

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
Ridgely & York Roads (Yorkridge Shopping Center),
NW Cor York Rd & Ridgely Rd
8th Election District, 4th Councilmanic

Legal Owner: Cecelia Schwaber Trust
Petitioner(s)

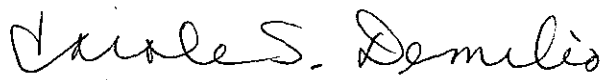
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-168-SPHA

* * * * *

ENTRY OF APPEARANCE

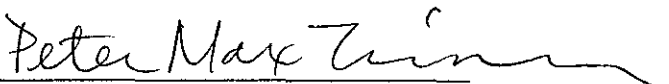
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation 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 10th day of December, 2001 a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Jr., Esq., Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at Ridgely & York Roads

which is presently zoned BL-CCC

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

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Howard L. Alderman, Jr., Esquire

Name - Type or Print

Signature

Levin & Gann, PA Nottingham Centre, 8th Floor

Company

502 Washington Avenue 410-321-0600

Address

Telephone No.

City

Towson, MD 21204

State

Zip Code

Legal Owner(s):

Cecelia Schwaber Trust, dated September 27, 1983

By:

Signature

Sidney Weiman, Trustee

Name - Type or Print

Signature

910 Reisterstown Road

410-484-6100

Address

Telephone No.

Baltimore, MD

21208

State

Zip Code

Representative to be Contacted:

Sidney Weiman, Trustee

Name

910 Reisterstown Road

410-484-6100

Address

Telephone No.

Baltimore, MD

21208

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

REV 9/15/98

Case No. 02-168 SP4A

CONSOLIDATE FOR HEARING WITH 02-102-SPH & 02-103-SPH

PETITION FOR SPECIAL HEARING

CASE NO: 02-168-SPHA

Address: Ridgely & York Road [Yorkridge Shopping Center]

Legal Owners: Cecelia Schwaber Trust, dated September 27, 1983

Present Zoning: BL-CCC

REQUESTED RELIEF:

"why the Zoning Commissioner should approve": [1] modification of prior approved site plans in zoning cases shown on the Plat to accompany these Petitions consistent with the relief presently requested and the information shown on the Plat to Accompany this Petition; and [2] classification of a portion of the proposed Expo Design use to be constructed on a portion of the Property as a furniture store; or [3] in lieu of the companion variance requested herewith, approval of a modified parking plan and modified parking requirements for the proposed uses in accordance with the specific detail shown on the Plats to accompany this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@LevinGann.com



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at Ridgely & York Roads
which is presently zoned BL-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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:

Howard L. Alderman, Jr., Esquire
Name - Type or Print _____ City _____
Signature _____
Levin & Gann, PA Nottingham Centre, 8th Floor
Company
502 Washington Avenue 410-321-0600
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

Cecelia Schwaber Trust, dated September 27, 1983

Name - Type or Print _____
By: Sidney Weiman
Signature Sidney Weiman, Trustee
Name - Type or Print _____
Signature _____
910 Reisterstown Road 410-484-6100
Address _____ Telephone No. _____
Baltimore, MD 21208
State _____ Zip Code _____

Representative to be Contacted:

Sidney Weiman, Trustee
Name _____
910 Reisterstown Road 410-484-6100
Address _____ Telephone No. _____
Baltimore, MD 21208
City _____ State _____ Zip Code _____

OFFICE USE ONLY

Case No. 02-168-SPHA

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

REV 9/15/98

CONSOLIDATE FOR HEARING WITH 02-102-SPH & 02-103-SPH

PETITION FOR VARIANCE
[Alternate Relief]

CASE NO: 02-168-SPHA

Address: Ridgely & York Road [Yorkridge Shopping Center]

Legal Owners: Cecelia Schwaber Trust, dated September 27, 1983

Present Zoning: BL-CCC

REQUESTED RELIEF:

In the event that the requested modified parking plan is not approved and/or that the specified portion of the proposed Expo Design use is not classified as a furniture store pursuant to the *Petition for Special Hearing* filed, a variance from: BCZR § 409.6.A.2 to permit a total of 816 on-site parking spaces in-lieu of the 895 spaces otherwise required.

JUSTIFICATION:

1. Irregularly shaped lot;
2. Existing topographic constraints; and
3. For such further reasons that will be presented at the hearing on this Petition.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801
halderman@LevinGann.com

LAND SURVEYORS
S. J. MARTENET & CO., INC.

