| | | |
|---|---|---|
| IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - SW/Corner Main Boulevard & York Road **(2352 York Road)** 8th Election District 3rd Council District | * | BEFORE THE |
| | * | ZONING COMMISSIONER |
| | * | OF BALTIMORE COUNTY |
| | * | Case No. 03-485-SPHXA |
| Mellis, LLC Petitioners | * | |

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Mellis, LLC, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special exception for a Class B Office Building in an R.O. zone and a special hearing to approve business parking in a residential zone, pursuant to Section 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested from Section 409.8.A.1 of the B.C.Z.R. to permit a landscape buffer of 0 feet in lieu of the required 10 feet along the southern and western property lines, and from Section 204.3.B.2 to permit a Class B office building with 100% of the total adjusted gross floor area as medical use. It is to be noted that the variance requested from Section 409.8.A.1 of the B.C.Z.R. was amended in open hearing and will be discussed hereinafter. 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 requests were Dr. Nick Mellis, a principal of Mellis, LLC; his wife, Nicole Mellis, Bruce E. Doak, the Surveyor who prepared the site plan for this property, and John B. Gontrum, Esquire, attorney for the Petitioners. Appearing as interested citizens were Louis W. Miller, on behalf of the Greater Timonium Community Council, and Harold Barnes, a member of that organization. Mr. Barnes is also active in the West Timonium Heights Community Association.

ORDER RECEIVED FOR FILING
Date 1/2/03
By

Testimony and evidence presented revealed that the subject property is located immediately adjacent to the southwest corner of the intersection of Main Boulevard and York Road in Timonium. The property contains a gross area of .271 acres, more or less, split zoned R.O. and D.R.3.5. The predominant zoning of the property is R.O.; however, a small sliver of D.R.3.5 zoned land is located along the rear property line. The property is improved with a one and one-half story stucco dwelling, which has apparently existed on the property for quite some time and is presently vacant. In addition to the dwelling, a one-story detached garage is located to the rear of the property. Apparently, the property has had a variety of uses, several of which were not popular with the adjacent residential community. Although the property fronts the highly commercial corridor of York Road, the rear of the property abuts the residential community of West Timonium Heights.

Dr. Mellis recently acquired the property and proposes to relocate his medical practice to the site. A floor plan, marked as Petitioner's Exhibit 6, was submitted which details proposed improvements to the property. As shown on the site plan, an existing addition to the rear of the structure and the detached garage will be removed, and a new one-story addition, 20' deep x 39' wide, will be constructed to the rear of the building.

Testimony and evidence was offered at the hearing by both sides relative to Dr. Mellis' proposal. After significant discussion between the parties and the undersigned Zoning Commissioner, amendments to the plan were offered and agreed to by the parties. Some of those amendments are shown on the revised site plan that was marked as Petitioner's Exhibit 2.

Based upon the testimony and evidence offered, relief will be granted in accordance with the following. The Petition for Special Exception for a Class B office building will be approved. The R.O. zoning regulations permit a Class B office building only by special exception. Further, a Class B office building is defined in the B.C.Z.R. as a building which is a new structure, or for which significant addition has been added to a previous building. I am persuaded that a Class B office building should be permitted on the subject site and that the proposed improvements

are appropriate. I am satisfied that the special exception request complies with the requirements of Section 502.1 of the B.C.Z.R.

Special hearing relief shall also be granted. That relief relates to the proposed parking lot to the rear of the site. As noted above, the lot is predominantly zoned R.O.; however, a narrow strip to the rear of the property is zoned D.R.3.5. To the extent that the parking spaces infringe into the D.R.3.5 zone, special hearing relief shall be granted to permit business parking in a residential zone pursuant to Section 409.8.B.1 of the B.C.Z.R.

Finally, the Petition for Variance shall be granted. In this regard, relief will be granted to permit the entire building to be used for medical offices, consistent with the restrictions set forth hereinafter. Moreover, amended relief to reduce the required 10-foot landscape buffer shall be granted, also consistent with the restrictions set forth hereinafter.

Changes to the plan shall be made as follows. First, it is to be emphasized that there was significant discussion regarding the rear of the property. The community of West Timonium Heights was originally platted and recorded among the Land Records of Baltimore County in 1920. That plat shows that some of the lots including the subject property are located immediately adjacent to York Road. In fact, the subject property is comprised of Lots 10, 11 and 12 of West Timonium Heights, with frontage on York Road between Washington Street and Main Boulevard. To the rear of these lots is a 12-foot area that apparently was envisioned for use as a public alley to serve those lots.

If an alley ever existed, it was obviously abandoned long ago. In this regard, Mr. Gontrum indicated that his research of the Land Records of Baltimore County disclosed that the alley had never been formally dedicated and accepted by Baltimore County. Thus, there is a question as to the owner of this area. The Petitioner's predecessors in title may have acquired ownership of the alley under adverse possession.

In any event, the Greater Timonium Community Council contends that the Petitioners do not own this property and cannot utilize same. After significant discussion regarding this issue, the following agreement was reached. The Petitioners shall utilize one-half (6 feet) of the alley

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Date 7/2/03
By

width. If ultimately it is determined that the Petitioners cannot use this property, a claim which is disputed by the parties, modifications to the site plan in this case will be required. However, assuming arguendo that the Petitioners can and will use 6 feet of this alley, it shall be improved in the following manner.

There shall be a 4-foot strip that shall be landscaped to provide a buffer between the rear of the subject property and the adjacent residential community. Additionally, the remaining 2 feet of that portion of the alley will be used for the ends of parking spaces that will serve the subject property. In this regard, the site plan shows that there will be 6 parking spaces perpendicularly located along the rear right-of-way line. These spaces are 18 feet deep and will be 16 feet from the rear of the new addition. Thus, they will extend 2 feet into the 6-foot alleyway. Variance relief is granted herewith to allow a 16-foot drive aisle width in lieu of the required 20 feet. Insofar as the remainder of the parking, the Petitioner shall provide 8 parking spaces onsite. This number is in accordance with the requirements set forth in Section 409 of the B.C.Z.R. As noted above, 6 of the spaces shall be located perpendicularly along the rear property line. There shall be 2 additional spaces on the south side of the structure. These spaces shall be located so that vehicles are not parked in front of the front wall of the existing building. Moreover, one of the spaces in this area will be a stadium-type parking space.

As to the southern property line, there shall be a 5-foot landscape buffer that will extend along the entire length of the property. This buffer is proposed in order to prevent vehicles from crossing the subject property from the adjacent tract and exiting onto Main Boulevard.

On the north side of the subject property, landscaping will also be provided; however, this landscaping shall be coordinated with the installation of a sidewalk along that section of the subject property. The sidewalk will provide access from the rear parking area to the front of the building and the primary entrance. The exact location of this sidewalk will be determined based upon the appropriate angle for connecting to an ADA-mandated ramp at the front entrance to the building. In sum, the building shall be setback a minimum of 10 feet from the north/side property line and that side yard shall be landscaped and sidewalk installed as provided above.

There were several other restrictions that have been agreed to by the parties and will be incorporated in the approval herein. First, the building is restricted to the use of but one physician. Dr. Mellis indicated that he is a sole practitioner and has no associates. The only other physician who would be present on the premises would be an individual "covering" for Dr. Mellis in the event he is on vacation or otherwise unavailable. The relief is granted with that situation in mind. Thus, only a sole physician and not a group practice may use the property.

Additionally, there will be limited exterior lighting. It was indicated that low-level lighting would be installed, sufficient to provide reasonable security; however, all lighting will be designed so as not to reflect or shine onto adjacent properties. Similarly, any signage must be in conformance with the B.C.Z.R.

At the conclusion of the hearing, the Petitioners' expert (Bruce Doak) was advised to submit an amended site plan incorporating the modifications, conditions and limitations set forth herein within 15 days of the date of this Order. That amended plan will be incorporated into the case file and made a part of the record.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions 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 2nd day of July 2003, that the Petition for Special Exception for a Class B Office Building in an R.O. zone and the Petition for Special hearing to approve business parking in a residential zone, pursuant to Section 409.8.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 2, be and are hereby GRANTED, and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 204.3.B.2 to permit a Class B office building with 100% of the total adjusted gross floor area as medical use, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.8.A.1 of the B.C.Z.R., as modified herein, to permit a landscape buffer of 5 feet along the

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Date 7/2/03
By

south side and 4 feet on the west side, in lieu of the required 10 feet each, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.4A of the B.C.Z.R., to permit a 16-foot drive aisle width in lieu of the required 20 feet and to permit stadium parking, pursuant to Section 409.4B.2, be and is hereby GRANTED, subject to the following restrictions:

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

2) A 5-foot landscape buffer shall be provided along the southern property line and a 4-foot landscape buffer along the western (rear) property line. A sidewalk will be constructed along the north side property line and the balance of that 10-foot area will be landscaped.

3) The Petitioner shall be permitted to utilize 6 feet of the 12-foot wide alleyway to the rear of the property for landscaping and parking as set forth above, until and unless it is determined that he is not the legal owner of same and does not have authority to use that property.

4) Only one medical practitioner can utilize the subject property for medical offices. There shall be no joint or multi-person practice.

5) All signage shall be in conformance with the B.C.Z.R.

6) All exterior lighting will be low-level and directed so as not to reflect onto adjacent properties.

7) An amended site plan incorporating the modified relief granted herein, and the restrictions and conditions imposed thereon shall be submitted for inclusion in the case file.

8) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 2, 2003

John B. Gontrum, Esquire
Romadka & Gontrum
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
SW/Corner Main Boulevard & York Road
(2352 York Road)
8th Election District – 3rd Council District
Mellis, LLC - Petitioners
Case No. 03-485-SPHXA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance, as amended, have 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: Dr. & Mrs. Nick Mellis
65 Montview Court, Cockeysville, Md. 21030
Mr. Bruce E. Doak, Gerhold, Cross & Etzel
320 E. Towsontown Boulevard, Towson, Md. 21286
Mr. Louis W. Miller, 44 E. Timonium Road, Timonium, Md. 21093
Mr. Harold Barnes, 5 W. Main Boulevard, Timonium, Md. 21093
People's Counsel; Case File



Printed with Soybean Ink
on Recycled Paper

# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 2352 York Road

which is presently zoned R.O.

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

to permit business parking in a residential zone per Section 409.8B1 B.C.Z.R.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

**Contract Purchaser/Lessee:**

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

**Attorney For Petitioner:**

John B. Gontrum
Name - Type or Print

Signature

Romadka & Gontrum, LLC
Company

814 Eastern Blvd. 410-686-8274
Address Telephone No.

Baltimore, MD 21221
City State Zip Code

**Legal Owner(s):**

Mellis, LLC
Name - Type or Print

Signature

Nick Mellis, Owner
Name - Type or Print

Signature

2352 York Road 410-583-0484
Address Telephone No.

Cockeysville, MD 21030
City State Zip Code

**Representative to be Contacted:**

Name

Address Telephone No.

City State Zip Code

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRP Date 4-16-03

Case No. 03-485-SPHXA

ORDER RECEIVED FOR FILING
Date 12/2/03
By

REV 9/15/98

# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

for the property located at 2352 York Road

which is presently zoned R.O.

**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

a Class B office building in an R.O. 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

***Contract Purchaser/Lessee:***

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

***Attorney For Petitioner:***

John B. Gontrum
Name - Type or Print

Signature

Romadka & Gontrum, LLC
Company

814 Eastern Blvd 410-686-8274
Address Telephone No

Baltimore, MD 21221
City State Zip Code

***Legal Owner(s):***

Mellis, LLC
Name - Type or Print

Signature

Nick Mellis, Owner
Name - Type or Print

Signature

2352 York Road 410-583-0484
Address Telephone No.

Cockeysville, MD 21030
City State Zip Code

***Representative to be Contacted:***

Name

Address Telephone No.

City State Zip Code

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JRP Date 4-16-03

Case No. 03-485-SPHXA

REV 09/15/98

# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2352 York Road

which is presently zoned R.O.

**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 Variance from Section(s)

a) 405.8A.1 to permit 0' wide landscape buffer in lieu of the required 10' on southern and western property lines.

b) 204.3B.2 to permit a Class B office building with 100% of the total adjusted gross floor area as medical use.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

***Contract Purchaser/Lessee:***

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

***Legal Owner(s):***

Mellis, LLC
Name - Type or Print

Signature

Nick Mellis
Name - Type or Print

Signature

2352 York Road — 410-583-0484
Address — Telephone No.

Cockeysville, MD 21030
City — State — Zip Code

***Attorney For Petitioner:***

John B. Gontrum, Esq.
Name - Type or Print

Signature

Romadka & Gontrum, LLC
Company

814 Eastern Blvd — 410-686-8274
Address — Telephone No.

Baltimore, MD 21221
City — State — Zip Code

***Representative to be Contacted:***

Name

Address — Telephone No.

City — State — Zip Code

ORDER RECEIVED FOR FILING
Date 12/12/02
By

**Case No.** 03-485-SPHXA

REV 9/15/98

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____
Reviewed By JRF Date 4/16/03

**Gerhold, Cross & Etzel, Ltd.**
*Registered Professional Land Surveyors • Established 1906*
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone. (410) 823-4470 • Fax· (410) 823-4473 • www.gceltmited.com

March 12, 2003

**MELLIS, LLC. PROPERTY**
**2352 YORK ROAD**
**BALTIMORE COUNTY, MARYLAND**

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of York Road being 47 feet, more or less southerly from the center of the intersection formed by York Road and Main Boulevard, thence perpendicular 40 feet westerly to the zoning point of beginning, thence running and binding on the west side of York Road, the following course and distance, viz: (1) Southerly 40.99 feet, thence leaving York Road and running and binding, the following two courses and distances, viz: (2) Westerly 113.33 feet, and (3) Northerly 66.00 feet to the southern side of Main Boulevard, thence running and binding on the south side of Main Boulevard, the two following courses and distances, viz (4) Easterly 88.33 feet, and (5) Running for a curve to the right having a radius of 25.00 feet and an arc length of 39.27 feet (chord being south easterly) to the zoning point of beginning.

Containing 0.16 of an Acre of land, more or less.

**Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.**

STATE OF MARYLAND
BRUCE EDWIN DOAK
No. 531
REGISTERED
PROPERTY LINE SURVEYOR

3/18/03

# 485

X:\mellis\zoningdescrip..doc

**BALTIMORE COUNTY, MARYLAND**
**OFFICE OF BUDGET & FINANCE**
**MISCELLANEOUS RECEIPT**

No. 23002

DATE 4-16-03 ACCOUNT 001-000-615

AMOUNT $ 50.00

RECEIVED FROM: John Grafton
2352 York Rd.

FOR: SPH X A

ITEM # 485
TAKEN BY: JRF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PETTY CASH
CLERK'S OFFICE
MONDAY, MAR. 24, 2003
TOWSON, MARYLAND 21204
PAID TO $50.00
BALANCE DUE $0.00
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

**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: #03-485-SPHXA
2352 York Road
S/west corner of Main Blvd and York Road
8th Election District - 3rd Councilmanic District
*Legal Owner(s): Mellis, LLC,*
Nick Mellis, Owner

**Special Exception:** to permit a Class B office building in an RO zone. **Special Hearing:** to permit business parking in a residential zone. **Variance:** to permit 0 feet landscape buffer in lieu of the required 10 feet on southern and western property line

***Hearing:* Wednesday, June 18, 2003 at 9:00 a.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 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.

JT/6/622 June 3 C607484

# CERTIFICATE OF PUBLICATION

6/5/, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/3/, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

# Gerhold, Cross & Etzel, Ltd.

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Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com


## CERTIFICATE OF POSTING

**RE: CASE # 03-485-SP**
**PETITIONER/DEVELOPER:**
**Mellis, LLC; Nick Mellis, Owner**
**DATE OF HEARING:**
**June 18 , 2003**

**BALTIMORE COUNTY DEPARTMENT OF**
**PERMITS AND DEVELOPMENT MANAGEMENT**
**COUNTY OFFICE BUILDING, ROOM 111**
**111 WEST CHESAPEAKE AVE.**
**TOWSON, MARYLAND 21204**

**ATTENTION: REBECCA HART**

**LADIES AND GENTLEMEN:**

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

**POSTED ON : June 2, 2003**

**LOCATION:**
S/west corner of
Main Blvd. And York Road

**DATE:**
June 3, 2003

Bruce E. Doak

**SIGNATURE OF SIGN POSTER**

**BRUCE DOAK**


**GERHOLD, CROSS & ETZEL, LTD**
**SUITE 100**
**320EAST TOWSONTOWN BLVD**
**TOWSON, MARYLAND 21286**
**410-823-4470 PHONE**
**410-823-4473 FAX**

Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 28, 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: 03-485-SPHXA**
2352 York Road
S/west corner of Main Blvd. and York Road
8th Election District – 3rd Councilmanic District
Legal Owner: Mellis, LLC, Nick Mellis, Owner

Special Exception to permit a Class B office building in an RO zone. Special Hearing to permit business parking in a residential zone. Variance to permit 0 feet landscape buffer in lieu of the required 10 feet on southern and western property line.

Hearings: Wednesday, June 18, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Arnold Jablon
Director

AJ:rlh

C: John Gontrum, Romadka & Gontrum, 814 Eastern Blvd., Baltimore 21221
Mellis, LLC, Nick Mellis, 2352 York Road, Cockeysville 21030

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 3, 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.

Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 3, 2003 Issue - Jeffersonian

Please forward billing to:
Mellis, LLC
7801 York Road
Towson, MD 21204

410-628-7542

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## 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: 03-485-SPHXA**
2352 York Road
S/west corner of Main Blvd. and York Road
8th Election District – 3rd Councilmanic District
Legal Owner: Mellis, LLC, Nick Mellis, Owner

Special Exception to permit a Class B office building in an RO zone. Special Hearing to permit business parking in a residential zone. Variance to permit 0 feet landscape buffer in lieu of the required 10 feet on southern and western property line.

Hearings: Wednesday, June 18, 2003 at 9:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue

Lawrence E. Schmidt

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 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: 03-485-SPHXA

Petitioner: Mellis, LLC

Address or Location: 7801 York Road Towson Mo 21204

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mellis, LLC

Address: 7801 York Road Towson, Mo 21204

Telephone Number: 410-628-7542

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

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

June 13, 2003

John B. Gontrum
Romadka & Gontrum, P.A.
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Case Number: 03-485-SPHXA, 2352 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 16, 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
Mellis, LLC, Nick Mellis, 2352 York Road, Cockeysville, 21030



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on Recycled Paper

Baltimore County
Fire Department

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

April 29, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 28, 2003

Item No.: 478-480, 483-487, 489-490, 492-495

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.

