

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: December 3, 2004

TO: Timothy Kotroco, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *TR*
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>
94-205-X	94-205-X	NAYLOR LANE LIMITED PARTNERSHIP	4000 OLD COURT ROAD
96-485-SPHXA	96-485-SPHXA	GERMAN HILL LIMITED PARTNERSHIP	2508 PLAINFIELD ROAD
CBA-90-119	PLAT VALIDITY	HILLTOP PLACE	PLAT 1 AND 2 CLARK BLVD
CBA-90-118	WAIVER DENIAL W-90-56	W BELL PLAZA	SECURITY BLVD

Attachment: SUBJECT FILE(S) / EXHIBIT(S) ATTACHED;

IN THE MATTER OF THE
THE APPLICATION OF
NAYLOR LANE LTD PARTNERSHIP
- PETITIONER FOR SPECIAL
EXCEPTION ON PROPERTY LOCATED
ON THE NE/COR OLD COURT ROAD
AND NAYLOR'S LANE
(4000 OLD COURT ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 94-205-X

* * * * *

ORDER OF DISMISSAL

This matter comes before this Board on appeal dated February 9, 1994 from a decision of the Deputy Zoning Commissioner dated January 12, 1994 in which the requested special exception relief was granted;

WHEREAS, by letter dated November 14, 2003, the Board of Appeals notified the parties of record in the above-entitled matter that the appeal would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, the Board has not received a reply from its letter of November 14, 2003, within 30 days as requested;

IT IS THEREFORE ORDERED this 20th day of October, 2004 by the County Board of Appeals of Baltimore County that the above-referenced appeal in Case No. 94-205-X be and the same is hereby **DISMISSED FOR LACK OF PROSECUTION**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, 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 20, 2004

Nancy E. Paige, Esquire
GORDON, FEINBLATT, ROTHMAN,
HOFFBERGER & HOLLANDER
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

RE: *In the Matter of: Naylor Lane Ltd. Partnership*
Case No. 94-205-X /Order of Dismissal

Dear Ms. Paige:

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
Administrator

Enclosure

c: I. William Chase, Esquire
Dr. Stanley Friedler
Pat Keller, Director /Planning
William J. Wiseman III /Zoning Commissioner
Timothy M. Kotroco, Director /PDM





County Board of Appeals of Baltimore County

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

November 14, 2003

Harry L. Chase, Esquire
Suite 124
1190 W. Northern Parkway
Baltimore, MD 21210

Nancy E. Paige, Esquire
GORDON, FEINBLATT, ROTHMAN,
HOFFBERGER & HOLLANDER
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

RE: *In the Matter of: Naylor Lane Ltd. Partnership*
Case No. 94-205-X

Dear Counsel:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss and close as many of these cases as possible.

Pursuant to the above intent, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

A handwritten signature in black ink, reading "Kathleen C. Bianco".

Kathleen C. Bianco
Administrator



NOTICE TO PARTIES PRIOR TO DISMISSAL

11/14/03 – Letter to H. Chase and N Paige- Order of Dismissal to be issued after expiration of 30 days and file closed – failure to prosecute.

4/12/96 -Notice of Assignment for hearing scheduled for Thursday, June 30, 1994 at 10:00 a.m. sent to following:

Nancy E. Paige, Esquire
on behalf of herself & Pine Ridge Assoc.
I. William Chase, Esquire
Dr. Stanley Friedler
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

6/30/94 -Telephone call from Harry Chase, Esquire, and call from Nancy Paige, Esquire --

Settlement nearly complete; requesting that matter be postponed (would be done on the record at 10:00 a.m. today); Harry Chase, Esquire, to present request on record; to be granted.

Case postponed on the record; Petitioner to prepare order upon completion of settlement negotiations and execution.

10/25/96 -Letter to Counsel (Paige, Chase, PC); no further action to date on this file; to be dismissed after expiration of 30 days from date of this Notice.

11/27/96 -T/C from Nancy Paige -- requesting that matter be held open; agreement completed but never executed; does not want to lose appeal; will attempt to resolve and will put this call in writing when she returns to Baltimore (called from New York).

12/03/96 -Letter from N. Paige confirming above telephone conversation; if settlement and final execution fo agreement not possible, will then pursue appeal.

LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, LLC
THE GARRETT BUILDING
233 EAST REDWOOD STREET
BALTIMORE, MARYLAND 21202-3332

410-576-4000

Telex 908041 BAL
Fax 410-576-4246

NANCY E. PAIGE
410-576-4294

December 2, 1996

VIA FAX 887-3182
& FIRST CLASS MAIL

Ms. Kathleen C. Bianco
Legal Administrator
County Board of Appeals
of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Case No. 94-205-X
Naylors Lane Limited Partnership

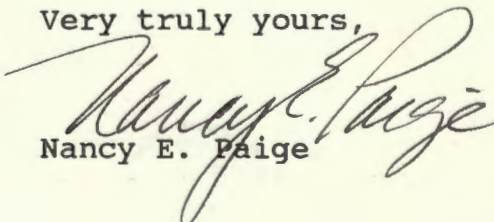
Dear Ms. Bianco:

This will confirm our conversation of last week in which I advised you that I do not wish the referenced matter dismissed.

After the filing of the appeal in this matter, the parties agreed to the terms of a settlement. However, the written confirmation of that settlement has never been executed and the applicant, NeighborCare, is not currently in compliance with its terms.

In order to avoid further litigation, I have been in touch with William Chase, attorney for the owner of the property in an effort to resolve our differences. If this is not possible, however, I intend to pursue the appeal.

