

IN RE: PETITION FOR VARIANCE
SW/Corner of York Road
and West Road
8th Election District
3rd Councilmanic District
(1040 York Road)

Barry Stoler
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 05-109-A

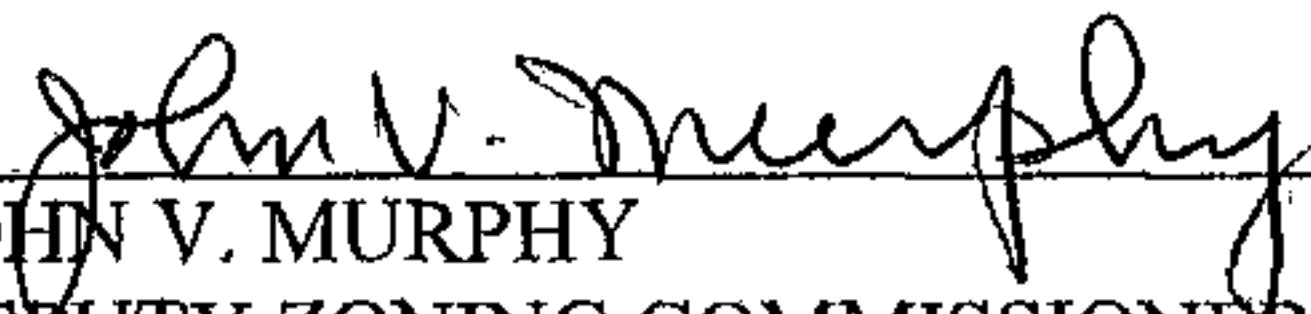
* * * * *

ORDER OF DISMISSAL

WHEREAS, The Petitioner herein filed a Petition for Variance for the property located at 1040 York Road in the Towson area of Baltimore County. A variance was requested from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), from Section 450.4.5(G) of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit two (2) freestanding pylon signs, 100 sq. ft. each, 36 ft. high in lieu of the allowed one (1) pylon sign, 50 sq. ft., 25 ft. high.

WHEREAS, at the hearing held on October 18, 2004, the Petitioner requested that he be allowed to withdraw the petition for variance.

IT IS THEREFORE, ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 19 day of October, 2004, that the hereinabove Petition for Variance, be and is hereby WITHDRAWN and DISMISSED, without prejudice.


JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

VM:raj

ORDER RECEIVED FOR FILING

Date 10/19/04

Ray



Ford • Chrysler • Jeep • Chevrolet • Oldsmobile • Cadillac • Porsche • Audi • Lexus • Mitsubishi • Hyundai • Suzuki • Niss

*OK to withdraw!
LK*

Mr. William Wiseman, Esquire
Baltimore County Zoning Commissioner
401 Washington Avenue Room 124
Towson, Maryland 21204

October 13, 2004

RE: PETITION FOR VARIANCE Case # 05-109A
1040 York Road; SW Corner of York & West Road
8th Election & 3rd Councilmatic District
Legal Owner(s) Barry Stoler, Len Stoler, Inc. Petitioners

On behalf of the Petitioner's, Len Stoler, Inc, we hereby withdraw our request for a variance to Baltimore County Sign Regulations. We further request that this withdrawal be accepted with prejudice.