7. *The Fire Marshal's Office has no comments at this time.*

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

cc: File

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on Recycled Paper

Visit the County's Website at www.baltimorecountyonline.info

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5.1.03

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

RE: Baltimore County
Item No. 485 JRF

Dear Ms. Hart:

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,

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

Serie 6/18

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** May 14, 2003

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

RECEIVED
MAY 15 2003
ZONING COMMISSIONER

**SUBJECT:** 2335 York Road

**INFORMATION:**

**Item Number:** 03-485

**Petitioner:** Nick Mellis

***Zoning:*** RO

**Requested Action:** Special Hearing/Special Exception/Variance

**SUMMARY OF RECOMMENDATIONS:**

On May 20, 2002 the Baltimore County Council adopted the West Timonium Heights Commercial Corridor Plan. A primary goal of the plan was to protect the West Timonium Heights community's residential character by providing effective buffers between the residential community and the commercial/office uses along York Road. Page 14 of the plan states that: "A six-foot high solid wood fence and a ten to twenty-foot wide landscaped buffer with berm and heavy vegetation should be provided for all commercial or office property adjacent to any residential uses". The request to permit a 0-foot wide landscape buffer along the western property line (adjacent to a residential use) in lieu of the minimum required 10 feet, and the request to permit business parking in a residential zone is inconsistent with the intent and recommendations of the adopted Plan.

In addition to the above, the request for 100% medical use also raises significant concerns about overflow parking in the residential community.

Therefore, this office recommends that the petitioner's request be **DENIED.**

**Prepared by:** Marcella A. Camargo

**Section Chief:** Lynn Lochner
AFK/LL:MAC:

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 6, 2003

**FROM:** Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

**SUBJECT:** Zoning Advisory Committee Meeting
For May 5, 2003
Item Nos. 479, 480, 485, 486, 487, 488,
490, 492, 493, 494, and 495

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

RWB:CEN:jrb

cc: File

| | | | |
|---|---|---|---|
| RE: | PETITION FOR SPECIAL HEARING<br>SPECIAL EXCEPTION & VARIANCE<br>2352 York Rd; SW corner of Main<br>Boulevard & York Road<br>8th Election & 3rd Councilmanic Districts<br>Legal Owner(s): Mellis, LLC; Nick<br>Mellis, Owner<br>Petitioner(s) | *<br>*<br>*<br>*<br>*<br>*<br>* | BEFORE THE<br><br>ZONING COMMISSIONER<br><br>FOR<br><br>BALTIMORE COUNTY<br><br>03-485-SPHXA |

* * * * * * * * * * * * *

## 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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 16th day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to John B Gontrum, Esquire, Romadka & Gontrum, 814 Eastern Boulevard, Baltimore, MD 21220, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED
MAY 0 5 2003
Per.....

June 16, 2003

Zoning Commissioner
Baltimore County
401 Bosley Ave.
Towson, Md. 21204

Re: Case 03-485-SPHXA, 2352 York Rd.

Dear Mr. Schmidt:

Members of Greater Timonium Community Council, Inc. and West Timonium Heights Community Association, a paid member of GTCC, met with Dr. Mellis June 9, 2003 to review his site plan.

Items discussed were:

1. Question in use of the alley at the west end of his property for parking.
2. Buffering on the south side.
3. Buffering on the west side.
4. Angle parking.
5. Variances for necessary parking based on sq ft usage.
6. Request for 100% usage of first floor and addition vs 25%.
7. Variance for driveway aisle.
8. Covenants for future and adherence to agreements.

Dr. Mellis agreed with items 2, 3, 4. Questions remained for items 1, 5, 6, 7, 8.
He had his planner call me to discuss these questionable items. His planner said their deed included one-half the alley. He also stated that the additions had been moved south. I ask him to send me the revised copy and excerpts from the deed and when such was added. We would then have additional discussions.

No revised site plan was received, no excerpts from the deed were received.
He stated covenants would have to be handled by Dr. Mellis lawyer.
No further communication was received from the planner, the lawyer, or Dr. Mellis.

Given the question about the alley use, buffering, parking variances, driveway size and development of covenants, we ask for a postponement of this case pending satisfactory agreements.

We do not wish to cause undue delay, but believe these items must be addressed and agreed to before further decisions are rendered for the protection of West Timonium Heights Community and GTCC.

Sincerely yours,

Louis W. Miller, Treas.
44 E. Timonium Rd.
Timonium, Md. 21093

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

# PETITIONER'S SIGN-IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---|---|---|---|
| | | | |
| BRUCE E. DOAK | 320 E. TOWSONTOWN BLVD. | TOWSON, MD 21286 | |
| GERWOLD CROSS & ETZEL | | | |
| NICK MELLIS | 45 Marthen Ct | Cockeysville MD 21030 | |
| NICOLE MELLIS | ↓ | ↓ | |
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PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

# CITIZEN'S SIGN-IN SHEET

| NAME | ADDRESS | CITY, STATE, ZIP | E- MAIL |
|---|---|---|---|
| LOUIS W MILLER | 44 E. TIMONIUM RD | TIM. MD | LEABO@AOL.COM |
| HAROLD BANKS | 5 W. MAIN BLVD. | TIMONIUM, MD 21093 | HB BANKS@DCPL.NET |
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06/16/2003

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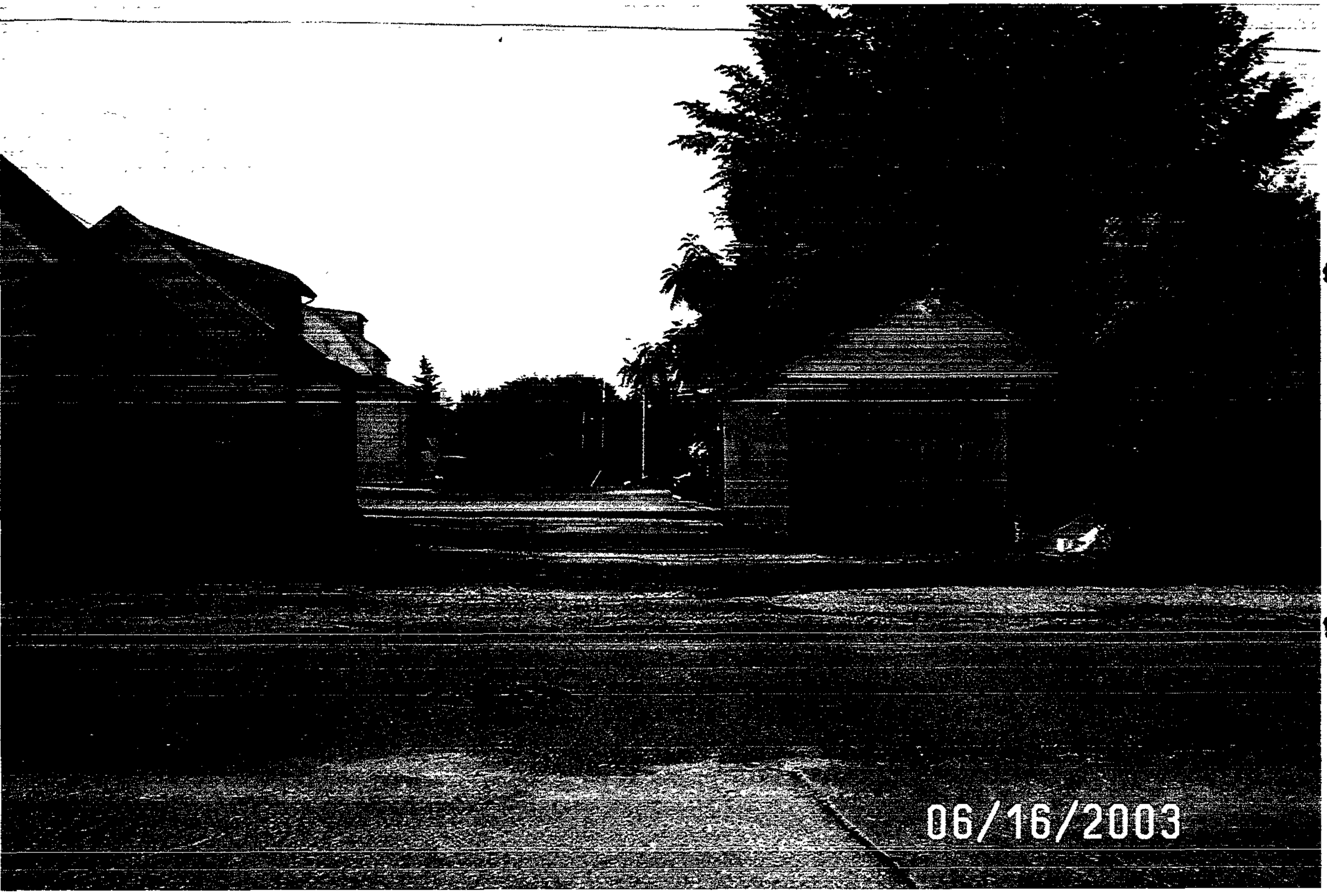


178

17844

Veronica M Byrne et al } This deed made this third day of February in the year nineteen
to } hundred and forty one by and between Veronica
Mildred A Byrne } Marie Byrne unmarried Evelyn Byrne O'Hare and Charles Gore
---------- } O'Hare her husband Margaret Mary Byrne unmarried James W Byrne
and Helen Byrne his wife Robert T Byrne widower Joseph P Byrne unmarried all of the City
of Baltimore State of Maryland and Loretta Byrne Howard and John Leger Howard her husband
of Woodside Hills in the State of Delaware parties of the first part and Mildred Therese
Byrne of the City of Baltimore State of Maryland party of the second part

