RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE
4, 6, 8 & 10 Linden Terrace * ZONING COMMISSIONER
N/side Linden Ave. 274.05' west of ctrl
Reisterstown Road * FOR
3rd Election District 2nd Councilmanic
District * BALTIMORE COUNTY
Legal Owner: Melvin & Jeanne R. Berger
Petitioner(s) * 03-191-XA

ENTRY OF APPEARANCE

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

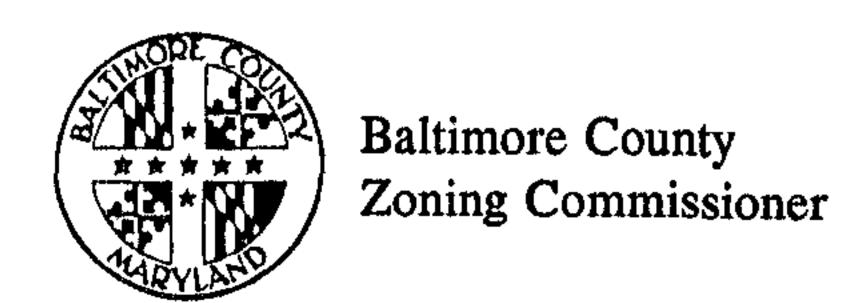
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of October, 2002, a copy of the foregoing Entry of Appearance was mailed to T.A. Church, D.E.C., 6603 York Road, Baltimore, MD 21212; and to Charles B. Heyman, Esquire, TYDINGS & ROSENBERG, LLP, 100 E. Pratt Street, 26th Floor, Baltimore, MD 21202 Attorney for Petitioner(s).

loh

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



February 12, 2003

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

Fax: 410-887-3468

Charles B. Heyman, Esquire Tydings & Rosenberg LLP 100 E. Pratt Street, 26th Floor Baltimore, Maryland 21202

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE N/S Linden Terrace, 274.05' W of c/l Reisterstown Road (4, 6, 8 and 10 Linden Terrace)

3rd Election District – 2nd Election District Melvin and Jeanne Berger – Petitioners Case No. 03-191-XA

Dear Mr. Heyman:

This letter is to confirm that the above-captioned matter, which was scheduled for a public hearing on Tuesday, February 11, 2003, was postponed by joint request of all parties to allow additional time for further discussion/resolution of their differences. It is my understanding that you will contact me at such time as your respective clients are prepared to move forward and the matter can be rescheduled. Please be advised that upon agreement of a new hearing date and time, the property must be re-posted; however, it will not be necessary to re-advertise.

In the meantime, should anyone have any questions on the subject, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. Melvin Berger, 8807 Melody Lane, Baltimore, Md. 21208 Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Towson, Md. 21204

Mr. Thomas Church, Development Engineering, 6603 York Road, Baltimore, Md. 21212

Mr. Charles Dubman, 3 Linden Terrace, Pikesville, Md. 21208

People's Counsel; Case File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 4,6,8 & 10 Linden Terrace

which is presently zoned RO

I/We do solemnly declare and affirm, under the penalties of

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a Class B office building, including a group day care center in

an RO zone. Section 204.3B.2 and Section 424.2F.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, 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.

			perjury, that I/we are the leg is the subject of this Petition	al owner(s) of the p	roperty which
Contract Purchase	r/Lessee:		Legal Owner(s):		
Name - Type or Print	····		Melvin Berger Name - Type or Print		
Signature	· · · · · · · · · · · · · · · · · · ·		Signature		
Address		Telephone No	Jeanne R. Berger Name - Type or Print	2.	/
City	State	Zip Code	Signature	Xroger	<i>F</i>
Attorney For Petiti	oner:		8807 Melody Lane Address		Telephone No
Charles B. Hey	man		Balto. MD	21	208
Name - Type or Print	in-		Representative to be	State Contacted:	Zip Code
Signature <u>Tydings & Rosen</u> Company	berg LLP	<u>, , , , , , , , , , , , , , , , , , , </u>	T. A. Chur	de Dil	=C.
100 E. Pratt St	reet, 26th Flr.		Name Colo 3 Hork	Reb	
Address Balto. MD		— 	Address A M	el. 2121	
City	State	Zip Code	City	State	Zip Code
			OFFICE	USE ONLY	
Case No. 03	-191-XA		ESTIMATED LENGTH ON AVAILABLE FOR HE		
REV 09/15/98			Reviewed By CTM	Date _/	0/18/02



