

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

DATE: December 9, 2002

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *trsh*
Board of Appeals

SUBJECT: **CLOSED APPEAL CASE FILES**

The following case(s) have been finalized and the Board of Appeals is closing the copy of the appeal case file(s) and returning the file(s) and exhibits (if applicable) attached herewith.

<u>BOARD OF APPEALS CASE NUMBER</u>	<u>PDM FILE NUMBER</u>	<u>NAME</u>	<u>LOCATION</u>
90-492-SPHA	<i>90-492-SPHA</i>	Chesapeake Equity Org., Inc.	Black Pine Farm
02-255-XA	<i>02-255-XA</i>	Port East LLC Kenneth C. Jones	4515 North Point Blvd
90-540-A	<i>90-540-A</i>	100 Church Lane Partnership	100 Church Lane
96-284-SPHX with CBA-97-100	<i>96-284-SPHX III-377</i>	Village Care, Inc. John W. Tastet – LO	Mt. Wilson Lane and Iron Horse Lane

Attachment: **SUBJECT FILE(S) ATTACHED**

IN THE MATTER OF
THE APPLICATION OF
100 CHURCH LANE PARTNERSHIP
FOR VARIANCE ON PROPERTY
LOCATED ON THE N/S CHURCH LN,
30' W OF C/L OF BEDFORD AVENUE
(100 CHURCH LANE)
3RD ELECTION DISTRICT
3RD COUNCILLMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 90-540-A

* * * * *

ORDER OF DISMISSAL

This matter having come before this Board on appeal dated September 4, 1990 from a decision of the Zoning Commissioner in which the requested variance relief was denied;

WHEREAS, the Board has been reviewing its docket with reference to inactive cases with the intent to dismiss and close as many of these cases as possible; and

WHEREAS, the subject matter has been held on the Board's docket since April 10, 1991, and no further action has occurred since that date;

IT IS THEREFORE ORDERED this 28th day of October, 2002 by the County Board of Appeals of Baltimore County that the above-referenced appeal in Case No. 90-540-A be and the same is hereby **DISMISSED FOR LACK OF PROSECUTION.**

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Charles L. Marks, Chairman



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

October 28, 2002

Jay Fred Cohen, Esquire
100 Church Lane
Baltimore, MD 21208-3785

RE: *In the Matter of: 100 Church Lane Partnership*
Case No. 90-540-A /Dismissal

Dear Mr. Cohen:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board
of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco
Kathleen C. Bianco
Administrator

Enclosure

c: Pat Keller, Planning Director
Lawrence E. Schmidt /Zoning Commissioner
Arnold Jablon, Director /PDM



APPEAL

Petition for Residential Zoning Variance
N/S Church Lane, 30 ft. W of c/l of Bedford Avenue
(100 Church Lane Road)
3rd Election District - 3rd Councilmanic District
100 Church Lane Partnership - Petitioner
Case No. 90-540-A

✓ Petition for Residential Zoning Variance

✓ Description of Property

✓ Certificate of Posting

✓ Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

✓ Zoning Plans Advisory Committee Comments

✓ Director of Planning & Zoning Comments

Petitioner's Exhibits: ✓ Plat to accompany Petition

✓ Zoning Commissioner's Order dated August 7, 1990 (Denied)

✓ Notice of Appeal received September 4, 1990 from Jay Fred Cohen,
Partner of 100 Church Lane Partnership

cc: *Jay Fred Cohen, ^{Esquire} 100 Church Lane, Baltimore, MD 21208-3785

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

*out per Shirley
Ness 1/25/91*

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

////

12/17/90 - Following parties notified of hearing set for April 10,
1991 at 1:00 p.m.:

Jay Fred Cohen, Esquire
Julius W. Lichter, Esquire
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

4/10/91 --Postponed on record at hearing; to be scheduled for another date
upon notification of Counsel for Petitioner; revisions (H.M.B.)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

September 6, 1990



Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Residential Zoning Variance
N/S Church Lane, 30 ft. W of c/1 of Bedford Avenue
(100 Church Lane Road)
3rd Election District, 3rd Councilmanic District
100 CHURCH LANE PARTNERSHIP - Petitioner
Case No. 90-540-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on September 4, 1990 by Jay Fred Cohen, Partner of 100 Church Lane Partnership. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script, reading "J. Robert Haines".