Witnesseth that in consideration of the sum of five dollars ($5.00) and other good and
valuable considerations the receipt whereof is hereby acknowledged the said Veronica Marie
Byrne unmarried Evelyn Byrne O'Hare and Charles Gore O'Hare her husband Margaret Mary Byrne
unmarried James W Byrne and Helen Byrne his wife Robert T Byrne widower Joseph P Byrne un-
married Loretta Byrne Howard and John Leger Howard her husband do grant and convey unto the
said Mildred Therese Byrne her heirs and assigns all their right title and interest in
and to all those three lots of ground situate lying and being in the eighth election district
of Baltimore County in the State aforesaid and particularly described as follows

Being known and designated as Lots Nos 10 11 12 in section B as shown on a plat of Si-
monium Heights and which lots contain a frontage of sixty six feet on the west side of York
Road with a depth of one hundred twenty feet with an additional six feet for an automobile
driveway

For title of the parties of the first part see the following

Deed dated October 16th 1920 and recorded among the land records of Baltimore County in
Liber OWD Jr No 1068 folio 98 from The Mutual Co-operative Realty Company Inc to Patrick
Byrne and Mary Byrne his wife

Deed dated October 1 1921 and recorded among the land records of Baltimore County in Liber
OWD Jr No 1068 folio 21 from The Mutual Co-operative Realty Company Inc to Patrick Byrne
and Mary Byrne his wife said Mary Byrne having departed this life on or about November 14th
1950

Said Patrick Byrne having departed this life on or about July 26 1935 see estate of
Patrick Byrne in the Orphans Court of Baltimore City in the office of the Register of Wills
of Baltimore City Estate Docket No 44 folio 461 Said Patrick Byrne left surviving his the
said Veronica Marie Byrne Evelyn Byrne O'Hare Margaret Mary Byrne James W Byrne Robert T
Byrne Joseph P Byrne Loretta Byrne Howard and Mildred Therese Byrne his children and only
heirs at law

Together with the buildings and improvements thereupon erected made or being and all and
every the rights alleys ways waters privileges appurtenances and advantages to the same
belonging or anywise appertaining

To have and to hold the above granted property unto and to the use of the said Mildred
Therese Byrne her heirs and assigns forever in fee simple

And the said parties of the first part hereby covenant that they have not done or suffer-
ed to be done any act matter or thing whatsoever to encumber the property hereby conveyed
that they will warrant specially the property granted and that they will execute such fur-
ther assurances of the same as may be requisite

Witness the hands and seals of said grantors

Witness Veronica Marie Byrne (Seal)

Ida Bertha Miller Evelyn Byrne O'Hara (Seal)

Ruth M Eschline Christine Berg O'Hara (Seal)

Margaret Mary Byrne (Seal)

James W Byrne (Seal)

Helen Byrne (Seal)

Robert T Byrne (Seal)

Joseph P Byrne (Seal)

Wm J Acton Loretta Byrne Howard (Seal)

John Eager Howard (Seal)

State of Maryland City of Baltimore to wit

I hereby certify that on this tenth day of March in the year one thousand nine hundred and forty one before me the subscriber a notary public of the State of Maryland in and for the City aforesaid personally appeared Veronica Marie Byrne unmarried Evelyn Byrne O'Hara and Christine Berg O'Hara her husband Margaret Byrne unmarried James W Byrne and Helen Byrne his wife Robert T Byrne widower Joseph P Byrne unmarried and they acknowledged the foregoing deed to be their act.

As witness my hand and notarial seal

(Notarial Seal) Viola L McCough Notary Public

State of Delaware New Castle to wit

I hereby certify that on this 3rd day of February in the year one thousand nine hundred and forty one before me the subscriber a notary public of the State of Delaware in and for New Castle County aforesaid personally appeared Loretta Byrne Howard and John Eager Howard her husband and they acknowledged the aforegoing deed to be their act.

As witness my hand and notarial seal

(Notarial Seal) Wm J Acton Notary Public

Rec Apr 23 1941 at 2:20 P M per C Willing Browne Jr Clerk

---

17624

County deed of Balto Co. ) This deed made this 14th day of April 1941 by and between the

Deed to ) County Commissioners of Baltimore County a corporation and a

Charles H Grebe ) body politic in the State of Maryland party of the first part

U.S. $.25 St $.10 ) Grantor on Ohio St. & property of the second part witness

) Whereas the County Commissioners of Baltimore County did on

the 14th day of April 1941 in pursuance of the public local laws of Baltimore County now in force which give public notice by advertisement in the Jeffersonian a newspaper published and printed in Baltimore County offer for sale at public auction at the Court House Door in Towson the property hereinafter described and sold the same to the said Charles H Grebe who was then and there the highest bidder therefor at and for the sum of one hundred fifty dollars ($150.00) the said purchaser having paid unto the County Commissioners of Baltimore County the full amount of said purchase money wherefore these presents are executed

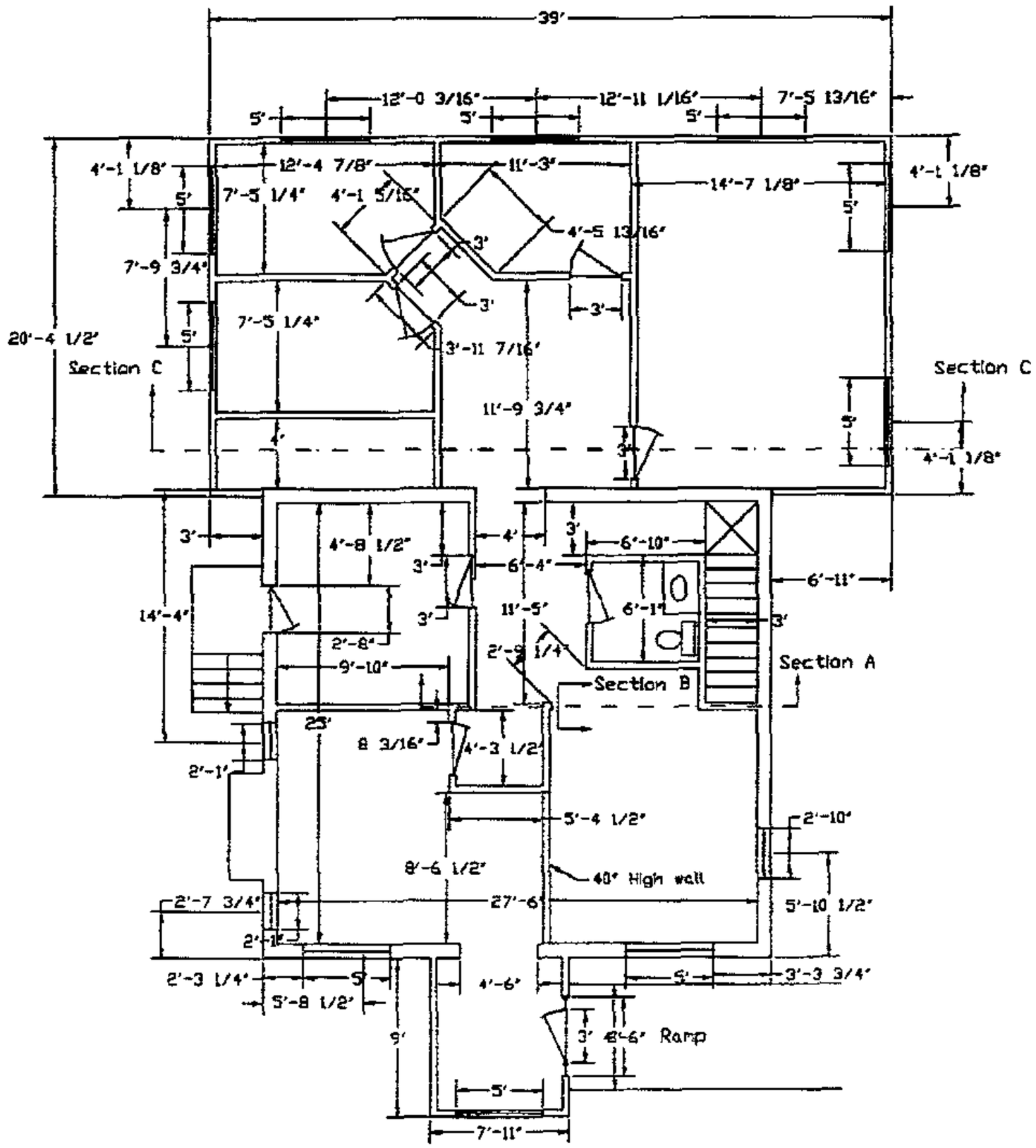
Now therefore this deed witnesseth that in consideration of the premises and of the sum of one dollar and ten cents ($1.10) receipt whereof is hereby acknowledged the said County Commissioners of Baltimore County a corporation and a body politic does hereby grant and convey unto the

said Charles H Grebe his heirs and assigns (Grantee) in fee simple all that property situate

