IN RE: PETITION FOR SPECIAL EXCEPTION

SW/S York Road, 90' SE of the c/l

Church Lane

(9926 York Road)

8<sup>th</sup> Election District

3<sup>rd</sup> Council District

\* BEFORE THE

\* ZONING COMMISSIONER

\* OF BALTIMORE COUNTY

\* Case No. 03-306-X

Georgia Stratakis, Katherine Strakes and Mary Antonakos, Owners; VGK, Inc., t/a

The Treehouse, Lessees

\* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, Georgia Stratakis, Katherine Strakes, and Mary Antonakos, and the Contract Lessees, VGK, Inc., t/a The Treehouse, by Van P. Strakes, President, through their attorney, Edward C. Covahey, Jr., Esquire. The Petitioners request a special exception to allow an arcade with more than four (4) amusement devices, namely, 12, as a use in combination with a restaurant in a Business Roadside (B.R.) zone, pursuant to Sections 423.A and 422.A of the Baltimore County Zoning Regulations (B.C.Z.R). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Van P. Strakes, President of VGK, Inc., Contract Lessee; Vincent J. Moskunas a representative of Site Rite Surveyors, Inc., the consultants who prepared the site plan for this property; and Edward C. Covahey, Jr., Esquire, attorney for the Petitioners. Larry Townsend appeared on behalf of the Greater Timonium Community Council in support of the request. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located adjacent to the northwest corner of the intersection of Church Lane and York Road in Timonium. The property contains a gross area of 5.77 acres, more or less, zoned B.R.,

ORDER RECEIVED FOR FILING Date Sold OF FILING BY and is improved with a strip shopping center, which contains a variety of mixed uses. These include a JoAnn Fabrics store, a card shop, a beauty supply store, and a restaurant/lounge known as The Treehouse, which is the subject of the instant request. The Treehouse Restaurant has existed at this location for many years and is well known to diners in the Timonium/Cockeysville area. The restaurant offers casual dining and also has a bar area. Presently, the bar contains four video amusement devices, which are permitted by the B.C.Z.R.; however, the Petitioners are desirous of increasing that number. Thus, a special exception is necessary. Mr. Strakes indicated at the hearing that there are numerous similar restaurants in the vicinity, including the Padonia Station and the Coliseum. In order to compete with these nearby businesses, the Petitioner proposes adding up to eight additional amusement devices for a total of 12. It was indicated that the floor plan and the business of the restaurant would not change as a result. That is, there will be no increase in the number of tables provided or seating capacity, and that the nature of the use will not change. The video devices are merely intended as an amenity to the restaurant/lounge.

Video amusement devices are governed by Section 422 of the B.C.Z.R. Section 422.A thereof indicates that amusement devices are permitted as of right in the B.R. zone, when used in combination with a restaurant. Section 422.B limits the number of amusement devices depending on the interior square footage of the principal use. Amusement devices are defined in Section 101 of the B.C.Z.R. as "Pinball machines, video games, electronic games, or other similar player-operated amusement games, machines and devices, but excluding coin-operated pool tables, music boxes, children's rides and shuffleboards." An arcade is defined in Section 101 of the B.C.Z.R. as "A building or part of a building in which five or more pinball machines, video games, or other similar player-operated amusement devices are maintained." Thus, the proposed increase in the number of devices from the current 4 to 12 alters the character of the land use to an arcade. However, Section 423.B of the B.C.Z.R. allows an arcade in the B.R. zone by right as a use in combination with the restaurant.

Based upon the testimony and evidence presented, I am persuaded to grant the relief requested. In my judgment, the proposal will not materially alter the nature of the existing use and

ORDER RECEIVED/FOR FILING
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is intended to provide an amenity to the restaurant business. It is clear that the proposal will not be detrimental to the health, safety and general welfare of the surrounding locale. Moreover, Mr. Townsend's support of the proposal is also persuasive and supports this conclusion.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

