

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
NW/Corner York and Ridgely Roads * ZONING COMMISSIONER
(115 Ridgely Road)
8th Election District * OF BALTIMORE COUNTY
4th Council District

Cecelia Schwaber, Myra Wagonheim, * Cases Nos. 02-102-SPH & 02-103-SPH
And Sidney Weiman, Trustees/Owners;
Timonium Shopping Center, Inc., Petitioners*

* * * * *

ORDER OF DISMISSAL

WHEREAS, the above-captioned Petitions were filed by J. Carroll Holzer, Esquire on behalf of the Timonium Shopping Center, Inc., relative to the proposed use of the subject property by its Owners for a Home Depot Expo Design Center. Specifically, the Petitioners sought a determination as to the nature of the proposed use of the subject property and the method used to calculate the number of parking spaces required for such use.

By way of background, the Owners of the subject property filed for and obtained approval of a concept plan for the proposed redevelopment of the subject site on May 14, 2001 from the Baltimore County Development Review Committee (DRC). Subsequently, Counsel for the Protestants filed an appeal of the DRC's approval to the County Board of Appeals. In the meantime, the Property Owners, through Howard L. Alderman, Jr., Esquire, filed Petitions for Special Hearing and Variance relief under Case No. 02-168-SPHA to approve an amendment to the previously approved site plan for the subject property to reflect the proposed modifications and parking plan. A hearing on that matter was scheduled for December 28, 2001.

Pending a decision by the Board relative to the DRC's earlier approval, public hearings were scheduled to hear the Petitions filed by Mr. Holzer on November 7, 2001, and, following a postponement, rescheduled for January 10, 2002. In the meantime, the Property Owners' plans to locate a Home Depot Expo Design Center on the subject property were withdrawn. By letters dated December 6, 2001 and December 14, 2001 from Howard L. Alderman, Jr., Esquire,

ORDER RECEIVED FOR FILING

Date

By

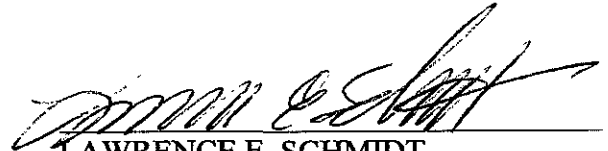
1/23/02

gdp

withdrew the Petitions filed in Case No. 02-168-SPHA and the request for Limited Exemption from the DRC. Thereafter, by Order dated January 9, 2002, the Board of Appeals dismissed the Limited Exemption request and rendered null and void any and all relief previously granted to the Property Owners. Subsequent to the issuance of the Board's Order, Counsel for the Petitioners filed a written request for withdrawal of the instant Petitions by letter dated January 14, 2002.

NOW, THEREFORE, pursuant to the receipt of a written request for withdrawal of the above-captioned matters from Counsel for the Petitioners,

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of January, 2002, that the Petitions for Special Hearing filed in the above-captioned matters be and the same are hereby DISMISSED WITHOUT PREJUDICE.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: J. Carroll Holzer, Esquire

508 Fairmount Avenue, Towson, Md. 21286

Howard L. Alderman, Jr., Esquire

502 Washington Avenue, 8th Floor, Towson, Md. 21204

Mr. Larry Townsend, GTCC, 1111 Longbrook Road, Lutherville, Md. 21093

People's Counsel; Case Files

ORDER FILED FOR FILING
Date 1/23/12
By LES



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 115 RIDGELY RD ALSO
known as Yorkridge Shopping Center which is presently zoned BL-CC+ML-1m

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

* See attached sheet per WCR

(see attached)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, 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.

PETITIONER:

Timonium Shopping Center, Inc.

Clomid-ATLANTIC REALTY TRUST

Name - Type or Print

By: [Signature] Vice President

Signature

170 West Ridgely Rd. 410-684-2000

Address

Telephone No.

Lutherville MD 21093

City

State

Zip Code

Attorney For Petitioner:

J. Carroll Holzer

Name - Type or Print

Signature

J. Carroll Holzer, P.A.
508 Fairmount Ave.
Towson, MD 21286

410-825-6961

Telephone No.

State

Zip Code

Legal Owner(s):

CE CELIA SCHWABER, Myra Wagonhei,

Name - Type or Print

and Sidney Weiman, Trustees

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

FICLO Baltimore Land Design Group, Inc.

Name

222 Schilling Circle, Suite 105

Address

Telephone No.

Hunt Valley MD 21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By Drop-off Date 9-11-01
WCR/JRP

ORDER RECEIVED FOR FILING

Case No. 02-102-SP4

Date 9/15/98

By [Signature]

Special hearing to determine that the parking calculations approved are not in compliance with the BCZR.

ORDER RECEIVED FOR FILING

Date

1/23/12

By

[Signature]

ATTACHMENT TO PETITION FOR SPECIAL HEARING

The legal owners of the subject property have submitted a request to the Baltimore County Development Review Committee (DRC) to approve a concept plan for the alteration of the Yorkridge Shopping Center (the "Center") by "demolition of an existing two-story theater (1,218 seats) and part of the existing shopping center (33,870 square feet) and construction of a new Expo Design Center (100,017 square feet) and construction of existing parking facilities in its vicinity" (See Exhibit A). The Petitioner is an adjacent property owner whose interest will be adversely affected and impacted by the decision of the DRC and the action of the legal owners.

The concept plan (Exhibit A) shows that the Expo Design Center (100,017sf) has a parking ratio calculation based upon a parking ratio of less than five (5) parking spaces per 1,000 square feet, while the remainder of the center has been calculated at the required five (5) parking spaces per 1,000 square feet. Petitioners believe that this parking calculation is in violation of BCZR, Section 409.6 (a) (2) which states that a shopping center (100,000 or more of gross leasable area) requires parking spaces at "5 per 1,000 square feet of gross leasable area, including any area devoted to restaurants, but excluding any area devoted to theaters, in which case the theaters shall be considered as a separate use." Baltimore County Zoning Regulations clearly provide for only one (1) "carve out" from the required 5 per 1,000 square feet of gross leasable area—a theater.

The Petitioner submits that the required parking should be calculated on a ratio of five (5) spaces per 1,000 square feet, thereby requiring 872 spaces for the 174,543 square feet of retail space within the Center, not the 704 spaces proposed on the concept plan.