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Jay Fred Cohen, 100 Church Lane, Baltimore, MD 21208-3785

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

RECEIVED
COUNTY BOARD OF APPEALS

90 SEP -6 PM 1:17

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

100 CHURCH LANE PARTNERSHIP : CASE NO. 90-540-A
Petitioner : N/S CHURCH LANE, 30' W
OF C/L OF BEDFORD
100 CHURCH LANE

APPEAL

MR. ZONING COMMISSIONER :

PLEASE ENTER AN APPEAL TO THE BOARD OF APPEALS FOR BALTIMORE COUNTY
IN THIS MATTER ON BEHALF OF THE PETITIONER.

JAY FRED COHEN
100 CHURCH LANE
BALTIMORE, MD. 21208
301-484-3050

I hereby certify that a copy of the foregoing Appeal was mailed,
postage prepaid, to People's Counsel, Court House, Towson, Md.
21204, Julius Lichter, Esq. 113 Chesapeake Bldg. 305 W. Chesapeake
Avenue, Towson, Md. 21204, Attorney for Protestants this 31st day of
August, 1990.

Jay Fred Cohen

JAY FRED COHEN
ATTORNEY AT LAW
100 CHURCH LANE
BALTIMORE, MARYLAND 21208-3785

August 30, 1990

PHONE: 301-484-3050
FACSIMILE/TELECOPIER
301-653-1546

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
ATTENTION: MR. J. ROBERT HAINES

RE: Petition for Zoning Variance
Case No. 90-540-A
100 Church Lane Partnership, Petitioner

Dear Mr. Haines,

Enclosed please find an Appeal and a check in the amount
of \$150.00 (#4562) in regards to the above captioned Case
Number.

If you have any questions regarding this matter, please
do not hesitate to contact me.

Very truly yours,

Jay Fred Cohen

JFC/dk
Enclosure

cc. People's Counsel
Julius Lichter, Esquire

RECEIVED
SEP 4 1990
ZONING OFFICE

PIKESVILLE TOWNSHIP ASSOCIATION

218 Church Lane
Pikesville, Md. 21208

Mr. Robert Haynes
Zoning Commissioner
401 Bosley Avenue
Towson, Md. 21204

Dear Mr. Haynes,

I am writing concerning the request for a variance
on 100 Church Lane (#90-540 A). The Pikesville Township
Association opposes the request for a variance of 10 parking
spaces instead of the required 13 spaces. We feel that Church
Lane is primarily a residential community and the added parking
on the street would add to the congestion on a narrow road.
The road is very narrow on that corner and if two cars are
approaching with cars parked on the street, passing becomes
impossible.

We also feel parking should not be allowed on the
north side of Church Lane between Bedford and Glenback,
because of the church and oncoming traffic problems. Therefore
we feel the property owners of 100 Church Lane should comply
with the law stated for required parking spaces.

Thank you for your consideration in this important
community matter.

Sincerely,

Arlene B. Rosenberg
Arlene B. Rosenberg, President
Pikesville Township Association

March 13, 1991

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

March 28, 1991

887-3353

Ms. Arlene B. Rosenberg, President
Pikesville Township Association
218 Church Lane
Pikesville, Maryland 21208

RE: Case No. 90-540-A

Dear Ms. Rosenberg:

Thank you for your letter dated March 13, 1991 regarding the variance
for 100 Church Lane in Pikesville. Please be advised that this matter was
appealed to the Board of Appeals on August 30, 1990 by attorney J. Fred
Cohen.