JOEL M. LEININGER
DAVID S. PAPLAUCKAS
THOMAS L. WILHELM
JEFFREY A. HOWARD

ESTABLISHED 1849
1114 ST. PAUL STREET
BALTIMORE, MARYLAND 21202
(410) 539-4263

SIMON J. MARTENET	1849-1892
HARRY G. JAVINS	1871-1894
SEPTIMUS P. TUSTIN	1870-1921
J. HOWARD SUTTON	1884-1940
WILLIAM O. ATWOOD	1887-1931
SAMUEL A. THOMPSON	1898-1944
GEORGE E. WIMMER	1907-1943
HOWARD D. TUSTIN	1907-1960
HOWARD C. SUTTON	1944-1969
HOWARD D. TUSTIN, JR.	1945-1988
RICHARD P. TUSTIN	1945-1988

**YORKRIDGE SHOPPING CENTER
ZONING DESCRIPTION**

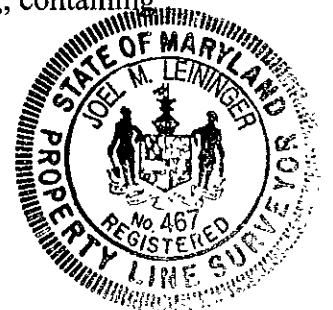
BEGINNING on the north side of Ridgely Road, 70 feet wide, at a point distant approximately 18 feet west of the west side of York Road, of variable width, thence running the fifteen following courses and distances, viz:

- (1) South $64^{\circ}17'15''$ West 807.34 feet,
- (2) South $25^{\circ}42'45''$ East 85.10 feet,
- (3) South $70^{\circ}25'00''$ West 150.96 feet,
- (4) North $24^{\circ}31'09''$ West 582.53 feet,
- (5) North $18^{\circ}56'58''$ East 14.51 feet,
- (6) North $41^{\circ}45'54''$ West 244.20 feet,
- (7) North $65^{\circ}31'07''$ East 690.02 feet,
- (8) South $20^{\circ}21'54''$ East 210.08 feet,
- (9) North $65^{\circ}31'07''$ East 410.56 feet,
- (10) South $20^{\circ}24'50''$ East 75.53 feet,
- (11) South $15^{\circ}00'24''$ East 122.04 feet,
- (12) South $20^{\circ}24'50''$ East 291.95 feet,
- (13) South $17^{\circ}52'22''$ East 27.04 feet,
- (14) 8.54 feet along the arc of a non-tangent curve to the right having a radius of 45.00 feet and subtended by a long chord bearing South $15^{\circ}47'32''$ West 8.53 feet, and
- (15) South $35^{\circ}46'55''$ West 13.85 feet to the point of beginning; containing 15.6555 acres of land, more or less.

October 23, 2001

91050Z.des TLW

02-168-SPHA



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 06731

DATE 10/23/01 ACCOUNT R0010066150

AMOUNT \$ 500.00

RECEIVED FROM: HOWARD ALDERMAN / SCHWABER TRUST

FOR: PETITION FOR SPECIAL HEARING & VARIANCE

RIDGELEY & YORK ROS. 02-168-SPHA LT

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
10/24/2001	10/24/2001	11:29:38
REG MS05	CASHIER R005 LRB	DRWNR 3
RECEIPT # 218073		DFLN
Dept 5	528 ZONING VERIFICATION	
CR NO. 006731		

Recpt Tot 500.00
500.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**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. #02-168-SPHA
Ridgely & York Road
N/W Corner York Road &
Ridgely Road
8th Election District
4th Councilmanic District
Legal Owner(s): Cecelia
Schwaber Trust

Variance: to permit a total of 816 on-site parking spaces in lieu of the 895 spaces otherwise required.

Hearing: Friday, December 28, 2001 at 10:00 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.

12/057 Dec. 13 C510888

CERTIFICATE OF PUBLICATION

12/14/2001

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 12/13/2001.