EXHIBIT B

That property located in Baltimore County, Maryland, deeded to Yorkridge Realty Company, Inc. by deed dated January 5, 1956 from Irvin Rankin, unmarried and Harry Goldberg, Co-Partners, Trading as G & R Company, and Gertrude Goldberg, wife of Harry Goldberg, and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2853 folio 287 etc., and being more particularly described as follows:

BEGINNING for the same at a stone heretofore set at the beginning of Lot 11, which was allotted to Otho E. Ridgely in certain partition proceedings in the Circuit Court for Baltimore County and recorded in Judicial Liber WPC No. 209, folio 235 in the case of John Ridgely of Hampton and Otho E. Ridgely, et al, and running thence with and binding on a part of the first line of said parcel of land as surveyed in 1952 North 33 degrees 51 minutes West 244.20 feet to the beginning of the North 73 degrees East 1139 foot line of said agreement between Otho E. Ridgely and wife and Dickinson Gorsuch and wife dated September 10, 1920 and recorded among the Land Records of Baltimore County in Liber WPC No. 528, folio 579, thence running with and binding on a part of said line North 73 degrees 26 minutes East 690 feet to the beginning of the said line of a parcel of land which by Deed dated September 23, 1920 and recorded as aforesaid in Liber WPC No. 532, folio 473, was conveyed by Otho E. Ridgely and wife to Samuel S. Crowther and wife, thence running with and binding on said line and binding for a part on the third line of said parcel of land the two following courses and distances South 12 degrees 27 minutes East 210 feet and North 73 degrees 26 minutes East 447.50 feet to the center of York Road and to intersect the third line of the aforesaid Lot No. 11, thence running with and binding on a part of said third line and binding in the center of the York Road South 12 degrees 27 minutes East 574.13 feet to the beginning of the fourth line of said lot No. 11, thence running with and binding on said fourth line and binding in the bed of Ridgely Road as the same is now constructed and traveled South 71 degrees 7 minutes West 693 feet to the beginning of the fifth line of said Lot No. 11 and running with and binding on the fifth, sixth and seventh lines of said Lot No. 11 and binding on the South side of Ridgely Road as laid out on Sides Plat of Lutherville which Plat is recorded among the Plat Records of Baltimore County in Liber WPC No. 8, folio 57, the three following courses and distances viz: South 63 degrees 57 minutes West 176.55 feet South 78 degrees 27 minutes West 325.05 feet and North 89 degrees 33 minutes West 297 feet and thence leaving said road and running with and binding on the last line of Lot No. 11 North 26 degrees 57 minutes East 676.72 feet to the place of beginning. Containing 20.52 acres of land more or less.

BEING the same lot of ground described in a Deed from Ellen F. R. Thompson and husband, et al, to Harry Goldberg and Irvin Rankin, co-partners, trading as G & R Company, dated January 9, 1953 and recorded among the Land Records of Baltimore County in Liber GLB No. 2234, folio 117.

Excepting therefrom the following described parcel of land, which is part of Parcel A as described in Exhibit A and A1, such description prepared by David W. Dallas, Jr., Registered Professional Engineer and Land Surveyor, 8713 Old Harford Road, Baltimore, Maryland:

BEGINNING for the same on the south side of Ridgely Road as shown on the Plat of Lutherville as filed among the Land Records of Baltimore County in Flat Book W.P.C. No. 8 folio 57 at the beginning of the ninth or north 89 degrees 33 minutes west 297 foot line of that tract of land which by deed dated January 5, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2853 folio 287 etc. was conveyed by Irvin Rankin et al to Yorkridge Realty Company, Inc., thence running with and binding on said ninth line and on the south side of said road south 82 degrees 31 minutes 04 seconds west 297.00 feet to the end of said line, thence running with and binding on a part of the tenth line of said deed north 19 degrees 11 minutes 04 seconds east 663.89 feet to a point distant 12.83 feet south 19 degrees 11 minutes 04 seconds west from the end of said line, thence leaving said line and running for a line of division, passing through a point being distant 50 feet measured at right angles in a southwesterly direction from the southwesternmost wall of Cinema I south 24 degrees 15 minutes 05 seconds east 582.63 feet to intersect the eighth line of said deed at a point distant 152.32 feet south 70 degrees 41 minutes 04 seconds west from the beginning of said line, thence running with and binding on a part of said line south 70 degrees 41 minutes 04 seconds west 172.73 feet to the place of beginning.

CONTAINING 3.173 acres of land more or less.

PROPERTY DESCRIPTION

The description of the subject property is found in **Exhibit A**, the Concept Plan as submitted to the DRC, Number 043001M, Dist. 8C4 located at 115 N. Ridgely Road as prepared by Baltimore Land Design Group, Inc.

102

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

5777

DATE

9/5/01

ACCOUNT

RCX 1 006-6150

AMOUNT \$

250.00

RECEIVED
FROM:

J. CARROLL HOLZER FA

FOR:

462

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAYMENT RECEIPT

PAYMENT

DATE

TIME

9/06/2001

09/06/2001

15:10:58

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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: #02-102-SPH

115 Ridgely Road

NW Cor. York Road and Ridgely Road, Yorkridge

Shopping Center

8th Election District - 4th Councilmanic District

Legal Owner(s): Cecelia Schwaber, Myra Wagonheim &

Sidney Weinman, Trustees

Petitioner: Paul Robinson, Timonium Shopping Center, Inc.

Special Hearing: to determine that the parking calculations approved are not in compliance with the Baltimore County Zoning Regulations, see attachment.

Hearing: Wednesday, November 7, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

JT 10/7/2 Oct 23

C501716

CERTIFICATE OF PUBLICATION

10/25/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/23/2001.

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

J. Wilkinson

LEGAL ADVERTISING

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-102 - SPH

Petitioner: TIMONIUM SHOPPING CENTER, INC.
% MID-ATLANTIC REALTY TRUST

Address or Location: 115 RIDGELY RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: J. CARROLL HOLZER, P.A.

Address: 508 FAIRMOUNT AVE.