Any matter which has been appealed to the Baltimore County Board of
Appeals is beyond the jurisdiction of the Zoning Commissioner. Therefore,
I am forwarding your letter with a copy of my letter to the Baltimore Coun-
ty Board of Appeals for their information.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn

cc: Baltimore County Board of Appeals

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
N/S Church Lane, 30 ft. W
of c/l of Bedford Avenue
100 Church Lane Road
3rd Election District
3rd Councilmanic District
100 Church Lane Partnership
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-540-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 409.6.A.2 to permit 10 parking spaces in lieu of the required 13, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, by Jay Fred Cohen, Partner, appeared and testified. Appearing on behalf of the Petition was Hubert Malmud, a Land Surveyor. Appearing as Protestants, and represented by Julius M. Lichter, Esquire, were Norman L. Steinberg and Richard E. Matz.

Testimony and evidence indicated that the subject property known as 100 Church Lane, consists of 0.278 acres, was rezoned O-1 for office use during the 1980s. The property was improved with a multi-family apartment building prior to that rezoning and the Petitioner converted the building to multiple professional office uses. The apartment use on the property has ended. The basic structure which improves the property has not changed for more than 30 years. However, the uses have changed over the past five (5) years.

Testimony and evidence also indicated that the Petitioner improved the internal offices and leased those offices to various professionals for

law offices, surveying companies and psychiatrist offices. The Petitioner did not obtain and Change in Occupancy permits in 1985 and 1986 when he converted the building to office uses. Recently, the Petitioner attempted to obtain Use and Occupancy permits for the professional offices and was refused those permits because of the inadequate parking. The parking is all located on the curb side of Bedford Avenue next to the building.

Mr. Jay Cohen testified that he obtained the services of Hubert Malmud, Land Surveyor, to prepare a plan that would comply with Baltimore County Zoning Regulations (B.C.Z.R.) by providing parking to the rear and west sides of the property. This new plan is marked Petitioner's Exhibit No. 1. Mr. Jay Cohen clearly admits that he intends to have the excess parking taken care of by individuals parking along Church Lane Road and Bedford Avenue. The building currently does not have enough parking.

The Protestants are owners and users of the office building located directly next door to the Petitioner's building at 104 Church Lane Road. This building is also improved as an O-1 office building. The owners and users of that building are opposed to the parking variance due to the congestion already created by the Petitioner's property in this general locale.

Mr. Julius Lichter, the Protestants' attorney, solicited evidence which indicates that all of the available parking for the Petitioner's building is used by the Petitioner's clientele and there is no available parking on the Petitioner's site for visitors, customers or clients of the Petitioner's various professional offices. They are forced to park in the street.

ORDER RECEIVED FOR FILING

Date 8/2/90
By M. Haines

-2-

The Protestants complain that clients visiting the Petitioner's tenants are forced on their parking lot next door and then walk to the Petitioner's building.

Section 307.1, Baltimore County Zoning Regulations (B.C.Z.R.) states that the Baltimore County Zoning Commissioner shall have the power to create variances from an area regulation where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

In reviewing the Petition, it must be kept in mind that "(t)he standard for granting a variance... is... whether strict compliance with the regulations would result in 'practical difficulty or unreasonable hardship'; and that it should be granted only if in strict harmony with the spirit and intent of the Zoning regulations; and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare." *McLean v. Soley*, supra

The question, therefore, is whether it was fairly debatable that the evidence showing strict compliance with the regulations would result in practical difficulty or unreasonable hardship.

The Petitioner has overdeveloped this site. It is true the building that is on this site complies with the B.C.Z.R. and was pre-existing prior to the conversion of the property to office use. However, the Petitioner has chosen to overdevelop the subject building by placing too many office users within the site and not providing adequate facilities for parking. The evidence is uncontradicted that a parking problem currently exists and that the reduction in number of parking spaces, as requested in this variance, would simply thrust the already existing parking problem onto adjoining property owners and/or the public streets and ways.

ORDER RECEIVED FOR FILING

Date 8/2/90
By M. Haines

-3-

Section 307.1 of the B.C.Z.R. states, in part, that a variance "... shall be granted only if in strict harmony with the spirit and intent of the said height, area, off-street parking, or sign regulations, and only in such a manner as to grant relief without substantial injury to the public health, safety, or general welfare." There is clearly no provision within the B.C.Z.R. to allow a land owner to create upon his land a condition which thrusts his problem, specifically, in this case, a lack of parking onto an adjoining land owner. It is inconceivable that the thrusting of one's own problems (lack of parking) upon adjoining land owners would not be a substantial injury to the public, health, safety and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, the requested variance would be detrimental to the public health, safety and general welfare, if granted.

