

IN RE: PETITION FOR VARIANCE
SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83)
(Bare Hills Development)
3rd Election District
2nd Councilmanic District
(Old Pimlico Road)

Shikani Associates, LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-134-A

*

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* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Shikani Associates, LLC. The variance request is for property located at Old Pimlico Road, 201 ft. northeast of the Jones Falls Expressway. The variance request is to permit a maximum building height of 84 ft. in lieu of the permitted 60 ft., to permit a side yard setback of 17 .1 ft. in lieu of the required 30 ft. and a 0 ft. rear yard setback in lieu of the required 40 ft. for a proposed EZ-Storage warehouse building.

Appearing at the hearing on behalf of the variance request were Craig Pittinger and Sam Bradner, on behalf of EZ-Storage and Ben Bronstein, attorney at law, representing the Petitioners. Mr. Tom Koch appeared as an interested neighbor. There were no protestants in attendance

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 6.6 acres, more or less, split-zoned ML & MLR. The subject property is unimproved at this time. The Petitioners propose to develop the property with a 7-story EZ-Storage building as shown on Petitioners' Exhibit No. 1 A, the site plan submitted into evidence. The testimony and evidence offered at the hearing demonstrated that there are several factors which hinder the development of the subject property. A BG&E right-of-way runs through the

ORDER RECEIVED FOR FILING

Date

10/24/00

By

J.P. Demers

center of the site. Furthermore, there is a 100 year floodplain located on the property. These building limitations are shown on Petitioners' Exhibit No. 1C which was submitted into evidence. The Petitioners propose to situate their 7-story warehouse building in the only feasible portion of the property that can be developed. By doing so, the variances are generated. It should be noted that the 0 ft. rear yard setback is being requested at a location that is adjacent to the Jones Falls Expressway. Therefore, that and the other variances will have no adverse impact on any surrounding properties. As is usual and customary with EZ-Storage, the Petitioners will also have a residential caretaker on site to oversee the property once the building is constructed. In order to proceed with the construction of this building, the variance requests are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will

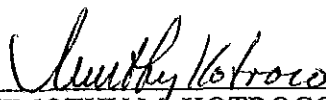
ORIGINAL FILED FOR FILING
DATE 10/14/00
BY JF Jamison

unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED this 24th day of October, 2000, by this Deputy Zoning Commissioner, that the Petitioners' request for variance to permit a maximum building height of 84 ft. in lieu of the permitted 60 ft., to permit a side yard setback of 17 .1 ft. in lieu of the required 30 ft., and to permit a 0 ft. rear yard setback in lieu of the required 40 ft. for a proposed EZ-Storage warehouse building, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are 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, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 10/24/00

By: R. J. J. J.

IN RE: PETITION FOR VARIANCE
SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83)
(Bare Hills Development)
3rd Election District
2nd Councilmanic District
(Old Pimlico Road)

Shikani Associates, LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-134-A

*

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owners of the subject property, Shikani Associates, LLC. The Petitioners are requesting variances for a building to be constructed on the subject property as follows:

1. from Section 249 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a maximum building height of 84 ft. in lieu of the permitted 60 ft.; and
2. from Section 250.2 of the B.C.Z.R., to permit a side yard setback of as close as 0 ft. in lieu of the required 30 ft.; and
3. from Section 250.3 of the B.C.Z.R., to permit a 0 ft. rear yard setback in lieu of the required 40 ft.

The subject property is split-zoned ML and MLR and is located on the south side of Old Pimlico Road, east of and adjacent to the Jones Falls Expressway. The subject property contains 6.6 acres.

Appearing at the hearing on behalf of the variance request were Craig Pittinger and Jack Hellman, appearing on behalf of EZ-Storage, Deb Wittle, with STV, Inc. and Ben Bronstein, attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request were representatives of the surrounding community associations, Sarah Lord, Pat Draisey and Peggy Squitieri.

OUT
11/2/01
J.R. Johnson

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 6.6 acres, more or less, split-zoned ML & MLR. The subject property is unimproved at this time. The Petitioners propose to construct a 7-story EZ-Storage warehouse building on the subject property in accordance with Petitioners' Exhibit No. 1, the site plan submitted into evidence. The location of the building is dictated by several restraints that affect this particular parcel of property. There is a BGE right-of-way that, for the most part, bisects this property down the middle. There are also steep slopes, forest buffers and flood plains that also affect the property. Therefore, the only buildable area of the property is the area where the building is proposed to be located. Accordingly, the side and rear yard variances being requested are a result of the physical limitations that affect this property. In addition, the Petitioners are requesting a variance to allow the building to be 84 ft. in height in lieu of the permitted 60 ft. This particular variance request has nothing to do with the limitations previously mentioned.

As stated previously, several representatives of the surrounding community associations appeared in opposition to the Petitioners' request. Their testimony demonstrated that the building proposed for this property is entirely too tall for this site. Ms. Lord indicated in her testimony that the subject property already sits approximately 30 ft. higher in elevation than Old Pimlico Road. Therefore, the first floor elevation of the building is already 30 ft. higher than the adjacent roadway. This, in her opinion, will cause the 84 ft. building to appear to be 114 ft. in height, given that it is proposed to be constructed on top of a hill. The citizens were also concerned that locating the subject building immediately adjacent to the Jones Falls Expressway on property that is higher in elevation than the road bed of the Jones Falls Expressway will also cause the building to be out of proportion with the other buildings located along I-83. Therefore,

they request that the height variance, as well as the side and rear yard variances being requested should be denied.

It should be noted that this matter came before this Deputy Zoning Commissioner on October 18, 2000. At that time, the variances were granted for the Petitioners. There was no opposition at that hearing, in that the representatives who appeared at the hearing before me on December 4, 2000 were not properly notified of the previous hearing date. Furthermore, it was noted previously that the property was improperly posted for the October 18, 2000 hearing. The certification of the sign poster contained within the file indicated that the sign was only located on the property for 12 days and not the requisite 15 day posting period. That certainly would explain why there was no opposition to this building at the previous hearing.

However, the sentiment at the contested hearing before me held on December 4, 2000 was very different. The objections raised by the citizens in attendance were meritorious and have caused me to look upon this proposal in a different light. After considering their testimony and opposition to this request, I find that the proposed 84 ft. tall building situated atop a hill is too imposing and, therefore, the height variance requested by the Petitioner shall be denied. The Petitioner should construct a building that is no taller than the 60 ft. permitted.

I also note, for purposes of this Order, that I have received letters from Patricia Draisey on behalf of the Falls Garden Condominium, Inc. and Elliott Lewis of the Smith-Greenspring Association, Inc., indicating that they are withdrawing their opposition to these variances. However, the opposition expressed by Ms. Lord and Ms. Squiteri at the hearing still stands and, therefore, is sufficient reason to deny the height variance being requested.

As to the variances to allow the building to be situated 0 ft. from the rear yard property line and 17.1 ft. from the side yard property line, those should be granted. The testimony clearly

demonstrated that the many site constraints associated with this property dictate that the building be situated at this location.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners 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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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.

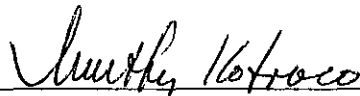
Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

THEREFORE, IT IS ORDERED this 17th day of January, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance to allow the subject building to be 84 ft. in height in lieu of the permitted 60 ft., is hereby DENIED.

IT IS FURTHER ORDERED, that the Petitioners' request for variances, to permit a side yard setback of as close as 17 .1 ft. in lieu of the required 30 ft. and to permit a 0 ft. rear yard setback in lieu of the required 40 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

1/17/01
R. J. Jenson

IN RE: PETITION FOR VARIANCE
SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83)
(Bare Hills Development)
3rd Election District
2nd Councilmanic District
(Old Pimlico Road)

Shikani Associates, LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-134-A

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* * * * *

AMENDED ORDER

This matter came before this Deputy Zoning Commissioner, by way of a public hearing held on the 18th day of October, 2000, in Room 407 of the County Courts Building at 2:00 p.m. The Petitioners appeared at the hearing, as well as a Mr. Tom Koch, a nearby business owner. At the time, there were no protestants in attendance. The Petitioner presented testimony and evidence to support the variances that were being requested at the time of the hearing before me. Subsequently, I issued an order dated the 24th day of October, 2000, wherein the Petitioner's request for several variances were granted.

After the issuance of the order, I received a letter dated the 30th day of October, 2000 from Sarah Lord, Zoning Chair of the Ruxton/Riderwood/Lake Roland Improvement Association. Ms. Lord indicates in her letter, that the communities received inaccurate information as to the actual hearing date for this case. She asks in her letter that I reconsider my previously issued order. Upon further review of the case file, it was noted that the sign advertising the subject hearing, which was located on Old Pimlico Road, was not posted for the requisite 15 day time period. Mr. Tom Ogle posted the subject sign on October 6, 2000 and the hearing was held on October 18, 2000, only 12 days after the time the sign was erected. Therefore, given the inadequacy and insufficiency of the posting of the property and the inaccurate information

ORDER RECEIVED FOR FILING

Date 11/8/00

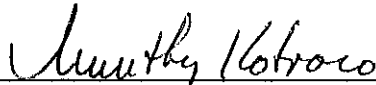
By R. Jamison

supplied to the surrounding communities relative to the hearing date on this case, I find that my previous decision issued the 24th day of October, 2000, be and is hereby rescinded and the matter shall be set in for a new hearing.

THEREFORE, IT IS ORDERED this 2nd day of November, 2000, by this Deputy Zoning Commissioner, that my previous decision dated the 24th day of October, 2000, be and is hereby stricken.

IT IS FURTHER ORDERED, that the Petitioner shall arrange for a new hearing date for this case to be heard. The subject case shall be heard *de novo*, as if there were no public hearing held on October 18, 2000.