Pethion for Variance

to the Zoning Commissioner of Baltimore County

for the property located at <u>4,6,8 & 10 Linden Terrace</u> which is presently zoned RO

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) 204.4.C.9.c (1) and 424, I.B to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care center play space to be located at zero feet from the property line in lieu of the required 20 feet.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons (indicate hardship or practical difficulty) shape of property with location of building and parking requirements and such other reasons to be presented at a hearing in this matter.

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:		<u>Legal Owner(s):</u>
Name - Type or Print	 	Melvin Berger Name - Type of Print
Signature		Signature
Äddress	elephone No	Jeanne R. Berger Name - Type or Print
City State	Zıp Code	Signature Maril Charles
Attorney For Petitioner:		8807 Me Lody Lane Address Telephone No
Charles B. Heyman Name - Type or Print	·	Balto. MD 21208 City State Zip Code
Signature And May		Representative to be Contacted:
Tydings & Rosenberg LLP Company		T.A. Church _ D.E.C.
100 E. Pratt Street, 26th Flr. 410	0/752-9701 eleptione No	6603 York Rd.
Balto. MD 21202	, 	Address to Mad. 21212
City	Zip Code	City State Zip Code OFFICE USE ONLY
Case No. 03-191-	L A	ESTIMATED LENGTH OF HEARING
	حرت Reviewed By	UNAVAILABLE FOR HEARING
REV 9/15/98		

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Commence of the second

SEC S

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DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road Baltimore, Maryland 21212 (410) 377-2600 (410) 377-2625 Fax

ZONING DESCRIPTION

LINDEN TERRACE

Beginning at a point on the north side of Linden Terrace, which is a 45.00 foot wide right-of-way, at the distance of 274.05 feet west of the centerline of Reisterstown Road, which is a 66.00 foot right-of-way, thence the following courses and distances: 1) South 59 degrees 53 minutes 00 seconds West 100.00 feet; 2) South 30 degrees 07 minutes 00 seconds East 22.50 feet; 3) South 59 degrees 53 minutes 00 seconds West 100.04 feet; 4) North 30 degrees 07 minutes 00 seconds West 186.91 feet; 5) with a curve to the right, having a radius of 1320.95 feet, an arc of 25.96 feet and being subtended by North 44 degrees 40 minutes 27 seconds East 25.96 feet; 6) North 61 degrees 00 minutes 00 seconds East 14.86 feet; 7) North 28 degrees 53 minutes 00 seconds West 4.10 feet; 8) with a curve to the right, having a radius of 1320.95 feet, an arc of 162.84 feet and being subtended by North 49 degrees 26 minutes 16 seconds East 162.74 feet; 9) South 30 degrees 07 minutes 00 seconds East 204.54 feet to the point of beginning as recorded in Deed Liber 15501, Folio 227.

Being Lots 7, 8, 9 and part of Lot 6 in the subdivision of Northview as recorded in Baltimore County Plat Book 5, Folio 90.

Containing 39,659 square feet or 0.910 acres of land. Also known as 4, 6, 8, & 10 Linden Terrace and located in the 3rd Election District.

01-147 - August 16, 2002

#191

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: #03-191-XA

4,6,8, & 10 Linden Terrace
N/side Linden Terrace
N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road.

3rd Election District - 2nd Councilmanic District
Legal Owner(s):Melvin & Jeanne Berger
Variance: to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care play space to be located at zero feet from the property line in lieu of the required 20 feet.