Sincerely,

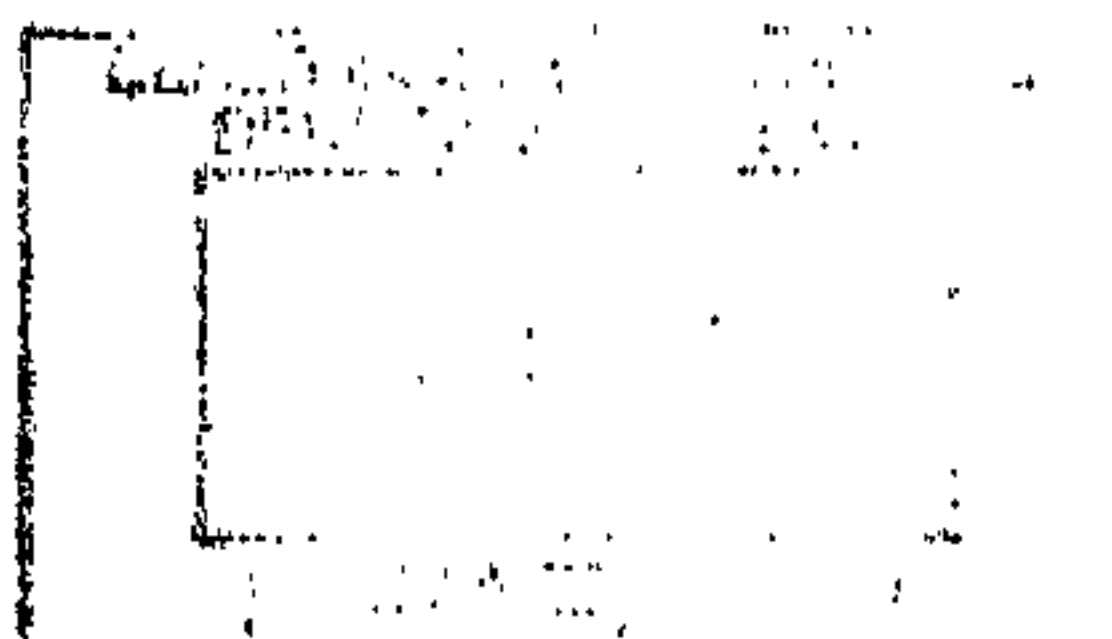
[Signature]
Jimmy Berg,
Vice President
Len Stoler, Inc.

CC: Peoples Counsel
Timothy Kotroco, Baltimore County
George Perdikakis, GGP & Associates

ORDER RECEIVED FOR FILING

10/19/04

[Signature]



11275 Reisterstown Road, Owings Mills, MD 21117
phone: 410-356-7000 / www.lenstoler.com

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

October ¹⁹ 18, 2004

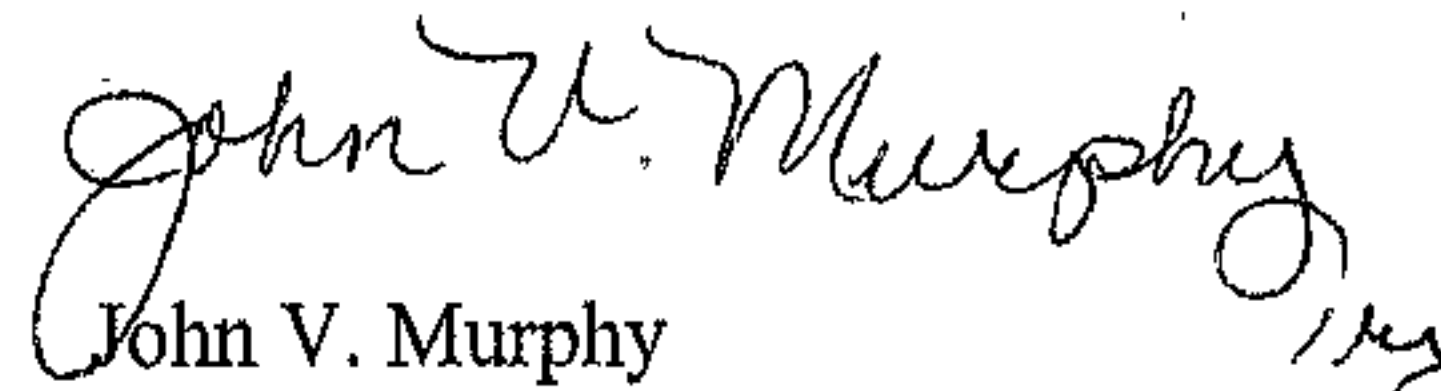
George Perdikakis
GGP & Associates
1527 York Road
Lutherville, Maryland 21093

RE: Order of Dismissal
Case No. 05-109-A
Property: 1040 York Road

Dear Mr. Perdikakis:

Enclosed herewith please find a copy of an Order of Dismissal regarding the above-captioned case. The matter has been withdrawn and dismissed, without prejudice.