Ref NO 6

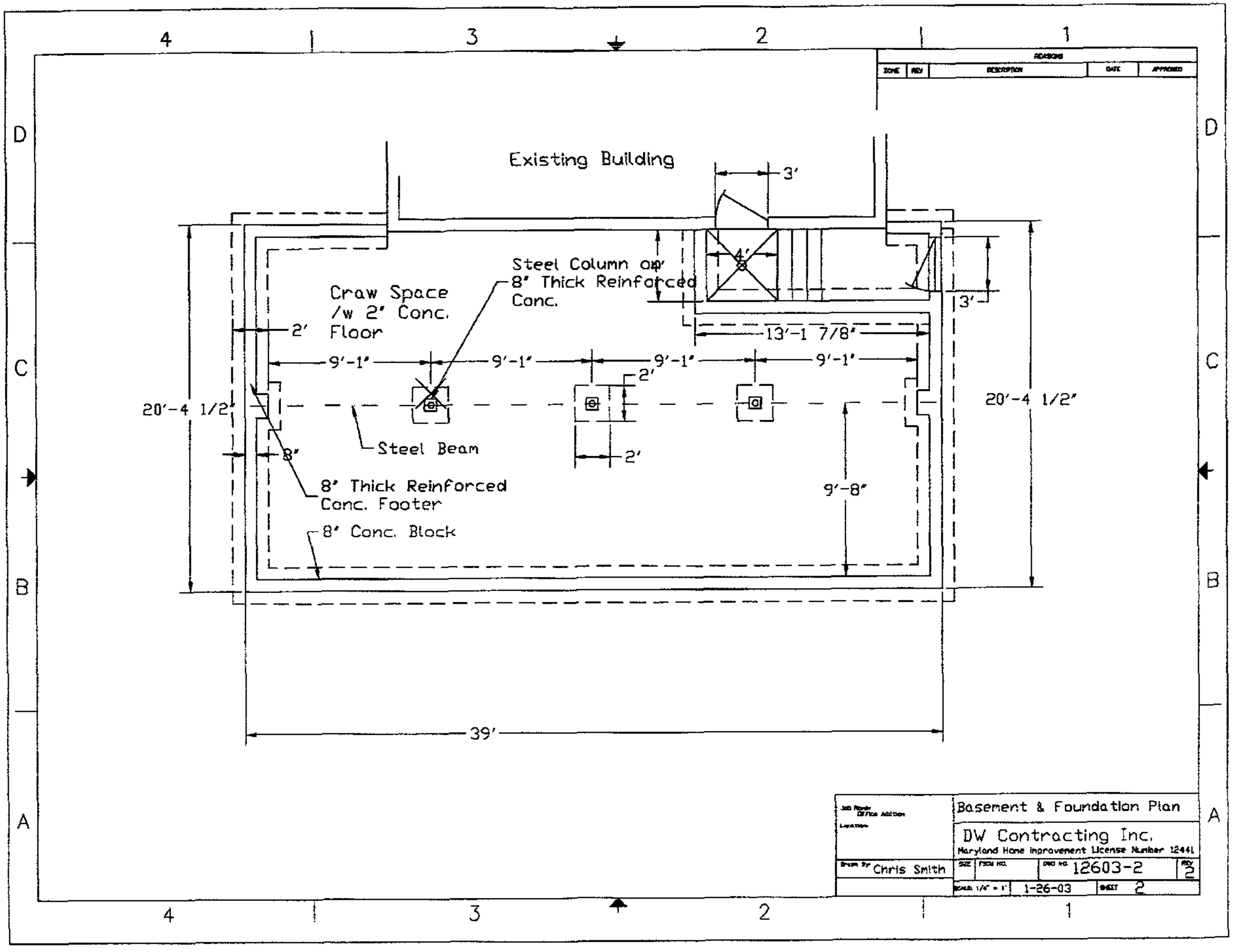


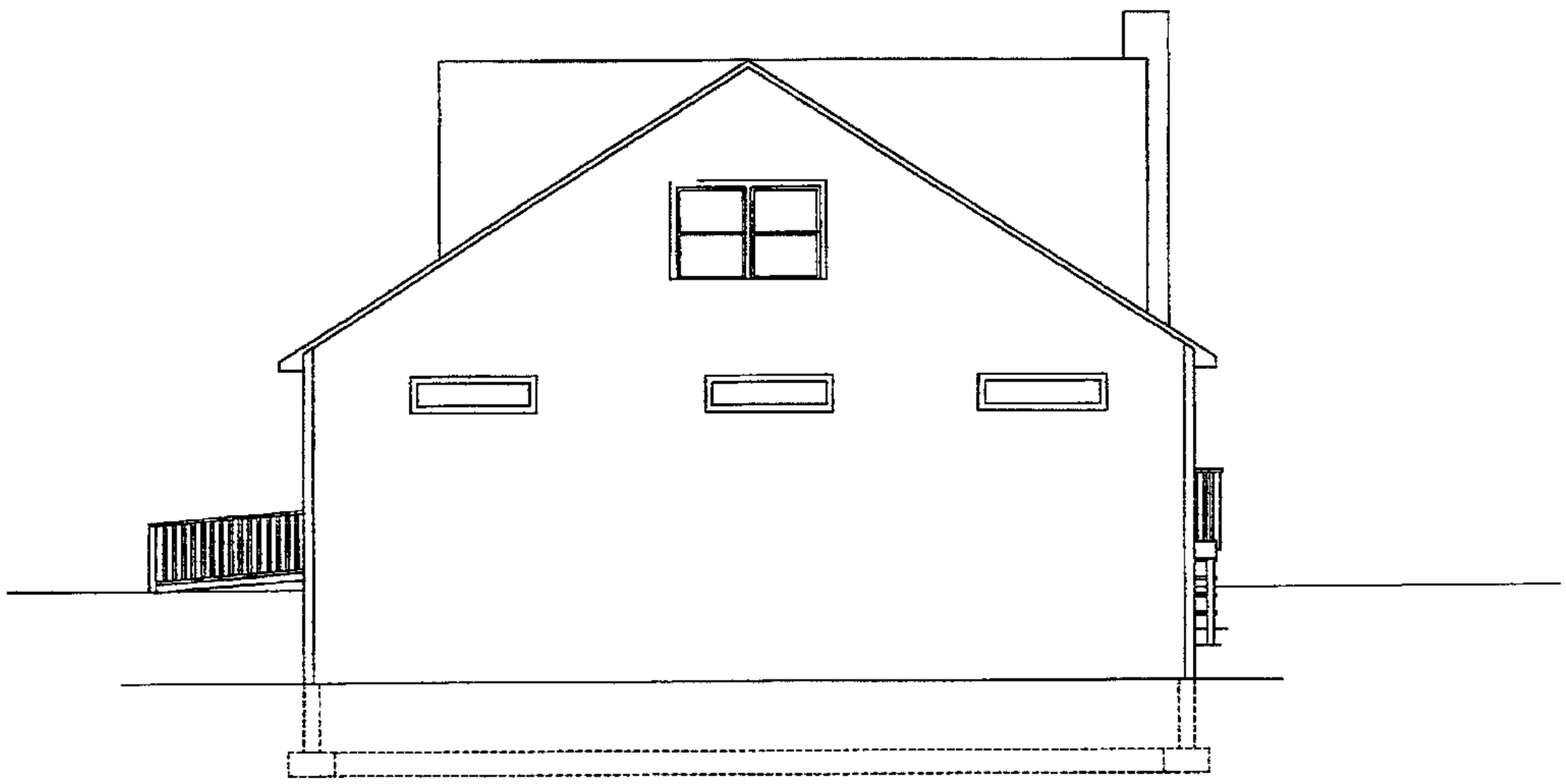
| ZONE | REV | DESCRIPTION | DATE | APPROVED |
|---|---|---|---|---|




All Dimensions +/-

| | |
|---|---|
| Job Name: Office Addition<br>Location: | 1st Floor Plan |
| | DW Contracting Inc.<br>Maryland Home Improvement License Number 12441 |
| Drawn By: Chris Smith | SIZE / FSCM NO. / DWG NO. 12603-1 / REV 2 |
| | SCALE: 3/16" = 1' / 1-26-03 / SHEET 1 |


Existing Building
3'
4'
Steel Column on 8" Thick Reinforced Conc.
Craw Space /w 2" Conc. Floor
2'
13'-1 7/8"
3'
9'-1"
9'-1"
9'-1"
9'-1"
2'
20'-4 1/2"
20'-4 1/2"
Steel Beam
2'
8"
8" Thick Reinforced Conc. Footer
9'-8"
8" Conc. Block
39'
Basement & Foundation Plan
DW Contracting Inc.
Maryland Home Improvement License Number 12441
Drawn By Chris Smith
DWG NO. 12603-2
REV 2
SCALE 1/4" = 1'
1-26-03
SHEET 2



| REVISIONS | | | | |
|---|---|---|---|---|
| ZONE | REV | DESCRIPTION | DATE | APPROVED |

All Dimensions +/-

Job Name: Office Addition
Location:

Drawn By: Chris Smith

Back Elevation

DW Contracting Inc.
Maryland Home Improvement License Number 12441

SIZE | FSCM NO. | DWG NO. 12603-3 | REV 2

SCALE 3/16" = 1' | 1-26-03 | SHEET 5

| REVISIONS | | | | |
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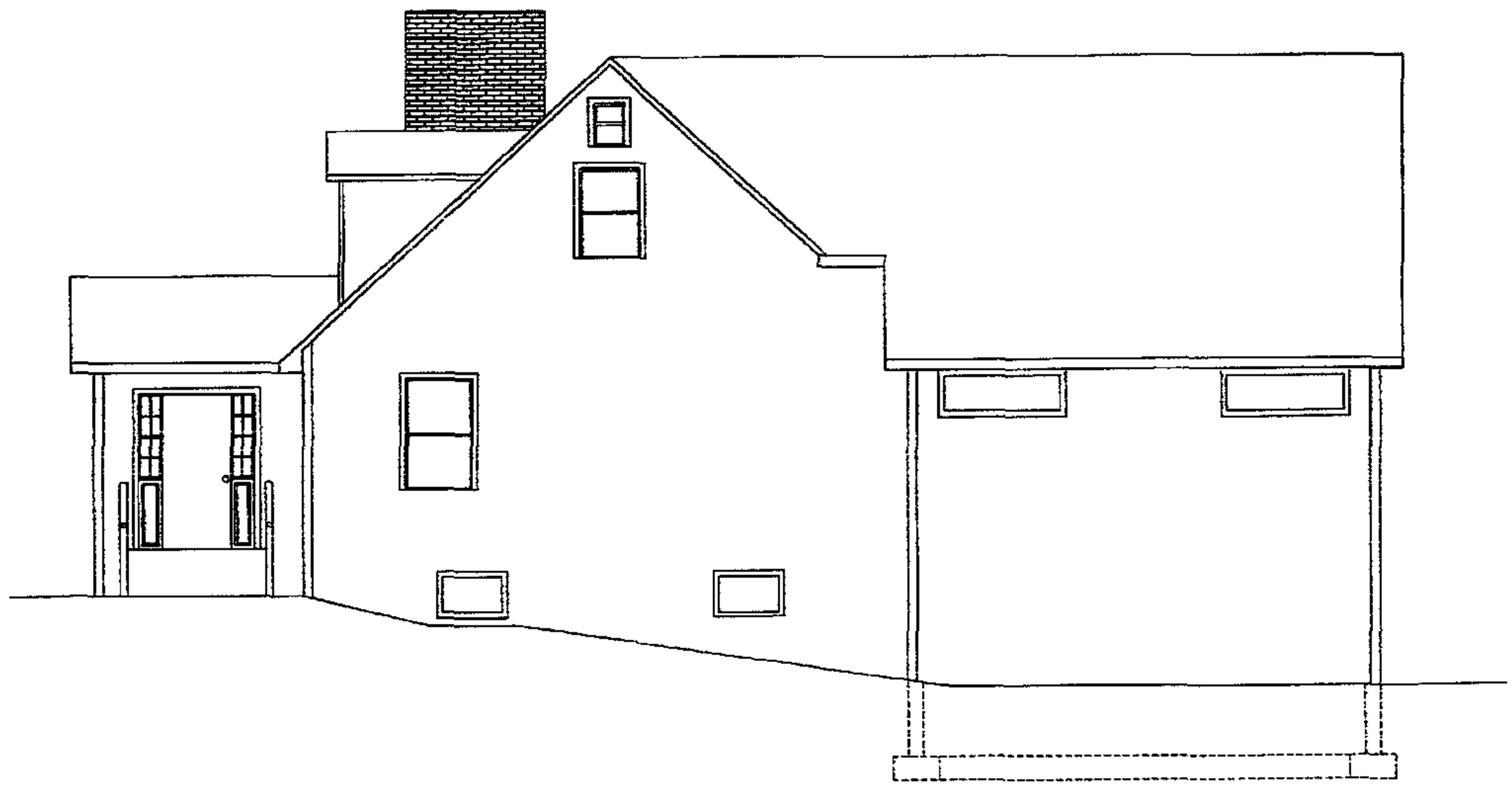


Job Name: Office Addition
Location:

Right Elevation

DW Contracting Inc.
Maryland Home Improvement License Number 12441

Drawn By: Chris Smith

SIZE | FSCM NO. | DWG NO. 12603-5 | REV 2

SCALE 1/4" = 1' | 1-26-03 | SHEET 4

p.5

| REVISIONS | | | | |
|---|---|---|---|---|
| ZONE | REV | DESCRIPTION | DATE | APPROVED |

All Dimensions +/-

Job Name: Office Addition
Location:

Front Elevation

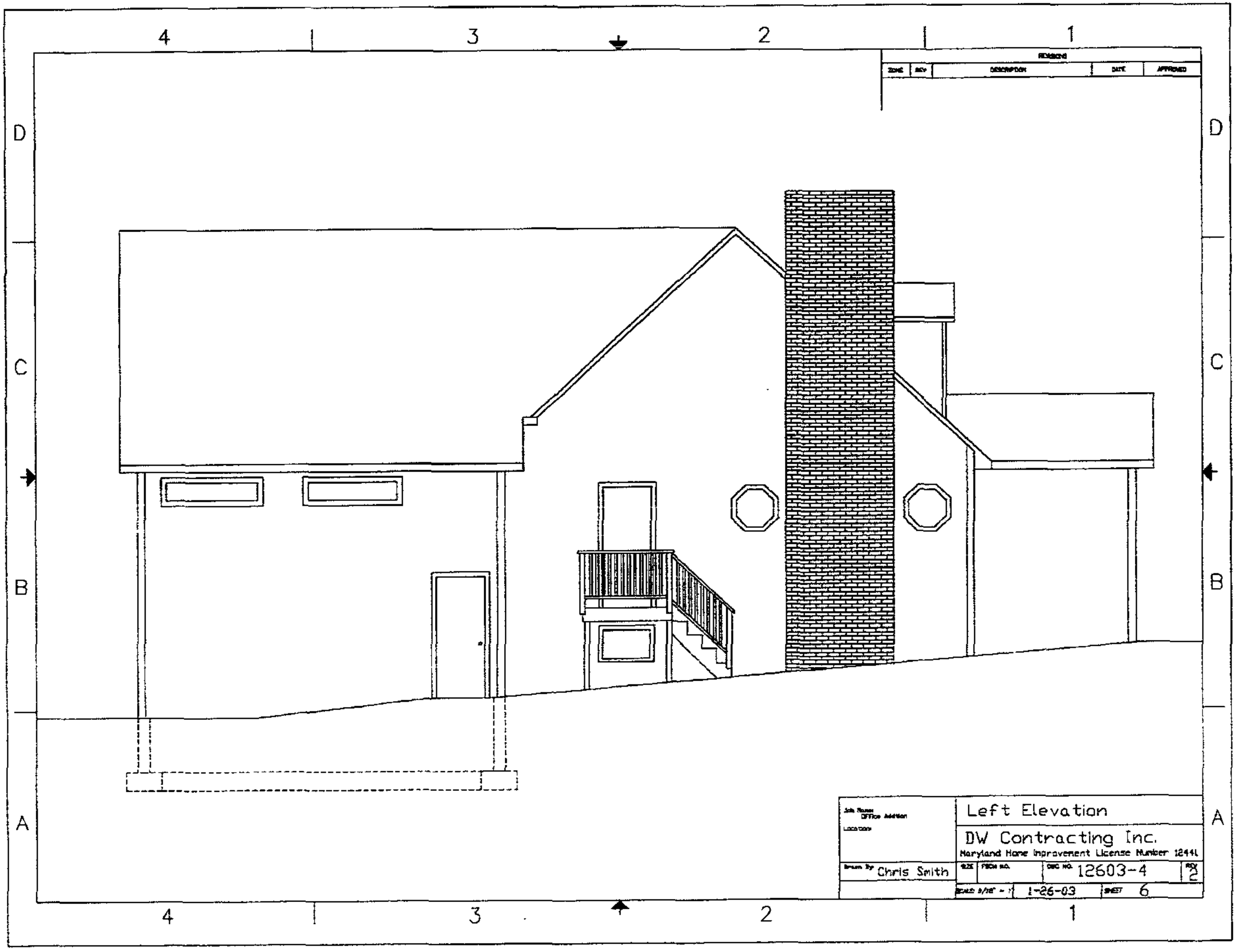
DW Contracting Inc.
Maryland Home Improvement License Number 12441