- ☒ 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-- 168 --SPHA
Petitioner: Cecelia Schwaber Trust, dated September 27, 1983
Address or Location: Yorkridge Shopping Center - Ridgely & York Roads

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sidney Weiman, Trustee
Address: 910 Reisterstown Road
Baltimore, MD 21208

Telephone Number: 410-484-6100

Revised 2/20/98 - SCJ

TO: PATUXENT PUBLISHING COMPANY
Thursday, December 13, 2001 Issue – Jeffersonian

Please forward billing to:
Sidney Weiman Trustee
910 Reisterstown Road
Baltimore MD 21208

410 484-6100

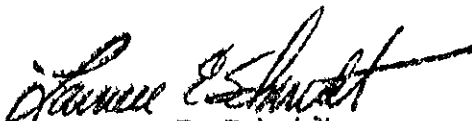
NOTICE OF ZONING HEARING

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: 02-168-SPHA
Ridgely & York Road
N/W Corner York Road & Ridgely Road
8th Election District – 4th Councilmanic District
Legal Owner Cecelia Schwaber Trust

Variance to permit a total of 816 on-site parking spaces in lieu of the 895 paces otherwise required.

HEARING: Friday, December 28, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
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 30, 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: 02-168-SPHA
Ridgely & York Road
N/W Corner York Road & Ridgely Road
8th Election District – 4th Councilmanic District
Legal Owner Cecelia Schwaber Trust

Variance to permit a total of 816 on-site parking spaces in lieu of the 895 paces otherwise required.

HEARING: Friday, December 28, 2001 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".

Arnold Jablon G.D.Z.
Director

C: Howard L Alderman Jr Esquire, Levin & Gann, Nottingham Centre 8th Flr,
502 Washington Avenue Towson 21204
Cecelia Schwaber Trust, 910 Reisterstown Road, Baltimore 21208
Sidney Weiman, Trust, 910 Reisterstown Road, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 13, 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, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** December 20, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For December 3, 2001
Item Nos.* 151, 152, 155, 157, 161, 164,
165, 167, ~~168~~^{168*}, 170, 171, 172, 173, 174,
and 175

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

*Items number 153 and 154 were not designated.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

December 10, 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 November 26, 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:

151, 152, 155, 156, 157, 159, 161, 164, 165, 166, 167, 168, 169,
170, 171, 172, 173, 174, and 175

REVIEWER: LIEUTENANT JIM MEZICK, 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

INTER-OFFICE CORRESPONDENCE

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

DATE: December 3, 2001

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

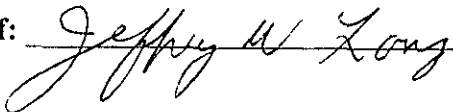
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-132, 02-~~168~~ & 02-171

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:

_____

Section Chief:

_____

AFK/JL:MAC



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.3.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. ~~108~~

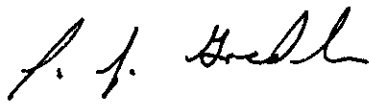
DT

Dear Mr. Zahner:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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

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)

12/11 work
To George
Cancel - withdrawn

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.
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

REC-111
01-4122
DEC 7 2001
G:\Clients\Schwaber\jablon-a.ltr.wpd
DEPT. OF PERMITS & DEV.
DEVELOPMENT MANAGEMENT

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

FILE COPY

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

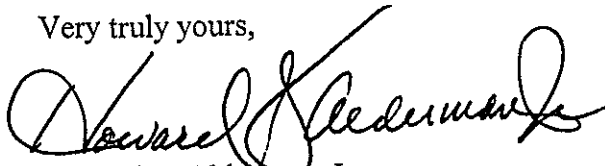
Dear Mr. Jablon:

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



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

December 27, 2001

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

Dear Mr. Alderman:

RE: Zoning Case Number: 02-168-SPHA, Ridgely & York Roads

The purpose of this letter is to officially notify you that the demand for a public hearing has been withdrawn. As a result, your hearing scheduled for Friday, December 28, 2001 has been cancelled.

The zoning file will be forwarded to the Zoning Commissioner and he will make a final determination in the case. You will be notified in writing by his office once the decision has been made.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.