Hearing: Tuesday, January 7, 2003 at 10:00 a.m. in Room 407, County County 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.

12/26/2002

F PUBLICATION

THIS IS TO CERFIFY, that the annexed advertisement was published successive weeks, the first publication appearing published in Baltimore County, Md., in the following weekly newspaper once in each of

🙀 The Jeffersonian

Arbutus Times

Catonsville Times Towson Times Owings Mills Times

NE Booster/Reporter

North County News

J. Wings

LEGAL ADVERTISING

	RE: Case No.:
	Petitioner/Developer:
	MEZVINO & JEANNE BERGETZ
	Date of Hearing/Closing: 1/7/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Becky HART	
Ladies and Gentlemen:	•
were posted conspicuously on the property	
4(6)8	\$10 LINDEN TERRACE
(Posted e	RONT # 6 LINDEN TERR.)
The sign(s) were posted on	12/23/02
	(Month, Day, Year)
ZONING NOTICE CASE # OBJUST HA A PUBLIC BEARING WILL BE BEED BY THE ZONING COMMISSIONER IN LOWERER AND PLACE ROOM ACT COLLY COURT SCHOOL AS SERVING BY ACTUAL TO SALE AND THE COLLY COURT SCHOOL AS SERVING ACTUAL TO SALE AND THE SERVING ACTUAL TO SERVING AND THE SERVING ACTUAL TO S	Sincerely, (Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [Address] (City, State, Zip Code)
	(Telephone Number)

4,6,8 \$10 LINDENTERIZ 1205720 12/23/02 Dhilled Coll 12/23/09

	RE: Case No.:
	Petitioner/Developer:
	MEZVINS JEANNE BERGER
	Date of Hearing/Closing: 1/7/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. BECKY HART	
Ladies and Gentlemen:	•
At the second se	B & 10 LINDEN TERRACE
(Fosters F	ROWT & 6 LINDON TERR.)
The sign(s) were posted on	12/23/02
	(Month, Day, Year)
CASE # 03-191-XA	Sincerely,
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWNON, MO PLACE: ANALYSIS CONTY CONTY CONTY OF THE TOWN ON MO PLACE: ANALYSIS CONTY CONTY CONTY OF THE TOWN ON THE TOWN ON THE TOWN OF	(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) [ALLS TONI, MD 21047 (City, State, Zip Code) (410) 879-3127 (Telephone Number)
6)8 \$10 LINDENTERR. 2057ZD 12/23/02 Dhlule All 12/23/07	

CERTIFICATE OF POSTING

RE: Case No.: 03-191-XA
Petitioner/Developer: MEZVIN & JEANNE BERGER YO CHARLES B. HEYMAN, ATTY.
Date of Hearing/Closing: 2/11/03
•
•
erjury that the necessary sign(s) required by law ated at
FIZURT # G LINDEN TEND.
1/25/03 (Month, Day, Year)
Sincerely,
(Signature of Sign Poster and Date) RICHARD E. HOFFMAN (Printed Name) 904 DELLWOOD DR. (Address) FALLS TON, MO Z1047 (City, State, Zip Code) (410) 879-3127 (Telephone Number)

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 21, 2002 Issue – Jeffersonian

Please forward billing to:

Development Engineering Consultants, Inc.

6603 York Road Baltimore, MD 21212 410-377-2600

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: 03-191-A 4,6,8, & 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road

3rd Election District – 2nd Councilmanic District

Legal Owner: Melvin and Jean Berger

<u>Variance</u> to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child car play space to be located at zero feet from the property line in lieu of the required 20 feet.

HEARING: Monday, December 9, 2002 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Centronos B. Schmidt

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, December 24, 2002 Issue - Jeffersonian

Please forward billing to:

Development Engineering Consultants, Inc.