Drawn By: Chris Smith

SIZE | FSCM NO. | DWG NO. 32403-1 | REV 1

SCALE: 5/16" = 1' | 3-24-03 | SHEET 3

Jun 09 03 02:25p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Left Elevation
DW Contracting Inc.
Maryland Home Improvement License Number 12441
Chris Smith
12603-4
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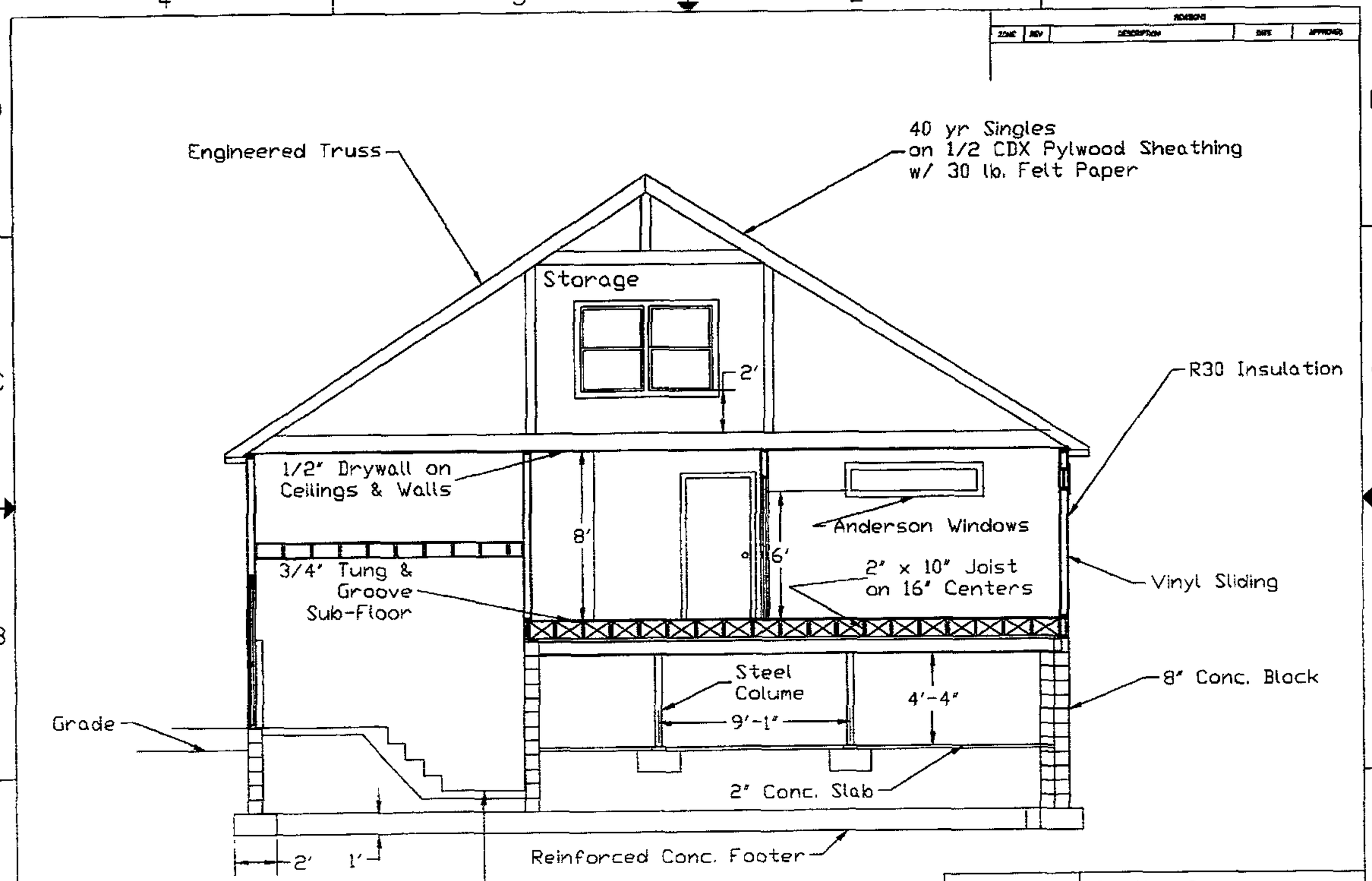
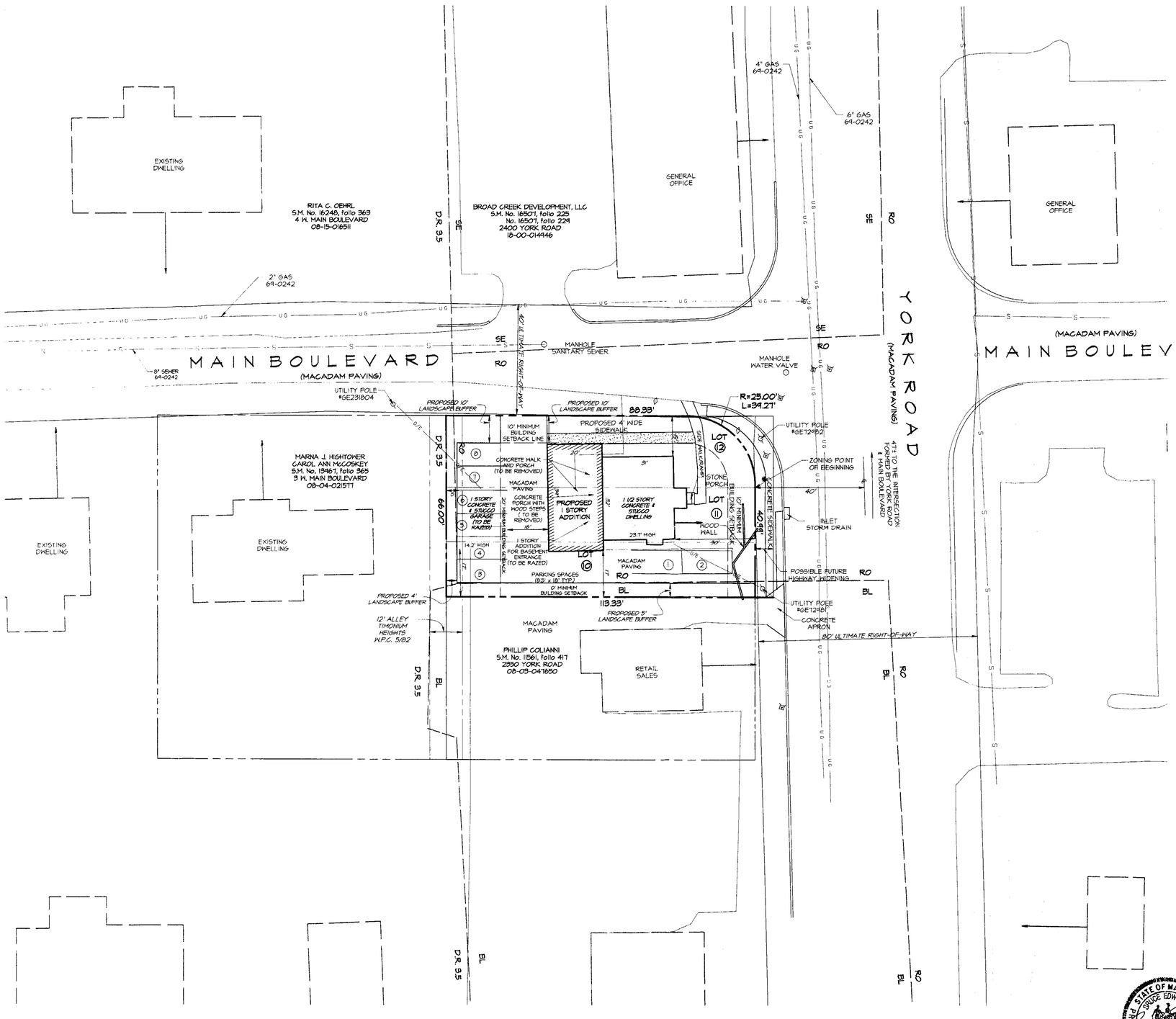
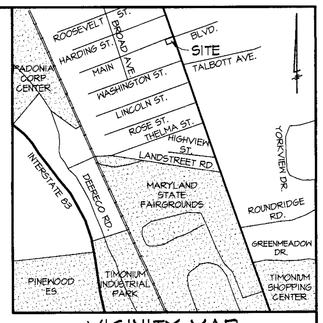
1-26-03
6




All Dimensions +/-

| | |
|---|---|
| Job Name: Office Addition | Section C |
| Location | DW Contracting Inc. Maryland Home Improvement License Number 12441 |
| Drawn By: Chris Smith | DWG NO. 12803-1 REV 2 |
| | SCALE 1/4" = 1' 1-28-03 SHEET 8 |




VICINITY MAP
1" = 1000'

DEED MERIDIAN

## GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED.
2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY GIS TILE 5163.
3. CENSUS TRACT 4085.05 A.D.C. MAP & GRID 18 J-10
   WATERSHED LOCH RAVEN SUBSENERSHED 32
   SCHOOL DISTRICT 141 REGIONAL PLANNING DISTRICT 304A
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. PARKING CALCULATIONS:
   EXISTING BUILDING - 992 SQ. FT + PROPOSED ADDITION - 780 SQ. FT. = 1772 SQ. FT. (TOTAL)
   (EXISTING BUILDING SQUARE FOOTAGE EXCLUDES BASEMENT AND ATTIC WHICH DO NOT MEET BUILDING CODE FOR USEABLE SPACE)
   1772 SQ. FT. x (4.5 SPACES PER 1000 SQ. FT.) = 8 SPACES REQUIRED. (8 PROVIDED)
   THE MAXIMUM NUMBER OF PARKING SPACES REQUIRED UNDER SECTION 409, FOR MEDICAL OFFICE, HAS BEEN MET.
7. SUBJECT PROPERTY - 11813 SQ. FT. 0.271 AC. (GROSS AREA)
8. FLOOR AREA RATIO - 0.15.

## SPECIAL EXCEPTION REQUESTED

TO PERMIT A CLASS "B" OFFICE BUILDING IN AN "RO" ZONE PER SECTION 204.3B.2 B.C.Z.R.

## SPECIAL HEARING REQUESTED

TO PERMIT BUSINESS PARKING IN A RESIDENTIAL ZONE PER SECTION 409.8B1 B.C.Z.R.

## VARIANCES REQUESTED

TO PERMIT A 4' WIDE LANDSCAPE BUFFER IN LIEU OF THE REQUIRED 10' PER SECTION 409.8A1 B.C.Z.R. (WESTERN PROPERTY LINE)

TO PERMIT A 5' WIDE LANDSCAPE BUFFER IN LIEU OF THE REQUIRED 10' PER SECTION 409.8A1 B.C.Z.R. (SOUTHERN PROPERTY LINE)

TO PERMIT A CLASS B OFFICE BUILDING WITH 100% OF THE TOTAL ADJUSTED GROSS FLOOR AREA AS MEDICAL USE PER SECTION 204.3B2 B.C.Z.R.

TO PERMIT A TWO-WAY AISLE OF 16' IN LIEU OF THE REQUIRED 20' PER SECTION 409.4.C B.C.Z.R.

TO PERMIT ONE (1) PARKING SPACE FOR EMPLOYEES THAT DOES NOT HAVE DIRECT ACCESS TO AN AISLE PER SECTION 409.4.B.2 B.C.Z.R.