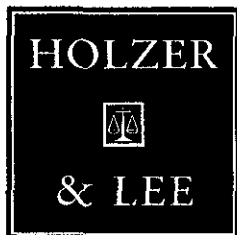
W. Carl Richards, Jr. G.D.Z.
Supervisor
Zoning Review

WCR: gdz

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



Printed with Soybean Ink
on Recycled Paper



1/16/02
wcl

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,

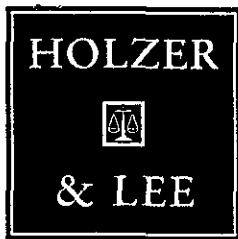
J. Carroll Holzer

Enclosure

JCH:clh

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

02-160



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

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

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
5th Floor
TOWSON, MARYLAND 21204
410-321-0600
FACSIMILE 410-296-7801

ELLIS LEVIN (1593-1960)

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. 8C4
Withdrawal of DRC Requested Action/Approval

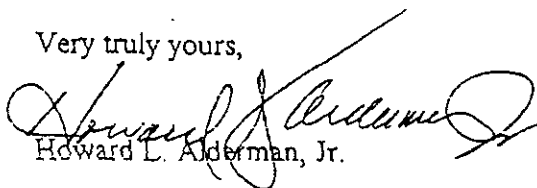
Dear Chairman Wescott:

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)



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
*
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*
*
*
*

**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.

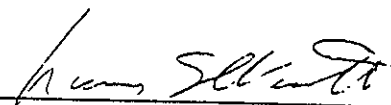
WHEREAS, the Board is in receipt of a letter of withdrawal of the request for a Limited Exemption (DRC No. 0403001M) filed December 14, 2001 by Howard L. Alderman, Jr., Esquire, Counsel for Cecelia Schwaber Trust, owners of the Yorkridge Shopping Center, Applicant /Developer (a copy of which is attached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

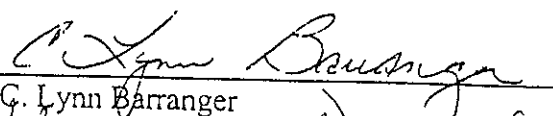
WHEREAS, said Counsel for Applicant /Developer requests that the DRC request for Limited Exemption in the above-referenced matter be withdrawn without prejudice as of December 14, 2001;

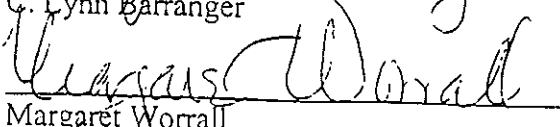
IT IS THEREFORE this 9th day of January, 2002, by the County Board of Appeals of Baltimore County

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

1. SITE AREA = AREA OF TRACT = 566 ± ACRES
NET AREA ZONED BL-COC = 14.79 ACRES±
NET AREA ZONED BL-M = 0.39 ACRES±
NET AREA ZONED BL-047 ACRES±
NET AREA ZONED RO-002 ACRES±
2. OWNER: CECELIA SCHWABER, MIRA WAGONEIM,
& SIDNEY WEINMAN, TRUSTEES
910 REISTERTOWN ROAD
BALTIMORE, MD 21209-4835
3. DEED REF.: UBER E.H. JR. 664; 180-703
4. TAX ACCOUNT NO.: 0625045300
5. TAX MAP 60 GRID 19, PARCEL 9
6. ELECTION DISTRICT - 8TH
7. COUNCILMANIC DISTRICT: 4TH
8. ZONING: BL-COC, RO, BL, ML, M (MAY NOS. NW-22-A & NW-13-A)
9. EXISTING USE - RETAIL SHOPPING CENTER
- EX. 2 STORY THEATRE 1219 SEAMS
- EX. VARIOUS RETAIL STORES 1239 SEAMS
- EX. FUEL SERVICE STATION

PROPOSED USE - RETAIL SHOPPING CENTER
- PROP. EXPO - 90,052 S.F.
- EX. RETAIL TO REMAIN - 75,519 S.F.
- EX. FUEL SERVICE STATION

*EX. FUEL SERVICE STATION IS NOT INCLUDED IN PARKING CALCULATIONS. IT WAS PERMITTED BY THE SPECIAL EXCEPTION CASE NUMBER 53331-XA, GRANTED 6-1-61.

10. SETBACK REQUIREMENTS
FRONT: NOT LESS THAN 10' FROM
PROPERTY LINE AND NOT LESS THAN 40'
FROM CENTERLINE OF STREET

SIDE: NONE REQUIRED

REAR: NONE REQUIRED

SEE BALTIMORE COUNTY ZONING REGULATIONS, SECTION 232
FOR ADDITIONAL CRITERIA

11. AMENITY OPEN SPACE RATIO:
MIN. PERMITTED - 0.2

PROVIDED: N/A - EXISTING SHOPPING CENTER 0A, 0.46 N/A.

