



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

July 19, 2013

David H. Karceski, Esquire
210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204

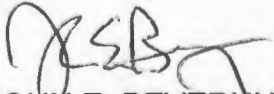
RE: Petitions for Variance
Case No.: 2013-0277-A
Property: 3903 Naylors Lane

Dear Mr. Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Neil Kahn, 3903 Naylors Lane, Baltimore, Maryland 21209
Mark Tsitlik, 810 Landmark Drive, Suite 215, Glen Burnie, Maryland 21061

IN RE: PETITION FOR VARIANCE
(3903 Naylor's Lane)
3rd Election District
2nd Councilman District
Naylor's Office Property
Venture, LLC, *Legal Owner*
Petitioner

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*
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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0277-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, on behalf of the legal owner, Naylor's Office Property Venture, LLC. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") § 450.4 Attachment 1.3(a) to allow a ground mounted directional sign with a sign area/face of 10.6 square feet in lieu of the permitted 8 square feet and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30%. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Neil Kahn and Mark Tsitlik the engineer who prepared the site plan. David H. Karceski, Esquire appeared as counsel and represented the Petitioner. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Testimony and evidence revealed that the subject property is approximately 1.3734 acres

ORDER RECEIVED FOR FILING

Date

7-19-13

By

Sen

and zoned OR-1. The Petitioner constructed a new 7,000 sq. ft. 1 story office building on the site approximately 1 ½ years ago. The project was reviewed and approved by the County's Design Review Panel. Though the building is visible from Old Court Road, the only point of access is Naylor's Lane, and the Petitioner proposes to install this directional sign to highlight that fact.

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. Mr. Tsitlik, a professional engineer accepted as an expert, testified via proffer that the subject property is four times longer than it is wide. In addition, he explained that there is a topographical change throughout the site. These qualities make the property unique.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, since it would be unable to install the directional sign which would help to direct motorists to the site. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by absence of County and/or community opposition.

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

THEREFORE, IT IS ORDERED, this 19th day of July, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the B.C.Z.R. is granted.

ORDER RECEIVED FOR FILING

Date

7/19/13

By

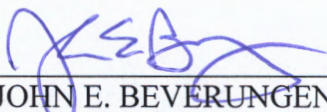
sen

County Zoning Regulations ("B.C.Z.R") § 450.4 Attachment 1.3(a) to allow a ground mounted directional sign with a sign area/face of 10.6 square feet in lieu of the permitted 8 square feet and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30% , be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING

Date

7/19/13

By

sln



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 3903 Naylor's Lane which is presently zoned OR1
 Deed References: 31871-269 10 Digit Tax Account # 2 4 0 0 0 1 3 3 2 3
 Property Owner(s) Printed Name(s) NAYLORS OFFICE PROPERTY VENTURE, LLC

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s)
 450.4 Attachment 1.3(a) to allow a ground mounted directional sign with a sign area/face of 10.6 square feet in lieu of the permitted 8 square feet and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30%.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

I, or we, agree to pay expenses of above petition(s), 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) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print _____
 Signature _____
 Mailing Address _____ City _____ State _____
 Zip Code _____ / Telephone # _____ / Email Address _____

Attorney for Petitioner:

David H. Karceski, Esq.
 Name- Type or Print _____
 Signature _____
 210 W. Pennsylvania Avenue, Ste. 500 Towson MD
 Mailing Address _____ City _____ State _____
 Zip Code 21204 / Telephone # (410) 494-6285 / Email Address dhkarceski@venable.com

Legal Owners (Petitioners): ~~NOPV LLC~~

Naylor's Office Property Venture, LLC
 By: Neil Kahn, Authorized Member /
 Name #1 Type or Print _____ Name #2 - Type or Print _____
 Signature #1 _____ Signature #2 _____
 3903 Naylor's Lane, Baltimore, MD
 Mailing Address _____ City _____ State _____
 Zip Code 21208 / Telephone # (410) 559-2127 / Email Address _____

Representative to be contacted:

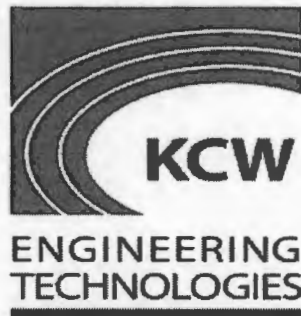
David H. Karceski, Esq.
 Name- Type or Print _____
 Signature _____
 210 W. Pennsylvania Ave., Ste. 500 Towson MD
 Mailing Address _____ City _____ State _____
 Zip Code 21204 / Telephone # (410) 494-6285 / Email Address dhkarceski@venable.com

CASE NUMBER 2013-0277A Filing Date 5/22/13

ORDER RECEIVED FOR FILING

Date 7/19/13 Reviewer AT
 By sen

REV. 10/4/11



**ZONING DESCRIPTION OF
3903 NAYLORS LANE, BALTIMORE MARYLAND
PROPERTY OF
NAYLORS OFFICE PROPERTY VENTURE, LLC
3RD ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND**

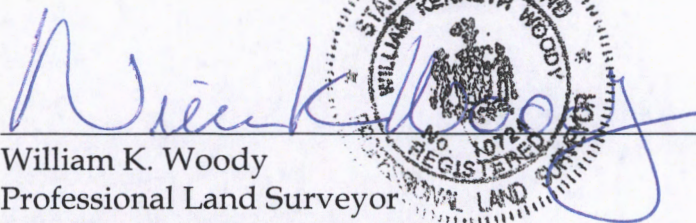
BEGINNING at point on the Southeast side of Naylor's Lane which is 60 feet wide at a distance of 637 feet Northeast of the centerline of Old Court Road which is 70 feet wide. Thence leaving said Southeast side of Naylor's Lane the following courses and distances:

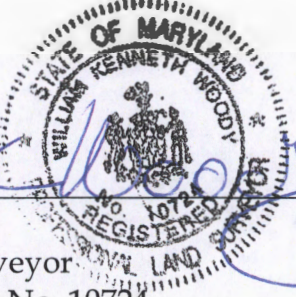
1. North 50 degrees 02 minutes 28 seconds East 110.00 feet,
2. South 39 degrees 56 minutes 00 seconds East 477.30 feet,
3. South 72 degrees 45 minutes 38 seconds West 172.13 feet,
4. North 48 degrees 28 minutes 01 seconds East 48.82 feet, and
5. North 39 degrees 56 minutes 00 seconds West 409.48 feet to the place of beginning.

