd Councilmanic District

Legal Owner: Elias Rizakos & Vula Rizakos

Reclassification from D.R.-5.5 to B.L. <u>Variance</u> to permit 16 parking spaces in lieu of the required 20.

HEARING: Thursday, September 24, 1998 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

Kristine K. Howanski

Chairman

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3180.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

July 6, 1998

NOTICE OF ZONING RECLASSIFICATION HEARING

The County Board of Appeals of Baltimore County, by authority of the County Charter, Sec. 602.(e) and Sec. 603 and the County Code, Section 2-356(d), will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: CR-98-367-A 7218 Windsor Mill Road NE/S Windsor Mill Road, 531.51' SE of centerline Cresson Avenue 2nd Election District - 2nd Councilmanic District Legal Owner: Elias Rizakos & Vula Rizakos

Reclassification from D.R.-5.5 to B.L. Variance to permit 16 parking spaces in lieu of the required 20.

HEARING:

Thursday, September 24, 1998 at 10:00 a.m. in Room 48 of the Old Courthouse, 400 Washington Avenue

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Kristine K. Howanski

Chairman

c: Newton A. Williams, Esquire

Elias & Vula Rizakos

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3180.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3180.

ACCOUNTS.

	*	BEFORE THE
RE: PETITION FOR ZONING RECLASSIFICATION 7218 Windsor Mill Road, NE/S Windsor Mill Road, 531.51' SE of c/l Cresson Ave, 2nd Election District,	*	COUNTY BOARD OF APPEALS
2nd Councilmanic	*	FOR
Legal Owners: Elias and Vula Rizakos	*	BALTIMORE COUNTY
Petitioner(s)		
	*	Case Number: CR-98-367-A
	*	Item No. 2, Cycle III, 1998
	alla ata	

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 of 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

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of August, 1998, a copy of the foregoing Entry of Appearance was mailed to Newton A. Williams, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner(s).

Peter Max ZIMMERMAN

98 AUG -7 PM 3: 10

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 18, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for August 17, 1998

Item Nos. 044, 045, 046, 047, 048,

049, 050, 051, 052, 053, 054

Revised Plats for Reclassification

Case #CR-98-367-A

(7218 Windsor Mill Road)

Revised Petition; Environmental Impact Statement, Description, and

Plats for Reclassification

Case #R-97-465

(1856 Reisterstown Road)

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

RWB:HJO:jrb

cc: File



Partis N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams

Administrator

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204 RE: Baltimore County 8.11.58

Item No.

CR-98-367-A

7218 WINDSON MILL Rd

Dear Ms. Stephens:

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 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

May 1, 1998

Date:

Department of Permits & Development

Management

Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for Zoning Reclassification

Cycle III

April - October, 1998

The Development Plans Review Division has reviewed the subject zoning reclassification items. Our comments are as follows:

This site is subject to the Development Regulations of Baltimore County Code, 1988, as amended.

1 tem 2:

Windsor Mill Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the subdivision shall be as follows:

The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

The relocation of any utilities or poles as required by the road improvements.

The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.

This site is subject to the Development Regulations of Baltimore County Code, 1988, as amended.

98300 Item 4:

This site is subject to the Development Regulations of Baltimore County Code, 1988, as amended.

Flood plain studies and storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

The rear of buildings may not be constructed within 20 feet of the limits of the flood plain as established for a 100-year flood level with a 1 foot freeboard. See Plate D19 in the Baltimore County Design Manual, adopted 1983 and revised February, 1995.

In conformance with Federal Flood Insurance requirements, the first floor or basement flood must be at least 1 foot over the flood plain elevation in all construction.

4:370

Item 5:

This site is subject to the Development Regulations of Baltimore County Code, 1988, as amended.

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

RWB:HJO:jrb

cc: File

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TQ:

POM

DATE: 4/

FROM:

R. Bruce Seeley (S1/1) Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee

Mesting Date: Ceprel - But 47

Reclass Cycle

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

98-368

RBS:sp

BRUCE2/DEPRM/TXTSBP



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

April 13, 1998

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

RE: Property Owner: Elias Rizakos and Vula Rizakos

Location: DISTRIBUTION MEETING OF April - October 1998

Item No.: 2 327 Zoning Agenda:

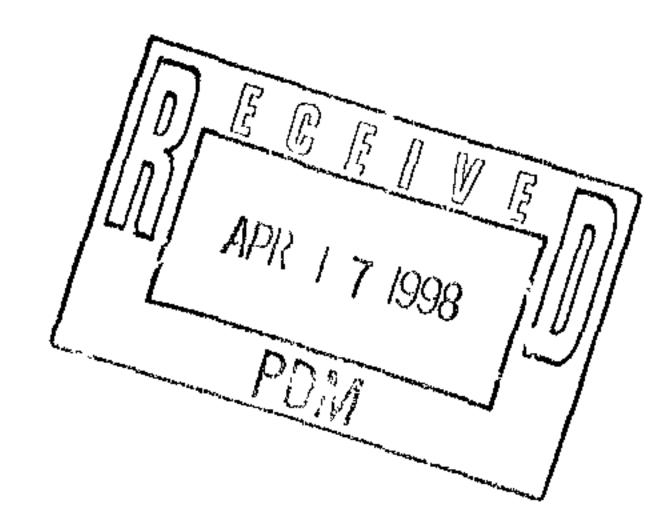
Gentlemen:

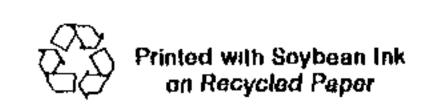
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File







David L. Winstead Secretary Parker F. Williams Administrator

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

RE: Baitimore County 4.13.31
Item No. Z.

CATE. CR. 38-367

7218 WINDSON MILL RA

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,

Ronald Burns, Chief

Engineering Access Permits

Division

LG

ENVIRONMENTAL IMPACT STATEMENT Per SECTION 101 BCZR

RIZAKOS PROPERTY--7218 WINDSOR MILL ROAD

O.40 ACRES N/S, W OF BELTWAY

NEIGHBORING USES:

- 1. WEST WOODLAWN POLICE STATION & FENCED LOT
- 2. NORTH— COUNTY HIGHWAY YARD, SALT DOME, AND BUS STORAGE LOT, A CONTRACTOR'S STORAGE YARD, BR USE IN DR 5.5
- 3. EAST BL RETAIL STORES, AS HERE PROPOSED
- 4. SOUTH WINDSOR MILL ROAD AND S/S RUTHERFORD INDUSTRIAL PARK PROPOSED ACTION:

REMOVAL OF SURROUNDED, OLDER COTTAGE; AND RETAIL STORE OF 4000 SF REPLACEMENT WITH LANDSCAPED PARKING AND SWM AND WATER OUALITY

SEE ATTACHED PLANS AND ELEVATIONS

NO ADVERSE IMPACT ON ECOLOGY — SITE IS A SMALL ISLAND IN A SEA OF 24 HOUR, PER DAY, 365 DAY USES

DEVELOPMENT SUBJECT TO ALL ZONING, DEVELOPMENT AND ENVIRONMENTAL REGULATIONS AND REVIEW

NO ADVERSE IMPACTS TO BE AVOIDED

ALTE RNATIVE IS TO LEAVE HOUSE TO DETERIORATE AND CONTINUE TO SUFFER FROM ITS SURROUNDINGS

LONG TERM USE IS CORRECT AND CONSONANT WITH AREA AND THE ENVIRONMENT

NOT AN IRREVERSIBLE USE OR COMMINTMENT OF THE ENVIRONMENT

APR INCORPORATED,

ALEX P. RATYCH

ENVIRONMENTAL IMPACT STATEMENT

RIZAKOS

PROPERTY--7218 WINDSOR MILL ROAD

O.40 ACRES N/S, W OF BELTWAY

NEIGHBORING USES:

- 1. WEST WOODLAWN POLICE STATION & FENCED LOT
- 2. NORTH— COUNTY HIGHWAY YARD, SALT DOME, AND BUS STORAGE LOT, A CONTRACTOR'S STORAGE YARD, BR USE IN DR 5.5
- 3. EAST --- BL RETAIL STORES, AS HERE PROPOSED
- 4. SOUTH WINDSOR MILL ROAD AND S/S RUTHERFORD INDUSTRIAL PARK PROPOSED ACTION:

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NOT AN IRREVERSIBLE USE OR COMMINTMENT OF THE ENVIRONMENT

APR INCORPORATED,

ALEXP RATYCH

Post-It" Fax Note 7671	Date 2/48 pages /
To iller Katiet	From Newton William
Co./Dept. ACR.	Co. NP+W
	Phone # 8 23 - 780 0
FBX# 410-444-1647	Fax 1 296 - 276 5

SEAL CR-98-367-A Report by the Baltimore County Office of Planning to the Baltimore County Planning Board

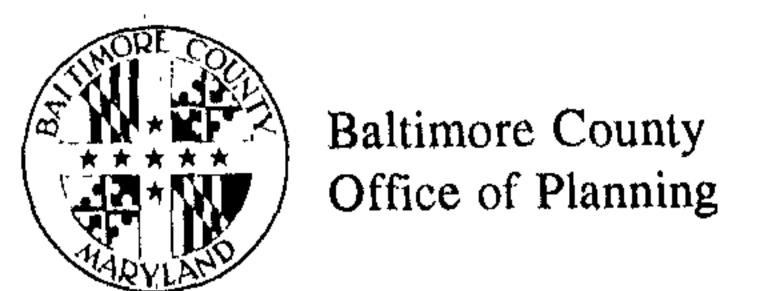
ZONING RECLASSIFICATION PETITIONS

Cycle III, 1998

May 29, 1998

TABLE OF CONTENTS

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Item No. 5 (Case No. R-98-370)	20 - 21



401 Bosley Avenue Towson, Maryland 21204 (410) 887-3211

Fax: (410) 887-5862

TO:

Members

DATE: May 29, 1998

Baltimore County Planning Board

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

In the current cycle, five zoning reclassification petitions were accepted by the Baltimore County Board of Appeals. In compliance with the County Code, recommendations on the petitions are submitted in the attached report.

The Planning Board is scheduled to review the petitions on July 9, 1998, and to make final recommendations on July 23, 1998. The Planning Board's report must be submitted to the Baltimore County Board of Appeals no later than July 31, 1998.

The Board of Appeals has tentatively scheduled hearings on these petitions and will advertise these hearings as required. Hearings are set to take place during the period from September 17, 1998, through October 29, 1998.

Arnold F. 'Pat' Keller, III

AFK:JL:lsn

Attachment

Introduction

Under the provisions of Section 2-356(e), <u>Baltimore County Code</u>, <u>1988</u>, (see Appendix A), the Director of Planning is required to submit to the Planning Board, during Period 1 of each zoning cycle, a report on the petitions accepted by the County Board of Appeals for filing during the previous zoning cycle. The report is to contain the following information:

- 1. Maps showing properties under petition and the reclassifications sought therefore; such maps may also identify groups of such properties located close to each other and show other indications of the inter-relation of petitions with respect to planning considerations.
- 2. Recommendations on the petitions.
- 3. Supporting data for the recommendations, including any pertinent data and recommendations submitted by other County agencies.
- 4. Recommendations for scheduling of all hearings (to be held during the next Period IV, prepared in consultation with the County Board of Appeals).

The five petitions in the current cycle have been reviewed by the planning staff, and the following pages report the Office of Planning staff's analysis and recommendations. The process of formulating these recommendations included: staff inspections of each site; a review of the policies and statements in the current <u>Baltimore County Master Plan</u>, and the preparation and adoption of the 1996 Comprehensive Zoning Map. Comments also were requested from other county agencies including the Board of Education, the Department of Environmental Protection and Resource Management, the Fire Department, the Police Department, the Department of Public Works, the Department of Recreation and Parks, and the Bureau of Traffic Engineering.