RECEIVED
JUL 16 2003
ZONING COMMISSIONER

OWNER\DEVELOPER
MELLIS, LLC
7801 YORK ROAD
TOWSON, MARYLAND 21204
(410) 628-7542

## LEGEND

- UTILITY POLE
- GAS OR WATER VALVE
- MANHOLE
- PASSED PERC TEST
- PROPOSED BUILDING
- EXISTING DWELLING
- OVERHEAD ELECTRIC
- EXISTING PAVING
- PROPOSED PAVING
- ZONING LINE
- PROPERTY LINE
- CONTOURS

PLAN
SCALE: 1"=20'
20 0 20 40 60

# PLAT TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCES

OF THE

# MELLIS, LLC PROPERTY

2352 YORK ROAD
TIMONIUM HEIGHTS SUBDIVISION
Plat Ref: W.P.C. No 5, folio 82
Deed Ref: S.M. No. 17379 folio 458
Tax Account No.: 08-23-050550
Zoned RO, BL, & D.R. 3.5; Map NW 15A
Tax Map 51; Grid 23; Parcel 378; Lots 10-12; Section F
8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: MARCH 21, 2003

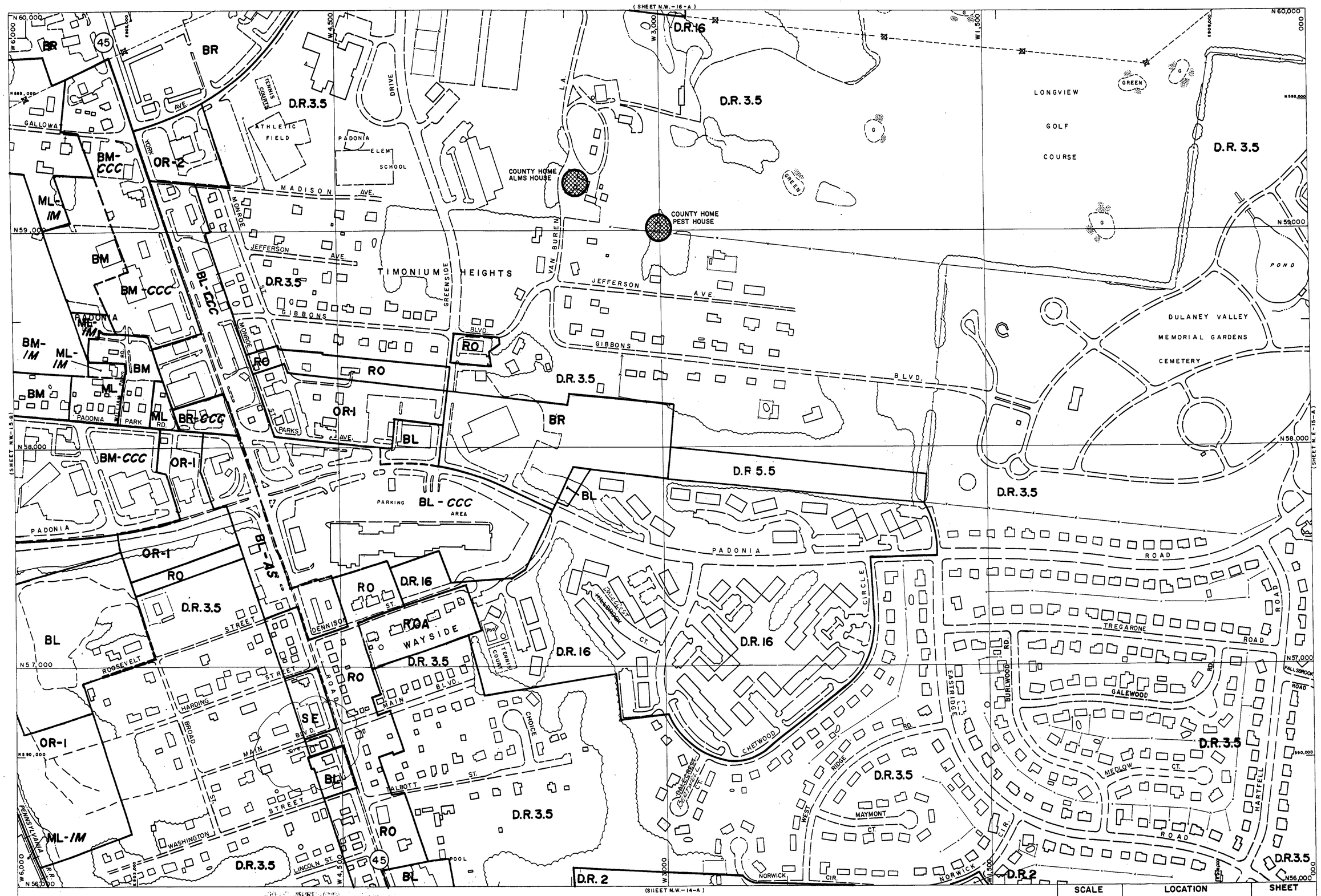
STATE OF MARYLAND — JOHN SPENCE EDWARDS — No. 20 REGISTERED PROPERTY LINE SURVEYOR — 7/14/03

| REVISION | DATE |
|---|---|
| REVISIONS PER ZONING ORDER - 7/2/03 | 7/14/03 |
| ADDED LANSCAPE BUFFERS AND VARIANCES | 6/16/03 |
| ADDED SPECIAL EXCEPTION REQUESTED | 4/9/03 |
| REVISED PROPOSED ADDITION DIMENSIONS | 4/7/03 |


GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470


| COMPUTED: S.A.L. | DRAWN: S.A.L. | CHECKED: B.E.D. | FILE:X:\mellis\zoning.pro |
|---|---|---|---|

JUL 14, 2003




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

#485

ADOPTED BY
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00

Joseph Bartenfelder
Chairman, County Council

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

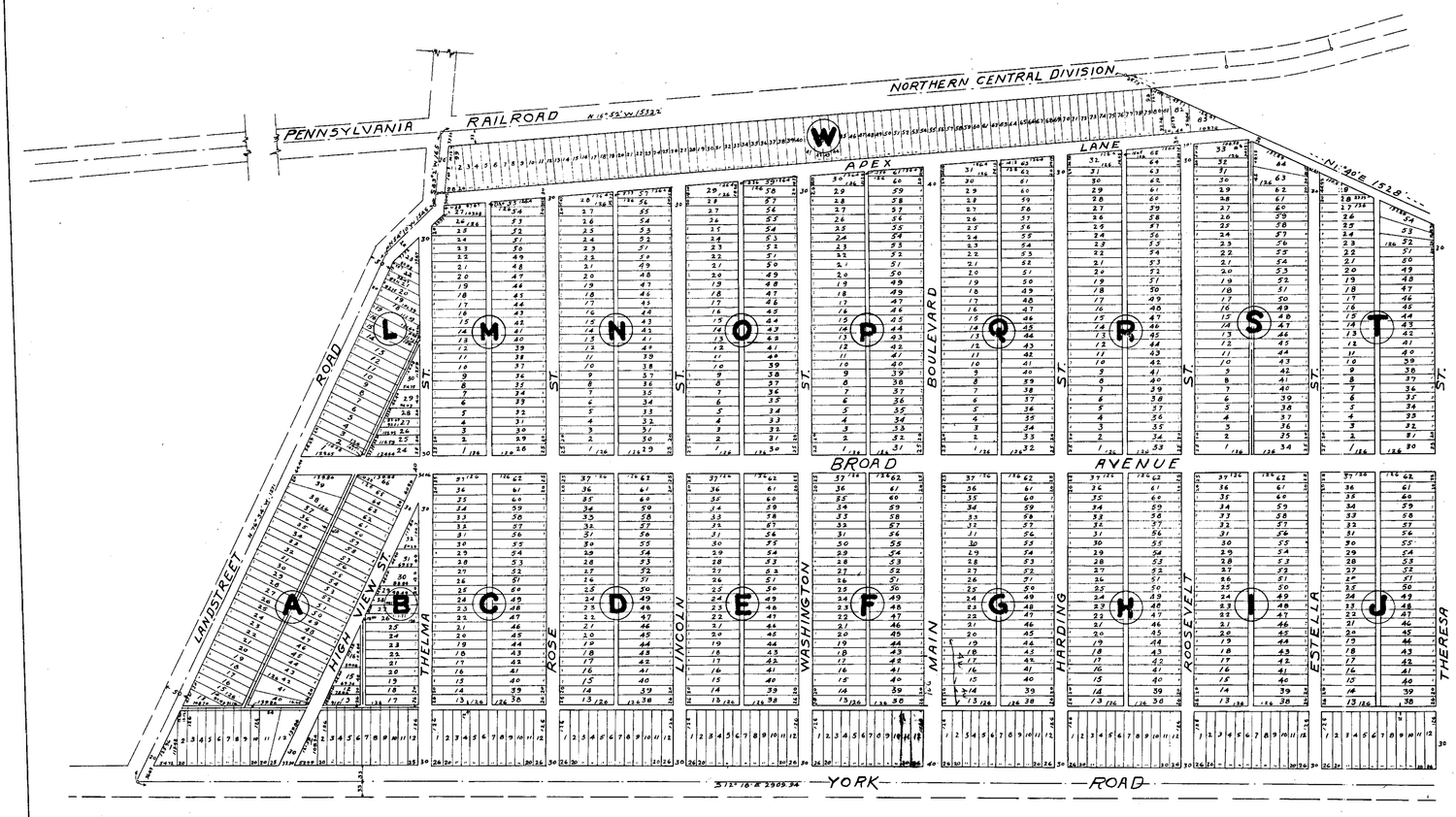
# BALTIMORE COUNTY
## OFFICE OF PLANNING AND ZONING
# OFFICIAL ZONING MAP

| SCALE | LOCATION | SHEET |
|---|---|---|
| 1" = 200'± | PADONIA | N.W. 15-A |
| DATE OF PHOTOGRAPHY JANUARY 1986 | | |

NW 15 A

W.P.C. № 5 ~ 82

# TIMONIUM HEIGHTS




map 51
L 278

Plat of Timonium Heights
Filed for record October 29, 1920
Test Wm P Coler Clerk

W.P.C.-5-82