Containing 50,503 square feet or 1.2 acres of land, more or less.

As recorded in Deed Liber 31871, folio 268.

The undersigned hereby states that the metes and bounds description hereon was prepared by myself or under my direct supervision and that it complies with the minimum standards of practice as established in Title 9, Subtitle 13, Chapter 6.09 of the Annotated Code of Maryland as enacted and amended.


William K. Woody
Professional Land Surveyor
Maryland Registration No. 10724
My registration expires Jan 11, 2014

 5/15/2013
Date:

**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/neighbor 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: 2013-0277-A

Petitioner: Naylors Office Property Venture, LLC

Address or Location: 3903 Naylors Lane, Baltimore, MD

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich

Address: Venable, LLP

210 W. Pennsylvania Avenue, Suite 500

Towson, MD 21204

Telephone Number: 410-494-6200

Revised 2/20/98 - SCJ

**CASHIER'S
VALIDATION**

CERTIFICATE OF POSTING

2013-0277-A

RE: Case No.: _____

Petitioner/Developer: _____

Naylors Office Property Venture, LLC.

July 18, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

3903 Naylors Lane

June 28, 2013

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

(Signature of Sign Poster)

June 28, 2013

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

June 28, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on June 27, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2013-0277-A

3903 Naylors Lane

SE of Naylors Lane, 637 ft. NE of centerline
of Old Court Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s): Naylors Office Property Venture, LLC

Variance: to allow a ground mounted directional sign with a sign area/face of 10.6 sq. ft. in lieu of the permitted 8 sq. ft. and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30%.

Hearing: Thursday, July 18, 2013 at 11:00 a.m. In Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
6/338 June 27 930463



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 10, 2013

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2013-0277-A

3903 Naylor's Lane

SE of Naylor's Lane, 637 ft. NE of centerline of Old Court Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Naylor's Office Property Venture, LLC

Variance to allow a ground mounted directional sign with a sign area/face of 10.6 sq. ft. in lieu of the permitted 8 sq. ft. and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30%.

Hearing: Thursday, July 18, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204
Neil Kahn, 3903 Naylor's Lane, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 28, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 27, 2013 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6200

NOTICE OF ZONING HEARING

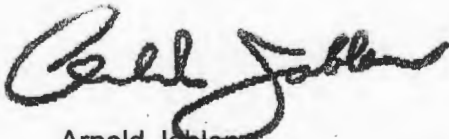
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CASE NUMBER: 2013-0277-A

3903 Naylor's Lane
SE of Naylor's Lane, 637 ft. NE of centerline of Old Court Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Naylor's Office Property Venture, LLC

Variance to allow a ground mounted directional sign with a sign area/face of 10.6 sq. ft. in lieu of the permitted 8 sq. ft. and to allow the company name and logo to occupy 73% of the total sign area in lieu of the permitted 30%.

Hearing: Thursday, July 18, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

MEMORANDUM

DATE: August 20, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0277-A - Appeal Period Expired

The appeal period for the above-referenced case expired on August 19, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: / Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
3903 Naylor's Lane; SE of Naylor's Lane, *
637' NE of c/line Old Court Road * OF ADMINISTRATIVE
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): Naylor's Office Property Venture* HEARINGS FOR
Petitioner(s) * BALTIMORE COUNTY
* 2013-277-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JUN 03 2013

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of June, 2013, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013-0277-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/7/13	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
6/25/13	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
6/5/13	STATE HIGHWAY ADMINISTRATION	No Obj
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 6/27/13	
SIGN POSTING	Date: 6/28/13	by Block
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: June 25, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0277-A
Address 3903 Naylor's Lane
(Naylor's Office Property Venture, LLC Property)

Zoning Advisory Committee Meeting of June 3, 2013.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

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JUN 25 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: June 07, 2013

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 10, 2013
Item Nos. 2013- 0273, 0274, 0275,
0276, 0277, 0279, 0281, 0282, 0283, 0284, 0285, 0286, 0287 and 0288.

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

DAK:CEN
Cc: file

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-5-13

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

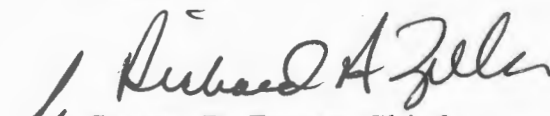
RE: Baltimore County
Item No 2013-0277-A
Variance
Naylor's Office Property
Venture, LLC.
3903 Naylor's Lane

Dear Ms. Lewis:

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. 2013-0272A

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,


for Steven D. Foster, Chief
Access Management Division

SDF/raz



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 9, 2013

Naylors Office Property Venture LLC
Neil Kahn, Member
3903 Naylors Lane
Baltimore MD 21208

RE: Case Number: 2013-0277 A, Address: 3903 Naylors Lane

Dear Mr. Kahn:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 22, 2013. This letter is not an approval, but only a **NOTIFICATION**.

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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David H. Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21208

CASE NAME 5905 May 10ks Lane
CASE NUMBER 2013-277-A
DATE 7/18/13

CASE NAME 5905 May 10ks Lane
CASE NUMBER 2013-277-A
DATE 7/18/13

[illegible]

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 03 Account Number - 2400013323

Owner Information

Owner Name: NAYLORS OFFICE PROPERTY VENTURE LLC **Use:** COMMERCIAL
Mailing Address: 3903 NAYLORS LN **Principal Residence:** NO
BALTIMORE MD 21208- **Deed Reference:** 1) /31871/ 00269
2)

Location & Structure Information

Premises Address **Legal Description**
3903 NAYLORS LN 1.026 AC
0-0000 3903 NAYLORS LN SES
550 FT NE OLD COURT RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0078	0002	0021		0000				1	
									Plat Ref:

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2012	7,000 SF	1.0200 AC	06

Stories	Basement	Type	Exterior
1.000000		OFFICE BUILDING BRICK	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	249,900	357,000		
Improvements:	824,300	1,231,300		
Total:	1,074,200	1,588,300	1,074,200	1,245,567
Preferential Land:	0			0