TOWSON, MD 21286

Telephone Number: 410-825-6961

TO: PATUXENT PUBLISHING COMPANY
Tuesday, October 23, 2001 Issue – Jeffersonian

Please forward billing to:
J. Carroll Holzer PA
508 Fairmount Avenue
Towson MD 21286

410 825-6961

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: 02-102-SPH

115 Ridgely Road

NW/Cor. York Road and Ridgely Road, Yorkridge Shopping Center

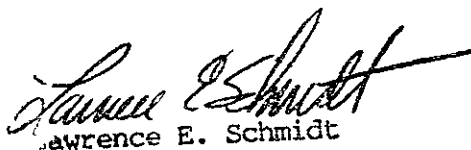
8th Election District – 4th Councilmanic District

Legal Owner: Cecelia Schwaber, Myra Wagonheim & Sidney Weiman, Trustees

Petitioner: Paul Robinson, Timonium Shopping Center, Inc.

Special Hearing to determine that the parking calculations approved are not in compliance with the Baltimore County Zoning Regulations, see attachment.

HEARING: Wednesday, November 7, 2001 at 9:00 a.m. in Room 407. County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDC
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

October 10, 2001

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: 02-102-SPH

115 Ridgely Road

NW/Cor. York Road and Ridgely Road, Yorkridge Shopping Center

8th Election District – 4th Councilmanic District

Legal Owner: Cecelia Schwaber, Myra Wagonheim & Sidney Weiman, Trustees

Petitioner: Paul Robinson, Timonium Shopping Center, Inc.

Special Hearing to determine that the parking calculations approved are not in compliance with the Baltimore County Zoning Regulations, see attachment.

HEARING: Wednesday, November 7, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286
Cecelia Schwaber, Myra Wagonheim & Sidney Weiman, Trustees, c/o
J. Carroll Holzer 508 Fairmount Avenue, Towson 21286
Paul Robinson, Timonium Shopping Center Inc 170 W Ridgely Road,
Lutherville 21093
ICO Baltimore Land Design Group Inc, 222 Schilling Circle Suite 105
Hunt Valley 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 23, 2001.**
- (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

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

November 5, 2001

Howard L Alderman Jr
Levin & Gann
Nottingham Centre
8th Floor
502 Washington Avenue
Towson MD 21204

Dear Mr. Alderman:

RE: Case Number: 02-102-SPH, 115 Ridgely Road

The above matter, previously scheduled for November 7, 2001 at 9:00 a.m. in Room 407, County Courts Building, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. 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 the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", written over a horizontal line.

Arnold Jablon GDZ
Director

AJ: gdz

C: J. Carroll Holzer Esquire, 508 Fairmount Avenue, Towson 21286



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

December 07, 2001

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: 02-102-SPH

115 Ridgely Road

NW/Cor. York Road and Ridgely Road, Yorkridge Shopping Center

8th Election District – 4th Councilmanic District

Legal Owner: Cecelia Schwaber, Myra Wagonheim & Sidney Weiman, Trustees

Petitioner: Paul Robinson, Timonium Shopping Center, Inc.

Special Hearing to determine that the parking calculations approved are not in compliance with the Baltimore County Zoning Regulations, see attachment.

HEARING: Thursday, January 10, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286
Cecelia Schwaber, Myra Wagonheim & Sidney Weiman, Trustees, c/o
J. Carroll Holzer 508 Fairmount Avenue, Towson 21286
Paul Robinson, Timonium Shopping Center Inc 170 W Ridgely Road,
Lutherville 21093
ICO Baltimore Land Design Group Inc, 222 Schilling Circle Suite 105
Hunt Valley 21030

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, DECEMBER 26, 2001.**
- (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
pdmlandacq@co.ba.md.us

January 8, 2002

J. Carroll Holzer, PA
508 Fairmount Avenue
Towson MD 21286

Dear Mr. Holzer:

RE: Case Number: 02-102-SPH, 115 Ridgely Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 11, 2001.

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. G.D.Z.
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Paul Robinson, Timonium Shopping Center Inc, 170 W Ridgely Road,
Lutherville 21093
ICO Baltimore Land Design Group Inc, 222 Schilling Circle, Suite 105,
Hunt Valley 21030
People's Counsel

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 16, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2001
Item No. 102

The Bureau of Development Plans Review has reviewed the subject zoning item.

Permission to park along "travel ways" must be asked for as part of this request.

RWB:HJO:jrb

cc: File



**Baltimore County
Fire Department**

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

October 15, 2001

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: SEE BELOW

Location: DISTRIBUTION MEETING OF October 1, 2001

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

082, 102, 103, 104, 105, 106, 107, 109, 110, 111,
112, 113, 114, 115, 116, 117, and 118

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

cc: File

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Sim
1/10/02
JCH
per H. Allen

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

DATE: October 11, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-102, 02-103, & 02-118

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For 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:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 10.5.01

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

RE: Baltimore County
Item No: 102 JRF

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,

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

RE: PETITION FOR SPECIAL HEARING
115 Ridgely Road, NW Cor. York and Ridgely Rds
(Yorkridge Shopping Center)
8th Election District, 4th Councilmanic

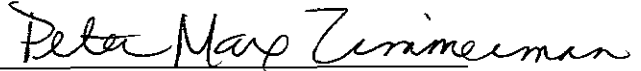
Legal Owner: Cecelia Schwaber, Myra Wagonheim,
Sidney Weiman, Trustees
Petitioner: Timonium Shopping Center, Inc.
Petitioner(s)

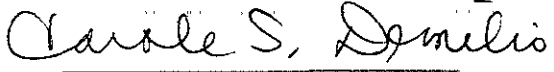
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. ~~02-102-SPH~~

* * * * *

ENTRY OF APPEARANCE

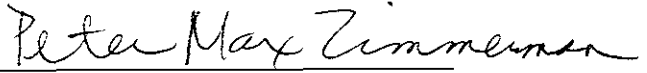
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed 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 31st day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esq., Holzer and Lee, 508 Fairmount Avenue, Towson, MD 21286, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

September 4, 2001
#7274

HAND DELIVERED

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

Re: Petitions for Special Hearing
Yorkridge Shopping Center
115 N. Ridgely Road
DRC Number 043001M, Dist. 8C4

Dear Mr. Jablon:

Attached you will find two separate Petitions for Special Hearing involving the Concept Plan for the Yorkridge Shopping Center. The Petitioners are not the property owners. These Petitions are drop offs and have not been reviewed by PDM staff. Filed concurrently with the Petitions, and all supporting documents, are checks made payable to Baltimore County to cover the costs of the Petitions.