Very truly yours,


Nancy E. Paige

cc: William Chase

Bianco.ltr

96 DEC 8 - 3:00 PM '96

LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, LLC
THE GARRETT BUILDING
233 E. REDWOOD STREET
BALTIMORE, MD 21202
TEL: 410-576-4000
FAX: 410-576-4246

FAX TRANSMITTAL

To: Ms. Kathleen C. Bianco		Fax #: 887-3182
From: Nancy E. Paige		Phone #: 410-576-4294
Date: December 2, 1996	Time:	Pages (including cover): 2
Ref #: 124/99998/00003		

MESSAGE:

ORIGINAL WILL NOT FOLLOW _____

ORIGINAL WILL FOLLOW BY _____

☒ REGULAR MAIL_____
COURIER_____
OTHER _____**PRIVILEGED AND CONFIDENTIAL**

THE INFORMATION SUPPLIED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND MAY BE LEGALLY PRIVILEGED. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS REFERENCED ABOVE VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

IF THIS TRANSMISSION IS INCOMPLETE
OR ILLEGIBLE, PLEASE CALL OUR FAX
OPERATOR AT 410-576-4023.

SENT: _____

DATE: _____

TIME: _____

OPERATOR: _____



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

October 25, 1996

Nancy E. Paige, Esquire
~~GORDON~~, FEINBLATT, ROTHMAN,
HOFFBERGER & HOLLANDER
Garrett Building
233 E. Redwood Street
Baltimore, MD 21202

Harry L. Chase, Esquire
Suite 124
1190 W. Northern Parkway
Baltimore, MD 21210

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case No. 94-205-X
Naylor Lane Ltd. Partnership

Dear Counsel:

The Board of Appeals has been reviewing its docket, particularly with reference to inactive cases. By this review, the Board intends to dismiss as many of these cases as possible. The last entry relative to the matter, made more than two years ago, indicated that a settlement had been reached and this appeal would be withdrawn upon execution of a final agreement. However, there has been no further action taken to date in this file.

Therefore, the purpose of this letter is to advise you that an Order of Dismissal for lack of prosecution will be entered in the above-captioned matter after the expiration of 30 days from the date of this Notice. On Motion filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Very truly yours,

A handwritten signature in cursive script, reading "Kathleen C. Bianco".

Kathleen C. Bianco
Legal Administrator





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 12, 1994

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. 94-205-X

NAYLOR LANE LIMITED PARTNERSHIP
NE/corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District

SE -To permit pharmacy on first floor of existing medical office building on the subject site.

12/22/93 -D.Z.C.'s Order in which Petition for Special Exception is GRANTED with restrictions.

1/12/94 -D.Z.C.'s Amended Order removing Restriction No. 3 to permit utilization of existing sign by proposed pharmacy.

ASSIGNED FOR:

THURSDAY, JUNE 30, 1994 at 10:00 a.m.

cc: Nancy E. Paige, Esquire, on behalf
of herself & Pine Ridge Assn.

Appellants /Protestants

I. William Chase, Esquire
Dr. Stanley Friedler

Counsel for Petitioner
Petitioner

People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 12, 1994

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. 94-205-X

NAYLOR LANE LIMITED PARTNERSHIP
NE/corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District

SE -To permit pharmacy on first floor of existing medical office building on the subject site.

12/22/93 -D.Z.C.'s Order in which Petition for Special Exception is GRANTED with restrictions.

1/12/94 -D.Z.C.'s Amended Order removing Restriction No. 3 to permit utilization of existing sign by proposed pharmacy.

ASSIGNED FOR: THURSDAY, JUNE 30, 1994 at 10:00 a.m.

cc: Nancy E. Paige, Esquire, on behalf
of herself & Pine Ridge Assn.

Appellants /Protestants

I. William Chase, Esquire
Dr. Stanley Friedler

Counsel for Petitioner
Petitioner

People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy H. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 10, 1994

I. William Chase, Esquire
1190 W. Northern Parkway
Baltimore, MD 21210

RE: Petition for Special Exception
NE/Corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District
Naylor Lane Limited Partnership-Petitioner
Case No. 94-205-X

Dear Mr. Chase:

Please be advised that an appeal of the above-referenced case was filed in this office on February 9, 1994 by Nancy E. Paige, Esquire on behalf of self and the Pine Ridge Association. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a faint circular stamp.

ARNOLD JABLON
Director

AJ:jaw

c: Dr. Stanley Friedler
People's Counsel



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 139912

DATE 2/8/94 ACCOUNT R-001-6150

AMOUNT \$175.00

RECEIVED FROM: NANCY PAIGE

FOR: FRIEDLER PROPERTY - APPEAL
94-205-X

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 139911

DATE 2/9/94 ACCOUNT R-001-6150

AMOUNT \$35.00

RECEIVED FROM: NANCY PAIGE

FOR: FRIEDLER PROPERTY - APPEAL SIGN
94-205-X

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 NE/Corner Old Court Road and * DEPUTY ZONING COMMISSIONER
 Naylor's Lane * OF BALTIMORE COUNTY
 (4000 Old Court Road) * Case No. 94-205-X
 3rd Election District *
 2nd Councilmanic District *
 Naylor Lane Limited Partnership
 Petitioner *

* * * * *

AMENDED ORDER

This matter came before the Deputy Zoning Commissioner as a Petition for Special Exception to use a portion of the subject property as a pharmacy, pursuant to Section 204.3.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1.