Transfer Information

Seller: PIKESVILLE CONDOMINIUM LLC	Date: 03/28/2012	Price: \$1,689,673
Type: ARMS LENGTH MULTIPLE	Deed1: /31871/ 00269	Deed2:
Seller: NAYLORS LANE ASSOCIATES LP	Date: 03/15/2006	Price: \$250,000
Type: ARMS LENGTH MULTIPLE	Deed1: /23534/ 00161	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

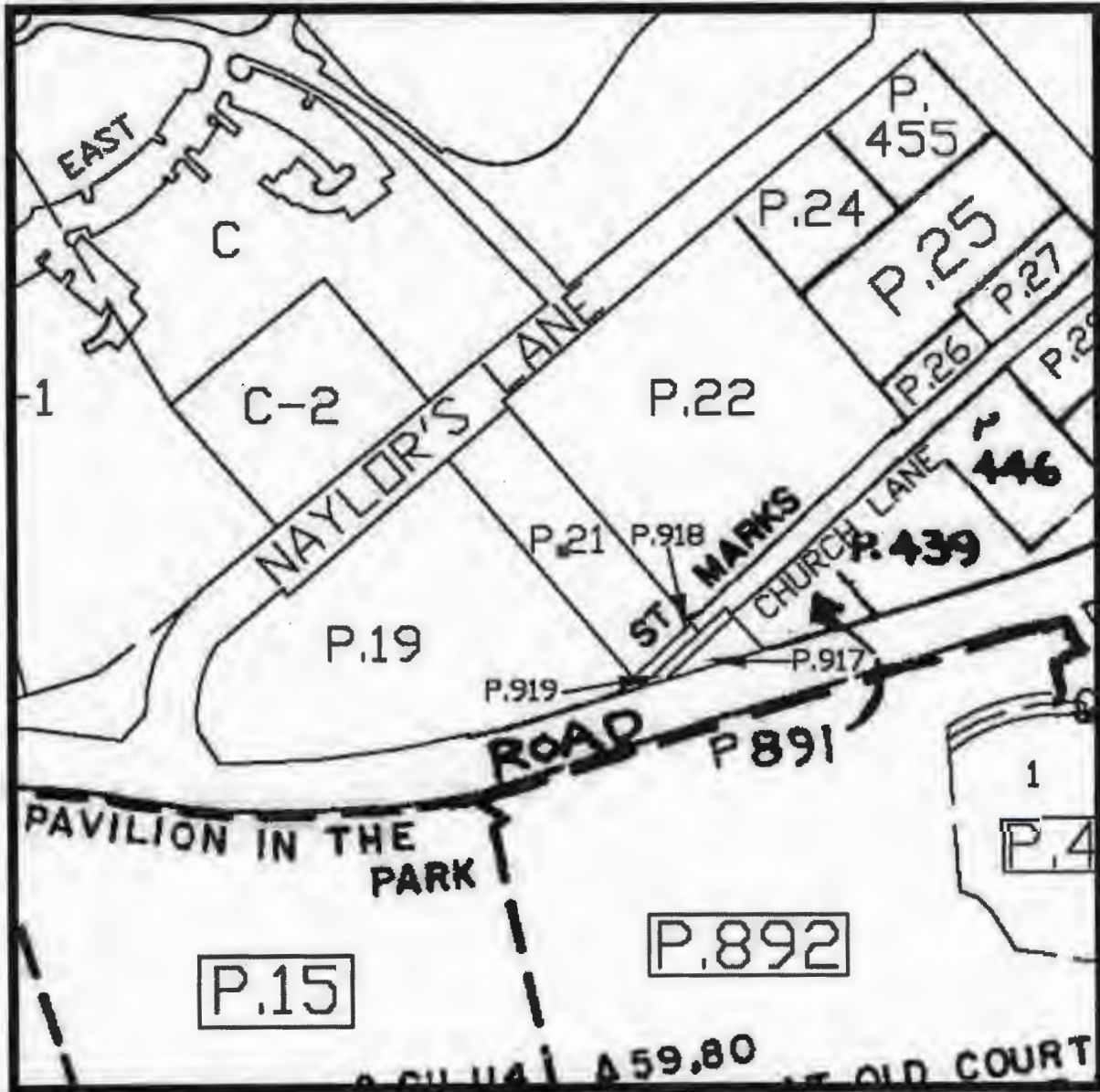
Homestead Application Status: No Application



**Maryland Department of Assessments and
Taxation
BALTIMORE COUNTY
Real Property Data Search**

[Go Back](#)
[View Map](#)
[New Search](#)

District - 03 Account Number - 2400013323



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Case No.:

2013-277-A

Exhibit Sheet

Petitioner/Developer

Protestant

DO
8-20-13

Sen
7-19-13

No. 1	Site plan	
No. 2	Aerial photo	
No. 3	CV - Mark Tsitlik	
No. 4	4A-4C Color photo	
No. 5	Map - Pikeville Design Review Area	
No. 6	Corridor Plan - Old Ct.	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Mark Tsitlik, P.E.
Project Manager

B.S. Civil Engineering completed (1992)
Belarusian National Technical University, Minsk, Belarus

Completed 30 credits (computer, AutoCAD, surveying)
CCBC, the Community College of Baltimore County (1993-1998)

Professional Engineer MD License # 33351
Since 6/30/06

Member American Society of Civil Engineers
 Maryland Society of Professional Engineers

1996-2013 KCW Engineering Technologies, Inc.
 Glen Burnie, Maryland

Experience: Mr. Tsitlik has over 16 years of experience as Project Manager and Project Engineer responsible for engineering design, coordination, planning, and construction inspection of various residential, commercial and industrial land development projects in Baltimore Metropolitan Area. This work involves design and preparation of site development plans, grading and sediment control plans, stormwater management plans, road and utility plans and profiles; preparation of specifications and cost estimates; construction inspection and as-built certification. Besides design tasks, Mr. Tsitlik is responsible for directing drafters and design engineers; coordination of projects with developers, contractors, architects, structural, geotechnical, mechanical and electrical engineers; processing plans and permits with multiple approving agencies in different jurisdictions.