Very truly yours,


John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Encl.

c: Barry Stoler
Len Stoler, Inc.
11275 Reisterstown Road
Owings Mills, MD 21117

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





Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at x 1040 York Road
which is presently zoned x BM

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)

450.4.5.(G) To permit 2 FS pylon signs, 100 sf each, 36 feet high in lieu of the allowed 1 pylon, 50 SF, 25 feet high.

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

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

x BARRY STOLER; Len Stoler, Inc.
Name - Type or Print

x [Signature]
Signature

Name - Type or Print

Signature

x 11275 Reisterstown Rd. x 410-356-7000
Address Telephone No.

x Dwings Mills x MD. x 21117
City State Zip Code

Representative to be Contacted:

George Perdikakis, GGP & Assoc.
Name

1527 York Rd. 410-847-9868
Address Telephone No.

Lutherville MD 21093
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr

UNAVAILABLE FOR HEARING

Reviewed By WCR Date 8/26/04

Case No. 05-109 A

Description to Accompany Zoning Petition
West side of York Road, South side of West Road

1040 York Road

Beginning for the same at the point formed by the intersection of the southeast side of West Road with the southwest side of York Road, said point of beginning being at the end of the second of two following courses and distances measured from the point formed by the intersection of the center line of York Road aforesaid with the center line of West Road, (1) Southeasterly along the center line of York Road 80 feet, more or less, and thence (2) Southwesterly measured at right angles to said center line 55 feet, more or less, to the point of beginning, thence leaving said point of beginning and running and binding on the southwest side of York Road, (1) South 32 degrees 02 minutes 29 seconds East 223.55 feet, thence leaving the southwest side of York Road and running the following courses and distances, viz: (2) South 57 degrees 57 minutes 21 seconds West 217.59 feet, thence (3) South 32 degrees 09 minutes 24 seconds East 180.60 feet, thence (4) South 56 degrees 18 minutes 37 seconds West 13.99 feet, thence (5) South 34 degrees 35 minutes 54 seconds East 100.00 feet, thence (6) South 55 degrees 24 minutes 06 seconds West 208.00 feet, thence (7) North 30 degrees 42 minutes 31 seconds West 301.41 feet, thence (8) South 56 degrees 15 minutes 07 seconds West 187.86 feet, thence (9) North 32 degrees 09 minutes 39 seconds West 107.13 feet, thence (10) North 35 degrees 09 minutes 39 seconds West 138.09 feet to the southeast side of West Road, thence running along said road (11) North 56 degrees 07 minutes 42 seconds East 558.20 feet, thence (12) North 64 degrees 32 minutes 04 seconds East 32.29 feet, thence (13) South 70 degrees 32 minutes 04 seconds East 52.77 feet to the point of beginning.

Containing 5.011 acres of land, more or less.

9th Election District

5th 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: #05-109-A
1040 York Road
Southwest corner of York Road and West Roads
6th Election District
3rd Councilmanic District
Legal Owner(s): Barry Stoler
Variance: to permit 2 SF pylon signs, 100 square feet each, 36 feet high in lieu of the allowed 1 pylon, 50 square feet, 25 feet high.
Hearing: Monday, October 18, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley 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/10/619 Oct. 5 24427

CERTIFICATE OF PUBLICATION

10/7/2004

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 10/5/2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 35912