The relief requested was granted, subject to restrictions, by Order issued December 22, 1993.

Subsequently, by letter dated January 7, 1994, Counsel for the Petitioner requested a modification of the Order to remove Restriction No. 3 thereof to permit the use of an existing sign, formerly used by Northwest Health Services, by the proposed tenant, Neighbor Care Pharmacy.

In consideration of the relief requested, and inasmuch as the use of said sign was permitted as a matter of right for the previous tenant,

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of January, 1994 that the request for modification in the Motion for Reconsideration in the above-captioned matter be and is hereby APPROVED, and as such, Restriction No. 3 of the Order issued December 22, 1993 shall be modified as follows:

"3) The Petitioner shall be permitted to utilize the existing sign previously used by Northwest Health Services for the proposed Neighbor Care Pharmacy; however, there shall be no other signage associated with the proposed pharmacy along Old Court Road or Naylor's Lane."

ORDER RECEIVED FOR FILING

Date

By

#205

Description

to Accompany Petition for Special Exception
941 Square Foot Parcel on the First Floor
of the Existing Office Building at
4000 Old Court Road, North of Old Court Road,
Southeast of Naylor's Lane,
Third Election District, Baltimore County, Maryland

IMW

The Maryland Department of Transportation

Division of Planning and Development

Division of Planning and Development

Division of Planning and Development

Division of Planning and Development

Division of Planning and Development

Division of Planning and Development

Beginning for the same at the end of the two following courses and distances from the intersection of the centerline of Old Court Road, 70 feet wide, and the centerline of Naylor's Lane, 60 feet wide, (1) Easterly, along said centerline of Old Court Road 340 feet, more or less, and thence (2) Northerly, radially to the centerline of said Old Court Road, 130 feet, more or less, to the point of beginning and to the intersection of the centerline of the west wall and the centerline of the south wall of Suite 101 on the first floor of the office building there situated, running thence (1) Northerly, along the centerline of said west wall, 39 feet, more or less, thence (2) Easterly, along the centerline of the north wall of said Suite 101, 15 feet, more or less, thence still along the centerline of said north wall the following four courses and distances, viz: (3) Southeasterly, 6 feet, more or less, thence (4) Easterly, 4 feet, more or less, and thence (5) Southeasterly, 3 feet, more or less, to a point on the centerline of the east wall of said Suite 101, thence (6) Southerly, binding on said last mentioned centerline, 33 feet, more or less, to a point on the aforementioned centerline of the south wall of said Suite 101, and thence (7) Westerly, binding on said aforementioned centerline, 25 feet to the point of beginning, containing 941 square feet of land, more or less.

Page 1 of 2

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.
November 9, 1993
Project No. 85058.A (85058A.1)



Page 2 of 2

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 11/29/93
Posted for: Special Exception
Petitioner: Naylor Lane Partnership
Location of property: 4000 Old Court Rd., N/S 15th Naylor's Lane
Location of Sign: Along Naylor's Lane, from 4th to 5th Ave.
Remarks: None
Posted by: M. J. J. J. Date of return: 11/29/93
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 25, 1993

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 Nov. 25, 1993.

THE JEFFERSONIAN,
LEGAL AD. - TOWSON
Publisher

THE JEFFERSONIAN
111 West Chesapeake Avenue
Towson, MD 21204
Phone: 410-335-3353
Fax: 410-335-3353
E-Mail: jef@jef.com
Internet: www.jef.com
Subscription Rates: \$10.00 per year in advance
Single Copies: \$2.00 per copy
Advertising Rates: See separate sheet
Second Class postage paid at Towson, MD
Postmaster: Please send address changes to THE JEFFERSONIAN, 111 West Chesapeake Avenue, Towson, MD 21204

receipt
Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Account: R-001-0100
Number: 94-205-X
Item Number: 205
Date: 11/12/93
Naylor Lane Limited Partnership -
4000 Old Court Road
C50 - Special Exception - \$1,300.00
C80 - sign - \$1,35.00
Total: \$1,335.00
Please Make Checks Payable To Baltimore County
Cashier Validation

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION
REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
39912
DATE: 11/14 ACCOUNT: 11111111
AMOUNT: \$1,335.00
RECEIVED FROM: NAYLOR LANE PARTNERSHIP
FOR: 11111111
11-205-X
\$1,335.00
BALANCE: 0.00
VALIDATION OR SIGNATURE OF CASHIER
DATE: 11/14 TIME: 11:00

BALTIMORE COUNTY, MARYLAND
OFFICE OF ZONING ADMINISTRATION
REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
39911
DATE: 11/14 ACCOUNT: 11111111
AMOUNT: \$1,335.00
RECEIVED FROM: NAYLOR LANE PARTNERSHIP
FOR: 11111111
11-205-X
\$1,335.00
BALANCE: 0.00
VALIDATION OR SIGNATURE OF CASHIER
DATE: 11/14 TIME: 11:00

Item Number: 205
Planner: MJS
Date Filed: 11/12/93

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

- Need an attorney ☒
- The following information is missing:
- ☐ Descriptions, including accurate beginning point
 - ☐ Actual address of property
 - ☐ Zoning
 - ☐ Acreage
 - ☐ Plans (need 12, only 1 submitted)
 - ☐ 200 scale zoning map with property outlined
 - ☐ Election district
 - ☐ Councilmanic district
 - ☐ BIZR section information and/or wording
 - ☐ Hardship/practical difficulty information
 - ☒ Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - ☐ Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - ☐ Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
 - ☐ Power of attorney or authorization for person signing for legal owner and/or contract purchaser
 - ☐ Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
 - ☐ Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TXTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
94-205-X
(410) 887-3353
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 205
Petitioner: Naylor Lane Limited Partnership
Location: 4000 Old Court Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Harry I. Chase
ADDRESS: 1190 W Northern Parkway
Baltimore, MD
PHONE NUMBER: 21210