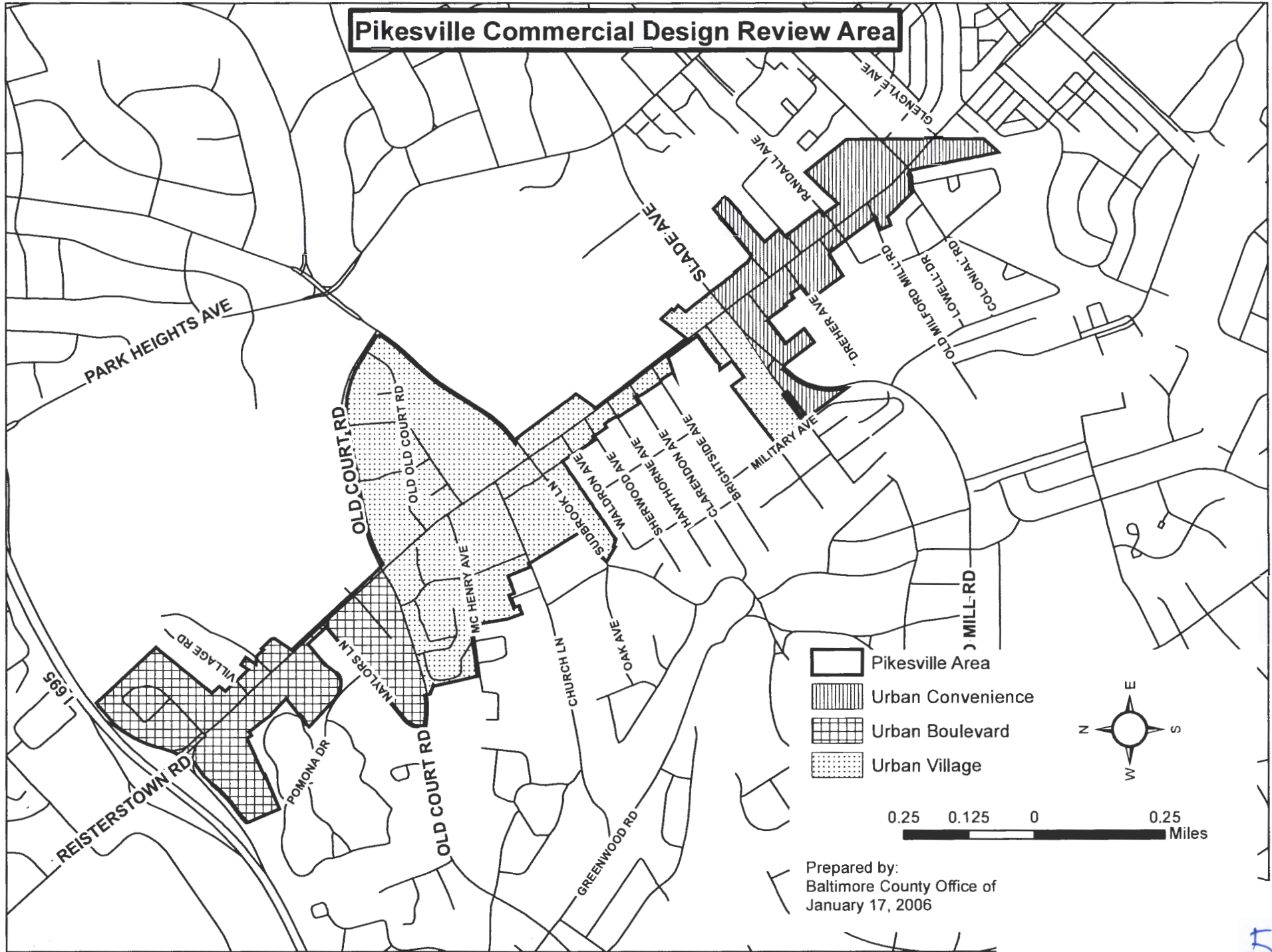
PETITIONER'S EXHIBIT 4A



PETITIONER'S EXHIBIT 4B



Pikesville Commercial Design Review Area



- Pikesville Area
- Urban Convenience
- Urban Boulevard
- Urban Village

0.25 0.125 0 0.25 Miles

Prepared by:
Baltimore County Office of
January 17, 2006

CORRIDOR PLAN

(Old Court Road)

The Old Court Road Corridor Plan was initiated at the behest of the Baltimore County Planning Board. The purpose of this action was to identify those properties which are most likely to be impacted as a result of the Mass Transit Authority Metro System now under construction, and to recommend a land use pattern that best enables Pikesville to take advantage of growth opportunities in the near future. This plan takes into consideration impacts on the existing communities, traffic circulation, the utilization of the existing public service infrastructure, and pedestrian and landscape policies for the corridor.

The approach used to develop this plan was the formation of a multi-interest group of individuals consisting of local residents, businessmen, developers, and members of the Pikesville Community Growth Corporation. While the recommended plan does not contain the recommendations or requests of all who participated in the discussions, the Planning Board believes it represents a reasonable and defensible land use plan for the corridor.

Some issues, raised as concerns by the group, are hereby incorporated as plan policies:

