



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 19, 2014

Christina Makris
2629 Pot Spring Road
Timonium, MD 21093

RE: Spirit and Intent Request, Case # 2011-0201-A, 6081-6083 Falls Road, Baltimore, MD 21208, Tax Account # 19-00-002552 & 19-00-002553, 9th Election District

Dear Ms. Makris:

Your recent letter to Arnold Jablon, Director of Permits, Approvals and Inspections, was forwarded to me for reply. Based upon the information provided therein, my review of the available zoning records and after meeting with Carl Richards, Zoning Review Supervisor, the following has been determined:

1. The proposed temporary use tent would be located on a parking facility shared by multiple tenants in a deficient parking situation. While part of this parking deficiency was approved in the form of a variance in the above referenced zoning case (2011-0201-A), this office cannot approve an increase in this parking deficiency administratively. Therefore, the proposed temporary use tent would not be within the spirit and intent of Zoning Case # 2011-0201-A and any building/tent permits related to that use would not be approved.
2. If you disagree with the above determination, you may file a Special Hearing petition, wherein the Administrative Law Judge may review your request for a different determination.

The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey N. Perlow".
Jeffrey N. Perlow
Planner II
Zoning Review

Due 3/3/2014

To: JND
ck file + sec me
2/11/14 ug
14-038
\$150⁰⁰⁰

February 10, 2014

Arnold Jablon
Director of Permits Approvals and Inspections
Room 105
111 W. Chesapeake Ave.
Towson, MD 21204

Re: Spirit of Intent 2011-0201-A

Dear Mr. Jablon,

I am writing on behalf of 6081 Falls Road Inc., to request a permit for a small tent. We are in the middle of our remodeling process that we were granted a parking variance 2011-0201-A for the completed building.

We have completed phase 1 of the remodel and are about to start tearing down the dining area. This would remove all our available seating for customers. We are hoping to put a small tent up to provide for a small amount of seating. I know we would be using up a few parking spaces for the period of construction. This would only be to our detriment as there isn't anywhere else for our customers to park on the street. If there isn't a parking spot we will loose the customer. We feel that is important enough to offer a place for customers to eat that we are willing to loose a few parking spots.

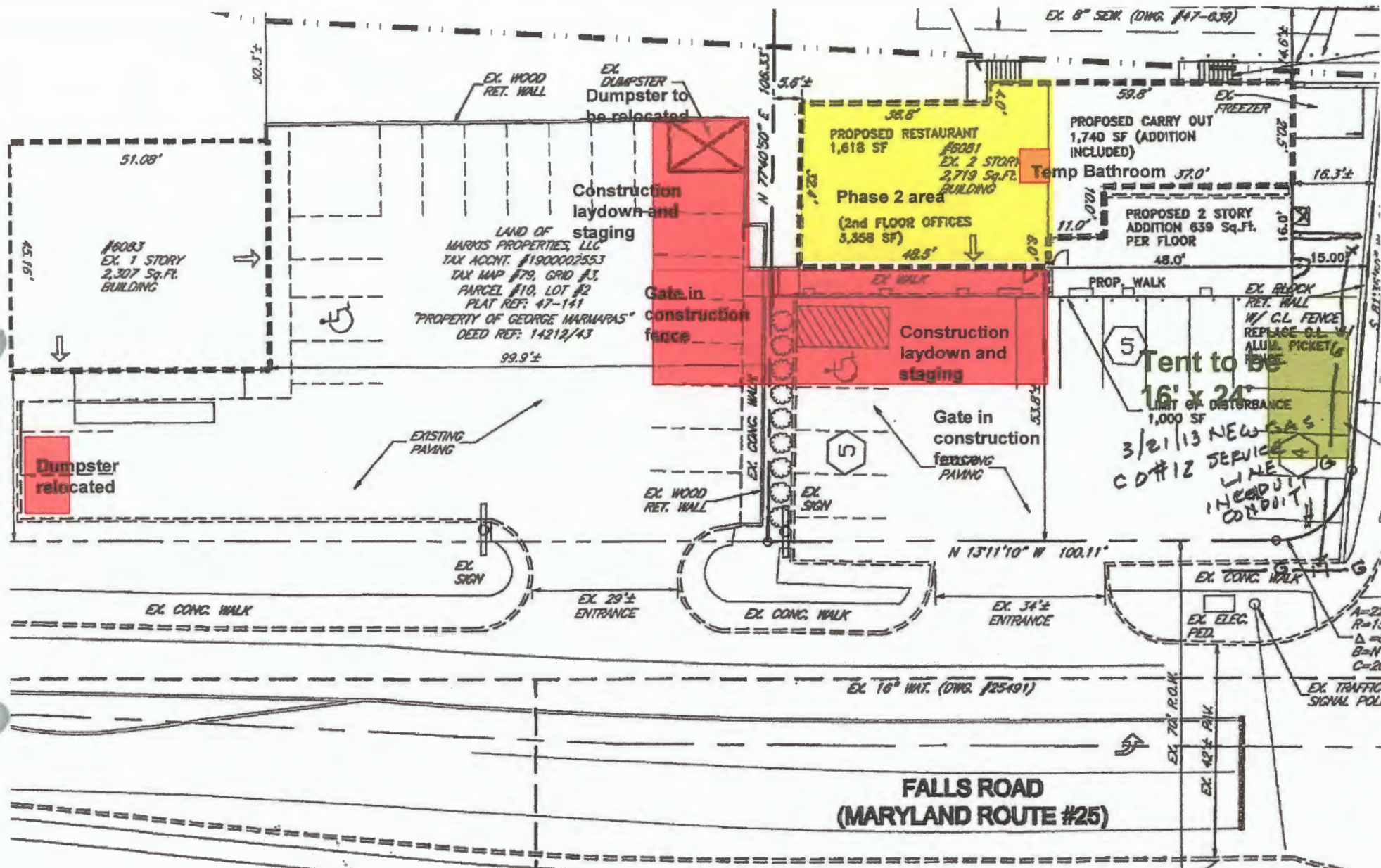
I hope that you would understand that we are trying to complete our construction as quickly as possible so that we continue to run our small business.

I appreciate your consideration in this matter.

Sincerely,

Christina Makris

410-440-9042
pepes6081@gmail.com



IN RE: PETITION FOR VARIANCE

E/Side of Falls Road, 30' N of c/line of
Lake Avenue
9th Election District
2nd Councilmanic District
(6081 and 6083 Falls Road)

Makris Properties, LLC
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **CASE NO. 2011-0201-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of a Petition for Variance filed by the legal owner of the subject property, Makris Properties, LLC. Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- Section 409.6 - to permit 31 parking spaces in lieu of the required 40 spaces for office, restaurant and carry out uses; and
- Section 232.2.B - to permit a side yard setback from a street of 3 feet in lieu of the permitted 10 feet; and
- Section 232.3.B - to permit a rear yard setback of 14 feet in lieu of the permitted 20 feet.

The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1A.

Appearing at the requisite public hearing in support of the variance petition were Andrew and Christine Makris, along with John Gontrum, Esquire of Whiteford, Taylor & Preston, LLP, the attorney representing Petitioner Makris Properties, LLC. Also appearing in support of the requested relief was Patrick (Rick) C. Richardson with Richardson Engineering, LLC, the professional engineer who prepared the site plan. Ms. Peggy Squitieri of the Ruxton Riderwood Lake Roland

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Date 2-14-11

By jm

Area Improvement Association, Inc., (RRLRAI) attended the hearing as an interested citizen, and J. Duncan Smith and Jeffrey Budnitz attended to support the Petitioner's request. No letters of protest or opposition are contained in the file.

Testimony and evidence offered revealed that the subject property is located at the corner of Falls Road and Lake Avenue, and is a popular restaurant carry-out operation. As reflected on Exhibit 1, Petitioner operates the restaurant on Lot 1 (6081 Falls Road) and also owns the adjoining parcel (Lot 2, 6083 Falls road), which contains office space.

Petitioner seeks variance relief so that it can construct an addition to the restaurant, along with various exterior improvements and upgrades. Petitioner explained that the additional space will allow for greater efficiency, including a clearer demarcation of the dining and carry-out areas of the restaurant. J. Duncan Smith, President of Sinclair Broadcasting, testified that he has for many years frequented the restaurant, and always believed it to be well run and a positive addition to the local business community. Jeffrey Budnitz, who owns commercial real estate in the vicinity of Petitioner's restaurant, testified that he too was a long time customer of Pepe's, and thought it was a successful and well-run business. Mr. Budnitz did not believe that the requested variance relief would cause harm to neighboring businesses, and in fact testified that the improvements planned would give the restaurant a nice "facelift" that would improve the appearance of the entire business district.

With respect to the relief sought under B.C.Z.R. Sections 232.2 and 232.3, the restaurant as presently situated does not comply with the applicable side and rear yard setbacks. The grant of variance relief would thus legitimize existing conditions, and to the surrounding neighbors the site would look as it always has, at least from the rear and side. More importantly, the residential district to the rear of the site (which creates the need for the 20 feet setback), sits at a much higher elevation. Indeed, Mr. Budnitz testified that the restaurant is carved into the hill – or sits in a "pit" –

ORDER RECEIVED FOR FILING

Date 2-14-11

By JS

and this unique topography creates a more than sufficient buffer between the business and residential zones.