410-377-2600

6603 York Road Baltimore, MD 21212

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: 03-191-XA

4,6,8, & 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road

3rd Election District – 2nd Election District

Legal Owner: Melvin and Jeanne Berger

Variance to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care play space to be located at zero feet from the property line in lieu of the required 20 feet.

Hearings:

Tuesday, January 7, 2003 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

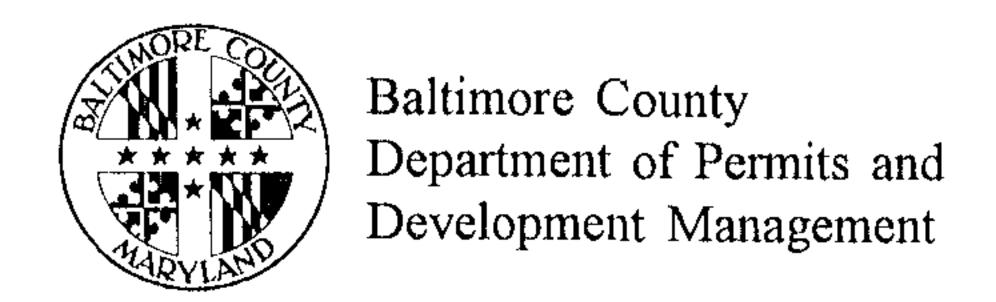
Lawrence B. Schmidt

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Fax: 410-887-5708

November 1, 2002

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: 03-191-A 4,6,8, & 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road

3rd Election District – 2nd Councilmanic District

Legal Owner: Melvin and Jean Berger

<u>Variance</u> to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child car play space to be located at zero feet from the property line in lieu of the required 20 feet.

HEARING: Monday, December 9, 2002 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon

Director

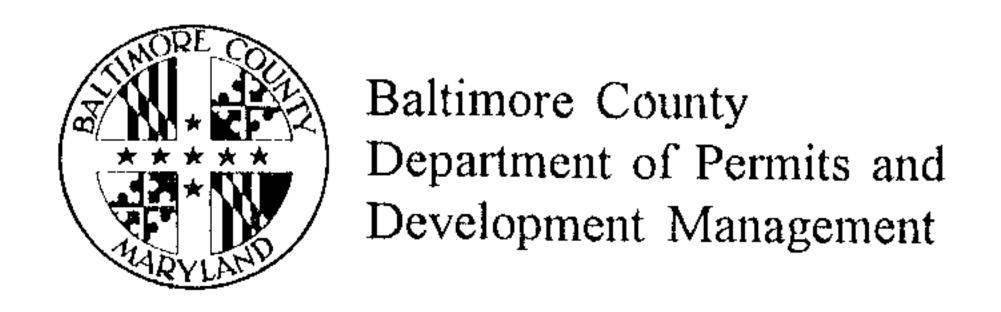
AJ:rlh

C: Charles B. Heyman, Tydings & Rosenberg, LLP, 100 E. Pratt St., 26th Floor, Baltimore 21202

Melvin and Jean Berger, 8807 Melody Lane, Baltimore 21208 T.A. Church-D.E.C., 6603 York Road, Baltimore 21217

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 22, 2002.

- (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.



Fax: 410-887-5708

November 21, 2002

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: 03-191-XA

4,6,8, & 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road

3rd Election District – 2nd Election District

Legal Owner: Melvin and Jeanne Berger

<u>Variance</u> to permit a Class B office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care play space to be located at zero feet from the property line in lieu of the required 20 feet.