12. BUILDING COVERAGE (SHOPPING CENTER AREA, BL-COC ZONE):
EXISTING = 124,539 SQUARE FEET
PROPOSED = 165,570 SQUARE FEET

13. FLOOR AREA RATIO (SHOPPING CENTER AREA, BL-COC ZONE):
MAX. PERMITTED - 4.0
PROPOSED: 165,570 / 644,238 = 0.26

14. BUILDING HEIGHT - 40'

15. ANY SIGNS SHALL COMPLY WITH SECTION 450 OF THE B.C.Z.R. AND ALL ZONING POLICIES.

16. ADT = 47 / 1000 S.F. GROSS LEASABLE AREA = 7792 TRIPS

17. THERE ARE NO HISTORIC BUILDINGS ON THIS PROPERTY.

18. THERE ARE NO WETLANDS, CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITAT, WELLS, SEPTIC SYSTEMS OR HAZARDOUS MATERIALS ON THE SITE.

19. THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE C - AREAS OF MINIMAL FLOODING, AS SHOWN ON THE CURRENT FLOOD INSURANCE RATE MAP NOS. 24001002450 DATED FEBRUARY 2, 1999 & 24001002650 DATED MARCH 2, 2001.

20. A WAIVER TO STORM WATER QUANTITY AND QUALITY MANAGEMENT HAS BEEN GRANTED ON FEBRUARY 27, 2001.

21. LANDSCAPING WILL BE PROVIDED

22. PUBLIC WATER & SANITARY SERVICES/FACILITIES EXIST.

23. LIGHTING SHALL BE ERRECTED AS SHOWN TO REFLECT INTO ANY ADJACENT RESIDENTIAL AREAS AND PUBLIC ROADS.

24. THE BEARINGS SHOWN HEREON ARE REFERRED TO THE MERIDIAN ESTABLISHED IN THE MARYLAND COORDINATE SYSTEM (MAD 83/91).

ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD 83).

COORDINATE AND ELEVATION VALUES WERE DERIVED FROM CONVENTIONAL AND GLOBAL POSITIONING SYSTEM MEASUREMENTS USING THE FOLLOWING NATIONAL GEODETIC SURVEY CONTROL AND BALTIMORE COUNTY SURVEY CONTROL STATIONS:

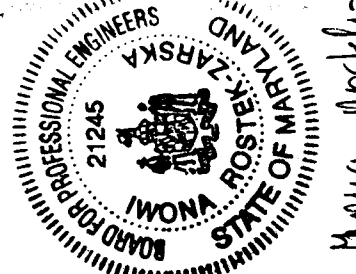
25. DEVELOPMENT APPROVALS:
LIMITED EXEMPTION DEVELOPMENT PLAN APPROVED ON 5/14/01 (PRG 6043001M)

DESIGNATION	NORTH	EAST	ELEVATION
LINE	682.710.41	1410.399.95	426.95
GIS-91	660.03156	1406.974.07	319.50
BOC #25	645.600.98	1416.497.75	398.47
BOC #26	644.753.04	1416.732.04	396.72

BLDG

Baltimore Land Design Group Inc.
Consulting Engineers

225 SCHILLING CIRCLE SE 105 • HUNT VALLEY, MARYLAND 21039
PHONE: 410.229.9851 • FAX: 410.229.9865 • BLDG@WINDSTARMAIL.COM



