Date (2 - 2) - 04 - 1/1/1/3

IN RE: PETITION FOR VARIANCE

NE/S Odensos Lane, 371' NE from c/line

of Twin Springs Road

(1601 Odensos Lane)

13th Election District

1st Council District

Naycorp Corporation Petitioner * BEFORE THE

* ZONING COMMISSIONER

* OF

* BALTIMORE COUNTY

* Case No. 07-143-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Naycorp Corporation, through its attorney, Anthony J. DiPaula, Esquire. The Petitioner requests variance relief from Section 255.2 (pursuant to Section 243.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 30 feet in lieu of the required 50 feet for a proposed building in an M.L. zone, located within 100' of an interstate highway. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Guy T. Naylor, President of Naycorp Corporation, property owner, Thomas J. Hoff, the landscape architect who prepared the site plan, and Anthony J. DiPaula, Esquire, attorney for the Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel located on the north side and at the end of Odensos Lane, adjacent to a private road known as Twin Springs Road and abutting the right-of-way of Interstate 95 in the Arbutus area of Baltimore County not far from the City line. The property contains a gross area of 3.65 acres, more or less, the predominant zoning of which is M.L., with a small sliver zoned B.M.-I.M. along the northeastern boundary line. Indeed, the configuration of the zoning lines when compared with the

property lines suggests that the County Council may have intended to zone the property entirely M.L. In any event, the property is located in somewhat of a hollow at the end of Odensos Lane, also a private road, and thus, the business thereon is scarcely visible to surrounding properties.

The site is located in generally an industrial area. The right-of-way from Interstate 95 is located west of the subject site; to the north is vacant property owned by Merritt – EC, LLC, to the south and east (also vacant land) owned by Odensos Investors, LLC and Theile Investors, LLC. It was indicated that access to the site is from Washington Boulevard and that Interstate 95 runs along the western boundary creating the odd shape attributable to the site.

The property is improved with five existing small, one-story block warehouse buildings, with an existing gravel parking lot centrally located for truck parking. Mr. Naylor indicated that his company has owned the property known as 1601 Odensos Lane since 1998 and desires to now improve the site by adding a 110' x 85' addition to an existing warehouse building on the southwestern portion of the site for his appliance service business. In this regard, it should be noted that the property slopes to the south preventing the proposed building to be shifted a further distance and away from the western boundary (the Interstate 95 right-of-way line). The proposal meets all setbacks but for the common property line shared with Interstate 95. Mr. Hoff testified that the actual travel lanes of the interstate are well over 100 feet from this property line, and the subject site improvements cannot be seen from the thoroughfare.

Based upon the testimony and evidence offered, I am easily persuaded that relief should be granted. It is to be noted that Mr. Naylor's operation has existed on the property without complaint for approximately 9 years. The character of the surrounding locale is such that the use does not detrimentally impact the health, safety and general welfare of the locale. I am easily persuaded that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. and thus, the variance relief for Naycorp's new building shall be granted. It is clear that there will be no detrimental impacts on adjacent properties. In this regard, it should be noted that the five existing smaller structures have been located on the property and the uses thereon conducted in their present

fashion for many years. Indeed, it was indicated that this was an ideal location for this business and the improvements thereon, in view of the surrounding area. I concur with this assessment.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth herein, the variance relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ________ day of December, 2006 that the Petition for Variance seeking relief from Section 255.2 (Section 243.2) of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 30 feet in lieu of the required 50 feet for a proposed building in an M.L. zone, located within 100' of an interstate highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded, and
- 2) Compliance with the Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated October 11, 2006, with regard to the Forest Conservation Regulations. A copy of this comment is attached hereto and made a part hereof.

IT IS FURTHER ORDERED that any appeal of this decision shall be made within thirty

(30) days of the date of this Order.

WJW:dlw

FOR FILING

CROER RECEIVED

Jate.