In reaching its decision on each petition, the Board of Appeals is required to use the standards in Section 2-356 (j) of the County Code. During the first cycle following a Comprehensive Zoning Map Process, Section 2-356 (k) further limits the Board's authority to granting reclassifications only where the Board finds that the change is warranted upon consideration of the specified factors and also if "the last classification of the property [i.e., by the County Council's vote on October 8, 1996] was established in error".

PETITIONS FOR RECLASSIFICATION CYCLE III, 1998

Assigned Hearing Dates County Board of Appeals

Week of September 14, 1998

Case No. R-98-366

Eichelman Brothers, Inc.

Merritt Properties, LLC

Thursday, September 17, 1998 @ 10:00 a.m.

Week of September 21, 1998

Case No. CR-98-367-A
Elias Rizakos, et ux
Thursday, September 24, 1998 @ 10:00 a.m.

Week of October 5, 1998

Case No. R-98-368

James K. S. Hom, et ux

Thursday, October 8, 1998 @ 10:00 a.m.

Week of October 19, 1998

Case No. R-98-369

Maryland State Fair and Agricultural Society, Inc.

Thursday, October 22, 1998 @ 10:00 a.m.

Week of October 26, 1999

Case No. R-98-370
Oziel Abbas/Continental Properties, Inc.
Thursday, October 29, 1998 @ 10:00 a.m.

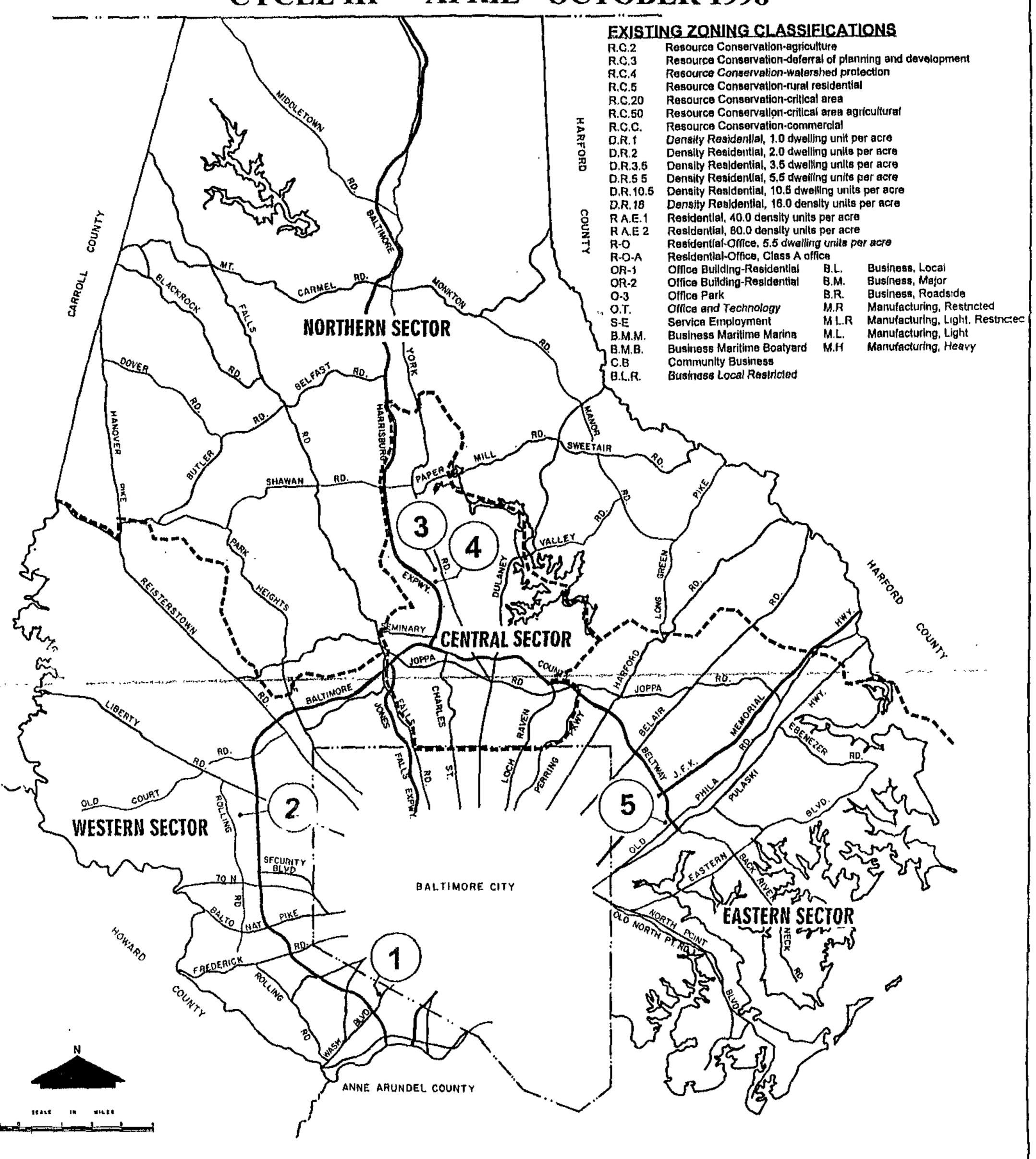
BALTIMORE COUNTY, MD

RECOMMENDATIONS OF THE OFFICE OF PLANNING

MAY 29, 1998

ITEM NO. and PETITIONER	LOCATION	ACREAGE	EXISTING ZONING	REQUESTED ZONING	PLANNING RECOMMENDATION
Item No. 1 Eichelman Brothers, Inc. (legal owner) & Merritt Properties, LLC (contract Purchaser)	NW/S Washington Boulevard Opposite Lansdowne Road (3406 Washington Blvd.)	1.8	MLR-IM	ML-IM	ML-IM
ltem No. 2 Elias Rizakos & Vula Rizakos	NE/S Windsor Mill Rd., 531 feet SE of the center line of Cresson Ave. (7218 Windsor Mill Rd.)	,40	DR 5.5	BL	BL
Item No. 3 James K. S. Hom & Tuey Mar Hom	NE/S Padonia Park Rd., 364 feet W of York Rd., also W/S York, 211 feet to the rear of 9726 York Road	1.8	ML	BM	BLR
Item No. 4 Maryland State Fair and Agricultural Society, Inc. & Baltimore County MD	NE/S Conrail & MTA Central Light Rail right-of-way, 3,741 feet of N/S Timonium Rd.	4.9	DR 3.5	ML	DR 3 .5
Item No. 5 Oziel Abbas (Legal Owner) & Continental Properties, Inc. (Contract Purchaser)	NW/S Philadelphia Road & NE/S Golden Ring Road (8606 Philadelphia Rd.)	1.3	RO	BL	RO

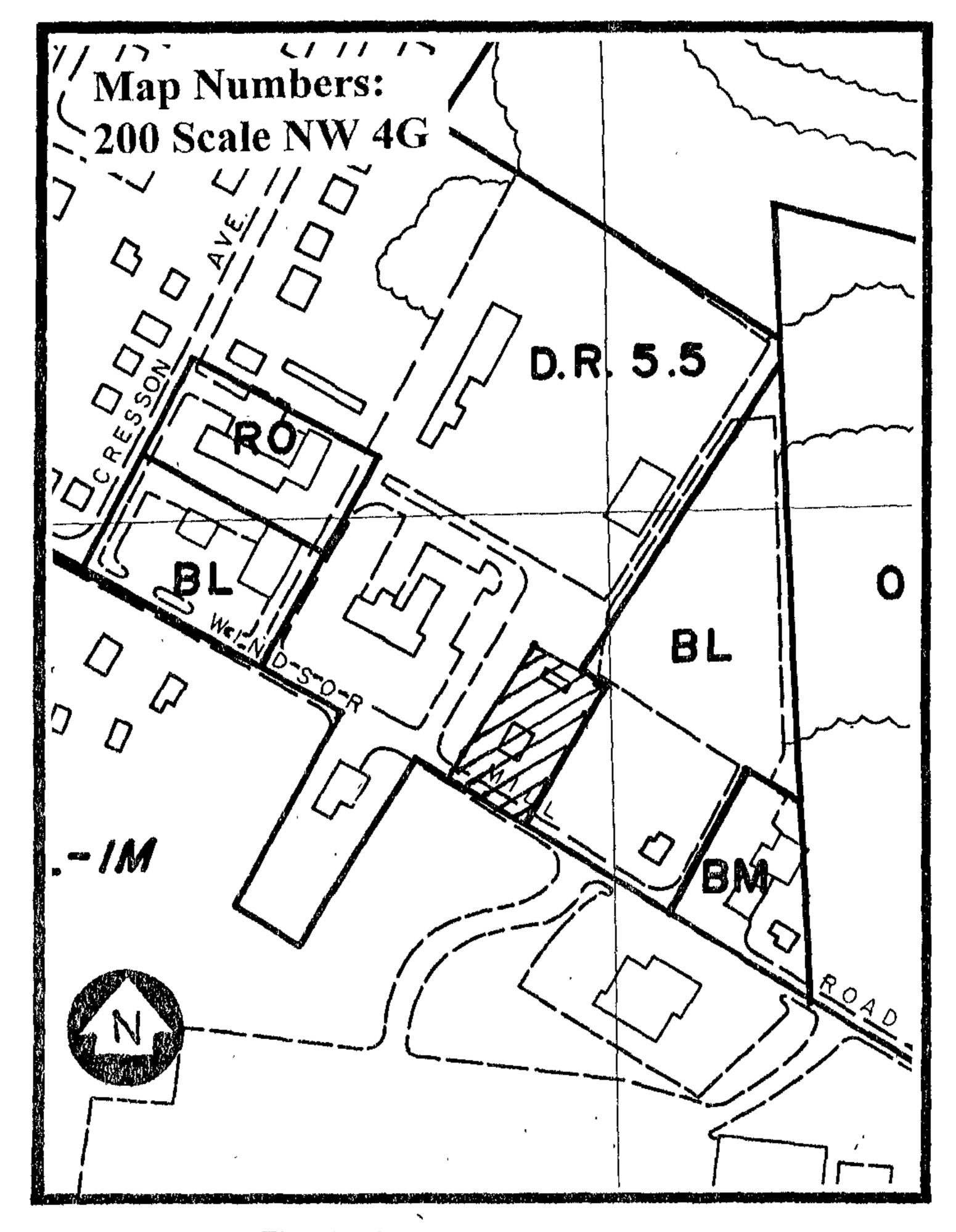
LOCATIONS OF PROPERTIES UNDER PETITION CYCLE III --- APRIL - OCTOBER 1998



SOURCE MATERIAL

Recommendations for the five (5) petitions filed are based on the following:

- 1. Information compiled during the processing of the Comprehensive Zoning Map adopted by the County Council on October 8, 1998;
- 2. Capital Budget and 5-Year Capital Program;
- 3. Zoning Plans Advisory Committee comments;
- 4. Discussions with other governmental agencies;
- 5. Field inspections of subject sites; and
- 6. Baltimore County Master Plan.



ITEM NUMBER 2
Location of Property Under Petition

Scale: 1"= 200'

CASE NO.:

CR-98-367-A

PETITIONER:

Elias Rizakos and Vula Rizakos

REQUESTED ACTION:

Reclassification to BL (Business Local) and a variance to permit 16 parking spaces in lieu of the required 20 spaces.