DATE 8/26/04 ACCOUNT 0010066150

AMOUNT \$ 325.00

RECEIVED FROM: GGR Associates LLC

FOR: Variance # 05-109A

WCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS	ACTUAL	TIME	ITEM
8/27/2004	8/26/2004	14:34:56	4
REG HS06	WALKIN	KYCH 10X	
Y-RECEIPT N 289171 8/26/2004 OFLH			
Dept	5	328 ZONING VERIFICATION	
CR NO.	035912		
Recpt Tot	\$325.00		
\$325.00	CR	\$4.00	CA
Baltimore County, Maryland			

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No. **05-109-A**
Petitioner/Developer:
Barry Stoler
Hearing Date: **10/18/04**

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

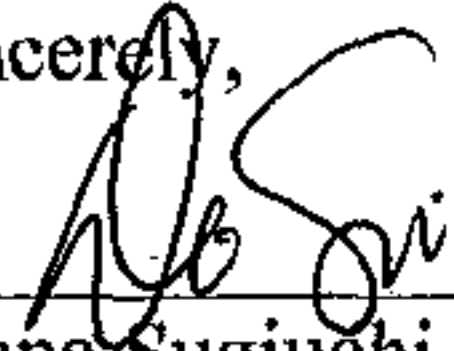
Attention: Ms. Kristen Matthews:

Ladies and Gentlemen:

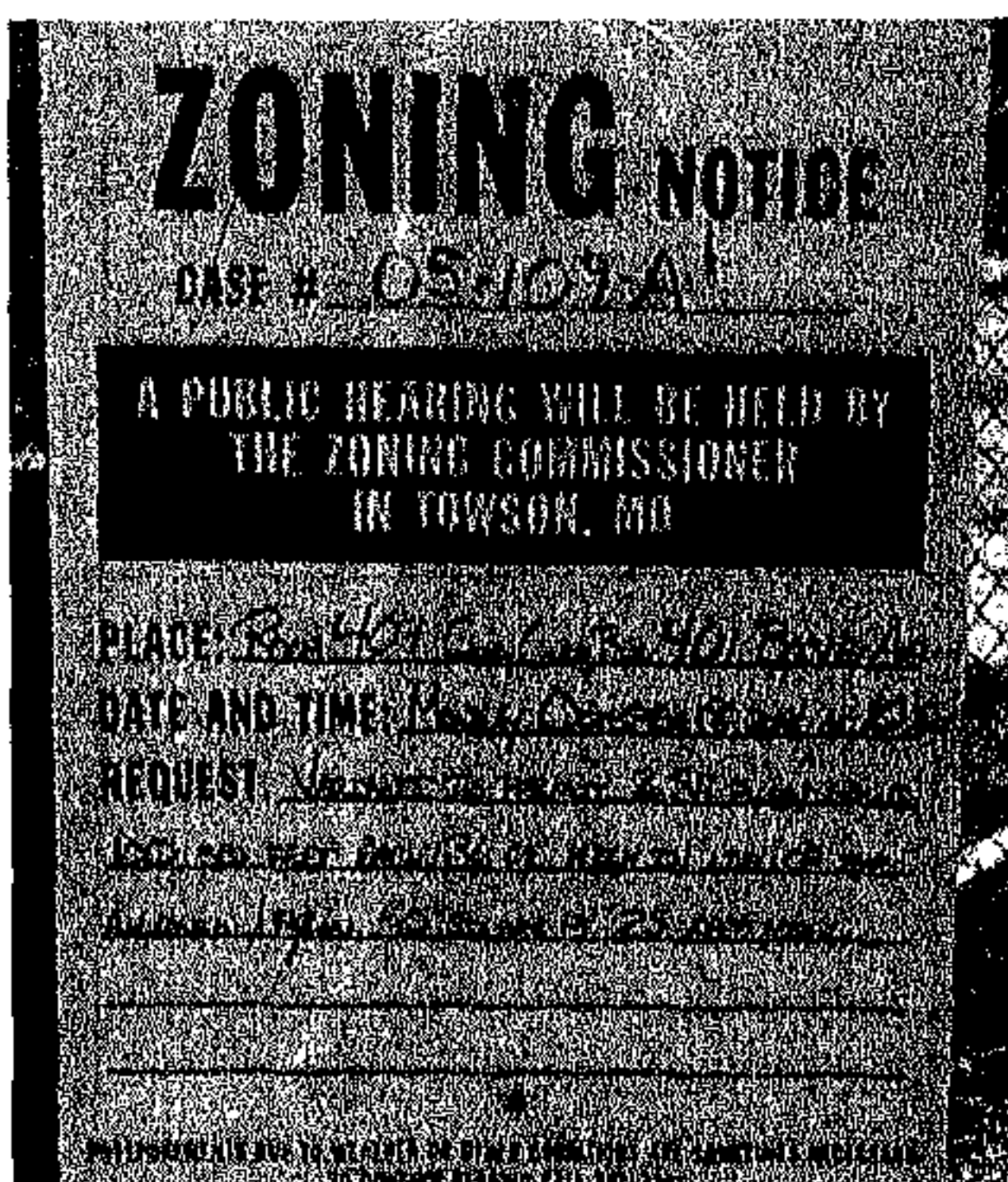
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located **1040 York Rd.**