Hearings:

Tuesday, January 7, 2003 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Director

AJ:rlh

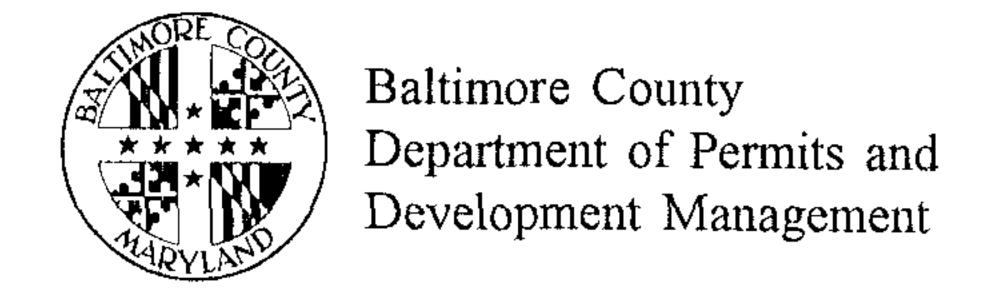
C: Charles B. Heyman, Tydings & Rosenberg, LLP, 100 E. Pratt Street, 26th Floor, Baltimore 21202
Melvin and Jeanne Berger, 8807 Melody Lane, Baltimore 21208
Tom A. Church, Development Engineering Consultants, 6603 York Road,

Baltimore 21212

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 24, 2002.

(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.



Fax: 410-887-5708

January 6, 2003

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: 03-191-XA

4, 6, 8, & 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of centerline of Reisterstown Road 3rd Election District – 2nd Election District

Legal Owner: Melvin and Jeanne Berger

Variance to permit a Class B office Building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care play space to be located at zero feet from the property line in lieu of the required 20 feet.

Hearings:

Tuesday, February 11, 2003 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: Charles B. Heyman, Tydings & Rosenberg, 100 E. Pratt St., 26th Fl., Baltimore 21202 Melvin and Jeanne Berger, 8807 Melody Lane, Baltimore 21208 Tom Church, Development Engineering & Consultants, 6603 York Road, Baltimore 21212

Michael P. Tanczyn, 606 Baltimore Ave., Suite 106, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 27, 2003.

- (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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

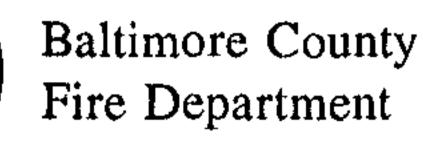
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 03-191-XA
Petitioner: MELVIN BERGER
Address or Location: #4, 6, 8 & 10 LINDEN TERRACE
PLEASE FORWARD ADVERTISING BILL TO:
Name: DEVELOPMENT ENGINEERING CONSULTANTS, INC.
Address: 6603 YORK ROAD
BALTIMORE, MD 21212
Telephone Number: <u>410-377-2600</u>



tment of Permits and Development Management (PDM)

County Office Building, Room 111 Mail Stop #1105

111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: George Zahner

Property Owner: M 7 J Berger

Location:

4,6,8,10 Linden Terrace

Item No.: 191

Dear Mr. Zahner:

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.

Office of the Fire Marshal

Towson, Maryland 21286-5500

700 East Joppa Road

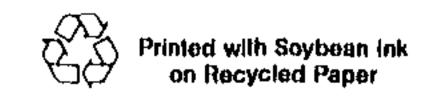
Octo#40-887-488002

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code; the NFPA 1 & 101, 2000 editions, prior to occupancy or beginning of operation.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits &

Development Management

DATE: November 21, 2002

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 4, 2002

Item Nos. 182, 183, 184, 187, 188, 190, (191, and 192

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS / TGT

DATE:

November 15, 2002

Zoning Petitions

Zoning Advisory Committee Meeting of October 28, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

182, 183, 184, 191



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams

Administrator

Date: 101.28.07

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

RE:

Baltimore County

Item No. 191

LTM

Dear. Mr. Zahner:

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,

In

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



Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz Secretary Mary Abrams Deputy Secretary

October 29, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
111 West Chesapeake Avenue
Room 111, Mail Stop # 1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, November 4, 2002

Re: case numbers 03-182-A, 03-183-A, 03-184-A, 03-185-SPH, 03-186-A, 03-187-

SPHA, 03-188-SPHXA, 03-190-A, 03-191-XA, 03-192-SPH

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 10/29/02. The information has been submitted to Mr, Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