IT IS FURTHER ORDERED, that the Petitioner shall be required to readvertise the subject variance request in the newspaper and the subject property shall be reposted in accordance with the Baltimore County Zoning Regulations. As noted previously, the property was improperly posted by the Petitioner in the first instance. This matter was not brought to the attention of this Deputy Zoning Commissioner, at the time of the hearing before me. Therefore, the Petitioner shall be required to repost and readvertise the subject property for a new hearing date.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

Date 11/2/00
By J.P. Gmerson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

January 17, 2001

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev.)

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above-captioned case. As a result of the hearing held in this matter on December 4, 2000, the Petition for Variance has been denied in part and granted in part, in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Copies to:

Mr. Craig Pittinger
12011 Guilford Road, Suite 101
Annapolis Junction, MD 20701

Mr. Jack Hellman
12011 Guilford Road, Suite 101
Annapolis Junction, MD 20701

Deb Wittle
STV, Inc.
21 Governors Ct.
Baltimore, MD 20701

Ms. Sarah Lord
Greater Falls Road Neighborhood Alliance
6134 Barroll Road
Baltimore, MD 21209

Ms. Pat Draisey
Falls Garden Condominium Assoc.
9c Friendswood Ct.
Baltimore, MD 21209

Ms. Peggy Squitieri
Ruxton-Riderwood-Lake Roland
Area Improvement Assoc.
P. O. Box 204
Riderwood, MD 21139

Copies to:

Mr. Craig Pittinger
12011 Guilford Road, Suite 101
Annapolis Junction, MD 20701

Mr. Jack Hellman
12011 Guilford Road, Suite 101
Annapolis Junction, MD 20701

Deb Wittle
STV, Inc.
21 Governors Ct.
Baltimore, MD 20701

Ms. Sarah Lord
Greater Falls Road Neighborhood Alliance
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Ms. Pat Draisey
Falls Garden Condominium Assoc.
9c Friendswood Ct.
Baltimore, MD 21209

Ms. Peggy Squitieri
Ruxton-Riderwood-Lake Roland
Area Improvement Assoc.
P. O. Box 204
Riderwood, MD 21139



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 23, 2000

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev.)

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. Craig Pittinger
12011 Guilford Road, Suite 101
Annapolis Junction, MD 20701

Mr. Sam Bradner
21 Governor's Court
Baltimore, MD 21244

Mr. Tom Koch
P. O. Box 34
Phoenix, MD 21131



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Old Pimlico Road 201' N/E of JONES FALLS EXPRESSWAY
which is presently zoned ML & MLR

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)

249 BCZR to permit a maximum building height of 84 ft in lieu of the permitted 60 ft; Section 250.2 to permit a side yard setback as close as 17.1 ft in lieu of the required 30 ft; Section 250.3 to permit a 0 ft rear yard setback in lieu of the required 40 ft.

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

1. Configuration of the property
2. Topography of the property
3. And for such other and further reasons to be demonstrated at the time of 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:

Benjamin Bronstein
Name - Type or Print _____
Signature _____
George & Bronstein, LLP
Company _____
15 West Susquehanna Avenue, Suite 205 410-296-0200
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Shikani Associates, LLC
Name - Type or Print _____
Signature _____
Name - Type or Print _____ Agent
Signature _____
11 Johnson Mill Rd (410) 825-2222
Address _____ Telephone No. _____
Baltimore MD 21204
City _____ State _____ Zip Code _____

Representative to be Contacted:

STV Incorporated - Debra K. Whittle, RLA
Name _____
21 Governor's Court 410-944-9112
Address _____ Telephone No. _____
Baltimore Maryland 21244
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By CTM Date 9/21/00

Case No. 01-054-A

134

ORDER RECEIVED
10/16/00
By



STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax: (410) 298-2794

ZONING DESCRIPTION FOR SIENA CORPORATION OF PARCEL A - BARE HILLS BALTIMORE COUNTY, MARYLAND

Beginning at a point on the southeast side of Old Pimlico Road, which is 60 feet wide, distant North $73^{\circ}38'45''$ East 201 feet from the centerline of the Jones Falls Expressway, Interstate No. 83. Thence running with and binding on said southeasterly side of Old Pimlico Road,

1. North $73^{\circ}38'45''$ East 277.00 feet to a point, distant South $73^{\circ}38'45''$ West 516 feet from the centerline of Falls Road, Maryland Route No. 25, thence leaving said Old Pimlico Road and running for the nine following courses and distances,
2. South $16^{\circ}21'15''$ East 65.00 feet to a point, thence
3. North $73^{\circ}38'45''$ East 12.23 feet to a point, thence
4. South $06^{\circ}00'00''$ West 201.02 feet to a point, thence
5. South $06^{\circ}20'20''$ East 154.00 feet to a point, thence
6. South $02^{\circ}11'20''$ East 157.00 feet to a point, thence
7. South $33^{\circ}08'10''$ East 86.00 feet to a point, thence
8. South $36^{\circ}37'30''$ East 130.70 feet to a point, thence
9. South $04^{\circ}57'40''$ East 367.00 feet to a point, thence
10. South $23^{\circ}32'27''$ West 250.44 feet to a point on the aforesaid northeasterly side of the Jones Falls Expressway, which has a variable width right of way shown on Maryland State Highway Administration Right of Way Plat Nos. 25005, 25006 and 25008, thence running with and binding on said northeasterly side of the Jones Falls Expressway, the five following courses and distances,
11. North $02^{\circ}37'10''$ West 162.05 feet to a point, thence
12. South $84^{\circ}33'00''$ West 74.38 feet to a point, thence

~~034~~ 134

01-034-A



STV Incorporated

13. North 16°21'15" West 1,036.17 feet to a point, thence
14. North 29°13'31" East 70.01 feet to a point, thence
15. North 16°21'15" West 55.00 feet to the place of beginning, as recorded in Deed Liber S.M. 10999, Folio 667.

Being Parcel 'A' in the subdivision of Bare Hills, as recorded in Baltimore County Plat Book S.M. 65, Folio 41, containing 6.6057 acres of land, and located in the 3rd Election District.

September 13, 2000

STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899

MAR/jm

h:\general\data\10277\correspo\zondescr.doc





BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

[Signature]
BUILDINGS ENGINEER

BUILDING PERMIT

PERMIT #: B456531 CONTROL #: C- DIST: 03 PREC: 07
 DATE ISSUED: 03/10/2002 TAX ACCOUNT #: 2200014516 CLASS: 07

PLANS: CONST 2 PLOT 9 R PLAT 0 DATA 3 ELEC YES PLUM YES
 LOCATION: 7401 OLD PIMLICO RD
 SUBDIVISION: BARE HILLS

OWNERS INFORMATION

NAME: SHIKAN ASSOC LLC
 ADDR: 11 JOHNSON MILL RD 21204

TENANT: EZ-STORAGE

CONTR: TBD

ENGR:

SELLR:

WORK: CONST 68TY SELF STORAGE BLDG.
 85'X330X60'8-1370046F

BLDG. CODE: BOCA CODE

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

2.5M PROPOSED USE: STORAGE BLDG
 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION

USE: INDUSTRIAL STORAGE BUILDING

FOUNDATION:

BASEMENT: NONE

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 6.60AC
 FRONT STREET:
 SIDE STREET:
 FRONT SETB: 40'
 SIDE SETB: 0/30'
 SIDE STR SETB:
 REAR SETB: 40'

**THIS PERMIT EXPIRES
 ONE YEAR FROM
 DATE OF ISSUE**

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

MIN 26 2006
26.1004

SIENA CORPORATION AGENCY ESCROW ACCOUNT

A060

BCM02

Baltimore County

5/25/2006

70611

70611

Invoice Number	Date	Description	Document Amount
052506	5/25/2006	Certificate of Zoning approval	\$250.00

Net Check Amount \$250.00

MISCELLANEOUS RECEIPT

No. 141

DATE 5 31 66 ACCOUNT DEI 666 6150

AMOUNT \$ 251

RECEIVED
FROM: Ray Pittrogu

FOR: 9461 2nd Kentico

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commission 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: #01-134-A
Old Pimlico Road
SE/S Old Pimlico Road, corner NE/S Jones Falls
Expressway (I-83) (Bare Hills Development)
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Shikani Associates, LLC

Variance: to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

Hearing: Wednesday, October 18, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/10/664 Oct. 10 C425778

CERTIFICATE OF PUBLICATION

TOWSON, MD, 10/13/, 2000

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 10/10/, 2000.

J. Wilkinson
THE JEFFERSONIAN,

LEGAL ADVERTISING

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: #134-A

Old Pimlico Road

SE/S Old Pimlico Road, corner NE/S

Jones Falls Expressway (I-83) (Bare Hills Development)

3rd Election District - 2nd Councilmanic District

Legal Owner(s): Shikani Associates, LLC

Variance: to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

Hearing: Monday, December 4, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4388.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

11/17/2006 Nov. 16

C434202

01-134-A

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 proposed [REDACTED] as follows:

Old Pimlico Road
SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Development)
3rd Election District - 2nd Councilmanic District
Legal Owner(s): Shikani Associates, LLC.

Variance: to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

Hearing: Monday, December 4, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County.

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

11/17/2000 Nov. 16

C434202

CERTIFICATE OF PUBLICATION

TOWSON, MD, 11/16/, 2000

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 11/16/, 2000.