The sign(s) were posted on **10/1/04.**

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



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 _____

Petitioner: BARRY STOLER, LEN STOLER INC.

Address or Location: 1040 YORK RD

PLEASE FORWARD ADVERTISING BILL TO

Name: GEORGE PERDIKAKIS, GGP & ASSOC

Address 1527 YORK RD

LOTHERVILLE MD. 21093

Telephone Number: 410 847 9868



September 2, 2004

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: 05-109-A

1040 York Road

Southwest corner of York Road and West Roads.

8th Election District—3rd Councilmanic District

Legal Owners: Barry Stoler

Variance to permit 2 SF pylon signs, 100 square feet each, 36 feet high in lieu of the allowed 1 pylon, 50 square feet, 25 feet high.

Hearing: Monday, October 18, 2004 at 10:00 am in Room 407 County Courts Building
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over the printed name and title.

Timothy Kotroco
Director

TK: clb

C: Barry Stoler, Len Stoler Inc. 11275 Reisterstown Road Owings Mills 21117
George Perdikakis 1527 York Road Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY OCTOBER 1, 2004.**
- (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
Tuesday October 5, 2004 Issue - Jeffersonian

Please forward billing to:
George Perdikakis
GGP & Associates
1527 York Road
Lutherville, Maryland 21093

410-847-9868

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: 05-109-A

1040 York Road

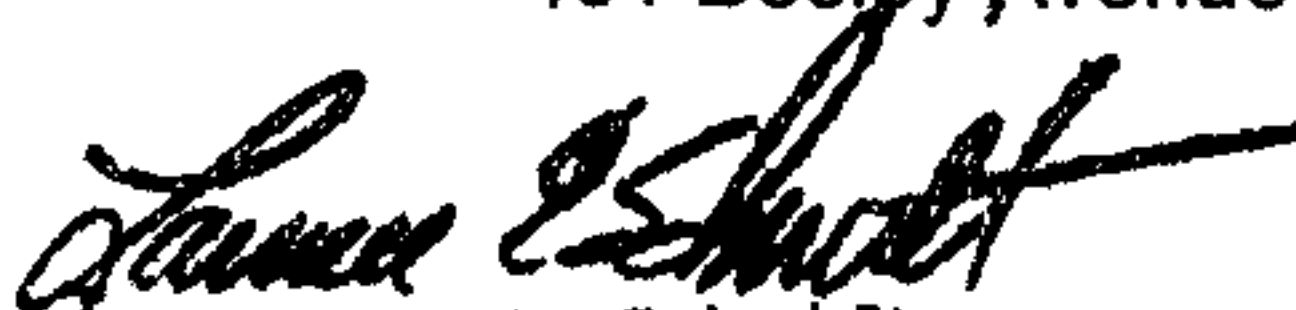
Southwest corner of York Road and West Roads.