AJ:ggg

(Revised 04/09/93)

TO: POTENTIAL PUBLISHING COMPANY
11/25/93 Issue - Jeffersonian

Please forward billing to:

Harry I. Chase, Esq.
1190 W. Northern Parkway
Baltimore, Maryland 21210
410-433-4100

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-205-X (Item 205)

4000 Old Court Road - Friedler Property
corner W/S Old Court Road, SE/S Naylor's Lane
3rd Election District - 2nd Councilmanic

Petitioner(s): Naylor Lane Limited Partnership

HEARING: MONDAY, OCTOBER 13, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception to place a pharmacy in the first floor, suite 101, of 941 square feet.

LAWRENCE E. SCHULY
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204
NOVEMBER 18, 1993
(410) 887-3353

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-205-X (Item 205)

4000 Old Court Road - Friedler Property
corner W/S Old Court Road, SE/S Naylor's Lane
3rd Election District - 2nd Councilmanic

Petitioner(s): Naylor Lane Limited Partnership

HEARING: MONDAY, OCTOBER 13, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Exception to place a pharmacy in the first floor, suite 101, of 941 square feet.

Arnold Jablon
Director

cc: Naylor Lane Limited Partnership
Harry I. Chase, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO: RM. 106, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Recycled Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 3, 1993

Harry E. Chase, Esquire
1190 West Northern Parkway
Baltimore, Maryland 21210

RE: Case No. 94-205-X, Item No. 205
Petitioner: Naylor Lane Limited Partnership
Petition for Special Exception

Dear Mr. Chase:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 November 12, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

 Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

11-22-93

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 7265 (MJK)

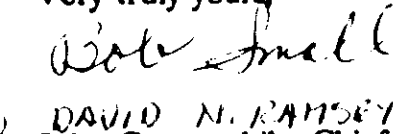
Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,


DAVID N. RAMSEY, ACTING CHIEF
John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2256 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

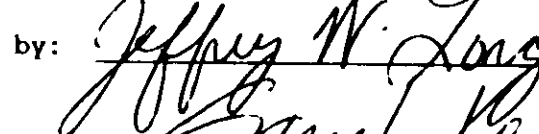
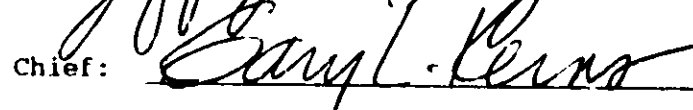
DATE: November 29, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 200, 202, 204, 205, 206, 207, 208, 209, 210, 213, 216 and 217.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: 
Division Chief: 

PK/JL:lw

ZAC 202/PZOM/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

February 10, 1994

I. William Chase, Esquire
1190 W. Northern Parkway
Baltimore, MD 21210

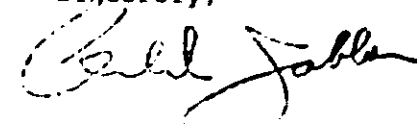
RE: Petition for Special Exception
NE/Corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District
Naylor Lane Limited Partnership-Petitioner
Case No. 94-205-X

Dear Mr. Chase:

Please be advised that an appeal of the above-referenced case was filed in this office on February 9, 1994 by Nancy E. Paige, Esquire on behalf of self and the Pine Ridge Association. All materials relative to the case have been forwarded to the Board of Appeals.

If you have any questions concerning this matter, please do not hesitate to contact Julie Winiarski at 887-3391.

Sincerely,


ARNOLD JABLON
Director

AJ:jaw

cc: Dr. Stanley Friedler
People's Counsel

APPEAL

Petition for Special Exception
NE/Corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District - 2nd Councilmanic District
Naylor Lane Limited Partnership-PETITIONER
Case No. 94-205-X

Petition(s) for Special Exception

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plan to Accompany Special Exception

Letter support from Gabriel W. Rosenbush dated December 9, 1994

Deputy Zoning Commissioner's Order dated January 12, 1994 (Granted)

Notice of Appeal received on February 9, 1994 from Nancy E. Paige, Esquire

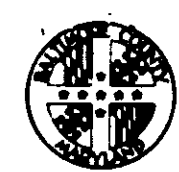
cc: Nancy E. Paige, Esquire, Gordon, Feinblatt, Rothman, Hoffberger & Hollander, The Garrett Building, 233 E. Redwood Street, Baltimore, MD 21202-3332

I. William Chase, Esquire, Chase & Chase, 1190 W. Northern Parkway, Suite 124, Baltimore, MD 21210

Dr. Stanley Friedler, 4000 Old Court Road, Pikesville, MD 21208

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
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 12, 1994

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. 94-205-X

NAYLOR LANE LIMITED PARTNERSHIP
NE/corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District

SE -To permit pharmacy on first floor of existing medical office building on the subject site.

12/22/93 -D.Z.C.'s Order in which Petition for Special Exception is GRANTED with restrictions.
1/12/94 -D.Z.C.'s Amended Order removing Restriction No. 3 to permit utilization of existing sign by proposed pharmacy.