Kevin W. Anshel
10/17/01

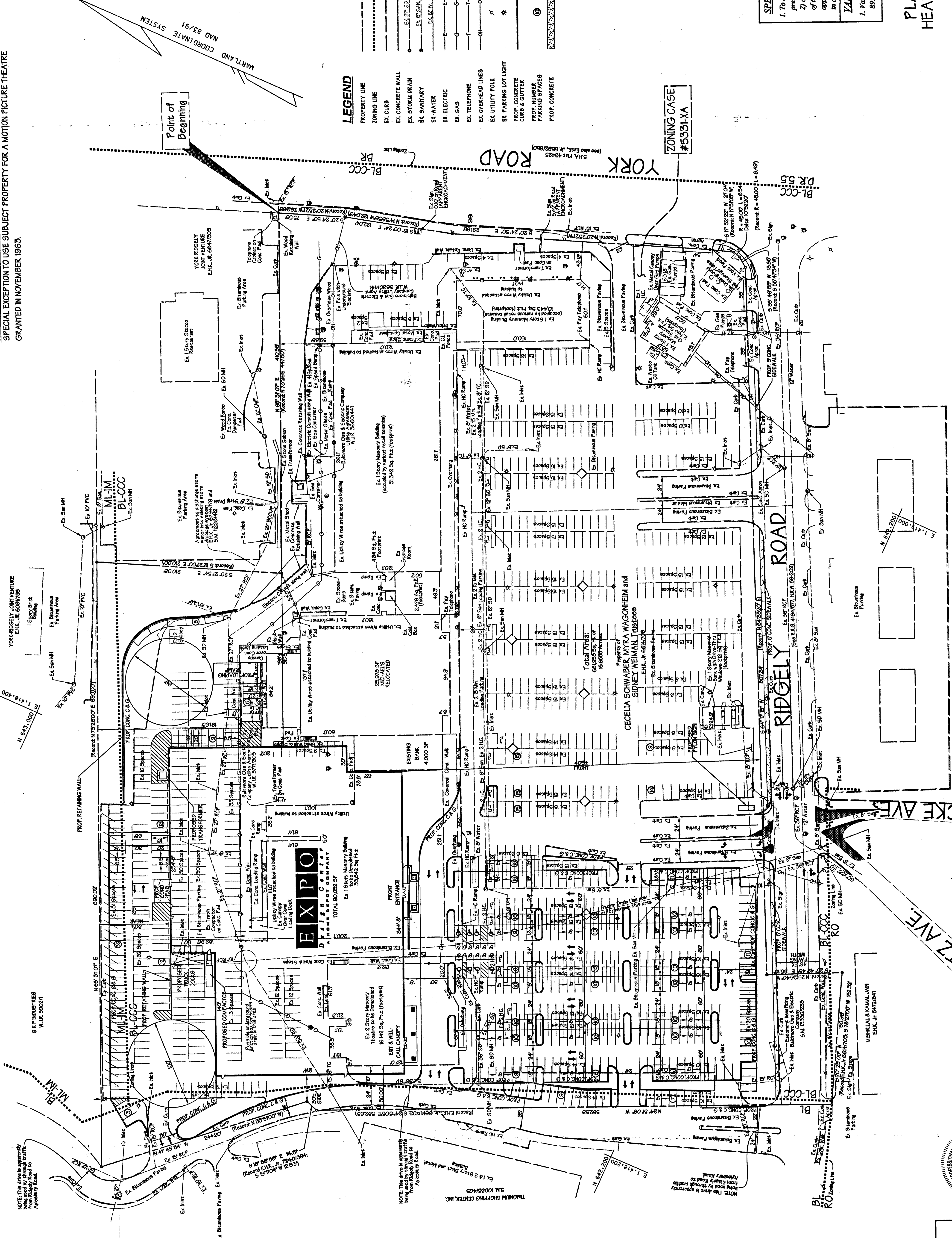
BECAUSE OF THE INDEPENDENT REQUIREMENTS FOR FUEL SERVICES STATIONS UNDER THE BALTIMORE COUNTY ZONING REGULATIONS, THE EXISTING FUEL SERVICE STATION IS NOT INCLUDED AS BEING WITHIN THE SHOPPING CENTER FOR PURPOSES OF CALCULATING THE NUMBER OF PARKING SPACES REQUIRED OR PROVIDED. THE EXISTING STATION AT THE CORNER OF YORK ROAD AND RIDGELY ROAD WAS APPROVED BY SPECIAL EXCEPTION UNDER CASE #5331-XA IN JULY 1981.

CASE No. 5094-XA -
PETITION FOR A SPECIAL EXCEPTION TO APPROVE LAUNDRY AND DRY CLEANING PLANT ON THE SUBJECT PROPERTY GRANTED IN SEPTEMBER 1980.