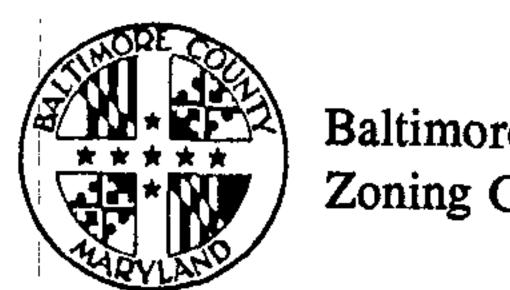
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of March, 2003 that the Petition for Special Exception to permit an arcade with more than four (4) amusement devices, namely, 12, as a use in combination with a restaurant in a Business Roadside (B.R.) zone, pursuant to Sections 423.A and 422.A of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



# **Baltimore County** Zoning Commissioner

March 26, 2003

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

Fax: 410-887-3468

Edward C. Covahey, Jr., Esquire Covahey & Boozer 614 Bosley Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION SW/Corner Church Lane & York Road (9926 York Road) 8<sup>th</sup> Election District – 3<sup>rd</sup> Council District Georgia Stratakis, Katherine Strakes & Mary Antonakos, Owners; VGK, Inc., t/a The Treehouse, Contract Lessees - Petitioners Case No. 03-306-X

Dear Mr. Covahey:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc:

Ms. Katherine Strakes, 520 Goucher Boulevard, Towson, Md. 21286 Mr. Van P. Strakes, President, The Treehouse, 9926 York Road, Cockeysville, Md. 21030 Mr. Vincent J. Moskunas, Site Rite Surveying, 200 E. Joppa Rd., #101, Towson, Md. 21286 Mr. Larry Townsend, 11/11 Longbrook Road, Lutherville, Md. 21093

People's Counsel; Case File



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at	9926 York Road

which is presently zoned BR

This Petition shall be filed with the Department of Permits and 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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an arcade with more than four (4) amusement devices;

namely, 12.

pursuant to Sections 423.A. and 422.A. of the Baltimore County Zoning Regulations as a use in combination with a restaurant in a Business Roadside (BR) zone.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

IWe 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: Legal Owner(s): Georgia Stratakis, Katherine Strakes VGK, Inc., t/a The Treehouse and Mary Antonakos Name? Type or Print Name Type or Print Signature Van Ø. Strakes, President Signature Katherine Strakes, Individually and as agent for Georgia Stratakis and Mary 9926 York Road 410-628-2190 Address Name - Type or Print Telephone No. **Antonakos** Cockeysville, Maryland 21030 City Zip Code State Signature Attorney For Petitioner: 410-628-0294 9920-C York Road Telephone No. **Address** Edward C. Covahey, Jr. Cockeysville, Maryland <u>21030</u> Type or Print Zio Code State City Representative to be Contacted: Signature Katherine Strakes Covahey & Boozer, P.A. Company Name 614 Bosley Avenue 410-828-9441 520 Goucher Boulevard 410-828-4125 Address Telephone No. Telephone No. Address Jovson, Maryland 21204 21286 Towson, Maryland Zip Code City State State Zip Code City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 03-306-X UNAVAILABLE FOR HEARING \_\_\_ Reviewed By \_\_\_\_\_JRF 09115198

ORDER

Date

# ZONING DESCRIPTION FOR #9946 YORK ROAD "THE TREE HOUSE RESTAURANT/LOUNGE"

BEGINNING AT A POINT ON THE SOUTHWESTERLY SIDE OF YORK ROAD WHICH IS 80

FEET WIDE AT THE DISTANCE OF 90 FEET SOUTHEASTERLY FROM THE CENTERLINE OF

CHURCH LANE WHICH IS 60 FEET WIDE; THENCE THE FOLLOWING COURSES AND DISTANCES,

VIZ:

THENCE S 18 DEGREES 32 MINUTES 06 SECONDS E, 123.55 FEET; THENCE S 71 DEGREES 27 MINUTES 54 SECONDS W, 200.00 FEET; THENCE S 18 DEGREES 32 MINUTES 06 SECONDS E, 131.00 FEET; THENCE N 71 DEGREES 27 MINUTES 54 SECONDS E, 28.00 FEET; THENCE S 01 DEGREES 12 MINUTES 26 SECONDS E, 45.26 FEET; THENCE S 87 DEGREES 23 MINUTES 01 SECONDS W, 57.00 FEET; THENCE S 18 DEGREES 32 MINUTES 06 SECONDS E, 100.00 FEET; THENCE S 87 DEGREES 23 MINUTES 01 SECONDS W, 256.55 FEET: THENCE S 81 DEGREES 58 MINUTES 56 SECONDS W, 64.92 FEET; THENCE S 71 DEGREES 08 MINUTES 01 SECONDS W, 138.60 FEET; THENCE N 00 DEGREES 12 MINUTES 10 SECONDS W, 624.28 FEET; THENCE S 83 DEGREES 09 MINUTES 29 SECONDS E 309.12 FEET; THENCE S 75 DEGREES 14 MINUTES 00 SECONDS E, 75.00 FEET; THENCE S 13 DEGREES 54 MINUTES 00 SECONDS W, 138.32 FEET; THENCE S 83 DEGREES 33 MINUTES 52 SECONDS E, 55.92 FEET; THENCE N 06 DEGREES 07 MINUTES 43 SECONDS E, 38.27 FEET; THENCE N 75 DEGREES 12 MINUTES 43 SECONDS E, 70.18 FEET; THENCE S 14 DEGREES 47 MINUTES 17 SECONDS E, 3.00 FEET AND THENCE N 75 DEGREES 12 MINUTES 43 SECONDS E, 68.78 FEET TO THE POINT OF BEGINNING, CONTAINING 5.77 ACRES, MORE OR LESS AS RECORDED IN THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 5032. FOLIO 283.

ALSO KNOWN AS #9926 YORK ROAD AND LOCATED IN THE 8TH. ELECTION DISTRICT, 3RD. COUNCILMANIC DISTRICT.



#### NOTICE OF ZONING 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: #03-306-X
9926 York Road
S/west corner York Road
and Church Lane
8th Election District
3rd Councilmanic District
Legal Owner(s). Katherine
Strakes, Individually and as
agent for Georgia Stratakis
and Mary Antonakos
Contract Purchaser: VGK, Inc.,
t/a The Treehouse
Special Exception: to approve an arcade with 12
amusement devices.
Hearing: Friday, February
28, 2003 at 2:00 p.m. in
Room 407, County Courts
Building, 401 Bosley Avenue.

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/163 Feb. 13 C587507

LAWRENCE E. SCHMIDT

# CERTIFICATE OF PUBLICATION

_ 1
2/14/,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on $\frac{213}{2003}$ .
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilking

LETAL ADVERTISING

BALTIMORE COUNTY, MARYLAN OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	ND 305 N	o.19397			
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FOR:		931 York	1	erel lot 250.00 ex Ullance County	Town (A
		-			
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW	V - CUSTOMER	\\ \M		CASHIER'S V	ALIDATION

# CERTIFICATE OF POSTING

Ittal memo 7671 # of pages > P	From Oct EDFE.		17 At 2 toward	Fac. 666-0929
c. A" brand fax trainsmittal r	" RETURN	MED- TRIPLOZ 00	Dept.	Fax * 4.10-887.34 6.8

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RE: Case No.: 03-306-X
Petitioner/Developer: STRAKES, STATIKIS
ANTONAKIS, COVEHEUTBOOZER ETI
Date of Hearing/Closing: MARCHIL 2003