ORDER RECEIVED FOR FILING

Date 8/2/90
By M. Haines

-4-

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-540-A

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 409.6.A.2. To permit 10 parking spaces in lieu of the minimum 13.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) A hardship exists because: The property as purchased was zoned O-1, the lot is small and cannot be expanded, the existing building on the lot has not been enlarged, therefore; the parking shown is based on pre-existing conditions, and the parking shown has been further reduced by the future widening of Church Lane and Bedford Avenue. By the County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.: 304

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day

May 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of August, 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

Date 5/1/90
By M. Haines

mk- 5/1/90
and anytime
ext. time -45 min

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of August 1990 that the Petition for a Zoning Variance from Section 409.6.A.2 to permit 10 parking spaces in lieu of the required 13, in accordance with Petitioner's Exhibit No. 1, is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioner reduce the useable square footage devoted to office space to cause the property to comply with the B.C.Z.R., including all of the provisions of Section 409 of the B.C.Z.R. concerning parking, on or before July 1, 1991; and,

IT IS FURTHER ORDERED that the Petitioner shall provide the Office of Zoning Enforcement with proof that the provisions of Section 409 of the B.C.Z.R. have been complied with, on or before August 1, 1991, and subject to the following restriction:

1. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING

Date 8/2/90
By M. Haines

-5-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 6, 1990



Dennis F. Rasmussen
County Executive

Mr. Jay Fred Cohen
100 Church Lane Partnership
100 Church Lane
Baltimore, Maryland 21208

RE: Petition for Zoning Variance
Case No. 90-540-A
100 Church Lane Partnership, Petitioner

Dear Mr. Cohen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmn
encl.
cc: Peoples Counsel
cc: Julius Lichter, Esquire

H. MALMUD & ASSOCIATES, INC.
100 CHURCH LANE
BALTIMORE, MARYLAND 21208
TELEPHONE (301) 653-9511

DESCRIPTION FOR SPECIAL SPECIAL EXCEPTION
100 CHURCH LANE - PIKESVILLE
BALTIMORE COUNTY, MARYLAND

Beginning for the same on the north side of Church Lane, 33 feet wide and the west side of Bedford Avenue, 40 feet wide, thence binding on Bedford Avenue:

- (1) North 21° 32' 40" East 150.00 feet, thence leaving Bedford Avenue and running the two (2) following courses and distances:
- (2) South 68° 37' 20" East 80.67 feet;
- (3) South 21° 32' 40" East 150.00 feet, to Church Lane thence binding on said Lane;
- (4) North 68° 37' 20" East 80.67 feet to the place of beginning.

Containing 0.28 of an acre of land, more or less.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE

Herbert Malmud
Registered Land Surveyor
Maryland No 7558

May 3, 1990



#387

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: H9000337

Date: 5/06/90

	QTY	PRICE
PUBLIC HEARING FEES	1	\$175.00
020 - ZONING VARIANCE (OTHER)	1	\$175.00
TOTAL:		\$175.00

LAST NAME OF OWNER: COHEN

8 B 131*****17500:8 \$102F

Please make checks payable to: Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd
Date of Posting: July 9, 1990

Posted for: Variance

Petitioner: 100 Church Lane Partnership
100 Church Lane, 30' W of c/l of Bedford Avenue
Location of property: 100 Church Lane
Location of Sign: In front of 100 Church Lane

Remarks: S.J. Arata

Posted by: S.J. Arata

Number of Signs: 1

Date of return: July 13, 1990

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 6, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 5, 1990

THE JEFFERSONIAN.

S. Zeb

PO 105561

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case Number: 90-540-A
100 Church Lane, 30' W of c/l of Bedford Avenue
3rd Election District - 3rd Councilmanic District
Petitioner(s): 100 Church Lane Partnership
Hearing Date: Wednesday, August 1, 1990 at 2:00 p.m.