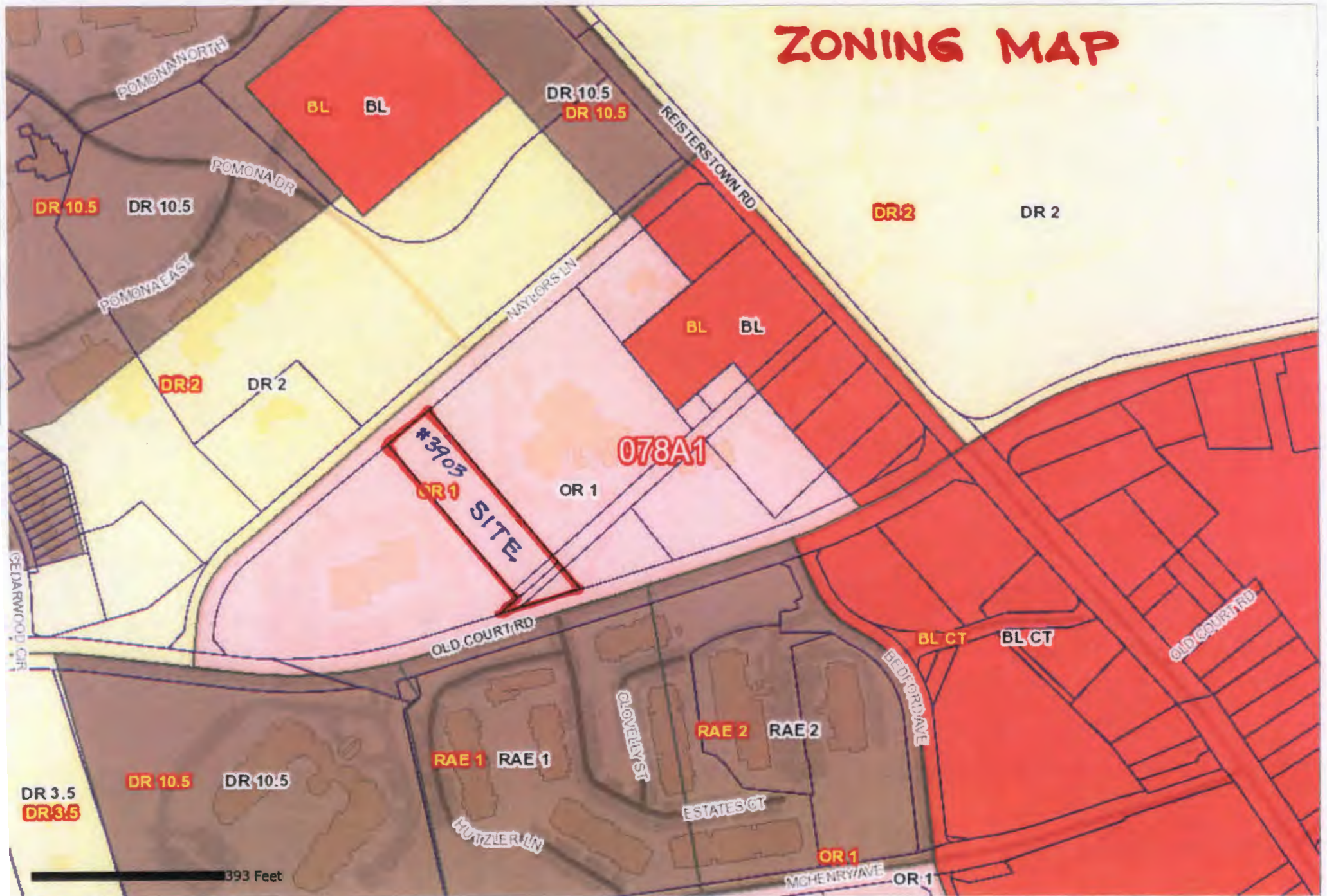
1. Better snow removal practices along Old Court Road and Naylor's Lane should be devised.
2. Limited access to Old Court Road developments should be required. Access to Old Court Road via one of the three collector streets recommended; i.e., Bedford Road, Naylor's Lane extended to McHenry, and McHenry extended to Old Court, are the appropriate access points.
3. The major street improvements identified above should be listed as Capital Improvement Program items as soon as possible.
4. An adequate pedestrian and bike system should be studied and implemented.
5. A method for establishing a shuttle bus service between the Pikesville core, the Metro Station, and surrounding commercial, office and residential areas should be developed, preferably by the private sector.
6. No commercial, i.e., retail, development along the frontage of Old Court Road west of Bedford should be permitted.
7. A landscape plan should be developed which takes into consideration the retention of as much of the existing trees and shrubbery as possible, and the supplementing of those plantings where appropriate along the corridor.

It is intended that the land use plan be the basis for the rezoning of this area during the 1984 zoning process.

Attachments: Land Use Plan
Zoning Recommendations Map (1"=200')