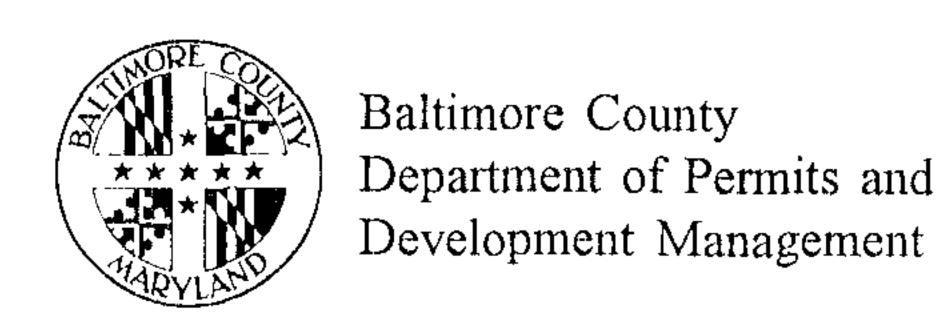
James R. Gatto

Manager

Metropolitan Planning

Local Planning Assistance Unit

cc: Mike Nortrup



Fax: 410-887-5708

January 3, 2002

Michael P. Tanczyn 606 Baltimore Avenue Suite 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 03-191-XA

The above matter, previously scheduled for Tuesday, January 7, 2003, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

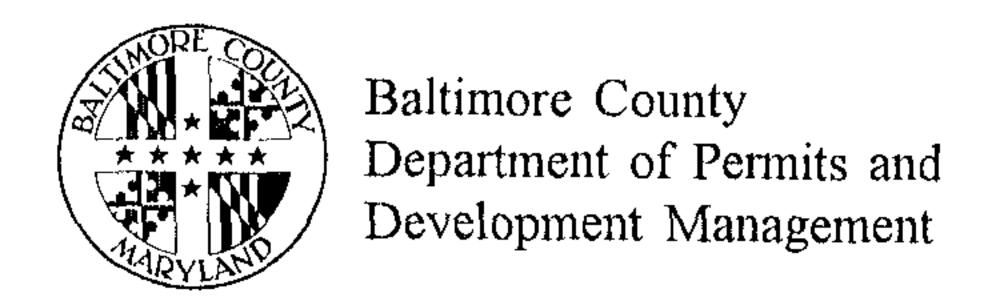
Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters 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,

Arnold Jablon Director

AJ:rlh

C: Melvin and Jeanne Berger, 8807 Melody Lane, Baltimore 21208 Tom A. Church, 6603 York Road, Baltimore 21212 Charles B. Heyman, Tydings & Rosenberg, 100 E. Pratt Street, 26th Fl., Baltimore 21202



Fax: 410-887-5708

November 18, 2002

Charles B. Heyman Tydings & Rosenberg, LLP 100 E. Pratt Street, 26th Floor Baltimore, MD 21202

Dear Mr. Heyman:

RE: Case Number: 03-191-XA

The above matter, previously scheduled for Monday, December 9, 2002, 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

Arnold Jablon Director

AJ:rlh

C: Melvin and Jeanne Berger, 8807 Melody Lane, Baltimore 21208 Tom A. Church, 6603 York Road, Baltimore 21212



MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue Towson, Maryland 21204

(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

December 20, 2002

VIA FACSIMILE NO.: (410) 887-5708 AND FIRST-CLASS MAIL

Arnold Jablon, Director Office of Zoning Administration and Development Management 111 West Chesapeake Avenue Towson, MD 21204

> Building and Daycare Center Proposed For 4-10 Linden Terrace Re:

> > Case 03-191-XA

Hearing Date: 1/7/03 @ 10:00 a.m.

Dear Mr. Jablon:

Please enter my appearance in the above-captioned matter.