Variance: to permit 10 parking spaces in lieu of the minimum 13.

In the event that this Petition is granted, a building permit may be issued within thirty (30) days of the date of the hearing. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
Baltimore County
7011 July 5

BALTIMORE COUNTY ZONING COMMISSIONER
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

LEGAL NOTICE

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case Number: 90-540-A
100 Church Lane, 30' W of c/l of Bedford Avenue
3rd Election District - 3rd Councilmanic District
Petitioner(s): 100 Church Lane Partnership
Hearing Date: Wednesday, August 1, 1990 at 2:00 p.m.

Variance: to permit 10 parking spaces in lieu of the minimum 13.

In the event that this Petition is granted, a building permit may be issued within thirty (30) days of the date of the hearing. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner
Baltimore County
7011 July 5

FOR RENT

PARK HEIGHTS AVENUE
Newly Renovated
Bancroft Court & Knightsbridge Apartments
Conveniently located
Leasing Office Located at 5908 Park Heights Ave.
CALL 542-8339

BRISTOL HOUSE
We now have several 1 and 2 bedroom apts. for you to choose. All have carpet, A/C, and indiv. heat controls. Quiet, secure bldg. in convenient location at Clarks La. & Reisterstown Rd. Close to shopping & transp. From \$550 Mo. plus elec. only.
Call 358-8442 to inspect.
Frederick Realty, Inc., 752-6400

CERTIFICATE OF PUBLICATION

Pikesville, Md., 7/4/90

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 4th day of July, 1990

the first publication appearing on the 4th day of July, 1990

the second publication appearing on the 4th day of July, 1990

the third publication appearing on the 4th day of July, 1990

THE NORTHWEST STAR

Manager: Jm Buhl

Cost of Advertisement: \$28

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

100 Church Lane Partnership
100 Church Lane
Baltimore, Maryland 21208

ATTN: JAY FRED COHEN

Res: Petition for Zoning Variance
CASE NUMBER: 90-540-A
N/S Church Lane, 30' W of c/l of Bedford Avenue
100 Church Lane
3rd Election District - 3rd Councilmanic District
Petitioner(s): 100 Church Lane Partnership
HEARING: WEDNESDAY, AUGUST 1, 1990 at 2:00 p.m.

Gentlemen:

Please be advised that \$93.57 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 3071

Date: 7/31/90

M9100068

	QTY	PRICE
PUBLIC HEARING FEES	1	\$93.57
020 - POSTING SIGNS / ADVERTISING	1	\$93.57
TOTAL:		\$93.57

LAST NAME OF OWNER: COHEN

046040013HICRC
CA C00229PM08-01-90 \$93.57

Please make checks payable to: Baltimore County NEXT BUSINESS DAY

Cashier Validation:

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 3349

Date: 9/06/90

A9100020

	QTY	PRICE
APPEAL FEES	1	\$125.00
140 - OF ALL OTHER ORDERS	1	\$25.00
150 - POSTING SIGNS / ADVERTISING	1	\$25.00
TOTAL:		\$150.00

LAST NAME OF OWNER: COHEN

046040078HICRC
BA C010149AM07-06-90 \$150.00

Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case Number: 90-540-A
N/S Church Lane, 30' W of c/l of Bedford Avenue
100 Church Lane
3rd Election District - 3rd Councilmanic District
Petitioner(s): 100 Church Lane Partnership
HEARING: WEDNESDAY, AUGUST 1, 1990 at 2:00 p.m.

Variance: to permit 10 parking spaces in lieu of the minimum 13.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: 100 Church Lane Partnership

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 10, 1990

Mr. Jay Fred Cohen
100 Church Lane
Baltimore, MD 21208

RE: Item No. 387, Case No. 90-540-A
Petitioner: Jay F. Cohen
Petition for Zoning Variance

Dear Mr. Cohen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Dennis F. Rasmussen
County Executive

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

James E. Hyslop
Chairman,
Zoning Plans Advisory Committee

AUG. 1 90-540-A

PK/JL/Cmm

June 6, 1990

Dennis F. Rasmussen
County Executive

Dear Mr. Haines:

Very truly yours,

 Michael S. Flanigan
 Traffic Engineer Associate II

MSF/lvw

JUNE 4, 1990

Dennis F. Rasmussen
County Executive

Gentlemen:

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 26

REVIEWER: Capt. Joseph Kelly 6-4-90 Noted and Approved Capt. W. F. Brad, Jr.
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:8

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
RICHARD E. MATE	104 CHURCH LANE, SUITE 100
JAMES W. BICKERMAN	205 W. CHESAPEAKE AVE 21201
JOHN F. STEINBERG	104 Church Lane Suite 300

September 6, 1990

Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Residential Zoning Variance
N/S Church Lane, 30 ft. W of Bedford Avenue
(100 Church Lane Road)
3rd Election District, 3rd Councilmanic District
100 CHURCH LANE PARTNERSHIP - Petitioner
Case No. 90-540-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on September 4, 1990 by Jay Fred Cohen, Partner of 100 Church Lane Partnership. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Jay Fred Cohen, 100 Church Lane, Baltimore, MD 21208-3785

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Residential Zoning Variance
N/S Church Lane, 30 ft. W of c/l of Bedford Avenue
(100 Church Lane Road)
3rd Election District - 3rd Councilmanic District
100 Church Lane Partnership - Petitioner
Case No. 90-540-A

Petition for Residential Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. Plat to accompany Petition

Notice of Appeal received September 4, 1990 from Jay Fred Cohen,
Partner of 100 Church Lane Partnership

cc: Jay Fred Cohen, 100 Church Lane, Baltimore, MD 21208-3785

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
 Patrick Keller, Office of Planning & Zoning
 J. Robert Haines, Zoning Commissioner
 Ann M. Nastarowicz, Deputy Zoning Commissioner
 James E. Dyer, Zoning Supervisor
 W. Carl Richards, Jr., Zoning Coordinator
 Docket Clerk
 Arnold Jablon, County Attorney

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-540-A

District 3rd

Date of Posting September 14, 1990

Posted for: Appeal

Petitioner: 100 Church Lane Partnerships

Location of property: N/S Church Lane, 30' W of c/s of Bedford Avenue (100 Church Lane Road)

Location of Signs: In front of Church Lane Road

Remarks: _____

Posted by S. J. Arata
Signature

Date of return: September 14, 1990

Number of Signs: 1

CASE NO. 90-540-A

100 CHURCH LANE PARTNERSHIP

N/s Church Lane, 30' W of c/l of Bedford
Avenue (100 Church Lane Road)

3rd Election District

Appealed: 9/04/90



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

H aring Room -
Room 301, County Office Bldg. December 17, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-540-A

100 CHURCH LANE PARTNERSHIP
N/s Church Lane, 30' W of c/l of Bedford
Ave. (100 Church Lane)
3rd Election District
3rd Councilmanic District

VAR-parking spaces/10 in lieu of required
13.

8/7/90 - Z.C.'s Order DENYING Petition.

ASSIGNED FOR:

WEDNESDAY, APRIL 10, 1991 at 1:00 p.m.

cc: Jay Fred Cohen, Esquire Counsel for Petitioner/Appellant

Julius W. Lichter, Esquire

~~People's Counsel for Baltimore County~~

P. David Fields

Pat Keller

Public Services

J. Robert Haines

Ann M. Nastarowicz

James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, County Attorney

*out per Shirley Hess
1/25/91*

LindaLee M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. December 17, 1990

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CASE NO. 90-540-A

100 CHURCH LANE PARTNERSHIP
N/s Church Lane, 30' W of c/l of Bedford
Ave. (100 Church Lane)
3rd Election District
3rd Councilmanic District

VAR-parking spaces/10 in lieu of required
13.

8/7/90 - Z.C.'s Order DENYING Petition.

