RE: PETITION FOR VARIANCE
8675 Oakleigh Road; SE corner Joppa
& Oakleigh Roads
9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts
Legal Owner(s): Robert Kitsa Padousis
Petitioner(s)

**BEFORE THE** 

ZONING COMMISSIONER

FOR

\* BALTIMORE COUNTY

<sup>k</sup> 04-165-A

#### 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.

RECEIVED

OCT 2 1 2003

Per....

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 October, 2003, a copy of the foregoing Entry of Appearance was mailed to, John Gontrum, Esquire, Whiteford, Taylor & Preston, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 28, 2003 Issue - Jeffersonian

Please forward billing to:

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue

Towson, MD 21204

410-832-2000

#### **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: 04-165-A** 

8675 Oakleigh Road S/east corner Joppa & Oakleigh Roads 9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owner: Robert and Kitsa Padousis

Variance to permit a parking setback of 10 feet from the ultimate street right-of-way in lieu of the required 20 feet

Hearings: Wednesday, November 12, 2003 at 10:00 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 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

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



#### Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 20, 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: 04-165-A

8675 Oakleigh Road S/east corner Joppa & Oakleigh Roads

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District Legal Owner: Robert and Kitsa Padousis

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Timothy Kotroco

Director

TK:rih

C: John Gontrum, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson 21204

Robert and Kitsa Padousis, 12608 Jarrettsville Pike, Phoenix 21131

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 28, 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.



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



220 9115198

# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 0.96 AC.± - S.E. CORNER JOPPA & which is presently zoned BLR OAKLEIGH RDS.

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) 229.6.D OF THE BCZR TO PERMIT A PARKING SETBACK OF 10' FROM THE ULTIMATE STREET R/W IN LIEU OF THE REQUIRED 20' (A VARIANCE OF 10').

Date

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) TO BE ADDRESSED AT THE HEARING

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. Legal Owner(s): Contract Purchaser/Lessee: ROBERT PADOUSIS Name - Type or Print Name - Type or Print Laken Padours Signature Signature KITSA PADOUSIS Name - Type or Print Telephone No. Address City Signature Zip Code State 410-866-6660 JARRETTSVILLE Attorney For Petitioner: Telephone No. Address 21131 PHOENIX MD JOHN GONTRUM Zip Cage City State Name - Type or Print Representative to be Contacted: Signature JOHN GONTRUM WHITEFORD TAYLOR & PRESTON Company Name 410-8<u>32-2000</u> PENNSYLVANIA AVENUE 210 W. PENNSYLVANIA AVENUE 410-832-2000 Telephone No. Address elephone No. Address 21204 TOWSON MD TOWSON MD 21204 Zip Code State City City Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING \_ Case No. 04-165-A UNAVAILABLE FOR HEARING

Reviewed By \_\_TRF\_



32 West Road Towson, MD 21204

# DESCRIPTION FAMILY DOLLAR RETAIL STORE S.E. CORNER JOPPA & OAKLEIGH ROADS ELECT. DIST. 9C5 BALTIMORE CO., MD

BEGINNING FOR THE SAME at a point on the South side of Joppa Road, said point located Easterly 75'± from the center of Oakleigh Road, thence leaving said South side of Joppa Road and running for the four following courses and distances:

- 1) South 16° 51' 09" E 167.69'
- 2) South 73° 06' 51" W 55.70
- 3) South 21° 37' 25" E 161.61' and
- 4) South 86° 16' 54" W 231.90' to intersect the East side of Oakleigh Road; thence running with and binding on the East side of Oakleigh Road the five following courses and distances;
- 5) North 22° 11' 24" E 36.61'
- By a curve to the right R=1,658.19' for a distance of 105.69' (chord bearing North 23° 59' 41" E 105.67'), thence,
- 7) By a curve to the left R=1,678.19' for a distance of 94.34' (chord bearing North 23° 48' 02" E 94.33')
- 8) North 22° 11' 24" E 99.71',
- 9) By a curve to the right R=50.00' for a distance of 44.54' (chord bearing North 47° 37' 34" E 43.08') to intersect the South side of Joppa Road, thence running with and binding on the South side of Joppa Road
- 10) North 72° 31' 45" E 12.78' to the point of beginning.