With respect to the variance relief regarding the parking spaces, Petitioner testified that the zoning regulations in effect create an artificially high number of required spaces, since the carry-out portion of his business requires much fewer spaces than the dine-in portion. In addition, Petitioner's adjoining lot used for office use would not generate much need for parking on the weekends and evenings, when the restaurant would generate the bulk of its business. More to the point, Mr. Budnitz emphasized that if a parking shortage did exist, it would be Petitioner's problem alone, since – as shown on Exhibit 1A – Petitioner's business does not directly adjoin commercial properties with parking lots, and thus Petitioner's operations and customers could not "spill" over onto an adjoining business or parking lot.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments received from the Office of Planning, dated January 18, 2011, indicate the site is within the Ruxton Riderwood Lake Roland Area Improvement Association (RRLRAIA) Community Plan adopted by the Baltimore County Planning Board on November 4, 2010, and recommended that Petitioner provide to the Office of Planning architectural drawings for all façade upgrades to the existing building for review and approval prior to issuance of any building permit. In addition, the Office of Planning requested that Petitioner provide to the Baltimore County Landscape Architect, Avery Harden, a landscape plan that enhances the streetscape along Falls Road for review and approval.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

ORDER RECEIVED FOR FILING

Date 2-14-11

By JP

The buildings have been situated on the site for many years, and the grant of variance relief would thus bring the structures into compliance with the B.C.Z.R. If variance relief was not granted, Petitioner would conceivably be required to raze or reconfigure the structures, which would be a Draconian measure (and an obvious hardship) to impose on a small business owner. The topography and existing layout of the site renders the property unique, and thus that element of the variance calculus is also satisfied. Likewise, the parking variance is justified due to the unique positioning of the two adjoining lots, which are in a sense a self-contained commercial island. Petitioner would suffer a hardship if the parking variance was not granted, since it would present an obstacle to his expansion plans.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This was highlighted by the lack of opposition to Petitioner's requests, and also by the glowing recommendations of area business owners.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 14 day of February, 2011 by this Administrative Law Judge that Petitioner's Variance request from the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

- Section 409.6 - to permit 31 parking spaces in lieu of the required 40 spaces for office, restaurant and carry out uses; and
- Section 232.2.B - to permit a side yard setback from a street of 3 feet in lieu of the permitted 10 feet; and

ORDER RECEIVED FOR FILING

Date 2-14-11

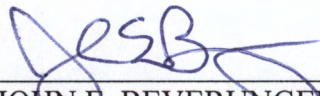
By js

• Section 232.3.B - to permit a rear yard setback of 14 feet in lieu of the permitted 20 feet
be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner must submit architectural elevation drawings to the Office of Planning for review and approval for all façade upgrades to the existing building, prior to the issuance of any building permit.
3. Petitioner must submit a landscape plan to the Baltimore County Landscape Architect, Avery Harden, for review and approval prior to the issuance of any building permit.
4. Per the request of the Ruxton Riderwood Lake Roland Area Improvement Association, Inc., (RRLRAI), which Mr. Andrew Makris acknowledged and agreed to, no changeable copy signs (as that term is defined in the Baltimore County Table of Sign Regulations) may be used in connection with or located on the premises of the businesses at 6081 and 6083 Falls Road.
5. When applying for a building permit, the site plan filed must reference this case and set forth and address the conditions and restrictions of this Order.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING

Date 2-14-11

By [Signature]



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

February 14, 2011

JOHN GONTRUM, ESQUIRE
WHITEFORD, TAYLOR & PRESTON, L.L.P.
TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MD 21204-5025

Re: Petition for Variance
Case No. 2011-0201-A
Property: 6081 and 6083 Falls Road

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

THB:pz

Enclosure

c: Peggy Squitieri, Ruxton Riderwood Lake Roland Area Improvement Association, Inc.,
PO Box 204, Riderwood MD 21139



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6081 & 6083 Falls Road

which is presently zoned BL, DR-3.5

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)

See Attached

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

The existing site conditions, and other information that will be presented 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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

JOHN FLONTEUM
Name - Type or Print

John Flontrum
Signature

WHITEFORD, TAYLOR & PRESTON, LLP
Company

1 W. PENNSYLVANIA AVE, Ste 200
Address Telephone No.

TOWSON MD 21204
City State Zip Code

Legal Owner(s):

Makris Properties, LLC, 6081 Falls Road Inc.

Name - Type or Print

Andrew Makris Joanna Beleous Bessie Makris
Signature

Andrew Makris Joanna Beleous Bessie Makris
Signature

2629 Pot Spring Road 410-377-9473
Address Telephone No.

Timonium, Maryland 21093
City State Zip Code

Representative to be Contacted:

Richardson Engineering, LLC
Name

30 E. Padonia Road, Suite 500 410-560-1502
Address Telephone No.

Timonium, Maryland 21093
City State Zip Code

OFFICE USE ONLY

Case No. 2011-0201-A

ESTIMATED LENGTH OF HEARING

REV 9/15/09 ORDER RECEIVED FOR FILING

Reviewed By

UNAVAILABLE FOR HEARING

Date

Date 2-14-11

By pr

12/20/10

6081 Falls Road

Variance Request:

Variances Requested:

From Section 409.6 to permit 31 parking spaces in lieu of required 40 spaces for office, restaurant and carry out uses;

From Section 232.2.B. to permit a side yard setback from a street of 3' in lieu of the permitted 10'.

From Section 232.3.B. to permit a rear yard setback of 14' in lieu of the permitted 20'.

Practical Difficulty:

The setback variances are to provide for existing buildings, which have been located in the stated proximities to the property lines for many years. Failure to grant the setback variances would create a practical difficulty by causing the removal of existing buildings.

The parking variance request is generated by a desire to have restaurant seating on premises of the carryout pizza shop. It is not anticipated, however, that use of the restaurant will use all of the available parking because the peak usage will be at off peak hours for the office use. Weekends and evenings are the normal peak times of the pizzeria, not during the day. Also, the configuration of the restaurant is such that much of the allocable square footage would not be used for patron seating or for staff parking.

Other good and sufficient reasons will be presented at the hearing on the variance requests.

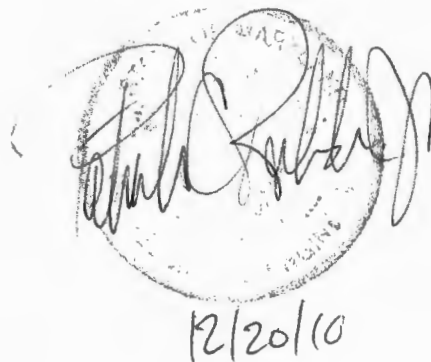
419553

Item #0201

**ZONING DESCRIPTION
6081 & 6083 FALLS ROAD
9 TH ELECTION DISTRICT
2ND Councilmanic District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of Falls Road (70' right-of-way) at the intersection of Lake Avenue (60' right-of-way), thence running and binding on the East side of Falls Road right-of-way (1) by a curve to the right with a radius of 15.00 feet and a arc length of 22.32 feet with a chord of North 55 degrees 48 minutes 00 seconds West 20.31 feet, (2) North 13 degrees 11 minutes 10 seconds West 253.94 feet, (3) North 65 degrees 23 minutes 50 seconds East 33.90 feet, (4) North 50 degrees 08 minutes 59 seconds East 206.47 feet, (5) by a curve to the left with a radius of 200.00 feet and a arc length of 218.06 feet, (6) South 12 degrees 19 minutes 10 seconds East 200.16 feet, thence along the north side of Lake Avenue, (7) South 81 degrees 35 minutes 50 seconds West 91.06 feet the point of beginning;

Containing an area of 33,484 square feet or 0.77 acres of land, more or less.



12/20/10

Item #0201

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **62291**

Date: **12/20/10**

PAID RECEIPT

BUSINESS ACTION TIME DAY
 12/22/2010 12/20/2010 14:32:29 5

REC WSO3 WALKIN ROOM LRD
 >>RECEIPT # 498395 12/20/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				385.00

Dept 5 520 ZONING VERIFICATION
 CR NO. 062291

Recpt Tot 385.00
 385.00 CR 0.00 CA
 Baltimore County, Maryland

Total: **385.00**

Rec From:

For: **zoning hearing - case #2011-0201-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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: 2011-0201-A
Petitioner: MAKRIS PROPERTIES, LLC
Address or Location: 6081 FALLS RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: PEPES RESTAURANT
Address: 6081 FALLS RD
BALTIMORE MD 21209-2216
Telephone Number: 410-377-9473

2-4-11 2011 020

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: # 2011-0201-A

6081 & 6083 Falls Road

E/side of Falls Road, 30 feet north of centerline of Lake Avenue

9th Election District - 2nd Councilmanic District

Legal Owner(s): Makris Properties, LLC & 6081 Falls Road, Inc.

Variance: to permit 31 parking spaces in lieu of the required 40 spaces for office, restaurant and carry out uses; to permit a side yard setback from a street of 3' in lieu of the permitted 10'; to permit a rear yard setback of 14' in lieu of the permitted 20'.

Hearing: Friday, February 4, 2011 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS 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/1/672 JEB 18

265222

CERTIFICATE OF PUBLICATION

1/20/2011

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 1/18/2011.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0201-A

RE: Case No.: _____

Petitioner/Developer: _____

**Makris Properties, LLC &
6081 Falls Road, Inc.**

Feb 4, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

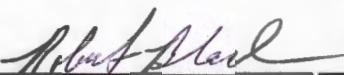
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

6081 & 6083 Falls Road

January 19, 2011

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



January 20, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0201-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

Room 205 JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVENUE, TOWSON

PLACE:

DATE AND TIME: FRIDAY, FEBRUARY 4, 2011 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT 31 PARKING SPACES IN LIEU OF

THE PERMITTED 40 SPACES FOR OFFICE, RESTAURANT AND CARRY OUT
USES. TO PERMIT A SIDE YARD SETBACK FROM A STREET OF 3' IN LIEU
OF THE PERMITTED 10', TO PERMIT A REAR YARD SETBACK OF 14' IN LIEU
OF THE PERMITTED 20'.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 12, 2011

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: 2011-0201-A

6081 & 6083 Falls Road

E/side of Falls Road, 30 feet north of centerline of Lake Avenue

9th Election District – 2nd Councilmanic District

Legal Owners: Makris Properties, LLC & 6081 Falls Road, Inc.

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Hearing: Friday, February 4, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: John Gontrum, 1 W. Pennsylvania Ave., Ste. 300, Towson 21204
Mr. & Mrs. Makris, 2629 Pot Spring Road, Timonium 21093
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093
Pepes Restaurant, 6081 Falls Road, Baltimore 21209-2216

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., JANUARY 19, 2011.**
- (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, January 18, 2011 Issue - Jeffersonian

Please forward billing to:
Pepes Restaurant
6081 Falls Road
Baltimore, MD 21209-2216

410-377-9473

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:

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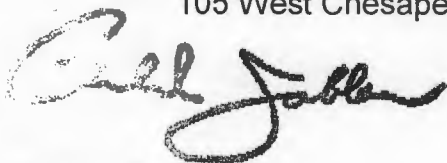
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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections 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.