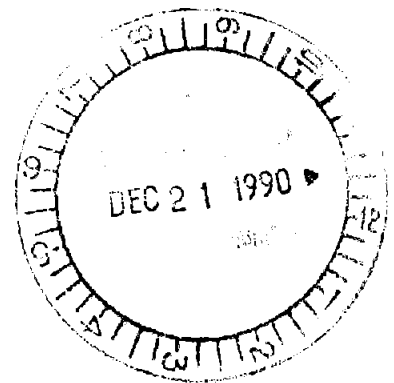
ASSIGNED FOR:

WEDNESDAY, APRIL 10, 1991 at 1:00 p.m.

cc: Jay Fred Cohen, Esquire Counsel for Petitioner/Appellant

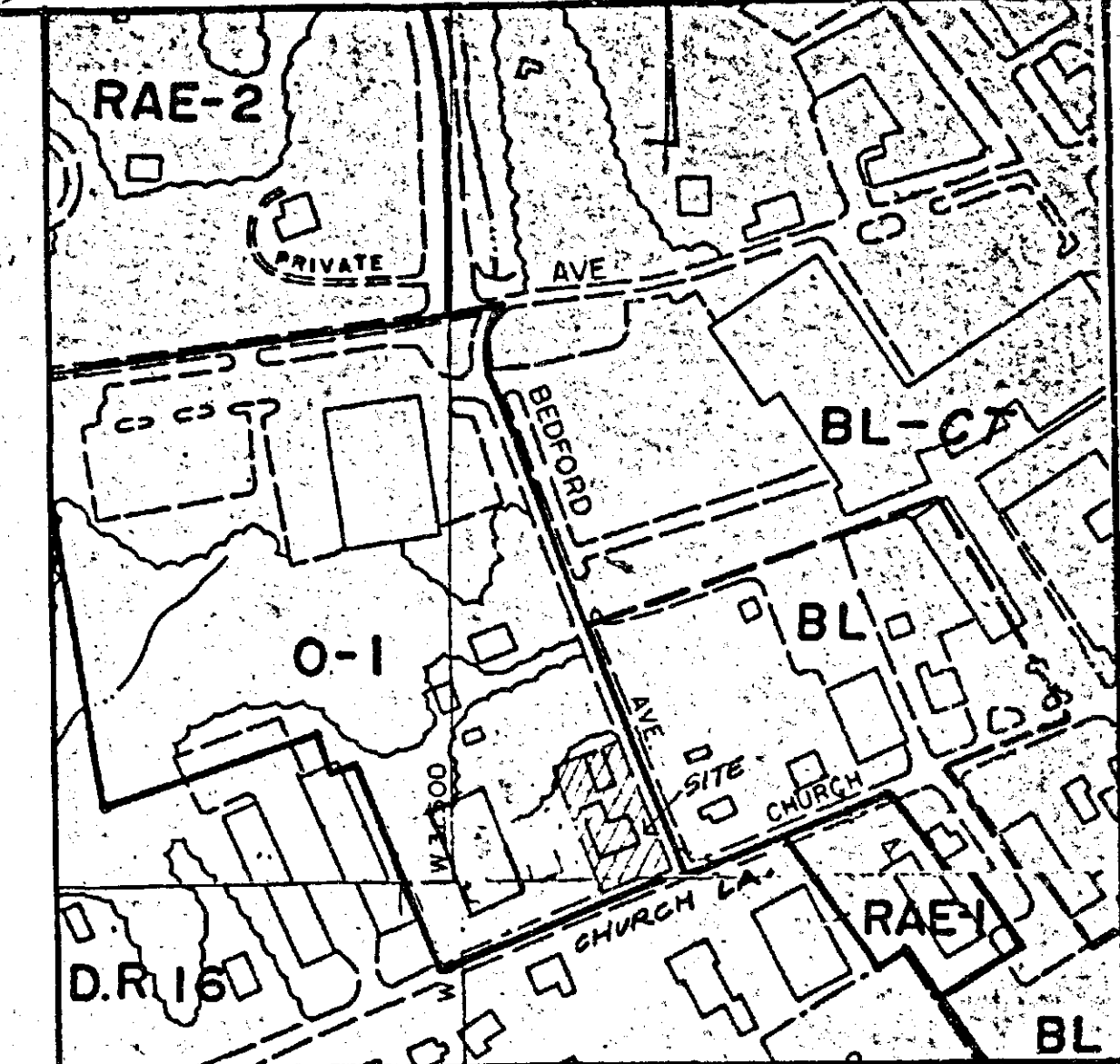
Julius W. Lichter, Esquire

✓ People's Counsel for Baltimore County
P. David Fields
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Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney



LindaLee M. Kuszmaul
Legal Secretary

*Rec. not
involved
sh*

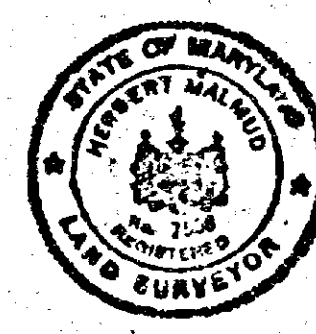


ZONING & VICINITY MAP
Scale: 1" = 200'

NOTES

1. EXISTING ZONING: O-1
2. SITE AREA: 12,100 S.F. - 0.278 AC +/-
3. C.R.G. WAIVER APPROVED JUNE 17, 1988; H-BB-137.
4. DEEDS REFERENCE: 6875/160 , OWNER: 1100 CHURCH LANE PARTNERSHIP
5. TAX ACCOUNT NUMBER: 03-08-056710
6. COUNCILMANIC DISTRICT: # 2
7. CENSUS TRACT: 4034.02
8. WATERSHED: 4, SUB SEWER: 65
9. EXISTING USE: OFFICE BUILDING (LAW OFFICES AND OTHER PROFESSIONALS, NO MEDICAL OFFICES).
10. PARKING REQUIREMENTS: 3750 S.F. - 1000 = 3.75 X 3.3 = 13 SPACES REQUIRED; PROVIDED 18 ON SITE; PUBLIC TRANSPORTATION IS AVAILABLE AT CORNER OF REISTERSTOWN RD & CHURCH LA (800 +/-).
11. A LANDSCAPE PLAN WILL BE PROVIDED TO THE OFFICE OF PLANNING.
12. THIS SITE IS SERVED WITH PUBLIC WATER AND SEWER.
13. STORMWATER MANAGEMENT NOT REQUIRED, DISTURBED AREA LESS THAN 5,000 S.F. SITE ALSO DRAINS TO SWM FACILITY ON ADJOINING PARCEL.
14. SOILS: G1B - GLENFOLA
15. ESTIMATED A.D.T. - 3750 S.F. X 12.3/1000 = 46 ADT
16. INFORMATION FOR CLASS "A" OFFICE BUILDING:
 - A. RENOVATION PERMITS FOR ELECTRIC, PLUMBING ISSUED.
 - B. WAIVER FOR C.R.G. MEETING - JUNE 17, 1988; H-BB-137.
 - C. PERMIT ISSUED FOR ONE FREE STANDING SIGN (SEE DETAIL)
 - D. HOURS OF OPERATION - WEEKDAYS 9AM TO 6PM SATURDAYS 9AM TO 2PM
 - E. NUMBER OF EMPLOYEES: 3
 - F. THE BUILDING HAS NOT BEEN ENLARGED IN FLOOR AREA BY 10% OR MORE SINCE 1965 TO THE BEST OF OUR KNOWLEDGE.
17. PARKING AREA AND DRIVE WILL BE PAVED WITH DUST FREE SURFACE, I.E. MACADAM, ASPHALT.
18. TYPICAL PARKING: 8.5' X 18' (90°), 7.5' X 21' (PARALLEL). ALL SPACES WILL BE STRIPED.

PLAT TO ACCOMPANY REQUEST FOR
VARIANCE FROM OFF-STREET PARKING
REGULATIONS
100 CHURCH LANE • PIKESVILLE
3RD ELECTION DISTRICT BALTIMORE COUNTY, MD
Scale: 1" = 20' May 4, 1990



prepared by:
H. MALMUD & ASSOCIATES, INC.
100 Church Lane
Baltimore, Maryland 21208
Telephone (301) 453-9511

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The property shown hereon is subject to any and all agreements easements, rights-of-way and/or covenants of record and law.