PETITIONER'S EXHIBIT 6

ZONING MAP



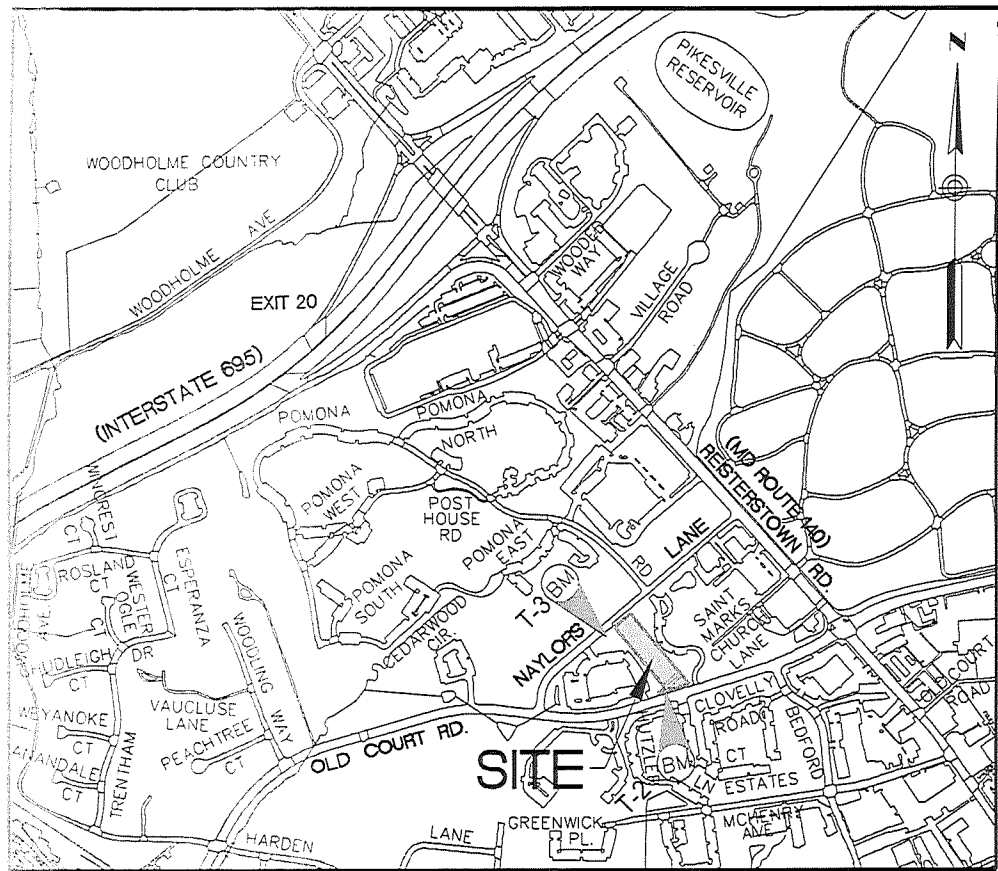
My Neighborhood Map

Created By
Baltimore County
My Neighborhood



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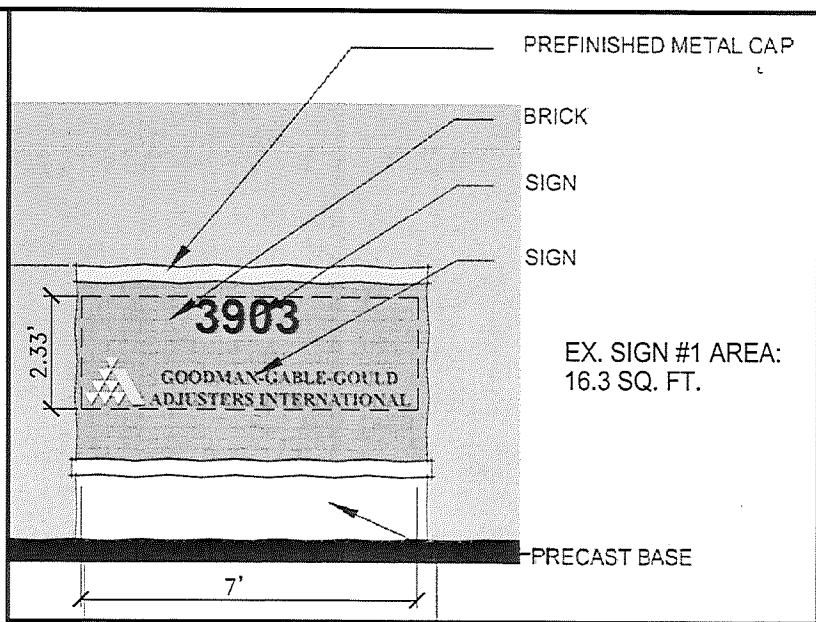
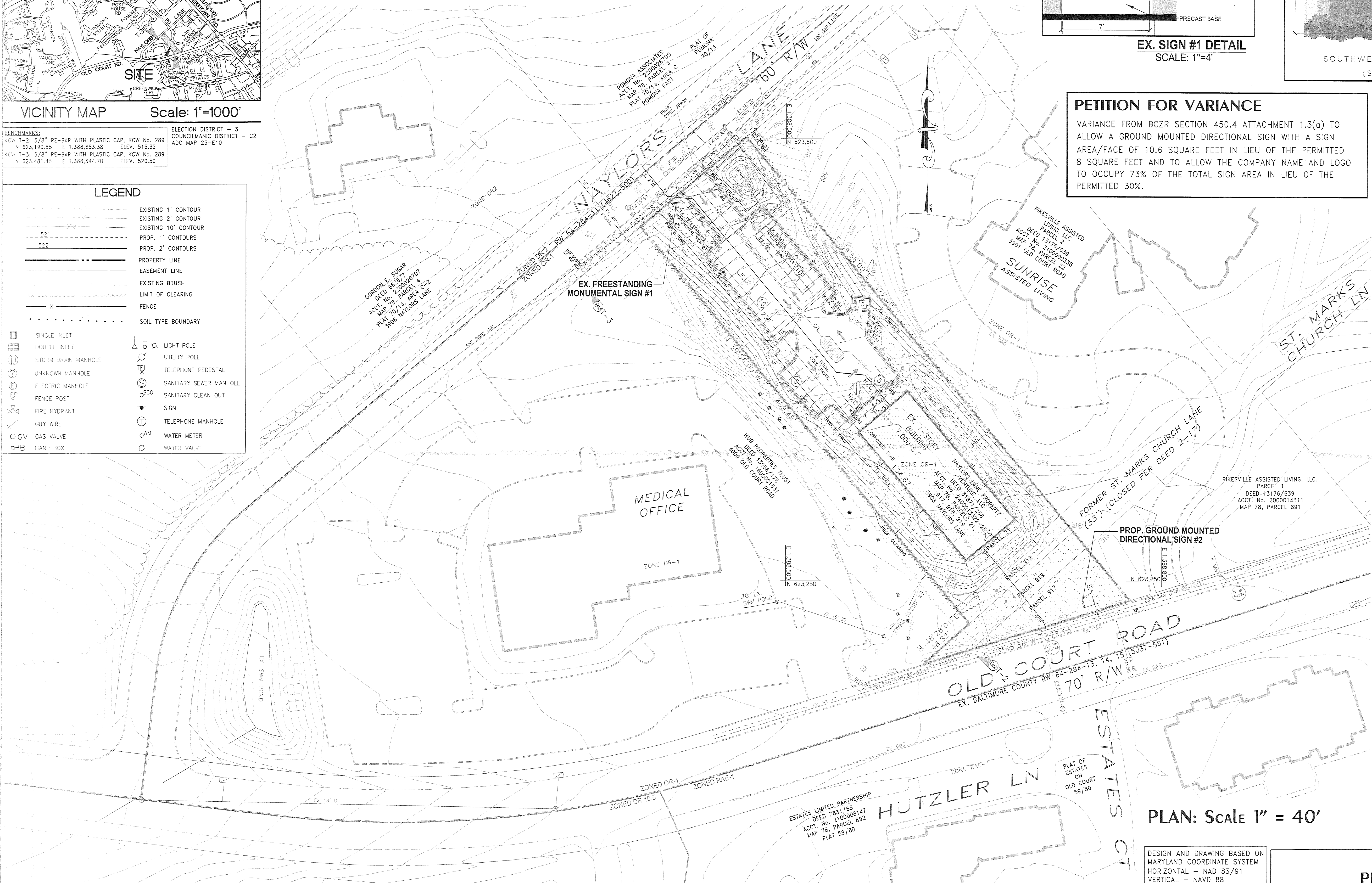
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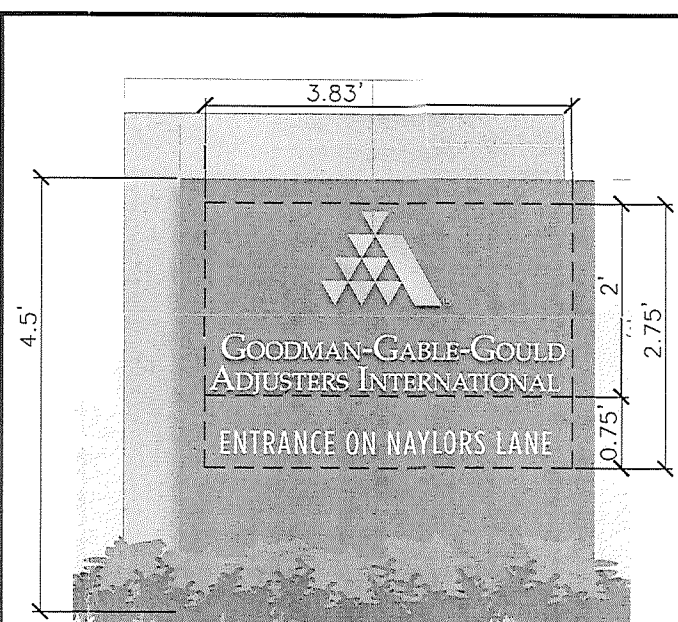
VICINITY MAP Scale: 1"=1000'