EXISTING ZONING:

DR 5.5

LOCATION:

7218 Windsor Mill Road

AREA OF SITE:

0.40± acre

ZONING OF ADJACENT PROPERTY/USE:

North:

DR 5.5

Baltimore County Highways Yard

South:

ML-IM

Woodlawn Company 3 and Rescue & the Windsor Inn

East:

BL

Retail Stores

West:

DR 5.5

Woodlawn Police Station

SITE DESCRIPTION:

The site is currently improved with a single-family detached dwelling.

WATER AND SEWERAGE:

Area is served by public water and sewer and is designated as W-1, S-1 (existing service area) according to the Master Water and Sewer Plan.

TRAFFIC AND ROADS:

The site has direct access to Windsor Mill Road which is designated as a major collector road.

ZONING HISTORY:

The subject property has been zoned DR 5.5 since 1971.

MASTER PLAN/COMMUNITY PLANS:

The site is located in a Community Conservation Area according to the Baltimore County Master Plan.

PROPOSED vs. EXISTING ZONING:

The regulations governing DR zoning may be found in Section 1B01 of the Baltimore County Zoning Regulations. The BL zone permits a wide range of light business uses by right, and a number of uses are also permitted by special exception.

DOCUMENTED SITE PLAN:

The Documented Site Plan (DSP) indicates a proposed 4,000 square ft., one-story general retail building. Elevation drawings submitted with the DSP show that the proposed building would be architecturally compatible with the adjacent retail center located to the east. The DSP meets all requirements set forth in the Baltimore County Landscape Manual. The petitioner proposes to improve the site with sixteen parking spaces which results in the need for a variance of four spaces. Sign details are provided for the front and side elevations. The proposed sign is in keeping with the proposed small scale retail center. It would appear that there is no longer a reasonable use of the property under its current residential classification.

OFFICE OF PLANNING RECOMMENDATION:

Based upon the information provided and analysis conducted, staff recommends the subject property be rezoned to the BL zoning classification.

MISTAKE/CHANGE/ERROR:

It would appear that there is no longer a reasonable use of the property under its current residential classification. In order to meet all of the requirements set forth in the Baltimore County Code, it will be incumbent upon the petitioner to prove that the County Council made an error when the Comprehensive Zoning Maps were last adopted.

TO: PATUXENT PUBLISHING COMPANY April 30, 1998 & May 7, 1998 Issues - Jeffersonian Full Page Ad

Advertising costs should be divided between all petitioners. Please forward billing to:

R-98-366	Barbara Ormord, Legal Assistant Venable Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204	410-494-6201
CR-98-367-A	Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 Towson, MD 21204	410-823-7800
R-98-368	Spellman, Larson & Associates, Inc. 105 West Chesapeake Avenue Suite 406 Towson, MD 21204	410-823-3535
R-98-369	Marlow & Wyatt 404 Allegheny Avenue Towson, MD 21204	410-821-1013
R-98-370	Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 Towson, MD 21204	410-823-7800

NEWSPAPER AD MUST BE FULL PAGE AD.

SEE ATTACHED SAMPLE FOR PROPER SET-UP OF AD. SEE ATTACHED PAPERS FOR CORRECT WORDING FOR ZONING RECLASSIFICATION CYCLE III (APRIL - OCTOBER 1998) AND CORRECT MAP.

PLEASE FORWARD TO ZONING REVIEW, PERMITS & DEVELOPMENT MANAGEMENT, A CONTACT POSITIVE PRINT.

ANY QUESTIONS CONCERNING THIS AD, PLEASE CONTACT EITHER SOPHIA JENNINGS OR CARL RICHARDS IN ZONING REVIEW AT 410-887-3391.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL - OCTOBER 1998 ZONING RECLASSIFICATION CYCLE III

BY ORDER OF
KRISTINE HOWANSKI, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE ZONING RECLASSIFICATION CYCLE III APRIL - OCTOBER 1998

WESTERN SECTOR

<u> ITEM #1</u>

Property Owner: Eichelman Brothers, Inc.

Case No./Hearing Date: R-98-366; 9/17/98

Contract Purchaser: Merritt Properties, LLC

Location: NW/S Washington Boulevard opposite Lansdowne Road (3406

Washington Boulevard)

Existing Zoning: M.L.R.-I.M.

Election District: 13th
Councilmanic District: 1st
Acres: 51.92

Proposed Zoning: M.L.-I.M.

Attorney: Robert A. Hoffman

Misc.: Open Plan

<u>ITEM #2</u>

Property Owner: Elias Rizakos & Vula Rizakos

Case No./Hearing Date: CR-98-367-A; 9/24/98

Contract Purchaser: N/A

Location: NE/S Windsor Mill Road, 531.51' SE of centerline Cresson Avenue

(7218 Windsor Mill Road)

Existing Zoning: D.R.-5.5
Election District: 2nd
Councilmanic District: 2nd

Acres: ,40

Proposed Zoning: B.L. <u>Variance</u> to permit 16 parking spaces in lieu of the required 20.

Attorney: Newton A. Williams

Misc.: Documented Plan

NORTHERN SECTOR

No Petitions Were Filed in This Sector

CENTRAL SECTOR

ITEM #3

Property Owner:

James K.S. Hom & Tuey Mae Hom

Case No./Hearing Date:

R-98-368; 10/8/98

Contract Purchaser:

N/A

Location:

NE/S Padonia Park Road, 364' W of York Road; also W/S York

Road, 211' to the rear (9726 York Road)

Existing Zoning:

M.L.

Election District:

8th

Councilmanic District:

3rd

Acres:

1.8

Proposed Zoning:

B.M.

Attorney:

Charles E. Brooks

Misc.:

Open Plan

<u>ITEM #4</u>

Property Owner:

Maryland State Fair and Agricultural Society, Inc. & Baltimore

County, Maryland (for Baltimore County Controlled Streets)

Case No./Hearing Date:

R-98-369; 10/22/98

Contract Purchaser:

N/A

Location:

NE/S Conrail and MTA Central Light Rail (formerly Pennsylvania

Railroad) right-of-way, 3741.99' N of N/S Timonium Road

Existing Zoning:

D.R.-3.5

Election District:

8th 4th

Councilmanic District:

7UI

Acres:

4.902

Proposed Zoning:

M.L.

Attorney:

Michael T. Wyatt

Misc.:

Open Plan; Possible Floodplain/zone

EASTERN SECTOR

<u>ITEM #5</u>

Property Owner:

Oziel Abbas

Case No./Hearing Date:

R-98-370; 10/29/98

Contract Purchaser:

Continental Properties Incorporated

Location:

corner NW/S Philadelphia Road (Route 7) and NE/S Golden Ring

Road (Route 588) (8606 Philadelphia Road)

Existing Zoning:

R.O.

Election District:

14th

Councilmanic District:

6th

Acres:

1.313

Proposed Zoning:

B.L.

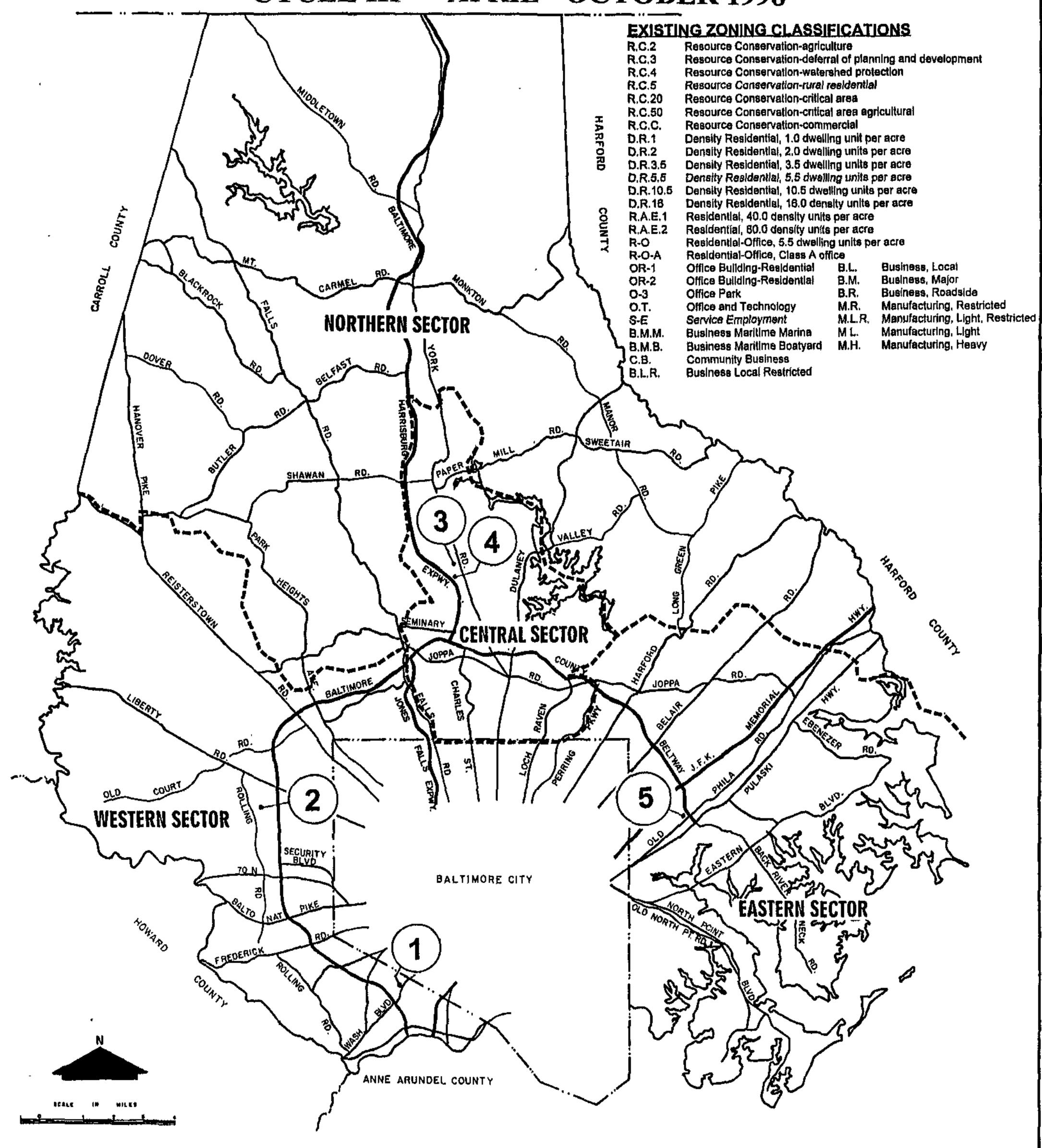
Attorney:

Newton A. Williams

Misc.:

Open Plan

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE III --- APRIL - OCTOBER 1998



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

TO: PATUXENT PUBLISHING COMPANY August 13, 1998 - Jeffersonian Full Page Ad

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R-98-366	Barbara Ormord, Legal Assistant Venable Baetjer & Howard, LLP 210 Allegheny Avenue Towson, MD 21204	410-494-6201
CR-98-367-A	Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 Towson, MD 21204	410-823-7800
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RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL - OCTOBER 1998 ZONING RECLASSIFICATION CYCLE III

BY ORDER OF
KRISTINE HOWANSKI, CHAIRMAN, BALTIMORE COUNTY BOARD OF APPEALS
ARNOLD F. KELLER, III, DIRECTOR, OFFICE OF PLANNING AND
COMMUNITY CONSERVATION

WESTERN SECTOR

ITEM #1

Property Owner: Eichelman Brothers, Inc.

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Councilmanic District: 1st
Acres: 51.92

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Proposed Zoning: M.L.-I.M.