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

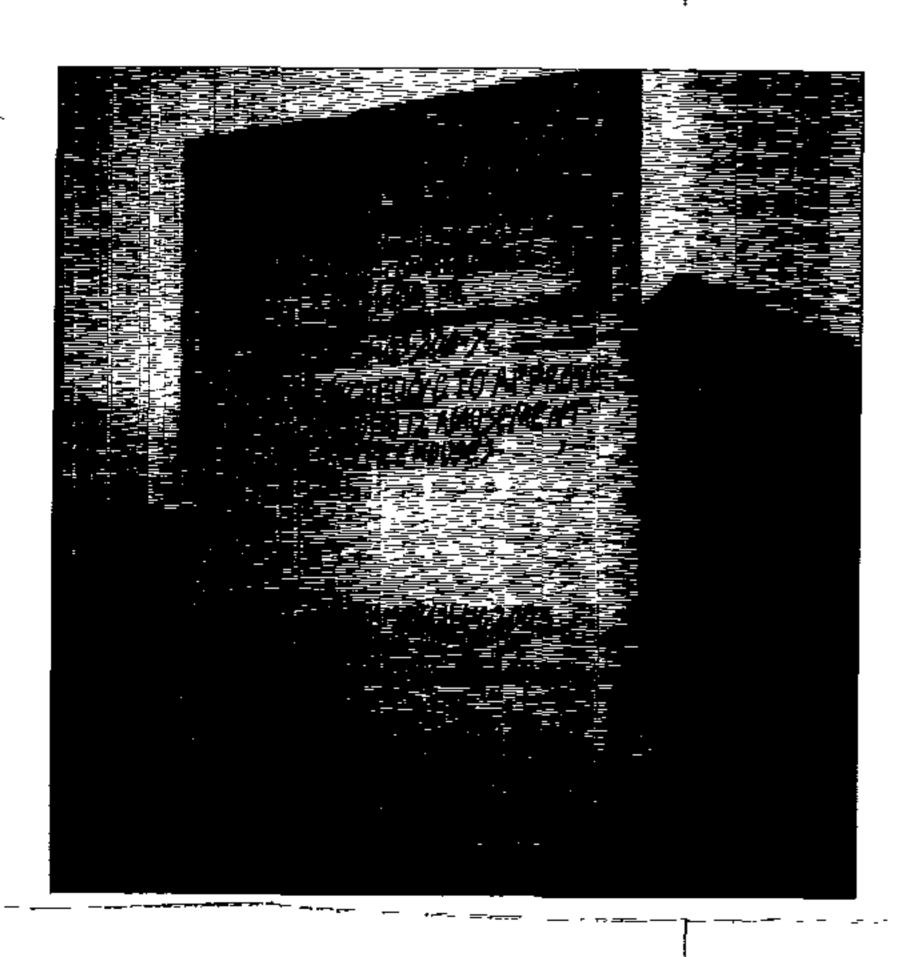
ATTENTION: BECKY HART.

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 9926 YORKRO

The sign(s) were posted on FEBRUARY 20, 2003

(Month, Day, Year)



Sincerely,

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 : CELL-415-405-8571

(Telephone Number)

9926 YORKRD TREE HOUSE

# CERTIFICATE OF POSTING

ttal memo 7671 # of pages > {}	From OckEERE	Co.	Phone # 5+2+21	Fax# 666-0929
	TO RECEIVED TOBIN	Co. ZONING -COMM	Dept.	Fax # 4:10-887.34 68

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RE: Case No.:	13-	306	- 8
RE: Case No.:			
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Petitioner/Developer: STRAES, STRATKIS