S. Wilkinson
THE JEFFERSONIAN,
LEGAL ADVERTISING

CERTIFICATE OF POSTING

**RE: CASE # 01-134-A
PETITIONER/DEVELOPER
(Shikani Assoc. Inc.)
DATE OF Hearing
(10-18-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

Posted on Old Pimlico Road Baltimore, Maryland 21209_____

THE SIGN(S) WERE POSTED ON_____ 10-6-00 _____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)

ZONING NOTICE

Case # : 01-134-A

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

PLACE *Pimlico County Court Road 461601101 D.C.*
TIME & DATE *2¹⁰⁰⁰ P.M. Wed. October 18, 2000*

*VARIANCE TO PERMIT A MAXIMUM BUILDING HEIGHT OF
50 FEET IN L.V.D. OF THE ZONING DISTRICT. 50 FEET TO
PERMIT A SIDE YARD SETBACK AS CLOSE AS 17.1
FEET IN L.V.D. OF THE ZONING DISTRICT. 30 FEET AND TO
PERMIT A ZERO FOOT REAR YARD SETBACK IN
L.V.D. OF THE ZONING DISTRICT.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO COMPLY HEARING
CALL 800-333-7262 THE DAY BEFORE BY CHECKING HEARING DATE
IF NO HEARING DATE IS SET, THE HEARING WILL BE HELD AT THE US
MEMBERS ARE HANDICAPPED ACCESSIBLE

Posted on Old Pimlico Road

CERTIFICATE OF POSTING

**RE: CASE # 01-134-A
PETITIONER/DEVELOPER
(Shikanl Assoc. Inc.)
DATE OF Hearing
(12-4-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

Posted on Old Pimlico Road Baltimore , Maryland 21209_____

THE SIGN(S) WERE POSTED ON_____ 11-14-00_____
(MONTH, DAY, YEAR)

SINCERELY,


(SIGNATURE OF SIGN POSTER & DATE)

_____THOMAS P. OGLE SR. _____

_____325 NICHOLSON ROAD _____

_____BALTIMORE, MARYLAND 21221 _____

_____410-687-8405 _____
(TELEPHONE NUMBER)

ZONING NOTICE

Case # 01-134-A

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

PLACE *RM407 County Courts Bldg 401 Bayley Ave.*

TIME & DATE *2nd Mon. December 4, 2000*

*VARIANCE TO PERMIT A MAXIMUM BUILDING HEIGHT OF
8'6" FEET IN LIEU OF THE PRESCRIBED 6'0" FEET TO PERMIT
A SIDE YARD SETBACK AS CLOSE AS 17.1 FEET IN
LIEU OF THE REQUIRED 30 FEET AND TO PERMIT A
200' FOOT REAR YARD SETBACK IN LIEU OF THE
REQUIRED 40 FEET.*

DISFORMATIONS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY TO CONFIRM HEARING.
CALL 800-ORR-THAT (THE DAY BEFORE) TO PREVIEW HEARING DATE.
HEARINGS ARE HANDICAPPED ACCESSIBLE.

Posted on Old Pimlico Road

RE: PETITION FOR VARIANCE
Old Pimlico Road (Bare Hills Development), SE/S Old
Pimlico Rd, cor NE/S Jones Falls Expressway (I-83)
3rd Election District, 2nd Councilmanic

Legal Owner: Shikani Associates LLC
Petitioner(s)

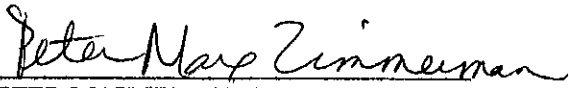
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-134-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of October, 2000 a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esq., George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 10, 2000 Issue – Jeffersonian

Please forward billing to:

Benjamin Bronstein
George & Bronstein, LLP
29 West Susquehanna Ave., Suite 205
Towson, MD 21204

410 296-0200

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: 01-134-A

Old Pimlico Road

SE/S Old Pimlico Road, corner NE/S Jones Falls Expressway (I-83) (Bare Hills Development)

3rd Election District – 2nd Councilmanic District

Legal Owner: Shikani Associates, LLC

Variance to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

HEARING: Wednesday, October 25, 2000, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

September 28, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-134-A

Old Pimlico Road

SE/S Old Pimlico Road, corner NE/S Jones Falls Expressway (I-83) (Bare Hills Development)

3rd Election District – 2nd Councilmanic District

Legal Owner: Shikani Associates, LLC

Variance to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

HEARING: Wednesday, October 25, 2000, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "GDZ" written below it.

Arnold Jablon
Director

C: Benjamin Bronstein, George & Bronstein, LLP, 29 West Susquehanna Avenue,
Suite 205, Towson 21204

Shikani Associates, LLC 11 Johnson Mill Road, Baltimore 21204

STV Inc., Debra K. Whittle, RLA, 21 Governor's Court, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY OCTOBER 10, 2000**
- (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
Thursday, November 16, 2000 Issue – Jeffersonian

Please forward billing to:

Benjamin Bronstein
George & Bronstein, LLP
29 W. Susquehanna Ave., Suite 205
Towson, MD 21204

410 296-0200

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: 134-A

Old Pimlico Road

SE/S Old Pimlico Road, corner NE/S Jones Falls Expressway (I-83) (Bare Hills Development)

3rd Election District – 2nd Councilmanic District

Legal Owner: Shikani Associates, LLC

Variance to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

HEARING: Monday, December 4, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

GDZ

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

November 8, 2000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 134-A
Old Pimlico Road
SE/S Old Pimlico Road, corner NE/S Jones Falls Expressway (I-83) (Bare Hills Development)
3rd Election District – 2nd Councilmanic District
Legal Owner: Shikani Associates, LLC

Variance to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard setback as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard setback in lieu of the required 40 feet.

HEARING: Monday, December 4, 2000 at 2:00 p.m. in Room 407, County Courts Building,
401 Bosley Avenue

G D Z

Arnold Jablon
Director

C: Benjamin Bronstein, George & Bronstein, LLP, 29 W. Susquehanna Avenue,
Suite 205, Towson 21204
Shikani Associates, LLC 11 Johnson Mill Road, Baltimore 21204
STV Inc. Debra K. Whittle, RLA, 21 Governor's Court, Baltimore 21244
Craig Pittiniser, 12011 Guilford Road, Suite 101, Annapolis Junction, MD 20701
Sam Bradner, 21 Governor's Court, Baltimore 21244
Tom Koch, P. O. Box 34, Phoenix, MD 21131

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 17, 2000.**
(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.



Baltimore County
Department of Permits and
Development Management

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

October 13, 2000

Benjamin Bronstein
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204

Dear Mr. Bronstein:

RE: Case Number: 01-134-A, Old Pimlico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 21, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. G2Z
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Shikani Associates, LLC, 11 Johnson Mill Road, Baltimore 21204
STV, Inc., Debra K. Whittle, RLA, 21 Governor's Court, Baltimore 21244
People's Counsel



Baltimore County
Department of Permits and
Development Management

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

December 4, 2000

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204

Dear Mr. Bronstein:

RE: Case Number: 01-134-A, Old Pimlico Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 21, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Shikani Associates, LLC, 11 Johnson Mill Road, Baltimore 21204
STV Inc., Debra K. Whittle, RLA, 21 governor's Court, Baltimore 21244
Craig Pittiniser, 12011 Guilford Road, Suite 101, Annapolis Junction 20701
Sam Bradner, 21 Governor's Court, Baltimore 21244
Tom Koch, P. O. Box 34, Phoenix 21131
People's Counsel

INTEROFFICE CORRESPONDENCE

DATE: October 10, 2000

SUBJECT: Zoning Advisory Committee Meeting
for October 10, 2000
Item Nos. 114, 127, 128, 130, 131,
132, 134, and 135

cc: File



**Baltimore County
Fire Department**

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

October 3, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SHIKANI ASSOCIATES, LLC

Location: DISTRIBUTION MEETING OF OCTOBER 2, 2000

Item No.: 134

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RB*

DATE: October 16, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of October 2, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
127	3308 Kyle Court
128	3627 Burmont Avenue
131	19601 Middletown Road
134	Bare Hills

sent
10/18

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: October 13, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Old Pimlico Road

017

INFORMATION:

Item Number: 01-134

Petitioner: Shikani Associates LLC

Zoning: ML & MLR

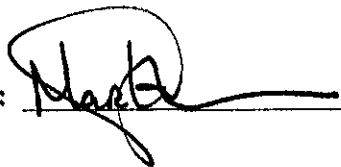
Requested Action: Variancecg

SUMMARY OF RECOMMENDATIONS:

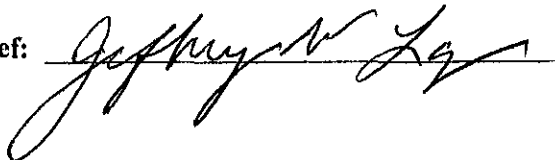
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. Should the request be granted, elevation drawings should be submitted to this office for review and approval.

For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 10-2-00

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

RE: Baltimore County
Item No. 134 LTM

Dear Ms. Jackson:

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

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

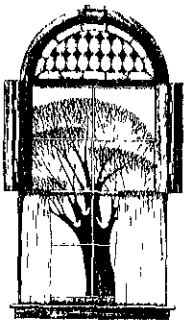
Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



SMITH-GREENSPRING ASSOCIATION, INC.

P.O. BOX 20879 • BALTIMORE, MARYLAND 21209

December 19, 2000

22

Mr. Timothy Kotroco
Deputy Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

RE: Case no: 01-134-A
SE/S Old Pimlico Road
Corner NE/S Jones Falls Expressway
Request for Variance

Dear Mr. Kotroco:

In light of the approval of the alternate plan presented in regards to the proposed development, the Smith-Greenspring Association, representing 1900 families, believes that the first plan for this property is preferable. We therefore withdraw our opposition to the requested variance allowing a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard set back as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard set back in lieu of the required 40 feet.

Thank you for your consideration in this matter.

Very truly yours,

Elliot N. Lewis
President.

cc. Benjamin Bronstein, Esq.



Baltimore County
Zoning Commissioner

new hearing (2.)
Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 2, 2000

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev.)

Dear Mr. Bronstein:

Enclosed please find an Amended Order for the above-captioned case, wherein I have rescinded my previous Order dated October 24, 2000. For the reasons set forth in the enclosed order, I am requesting that a new hearing be scheduled.

Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. George Zahner
PDM

Peter Max Zimmerman, Esq.
Office of People's Counsel

Ms. Sara Lord, Zoning Chair
Ruxton/Riderwood/Lake Roland
Area Improvement Assn., Inc.
P. O. Box 204
Riderwood, Maryland 21139

Mr. Tom Koch
P. O. Box 34
Phoenix, Maryland 21131

Copies to:

Mr. George Zahner
PDM

Peter Max Zimmerman, Esq.
Office of People's Counsel

Ms. Sara Lord, Zoning Chair
Ruxton/Riderwood/Lake Roland
Area Improvement Assn., Inc.
P. O. Box 204
Riderwood, Maryland 21139

Mr. Tom Koch
P. O. Box 34
Phoenix, Maryland 21131



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 2, 2000

Benjamin Bronstein, Esquire
George & Bronstein, LLP
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

Re: Petition for Variance
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev.)

Dear Mr. Bronstein:

Enclosed please find an Amended Order for the above-captioned case, wherein I have rescinded my previous Order dated October 24, 2000. For the reasons set forth in the enclosed order, I am requesting that a new hearing be scheduled.

Should you have any questions or require any additional information, please feel free to contact me.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Department of Permits and
Development Management

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

October 05, 2000

Benjamin Bronstein
George & Bronstein LLP
29 West Susquehanna Avenue, Suite 205
Towson, MD 21204

Dear Mr. Bronstein:

RE: Case Number 01-134-A, Old Pimlico Road

The above matter, previously assigned to be heard on October 25, 2000, has been **rescheduled for Wednesday, October 18, 2000 at 2:00 p.m. in Room 407, 401 Bosley Avenue.**

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If you need further information or have any questions, please do not hesitate to contact George Zahner at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon". To the right of the signature, the initials "GDZ" are written in a small, blocky font.

Arnold Jablon
Director

AJ: gdz

C: Shikani Associates, LLC 11 Johnson Mill Road Baltimore 21204
STV, Inc., Debra K. Whittle, RLA, 21 Governor's Court, Baltimore 21244

Greater Falls Road
Neighborhood Task Force, Inc.

The Hon. Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
New Courts Building, 4th Floor
Towson, MD 21204

December 7, 2000

Dear Commissioner Kotroco,

Thank you for letting the communities revisit the matter of the EZStorage development at Old Pimlico Road and Falls Road, when a scheduling mishap had left us out of the loop. We recognize this doubles your workload, so we are especially grateful you are letting us be heard.

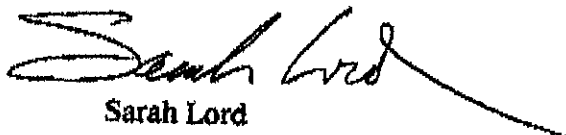
While it is true that this is not the easiest site to build on, it is important to understand that will always be the case in Bare Hills. Bare Hills sites have streams and springs running through them; they are underlain with rock, and are classified as "highly erodeable" and "not appropriate for steep slope construction". Given these characteristics, waiving regulations is unwise (and there are local disasters to point to as proof).

Regulations permit this facility to rise 60 feet in the air, atop a 30-foot platform, which is the hill. So this EZStorage will be a commanding presence and a startling change in the neighborhood. But let's not make an 84-foot (oops, a 114-foot) tower out of it! Unlike the award-winning architecture of Gerstung (which is several stories shorter), EZStorage facilities are designed to be conspicuously functional, not attractive. This one will be visible from Old Pimlico Road, Falls Road, I-83 and from the condominiums nearby. We feel very strongly that it should not be granted a variance to height regulations.

It is also our feeling that all setbacks should be maintained. (Purchasing a difficult lot is a self-imposed hardship, and must NOT be viewed as a ticket to waiving regulations.) While there are constraints on this lot, even taken together they are not so burdensome as to prevent a variety of practicable developments while adhering to regulations. Whereas, it is a mockery to designate Falls Road a Baltimore County and Maryland State "Scenic Route" if its view is degraded because the county permits developers to bend both regulations and scenic route landscape guidelines.

We would like to raise one final consideration regarding what is constructed at this site. Because of the intensive condominium building on Old Pimlico Road, there now is hue and cry for an expressway exit abutting this site. Will it be possible to build an expressway exit here if this building is set smack on the lot line and closer to Old Pimlico Road than regulations permit?

Sincerely,



Sarah Lord

Serving neighborhoods in the Jones Falls Valley from Northern Parkway to the the Beltway.

The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.

Post Office Box 204
Riderwood, Maryland 21139
Telephone/FAX: 410-377-4700
Email: office@rrlraia.org

December 4, 2000

Mr. Timothy Kotroco
Deputy Zoning Commissioner
Baltimore County
401 Bosley Avenue
Towson, MD 21204

Dear Mr. Kotroco:

RE: Case No. 01-134-A

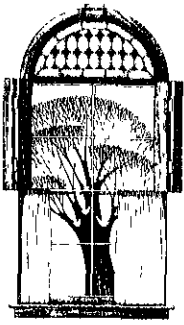
SE/S Old Pimlico Road, corner NE/S Jones Falls Expressway -- Bare Hills

I appear before you today as a representative of the Board of Govenors of The Ruxton-Riderwood-Lake Roland Area Improvement Association. We urge you to **deny** the variances requested by Shikani Associates, LLC.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peggy Squitieri".

Peggy Squitieri
Executive Director



SMITH-GREENSPRING ASSOCIATION, INC.

P.O. BOX 20879 • BALTIMORE, MARYLAND 21209

December 1, 2000

Timothy Kotroco
Deputy Zoning Commissioner
401 Bosley Avenue
Towson, Maryland 21204

RE: Case no: 01-134-A
SE/S Old Pimlico Road
Corner NE/S Jones Falls Expressway
Request for Variance

Dear Ms. Hunter:

The Smith-Greenspring Association, representing 1900 families, is in opposition to the variance being requested at the above location. We believe that it is unreasonable to request a variance to permit a maximum building height of 84 feet in lieu of the permitted 60 feet; to permit a side yard set back as close as 17.1 feet in lieu of the required 30 feet; and to permit a zero foot rear yard set back in lieu of the required 40 feet.

Very truly yours,

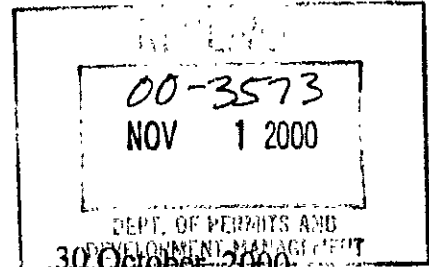

Elliot N. Lewis

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P.O. Box 204 Riderwood, Maryland 21139 Tel & Fax: 410-377-4700

Peggy Squitieri, Executive Director

The Honorable Lawrence Schmidt
Zoning Commissioner for Baltimore County
New Courts Building, 4th Floor
Towson, MD 21204
Fax: 410-887-3468



Re: #III 413 PDM

Dear Mr. Schmidt:

Following the development hearing before you set for October 5 regarding the "Ruxton" ALF, which had to be continued because the developer had failed to post the property, we received in the mail notice of the new hearing. As the address of the hearing room was incorrect, I phoned Mr. Fred Thompson on October 10 to inform him that you had set the hearing in Room 106 of the County Office Bldg, 111 W. Chesapeake Avenue – not in the New Courts Building.

The property was posted for the first time on October 20. At a Falls Road neighborhood community meeting last night, I was asked if the place it advertises is right or wrong: the sign, it turns out, says it will be in Room 407 in the New Courts Building. This sign is a point of confusion and annoyance for the various affected communities. I checked this morning and indeed it does not list the correct location.

The requirement for posting is 20 working days prior to the hearing. This sign does not meet that requirement. We would appreciate it if you require the developer to meet the requirement of a sign which CORRECTLY advertises the hearing for 20 working days prior to its occurrence.

Thank you for your kind attention to this matter.

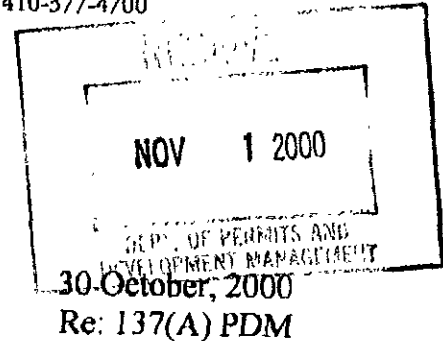
Sincerely,

Sarah Lord
Zoning Chair

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P.O. Box 204 Riderwood, Maryland 21139 Tel & Fax: 410-377-4700
Peggy Squitieri, Executive Director

The Honorable Timothy A. Kotrocco
Deputy Zoning Commissioner for Baltimore County
New Courts Building, 4th Floor
Towson, MD 21204
Fax: 410-887-3468



Dear Mr. Kotrocco,

As you are probably aware by now, there was a mishap regarding the scheduling of the hearing before you on Old Pimlico Road/SE side of I-83 property. Shikani LLC was requesting a startling array of variances from regulations, so as to build an 86-foot tall E-Z-Storage high-rise -- a request you subsequently granted.

On the internet, the County had posted this hearing as set for October 25. Councilman Kevin Kamenetz also advised the communities it would be October 25. So on October 18th when Shikani LLC argued that you should give the go-ahead to this variance-heavy, SEVEN story tall E-Z-Storage, it was merely an illusion that no protests would be lodged.

Our understanding is that the Old Pimlico Road communities of the Pikesville-Greenspring Association are as opposed to this development as are this Association's Falls Road neighborhoods. It is our further understanding that the Greater Falls Road Neighborhood Task Force also objects to this development as incompatible, short-sighted and detrimental to public welfare.

Mr. Jablon has informed the communities that we can file an appeal or request a Reconsideration at no charge. This letter is to request from you a Reconsideration of 137(A) PDM, at everyone's earliest convenience. Thank you for your kind attention to this matter.