If you need to contact me, please call me at 410-825-6961.

Very truly yours,

A handwritten signature in black ink, appearing to be "JCH", written over the typed name J. Carroll Holzer.

J. Carroll Holzer

JCH:clh

cc: Lawrence Schmidt, Zoning Commissioner
The Timonium Shopping Center, Inc.

#102



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JHOLZER@2BTL.NET

January 9, 2002

#7274

VIA FAX 410-887-3468

Lawrence Schmidt

Zoning Commissioner of Baltimore County

County Courts Building, 4th Floor

401 Bosley Avenue

Towson, MD 21204

Re: Case Nos. 02-102-SPH; 02-103-SPH; and 02-168-SPHA

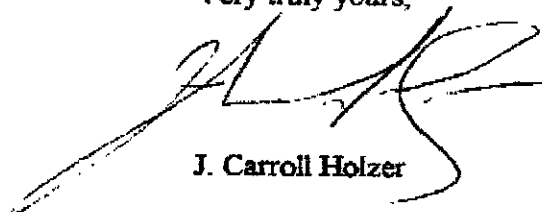
Dear Mr. Schmidt:

This letter is a request that the hearings scheduled for Thursday, January 10, 2002 in Case Nos. 02-103-SPH and 02-102-SPH be postponed, and in all likelihood be withdrawn. Attached hereto is a letter to Arnold Jablon from Howard Alderman, Jr. dated December 6, 2001, withdrawing his client's petition in Case No. 02-168-SPHA. Also, Mr. Alderman in a letter to Chairman Lawrence Wescott of the County Board of Appeals indicating that on behalf of his client that he was withdrawing without prejudice DRC No. 043001M approval for the Baltimore Land Design Group. I have attached both letters hereto.

I have called my clients several times to get their authorization to withdraw our two Petitions for Special Hearing, but to date have not been successful. On behalf of my clients, I will not be proceeding with these cases and do not expect anyone to attend the hearing scheduled for 9:00 a.m. tomorrow. When I receive approval from my clients to withdraw our two petitions, I will immediately inform the Zoning Commissioner. But for now, I must respectfully request that Case Nos. 02-102-SPH and 02-103-SPH be postponed without the need to open the hearing publicly. Mr. Alderman will not be in attendance and has made clear his effort on behalf of his clients to withdraw both the DRC approval and his Petitions for Variance and Special Hearing.

I regret the 11th hour request, but without final authorization from my clients, this is the most I can do without inconveniencing counsel and the office of the Zoning Commissioner. I will be before the Court of Special Appeals tomorrow arguing the case of *Westair v. Carroll County, Maryland*, Case No. 00521 and will not be available to put on the record the request contained herein.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'J. Carroll Holzer', written in a cursive style. The signature is positioned above the printed name.

J. Carroll Holzer

cc: Howard Alderman, Esq.
Arnold Jablon, Esq.
Paul Robinson



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286
(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

January 11, 2002
#7274

HAND DELIVERED

Arnold Jablon, Director
Department of Permits &
Development Management
County Office Building
Towson, MD 21204

Re: Yorkridge Shopping Center
DRC No. 043001M; CBA No. 01-128

Dear Mr. Jablon:

The above referenced DRC approval was appealed to the County Board of Appeals on June 8, 2001. Howard Alderman, Esquire, representing the property owners, in a letter to the County Board of Appeals attached hereto, withdrew the DRC request on December 13, 2001. On January 9, 2002, the County Board of Appeals signed an Order of Dismissal of Limited Exemption Request in the above referenced matter because the DRC request was withdrawn by the property owners. The Order is attached hereto and incorporated herein.

Please include this letter and the attachments to the DRC file in case No. 0403001M which will conclude the matter. I appreciate your attention and cooperation.

Very truly yours,

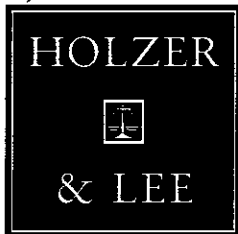
A handwritten signature in black ink, appearing to be "JCH", is written over the typed name "J. Carroll Holzer".

J. Carroll Holzer

Enclosures

JCH:clh

cc: Mid-Atlantic Trust



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

January 14, 2002

#7274

Lawrence Schmidt
Zoning Commissioner of Baltimore County
County Courts Building, 4th Floor
401 Bosley Avenue
Towson, MD 21204

Re: Case Nos. 02-102-SPH; 02-103-SPH; and 02-168-SPHA

Dear Mr. Schmidt:

This letter is a follow-up to my January 9, 2002 letter to you in reference to the hearing scheduled for January 10 in Case Nos. 02-102 SPH and 02-103-SPH which you postponed at our request. Coincidentally on that same day, the County Board of Appeals signed an Order of Dismissal of Limited Exemption Request as a result of the letter by Howard Alderman, Jr. withdrawing the request of limited exemption by his client, owners of the Yorkridge Shopping Center in DRC No. 043001M. I have requested PDM through the attached letter and copy of the Board's Order to mark its file that the DRC request has been withdrawn.

As a result of the Yorkridge Shopping Center's withdrawal of their zoning petition in Case No. 02-168-SPHA and their request for a limited exemption in DRC No. 0403001M, my clients respectfully request that our Petitions for Special Hearing in Case Nos. 02-102-SPH and 02-103-SPH also be withdrawn immediately. I appreciate the cooperation and attention of the Zoning Commissioner in bringing this matter to a close.

Very truly yours,

J. Carroll Holzer

A handwritten signature in black ink, appearing to be "J. Carroll Holzer", written over the typed name.