Attorney: Robert A. Hoffman

Misc.: Open Plan

ITEM #2

Property Owner: Elias Rizakos & Vula Rizakos

Case No./Hearing Date: CR-98-367-A; 9/24/98

Contract Purchaser: N/A

Location: NE/S Windsor Mill Road, 531.51' SE of centerline Cresson Avenue

(7218 Windsor Mill Road)

Existing Zoning: D.R.-5.5

Election District: 2nd
Councilmanic District: 2nd
Acres: .40

Proposed Zoning:

B.L. <u>Variance</u> to permit 16 parking spaces in lieu of the required 20.

Attorney: Newton A. Williams
Misc.: Documented Plan

NORTHERN SECTOR

No Petitions Were Filed In This Sector

ITEM #3

Property Owner: James K.S. Hom & Tuey Mae Hom

Case No./Hearing Date: R-98-368; 10/8/98

Contract Purchaser: N/A

Location: NE/S Padonia Park Road, 364' W of York Road; also W/S York

Road, 211' to the rear (9726 York Road)

Existing Zoning: M.L. Election District: 8th

Councilmanic District: 3rd

Acres: 1.8

Proposed Zoning:

B.M.

Attorney:

Charles E. Brooks

Misc.: Open Plan

ITEM #4

Property Owner: Maryland State Fair and Agricultural Society, Inc. & Baltimore

County, Maryland (for Baltimore County Controlled Streets)

Case No./Hearing Date:

R-98-369; 10/22/98

Contract Purchaser:

N/A

Location:

NE/S Conrail and MTA Central Light Rail (formerly Pennsylvania

Railroad) right-of-way, 3741.99' N of N/S Timonium Road

Existing Zoning:

D.R.-3.5

Election District:

8th 4th

Councilmanic District: Acres:

4.902

Proposed Zoning:

M.L.

Attorney:

Michael T. Wyatt

Misc.:

Open Plan; Possible Floodplain/zone

EASTERN SECTOR

ITEM #5

Property Owner:

Oziel Abbas

Case No./Hearing Date:

R-98-370; 10/29/98

Contract Purchaser:

Continental Properties Incorporated

Location:

corner NW/S Philadelphia Road (Route 7) and NE/S Golden Ring Road (Route 588) (8606 Philadelphia Road)

Existing Zoning:

R.O.

Election District:
Councilmanic District:

14th 6th

Acres:

1.313

Proposed Zoning:

B.L.

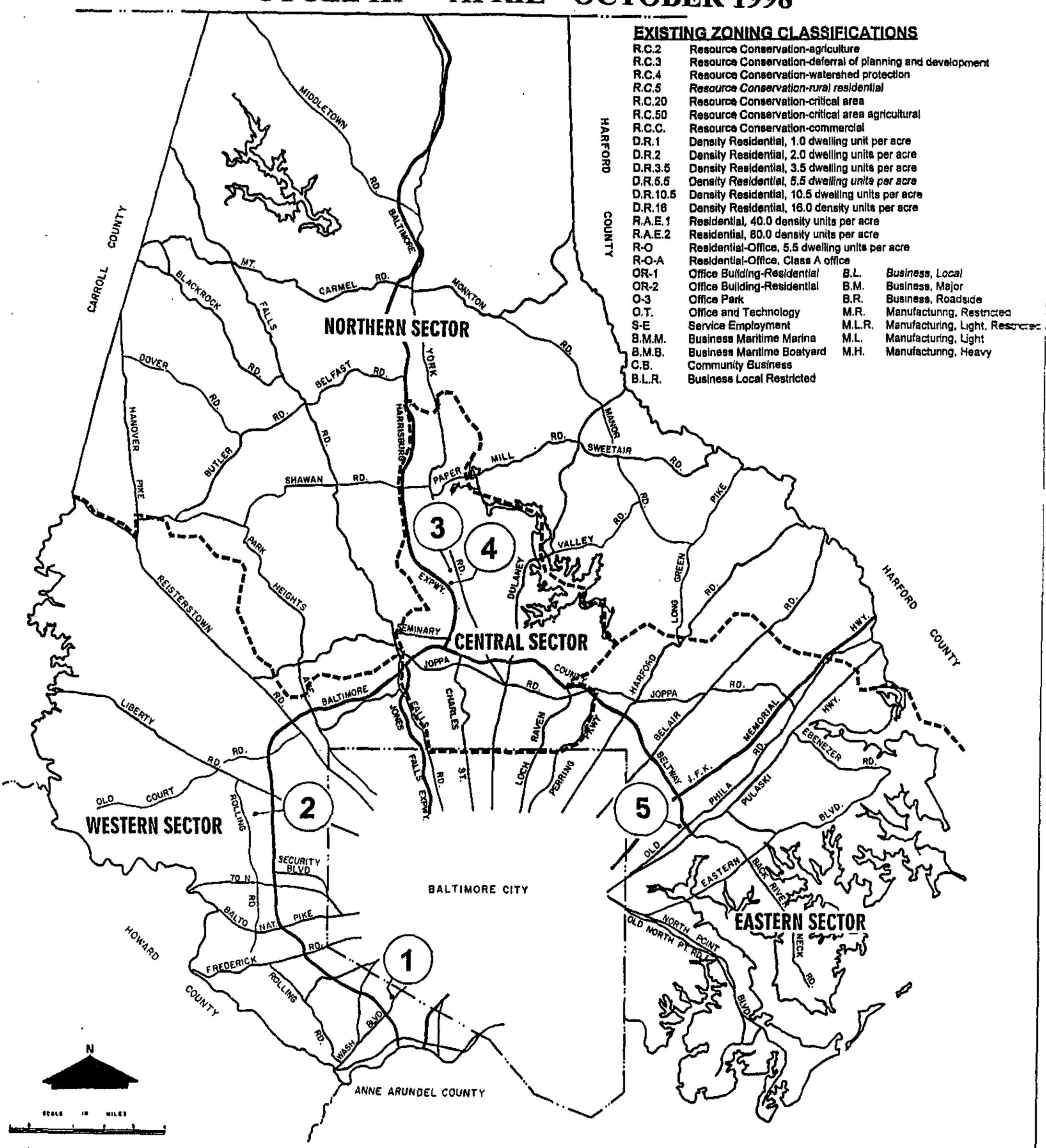
Attorney:

Newton A. Williams

Misc.:

Open Plan

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE III --- APRIL - OCTOBER 1998



BALTIMORE COUNTY, MARYLAND

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE OCTOBER, 1993 - APRIL, 1994 ZONING RECLASSIFICATION CYCLE II

WESTERN SECTOR

1. Property Owner: J.F.O. Holding Corporation & Josephine Owings Grinnings

Case No./Hearing Date: R-94-141; 3/9/94

Contract Purchaser: J. Patrick Gill

Location: SW/S Reisterstown Road, 540' SE of centerline Mt. Wilson Lane, opposite Castleton Avenue (#1838-1850

Reisterstown Road) Existing Zoning: R.O. Election District: 3rd Councilmanic District: 3rd Acres: 5.81 +/- or 5.25 +/-Proposed Zoning: B.L.

NORTHERN SECTOR

2. Property Owner: Harford Joint Venture Case No./Hearing Date: R-94-142; 3/23/94

Contract Purchaser: N/A

Location: N/S Everett Road, W/S York Road (Monkton Centre)

Existing Zoning: R.C.-5 Election District: 7th Councilmanic District: 3rd Acres: .90 +/-

Proposed Zoning: B.M.-C.R.

3. Property Owner: The Prosser Company, Inc.

Contract Purchaser: N/A

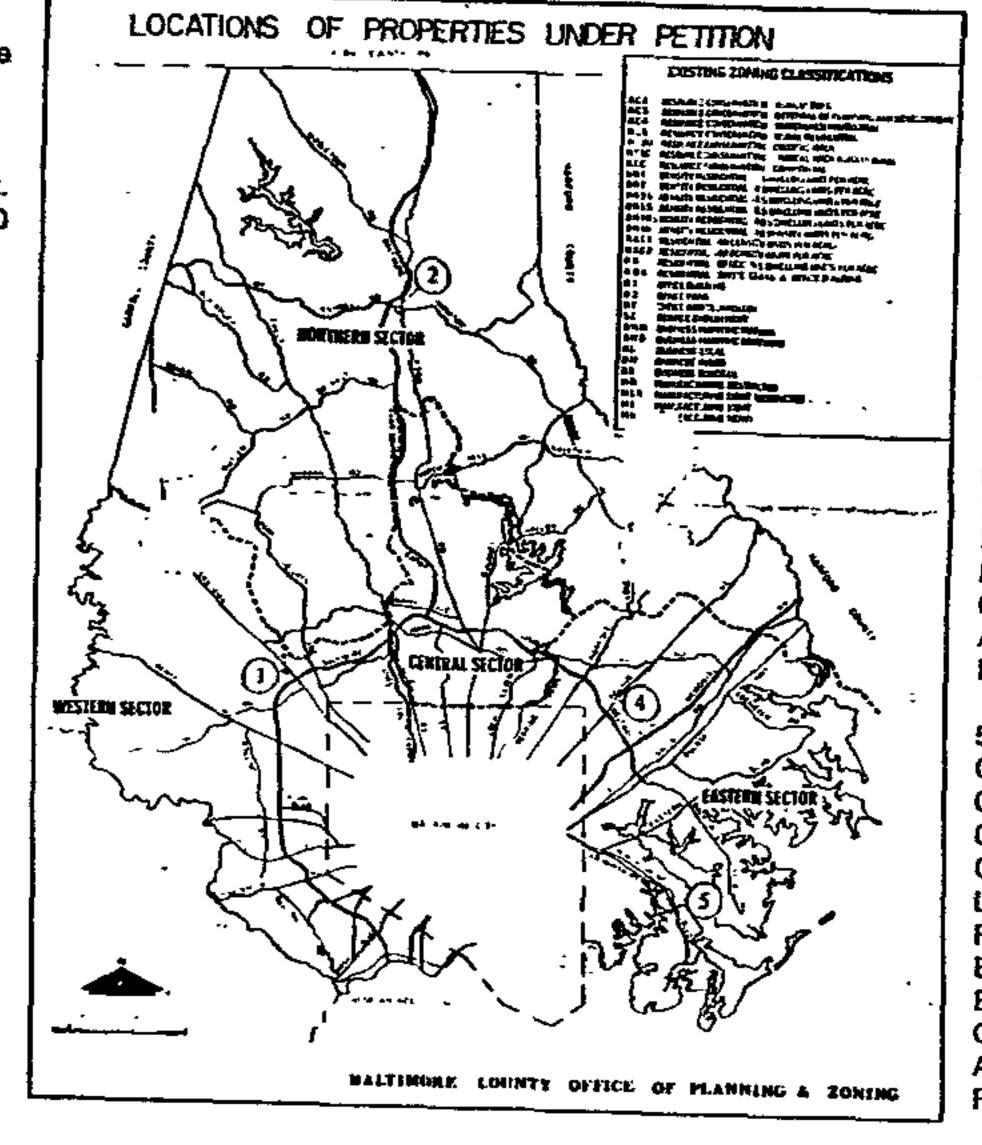
Location: SE/S Locate Green Pike and NW/S Glen Arm Road

(12107 & 12109

Long Green Pike and 5328 Glen Arm Road)

Existing Zoning: R.O. & R.C.-5

Election District: 11th



Councilmanic District: 6th

Acres: 5.2 +/-

Proposed Zoning: M.L.

CENTRAL SECTOR

No Petitions in the Central Sector

EASTERN SECTOR

4. Property Owner: State Highway Administration Case No./Hearing Date: R-94-144; 4/20/94

Contract Purchaser: White Marsh Dinner Theatre, Inc.