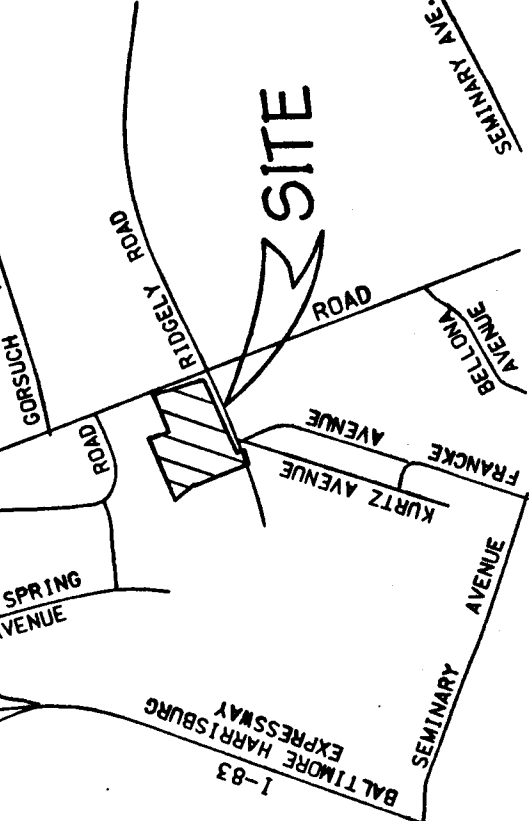
CASE No. 64-177-A
VARIANCE FROM SECTION 4132 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT A DOUBLE - FACE ILLUMINATED ADVERTISING STRUCTURE OF 420 SQUARE FEET AREA IN LIEU OF ALLOWED 150 SQUARE FEET LOCATED ON THE WEST SIDE OF YORK ROAD GRANTED IN SEPTEMBER 1984.

CASE No. 66-226-A
VARIANCE FROM SECTION 4132 OF THE BALTIMORE COUNTY ZONING REGULATION TO PERMIT A SIGN OF 295 SQUARE FEET AREA IN LIEU OF THE ALLOWED 150 SQUARE FEET DENIED IN APRIL 1986.

CASE No. 63-117-X
SPECIAL EXCEPTION TO USE SUBJECT PROPERTY FOR A MOTION PICTURE THEATRE GRANTED IN NOVEMBER 1983.



PLAN
SCALE: 1" = 50'



VICINITY MAP
SCALE: 1" = 2000'

PARKING CALCULATION FOR THE PETITION TO ACCOMPANY SPECIAL HEARING

PARKING SPACES REQUIRED

- I. EXPO DESIGN - 90,052 S.F.
 - a) 29,485 S.F. (RETAIL) @ 5 P.S./1000 S.F. = 147.43
 - b) 60,569 S.F. (FURNITURE STORE) @ 2.5 P.S./1000 S.F. = 151.40
- II. EXISTING RETAIL TO REMAIN - 75,519 S.F. @ 5 P.S./1000 S.F. = 377.59
- III. PARKING DEDICATED TO TIMONIUM SHOPPING CENTER, INC. (01.G. 4989, FOLD 94) = 67

TOTAL PARKING SPACES REQUIRED = 744 P.S.

TOTAL PARKING SPACES PROVIDED = 916 P.S.

PARKING CALCULATION FOR THE PETITION TO ACCOMPANY PARKING VARIANCE

PARKING SPACES REQUIRED

- I. EXPO DESIGN 90,052 S.F. (RETAIL) @ 5 P.S./1000 S.F. = 450.26
- II. EXISTING RETAIL TO REMAIN - 75,519 S.F. @ 5 P.S./1000 S.F. = 377.59
- III. PARKING DEDICATED TO TIMONIUM SHOPPING CENTER, INC. (01.G. 4989, FOLD 94) = 67

TOTAL PARKING SPACES REQUIRED = 895 P.S.

TOTAL PARKING SPACES PROVIDED = 916 P.S.

NOTE: ALL PARKING SPACES ARE A MINIMUM 9' X 18'
HANDICAPPED PARKING SPACES ARE 13' X 18'
VAN ACCESSIBLE PARKING SPACES ARE 16' X 18'

SPECIAL HEARING REQUESTED

- 1. To approve 1) modification of prior approved zoning plan, if any, consistent with the relief presently requested and the information shown on the Plan to accompany this Petition, and 2) classification of a portion of the proposed Expo Design use to be constructed on a portion of the Property as a furniture store, or 3) in-lieu of the companion variance requested herewith, approval of a modified parking plan and modified parking requirements for the proposed uses in accordance with the specific detail shown on the Plan to accompany this Petition.