ASSIGNED FOR: THURSDAY, JUNE 30, 1994 at 10:00 a.m.

cc: Nancy E. Paige, Esquire, on behalf of herself & Pine Ridge Assn. Appellants /Protestants

I. William Chase, Esquire Counsel for Petitioner
Dr. Stanley Friedler Petitioner

People's Counsel for Baltimore County

P. David Fields

Lawrence E. Schmidt

Timothy H. Kotroco

W. Carl Richards, Jr. /ZADM

Docket Clerk /ZADM

Arnold Jablon, Director /ZADM

Kathleen C. Weidenhammer
Administrative Assistant

PLEASE RETURN SIGN AND POST TO ROOM 49 ON DAY OF HEARING.

LAW OFFICES
GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER

THE GARRETT BUILDING
233 E. REDWOOD STREET
BALTIMORE, MD 21202-3332

410-576-4000
Telex 908041 BAL
Fax 410-576-4246

NANCY E. PAIGE
410-576-4294

February 8, 1994

Arnold Jablon
Director of Zoning Administration
and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

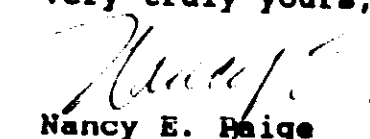
RE: Petition for Special Exception
NE/Corner Old Court Road and Naylor's Lane
(4000 Old Court Road)
3rd Election District
2nd Councilmanic District
Naylor Lane Limited Partnership - Petitioner
Case No. 94-205-X

Dear Mr. Jablon:

Please enter an appeal to the Board of Appeals on behalf of Nancy E. Paige, individually, and the Pine Ridge Association from the Order entered in the referenced case on January 12, 1994. Enclosed is my check in the amount of \$210.00 to cover the \$175 filing fee and the \$35 posting fee.

Thank you.

Very truly yours,


Nancy E. Paige

mn

enclosure

cc: I. William Chase, Esquire
1190 W. Northern Parkway
Baltimore, Maryland 21210

RECEIVED
FEB 9 1994
ZADM



December 9, 1993

Mr. Lawrence Schmidt
Zoning Commissioner
For Baltimore County
Suite 113 Courthouse
400 Washington Ave
Towson, Md 21204

Re: Case # 94 - 205 - X
4000 Old Court Rd. - Friedler Property

Dear Mr. Schmidt:

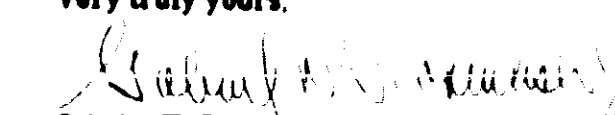
This is to advise you that the Zoning Committee of the Pikesville Chamber of Commerce has met with the representative of the above mentioned petitioner and has reviewed their Special Exception request.

The Committee is in full support of placing a pharmacy in suite 101 of the above mentioned building. We believe that it will serve the requirements of the medical tenants in the building as well as those of the immediate community.

It has been agreed between the Petitioner and the Committee the any signage for this pharmacy will be placed in the existing sign box in the same location previously occupied by the Northwest Health Services. There will be no expansion of the square footage of that sign nor will there be any signs placed in the windows of the building.

Therefore, we request that you enter these conditions along with our support into the order granting the petitioner's request.

Very truly yours,


Gabriel W. Rosenbush Jr.
Chairman Zoning Committee for
Pikesville Chamber of Commerce

cc: William Chase, Esq.
Sid Friedman, Pres. POC

CHASE & CHASE

ATTORNEYS AT LAW

1190 W. NORTHERN PARKWAY, SUITE 18A, BALTIMORE, MD 21204

(410) 455-4100

(410) 455-4174 FAX

HARRY L. CHASE
I. WILLIAM CHASE
ALINA M. GROSS

December 13, 1993

Timothy M. Kotroco
Deputy Zoning Commissioner
400 Washington Avenue
Towson, Maryland 21204

RE: Case: 94-205-X
4000 Old Court - Friedler
D/H: December 13, 1993

Dear Mr. Kotroco:

In reference to the issues concerning the pharmacy's use of a van for delivery and the sign, please note the following:

1. The proposed tenant has agreed that there would be only one van used, and said van which is usually on the road from 8:00 A.M. to 6:00 P.M., would be parked in the back, out of view near the dumpster.

2. The tenant still has requested to use the existing sign, as indicated in the hearing.

In addition, the following should be noted as to Ms. Paige's argument that a pharmacy would established a commercial business in the building which would attract other clientele then the patients using the building:

A. That under the present zoning, my client by matter of right is allowed to have a photocopying establishment, eating or drinking establishment, travel bureaus and banks, which are commercial in nature, and could result in a higher volume of traffic then a pharmacy.

B. That according to my research, the reason a pharmacy was made a special exception was solely based on available parking. Clearly as stated in the hearing, my client's

building has adequate parking and that said use would mostly be for persons already seeing other tenants in the building.

Thank you for your kind consideration in this matter.

Very truly yours,

HARRY L. CHASE

cc: Nancy Paige
Client

CHASE & CHASE

ATTORNEYS AT LAW

1190 W. NORTHERN PARKWAY, SUITE 18A, BALTIMORE, MD 21204

(410) 455-4100

(410) 455-4174 FAX

January 7, 1994

HARRY L. CHASE
I. WILLIAM CHASE
ALINA M. GROSS

Tim Kotroco
Deputy Zoning Commissioner
For Baltimore County
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special
Exception
Case No.: 94-205-X

Dear Mr. Kotroco:

Please consider this letter as a Motion for Reconsideration concerning your decision in the above case, as to signage.