Suddenly, and unexpectedly, I was hospitalized on December 4, 2002, and triple bypass surgery was performed on December 6, 2002. My earliest follow-up visit with my doctor, at which there will be a determination of when I can return to work, is January 3, 2003. As this is a gradual recovery, there isn't enough time to work up our side of this case. My client has expressed a desire to have us represent, therefore, we ask that it be continued for the first convenient date in February. We note that the Petitioner has already requested a postponement.

Thank you for your kind consideration in this matter. Please advise my office of your decision.

Michael P. Tanczyn, Esquire

MPT/cbl

cc:

Jeffrey S. Bainbridge

Charles B. Heyman, Esquire

DICTATED, NOT READ

DFC 23 2012

LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue Towson, Maryland 21204

(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

1/14/03 to war file

January 10, 2003

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

Re: Building and Daycare Center Proposed For 4-10 Linden Terrace

Case 03-191-XA

Dear Mr. Jablon:

After I received your notice of a new hearing date, advising me to have the new hearing date posted, before we had time to do that, I received the enclosed letter from Mr. Heyman, who apparently has taken over the responsibility for the posting.

Thank you very much for granting the postponement, under the circumstances. My very best to you and yours for a happy, healthy, and safe 2003.

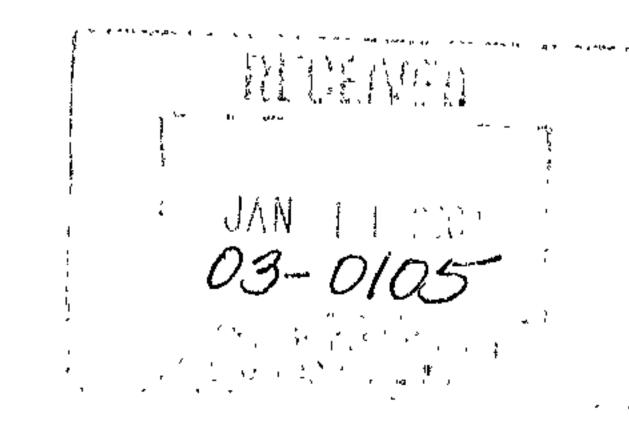
Very truly yours,

Michael P. Tanczyn, Esquire

MPT/cbl Enclosure

cc:

Mr. Jeffrey S. Bainbridge Charles B. Heyman, Esquire



ATTORNEYS AT LAW

TYDINGS & ROSENBERG LLP

11/18/11/ C

100 EAST PRAIT STREET BALTIMORE MARYLAND 21202 410/752-9700 FAX 410/727-5460

> WASHINGTON DC OFFICE 202/296-1642 FAX 202/828-4130

CHARLES B. HEYMAN

410/752-9701 cheyman@tydingslaw.com

November 15, 2002

VIA FACSIMILE (410) 887-5708 and REGULAR MAIL

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

Re: Case No.: 03-191-A

4, 6, 8 and 10 Linden Terrace

N/side Linden Terrace 274.05 feet west of

centerline of Reisterstown Road

3rd Election District –2nd Councilmanic District

Legal Owner: Melvin and Jean Berger.

Variance: to permit a Class B. office building to have a landscape buffer of zero in lieu of the required 20 feet and to permit fencing for the group child care play space to be located at zero feet from the property line in lieu of the required 20 feet.

Hearing: Monday December 9, 2002 at 11:00 a.m., in Room 407, County Courts Building 401 Bosley Avenue

Dear Mr. Jablon:

Please be advised that it is necessary to postpone the above Hearing presently scheduled for Monday, December 9, 2002 at 11:00 a.m. until the next earliest available date.

This request for postponement is necessary for the following reasons:

1. Tom Church of Development Engineering Consultants Inc. is an essential witness and will be out of the State on that date and not available to testify for approximately four or five days thereafter.