Location: NW/S Belair Road, corner NE/S White Marsh Boulevard (8204

Belair Road)

Existing Zoning: D.R.-5.5 Election District: 14th

Councilmanic District: 6th -

Acres: .61 +/-

Proposed Zoning: B.M.

5. Property Owner: Beachwood II Limited Partnership & Cignal Development

Corporation

Case No./Hearing Date: R-94-145; 5/4/94

Contract Purchaser: N/A

Location: E/S Morse Lane between Lynhurst and Shore

Roads (Beachwood) Existing Zoning: D.R.-1

Election District: 15th

Councilmanic District: 7th

Acres: 27.309

Proposed Zoning: D.R.-3.5 or D.R.-5.5 or D.R.-10.5

LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above.

BY ORDER OF WILLIAM HACKETT, CHAIRMAN BALTIMORE COUNTY BOARD OF APPEALS P DAVID FIELDS, DIRECTOR BALTIMORE COUNTY PLANNING AND ZONING ELIAS RIZAKOS & VULA RIZAKOS ~ Property Owners /Petitioners NE/s Windsor Mill Road, 531.51' SE of centerline Cresson Avenue (7218 Windsor Mill Road) CR-98-367-A CYCLE III, 1998

2nd Election District 2nd Councilmanic District

Reclassification: From D.R. 5.5 to B.L. (.40 acre) DOCUMENTED PLAN Variance: To permit 16 parking spaces in lieu of required 20.

March 2, 1998

Petition for Reclassification filed by Newton A. Williams, Esquire, on behalf of Elias and Vula Rizakos, Petitioners.

Newton A. Williams, Esquire NOLAN, PLUMHOFF & WILLIAMS, CHTD. Suite 700, Nottingham Centre 520 Washington Avenue Towson, MD 21204

Counsel for Petitioners

Elias and Vula Rizakos 7207 Windsor Mill Road Woodlawn, MD 21207 Petitioners / Property Owners

APR Associates, Inc. 7427 Harford Road Baltimore, MD 21234

James Earl Kraft Baltimore County Board of Education Mail Stop 1102-J

People's Counsel for Baltimore County

Pat Keller
Jeffrey Long
Lawrence E. Schmidt
W. Carl Richards, Jr.
Docket Clerk / PDM
Arnold Jablon, Director / PDM

CR-98-367-A /Elias Rizakos & Vula Rizakos
Property Owners /Petitioners
NE/s Windsor Mill Road, 531.51' SE of c/l Cresson AVenue (7218
Windsor Mill Road) 2nd Election District; 2nd Councilmanic

^{9/10/98 -}Letter from Newton A. Williams, Esquire, Counsel for Petitioners; requesting indefinite continuation; to be made map issue in the 2000 Comprehensive Zoning Map Process. Requests that this matter be opened and continued at this time.

^{9/24/98 -}Case opened and continued on the record without objection; to be reset only upon on request.

^{11/12/03 -} Order of Dismissal of Petition to be issued; moot due to CZMP; file to be closed after period of 30 days from issuance of Order of Dismissal.

RECLASSIFICATION & REDISTRICTING PETITIONS ACCEPTED FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL - OCTOBER 1998 ZONING RECLASSIFICATION CYCLE III

* Agenda Only + Agenda and Petition & Agenda and Plat # Agenda, Petition and Plat

Distribution:

- # Baltimore County Board of Appeals Hearing File (Sophia Jennings)
 - Zoning Commissioner's Office (Lawrence Schmidt); MS #2112
- # PDM, Zoning Review Work File (Gwen Stephens)
- PDM, Code Enforcement (Helene Kehring) PDM, Building Inspection (Karen Hopkins)
- & PDM, Development Plans Review (Robert W. Bowling)
- # Planning Office (Jeffrey Long); *Director (Pat Keller)
- Recreation and Parks (Jean Tansey); MS #52
- # DEPRM (Bruce Seeley) - 2 plats
- State Highway Administration, Access Permits Division (David N. Ramsey) &
- & PDM, Building Plans Review (Lt. Robert Sauerwald); MS #1102F
- Economic Develop. Commission, Business Develop. (Robert Hannon); MS #2M07
- Highways (Tim Burgess); MS #1003
- Community Conservation (David Fields); MS #1102M
- People's Counsel (Peter Zimmerman); MS #2010 +
- Honorable McIntire, County Council, District 3; MS #2201
- IF CRITICAL AREA, Maryland Office of Planning (Bill Carroll)
- IF FLOODPLAIN, Department of Natural Resources (John Joyce)
- IF FLOODPLAIN, Public Works (David Thomas); MS #1315
- IF FLOODPLAIN, Permits (John Reisinger)
- IF FLOODPLAIN, Code Enforcement (Rick Wisnom)
- # IF ELDERLY HOUSING, Community Development; MS #1102M
- ## IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
- IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder); MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the case number. All comments received will be compiled and included in the zoning/reclassification file for review and consideration by the Board of Appeals during the course of the upcoming reclassification hearing (as referenced on the agenda).

You should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Gwen Stephens.

If you have any questions regarding these zoning reclassifications, please contact either Sophia or Carl at 410-887-3391.

BALTIMORE COUNTY_MARYLAND

PUBLIC NOTICE

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE III --**APRIL - OCTOBER 1998**

Reclassification & Redistricting Petitions Accepted For Filing By Baltimore County Board of Appeals For The April - October 1998 Zoning Reclassification Cycle III

WESTERN SECTOR

ITEM #1

3

Property Owner: Eichelman Brothers, Inc. Case No./Hearing Date: R-98-366; 9/17/98 Contract Purchaser: Merritt Properties, LLC Location: NW/S Washington Boulevard opposite Landsdowne Road (3406 Washington Boulevard)

Existing Zoning: M.L.R.-I.M. Election District: 13th Councilmanic District: 1st

Acres: 51.92

Proposed Zoning: M.L.-I.M. Attorney: Robert A. Hoffman Misc: Open Plan

ITEM #2

Property Owner: Elias Rizakos & Vula Rizakos Case No./Hearing Date: CR-98-867 A 9/24/98
Contract Purchaser: N/A Contract Purchaser: N/A

Location: NE/S Windsor Mill Road, 531.51' SE of centerline Cresson Avenue (7218 Windsor Mill Road)

Existing Zoning: D.R.-55 Election District: 2nd Councilmanic District: 2nd

Acres: .40

Proposed Zoning: B.L. Variance to permit 16 parking spaces in Heu of the required 20 Attorney: Newton A. Williams

Misc: Documented Plan

EASTERN SECTOR

ITEM #5

Property Owner: Oziel Abbas

Case No./Hearing Date: R-98-370; 10/29/98 Contract Purchaser: Continental Properties

Incorporated

Location: corner NW/S Philadelphia Road (Roule 7) and NE/S Golden Ring Road (Route 588) (8606 Philadelphia Road)

Existing Zoning: R.O. Election District: 14th Councilmanic District: 6th

Acres: 1.313

Proposed Zoning: B.L. Attorney: Newton A. Williams

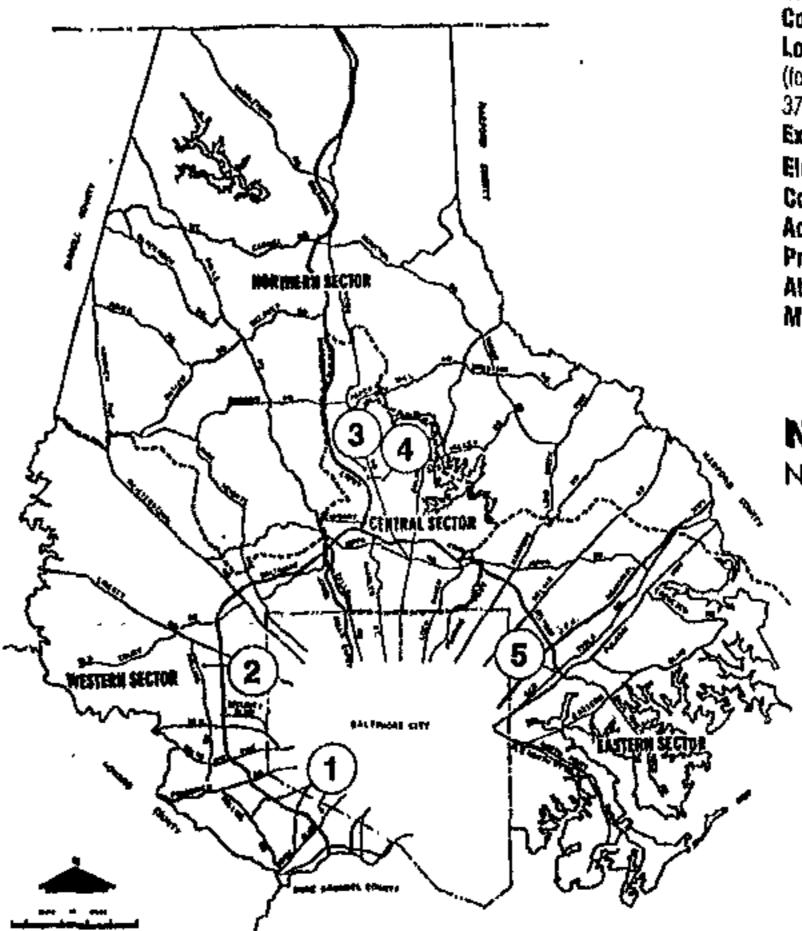
Misc: Open Pian

EXISTING ZONING CLASSIFICATIONS Resource Conservation-agriculture Resource Conservation-deterral of blanning and development

R.C.4	Metource Conservation water	\$1,000 (H/L)	
R.C.6	Resource Conservation-rural	resider ille	1
R.C.20	Resource Conservation-citics		
R.C.50	Resource Conservation critics	of PATER IN	riculturel
R.C.C.	Resource Conservation-comm		
D.R.1	Density Residential, 10 desil	ing lang p	er scre
DR2	Density Residential, 2.0 dwell	ing Unite (per ecro
DR35	Density Residencel, 3.5 dwell		
DR.6.6	Denety Residential, 6.5 dwell	ing unite (per acre
D.R.10.6	Deneity Residential, 10.5 dwo	Ring Unite	per sore
DR.18	Density Residential, 15 0 dens	orly Unite	per acre
RAE.1	Residential, 40.0 density units	bet stre	i
RAE.2	Residential, 80.0 density units	PM Acre	l .
R-O	Residential Office, 5.5 dweller	O TANKS DI	N MC16
R-O-A	Residential-Office Class A of		
OR-1	Office Building-Residential		
OR-2	Office Building-Residential		
0-3	Office Park	B.L	Sueiness, Local
OΤ	Office and Technology	BM	Business, Major
8-E	Service Employment	BR	Business, Roadside
B M.M	Business Maritime Marina	MR.	Manufecturing, Restricted
B.M B.	Butiness Maritima Boatyard	MLR.	Menufacturing, Light, Restricted

LOCATIONS OF PROPERTIES UNDER PETITION CYCLE III --- APRIL - OCTOBER 1998

Manufacturing, Light



CENTRAL SECTOR

ITEM #3

Property Owner: James K.S. Hom & Tuey Mae Hom Case No./Hearing Date: R-98-366; 10/8/98

Contract Purchaser: N/A

Location: NE/S Padonia Park Road, 364' W of York Road; also W/S York Road, 211' to the rear

(9726 York Road) Existing Zoning: M.L. Election District: 8th Councilmanic District: 3rd

Acres: 1.8

Proposed Zoning: B.M. Attorney: Charles E. Brooks Misc: Open Plan

ITEM #4

Property Owner: Maryland State Fair and Agriculture Society, Inc. & Baltimore County. Maryland (for Baltimore County Controlled Streets) Case No./Hearing Date: R-98-369, 10/22/98

Contract Purchaser: N/A

Location: NE/S Conrail and MTA Central Light Rail (formerly Pennsylvania Raitroad) right-of-way.