BENCHMARKS:		ELECTION DISTRICT - 3	
KCV 1-2: 5/8" RE-BAR WITH PLASTIC CAP, KCV No. 289	N 623,190.85 E 1,338,853.38 ELEV. 515.32	COUNCILMANIC DISTRICT - C2	
KCV 1-3: 5/8" RE-BAR WITH PLASTIC CAP, KCV No. 289	N 623,481.43 E 1,338,344.70 ELEV. 520.50	ADC MAP 25-E10	

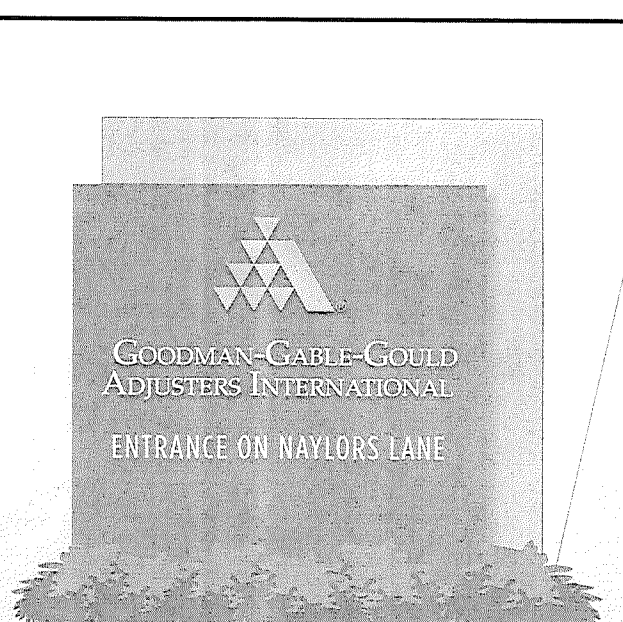
LEGEND	
	EXISTING 1' CONTOUR
	EXISTING 2' CONTOUR
	EXISTING 10' CONTOUR
	PROP. 1' CONTOURS
	PROP. 2' CONTOURS
	PROPERTY LINE
	EASEMENT LINE
	EXISTING BRUSH
	LIMIT OF CLEARING
	FENCE
	SOIL TYPE BOUNDARY
	SINGLE INLET
	DOUBLE INLET
	STORM DRAIN MANHOLE
	UNKNOWN MANHOLE
	ELECTRIC MANHOLE
	FENCE POST
	FIRE HYDRANT
	GUY WIRE
	GAS VALVE
	HAND BOX
	LIGHT POLE
	UTILITY POLE
	TELEPHONE PEDESTAL
	SANITARY SEWER MANHOLE
	SANITARY CLEAN OUT
	SIGN
	TELEPHONE MANHOLE
	WATER METER
	WATER VALVE



EX. SIGN #1 DETAIL SCALE: 1"=4'



SOUTHWEST ELEVATION (SIDE A)



NORTHEAST ELEVATION (SIDE B)

PROP. SIGN #2 DETAIL SCALE: 1"=2'

PETITION FOR VARIANCE

VARIANCE FROM BCZR SECTION 450.4 ATTACHMENT 1.3(o) TO ALLOW A GROUND MOUNTED DIRECTIONAL SIGN WITH A SIGN AREA/FACE OF 10.6 SQUARE FEET IN LIEU OF THE PERMITTED 8 SQUARE FEET AND TO ALLOW THE COMPANY NAME AND LOGO TO OCCUPY 73% OF THE TOTAL SIGN AREA IN LIEU OF THE PERMITTED 30%.