ANTONAKIS, COVAHE + BOOZER ETA Date of Hearing/Closing: FERRUARY 21, 2003

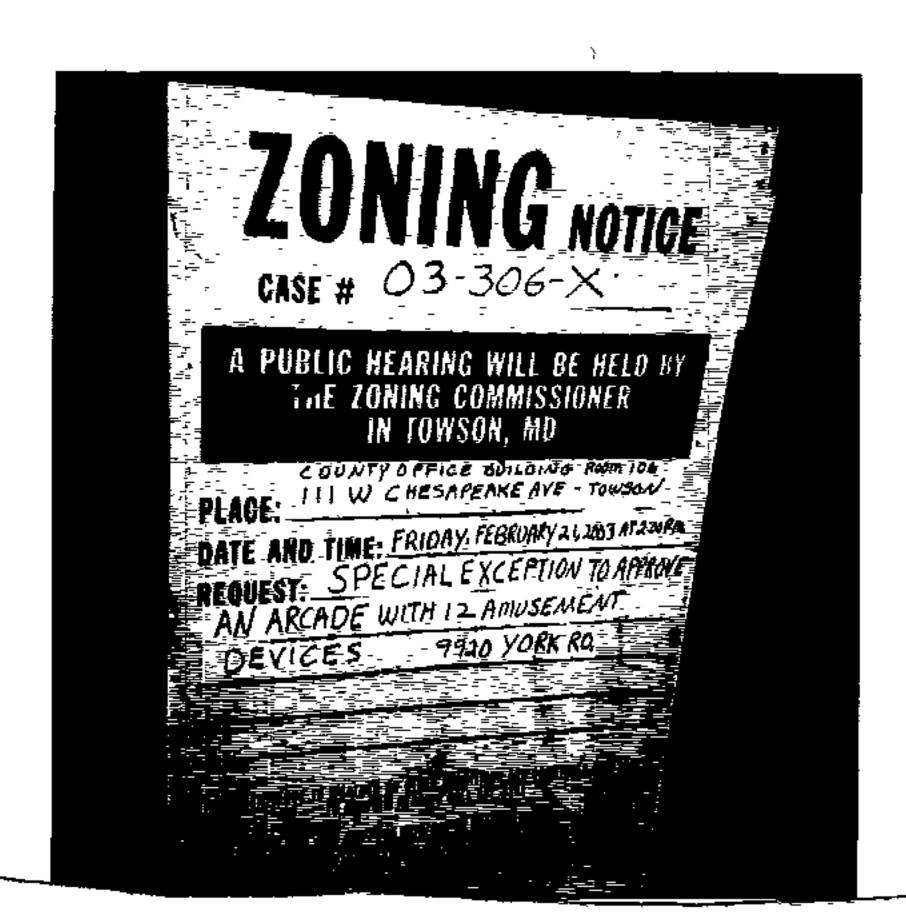
The state of the s

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

ATTENTION: BECKY HART

#### Gentlemen:

This letter is to certify under the pewere posted conspicuously on the p	nalties of perjury that the necessary sign(s) required by law property located at 9926 YORK ROAF
The sign(s) were posted on	FEBRUARY 2, 2003. (Month. Day, Year)



Sincerely,

(Signature of Sign Poster and Date) PATRICK M. O'KEEFE

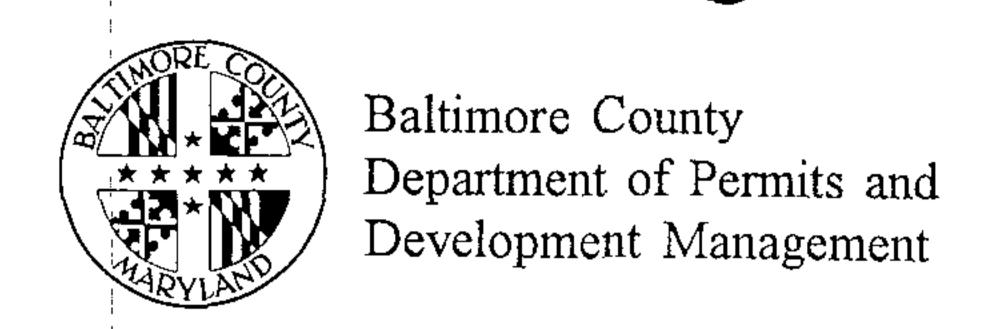
(Printed Name) 523 PENNY LANE (Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

(Telephone Number)

992DYDRKRD TREE HOUSE



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 5, 2003

## NOTICE OF ZONING 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: 03-306-X

9926 York Road

S/west corner York Road and Church Lane

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Katherine Strakes, Individually and as agent for Georgia Stratakis and

Mary Antonakos

Contract Purchaser: VGK, Inc., t/a The Treehouse

Special Exception to approve an arcade with 12 amusement devices.

Hearings:

Friday, March 14, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

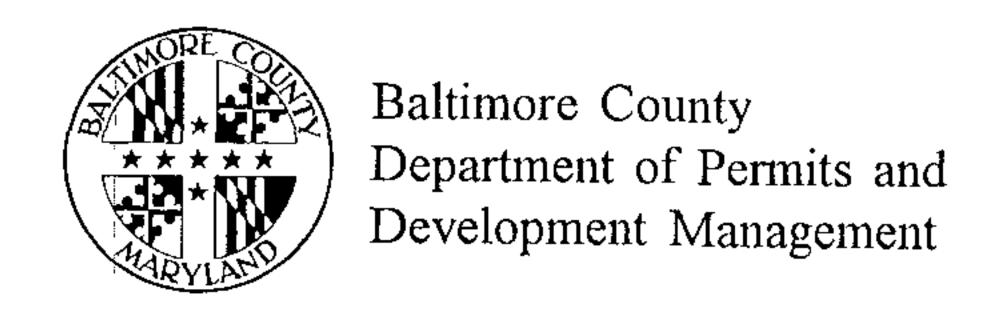
Director

AJ:rlh

C: Katherine Strakes, Individually and as agent for Georgia Stratakis and Mary Antonakos, 9920-C York Road, Cockeysville 21030 Edward C. Covahey, Jr., Covahey & Boozer, 614 Bosley Avenue, Towson 21204 VGK, Inc., t/a The Treehouse, 9926 York Road, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, FEBRUARY 19, 2003.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