Enclosure

JCH:clh

cc: Howard Alderman, Esq.
Arnold Jablon, Esq.
Paul Robinson

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-2801

ELLIS LEVIN (1893-1960)

October 18, 2001

VIA TELEFAX & REGULAR MAIL

Arnold Jablon, Director
Baltimore County Department of Permits
and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: Yorkridge Shopping Center
Case Nos. 02-102-SPH/02-103-SPH
Request for Postponement and Consolidation

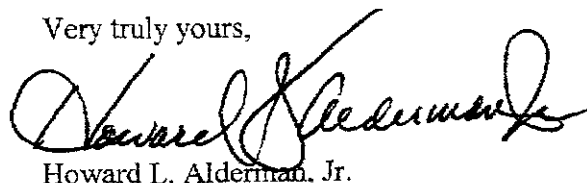
Dear Mr. Jablon:

We have the pleasure of representing the owners of the above-referenced property. We have just learned that an adjoining property owner, Timonium Shopping Center, Inc. and Paul Robinson have filed, pursuant to BCZR §507.1, two petitions for Special Hearing on our clients' property. Those hearings are apparently scheduled for Wednesday, November 7, 2001 at 9:00 a.m. in Room 407 of the County Courts Building.

On Tuesday, October 23, 2001, at 2:00 p.m. I am scheduled to file zoning petitions for our clients on the same property. The issues raised by Mr. Holzer in the above-referenced Petitions at least appear to be related to the relief contained in the Petitions that I will be filing on behalf of our clients. It appears that the issues revolve around the proposed Home Expo Design Center, DRC approval for which was granted earlier this year.

Therefore, this request is made to postpone the November 7th hearing on the Petitions filed by Mr. Holzer and to schedule a consolidated hearing on all Petitions presently filed and to be filed on October 23rd. Should you or your staff require any additional information in support of this request for postponement and consolidation, please call me.

Very truly yours,



Howard L. Alderman, Jr.

HLA/gk

c: Sidney Weiman, Esquire *et al.*
J. Carroll Holzer, Esquire (fax and mail)
Mr. George Zahner

LAW OFFICES

LEVIN & GANN

A PROFESSIONAL ASSOCIATION

NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
haldeman@LevinGann.com

DIRECT DIAL
410-321-4640

January 9, 2002

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
J. Carroll Holzer, Esquire	410-825-4923
c: Lawrence E. Schmidt, Zoning Commissioner	410-887-3468
Arnold Jablon, Director	410-887-5708
Sidney Weiman, Trustee	

FROM: HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]: 2

CLIENT/MATTER: 115 Ridgely Road - Yorkridge Shopping Center
ZONING CASE NOS. 02-102-SPH & 02-103-SPH

COMMENTS: Carroll: it was my understanding with you that since Expo Design had abandoned their plans to locate at Yorkridge, upon the dismissal of the zoning petition that I had filed on behalf of the owners and the withdrawal of the DRC request, the above-referenced cases would be dismissed by you on behalf of MART, the adjoining owner. I note that the hearings are STILL SCHEDULED. Additionally, I have received a call from the Councilman's office regarding the status. IF YOU ARE GOING FORWARD WITH THESE HEARINGS TOMORROW @ 9:00 a.m. PLEASE ADVISE ME AT ONCE - I will then have to cancel meetings that I have scheduled based on your prior representation. Per our discussion last week on an unrelated topic I know that you are swamped; I hope that your dismissal of these cases merely fell through the cracks. Either way, I would appreciate hearing from your office as to your client's intent. Thanks.

[x] ORIGINAL WILL NOT BE MAILED

If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible. My return FAX Number is (410) 296-2801.

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CASE NUMBER: 02-102-SPH

115 Ridgely Road

Location: NW/Cor. York Road and Ridgely Road, Yorkridge Shopping Center

4th Councilmanic District, 8th Election District

Legal Owner: Cecelia Schwaber, Myra Wagonheim, and Sidney Weiman, Trustees

Contract Purchaser: Paul Robinson, Timonium Shopping Center, Inc.

SPECIAL HEARING to determine that the parking calculations approved are not in compliance the Baltimore County Zoning Regulations. See attachment

Hearing: Thursday, 01/10/2002 at 9:00 a.m., Rm 407, Co Cts Bldg, 401 Bosley Ave.

CASE NUMBER: 02-103-SPH

115 Ridgely Road

Location: NW/Cor. York Road and Ridgely Road, Yorkridge Shopping Center

4th Councilmanic District, 8th Election District

Legal Owner: Cecelia Schwaber, Myra Wagonheim, and Sidney Weiman, Trustees

Contract Purchaser: Paul Robinson, Timonium Shopping Center, Inc.

SPECIAL HEARING to determine that the parking calculations are incorrect and the use is retail only and the Baltimore County Zoning Regulations does not permit a separation of uses within same building.

Hearing: Thursday, 01/10/2002 at 9:00 a.m., Rm 407, Co Cts Bldg, 401 Bosley Ave.

CASE NUMBER: 02-204-SPH

1238 Putty Hill Avenue

Location: E/S Goucher Blvd, 122' N centerline of Putty Hill Avenue

4th Councilmanic District, 9th Election District Legal Owner: James A Schlesinger, Talisman Tr Limited Partnership

Contract Purchaser: N/A

SPECIAL HEARING to approve amendments to the approved site development plan and zoning hearings for redevelopment of the "Towson Place" property.

Hearing: Tuesday, 01/22/2002 at 2:00 p.m., Rm 407, Co Cts Bldg, 401 Bosley Avenue

CASE NUMBER: 02-209-SPHXA

507 W Chesapeake Avenue

Location: S/S Chesapeake Avenue, 300' W centerline Stone Manor Court

4th Councilmanic District, 9th Election District

Legal Owner: Charles B Burdette 507 Holding Co Inc

Contract Purchaser: Howard Leger, Sprint PCS

VARIANCE to approve a 75.8 setback from an adjacent property line in lieu of the required 200

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-2801

ELLIS LEVIN (1893-1960)

January 11, 2002

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
Lawrence E. Schmidt, Zoning Commissioner	410-887-3468

FROM: HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]: 3

CLIENT/MATTER: Yorkridge Shopping Center

COMMENTS: Larry: I rec'd this in the mail today. I am forwarding a copy to you in furtherance of our discussions and my hope that Carroll Holzer's clients will authorize the withdrawal/dismissal of their zoning petitions. Have a great weekend.

[x] ORIGINAL WILL NOT BE MAILED

If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible.
My return FAX Number is (410) 296-2801.