Containing 0.96 acres of land, more or less.

Project 23013.00



# 165

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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: #04-165-A

8675 Oakleigh Road

S/east corner Joppa & Oakleigh Roads

9th Election District + 5th Councilmanic District

Legal Owner(s): Robert and Kitsa Padousis

Variance: To permit a parking setback of 10 feet from the ultimate street right-of-way in fleu of the required 20 feet

Hearing(s): Wednesday, November 12, 2003 at 10:00 a.m. In Room 108, County Diffice Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handlcapped 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 10/816 Oct 28

C634340

# CERTIFICATE OF PUBLICATION

10/28/,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 $10 28 $ , $2003$ .
The Jeffersonian
☐ Arbutus Times
Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News
S. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 94

Petitioner/Developer: 208524 4 Date of Hearing/Closing: 100// Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204 ATTN: Becky Hart {(410) 887-3394} 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: 8675 OAKLEIGH RD The sign(s) were posted on 25/03 (Month, Day, Year) Sincerely, (Signature of Sign Poster) CASE #0165A SSG Robert Black A PUBLIC HEARING WILL BE HELD BY (Print Name) THE TONING COMMISSIONER IN TOWSON, MD 1508 Leslie Road PLACE FROM ELECTINITY OFFICE INTO THE COMPANY (Address) DATE AND TIME: WINDER HOVE 2003 OF KNOWN REQUEST: YHWIE DEDWITA PHOLD SCORE OF WHITE Dundalk, Maryland 21222 THE THE THE PART WE COME TO SERVE AT THE (City, State, Zip Code) (410) 282-7940 (Telephone Number)

# 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.

For Newspaper Advertising:
Item Number or Case Number: 04-165-A
Petitioner: ROBERT PADOUSIS
Address or Location: <u>S.E. Cor.</u> Joppa 4 DAKLEIGH ROADS
PLEASE FORWARD ADVERTISING BILL TO:
Name: WHITE FORD, TAYLOR & PRESTON ATT. JOHN GONTRUM
Address: 210 N. PENNSYLVAWIA AVE
Towson, Mi) 2/204
Telephone Number: 4/0-832-2000

# Department of Permits and Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

November 7, 2003

John Gontrum Whiteford, Taylor & Preston, LLP 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Mr. Gontrum:

RE: Case Number: 04-165-A, 8675 Oakleigh Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 2, 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

U. Callabal.

WCR:klm

Enclosures

c: People's Counsel Robert & Kitsa Padousis, 12608 Jarrettsville Pike, Phoenix 21131



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



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

October 16, 2003

ATTENTION: Rebecca Hart

Distribution Meeting of October 14, 2003

Item No.:

151-169

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

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 12, 2003

FRANKS FRANKS W. D. W. B. B. B.

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 20, 2003

Item No. 165

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The ultimate right-of-way for Oakleigh Road is 60 feet and should be maintained

at all times.

RWB:CEN:jrb

cc: File

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

TO:		Tim Kotroco				
FROM	M: R. Bruce Seeley M5		ey [U15			
DATE:		November 12, 2003				
SUBJE	ECT:	Zoning Item Address	# 04-165 Joppa and Oakleigh Roads Family Dollar Store			
	Zoning	g Advisory Con	nmittee Meeting of October 14, 2003			
		epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.				
<u></u>	an exte	ension for the r	nvironmental Protection and Resource Management requests eview of the above-referenced zoning item to determine the onmental regulations apply to the site.			
X		-	nvironmental Protection and Resource Management offers nts on the above-referenced zoning item:			
	<u>X</u>	Protection of	of the property must comply with the Regulations for the Water Quality, Streams, Wetlands and Floodplains (Sections the 14-350 of the Baltimore County Code).			
		<b>-</b>	of this property must comply with the Forest Regulations (Section 14-401 through 14-422 of the unty Code).			
	· · · · · · · · · · · · · · · · · · ·	Critical Area	of this property must comply with the Chesapeake Bay Regulations (Sections 26-436 through 26-461, and other ne Baltimore County Code).			
	<u>Additi</u>	onal Comment	<u>s:</u>			

Reviewer: Michael S. Kulis

Date: October 29, 2003



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

#### MARYLAND DEPARTMENT OF TRANSPORTATION

RE:

Date: 127. 14.23

Baltimore County

Item No. 165

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

Dear. Ms. Hart:

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.