January 27, 2003

# **NOTICE OF ZONING HEARING**

(HEARING DATE CHANGE)

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: 03-306-X

9926 York Road

S/west corner York road and Church Lane 8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Katherine Strakes, Individually and as agent for Georgia Stratakis and

Mary Antonakos

Contract Purchaser: VGK, Inc., t/a The Treehouse

Special Exception to approve an arcade with 12 amusement devices.

Hearings:

Friday, February 28, 2003 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Katherine Strakes, Individually and as agent for Georgia Stratakis and Mary Antonakos, 9920-C York Road, Cockeysville 21030 Edward C. Covahey, Jr., Covahey & Boozer, 614 Bosley Avenue, Towson 21204 VGK, Inc., t/a The Treehouse, 9926 York Road, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 13, 2003.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO:

PATUXENT PUBLISHING COMPANY

Thursday, February 13, 2003 Issue - Jeffersonian

Please forward billing to:

James Stratakis 9920 C York Road Cockeysville, MD 21030

410-628-2190

## NOTICE OF ZONING 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: 03-306-X

9926 York Road

S/west corner York road and Church Lane

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Katherine Strakes, Individually and as agent for Georgia Stratakis and

Mary Antonakos

Contract Purchaser: VGK, Inc., t/a The Treehouse

Special Exception to approve an arcade with 12 amusement devices.

Hearings:

Friday, February 28, 2003 at 2:00 p.m. in Room 407, County Courts

Building, 401 Bosley Avenue

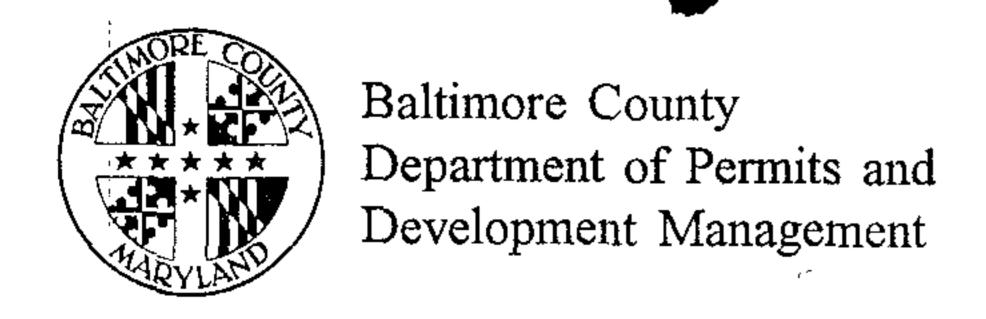
LAWRENCE E. SCHMIDT

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ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

> FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

January 22, 2003

# **NOTICE OF ZONING 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: 03-306-X

9926 York Road

S/west corner York road and Church Lane

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Katherine Strakes, Individually and as agent for Georgia Stratakis and

Mary Antonakos

Contract Purchaser: VGK, Inc., t/a The Treehouse

Special Exception to approve an arcade with 12 amusement devices.

Hearings:

Friday, February 21, 2003 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon

Director

AJ:rlh

C: Katherine Strakes, Individually and as agent for Georgia Stratakis and Mary Antonakos, 9920-C York Road, Cockeysville 21030 Edward C. Covahey, Jr., Covahey & Boozer, 614 Bosley Avenue, Towson 21204 VGK, Inc., t/a The Treehouse, 9926 York Road, Cockeysville 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 6, 2003.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Thursday, February 6, 2003 Issue - Jeffersonian

Please forward billing to:

James Stratakis 9920 C York Road Cockeysville, MD 21030

410-628-2190

# **NOTICE OF ZONING 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: 03-306-X

9926 York Road

S/west corner York road and Church Lane

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owner: Katherine Strakes, Individually and as agent for Georgia Stratakis and

Mary Antonakos

Contract Purchaser: VGK, Inc., t/a The Treehouse

Special Exception to approve an arcade with 12 amusement devices.