RE: PETITION FOR VARIANCE
6081 & 6083 Falls Road; E/side
Falls Rd., 30 Ft. north of Lake Ave.
9th Election & 2nd Councilmanic Dists.
Legal Owners: Andrew Makris, Joanna
Beleous, Bessie Makris,

Petitioners.

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 2011-201-A

* * * * *
ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all documentation filed in the case.

RECEIVED

DEC 22 2010

Le

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of December, 2010, a copy of the foregoing Entry of Appearance was mailed to John Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 1 W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

FEB 04 2011

ZONING COMMISSIONER

TO: Office of Administrative Law

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 2, 2011

SUBJECT: Zoning Item # 11-201-A
Address 6083 & 6081 Falls Road
(Beleous/ Makris Property)

Zoning Advisory Committee Meeting of January 3, 2011.

X The Department of Environmental Protection and Sustainability has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 2/2/11



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 3, 2011

Mr. Andrew & Mrs. Joanna Beleous Bessie Makris
c/o Markis Properties, LLC
6081 Falls Road
Baltimore, MD 21209

Dear Mr. & Mrs. Makris,

RE: Case Number: 2011-0201-A; 6081 Falls Road; Baltimore, MD 21209

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 20, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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 the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel

John Elontrum – c/o Whiteford, Taylor & Preston, LLP, 1 W. Pennsylvania Avenue; Towson, MD 21204

Richardson Engineering, LLC, 3001 Padonia Road, Suite 200, Timonium, MD 21158, 410-887-3048

www.baltimorecountymd.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2011
Item Nos. 2011- 198, 199, 200 and
201

DATE: December 28, 2010

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

DAK: ~~CEN~~:cab

cc: ~~File~~

G:\DevPlanRev\ZAC -No Comments\ZAC-01172011 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals and Inspections

DATE: January 18, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 6081 & 6083 Falls Road

INFORMATION:

Item Number: 11-201

Petitioner: Makris Properties

Zoning: BL, DR 3.5 and RO

Requested Action: Variance

The petitioner's request a parking variance for 31 spaces in lieu of 40 spaces in order to allow for restaurant seating in the existing carryout pizza shop and a 1,278 square foot addition (639 square feet per floor).

The following setback variances in order to legitimize existing buildings on the site:
Side street setback of 3' in lieu of 10' and a rear yard setback of 14' in lieu of 20'.

The site is within the Ruxton Riderwood Lake Roland Area Improvement Association Community Plan adopted by The Baltimore County Planning Board on November 4, 2010. The plan describes the intersection of Lake Avenue and Falls Road as the Lake Falls Village area and states the area has an opportunity to become more aesthetically attractive with modest landscaping and architectural enhancements.

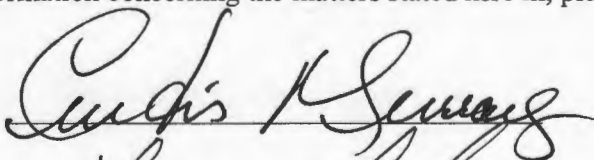
SUMMARY OF RECOMMENDATIONS:

If the petitioner's request is granted, provide architectural elevation drawings for all facade upgrades to the existing building for review and approval prior to issuance of any building permit.

Submit a landscape plan to Avery Harden, Baltimore County Landscape Architect for review and approval that enhances the streetscape along Falls Road.

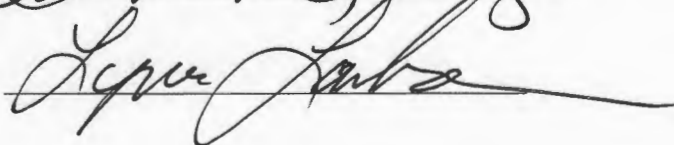
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



Division Chief:

JM/LL: CM





KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

January 3, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **January 3, 2011**

Item No.:

Variance: 2011-0197A, 2011-0200A -- 0201A.

Administrative Variance: 2011-0199A.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Need to provide plans for the following case number: 2011-0198A

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JAN. 3, 2011

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

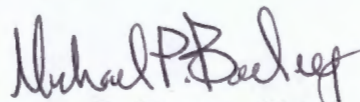
RE: Baltimore County
Item No. 2011-0201A
MD 25 (Falls Rd)
6083-6081 FALLS RD
MAKRIS PROPERTY
VARIANCE-

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 12/28/2010. A field inspection and internal review reveals that an entrance onto MD 25 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 6083-6081 FALLS RD, Case Number 2011-0201-A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For Steven D. Foster, Chief
Access Management Division

SDF/mb

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

CASE NAME _____
CASE NUMBER 2011-201A
DATE 2/4/11

CASE NAME _____
CASE NUMBER 2011-201A
DATE 2/4/11

[illegible]

CASE NAME _____
CASE NUMBER 2011-201A
DATE 2-4-11

[illegible]

**ZONING DESCRIPTION
6081 FALLS ROAD
9 TH ELECTION DISTRICT
2ND Councilmanic District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of Falls Road (70' right-of-way) at the intersection of Lake Avenue (60' right-of-way), thence running and binding on the East side of Falls Road right-of-way (1) by a curve to the right with a radius of 15.00 feet and an arc length of 22.32 feet with a chord of North 55 degrees 48 minutes 00 seconds West 20.31 feet, (2) North 13 degrees 11 minutes 10 seconds West 100.11 feet, (3) North 77 degrees 40 minutes 50 seconds East 106.33 feet, (4) South 12 degrees 19 minutes 10 seconds East 121.06 feet, thence along the north side of Lake Avenue, (7) South 81 degrees 35 minutes 50 seconds West 91.06 feet the point of beginning;

Containing an area of 12,347 square feet or 0.28 acres of land, more or less.





Area between properties with retaining wall to make up grade difference.



Area where addition will be constructed to square off building

PETITIONERS
EXHIBIT # 3



From Falls Road existing area where addition will be constructed



Retaining wall and slope along rear of the property

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier:

District - 09 Account Number - 1900002553

(2 of 2)

Owner Information

Owner Name: MAKRIS PROPERTIES LLC

Use: COMMERCIAL

Principal Residence: NO

Mailing Address: 2629 POT SPRING RD
LUTH-TIMONIUM MD 21093-2733Deed Reference: 1) /14212/ 43
2)

Location & Structure Information

Premises Address:

6083 FALLS RD

BALTIMORE MD 21204

Legal Description

.485 AC

GEORGE MARMARAS PROP

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
79	3	10					2	2	
									Plat Ref: 47/ 141

Special Tax Areas

Town
Ad Valorem
Tax ClassPrimary Structure Built
1982Enclosed Area
2,104 SFProperty Land Area
21,137.00 SFCounty Use
06

Stories Basement Type Exterior

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	586,300	586,300		
Improvements:	206,600	208,500		
Total:	792,900	794,800	792,900	793,533
Preferential Land:	0	0	0	0

Transfer Information

Seller: PROVIDENT NATIONAL BANK

Date: 12/17/1999

Price: \$550,000

Type: IMPROVED ARMS-LENGTH

Deed1: /14212/ 43

Deed2:

Seller: WAWA INC

Date: 05/07/1986

Price: \$395,000

Type: IMPROVED ARMS-LENGTH**Deed1:** / 7150/ 299**Deed2:****Seller:****Date:****Price:****Type:****Deed1:****Deed2:****Exemption Information****Partial Exempt Assessments****Class**

07/01/2010

07/01/2011

County

000

0

0

State

000

0

0

Municipal

000

0

0

Tax Exempt: NO**Special Tax Recapture:****Exempt Class:**

* NONE *



Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier:

District - 09 Account Number - 1900002552

(1 of 2) See next pg.

Owner Information

Owner Name: MAKRIS PETER
MAKRIS BESSIE
Use: COMMERCIAL
Principal Residence: NO
Mailing Address: 6081 FALLS RD
BALTIMORE MD 21209-2216
Deed Reference: 1) / 6745/ 18
2)

Location & Structure Information

Premises Address
6081 FALLS RD
Legal Description
12347 SQ FT 0.283 AC
GEORGE MARMARAS PROP

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
79	3	10					1	2	
									Plat Ref: 47/ 141

Special Tax
Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1962	2,798 SF	12,347.00 SF	23

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2010	As Of 07/01/2011
Land	432,100	432,100		
Improvements:	301,500	305,600		
Total:	733,600	737,700	733,600	734,966
Preferential Land:	0	0	0	0

Transfer Information

Seller:	MARMARAS GEORGE	Date:	07/10/1984	Price:	\$180,000
Type:	IMPROVED ARMS-LENGTH	Deed1:	/ 6745/ 18	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Seller:**Date:****Price:****Type:****Deed1:****Deed2:****Exemption Information****Partial Exempt Assessments****Class**

07/01/2010

07/01/2011

County

000

0

0

State

000

0

0

Municipal

000

0

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Tax Exempt:

NO

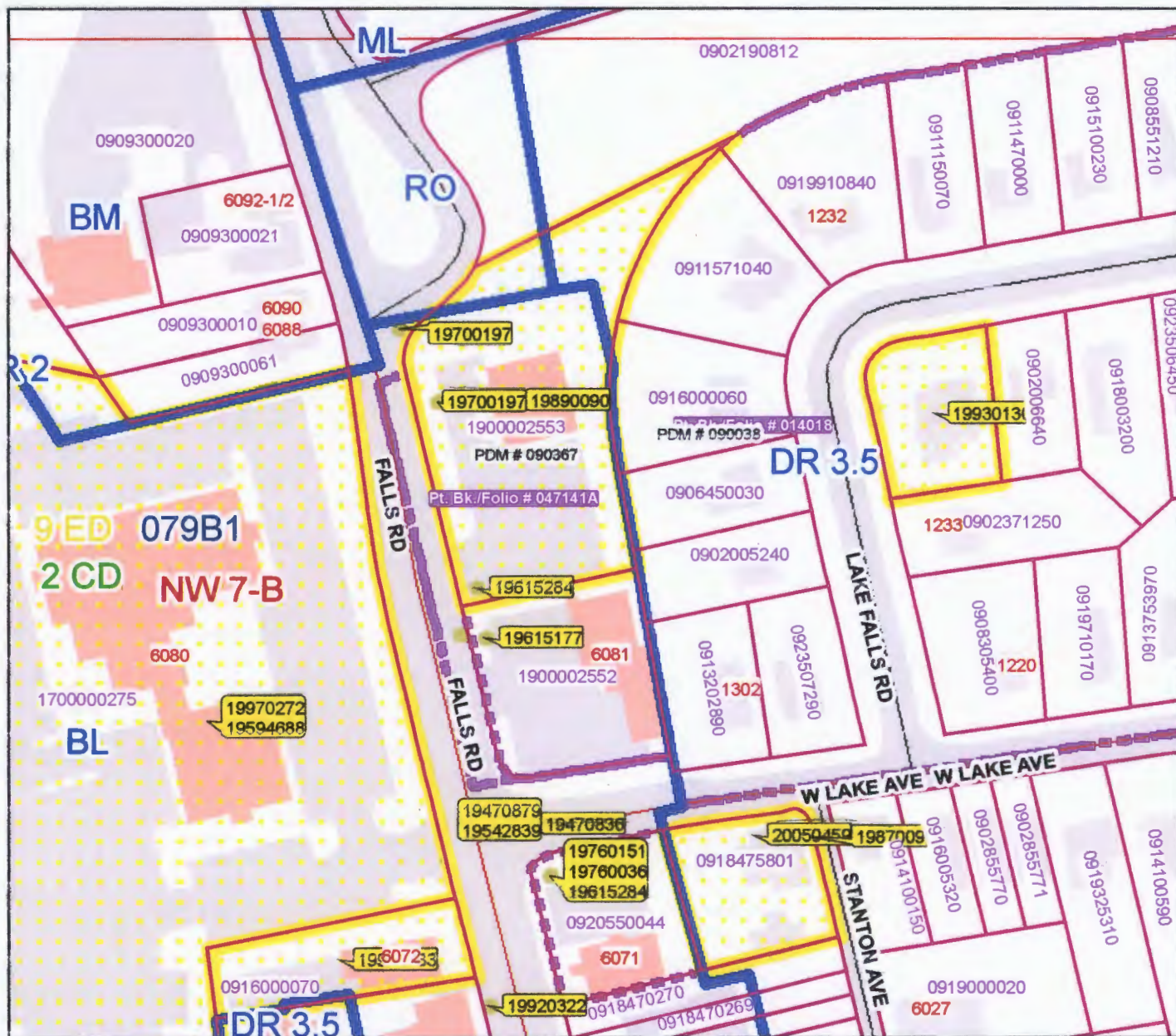
Special Tax Recapture:**Exempt Class:**

* NONE *



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the

6081 & 6083 Falls Road



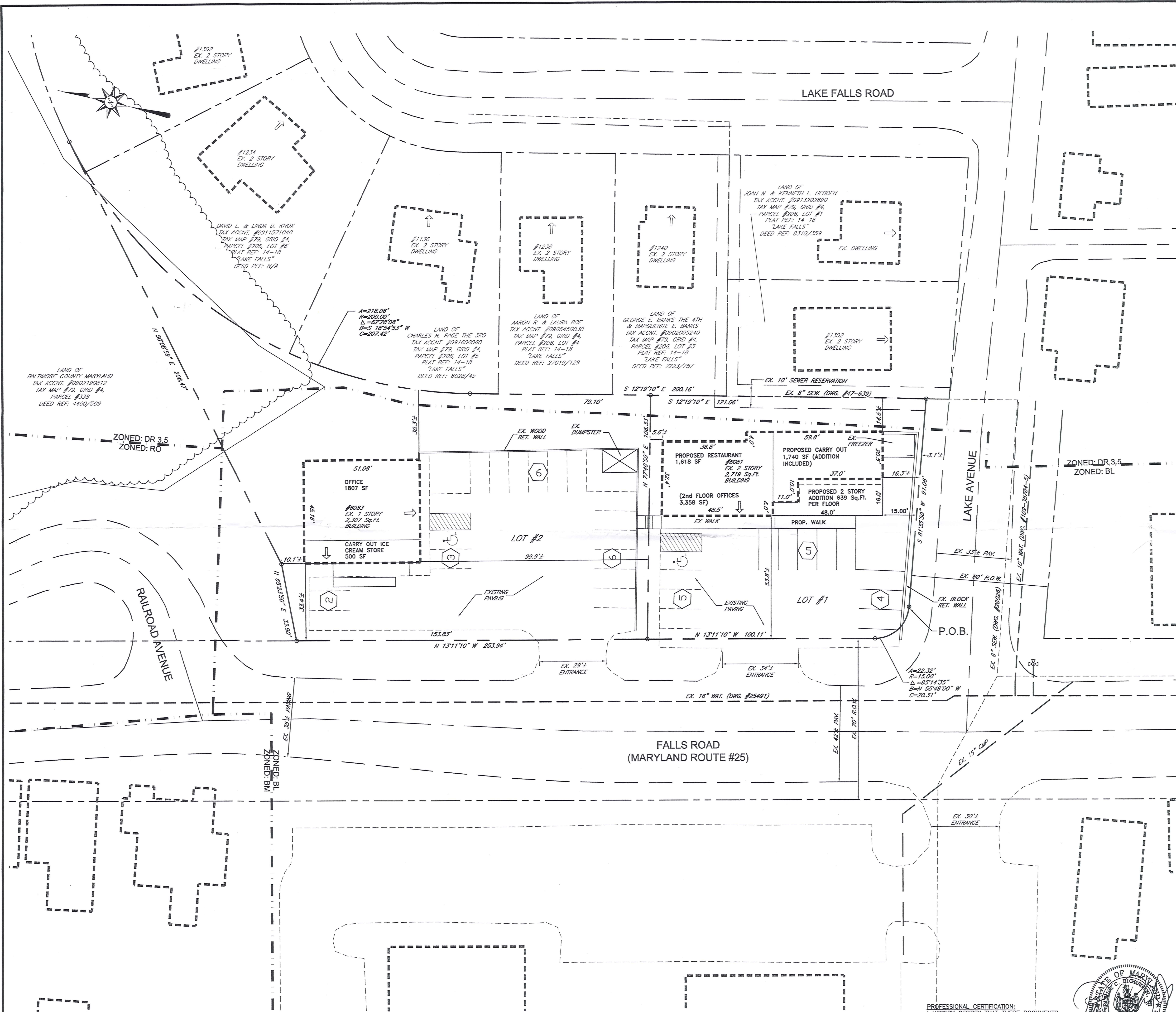
Publication Date: December 20, 2010
 Publication Agency: Department of Permits & Development Management
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



0 100 200 Feet

1 inch = 100 feet

Item #0201



GENERAL NOTES:

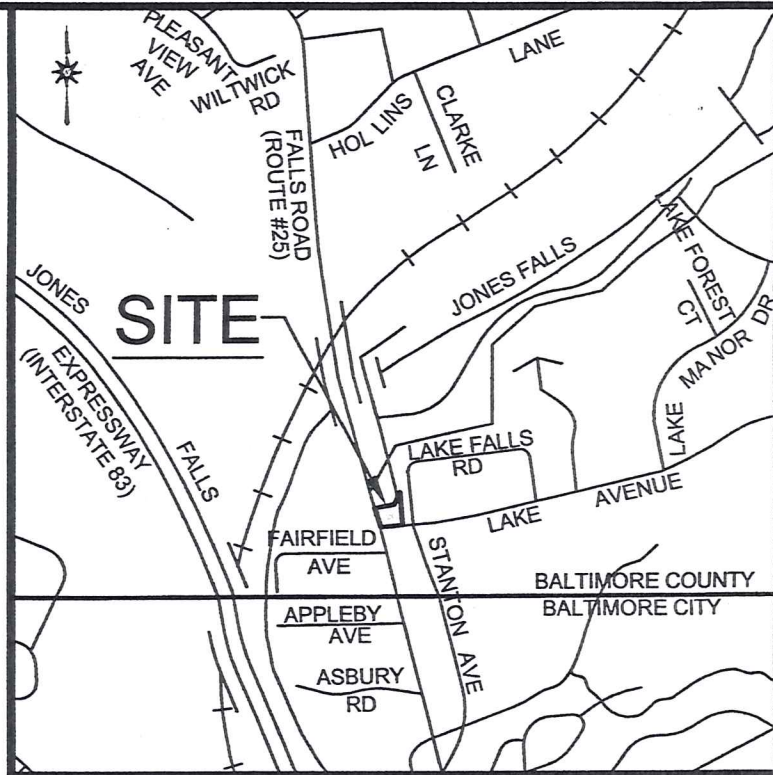
- OWNER:
LOT #1: PETER & BESSIE MAKRIS
6081 FALLS ROAD
BALTIMORE, MARYLAND 21209-2216
LOT #2: MAKRIS PROPERTIES, LLC
2629 POT SPRING ROAD
LUTHERVILLE-TIMONIUM, MARYLAND 21093-2733
- LOT 1 SITE AREA:
GROSS: 19,815 Sq.Ft. or 0.45 Ac.±
NET: 12,347 Sq.Ft. or 0.28 Ac.±
TOTAL SITE AREA:
GROSS: 45,469 Sq.Ft. or 1.04 Ac.±
NET: 33,484 Sq.Ft. or 0.77 Ac.±
- BUILDING AREAS:
EXISTING: 5,026 Sq.Ft.
PROPOSED ADDITION: 639 Sq.Ft.
TOTAL PROPOSED: 5,665 Sq.Ft.
- UTILITIES:
PUBLIC WATER & PUBLIC SEPTIC
- USES:
EXISTING: CARRY OUT RESTAURANT & OFFICES.
PROPOSED: CARRY OUT RESTAURANT & RESTAURANT & OFFICES.
- PARKING: LOT 1
REQUIRED:
600SF CARRY OUT @5/1000 = 3 SPACES
1807SF OFFICE @3.3/1000 = 6 SPACES
SHARED PARKING ADJUSTMENT (PER BALT. CO. ZONING REG. 409.6.B.3):