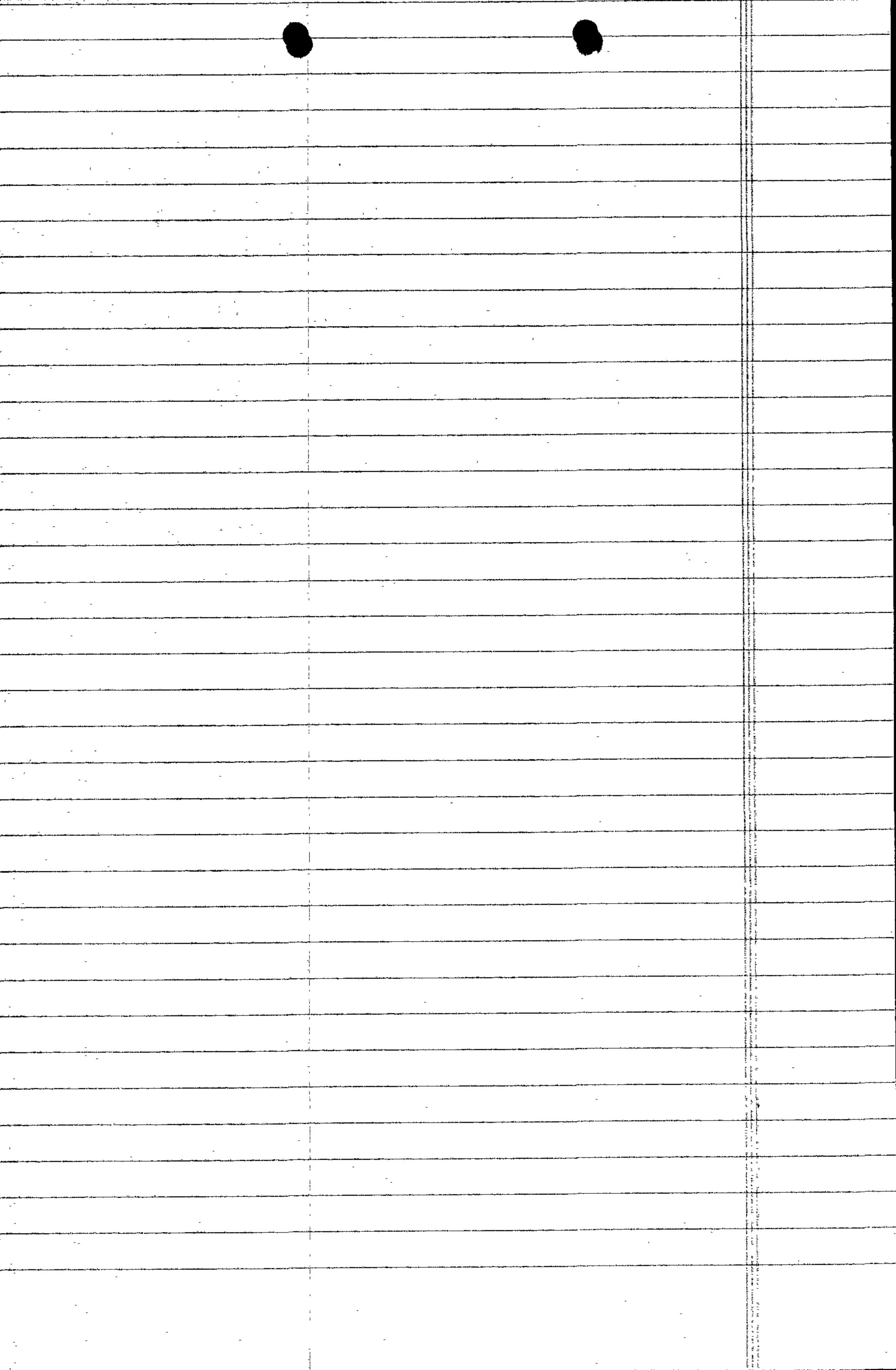
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