3741 99' N of N/S Timonium Road Existing Zoning: D.R.-3.5 Election District: 8th Councilmanic District: 4th Acres: ,4.902

Proposed Zoning: M.L. Attorney: Michael T. Wyatt

Misc: Open Plan, Possible Floodplain/zone

NORTHERN SECTOR

No Petitions Were Filed In This Sector

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT/ZONING REVIEW

r rowalized Or properticals. Manuface in the listings are keped to the man above.

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County Interoffice Correspondence

DATE:

February 6, 2004

TO:

Timothy Kotroco, Director

Permits & Development Management

Attn.: David Duvall

FROM:

Theresa R. Shelton

Board of Appeals

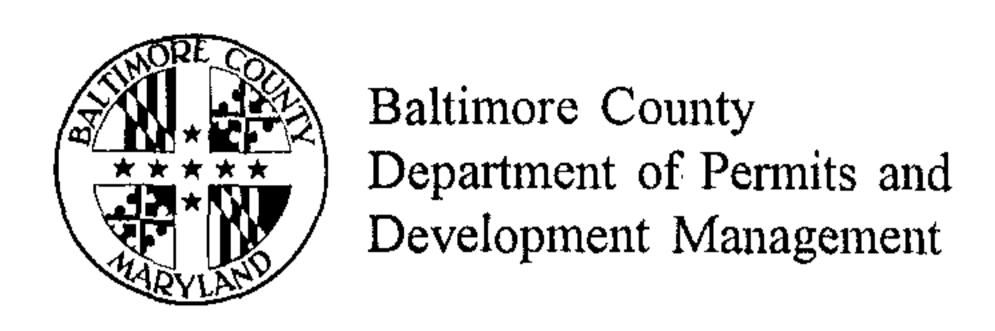
SUBJECT:

CLOSED APPEAL CASE FILES

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

BOARD OF APPEALS CASE NUMBER	<u>PDM</u> FILE NUMBER	NAME	LOCATION
CR-98-367-A	CR-98-367-A CYCLE III 1998	ELIAS RIZAKOS	WINDSOR MILL ROAD / CRESSON AVENUE
03-476-SPHX	03-476-SPHX	BRANCHWATER FARMS INC	1800 KNOX AVENUE

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED;



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

August 21, 1998

Newton A. Williams, Esquire Nolan, Plumhoff & Williams 502 Washington Avenue Suite 700 Towson, MD 21204

Dear Mr. Williams:

RE: Drop-Off Reclassification Revision Review; Case Number CR-98-367-A; 7218 Windsor Mill Road; 2nd Election District

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are <u>advisory</u> and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- Show front setback dimensions for the proposed building and the adjacent existing one-story building.
- Proposed freestanding sign show dimension setback from the right-of-way and side property line.
- Correct general note #5: proposed use retail (to reflect parking space calculation requirement).

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

V**e**ry truly yours,

Regulo Tanguilig ()
Planner II, Zoning Review(

c: Board of Appeals



401 Bosley Avenue Towson, Maryland 21204 (410) 887-3495 Fax: (410) 887-5862

July 24, 1998

Kristine K. Howanski, Esq., Chairman County Board of Appeals Courthouse Towson, MD 21204

Dear Ms. Howanski:

Enclosed herewith is the report containing the County Planning Board's recommendations regarding the zoning reclassification petitions in Cycle III, 1998.

After discussion in the Board's meeting on July 9, 1998, the report was adopted by the Planning Board in its meeting on July 23, 1998, and is hereby published and submitted in accordance with County Code Section 2-356(f).

Sincerely,

Arnold F. 'Pat' Keller, III

Secretary

AFK:TD:jw

Enclosure

Robin L. Churchill, Administrative Officer Peter Max Zimmerman, People's Counsel

C1298-367A

4/29/98



June 25, 1998

Mr. Carl Richards Baltimore County Zoning Office 111 West Chesapeake Avenue Towson, MD 21204

> Re: Petition to Reclassify 7218 Windsor Mill Road from DR 5.5 to BL

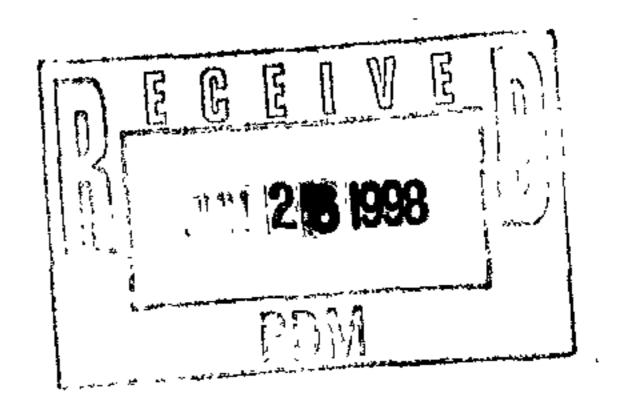
> > Dear Carl:

Thank you for meeting with me last week to discuss the floor plan needed to accompany the referenced Petition for Reclassification. Enclosed are fourteen copies of that plan together with the front elevation of the proposed building which was previously submitted through Newton Williams, Esq., counsel for the Owners.

We hope you find this satisfactory. Should you require further information or have any questions, please feel free to call me or Newton Williams.

Sincerely yours,

William Meyers 2nd



8-367-A 1400 West Joppa Road • Baltimore Maryland 21204 • 410-321-6822

Law Offices

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE **502 WASHINGTON AVENUE**

TOWSON, MARYLAND 21204-4528

(410) 823-7800

TELEFAX: (410) 296-2765

email: npw@nolanplumhoff.com

Web: www.nolanplumhoff.com

September 10, 1998

Hon. Kristine A. Howanski, Chairperson

County Board of Appeals

Court House

Newton A. Williams

DIRECT DIAL:

(410) 823-7856

Towson, Maryland 21204

Dear Chairperson Howanski:

RE: The Rizakos Property, 7218 Windsor Mill Road, Cycle III, 1998 Case No. CR- 98- 367A, Hearing, Thursday, Sept. 24, 1998, 10 A.M., Request for Indefinite Continuance and Map

HAND DELIVERED AND BY MAIL

TO COUNTY RECIPIENTS

Request Status

On behalf of the owners, Mr. And Mrs. Rizakos, we respectfully ask that this case be continued indefinitely, and be made a 1999 and 2000 Map case.

Our clients are concerned that they might not be able to build within the three[3] years as required under Section 2-58.1[n] of the County Code, 1988, and that the property would then revert to DR 5.5, and be ineligible for BL zoning on the upcoming Maps.

Accordingly, we respectfully request that the matter be indefinitely continued at the hearing on the 24th, as noted. Of course, we will appear, but we wanted to give the Board, the Peoples Counsel, the Staff and others reviewing the file appropriate notice of this request.

Thanking the Board and others for your attention to this request, I am

Respectfully, Mulliams

Newton A. Williams

Peter Zimmerman, Esq., and Carole S. DeMilio, Esq., Peoples Counsel Pat Keller, Director, Office of Planning

JAMES D. NOLAN (RETIRED 1980)

J. EARLE PLUMHOFF (1940-1988)

> RALPH E. DEITZ (1918-1990)

Jeff Long, Office of Planning
Elias Rizakos
Alex P. Ratych, APR
William Meyers, AIA

Law Offices

NOLAN, PLUMHOFF & WILLIAMS

CHARTERED

SUITE 700, NOTTINGHAM CENTRE 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4528 (410) 823-7800 TELEFAX: (410) 296-2765 JAMES D. NOLAN (RETIRED 1980)

J . EARLE PLUMHOFF (1940-1988)

> RALPH E, DEITZ (1918-1990)

TELECOPY COVER PAGE

DATE: June 3, 1998

CLIENT/MATTER:5291/01

TO: Alex Ratych

Newton A. Williams

DIRECT DIAL:

(410) 823-7856

FIRM: APR Associates, Inc.

FAX NO :410 4441647

PHONE NO. 410 444 4312

NUMBER OF PAGES (INCLUDING COVER SHEET): Five [5]

Dear Alex:

RE: Rizakos, 7218 Windsor Mill Road, D R 3.5 to B L
Carl Richards / Zoning Needs for Item 2, Case CR 98-367 -A

Carl Richards called me today, and we need the following:

- 1, Landscape Plan Dennis LaBare has prepared a plan after conferring with Avery Hardin, and I am asking for Alex to forward five copies to Avery after checking with Carl, with a copy to me and one to Bill Meyers;
- 2. <u>Building Plans</u> We need our architecht, Bill Meyers to furnish floor plans and proposed uses Bill please call Carl at 410 887 3391 and he will explain, <u>and then file in the required quantity</u>.
- 3. Advertising form We will pick up the advertising form and initial the Petitions.
- 4. Environmental Impact Impact Statement Carl requires a better, sealed EIS, than the one enclosed, and I am asking Dennis Labare to review with Alex the enclosed EIS as filed, as well as section 101 of the BCZR, enclosed, and submit a fuller one for Carl's approval, and then file 7 sealed copies.

All please advise promptly, and each party take care of the required task. Thanks for everything.

Talk to you soon.

Sincerely,

Newton

Fax cc:

Carl Richards, Zoning 410 887 2824

Dennis LaBare 410 92 470

Bill Meyers, AIA 410 321 6822

Elias Rizakos 410 944 3523

IF FOR ANY REASON YOU NEED TO CONTACT US, PLEASE CALL

Newton Williams ,NPW OR MARCIE At 410-823-7800

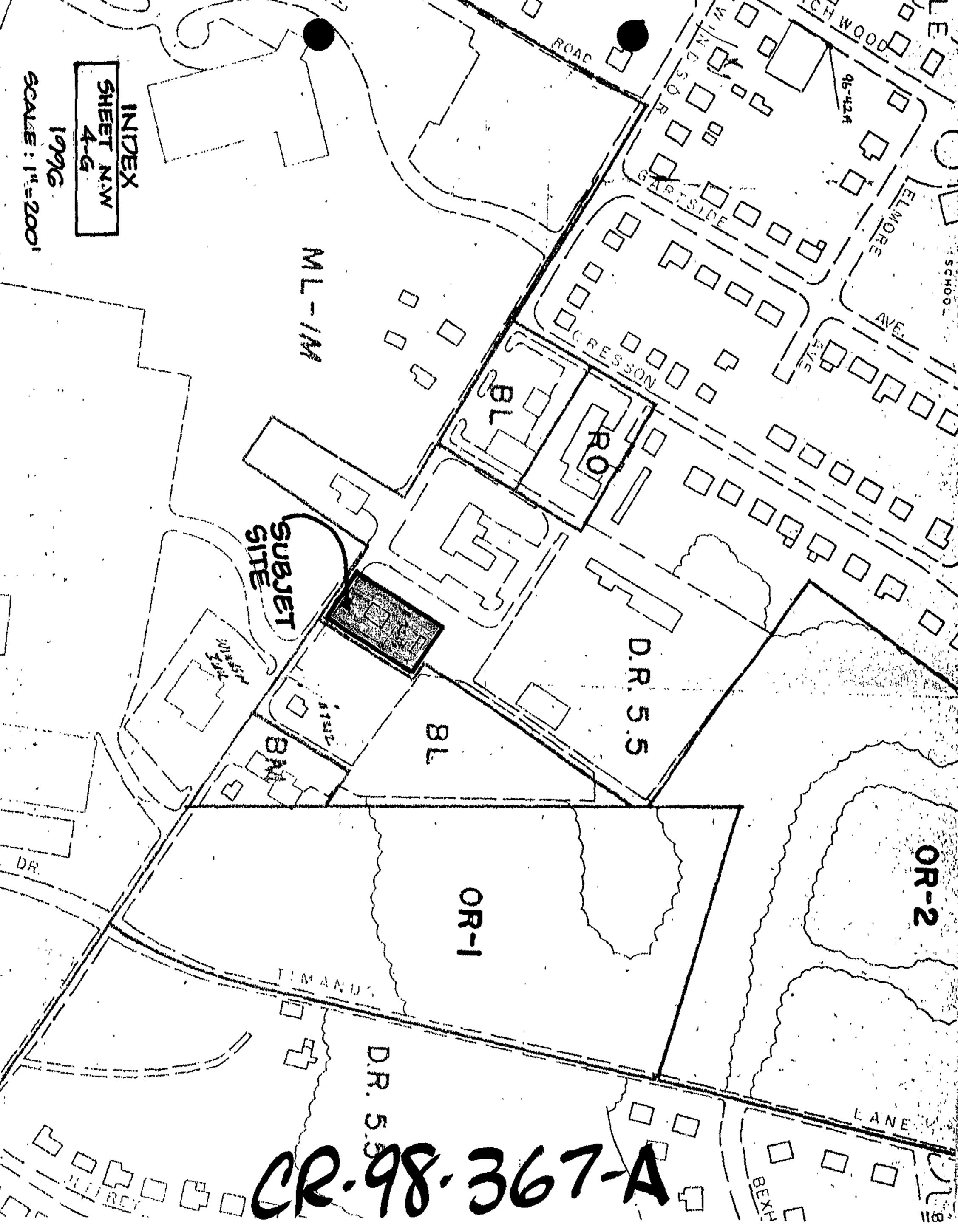
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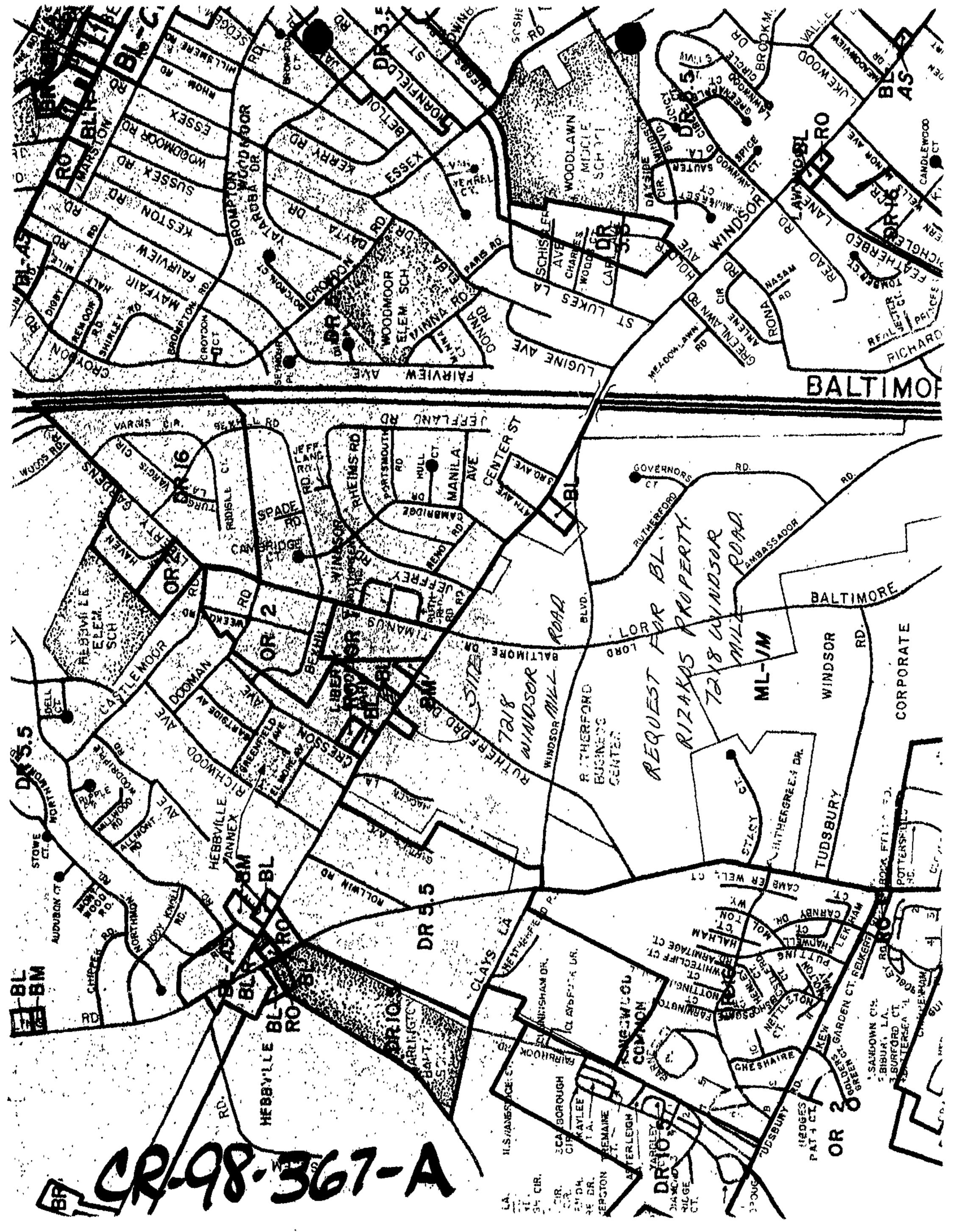
CONFIDENTIALITY NOTICE

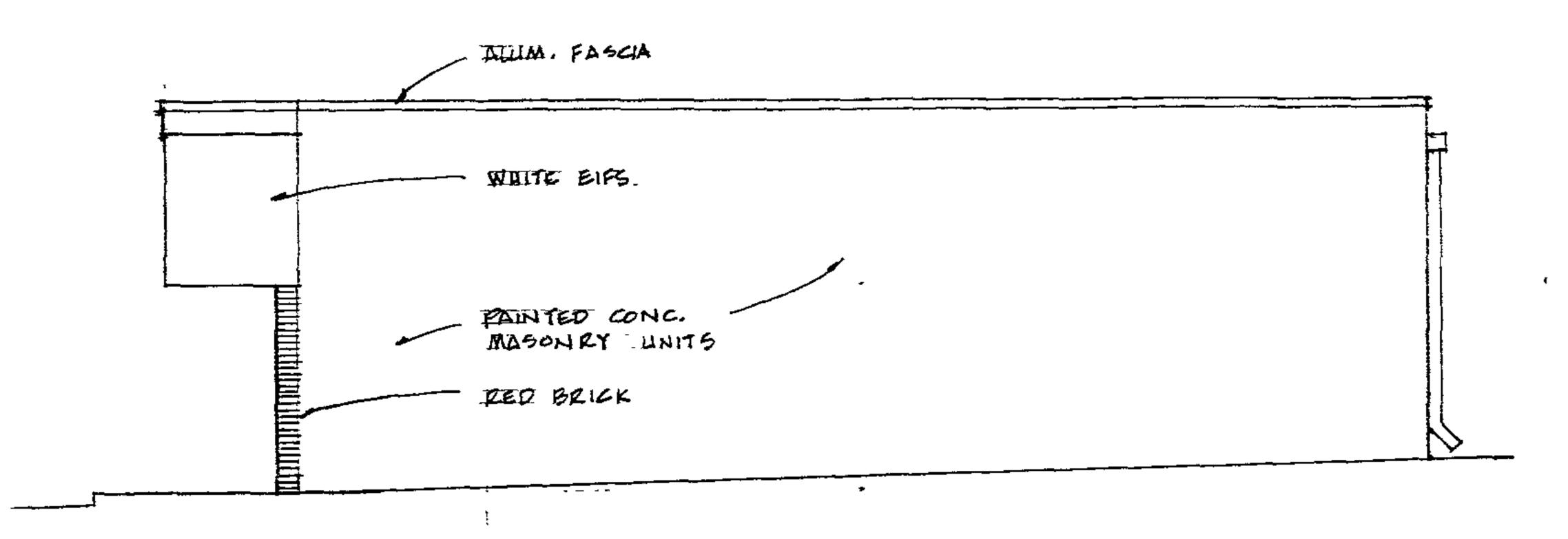
"WARNING: Unauthorized Interception of this telephonic communication could be a violation of Federal and Maryland law."

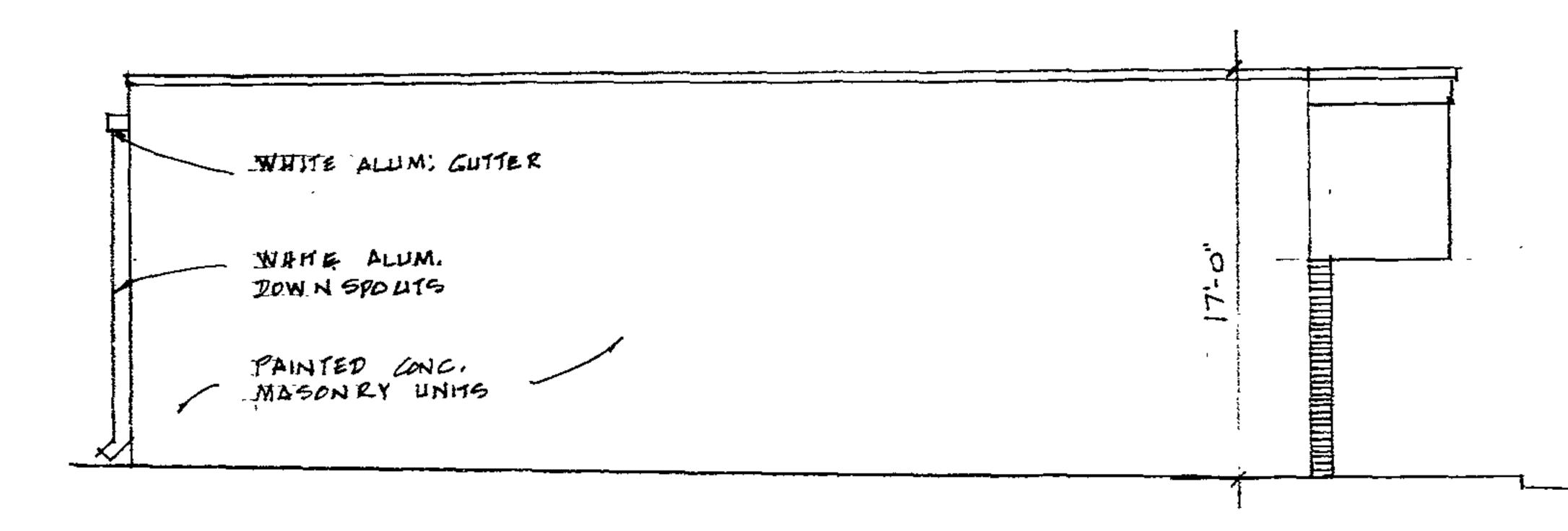
The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

Mr. Elias Rigibes, Milson Inn., 7207 Windson Will Road, 21244 6/8/98 LAW OFFICES NOLAN, PLUMHOFF & WILLIAMS CHARTERED SUITE 700, NOTTINGHAM CENTRE Mr. Carl Richards 502 WASHINGTON AVENUE TOWSON, MARYLAND 21204-4528 Joning () dis Rei Rizakus (410) 823-7800 Whidson Will Rd Hice Bulchers. TELEFAX: (410) 296-2765 June 5, 1998' Towson, Muyland. 21204 Atem 2 OR 98-367-A cenclased the compl