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

December 21, 2006

Anthony J. DiPaula, Esquire 34 South Main Street Bel Air, Maryland 21014

RE: PETITION FOR VARIANCE

NE/S Odensos Lane, 371' NE from c/line of Twin Springs Road (1601 Odensos Lane)
13th Election District - 1st Council District
Naycorp Corporation - Petitioner
Case No. 07-143-A

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very thuly yours,

HILIAM I WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Mr. Guy T. Naylor, President, Naycorp Corporation,
 1601 Odensos Lane, Baltimore, MD 21227
 Mr. Thomas J. Hoff, 406 W. Pennsylvania Ave., Towson, MD 21204
 DEPRM; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1601 Odensos Lane

which is presently zoned M.L. & BM-IM

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)

The property has an irregular shape, has difficult topography, and the request satisfies the standard M.L. zone setback, but because it abuts I-95, the variance is needed.

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.

Legal Owner(s):

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:

Naycorp Corporation Name - Type or Print Name - Type or Print President By: Signature Signature Guy T. Naylor, President Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: 1601 Odensos Lane 410-141-0850 Address Telephone No. Anthony J. DiPaula Baltimore, MD 21227 Name - Type or Print City State Zip Code Representative to be Contacted: Signature DiPaula & Sullivan, LLC Thomas J. Hoff Company Name 34 S. Main St. 410-893-4255 406 West Pennsylvania Ave. 410-296-3668 Address Telephone No. Address Telephone No. Bel Air, MD 21014 City Towson, City MD 21204 State Zip Code State Zip Code OFFICE USE ONLY Case No. 07 -143-4 ESTIMATED LENGTH OF HEARING _ UNAVAILABLE FOR HEARING _ Reviewed By Date 9.28.0% REV 9/15/98 WINDER MECEIVED FOR FILING

1601 ODENSOS LANE

ZONING RELIEF REQUESTED:

Variance Lum BCZR Sections 255.2 and 243.2 to allow a side yard of 30' in lieu of the required 50' for a building in an M.L. zone, located within 100' of an interstate highway



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1601 Odensos Lane

which is presently zoned M.L. & BM-IM

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CAUCH MEGENEU FUR FILING

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Contract Purchaser/Lessee:

Naycorp Corporation Name - Type or Print Name - Type or Print Onesident By: Signature Signature Guy T. Naylor, President Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: 1601 Odensos Lane 410-242-0850 Address Telephone No. Anthony J. DiPaula Baltimore, MD 21227 Name - Type or Print City State Zip Code Representative to be Contacted: Signature DiPaula & Sullivan, LLC Thomas J. Hoff Company Name 34 S. Main St. 410-893-4255 406 West Pennsylvania Ave. 410-296-3668 Address Telephone No. Address Telephone No. Air, MD 21014 Towson, MD 21204 City State Zip Code State Zip Code OFFICE USE ONLY Case No. (1) - (43-A ESTIMATED LENGTH OF HEARING _ UNAVAILABLE FOR HEARING Reviewed By REV 9/15/98

1601 ODENSOS LANE

ZONING RELIEF REQUESTED:

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1601 Odensos Lane

which is presently zoned M.I. & BM-IM

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Contract Purchaser/Lessee:

Naycorp Corporation Name - Type or Print Name - Type or Print President By: Signature Signature Guy T. Naylor, President Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: 1601 Odensos Lane 410-242-0850 Address relephone No. Anthony J. DiPaula Baltimore, MD 21227 Name - Type or Print City State Zip Code Representative to be Contacted: Signature DiPaula & Sullivan, LLC Thomas J. Hoff Company Name 34 S. Main St. 410-893-4255 406 West Pennsylvania Ave. 410-296-3668 Address Telephone No. Address Telephone No. Air. MD 21014 Towson, MD 21204 State Zip Code State Zip Code OFFICE USE ONLY 07-143-A ESTIMATED LENGTH OF HEARING Case No. UNAVAILABLE FOR HEARING Reviewed By REV 9/15/98 WANTED TOUTHUR

1601 ODENSOS LANE

ZONING RELIEF REQUESTED:

BCZR Sections 255.2 and 243.2 to allow a side yard of 30' in lieu of the required 50' for a building in an M.L. zone, located within 100' of an interstate highway

THOMAS J. HOFF, INC.

Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

September 27, 2006

Description of 1601 Odensos Lane/Naycorp Property, to Accompany Petition for Setback Variance.

BEGINNING FOR THE SAME at a point on the northeast side of Odensos Lane (32' wide Private R/W) said point being 371'+/- from the intersection of the northeast side of Odensos Lane and the centerline of Twin Springs Road (Private).

Thence binding on the northeast side of Odensos Lane,

- 1) North 46 degrees 03 minutes 48 seconds West 530.70 feet, thence binding on the Right of Way of Interstate I-95,
- 2) North 27 degrees 00 minutes 24 seconds East 123.87 feet, thence leaving the Right of Way of Interstate I-95,
- 3) North 76 degrees 36 minutes 42 seconds East 197.65 feet, thence
- 4) South 46 degrees 02 minutes 42 seconds East 520.10 feet, thence
- 5) South 55 degrees 50 minutes 38 seconds West 290.96 feet, to the place of beginning.

Containing 3.65 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.



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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 County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #07-143-A
1601 Odensos Lane
1701 feet +/- northeast
1701 feet side of Odensos Lane, 371 feet +/- northeast
1702 feet of Twin Springs Road
1703 feet of Twin Springs Road
1704 feet of allow a side yard of 30 feet in lieu of the reverlance: To allow a side yard of 30 feet in lieu of the reverlance: To allow a side yard of 30 feet in lieu of the reverlance feet of an interstate highway
1702 feet of an interstate highway
1703 feet of an interstate highway
1704 feet of an interstate highway
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1706 at 2:00 p.m. in Room
1707 Rounty County Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for
NOTES: (1) Hearings are Handicapped Accessible; for
Special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT/11/695 Nov. 21

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 07-143-4

	Petitioner/Developer: NAY CORP CORPORATION / THOMAS J. HOFF
	Date Of Hearing/Closing: 12/8/06
Poltimoro Consta Dansata	
Baltimore County Department Permits and Development Ma County Office Building, Room 111 West Chesapeake Avenue	nagement m 111
Attention:	
Ladies and Gentlemen:	
ign(s) required by law were p	the penalties of perjury that the necessary posted conspicuously on the property ODEN 50S LANE
his sign(s) were posted on	Month, Day, Year)
	(Month, Day, Year) Sincerely,
•	Malten Ole 11/21/06
•	(Signature of sign Poster and Date)
	Martin Ogle
	Sign Poster
	16 Salix Court Address
	Balto. Md 21220
	(443-629 3411)

MOTICE OF ZONING HEARING

Ŧ

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

Case: #07-143-A

1601-Ödensos Lane
Northeast side of Odensos Lane, 371 feet +/- northeast from center line of Twin Springs Road
13th Election District — 1st Councilmanic District Legal Owner(s): Naycorp Corporation; Guy T. Naylor, President
Variance: to allow a side yard of 30 feet in lieu of the required 50 feet for a building in an ML zone, located within 100 feet of an interstate highway.

Hearing: Monday, December 4, 2006 at 2:00 p.m. In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
11/202 Nov. 16

OF PUBLICATION 11/16/1,2006

the annexed advertisement was published successive weeks, the first publication appearing per published in Baltimore County, Md., in the following weekly newspa THIS IS TO CERTIFY, that 200konce in each of