DAYTIME	EVENING	CO. ZONING	REG. 409.6.B.3)
OFFICE	100%±6	100%±1	5%±1
CARRY OUT	100%±1	100%±3	100%±3
TOTAL	7	4	2

LOT 2
REQUIRED:
1,740SF CARRY OUT @5/1000 = 9 SPACES
1,618SF RESTAURANT @16/1000 = 26 SPACES
3,358SF OFFICE @3.3/1000 = 11 SPACES
SHARED PARKING ADJUSTMENT (PER BALT. CO. ZONING REG. 409.6.B.3):

DAYTIME	EVENING	CO. ZONING	REG. 409.6.B.3)
OFFICE	100%±11	100%±1	5%±1
RESTAURANT	100%±3	100%±26	100%±26
CARRY OUT	100%±1	100%±9	100%±9
TOTAL	15	36	5

TOTAL FOR BOTH: 22 40 32 40 7
- TOTAL REQUIRED = 40 SPACES
PROVIDED: 31 SPACES
- SETBACKS: REQUIRED
FRONT: 10' FROM PL
SIDE: 4' FROM CL
REAR: 20'
ST. COR. SIDE 10'
REAR: 20'
- DEED REF: LOT #1: 6745/18
LOT #2: 14212/43
- TAX ACCOUNT
LOT #1: 1900002552
LOT #2: 1900002553
- TAX MAP #79, PARCEL #10, LOTS #1 & #2
- PLAT REFERENCE: 47-141 "GEORGE MARMARAS PROPERTY"
- COUNCILMANIC DISTRICT: 2nd
- WATERSHED: JONES FALLS
- FLOOR AREA RATIO:
EXISTING: 7,745/45,469 = .17
PROPOSED: 9,023/45,469 = .20
- ZONING: BL & DR 3.5
(PER 1"=200' ZONING MAP 079B1)
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F. PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- THE SITE NOR THE BUILDING ARE HISTORIC.
- NO PREVIOUS PERMITS ON FILE.
- PREVIOUS ZONING CASES:
0836 PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "D" RESIDENCE ZONE AND THE THIRD PARCEL FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WITHDRAWN PER LETTER DATED MARCH 4TH 1947
5177 SPECIAL HEARING FOR OFF STREET PARKING WITHDRAWN PER LETTER DATED JANUARY 11TH 1961.
5284 PETITION FOR RECLASSIFICATION FROM AN R-6 ZONE TO AN BL ZONE DENIED ON JUNE 30TH 1961.
5817 PETITION FOR RECLASSIFICATION & SPECIAL EXCEPTION FROM A BL & R20 ZONE TO A BM ZONE AND FOR THE USE AS A WAREHOUSE & FABRICATION SHOP GRANTED ON APRIL 11TH 1963.
70-197X SPECIAL EXCEPTION FOR TWO (12'x25') ILLUMINATED ADVERTISING STRUCTURES GRANTED ON MAY 4TH 1970.
89-90A VARIANCE FOR A FRONT SETBACK OF 10' IN LIEU OF 32', SIDE YARD OF 5' IN LIEU OF 10' AND TO ALLOW PARKING 5' FROM THE STREET PROPERTY LINE IN LIEU OF THE REQUIRED 10' GRANTED ON OCTOBER 26TH 1988.
22. SITE SUBJECT TO PDM IX-367
23. NO PREVIOUS DRC OR CRG ON FILE.



LOCATION MAP

SCALE: 1" = 1000'

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR THE

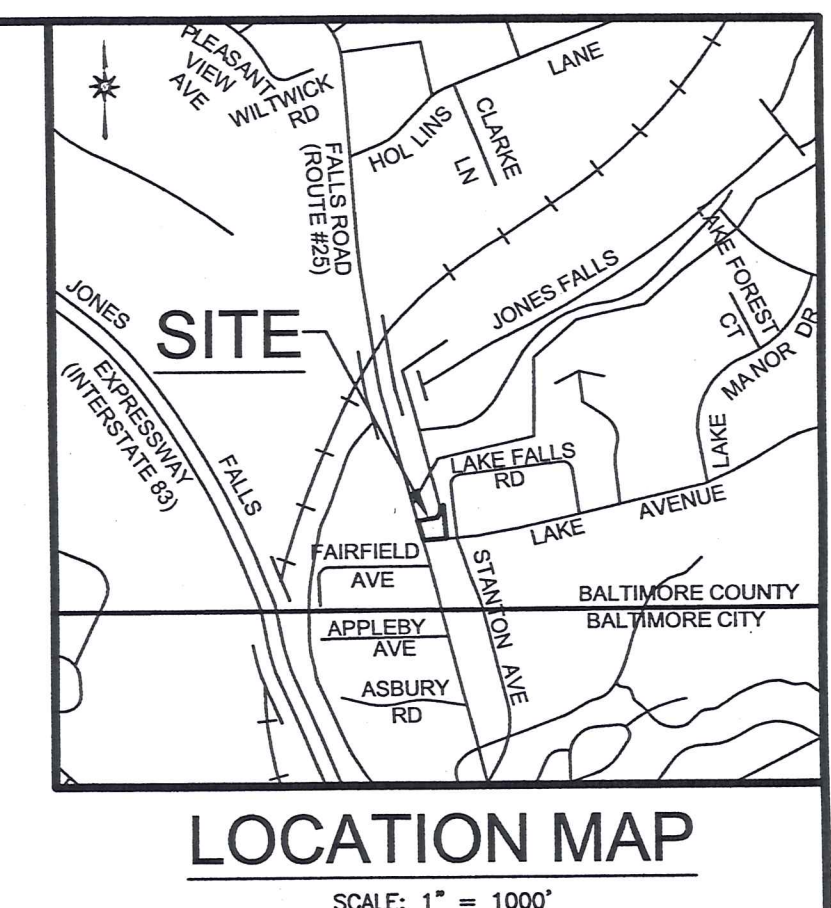
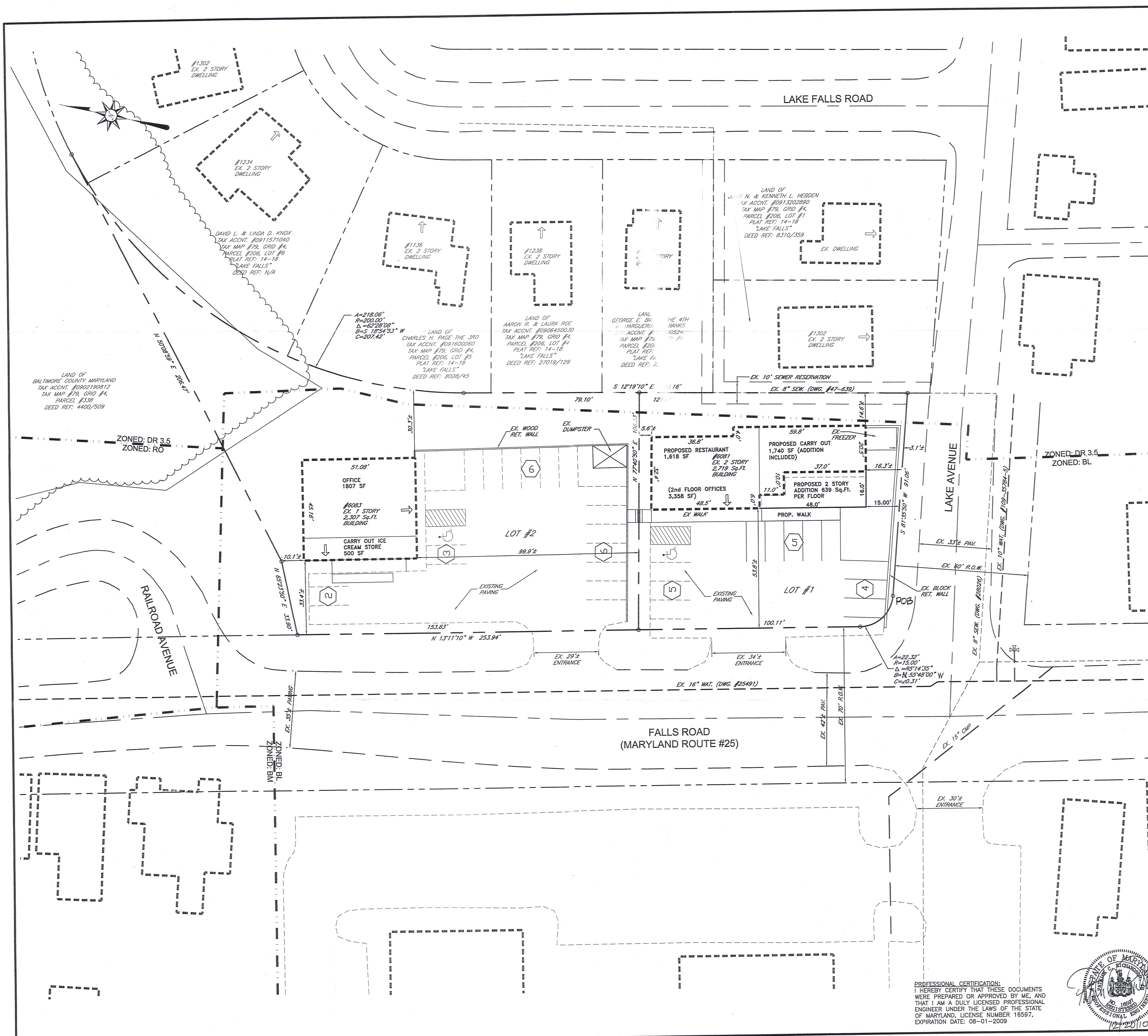
MAKRIS PROPERTY
LOTS 1 & 2
6081-6083 FALLS ROAD
(MARYLAND ROUTE #25)

9TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
02-01-11 REVISED PARKING CALCULATIONS	CND	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:	
12-20-10	10014	1 OF 1	