In your decision you have prohibited my client from having any signage either on Old Court Road or Maylors Lane. However, according to my client and his conversations with various community leaders and the Pikeville Chamber of Commerce, the only signage requested was the already existing sign which was allowed by a matter of right for the previous tenant.

The sign is considerably small in comparison to any of the signs in the Pikeville area, and is essential to close the deal with the new tenant (pharmacy). As you can see in the file, the Chamber requested that this be the only sign allowed to indicate that a pharmacy was in my client's building.

Again, the only change in your decision that we are requesting is to allow us to use the existing sign for the new tenant, otherwise we will lose this tenant.

Thank you for your kind consideration in this matter.

Very truly yours,

HARRY L. CHASE

HLC/lls

PLEASE PRINT CLEARLY

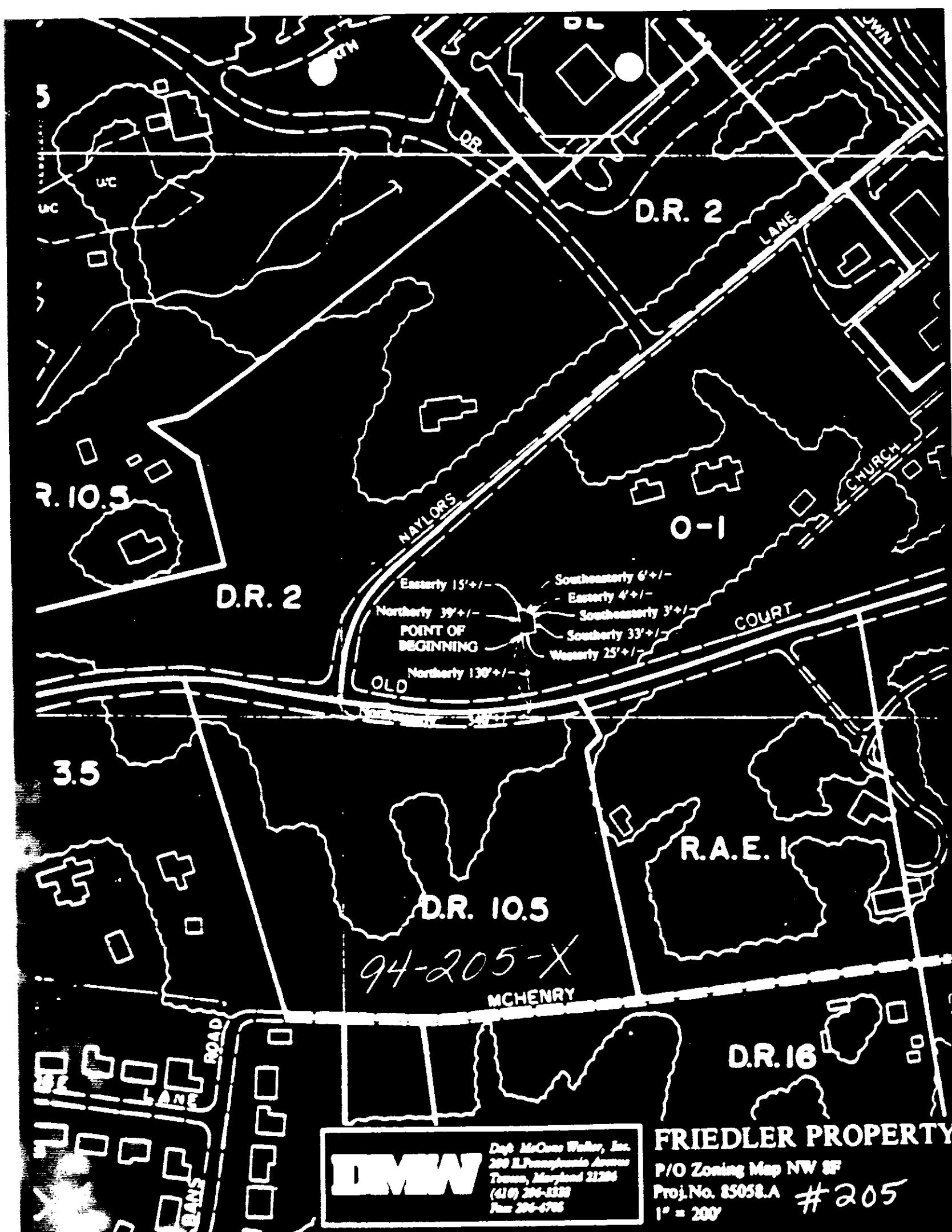
PROTESTANT(S) SIGN-IN SHEET

NAME

Nancy Paige

ADDRESS

4000 Old Court RD 21204



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DAFT-McCUNE-WALKER, INC.