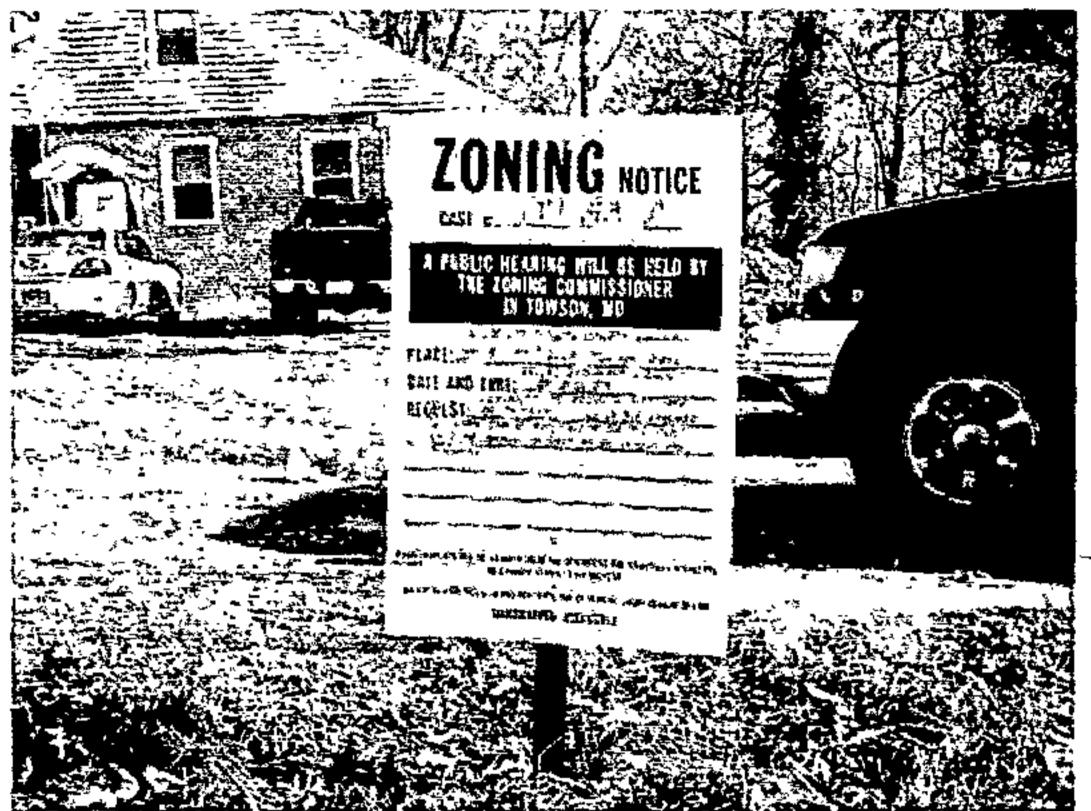
NE Booster/Reporter Owings Mills Times North County News Catonsville Times The Jeffersonian Arbutus Times Towson Times

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LEGAL ADVERTISING

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Matin Jele 11/21/06

Department of Permits del Development Management

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





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

October 27, 2006

CORRECTED 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: 07-143-A

1601 Odensos Lane

Northeast side of Odensos Lane, 371 feet +/- northeast from centerline of Twin Springs Road. 13th Election District – 1st Councilmanic District

Legal Owner(s): Naycorp Corporation; Guy T. Naylor, President

VARIANCE To allow a side yard of 30 feet in lieu of the required 50 feet for a building in an ML zone, located within 100 feet of an interstate highway.

Hearing: Friday, December 8, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204.

Timothy Kotroco

Director

TK:amf

- C: Naycorp Corporation Guy T. Naylor, President 1601 Odensos Lane Baltimore 21227 Anthony J. DiPaula DiPaula & Sullivan, LLC 34 S. Main Street Bel Air 21014 Thomas J. Hoff 406 West Pennsylvania Avenue Towson 21204
- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, NOVEMBER 22, 2006.
 - (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.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 21, 2006 Issue - Jeffersonian

Please forward billing to:

Guy Naylor Naycorp Corporation 1601 Odensos Lane Baltimore, MD 21227 410-242-0850

CORRECTED 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: 07-143-A

1601 Odensos Lane

Northeast side of Odensos Lane, 371 feet +/- northeast from centerline of Twin Springs Road.

13th Election District – 1st Councilmanic District

Legal Owner(s): Naycorp Corporation; Guy T. Naylor, President

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Hearing: The December 8, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204.

WILLIAM J. WISEMAN III
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.



JAMES T. SMITH, JR. County Executive

Octobal 3H2006KOTROCO, Director

Department of Permits and

Development Management

NOTICE OF ZONING HEARING

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1601 Odensos Lane

Northeast side of Odensos Lane, 371 feet +/- northeast from centerline of Twin Springs Road.