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011





GENERAL NOTES:

- OWNER:
LOT #1: PETER & BESSIE MAKRIS
6081 FALLS ROAD
BALTIMORE, MARYLAND 21209-2216
LOT #2: MAKRIS PROPERTIES, LLC
2629 POT SPRING ROAD
LUTHERVILLE-TIMONIUM, MARYLAND 21093-2733
- TOTAL SITE AREA:
GROSS: 45,469 Sq.Ft. or 1.04 Ac.±
NET: 33,484 Sq.Ft. or 0.77 Ac.±
- BUILDING AREAS:
EXISTING: 5,026 Sq.Ft.
PROPOSED ADDITION: 639 Sq.Ft.
TOTAL PROPOSED: 5,665 Sq.Ft.
- UTILITIES
PUBLIC WATER & PUBLIC SEPTIC
- EXISTING: CARRY OUT RESTAURANT & OFFICES.
PROPOSED: CARRY OUT RESTAURANT & OFFICES.
- PARKING:
REQUIRED:
2240SF CARRY OUT @5/1000 = 12 SPACES
1818SF RESTAURANT @18/1000 = 26 SPACES
5165SF OFFICE @3.3/1000 = 16 SPACES
SHARED PARKING ADJUSTMENT (PER BALT. CO. ZONING REG. 409.6.B.3):

	WEEKDAY	WEEKEND
OFFICE	100% = 16	100% = 2
RESTAURANT	100% = 3	100% = 26
CARRY OUT	100% = 12	100% = 12
TOTAL	20	40
- TOTAL REQUIRED = 40 SPACES
PROVIDED: 31 SPACES
- SETBACKS: REQUIRED PROVIDED
FRONT: 10' FROM PL 33'±
40' FROM CL 68'±
SIDE: NONE 5'±
ST. COR. SIDE 10' 3'±
REAR 20' 14'±
- DEED REF:
LOT #1: 6745/18
LOT #2: 14212/43
- TAX ACCOUNT
LOT #1: 1900002552
LOT #2: 1900002553
- TAX MAP #79, PARCEL #10, LOTS #1 & #2.
- PLAT REFERENCE: 47-141 "GEORGE MARMARAS PROPERTY"
- COUNCILMANIC DISTRICT: 2nd
- WATERSHED: JONES FALLS
- FLOOR AREA RATIO:
EXISTING: 7,745/45,469 = .17
PROPOSED: 9,023/45,469 = .20
- ZONING: BL & DR 3.5
(PER 1"=200' ZONING MAP 079B1)
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 28, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
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- NO PREVIOUS PERMITS ON FILE.
- PREVIOUS ZONING CASES:
0836 PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "D" RESIDENCE ZONE AND THE THIRD PARCEL FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WITHDRAWN PER LETTER DATED MARCH 4TH 1947
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22. SITE SUBJECT TO PDW IX-367
23. NO PREVIOUS DRC OR CRG ON FILE.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR THE
#2011-0201-
MAKRIS PROPERTY
LOTS 1 & 2
6081-6083 FALLS ROAD
(MARYLAND ROUTE #25)

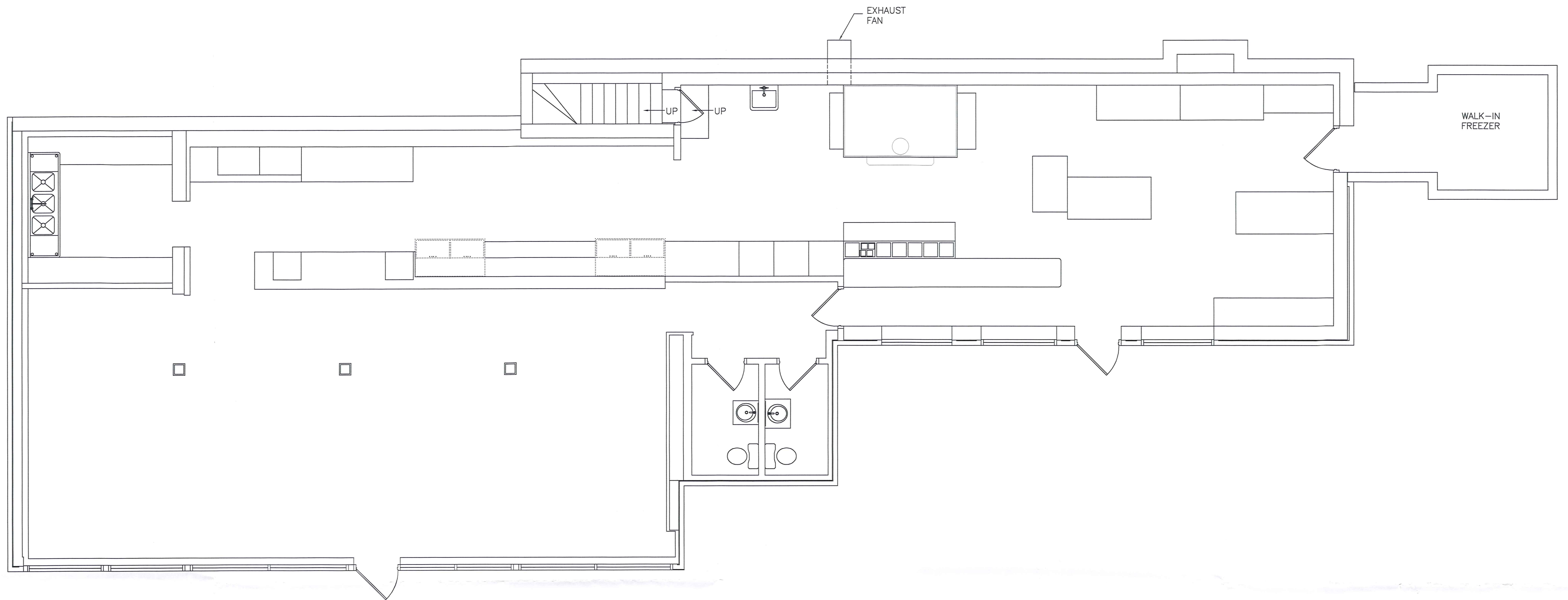
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 20'
	DATE: 12-20-10	JOB NO.: 10014	SHEET NO.: 1 OF 1