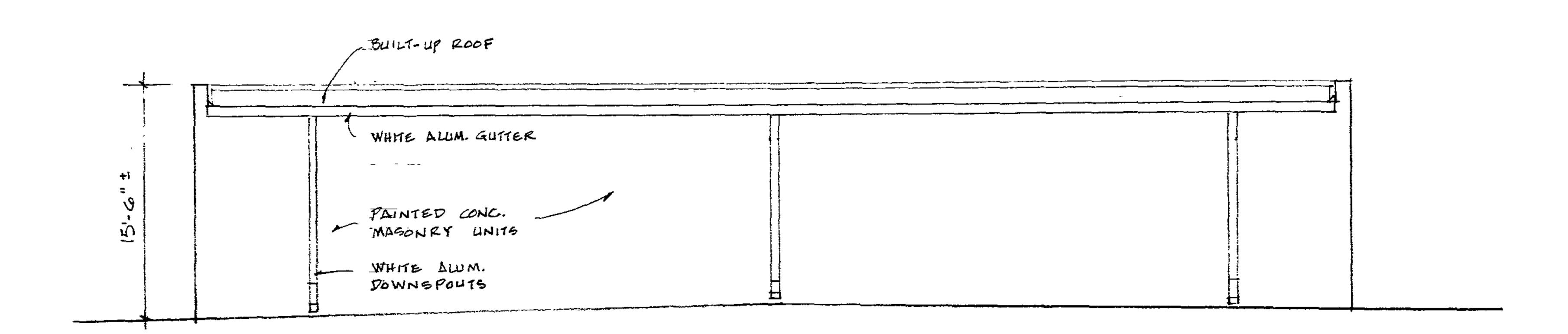


EAST ELEVATION

(RIGHT SIDE FROM WINDSOR MILL RD)

WEST ELEVATION


CEFT SIDE FROM WINDSOR MILL RG)




NORTH ELEVATION
- (REAR)

PROPOSED RETAIL STORES

MEYERS + AFFILIATES - ARCHITECTS + PLANNERS



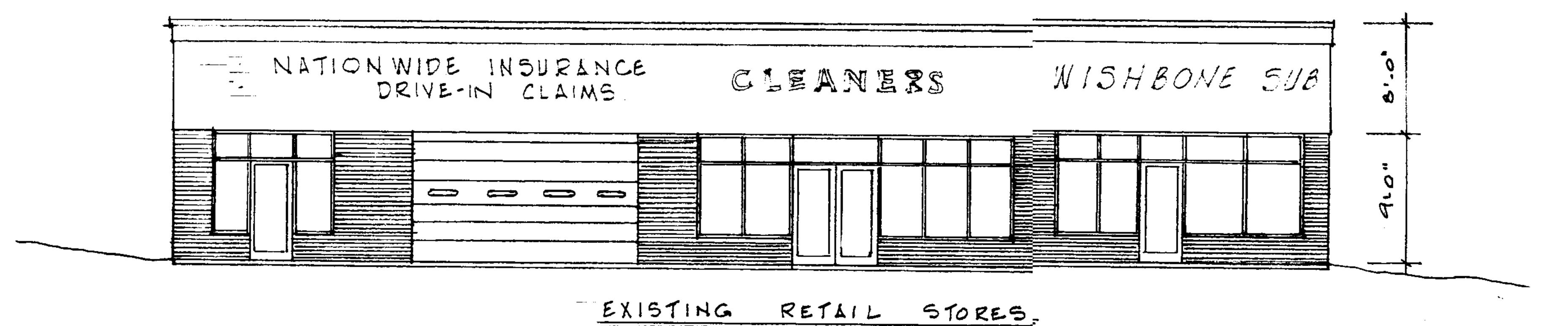




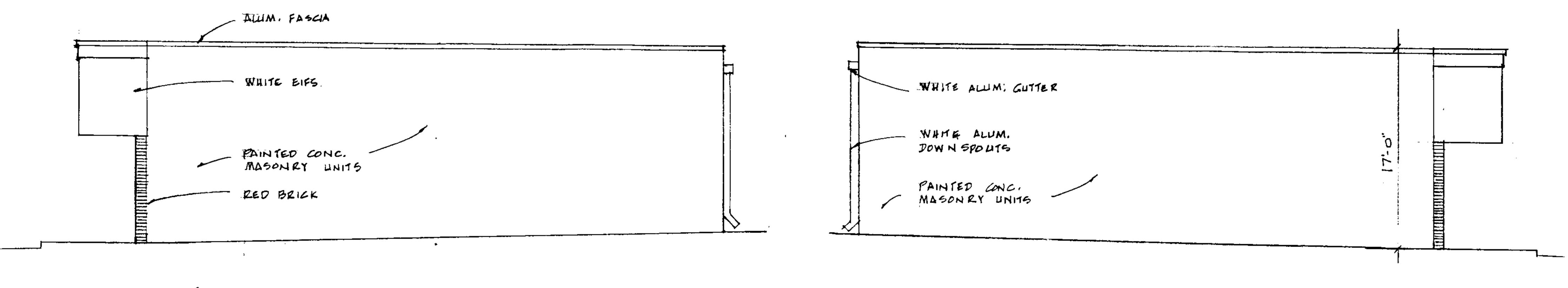
PROPOSED VETAIL STUPLES

30.98-361-A

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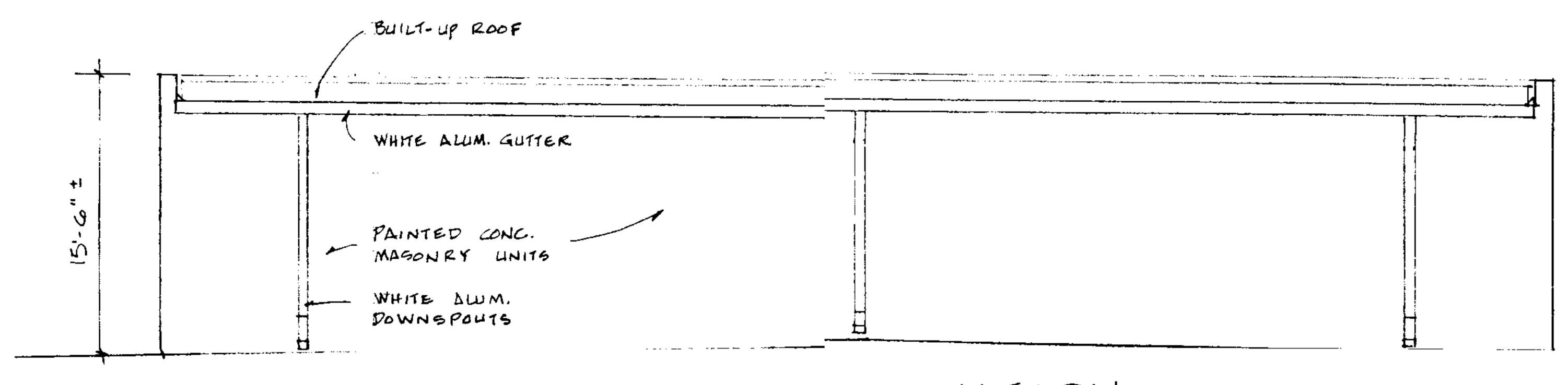
18" = 1'-0"



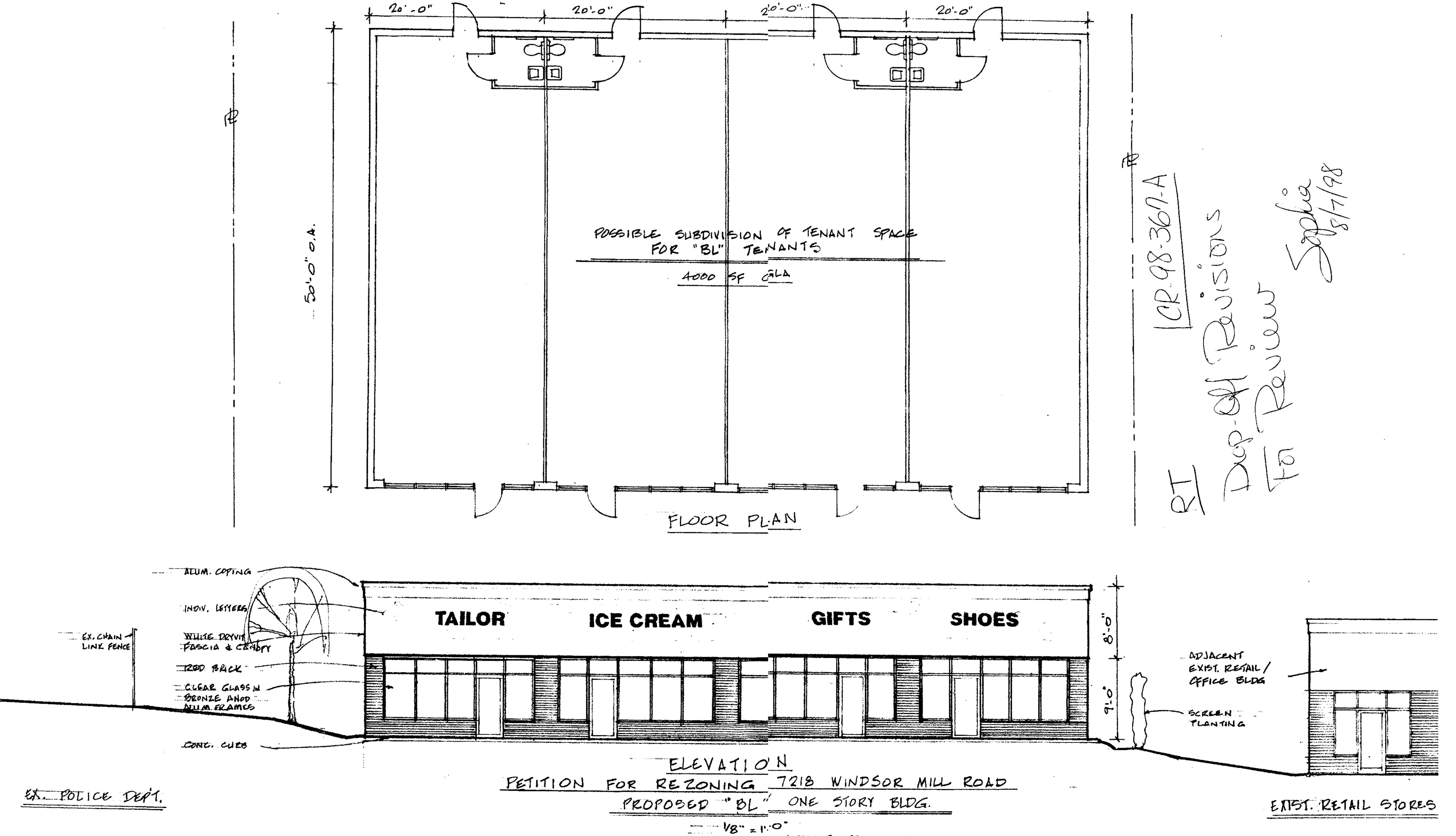
EAST ELEVATION

(RIGHT SIDE FROM WINDSOR MILL RD)





MEYERS + AFFILIATES - ARCHITEKTS + PLANNERS



CR.98-367-A ROUGHTECTS + PLANNERS

CR.98-367-A

ROUGHTECTS + PLANNERS