13th Election District – 1st Councilmanic District

Legal Owner(s): Naycorp Corporation; Guy T. Naylor, President

VARIANCE To allow a side yard of 30 feet in lieu of the required 50 feet for a building in an ML zone, located within 100 feet of an interstate highway.

Hearing: Monday, December 4, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204.

Timothy Kotroco Director

TK:amf

C: Naycorp Corporation Guy T. Naylor, President 1601 Odensos Lane Baltimore 21227 Anthony J. DiPaula DiPaula & Sullivan, LLC 34 S. Main Street Bel Air 21014 Thomas J. Hoff 406 West Pennsylvania Avenue Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, NOVEMBER 17, 2006.

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

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 16, 2006 Issue - Jeffersonian

Please forward billing to:

Guy Naylor Naycorp Corporation 1601 Odensos Lane

Baltimore, MD 21227

410-242-0850

NOTICE OF ZONING HEARING

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1601 Odensos Lane

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WILLIAM J. WISEMAN III

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.

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:
Petitioner: NAYCORP CORPORATION
Address or Location: 1601 ODENSOS LANE, 21227
PLEASE FORWARD ADVERTISING BILL TO:
Name: GUY NAYLOR, NAYLORD LORD GRATION
Address: 1601 ODENSOS LANE
BAGNMORE, MD. 21227
Telephone Number: 410 - 242 - 0850



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 29, 2006

Anthony J. DiPaula DiPaula & Sullivan, LLC 34 S. Main Street Bel Air, MD 21014

Dear Mr. DiPaula:

RE: Case Number: 07-143-A, 1601 Odensos Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 28, 2006.

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.
Supervisor, Zoning Review

u. Cal Robal D

WCR:amf

Enclosures

c: People's Counsel Naycorp Corporation Guy T. Naylor, President 1601 Odensos Lane Baltimore 21227 Thomas J. Hoff 406 West Pennsylvania Avenue Towson 21204

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 4, 2006

Department of Permits & Development

Management

DA

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 9, 2006

Item Nos. 07-131, 135, 136, 137, 138, 139, 140, 141, 142, 143, and 144

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-10042006.doc

-BW 12/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management DATE: October 18, 2006

OCT 1 9 2006

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 7-143- Variance

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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination

DATE:

10/11/06

SUBJECT:

Zoning Item

Address

1601 Odensos Lane

Baltimore, Md 21227

Zoning Advisory Committee Meeting of 10/2/06

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management offers <u>X</u> the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest \overline{X} Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer:

Kevin Brittingham

Date: 10/11/06

ADEH RECEIVED FOR FILING

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



Timothy M. Kotroco

TO:

Jeff Livingston, DEPRM - Development Coordination FROM: DATE: 10/11/06 # 07-143-A SUBJECT: Zoning Item 1601 Odensos Lane Address Baltimore, Md 21227 Zoning Advisory Committee Meeting of 10/2/06 The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item. The Department of Environmental Protection and Resource Management offers <u>X</u> the following comments on the above-referenced zoning item: Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code). Development of this property must comply with the Forest <u>X</u> Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code). Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code). Additional Comments:

Date: 10/11/06

Reviewer:

Kevin Brittingham

State Highway

Administration 8

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 10, 2006

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 07-143-A 1601 ODENSOS LANE NAY CORP CORPORATION

VARIANCE - TO ALLOW SIDE YARD OF 30' IN LIEU OF 50'

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 07-143-4.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB



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

County Office Building, Room 111 4,20064, 2006, 2006 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 9, 2006

Item Number(s): 131 and 135 through 144

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



Printed with Soybean Ink

on Recycled Paper









DIPAULA & SULLIVAN, LLC

ATTORNEYS AT LAW

Anthony J. DiPaula ajd@dipaulasullivan.com

34 South Main Street Bel Air, Maryland 21014

Roger J. Sullivan rjs@dipaulasullivan.com

Telephone: 410-893-4255 Fax: 410-893-4277

Krister Costore OK to Costor

October 11, 2006

Timothy Kotroco, Director Department of Permits and Development Management County Office Building 111 W. Chesapeake Avenue, Suite 111 Towson, Maryland 21204

RE:

Case No.:

07-143-A

Property: 1601 Odensos Lane

Hearing Date: December 4, 2006 at 2:00 p.m.