EXHIBIT
13

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-01-2009

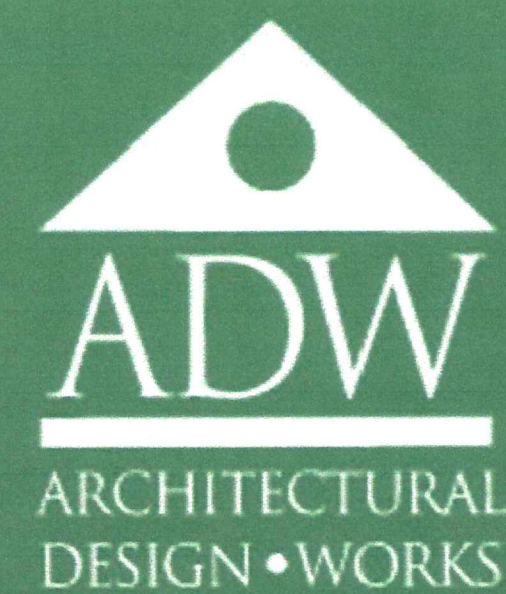




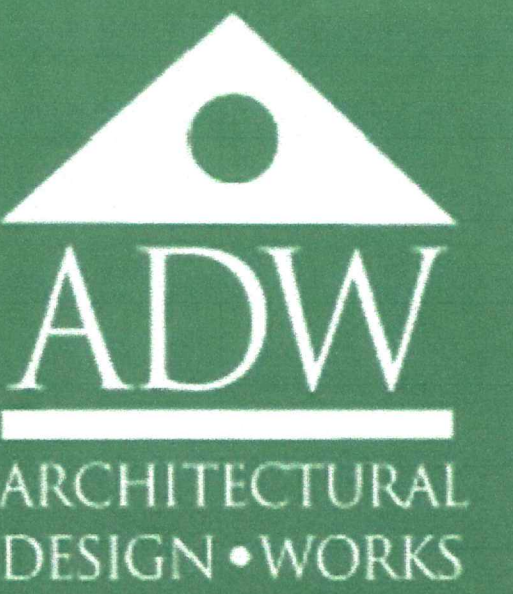
EXISTING FIRST FLOOR PLAN

existing
first floor

**The NEW
PEPE'S
CARRY OUT & RESTAURANT**
6081 FALLS ROAD
BALTIMORE, MARYLAND 21210

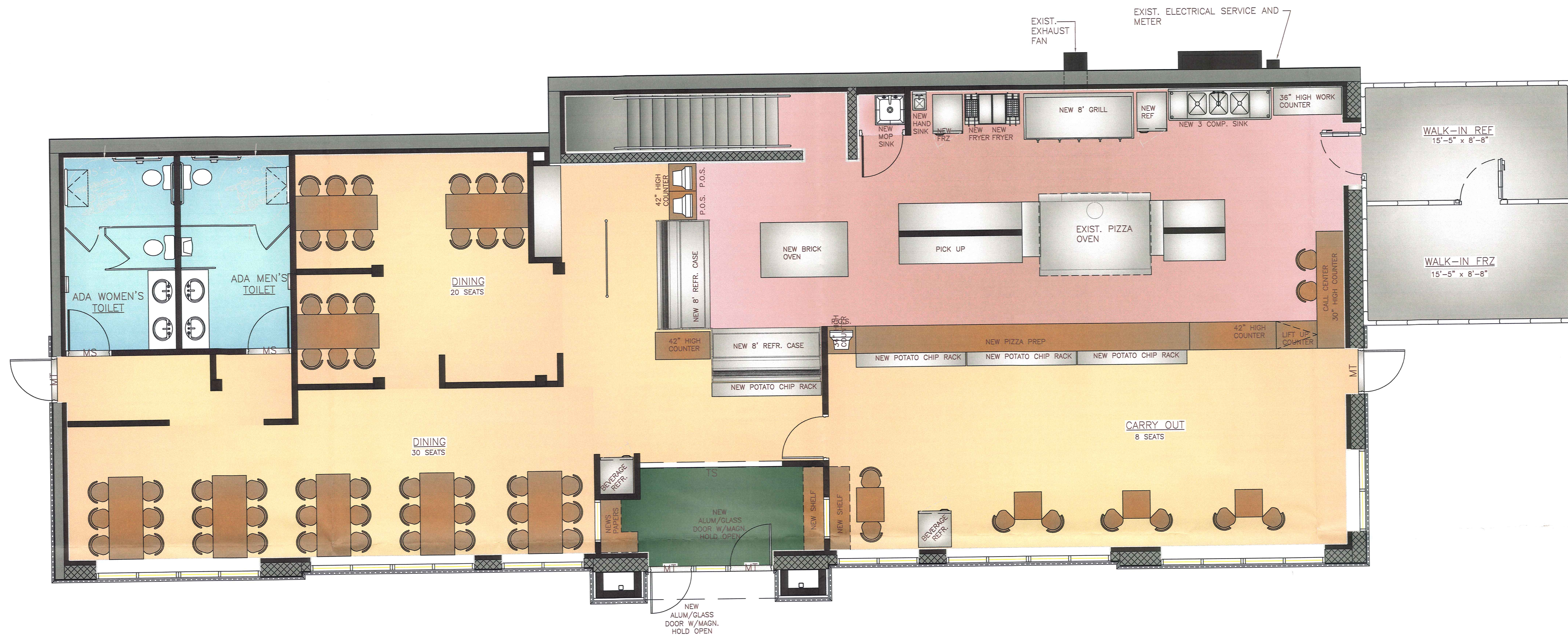


22 West Allegheny Ave.
Towson, Maryland 21204
410-583-2440
www.adwarchitectsonline.com



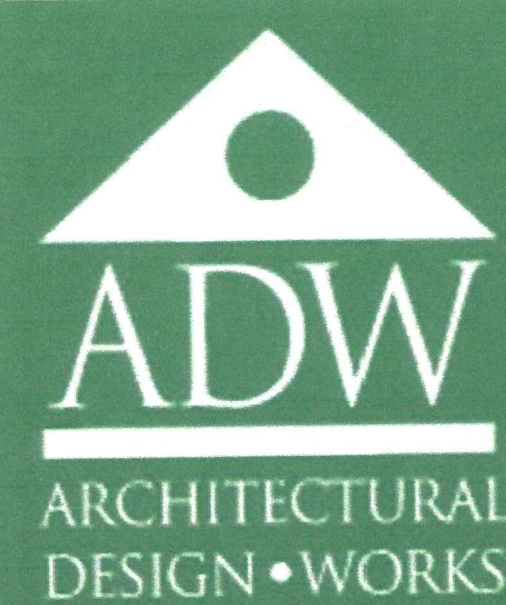
22 West Allegheny Ave.
Towson, Maryland 21204
410-583-2440
www.adwarchitectsonline.com



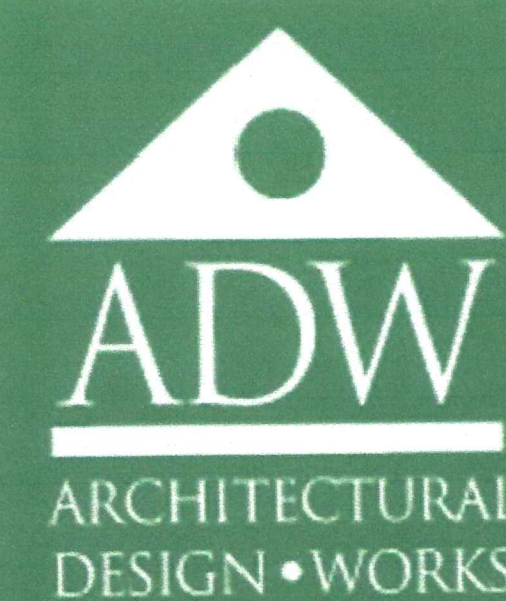


NEW FIRST FLOOR PLAN

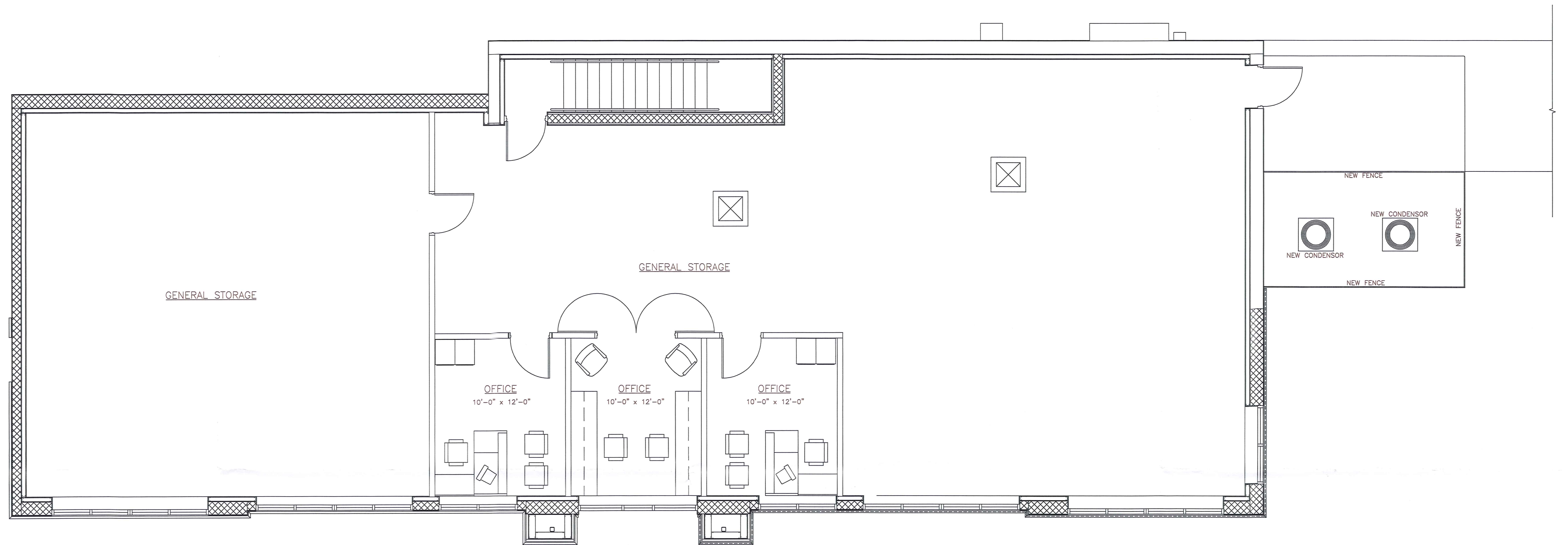
**The NEW
PEPE'S
CARRY OUT & RESTAURANT**
6081 FALLS ROAD
BALTIMORE, MARYLAND 21210



22 West Allegheny Ave.
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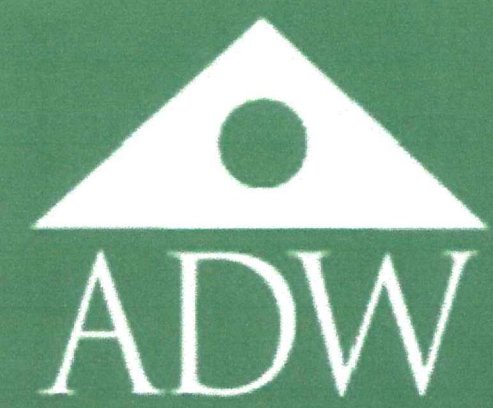
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NEW SECOND FLOOR PLAN

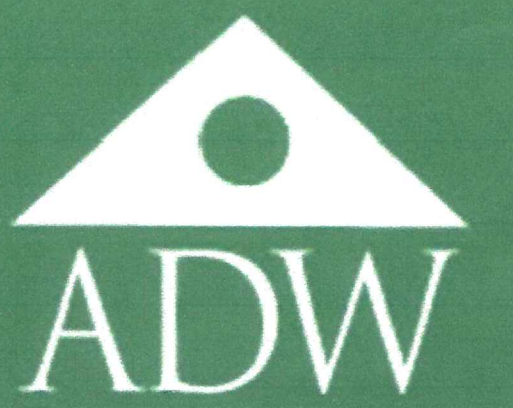
**The NEW
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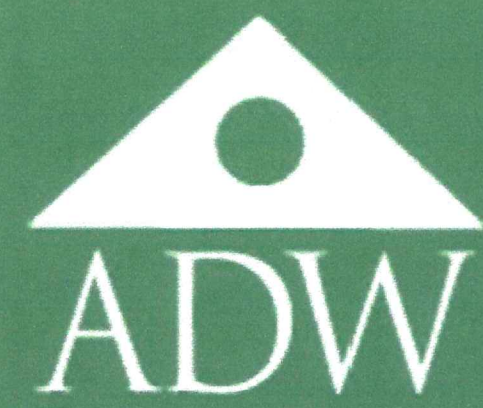
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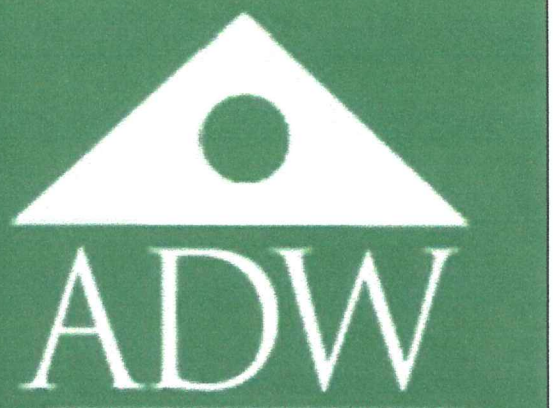
FRONT ELEVATION