Sincerely,


Sarah Lord
Zoning Chair

CC Peter Max Zimmerman, People's Counsel (fax: 410-887-3182)
Arnold Jablon, Dir. DPDM (fax: 410-887-5708)

To: Benjamin Bronstein and Fred Thompson
Date: Wednesday, November 1, 2000
Re: Adsit property/ "Ruxton" ALF posting of hearing
From: Sarah Lord (Tel: 410-828-4355/Fax: 410-828-4740)

As of yesterday (perhaps late Monday?) the address on the sign advertising the hearing was altered to show the place where the hearing is actually to be held. This means the property will have been correctly posted for eight "working days."



SIENA CORPORATION

May 25, 2006

W. L. L. L.
4250th

To:
JRA
ASAP
5/30/06

Via Hand Delivery

Mr. Timothy Kotroco, Director of
Permits and Development Management
Baltimore County
Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

NO 8C
69-7-3

51-134-17

Re: ezStorage Ruxton
7401 Old Pimlico Road, Baltimore, Maryland 21209

W. L. L. L.

Mr. Kotroco:

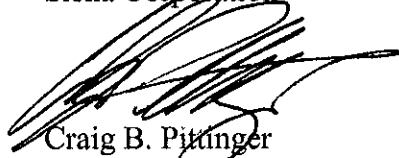
We are requesting Baltimore County Permits and Development Management to issue a letter to verify the above referenced project's use, zoning, occupancy, and that there are no violations for the project in general

Enclosed please find check for \$250.00 to cover fees for this letter. For your reference, we have also enclosed a copy of the original building permit for the project.

Should you have any questions, please feel free to contact me directly me at (443) 539-3070. We appreciate your assistance with this matter.

Sincerely,

Siena Corporation

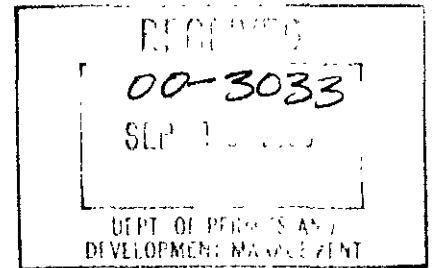

Craig B. Pittinger
Vice President

Enclosures
CBP:cls

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com



HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

September 14, 2000

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Old Pimlico Road 4070± West of Falls Road

Dear Mr. Jablon:

In reference to the above entitled property I am hereby enclosing the following:

1. Petition for Variance in triplicate;
2. Twelve (12) copies of the Plan to Accompany Petition for Zoning Variance, including the 200 Scale Zoning Map;
3. Three copies of the description under seal;
4. My check to cover costs.

This matter was previously reviewed by John Lewis of your department. I would appreciate if this matter can be set in for a hearing on or before October 19, 2000 as I will be out of town for the remainder of October.

Thank you for your kind consideration and attention to this matter.

Very truly yours,

GEORGE & BRONSTEIN, LLP

A handwritten signature in black ink, appearing to read "Benjamin Bronstein".

Benjamin Bronstein

BB/mlh
Enclosures

*No Violations
As per Donah*

01-134-A

134

LAW OFFICES

GEORGE AND BRONSTEIN, LLP

6

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719
georgbron@aol.com

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

CONSTANCE K. PUTZEL
OF COUNSEL

November 3, 2000

The Honorable Timothy M. Kotroco
Deputy Zoning Commissioner for Baltimore County
County Courts Building - Suite 405
401 Bosley Avenue
Towson, Maryland 21204

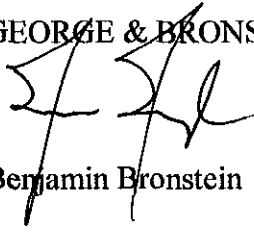
RE: Petition for Variance
Case # 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev.)

Dear Deputy Commissioner Kotroco:

I have received a copy of a letter dated October 30, 2000 over the signature of Sarah Lord on behalf of the Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc. On behalf of the Petitioner, we oppose the request for reconsideration. The Petitioner duly advertised and posted the property as required.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh

cc: Ms. Sarah Lord, Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.
Peter Max Zimmerman, People's Counsel
Arnold Jablon, Director, Department of Permits & Development Management
Mr. Craig Pittinger, Siena Corporation



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

*Robin,
Send My order to
People's Counsel.
Tim*

PETER MAX ZIMMERMAN
People's Counsel

November 2, 2000

EMILIO
Counsel

Timothy M. Kotroco, Esq.
Baltimore County Deputy Zoning Commissioner
400 Bosley Avenue, 4th Floor
Towson, MD 21204

3

Hand-delivered

Re: Petition for Variance
Old Pimlico Road (Bare Hills Development),
SE/S Old Pimlico Rd, cor NE/S Jones Falls Expressway
3rd Election District, 2nd Councilmanic
Shikani Associates LLC, Petitioners
Case No.: 01-134-A

Dear Mr. Kotroco:

Please accept this letter as a Motion, pursuant to Rule 2-K, for Reconsideration of your October 24, 2000 decision in the above case.

Upon receipt of complaints from concerned citizens about the notice for hearing in the case, we found that our own schedule had the case in for October 25, 2000, based on the internet. We also are in receipt of Sarah Lord's letter dated October 30, 2000 (enclosed) which describes the problem (albeit referring to the case as 01-137 or 01-139(A) PDM).

While the County Code requirements involve posting the property and newspaper notice, it is apparent that the County's internet posting has become the main avenue for notice for most citizens. Under these circumstances, area citizens did not have proper notice, as a practical matter.

Accordingly, we ask that you reconsider your decision. The notice problem may affect jurisdiction. In any event, fairness dictates a new hearing. The hearing should occur on a fresh slate, unaffected by the earlier proceedings.

In addition to the concerns of affected communities, we ask that you give particular attention to the placement of a storage structure at a height of 84 feet immediately adjoining the

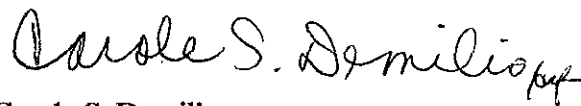
Timothy M. Kotroco, Esq.
Baltimore County Deputy Zoning Commissioner
November 2, 2000
Page Two

Jones Falls Expressway boundary. Our office has traditionally opposed sign variances along the interstate highway system as a matter of public interest. The construction of a large warehouse with height and setback variances appears preliminarily to be equally offensive.

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

PMZ/caf
Enclosure

cc: Benjamin Bronstein, Esq., Attorney for Petitioners

Arnold Jablon, Esq., Director, PDM

Sarah Lord, Zoning Chair, Ruxton-Riderwood-Lake Roland
Area Improvement Association, Inc.

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P.O. Box 204 Riderwood, Maryland 21139 Tel & Fax: 410-377-4700

Peggy Squitieri, Executive Director

The Honorable Timothy A. Kotrocco
Deputy Zoning Commissioner for Baltimore County
New Courts Building, 4th Floor
Towson, MD 21204
Fax: 410-887-3468

NOV - 1 2000

30 October, 2000

Re: 137(A) PDM

Dear Mr. Kotrocco,

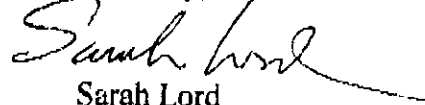
As you are probably aware by now, there was a mishap regarding the scheduling of the hearing before you on Old Pimlico Road/SE side of I-83 property. Shikani LLC was requesting a startling array of variances from regulations, so as to build an 84-foot tall E-Z-Storage high-rise -- a request you subsequently granted.

On the internet, the County had posted this hearing as set for October 25. Councilman Kevin Kamenetz also advised the communities it would be October 25. So on October 18th when Shikani LLC argued that you should give the go-ahead to this variance-heavy, SEVEN story tall E-Z-Storage, it was merely an illusion that no protests would be lodged.

Our understanding is that the Old Pimlico Road communities of the Pikesville-Greenspring Association are as opposed to this development as are this Association's Falls Road neighborhoods. It is our further understanding that the Greater Falls Road Neighborhood Task Force also objects to this development as incompatible, short-sighted and detrimental to public welfare.

Mr. Jablon has informed the communities that we can file an appeal or request a Reconsideration at no charge. This letter is to request from you a Reconsideration of 01-139(A) PDM, at everyone's earliest convenience. Thank you for your kind attention to this matter.

Sincerely,



Sarah Lord
Zoning Chair

CC Peter Max Zimmerman, People's Counsel (fax: 410-887-3182)
Arnold Jablon, Dir. DPDM (fax: 410-887-5708)

**Department of Permits
Development Management**

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



Baltimore County

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

June 2, 2006

Mr. Craig B. Pittinger
Siena Corporation
8221 Snowden River Parkway,
Columbia, Maryland 212045

Dear Mr. Pittinger:

Re: Zoning verification of ezStorage Ruxton, 7401 Old Pimlico Road, Baltimore
Maryland 21209 ED

Your letter to the Director of Permits and Development Management has been referred to me for reply. Based on the information contained in the Baltimore County Zoning Regulations (BCZR) the following has been determined.

The property known as 7401 Old Pimlico Road is currently zoned ML and MLR, (light manufacturing and restricted light manufacturing) as shown on the official Baltimore County Zoning Map # 069 A-3 (a copy of map is enclosed). This site is not a Planned Unit Development. There are no special, restrictive or overlay districts for this property.

A zoning variance for the property, case # 01-134-A, is enclosed.

Please be advised that provided the property was developed and occupied in accordance with Baltimore County approved permit plans and all current uses adhere to the requirements of the BCZR, the present use of the site does not violate applicable zoning ordinances.

Pursuant to Section 104 of the BCZR, any structure damaged to any extent or destroyed by fire or other casualty may be restored within two years after such destruction. In the event that the building is nonconforming, the structure may be rebuilt to the original size, but may not be enlarged.