Hearings:

Friday, February 21, 2003 at 2:00 p.m. in Room 106, County Office

Building, 111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

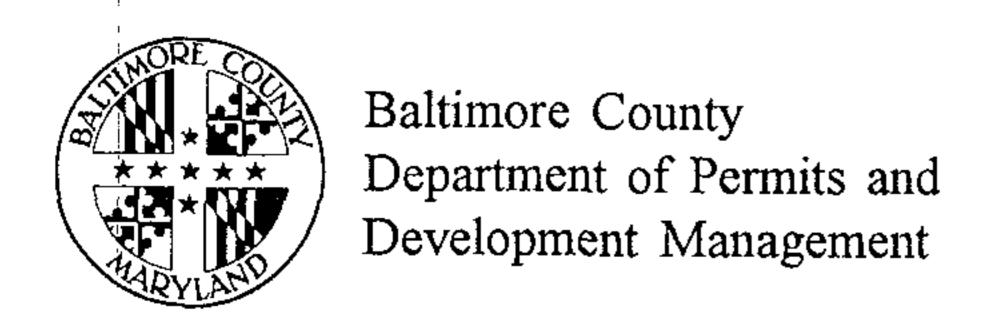
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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.

Item Num	ber or Case Number: <u>03-306-</u>	<del>,,,,,,</del>
Petitioner	: James Stratakis, et. al	
Address o	or Location: <u>9926 YWY Poad</u>	
	FORWARD ADVERTISING BILL TO: James Stratalas	
Address:	9920C York Road	
	Cockupsville, MD 21030	<u> </u>
•		

Revised 2/20/98 - SCJ



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

March 7, 2003

Edward C. Covahey, Jr. Covahey & Boozer, P.A. 614 Bosley Avenue Towson, MD 21204

Dear Mr. Covahey:

RE: Case Number: 03-306-X, 9926 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 6, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

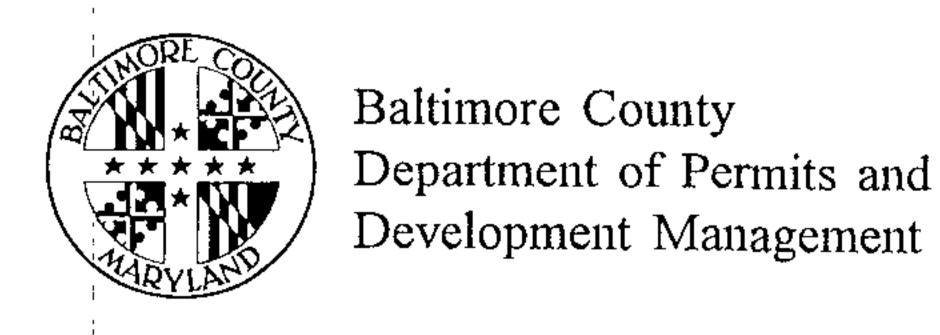
W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Katherine Strakes, Individually, Agent for Georgia Stratakis & Mary Antonakos,
520 Goucher Boulevard, Towson, MD 21286
VGK, Inc., t/a The Treehouse, Van Strake, President, 9926 York Road, Cockeysville 21030



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 5, 2003

Edward C. Covahey, Jr. Covahey & Boozer, P.A. 614 Bosley Avenue Towson, MD 21204

Dear Mr. Covahey:

RE: Case Number 03-306-X

The above matter, previously scheduled for Friday, February 28, 2003, has been postponed at your request. The hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablorr Director

AJ:rlh

C: Katherine Strakes, Individually and as agent for Georgia Stratakis and Mary Antonakos, 9920-C York Road, Cockeysville 21030 VGK, Inc., t/a The Treehouse, Van Strakes, President, 9926 York Road, Cockeysville 21030



# Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: 1.17.03

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 306 JRF

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: January 21, 2003

Item No(s).:

306/ 312-315

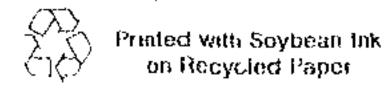
Dear Ms. Hart:

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 Baltimore County Fire Prevention Code; the NFPA 1 & 101, 2000 editions, prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File



# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS 1767

DATE:

February 20, 2003

Zoning Petitions

Zoning Advisory Committee Meeting of January 21, 2003

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

306

305-308, 310, 311, 313, 315-319, 321-325

# 3/14

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** January 22, 2003

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 03-306, 03-307, & 03-323

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

TH 73 13

**Section Chief:** 

AFK/LL:MAC

#### BALTIMORE COUNTY, MARYLAND

## INTEROFFICE CORRESPONDENCE

**DATE:** January 28, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

FROM()

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For January 27, 2003

Item Nos. 305, 306, 307, 308, 310, 311, 312, 313, 314, 315, 316, 320, 321, 322, 323, 324, and 325

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

RWB:HJO:jrb

cc: File

RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE

9926 York Rd; SW corner York & Church Ln

8<sup>th</sup> Election District \* ZONING COMMISSIONER

3<sup>rd</sup> Councilmanic District

Legal Owner(s): Georgia Stratakis, Katherine\* FOR

Strakes & Mary Antonakos

Contract Purchaser(s): VCK, Inc., t/a \* BALTIMORE COUNTY

Treehouse, Van P. Strakes, President

Petitioners \* 03-306-X

\* \* \* \* \* \* \* \* \*

### **ENTRY OF APPEARANCE**

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

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 22 day of January, 2003, a copy of the foregoing Entry of Appearance was mailed to Katherine Strakes, 520 Goucher Boulevard, Towson, MD 21286 & to Edward C. Covahey, Jr., Covahey & Boozer, P.A., 614 Bosley Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

# COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW 614 BOSLEY AVENUE TOWSON, MARYLAND 21204 AREA CODE 410 828-9441

COVAMEY, JR. F VERNON BOOZER MARK S. DEVAN THOMAS P. DORE MICHAEL Y. PATE STACIE D. TRAGESER

FAX 410-823-7530

T-438 P.01/01 \_\_F-937 2/4/03

ANNEX OFFICE SUITE 302 606 BALTIMORE AVE. TOWSON, MD 2:204

ALSO ADMITTED TO D. C. BAR

February 3, 2003

### VIA FAX - 410-887-5708

Arnold Jablon, Director Baltimore County Department of Permits and Development Management 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Case No. 03-306-X 9926 York Road

Hearing: February 28, 2003, 2:00 p.m.

Dear Mr. Jablon:

We received notice rescheduling the above to February 28, 2003 and respectfully request a postponement as the president of the corporate applicant and the licensee on the liquor license will be out of the State of Maryland on a preplanned vacation from February 28 through March 8, 2003, for which airplane tickets and accommodations have been purchased.

It would be appreciated if undersigned counsel could be contacted with respect to rescheduling this matter. The original date of February 21, 2003 was acceptable. Could it be held on February 21? Please advise posthaste because of the sign posting requirements.

∀ery truly yours,

Edward C. Covahey, Jr.

ECC, Jr./ldr 0203ldr01



Robert L. Ehrlich Jr. Governor Michael S. Steele Lt. Governor Audrey E. Scott Secretary

January 21, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 01/27/03 re: case numbers 03-305-SPH 03-306-X, 03-307-SPH, 03-308-A, 03-309-A, 03-310-A, 03-311-A, 03-312-X, 03-313-SPH, 03-314-XA, 03-315-SPH, 03-316-SPHX, 03-317-A, 03-318-A, 03-319-A, 03-320-A, 03-321-A, 03-322-A, 03-323-SPHA, 03-324-A, 03-325-A

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 01/16/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup

Case Number <u>03-306 SPX</u>

# PLEASE <u>PRINT</u> LEGIBLY

# PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
LMERY TOWN SOND	· · · · · · · · · · · · · · · · · · ·	LUPTORUFLLE	· · · · · · · · · · · · · · · · · · ·
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		Revised 4	

CASE NAME 03-306 X CASE NUMBER 9926 YORK Rd -DATE 3/14/03

# PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
MAN P. STRAICES	13910 JARRITTSUILLA PIEC 200 E. JOPPA Rd. 827 St Pal St	Phoenex mx 21131	VSTRAKES @ ATT. NOT
VINCENT JMOSKUNAS SITE RITE SURVEYBILG IN	ZOOE. JOPPA Rd.	Towson Mo 21286	VIM MUME AOL. COM
FRANK V BOURER -	827 St Pal St	Balton, ND 2,202	
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Ed Covahy-			
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