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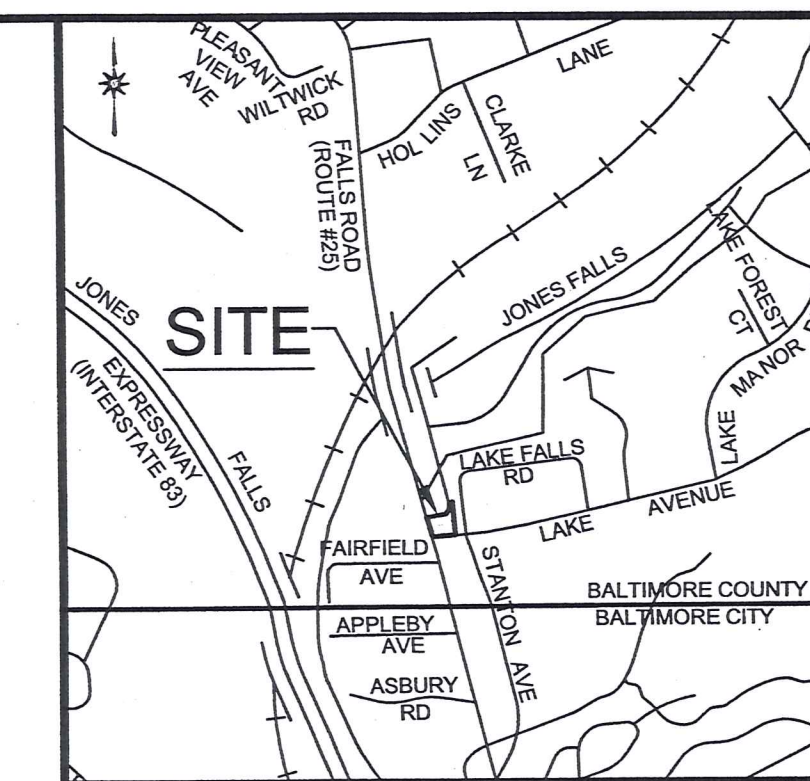
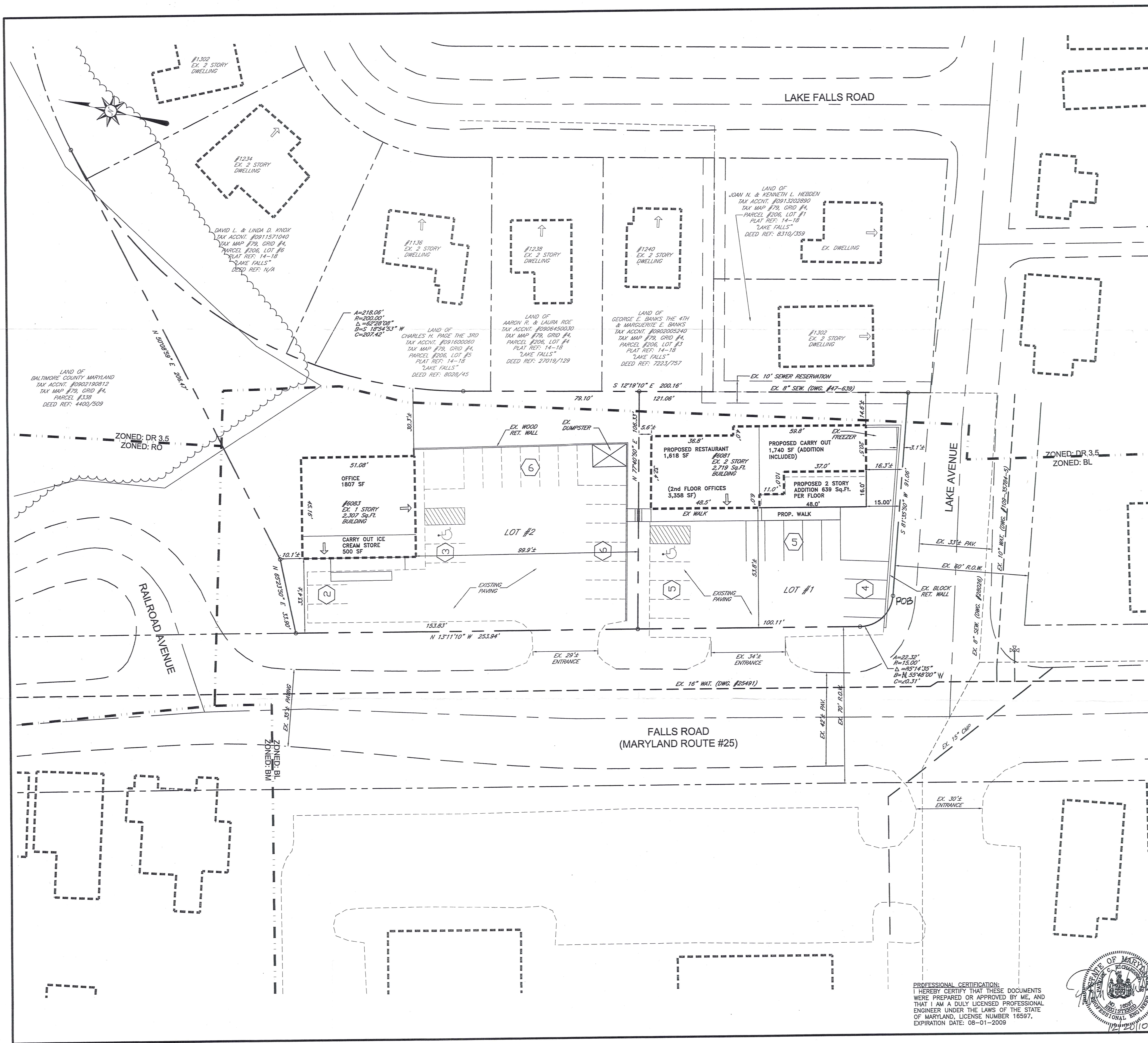
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GENERAL NOTES:

- OWNER:
LOT #1: PETER & BESSIE MAKRIS
6081 FALLS ROAD
BALTIMORE, MARYLAND 21209-2216
LOT #2: MAKRIS PROPERTIES, LLC
2629 POT SPRING ROAD
LUTHERVILLE-TIMONIUM, MARYLAND 21093-2733
- TOTAL SITE AREA:
GROSS: 45,469 Sq.Ft. or 1.04 Ac.±
NET: 33,484 Sq.Ft. or 0.77 Ac.±
- BUILDING AREAS:
EXISTING: 5,026 Sq.Ft.
PROPOSED ADDITION: 639 Sq.Ft.
TOTAL PROPOSED: 5,665 Sq.Ft.
- UTILITIES:
PUBLIC WATER & PUBLIC SEPTIC
- USES:
EXISTING: CARRY OUT RESTAURANT & OFFICES.
PROPOSED: CARRY OUT RESTAURANT & RESTAURANT & OFFICES.
- PARKING:
REQUIRED:
2240SF CARRY OUT @ 5/1000 = 12 SPACES
1618SF RESTAURANT @ 16/1000 = 26 SPACES
5165SF OFFICE @ 33.3/1000 = 16 SPACES
SHARED PARKING ADJUSTMENT (PER BAL. CO. ZONING REG. 409.6.B.3):

	WEEKDAY	WEEKEND	NIGHT	5%±
OFFICE	100%±=16	100%±=2	100%±=1	5%±=1
RESTAURANT	100%±=3	100%±=26	100%±=26	100%±=3
CARRY OUT	100%±=1	100%±=12	80%±=10	100%±=12
TOTAL	20	40	32	5

TOTAL REQUIRED = 40 SPACES
PROVIDED: 31 SPACES
- SETBACKS:
FRONT: 10' FROM PL 33'±
40' FROM CL 68'±
SIDE: NONE 5'±
ST. COR. SIDE 10' 3'±
REAR: 20' 14'±
- DEED REF:
LOT #1: 6745/18
LOT #2: 14212/43
- TAX ACCOUNT:
LOT #1: 1900002552
LOT #2: 1900002553
TAX MAP #79, PARCEL #10, LOTS #1 & #2.
- PLAT REFERENCE: 47-141 "GEORGE MARMARAS PROPERTY"
- COUNCILMANIC DISTRICT: 2nd
- WATERSHED: JONES FALLS
- FLOOR AREA RATIO:
EXISTING: 7,745/45,469 = .17
PROPOSED: 9,023/45,469 = .20
- ZONING: BL & DR 3.5
(PER 1"-200" ZONING MAP 07981)
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- THE SITE NOR THE BUILDING ARE HISTORIC.
- NO PREVIOUS PERMITS ON FILE.
- PREVIOUS ZONING CASES:
0836 PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "D" RESIDENCE ZONE AND THE THIRD PARCEL FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE WITHDRAWN PER LETTER DATED MARCH 4TH 1947
5177 SPECIAL HEARING FOR OFF STREET PARKING WITHDRAWN PER LETTER DATED JANUARY 11TH 1961.
5284 PETITION FOR RECLASSIFICATION FROM AN R-6 ZONE TO AN BL ZONE DENIED ON JUNE 30TH 1961.
5817 PETITION FOR RECLASSIFICATION & SPECIAL EXCEPTION FROM A BL & R20 ZONE TO A BM ZONE AND FOR THE USE AS A WAREHOUSE & FABRICATION SHOP GRANTED ON APRIL 11TH 1963.
70-197X SPECIAL EXCEPTION FOR TWO (12'x25') ILLUMINATED ADVERTISING STRUCTURES GRANTED ON MAY 4TH 1970.
89-90A VARIANCE FOR A FRONT SETBACK OF 10' IN LIEU OF 32', SIDE YARD OF 5' IN LIEU OF 10' AND TO ALLOW PARKING 5' FROM THE STREET PROPERTY LINE IN LIEU OF THE REQUIRED 10' GRANTED ON OCTOBER 26TH 1988.
22. SITE SUBJECT TO PDW IX-367.
23. NO PREVIOUS DRC OR CRG ON FILE.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR THE

#2011-0201-A
MAKRIS PROPERTY
LOTS 1 & 2
6081-6083 FALLS ROAD
(MARYLAND ROUTE #25)

9TH ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
REVISIONS	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 20'
	DATE: 12-20-10	JOB NO.: 10014	SHEET NO.: 1 OF 1

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-01-2009