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,

John R. Alexander
Planner II
Zoning Review

Enclosure

C:Letter File

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



**RESOLUTION OF MEMBERS OF
ALAN H. SHIKANI & ASSOCIATES, LLC**

EXPLANATORY STATEMENT

Alan H. Shikani & Associates, LLC (the "Company") was formed on March 6, 1995. On April 7, 1995, the Company purchased the property on Old Pimlico Road in Baltimore County, Maryland, consisting of 6.6057 acres and outlined on Map 69, Grid 20, Parcel 824 among the land records of Baltimore County, Maryland (the "Property") from Old Pimlico Limited Partnership, pursuant to a deed recorded among the land records of Baltimore County, Maryland in Liber 10999, Page 667 (the "Deed").

The Deed erroneously identified the Company as being "Shikani Associates LLC." The Company also entered into a contract dated July 22, 2000, to sell the Property to Siena Development Corporation (the "Contract") that erroneously identified the Company as "Shikani Associates LLC."

Finally, the Company is in the process of requesting a change in the zoning classification or status of the Property.

The members of the Company have passed the following resolutions in order to allow Alan H. Shikani to take any and all actions necessary to: (i) correct the Deed, including, without limitation, executing and causing to be filed a corrected deed, to reflect that the correct name of the owner of the Property is "Alan H. Shikani & Associates, LLC;" (ii) correct the Contract, including, without limitation, executing an addendum or amendment to the Contract, to reflect that the correct name of the owner and seller of the Property is "Alan H. Shikani & Associates, LLC;" and (iii) take any and all actions necessary to prosecute the change in the zoning classification or status of the Property that is now ongoing.

NOW, THEREFORE, the undersigned, constituting all of the Members of the Company do hereby take the actions set forth below, and to evidence their waiver of any rights to dissent from such action, do hereby consent as follows:

RESOLVED: That Alan H. Shikani be, and he hereby is, authorized to take any and all actions necessary to correct the Deed, including, without limitation, executing and causing to be filed a corrected deed, to reflect that the correct name of the owner of the Property is "Alan H. Shikani & Associates, LLC;" and it is further

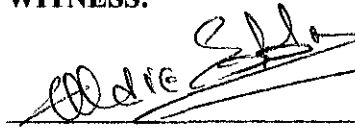
RESOLVED: That Alan H. Shikani be, and he hereby is, authorized to take any and all actions necessary to correct the Contract, including, without limitation, executing an addendum or amendment to the Contract, to reflect that the correct name of the owner and seller of the Property is "Alan H. Shikani & Associates, LLC;" and it is further

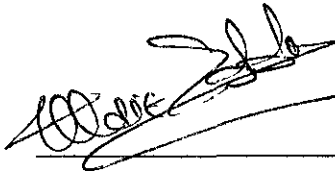
RESOLVED: That Alan H. Shikani be, and he hereby is, authorized to take any and all actions necessary take any and all actions necessary to prosecute the change in the zoning classification or status of the Property that is now ongoing in Baltimore County, Maryland, including, but not limited to, executing and causing to be filed, all necessary motions, petitions, and other documents as the authorized person or agent of the Company; and it is further

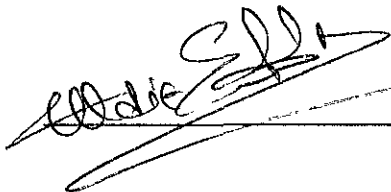
RESOLVED: That a copy of this Resolution be filed with the records of the Company.

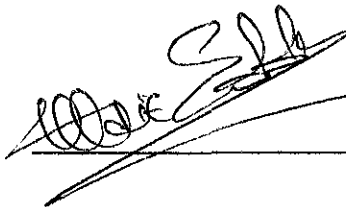
This Resolution may be executed in counterparts, each of which shall be deemed to be an original, but all of which shall be deemed to be one and the same document.

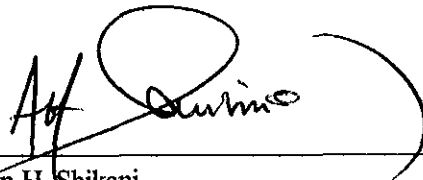
WITNESS:





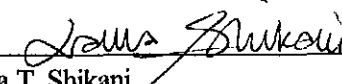






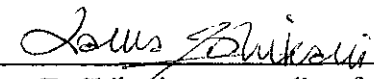
Alan H. Shikani

Dated: 10.17.00



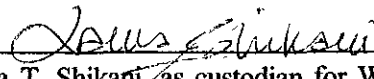
Lama T. Shikani

Dated: 10/17/00



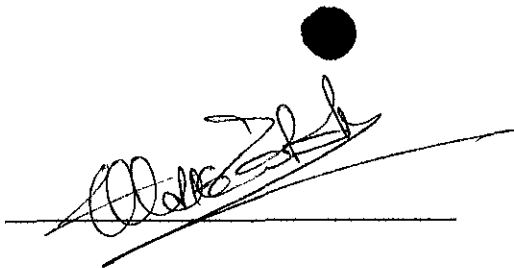
Lama T. Shikani, as custodian for Henry J. Shikani, under the Maryland Uniform Transfers to Minors Act

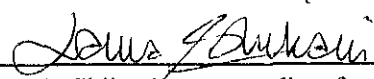
Dated: 10-17-00



Lama T. Shikani, as custodian for William J. Shikani, under the Maryland Uniform Transfers to Minors Act

Dated: 10-17-00

A handwritten signature, possibly "Lama T. Shikani", is written over a horizontal line. The signature is stylized and cursive.


Lama T. Shikani, as custodian for Patrick A.
Shikani, under the Maryland Uniform Transfers
to Minors Act

Dated: 10 - 17 - 00

The Ruxton-Riderwood-Lake Roland Area Improvement Association, Inc.

P.O. Box 204 Riderwood, Maryland 21139 Tel & Fax: 410-377-4700
Peggy Squitieri, Executive Director

The Honorable Timothy A. Kotrocco
Deputy Zoning Commissioner for Baltimore County
New Courts Building, 4th Floor
Towson, MD 21204
Fax: 410-887-3468

30 October, 2000
Re: 137(A) PDM

Dear Mr. Kotrocco,

As you are probably aware by now, there was a mishap regarding the scheduling of the hearing before you on Old Pimlico Road/SE side of I-83 property. Shikani LLC was requesting a startling array of variances from regulations, so as to build an 86-foot tall E-Z-Storage high-rise -- a request you subsequently granted.

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Sincerely,


Sarah Lord
Zoning Chair

CC Peter Max Zimmerman, People's Counsel (fax: 410-887-3182)
Arnold Jablon, Dir. DPDM (fax: 410-887-5708)

facsimile transmittal

To: SUSAN 825 4278 From: GEORGE D ZAHNER
Fax: 410 337 ~~2496~~ Date: 11-8-00
Phone: 410 337 3513 Pages: 1 + COVER
Re: CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

this was my error on this case
do not charge Benjamin Bronstein
please charge BALTIMORE COUNTY.

Thank

George

100 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410 887-3391

facsimile transmittal

To: Ben Bronstein From: GEORGE D ZAHNER
Fax: 410 296-3719 Date: 11-8-00
Phone: _____ Pages: 1 + COVER
Re: _____ CC: _____

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:

.....

Memo

To: File
From: Lloyd T. Moxley
CC: Carl Richards
Date: 09/21/00
Re: Bare Hills Drop-off 01-034-A

After a review of the materials dropped for submittal the following deficiencies have been identified:

- P.O.B. for the zoning description, petitions and site plan disagree.
- Plan is missing a bearing call on the 12.23' and 1036.17' lines
- Zoning description runs counter to the plan.
- It is not clear that the individual who has signed for the owners has the authority to do so.

I spoke to Mr. Bronstien by telephone on 9/21/00 to apprise him of my review. Mr. Bronstien indicated that he would provide the necessary authorization. I spoke to a Mr. Heller at STV and pointed out the plan deficiencies. He is to correct and submit 12 revised plans.

STV CORRECTED AND SUBMITTED
12 REVISED SITE PLANS - 9/22/00

01-034-A

LTM

Intake Planner

9/19/00

Date Assigned

**DROP-OFF PETITIONS
PROCESSING CHECK-OFF**

- ☐ **Two Questions Answered on Cover Sheet:**
 Any previous reviews in the zoning office? — YES JOHN L.
 Any current building or zoning violations on site? — NO VIOLATIONS

- ☐ **Petition Form Matches Plat in these areas:**

☒ Address
☒ Zoning
☒ Legal Owner(s)
 Contract Purchaser(s)
 Request (if listed on plat)

* BEN B. WILL PROVIDE
 WRITTEN AUTHORIZATION
 OF

- ☐ **Petition Form (must be current PDM form) is Complete:**

☒ Request:
☒ Section Numbers
☒ Correct Wording (must relate to the code, especially floodplain and historical standard
 wording. Variances must include the request in lieu of the required code quantities.
☒ Hardship/Practical Difficulty Reasons
 Legal Owner/Contract Purchaser:
☒ Signatures (originals)
 Printed/Typed Name and Title (if company)
☒ Attorney (if incorporated)
 Signature/Address/Telephone Number of Attorney

- ☒ **Correct Number of Petition Forms, Descriptions and Plats**

- ☒ **200 Scale Zoning Map**

- ☒ **Check: Amount Correct? Signed?**

- ☐ **ZAC Plat Information:**

Location (by Carl) SE/5 Old Pinalico Rd. Cor A Jones
Ex 115 Expressway (I-83)
 Zoning: ML/MLR Acreage: 6.6 AC Previous Hearing Listed With Decision
 Election District _____ Councilmanic District _____ Case # 3738-(G)
 Check to See if the Subject Site or Request is: 89-157-A (G)

GBCAFloodplainElderlyHistoricalPawn ShopHelicopter

*If Yes, Print Special Handling Category Here

*If No, Print No

NO

NE/5
 IS Floodplain
 wcr 9/25/00

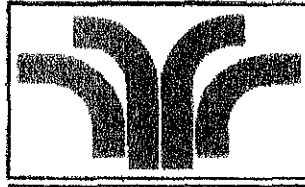
134

Item Number Assigned

9/21/00

Date Accepted for Filing

01-134-A



THE FALLS GARDEN CONDOMINIUM, INC.
BALTIMORE, MARYLAND 21209

December 18, 2000

Timothy M. Kotroco
Deputy Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: EZ Storage
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev)

BY FAX

Dear Mr. Kotroco:

I would like to withdraw my verbal opposition, as expressed in the Zoning Hearing of December 4, 2000, to the variances on this project. I find this plan preferable to the second one proposed at a DRC hearing on December 11, 2000, which would put an 8 story EZ Storage building on the site just 25 feet off Old Pimlico Road and require no variances.