02-4580

TYDINGS & ROSENBERG LLP Arnold Jablon, Director Office of Zoning Administration and Development Management November 15, 2002 Page 2

2. The undersigned, the attorney for Petitioners will not be available on December 9, 2002 because of a present illness for which treatment is being rendered.

It is requested that this matter not be advertised at this time, and a sign not be posted by Friday, November 22, 2002, but that you contact the undersigned regarding a convenient acceptable Hearing date to all parties, which can then be scheduled and there will be no further need for a postponement.

Thank you for your kind cooperation.

Sincerely,

Charles B. Heyman

CBH/wg

cc: Melvin and Jean Berger T. A. Church D.E.C.

ATTORNEYS AT LAW

TYDINGS & ROSENBERG LLP

100 EAST PRATT STREET
BALTIMORE MARYLAND 21202

410/752-9700
FAX 410/727-5460

WASHINGTON DC OFFICE
202/296-1642
FAX 202/828-4130

CHARLES B. HEYMAN 410/752-9701 cheyman@tydingslaw.com

December 23, 2002

VIA FACSIMILE (410) 887-5708 and REGULAR MAIL

Arnold Jablon
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Building and Daycare Center Proposed For 4-10 Linden Terrace

Case 03-191-XA

Hearing Date: 1/7/03 @ 10:00 a.m.

Dear Mr. Jablon:

Objection is hereby filed with respect to his request for postponement. We are totally sympathetic to Mr. Tanczyn's illness and condition, but respectfully submit that under the circumstances he should not undertake representation in this matter. We note the hospitalization occurred on December 4, 2002. The property is in a vacant condition and has been and is subject to vandalism resulting in undue harm to the Petitioner, to which the Petitioner should not be subjected.

It is again requested that the Request for Postponement be denied.

Sincerely,

Charles B. Heyman

CBH/wg

cc Michael P. Tanczyn, Esquire

DEC 2 4 2002 02-485

L; 410 /

100 BAST PRATT STREET BALTIMORE MARYLAND 21202 410/752-9700 FAX +10/727 5460

> WASHING JON DC OFFICE 202/296-1643 FAX 202/828-4130

CHARLES D. HEYMAN +10/792-9701 cheyman@rydingslow.com

TYDINGS & ROSENBERG LLP

February 7, 2003

ATTORNEYS AT LAW

Amold Jablon,
Director
Baltimore County Department of
Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 4-10 Linden Terrace Case No. 03-191-XA

Dear Mr. Jablon:

This matter is presently scheduled for hearing on Tuesday, February 11, 2003, at 11:00 a.m.

My client, the petitioner in this matter and the client of Michael P. Tanczyn. Esquire, the protestant in this matter and also the owner of adjacent property, have been discussing this matter which discussions may result in a possible solution of their differences. Unfortunately, as a result of illnesses on both sides, these discussions have been delayed. If the parties can arrive at a possible solution that is being discussed, it may very well result in the withdrawal of this Petition and obviate the necessity for a hearing. Accordingly, a joint request is being submitted requesting postponement of the hearing scheduled for February 11, 2003 and that it be reset for a date approximately four weeks from February 11, 2003, or the earliest date available thereafter. As indicated, this request is a joint request and this letter is being signed by myself and Mr. Tanczyn on behalf of our respective clients.

Thank you in advance for your consideration.

Sincerely

harles B. Heyman, for Petitione

RECEIP Michael P. Tanczyn, for Protes

FEB 7 2003

#330505, B01970 047257

ZONING COMMISSIONER

CASE NAME 4-10 Lunder Terrard
CASE NUMBER 03-191 X A
DATE Febrush 3003

CHTZEN'S SIGN-IN SHEET

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	PIRESUICE, MO ZILDE	3 LINDEN TERRACE	
MPT POIOR BADL, CON	Towson MD 21204	SEC 106 GOG BALYINDRE AVE	からから 1日からフリカ
E- MAIL	CITY, STATE, ZIP	ADDRESS	NAME