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HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE, 8TH FLOOR
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4525
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

December 6, 2001

Mr. Arnold Jablon, Director
Department of Permits & Development Management
111 W. Chesapeake Avenue, Suite 109
Towson, Maryland 21204

Re: Case No. 02-168-SPHA
Ridgely and York Roads - Yorkridge Shopping Center

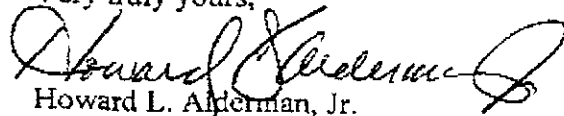
Dear Mr. Jablon:

On behalf of our client, owner of the above-referenced property, we hereby withdraw the zoning petitions filed in the above-referenced case. The petitions as filed were in contemplation of a new tenant, Expo Design Center, who has most recently advised that they will not be locating in the Yorkridge Shopping Center now or in the immediate future.

In my conversation with J. Carroll Holzer, Esquire, who represents Timonium Shopping Center, Inc., Petitioners in Case Nos. 02-102-SPH and 02-103-SPH, I requested that Mr. Holzer withdraw the relief requested in those cases given the most recent developments. Mr. Holzer advised that he would wait until he received a copy of this letter before acting on behalf of his clients.

Thank you and your staff for agreeing to reschedule this hearing and to combine it with the cases filed by Mr. Holzer on behalf of his clients. However, at this time, there is no zoning relief necessary for the continued operation of the center as it exists today. Again, thank you for your kind considerations and your cooperation.

Very truly yours,


Howard L. Alderman, Jr.

HLA/pal
cc: Cecelia Schwaber Trust
Sidney Weiman, Esquire
J. Carroll Holzer, Esquire
The Honorable Wayne Skinner
Mr. Robert Barrett
Mr. Robert L. Hannon, Director
The Honorable Lawrence E. Schmidt

G:\Clients Schwaber\jablon\ltr wpd

HOWARD L. ALDERMAN, JR.
haldeman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
501 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-7601

ELLIS LEVIN (1893-1960)

December 13, 2001

Lawrence S. Wescott, Chairman
County Board of Appeals for Baltimore County
400 Washington Avenue, Suite 49
Towson, Maryland 21204

RE: *Yorkridge Shopping Center*
115 North Ridgely Road
DRC No. 043001M, Dist. 3C4
Withdrawal of DRC Requested Action/Approval

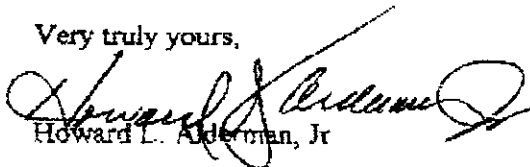
Dear Chairman Wescott:

I have the pleasure of representing the Cecelia Schwaber Trust (dated September 27, 1983), owners of the Yorkridge Shopping Center. On or about April 11, 2001, the Baltimore Land Design Group, Inc. on behalf of the Trust filed a request for approval by the Development Review Committee, of a proposed redevelopment of the center. On May 14, 2001, Arnold Jablon, on behalf of the DRC, issued an approval of the relief requested.

Within the 30 days of that approval, J. Carroll Holzer, Esquire, on behalf of the owners of the adjoining Timonium Mall property, filed a purported appeal of the DRC approval to this Board. That purported appeal is still pending. On behalf of my clients, the DRC request is hereby withdrawn without prejudice. The tenant who was to build and occupy this space and bring an entirely new design concept to the Baltimore Region has withdrawn from its lease due to the delays of appeals and other, unrelated considerations.

As a result of this voluntary withdrawal of the original request, I believe that Mr. Holzer's filing is rendered moot and would request that the Board enter an order in accordance with this request. Should you or any member of the Board desire additional information in this regard, please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk

c: Sidney Weiman, Trustee
J. Carroll Holzer, Esquire (via telefax only)

10/18/01
Beauf-
up to atty to
agile
ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-2801

October 18, 2001

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME	TELEFAX NO.
Arnold Jablon, Director	410-887-5708
J. Carroll Holzer, Esquire	410-825-4923
Mr. George Zahner	410-887-5708

FROM: HOWARD L. ALDERMAN, JR., ESQUIRE

NUMBER OF PAGES [INCLUDING THIS COVER PAGE]: 2

CLIENT/MATTER: **YORKRIDGE SHOPPING CENTER - REQUEST FOR
POSTPONEMENT AND CONSOLIDATION OF HEARINGS**

COMMENTS: **Please call me if there is a problem with this request.**

[x] ORIGINAL TO FOLLOW VIA MAIL

**If you do not receive all of the pages indicated above, please call 321-0600 as soon as possible.
My return FAX Number is (410) 296-2801.**

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01-3558
OCT 18 2001

**County Board of Appeals of Baltimore County**

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

January 9, 2002

J. Carroll Holzer, Esquire
HOLZER AND LEE
508 Fairmount Avenue
Towson, MD 21286

RE: *In the Matter of: Yorkridge Shopping Center.*
Limited Exemption Withdrawal /Dismissal
Case No. CBA-01-128 /DRC No. 0403001M

Dear Mr. Holzer:

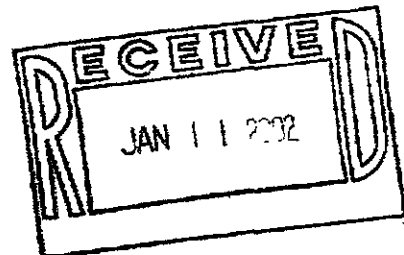
Enclosed please find a copy of the Order of Dismissal of Limited Exemption Request issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco /trs
Kathleen C. Bianco
Administrator

Enclosure

c: Timonium Shopping Center, Inc.
c/o J. Carroll Holzer, Esquire
Howard L. Alderman, Jr., Esquire
Cecelia Schwaber Trust
c/o Howard L. Alderman, Jr., Esquire
Baltimore Land Design Group, Inc.
People's Counsel for Baltimore County
Pat Keller, Director /Planning
Arnold Jablon, Director /PDM
Donald T. Rascoe, Project Manager /PDM
Edward J. Gilliss, County Attorney



IN THE MATTER OF
YORKRIDGE SHOPPING CENTER
CECELIA SCHWABER TRUST - OWNERS
115 N RIDGELY ROAD

8TH ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

RE: APPROVAL OF LIMITED EXEMPTION
DRC NO. 0403001M

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. CBA-01-128
*
*
*
*
*
*
*

**ORDER OF DISMISSAL OF
LIMITED EXEMPTION REQUEST**

This case comes to the Board on appeal filed by J. Carroll Holzer, Esquire, on behalf of Timonium Shopping Center, Inc., from the May 14, 2001 approval of the subject Limited Exemption by the Director of the Department of Permits and Development Management.