Sincerely,

Patricia J. Draisey
President

CC: Ben Bronstein
Phyllis Friedman, PGCC



20

THE FALLS GARDEN CONDOMINIUM, INC.
BALTIMORE, MARYLAND 21209

December 18, 2000

Timothy M. Kotroco
Deputy Zoning Commissioner
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: EZ Storage
Case No. 01-134-A
Property: SE/S Old Pimlico Road, corner NE/S
Jones Falls Expressway (I-83) (Bare Hills Dev)

BY ~~PAK~~ E-mail

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Sincerely,

Patricia J. Draisey
President

CC: Ben Bronstein
Phyllis Friedman, PGCC

**The Ruxton-Riderwood-Lake Roland Area
Improvement Association, Inc.**

Post Office Box 204
Riderwood, Maryland 21139
Telephone/FAX: 410-377-4700

**The Honorable Timothy Kotroco, Esquire
Deputy Zoning Commissioner for Baltimore County
4th Floor**

New Courts Building

Towson, MD 21204

4 January, 2001

Dear Mr. Kotroco,

Thank you for advising our Association of the withdrawal of objections by two west-side community groups to the EZStorage high rise planned for Old Pimlico Road. Their newfound "support" of this variance-ridden project is understandable, in the face of maneuverings by the developer and his lawyer, who now threaten an even more startling and invidious alteration to the neighborhood.

Chuckling "Be careful what you ask for," Mr. Bronstein and his client now proffer an 8-story structure only 25 feet from Old Pimlico Road, by deploying loophole (A)(2) of the DRC exemptions*, which lets their new proposal slide straight through the DRC process bypassing any focus on issues which would improve its compatibility with the surrounding neighborhood.

As odious as this alternate proposal is, it does not make the plan before you a good one. The plan before you requests variances from regulations which once granted set precedents which effectively encourage further exemptions from regulations. This scenario only compounds the problems for communities seeking to encourage responsible, attractive development in their midst.

In the plan before you, regulations permit EZStorage to rise 60 feet in the air. (Even this represents quite a departure from the norm in the Bare Hills commercial sector, which abounds in one and two story structures.) To our thinking, the granting of the requested height variance (for an 8 story

structure) -- atop a 30-foot platform, which is the hill -- is entirely inappropriate.

With both its objectionable proposals, EZStorage seems bent on bringing a startling and unwelcome change to the neighborhood -- on this, all the community associations agree. Is it within your purview to ask that (previous to your decision) the developer sit down with the neighbors in an honest exchange of ideas, to try to work out a plan which is more satisfactory to all parties? The resulting development would be a far better one than either of these.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sarah Lord", followed by a long horizontal line extending to the right.

Sarah Lord
Zoning Chair
(410-828-4355)

* "The building or preparation of land for building on a lot of record lawfully in effect at the time of the building or preparation of the land for building if the lot of record did not result from a subdivision of land exempt under section 26-170."

Enclosure: DRC exemptions from Division 2 (plan & plat)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Ben BRONSTEIN

29 W Susquehanna Ave 21204

MAIK PITTMER

1201 Guilford Rd Site 101, Annapolis
Junction, MD 20701

SAM BRADNER

21 GOVERNOR'S CT 21204



DEVELOPMENT REVIEW COMMITTEE

(a) The following development is exempt from Division 2 (plan & plat)

- (1) The building or preparation of land for building for a dwelling for one or two families on a single lot or tract which is not part of a recorded plat or on a lot exempt from lapse provisions.
- (2) The building or preparation of land for building on a lot of record lawfully in effect at the time of the building or preparation of the land for building if the lot of record did not result from a subdivision of land exempt under section 26-170.
- (3) The construction of one tenant house or the location of one trailer on a farm tract.
- (4) The subdivision of property pursuant to court order, a will, or the laws of intestate succession.
- (5) The resubdivision or lot line adjustment of industrially zoned or commercially zoned parcels of land which have been the subject of a previously approved plan and recorded plat.
- (6) The subdivision of land into three or fewer lots for residential single family dwellings, provided they are not served by a panhandle driveway.
- (7) The construction of accessory residential structures or minor commercial structures.
- (8) The construction of a building owned and operated by a Baltimore County volunteer fire, ambulance, or rescue company which is used primarily for storage or training purposes, fund-raising, or other purposes related to rescue or fire suppression activities.
- (9) Lot line adjustments in residential zones which are not part of an approved final development plan or zoning plan.
- (10) A subdivision of land into three or fewer lots recorded prior to January 26, 1990.

(b) The following development is exempt from the Community Input Meeting & Hearing Officer's Hearing:

- (1) Lot line adjustments, including the combination of lots or parcels.
- (2) The subdivision of property pursuant to court order, a will, or the laws of intestate succession.
- (3) Amendments to an approved plan or plat which do not materially alter the proposed development.
- (4) The subdivision of land in an approved agricultural land preservation district for the purpose of conveyance to the owner or his children pursuant to the Ag. Article of COMAR.
- (5) The subdivision of a farm tract into (2) lots.
- (6) The subdivision of land into three or fewer lots for residential single family dwellings.
- (7) The construction of accessory structures.
- (8) The subdivision of land or building in a planned office or industrial park for which a development plan has been approved in accordance with these regulations.
- (9) A minor development, as defined in section 26-188, not to exceed a total of three lots.



County Board of Appeals of Baltimore County

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

*** HEARING ROOM – Room 48 ***

Basement – Old Courthouse
400 Washington Avenue

APPEAL HEARINGS SCHEDULED FOR THE WEEK OF MARCH 25, 2002

TUESDAY 3/26 10:00 am ~~Case No.: CBA-01-118~~ W/D /HEARING

In the Matter of:

Beth Tfiloh Congregation/Camp Glyndon
407 Central Avenue

RE: Decision of Buildings Engineer – approval of building permit B443403 / construction of shell building and kitchen on camp property

scheduled with

Case No.: CBA-01-136
Beth Tfiloh Glyndon Property

RE: DRC No. 0625011 / Approval of limited exemption under 26-171(A)(2)

scheduled with

Case No.: 01-468-SPH
Beth Tfiloh Congregation / Zoning Appeal

WEDNESDAY 3/27 10:00 am Case No.: 01-220-A /HEARING

In the Matter of:

Mark E. Davison – Legal Owner
24 Treadwell Court

VAR – To permit bldg setback of 5' ilo req'd 50' for proposed addition
Day #2 from 2/26/02

THURSDAY 3/28 11:00 am Case No.: CBA-02-105 /HEARING

In the Matter of:

Devra Moulton Mohammed – Appellant - Owner
3408 Retlaw Road, Baltimore, MD 21207

RE: AHB Decision / dangerous animal

2:00 pm Case No.: 01-134 /HEARING

In the Matter of:

Maurice Williams
3934 Red Deer Circle, Randallstown, MD 21133

RE: False Alarm Fees /Registration R 013717 6

c:

Executive Office
Law Office
Director /PDM

People's Counsel
Planning Office
Court Info. Desk

County Council
Board Members
Court Reporter

IMPORTANT MESSAGE

FOR John A
 DATE 9/2 TIME 9:21 A.M. P.M.
 M Chang Pittenger
 OF _____
 PHONE 443-539-3070
AREA CODE NUMBER EXTENSION

☐ FAX

☐ MOBILE

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED	☒	PLEASE CALL	☒
CAME TO SEE YOU	☒	WILL CALL AGAIN	☒
WANTS TO SEE YOU	☐	RUSH	☐
RETURNED YOUR CALL	☐	WILL FAX TO YOU	☐

MESSAGE Wants 1 day letter.
response

SIGNED



FORM 4009
MADE IN U.S.A.