8th Election District—3rd Councilmanic District

Legal Owners: Barry Stoler

Variance to permit 2 SF pylon signs, 100 square feet each, 36 feet high in lieu of the allowed 1 pylon, 50 square feet, 25 feet high.

Hearing: Monday, October 18, 2004 at 10:00 am in Room 407 County Courts Building
401 Bosley 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**

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



Baltimore County

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

October 14, 2004

Barry Stoler
Len Stoler, Inc.
1275 Reisterstown Road
Owings Mills, Maryland 21117

Dear Mr. Stoler:

RE: Case Number: 05-109-A, 1040 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 26, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
George Perdikakis, GGP & Assoc. 1527 York Road Lutherville 21093

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

September 7, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: September 7, 2004

Item No.: 101-103, 105-111, 113-115

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 410-887-4881
MS-1102F

cc: File

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

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



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

Maryland Department of Transportation

Date: 9.7.04

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

RE: Baltimore County
Item No. 109 WCR

Dear Ms. Matthews:

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,

Steven D. Foster, Acting Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

Robin
PTE

10/18

TO: Tim Kotroco
FROM: John D. Oltman, Jr *JOE*
DATE: September 30, 2004
SUBJECT: Zoning Items # See List Below

RECEIVED

OCT - 1 2004

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of September 7, 2004

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-101
04-103
04-105
04-106
04-107
04-109
04-110
04-112
04-113
04-114

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: September 14, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For September 13, 2004
Item Nos. 101, 102, 103, 104, 105, 106,
107, 109, 110, 111, 112, 113, 114, and
115

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 VARIANCE * BEFORE THE
1040 York Road; SW corner of York & West Rd
8th Election & 3rd Councilmanic Districts * ZONING COMMISSIONER
Legal Owner(s): Barry Stoler, Len Stoler, Inc *
Petitioner(s) * FOR
* BALTIMORE COUNTY
* 05-109-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.

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 13th day of September, 2004, a copy of the foregoing Entry of Appearance was mailed to, George Perdikakis, GGP & Associates, 1527 York Road, Lutherville, MD 21093, Representative for Petitioner(s).

RECEIVED

SEP 13 2004

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

The Greater Towson Council of Community Assoc., Inc



GTCCA

P.O. Box 5421, Towson, MD 21295-5421

www.gtcca.org

NOTE please
respond to

RESOLVED: That the GREATER TOWSON COUNCIL OF COMMUNITY ASSOCIATIONS, Inc. shall, from January 15, 2004 to January 31, 2005, assign official responsibility for review, representation, and action on all zoning and development matters to the EXECUTIVE BOARD and the Chair and Deputy Chairs of the Zoning Committee, which consist of the following members:

Donald R. Wright, President

Judy Gregory, Vice President

Stacy Weiss, Treasurer



J. Donald Gerding, Zoning Committee Chair

Richard Parsons, Zoning Committee Deputy Chair

Larry Townsend, Zoning Committee Deputy Chair

335 OLD TRAIL
BALTIMORE, MD 21212
Phone 410-825-0894

AS WITNESS: Our hands and seal this 15th day of January 2004.

ATTEST: GREATER TOWSON COUNCIL OF COMMUNITY ASSOCIATIONS, Inc.

Donald R. Wright

President

Judy A. Gregory

Vice President

NOTE: 9-17-04 Zoning Hearing - Len Stoler, Inc

Case # 5-109-A Hearing Date 10/18/04 - 10 AM Rm 407

Variance Petition to permit 2 FS pylon signs, 100 ft ea @ 36' high in lieu of allowed 1 pylon sign of 50 ft @ 25' high

GTCCA Zoning Chair reported this specific petition and the "Assembly" moved, seconded, discussed then voted NOT to support the petition as offered. There was no site plan nor diagram, to inspect/review, received by Zoning Chair before this meeting.

9-17-04

Site plan + diagram received
via mail 9-28-04 and
in on file @ GTCCA Zoning Committee