GENERAL NOTES

- OWNER / APPLICANT: NAYLORS OFFICE PROPERTY VENTURE, LLC
3903 NAYLORS LANE, BALTIMORE, MD 21208
ATTN: NEIL C. KAHN, AUTHORIZED MEMBER, PH: 410-602-0800
- PROPERTY LOCATION: 3903 NAYLORS LANE
BALTIMORE, MD 21208
- DEED: 31871 / 268
ACCOUNT No.: 2400013323
TAX MAP / GRID: 78 / 2
PARCEL: 21
AREA: 0.9884 AC±
TOTAL AREA: 0.0760 AC±
NET: 1.1993 AC± (50,501 SF±)
GROSS: 1.3734 AC± (59,825 SF±)
- ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 2
CENSUS TRACT: 4034.02
REGIONAL PLANNING DISTRICT: GREENSPRING VALLEY-PIKESVILLE
WATERSHED: GYNNIS FALLS
SUBWERSHED: 65
- ZONING: OR-1 (200 SCALE ZONING MAP 078A1)
- BUILDING SETBACKS: (PER BCZR 205.4.B FOR CLASS 'B' OFFICE BUILDING USE OR-2 PER BCZR 206.4.C)
REQUIRED: 35 FT.
EXISTING: 233 FT. / 69 FT.
STREET LINE SETBACK: (FRONT AND REAR)
ANY OTHER SETBACK: (SIDE AND REAR)
20 FT. MIN. OR HEIGHT OF THE BUILDING, WHICHEVER IS GREATER
29 FT. / 20 FT.
- BUILDING HEIGHT: PERMITTED - 60 FT. MAXIMUM
EXISTING - 18 FT.
- AMENITY OPEN SPACE: (SHOWN AS TAUS)
REQUIRED: 25% MIN.
EXISTING: 30,000 / 50,501 = 59% > 25%
- FLOOR AREA RATIO: PERMITTED: 0.5 MAX.
EXISTING: 7,000 / 59,825 = 0.12 < 0.5
- EXISTING LAND USE: OFFICE BUILDING WITH ACCESSORY PARKING LOT AND OTHER USES PERMITTED IN OR-1 ZONE.
- BOUNDARY: OUTLINE SHOWN ON PLAN BASED ON BOUNDARY SURVEY PREPARED BY KOW ENGINEERING TECHNOLOGIES, INC. DATED 08/23/2010.
- TOPOGRAPHY: THE EXISTING TOPOGRAPHY SHOWN HEREON IS BASED UPON BALTIMORE COUNTY O.I.T. G.I.S. TOPOGRAPHY SUPPLEMENTED WITH FIELD RUN SURVEYS PERFORMED BY KOW ENGINEERING TECHNOLOGIES, 08/2010.
- LIGHTING SHALL BE BUILDING AND POLE (20' HEIGHT) MOUNTED AND SHALL BE DIRECTED AWAY FROM ADJACENT PROPERTIES AND PUBLIC RIGHT-OF-WAY BY USE OF CUT-OFF FIXTURE.
- SIGNAGE: ALL SIGNS SHALL COMPLY WITH BCZR SECTION 450 OR VARIANCE WILL BE REQUESTED.
- PARKING: (PER BCZR 409.6)
REQUIRED PARKING: 7,000 SF x 3.3 PS / 1,000 SF = 24 PS (OFFICE GENERAL)
PROVIDED PARKING: 30 PS (INCL. 2 HANDICAP PS)
ALL PARKING SPACES WILL BE DURABLE, DUST-LESS SURFACE. TYPICAL PARKING SPACES ARE 9'x18' AND PERMANENTLY STRIPED.
- THERE ARE NO KNOWN HISTORIC BUILDING, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL SITES LOCATED ON THIS PROPERTY. THERE ARE NO KNOWN SIGNIFICANT VIEWS OR SITE FEATURES THAT MAY AFFECT THE DEVELOPMENT PROPOSAL. THERE ARE NO KNOWN SIGNIFICANT REGULATED PLANT OR WILD LIFE COMMUNITIES BASED UPON DEPRM AND DNR DATA.
- FLOODPLAIN: THERE ARE NO KNOWN FLOODPLAINS THAT EXIST ON OR NEAR THE SITE.
- WETLANDS: THERE ARE NO KNOWN WETLANDS THAT EXIST ON OR NEAR THE SITE.
- CBQA: THIS SITE IS NOT WITHIN CHESAPEAKE BAY CRITICAL AREA.
- FOREST BUFFER: THERE ARE NO STREAMS, BODIES OF WATER, WETLANDS OR OTHER RESOURCE WITHIN 300' ON THE SITE WHICH WOULD GENERATE A FOREST BUFFER PER BALTIMORE COUNTY, DEPRM - EIR REGULATIONS.
- DRG #060810B AND DRP #516: DRG #060810B GRANTED LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(6).
DRP #516 GRANTED APPROVAL FOR THE SITE IN THE URBAN BOULEVARD AREA OF THE PIKESVILLE REVITALIZATION DISTRICT PER LETTER DATED 07/22/2010.
- 'BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING' HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- THE AREAS BETWEEN THE SIGHT LINE AND THE CURB LINE MUST BE CLEARED, GRADED, AND KEPT FREE OF ANY OBSTRUCTIONS.
- ZONING HISTORY: THERE ARE NO KNOWN ZONING ACTIONS FOR THIS PROPERTY.
- DRG #060810B AND DRP #516: DRG #060810B GRANTED LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(6).
DRP #516 GRANTED APPROVAL FOR THE SITE IN THE URBAN BOULEVARD AREA OF THE PIKESVILLE REVITALIZATION DISTRICT PER LETTER DATED 07/22/2010.
- PREVIOUS COMMERCIAL PERMITS: B753688 BUILDING PERMIT 2012
B753601 SWIM PERMIT 2011
B753600 GRADING PERMIT 2011

PLAN: Scale 1" = 40'

DESIGN AND DRAWING BASED ON MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88

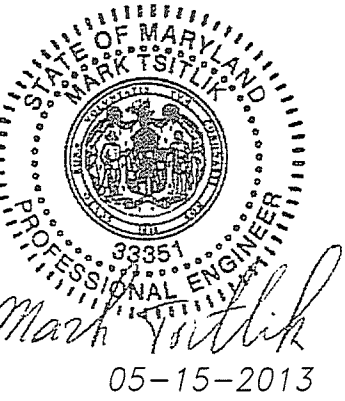
PDM #03-494

PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE

NEW OFFICE BUILDING
3903 NAYLORS LANE

3rd Election District, 2nd Councilmanic District
Baltimore County, Maryland

KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: 410.768.7700
Fax: 410.768.0200
www.kcw-et.com



Professional Certification.
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 33351
Expiration Date 06-30-2014.

OWNER / APPLICANT:

Naylors Office Property Venture, LLC
3903 Naylors Lane
Baltimore, MD 21208
Attn.: Neil C. Kahn, Authorized Member
Phone: 410-602-0800
Fax: 410-602-0887
Email: nkahn@gggco.com

REVISIONS

DATE	DESCRIPTION

KCV J.O.	2040261
SCALE:	1" = 40'
DATE:	MAY 15, 2013
DESIGNED:	MT
DRAWN:	MT
CHECKED:	KCA
DRAWING NO.:	C-101B



PETITIONER'S EXHIBIT 2



My Neighborhood Map

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My Neighborhood



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Printed 5/16/2013