Dear Mr. Kotroco:

I represent the Petitioner in the above referenced matter. Unfortunately, on the date assigned, I am scheduled to begin a 1-2 day trial in the Circuit Court for Baltimore County entitled, Double BB, Inc. v. d/b/a Zimmerman Homes v. Katherine R. Gillich, et ux., Case No. 03-C-05-6889 (a copy of the notice is enclosed). I would therefore request that this matter be reset to a different day, and I would ask your office to please coordinate calendars with my office to avoid a further conflict. Since we are well in advance of the required posting, I hope that this is not a problem. Thank you.

Very truly yours,

AJD/dh Enclosure

cc:

Naycorp Corporation

Thomas J. Hoff

s:\das\ajd\Naycorp Corp.\Kotroco.ltr.1

CIRCUIT COURT FOR BALTIMORE COUNTY

Suzanne Mensh

Clerk of the Circuit Court

County Courts Building

401 Bosley Avenue

P.O. Box 6754

Towson, MD 21285-6754

(410)-887-2601, TTY for Deaf: (800)-735-2258

Maryland Toll Free Number (800) 938-5802

NÔTICE OF HEARING/TRIAL

Case Number: 03-C-05-006889 ML

CIVIL

Double B B Inc vs Gillich, et al

STATE OF MARYLAND, BALTIMORE COUNTY COUNTY, TO WIT:

TO: Anthony J. DiPaula
DiPaula & Sullivan, LLC
34 South Main Street
Bel Air, MD 21014

You are hereby NOTIFIED TO APPEAR before a Judge of the:

CIRCUIT COURT FOR BALTIMORE COUNTY County Courts Building 401 Bosley Avenue Towson, MD 21285-6754

Court date:
December 4, 2006
At: 09:30 AM
Civil Non-Jury Trial
1 DAY MERITS AGREED DATE

PLEASE NOTE: All counsel are expected to confer with each other with regard to the assigned trial date and to advise the court and other parties of any pre-existing conflict promptly.

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the Americans with Disabilities Act, please contact the Civil Assignment Office at (410)-887-2660 or use the Court's TDD line, (410) 887-3081, or or the Voice/TDD M.D. Relay Service, (800) 735-2258.

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Application for postponement must be made in writing with copies to all attorneys.

Please refer to Information Desk for Court Room Designation.

Assignment Clerk: Oldewurtel Joan M Assignment Office Phone: (410)-887-2660

PETITION FOR VARIANCE RE: 1601 Odensos Lane; NE/S Odensos Lane, 371' NE c/line Twin Springs Road 13th Election & 1st Councilmanic Districts Legal Owner(s): Naycorp Corporation by Guy T. Naylor, President

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-143-A

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 6th day of October, 2006, a copy of the foregoing Entry of Appearance was mailed to, Thomas Hoff, 406 West Pennsylvania Avenue, Towson, MD 21204 and Anthony DiPaula, Esquire, DiPaula & Sullivan, LLC, 34 South Main Street, Bel Air, MD 21014, Attorney for Petitioner(s).

RECEIVED

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NUMBER 07-143-A DATE 12/8/06

PETITIONER'S SIGN-IN SHEEF,

E-MAIL MSB COMMINAN, COM TONN @ THOMASSIHEFF. COM					
Ber Air MD 21017 TOWSON, MD. 21204 Balt Md 21227					
34 S. MAIN SF. 406 W. DENNOSYLVANIA AVE 1601 ODENSOS LU					
ANTHONY J. DIPAULA THOMAS J. HOPE Suy NAYLOR					

Case No.:


67-143-A

Exhibit Sheet

Petitioner/Developer

Protestant

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No. 1	Sitz	PLAN	<u>-</u>		-			
No. 2								
No. 3		•		-	-			
No. 4	<u></u>				•			
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