Baltimore County, Maryland



Date 11/2/00

To: George Zanner

From: Robin Jamison

☐ Please Note & File

☒ For Your Information

☐ Please Note & Return

☐ Please Handle

☐ Please answer, Sending me Copy of your letter

☐ Please Prepare reply for my Signature

☐ To be Signed

☐ Please Comment

☐ Please See Me

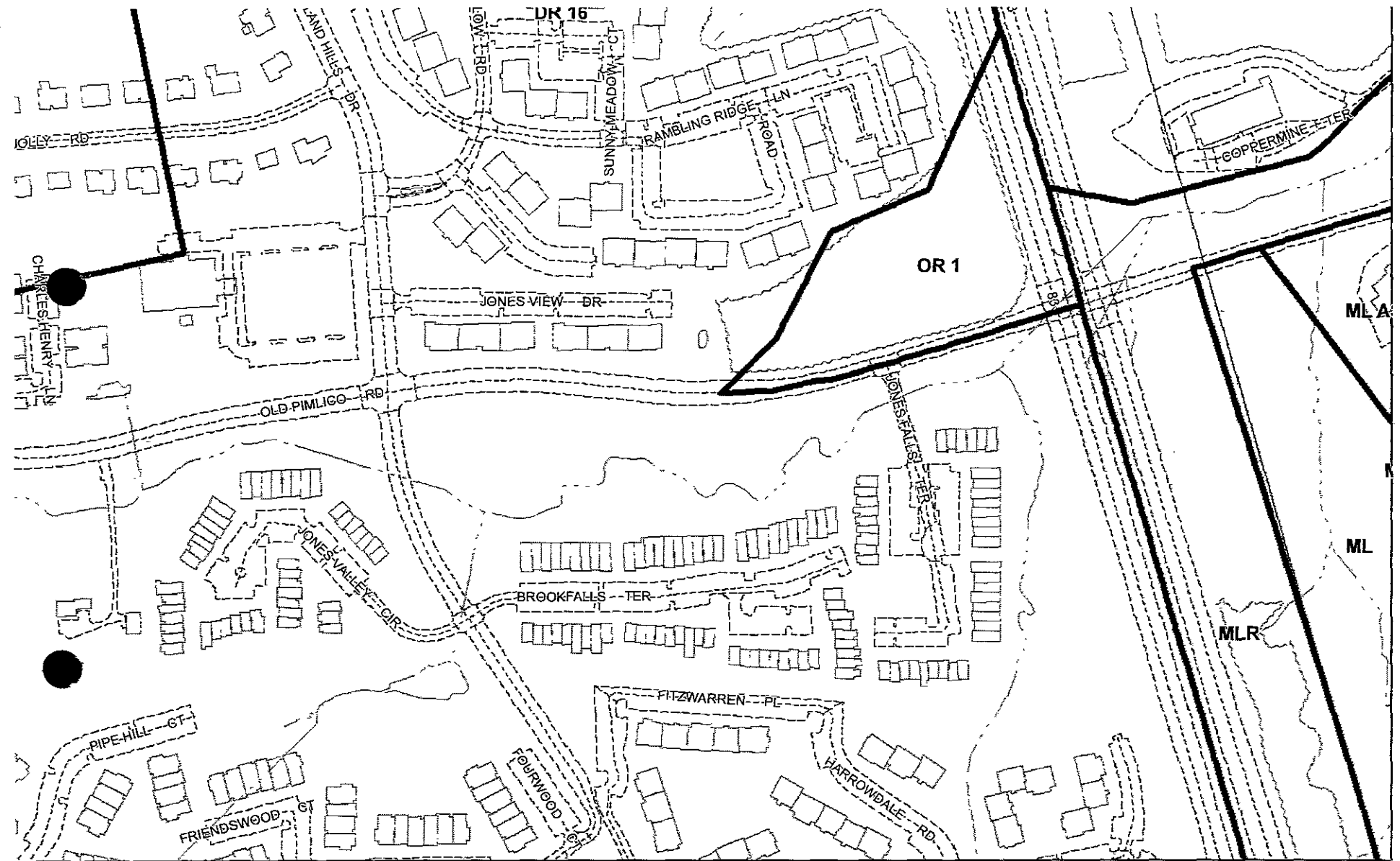
☐ Investigate & Report

Remarks:

I'm assuming Ben
Bronstein will contact
you for rescheduling
this matter.

CPS-004

Recycled Paper



County

068B2	068C2	069A2	069B2	069C2
-------	-------	-------	-------	-------

Scale



01-134-A

Pat Draisey
9C Friendswood Ct
Baltimore, MD 21209

Send copy of
order

mailed 10/24/00

ezStorage

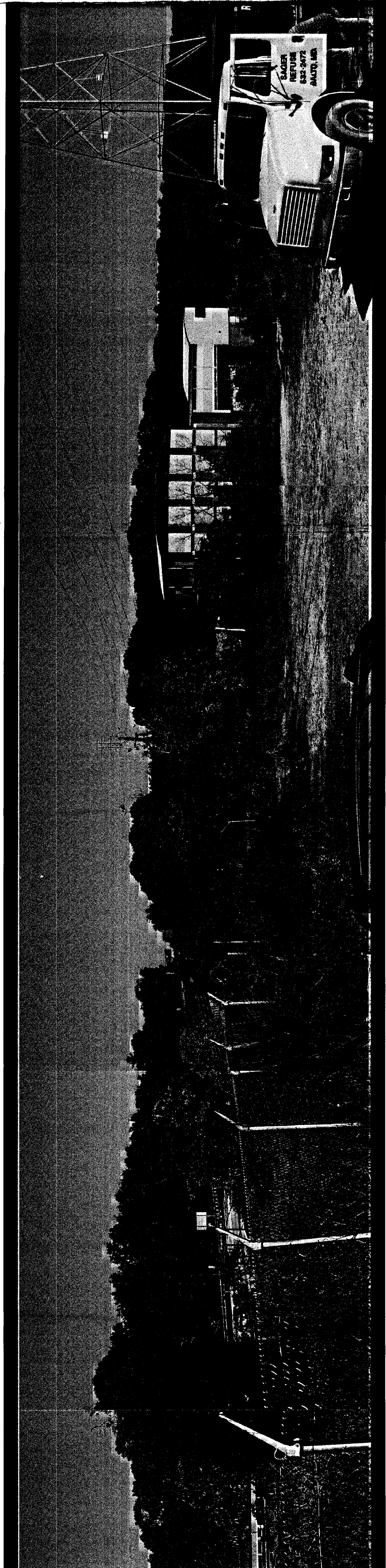
Old Pimlico Road

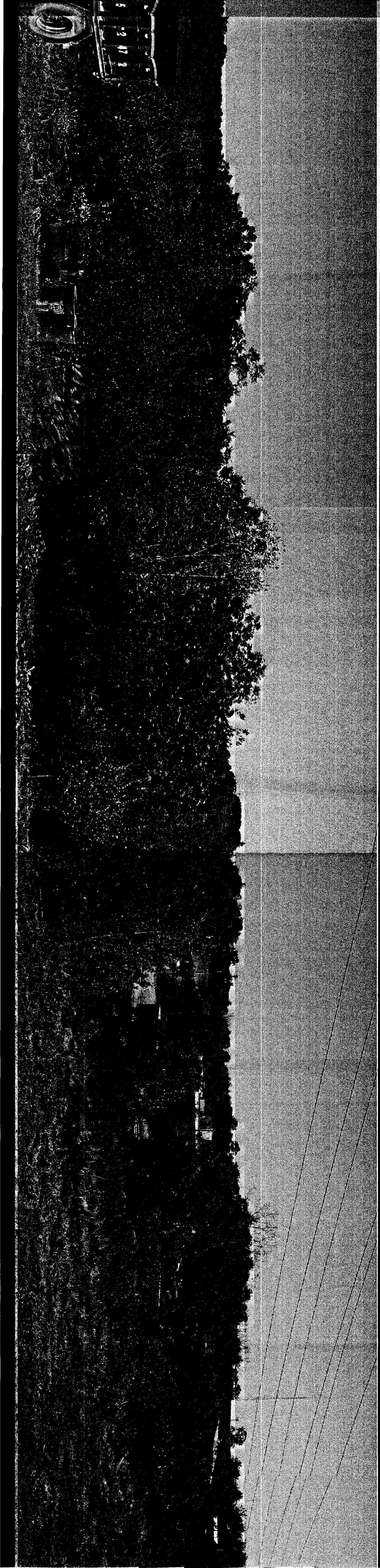
Baltimore, Maryland

Developed by:

SIENA CORPORATION

Ref





Plot 4



Potomac #2







BR-MS

5,500

5,500

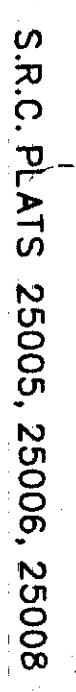
-
- A detailed site plan map of the Jones Falls area in Baltimore. The map shows the Jones Falls Expressway (I-83) running diagonally from the top left to the bottom right. To the north of the expressway is the Jones Falls area, including Jones Falls Park and the Jones Falls Tunnel. A large area is shaded with diagonal lines and labeled 'SITE'. Other labels include 'JONES FALLS', 'TERRACE', 'ROAD', 'W 13', 'MLR', 'ML', 'ML-45', 'BL', 'BR', and '25'.



ZONING MAP - N.W. 8-C

SCALE: 1"=200'

OWNER: CHARLES C. MCGOLGAN
DEED REFERENCE: 270/45, 531/243



LEGEND:

-
- PROPERTY LINE / R/W LINE
- BUILDING SETBACK LINE
- EASEMENT LINE
- • • • • ZONING LINE
- EXISTING CONTOUR
- PROPOSED RETAINING WALL
- PROPOSED FENCE
- PROPOSED CONCRETE SIDEWALK
- Diagram illustrating the proposed concrete sidewalk layout, showing various boundary lines and dimensions:
- PROPERTY LINE / R/W LINE
 - BUILDING SETBACK LINE
 - EASEMENT LINE
 - ZONING LINE (marked with dots)
 - EXISTING CONTOUR
 - PROPOSED RETAINING WALL
 - PROPOSED FENCE
 - PROPOSED CONCRETE SIDEWALK

BUILDING SETBACK _____
 BGC EASEMENT _____
 SLOPES > 10% _____
 FOREST BUFFER/100 YR. FLOODPLAIN _____
 25' FOREST BUFFER BUILDING SETBACK _____



REVISIONS

[illegible]

PLAN PREPARATION

DRAWN BY:	T GREEN	DATE:	AUGUST 21, 2000
DESIGNED BY:	J. HELLER	SCALE:	1" = 50'
CHECKED BY:	D. WITTLIE		61-10277

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

BARE HILLS DEVELO
OLD PIMLICO ROAD
BALTIMORE, MARYLAND

DRAWING NO.:

STV Incorporated

engineers / architects / planners / scientists / construction managers



FILE: I:\PROJECTS\102277\Z001BHL.dgn
DATE: 16-Aug-00 18:56

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

TOM KOCH

P.O. Box 34
PHOENIX, MO 21131





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 26, 2000

Ms. Sue G. Wright
1004 E. Wheel Road
Bel Air, Maryland 21015

Re: Petition for Variance
Case No. 01-135-A
Property: 9A Nob Hill Park Drive

Dear Ms. Wright:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Census 2000

For You, For Baltimore County

Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Mr. & Mrs. John Doller
415 Dyer Avenue
Reisterstown, MD 21136

Ms. Linda A. Langrall
616 Main Street
Reisterstown, MD 21136