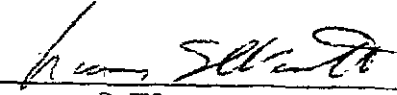
WHEREAS, the Board is in receipt of a letter of withdrawal of the request for a Limited Exemption (DRC No. 0403001M) filed December 14, 2001 by Howard L. Alderman, Jr., Esquire, Counsel for Cecelia Schwaber Trust, owners of the Yorkridge Shopping Center, Applicant /Developer (a copy of which is attached hereto and made a part hereof); and

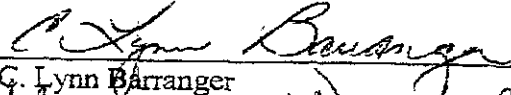
WHEREAS, said Counsel for Applicant /Developer requests that the DRC request for Limited Exemption in the above-referenced matter be withdrawn without prejudice as of December 14, 2001;

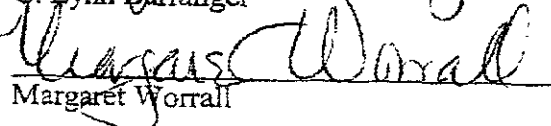
IT IS THEREFORE this 9th day of January, 2002, by the County Board of Appeals of Baltimore County

ORDERED that said DRC request for Limited Exemption (DRC No. 0403001M) is **WITHDRAWN AND DISMISSED** without prejudice, and that said Limited Exemption in Case No. CBA-01-128, including any and all relief granted to Applicant /Developer therein, is rendered null and void

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott


G. Lynn Barranger


Margaret Worrall

JRF

Intake Planner

9/7/01

Date Assigned

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

- ☒ **Two Questions Answered on Cover Sheet:**
Any previous reviews in the zoning office?
Any current building or zoning violations on site?
- ☒ **Petition Form Matches Plat in these areas:**
Address
Zoning
Legal Owner(s)
Contract Purchaser(s)
Request (if listed on plat)
- ☒ **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) NW/cor. York Rd. and
Ridgely Rd.
Zoning: BL-CCC/ML-1M Acreage: _____ Previous Hearing Listed With Decision
Election District 8TH Councilmanic District 4 Case # 5064-XA
Check to See if the Subject Site or Request is:
CBCA 64-177-A
Floodplain 66-226-A
Elderly 63-117-X
Historical
Pawn Shop
Helicopter
*If Yes, Print Special Handling Category Here NO
*If No, Print No

02-102-SPH

Item Number Assigned

9-11-01

Date Accepted for Filing

* George

9/7/01

Petition Wording - 115 Ridgely Rd.

Yonkers Shopping Ctr.

Petition

①

SPH to determine that the parking calculations approved are not in compliance with the BCZR

②

SPH to determine that the parking calculations are incorrect and the use is retail only and the BCZR does not permit a separation of uses within the same building

Cal

ZONING HISTORY FOR FUEL STATIONS:

BECAUSE OF THE INDEPENDENT REQUIREMENTS FOR FUEL SERVICES STATIONS UNDER THE BALTIMORE COUNTY ZONING REGULATIONS, THE EXISTING FUEL SERVICE STATION IS NOT INCLUDED AS BEING WITHIN THE SHOPPING CENTER FOR PURPOSES OF CALCULATING THE NUMBER OF PARKING SPACES REQUIRED OR PROVIDED. THE EXISTING STATION AT THE CORNER OF YORK ROAD AND RIDGELY ROAD WAS APPROVED BY SPECIAL EXCEPTION UNDER CASE #6331 - 1A IN JULY 1961.

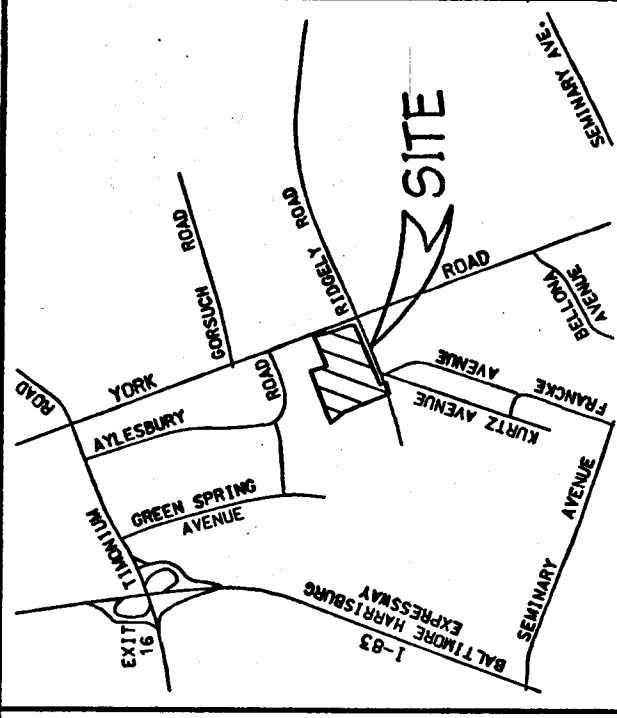
ZONING HISTORY FOR SHOPPING CENTER:

CASE No. 5064 - 1A
PETITION FOR A SPECIAL EXCEPTION TO APPROVE LAUNDRY AND DRY CLEANING PLANT ON THE SUBJECT PROPERTY GRANTED IN SEPTEMBER 1960.

CASE No. 64 - 177 - A
VARIANCE FROM SECTION 4132 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT A DOUBLE - FACE ILLUMINATED ADVERTISING STRUCTURE OF 420 SQUARE FEET IN AREA INSTEAD OF ALLOWABLE 160 SQUARE FEET ON THE WEST SIDE OF YORK ROAD GRANTED IN SEPTEMBER 1964.

CASE No. 66 - 223 - A
VARIANCE FROM SECTION 4132 OF THE BALTIMORE COUNTY ZONING REGULATION TO PERMIT A SIGN OF 225 SQUARE FEET INSTEAD OF THE ALLOWED 160 SQUARE FEET DENIED IN APRIL 1966.