200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 1333
Fax 296 4705

CLASS 'C' OFFICE BUILDING
**FRIEDLER
PROPERTY**
4000 OLD COURT RD
ELECTION DISTRICT 3 BALTIMORE CO., MD

DATE

REVISIONS

1 of 1

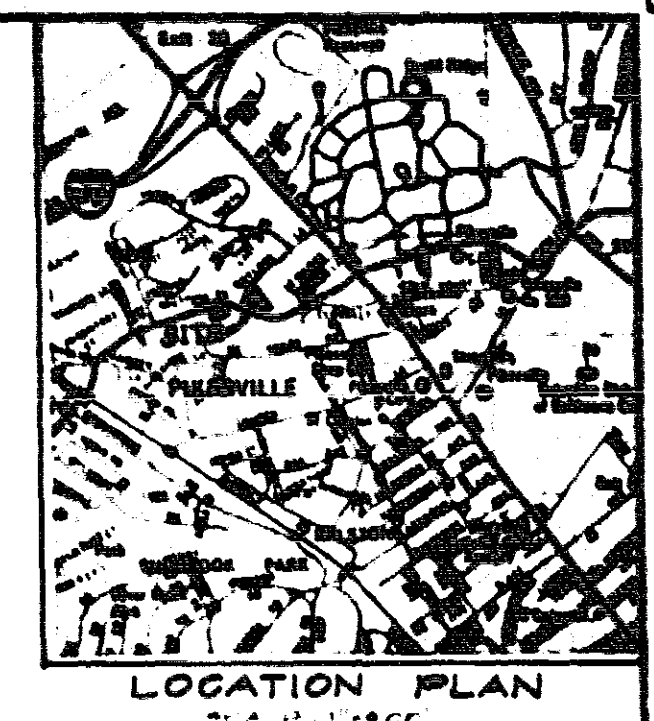
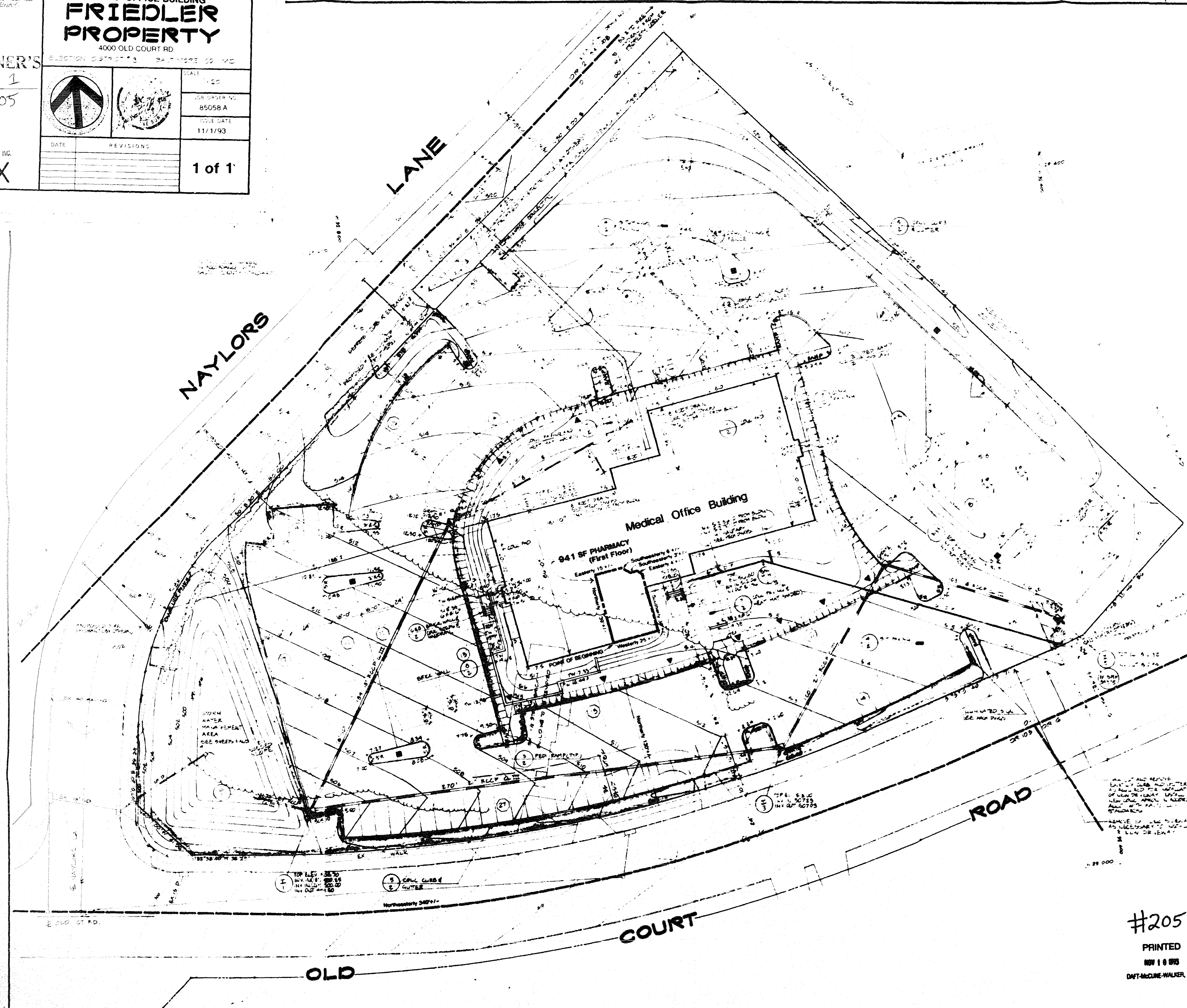
OWNER'S EXHIBIT 1

#205

PRINTED

NOV 10 1993

94-205-X



- Owner: Naylor's Lane Ltd. Partnership
c/o Stanley Friedler
4000 Old Court Rd., Suite 100
Baltimore, MD 21206
- Use: Class 'C' Office Building
- Site Area and Zoning
1.57 Ac. (3.11 Net)
4.34 Ac. (3.11 Gross)
- Density (FAR = 1.55)
Allowed = 4.34 x 0.55 = 2.39 Acres
Provided = 4.34 x 0.55 (0.24 FAR)
- Parking
Required = 11,747 SF Med. Off. @ 45,000 SF/Acre = 261 Spaces
941 SF Retail @ 1,000 SF/Acre = 1 Space
Total = 262 Spaces
Proposed = 261 Spaces (incl. 211 C)
- Space meet requirements of Sec. 89.18.2.R. are paved with a durable, dustless surface and striped.
- Amenity Open Space
Required = 1.57 Ac. x 0.2 = 0.31 Acres
Provided = 0.31 Acres
- There are no streams, springs or bodies of water, wells or septic systems on site.