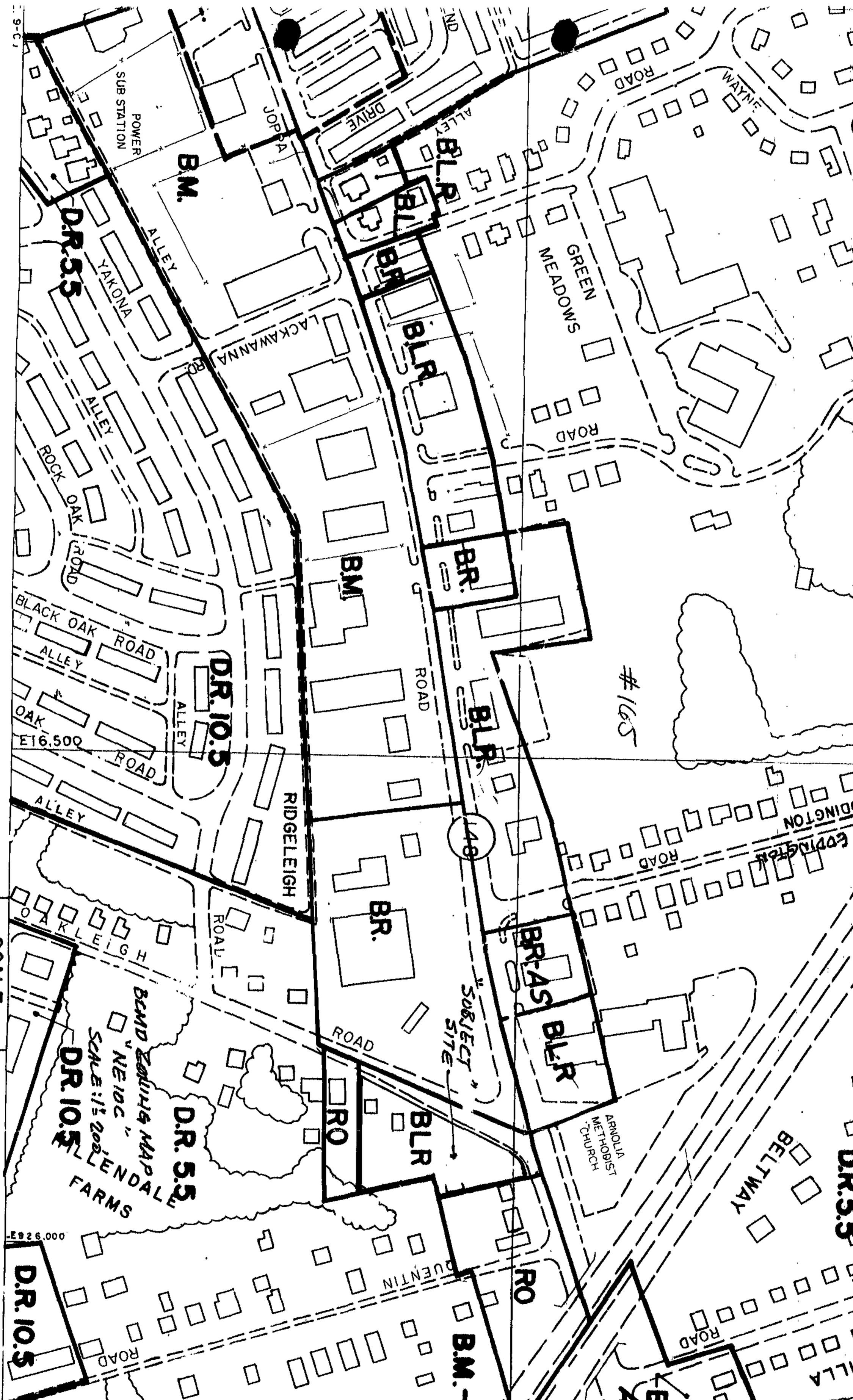
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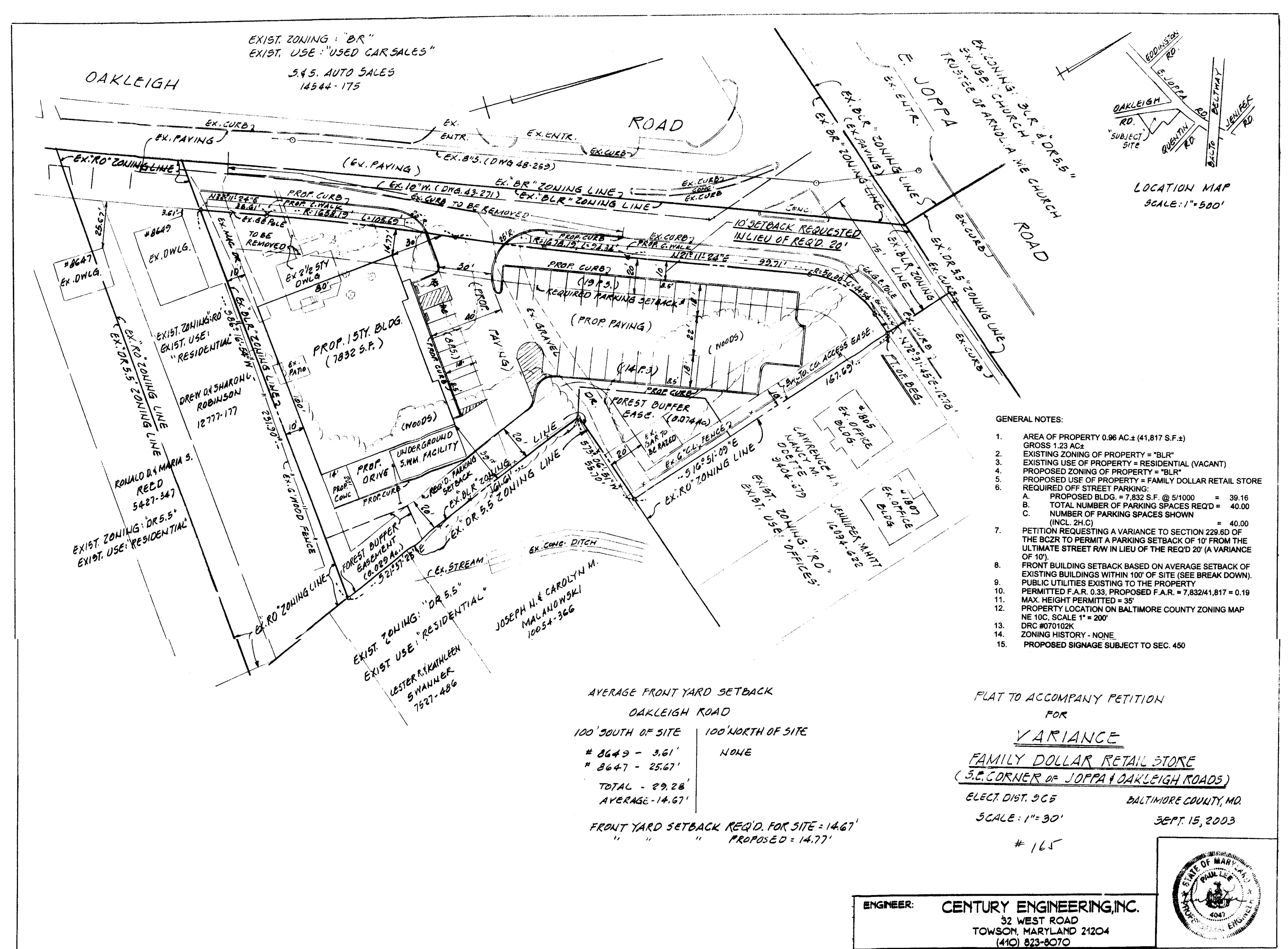
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1

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division Joint Request for postsonoment John Contrum - request posponoment Cromwell to meet with community Donna Spicer - possible to compromise Had meeting - Rocked at oftens -- point request- to meet. with community reschedule only est sparties request lequest granted







23-013.00