CASE No. 65 - 117 X
SPECIAL EXCEPTION FOR A MOTION PICTURE THEATRE GRANTED TO USE SUBJECT PROPERTY IN NOVEMBER 1963.



VICINITY MAP
SCALE: 1" = 2000'

SITE DATA

TOTAL AREA: 15.66 A.

OWNER

CELCELA SCHWABER MYRA WAGONHEIM and
SIDNEY WEIMAN TRUSTEES
E.H.K. JR. 6847/303

ZONING: BL-COC and ML-IM

EXISTING USE - SHOPPING CENTER

- EX 2 STORY THEATRE 120 SEAT'S
- EX 1000 RETAIL STORES 103,596 S.F.
- EX FUEL SERVICE STATION

PROPOSED USE - SHOPPING CENTER

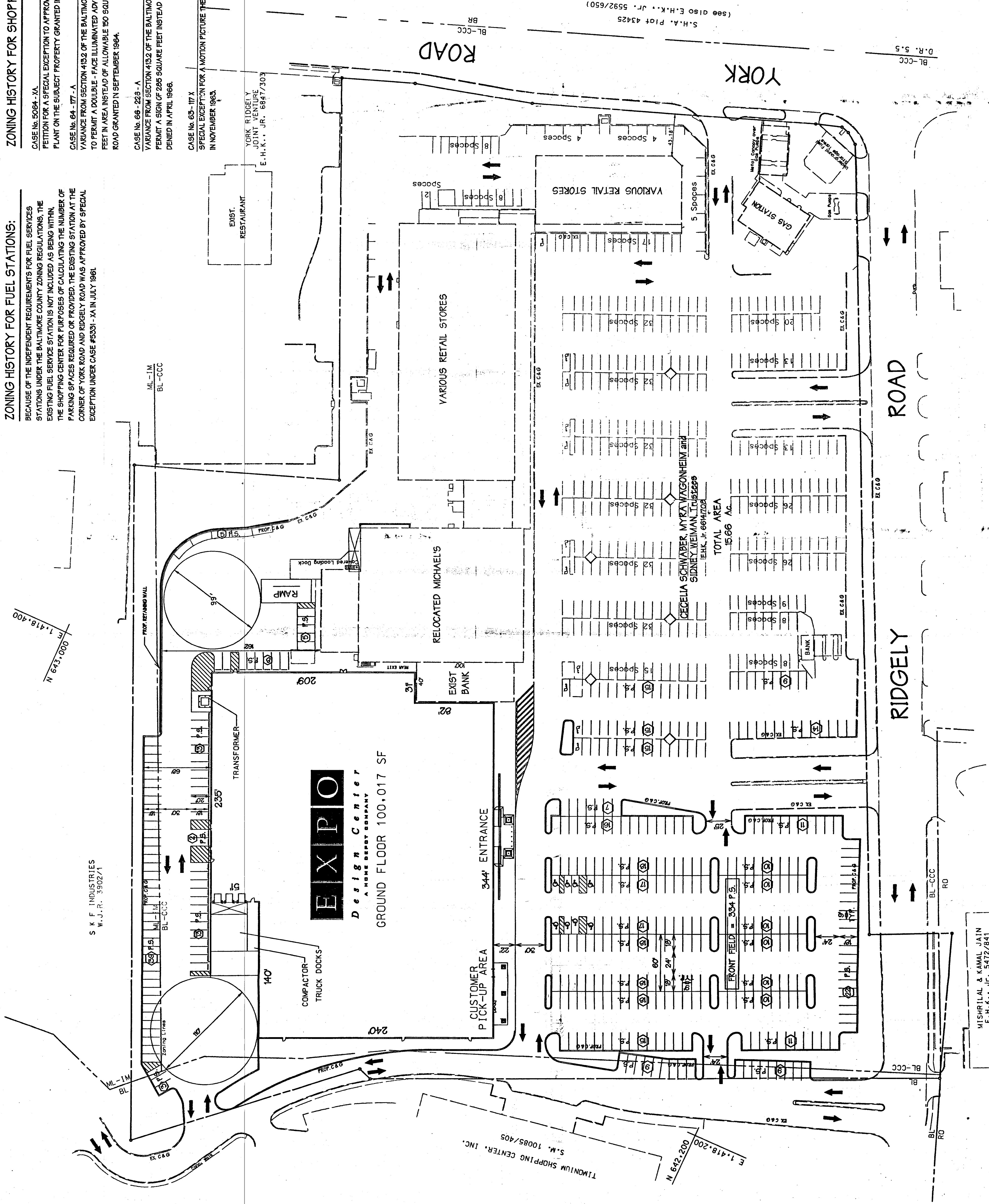
- PROP EXPO - 100,017 S.F.
- EX RETAILS TO REMAIN - 74,526 S.F.
- EX FUEL SERVICE STATION

PARKING SPACES REQUIRED

- EXPO 32,400 S.F. (RETAIL) @ 5 P.S./1000 S.F. = 162 P.S.
- 67,617 (FURNITURE STORE) @ 2.5 P.S./1000 S.F. = 169.04 P.S.
- EX RETAILS TO REMAIN - 74,526 S.F. @ 5 P.S./1000 S.F. = 372.63 P.S.

EX FUEL SERVICE STATION IS INCLUDED IN PARKING CALCULATIONS. IT WAS PERMITTED BY THE SPECIAL EXCEPTION CASE NUMBER 55391A GRANTED 68-161

TOTAL PARKING SPACES REQUIRED - 704 P.S.
TOTAL PARKING SPACES PROVIDED - 737 P.S.



PLAN
SCALE: 1" = 50'

Exh. A
CONCEPT PLAN
FOR
102

YORKRIDGE SHOPPING CENTER

BALTIMORE COUNTY, MARYLAND EIGHTH ELECTION DISTRICT C04
SCALE: 1" = 50' SHEET 1 OF 1 DATE: APRIL 10, 2001

BLDG
Baltimore Land Design Group Inc.
Consulting Engineers
722 SCHULING CIRCLE SUITE 105 • HUNT VALLEY, MARYLAND 21089
PHONE: 410.223.9451 • FAX: 410.223.9465 • BLDG@WINSTARMAIL.COM