PLAN & PLAT TO ACCOMPANY
ZONING PETITION FOR SPECIAL EXCEPTION

DAFT-McCUNE-WALKER, INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 1333
Fax 296 4705

CLASS 'C' OFFICE BUILDING
**FRIEDLER
PROPERTY**
4000 OLD COURT RD
ELECTION DISTRICT 3 BALTIMORE CO., MD

DATE

REVISIONS

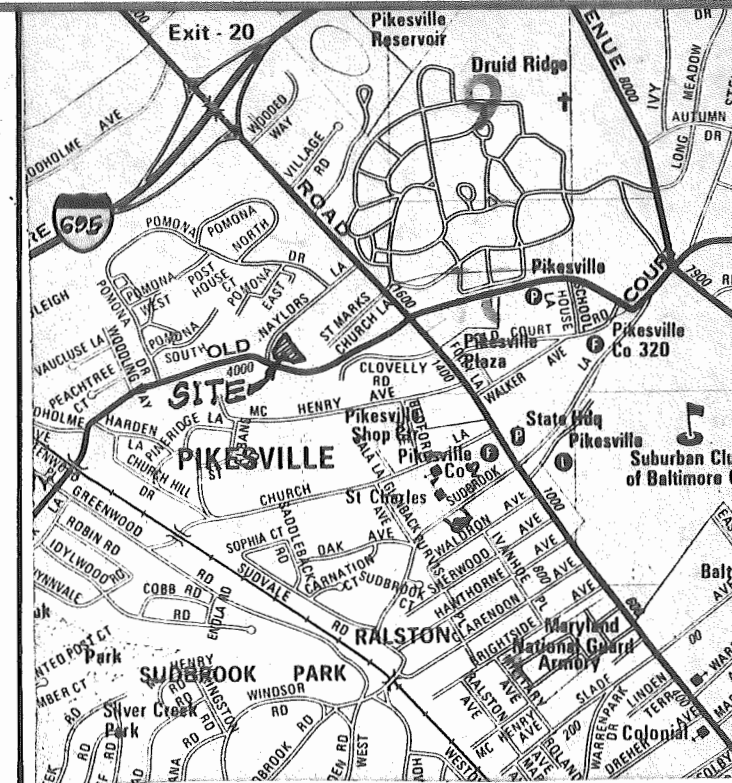
1 of 1

#205

PRINTED

NOV 10 1993

DAFT-McCUNE-WALKER, INC.



1. Owner: Naylor Lane Ltd. Ptnrshp.
c/o Stanley Friedler
4000 Old Court Rd., Suite 100
Baltimore, MD 21208
- Deed # 7064/95
Prop. # 16-00-001631
Permit # 83004 C-1919-85
83856 C-2105-85
86123 C-345-86
2. CRC Plan for Friedler Property was approved in July 1985.
3. Site Acreage and Zoning
3.57 Ac. O-1 Net
4.34 Ac. O-1 Gross
4. Density (FAR = 0.55)
Allowed = $4.34 \times 0.55 = 103,977$ SF
Provided = 45,708 SF (0.24 FAR)
5. Parking
Required = $44,767$ SF Med. Ofc. @ $4.5/1000 = 201$ Spaces
 941 SF Retail @ $5/1000 = 5$ Spaces
Total = 206 Spaces
Proposed = 241 Spaces (incl. 7 H/C)
Spaces meet requirements of Sec. 409 BCZR, are paved with a durable, dustless surface and striped.
6. Amenity Open Space
Required = 3.57 Ac. $\times 0.2 = 31,103$ SF
Provided = 45,135 SF
7. There are no streams, springs or bodies of water, wells or septic systems on site.

KEY
LIGHTS - SEE ELEC. DRWGS.
A.O.S.

PLAN & PLAT TO ACCOMPANY
ZONING PETITION FOR SPECIAL EXCEPTION

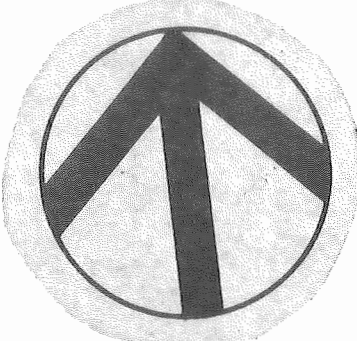
DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
200 East Pennsylvania Avenue
Towson, Maryland 21206
410 296 3333
Fax 296 4705

CLASS 'C' OFFICE BUILDING
**FRIEDLER
PROPERTY**
4000 OLD COURT RD.
ELECTION DISTRICT # 3 BALTIMORE CO., MD

PETITIONER'S
EXHIBIT 1
#205

PRINTED
NOV 10 1995
DAFT-McCUNE-WALKER, INC.

94-205-X

			SCALE: 1"=20'
			JOB ORDER NO. 85058.A
			ISSUE DATE 11/1/93
DATE	REVISIONS		1 of 1