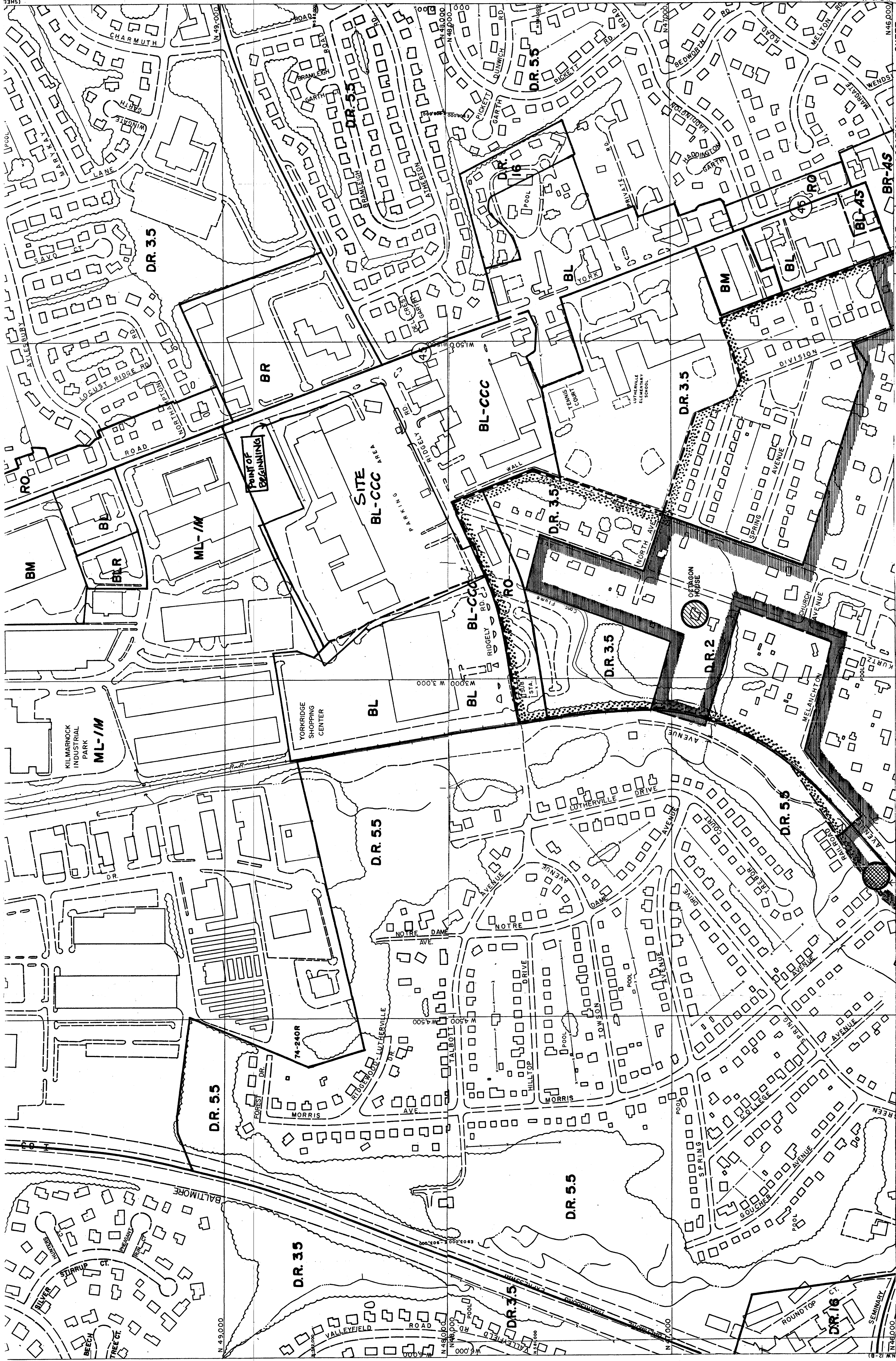
VARIANCE REQUESTED

- 1. Variance from B.C.Z.R. Section 419.6.4.2 to permit a total of 816 parking spaces in-lieu of the 895 spaces otherwise required.

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING AND PETITION FOR PARKING VARIANCE

FOR
YORKRIDGE SHOPPING CENTER

BALTIMORE COUNTY, MARYLAND EIGHTH ELECTION DISTRICT C04
SHEET 1 OF 1 DATE: OCTOBER 23, 2001
SCALE: 1" = 50'



S - SE R - SW		S - SE R - SW		S - SE R - SW	
2000 COMPREHENSIVE ZONING MAP					
ADOPTED BY THE BALTIMORE COUNTY COUNCIL					
OCTOBER 16, 2000					
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00					
Chairman, County Council					
THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210					
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP					
SCALE 1" = 200' ±		DATE OF PHOTOGRAPHY JANUARY 1986		LOCATION LUTHERVILLE	
SHEET N.W. 12-A 13-A					