

# PETITION FOR SPECIAL EXCEPTION 85-333-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Law and Zoning Regulations of Baltimore County, to permit the herein described property for a dentist's office in accordance with Section 1801.1.C.9B

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., up to filing of this petition, and further agree to and are to be bound 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:  
Richard C. and Nancy G. Powell  
Signature  
518 Towson Avenue  
Lutherville, Maryland 21903  
City and State

Legal Owner(s):  
A. Lloyd Bryant  
(Type or Print Name)  
Signature  
Jean Bryant  
(Type or Print Name)  
Signature

Attorney for Petitioner:  
Cook, Howard, Downes & Tracy  
(Type or Print Name)  
Signature Herbert R. O'Connor, III  
210 Allegheny Avenue  
Towson, Maryland 21204  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Herbert R. O'Connor, III  
Name  
210 Allegheny Avenue  
Address  
823-4111  
Phone No.

Attorney's Telephone No.: 823-4111

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day of April, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of May, 1985, at 11:00 o'clock.

Cell John  
Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING  
DATE May 29, 1985  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
W/S of Dulaney Valley Road, \* DEPUTY ZONING COMMISSIONER  
192.90' N of the centerline of \* OF BALTIMORE COUNTY  
Locustvale Rd. (1006 Dulaney Valley) \*  
9th Election District - \*  
A. Lloyd Bryant, et ux - \* Case No. 85-333-X (Item No. 292)  
Petitioners \*

The Petitioners herein request a Special Exception to permit a dentist's office within the same building as that serving as the dentist's primary residence.

Testimony on behalf of the Petitioners indicates that the contract purchaser is a dentist who, for six months, has been associated with the dentist who, for twenty-seven years, has lived and practiced dentistry at that location. The office occupies 22% of the floor area of the residence. It is the purchaser's intention to acquire the practice and property, make no changes unless outside changes are required by the Maryland Department of Transportation, and reside and practice dentistry on the site. The contract purchaser will meet the access requirements of the State Highway Administration and the landscape/screening requirements of the Baltimore County Division of Current Planning and Development as well as all requirements of Section 1801.1.C.9.B of the Baltimore County Zoning Regulations.

There were no Protestants, however, two neighbors expressed concern that lawn and residential appearance would be reduced if excess parking and driveway access were required.

After due consideration of the testimony and evidence presented and appearing that the requirements of Section 502.1 of the Baltimore County Zoning Regulations have been met and the health, safety and general welfare

of the community will not be adversely affected, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of May, 1985, that the herein Petition for Special Exception to permit a dentist's office within the same building as that serving as the dentist's primary residence, in accordance with the site plan prepared by Gerhold, Cross & Etzel, Registered Professional Land Surveyors, dated March 25, 1985 and marked Petitioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to the following:

- Requirements of the State Highway Administration and the Division of Current Planning and Development, with minimum disturbance to existing trees and lawn, shall be met.

Signature  
Deputy Zoning Commissioner  
of Baltimore County

ORDER RECEIVED FOR FILING  
DATE May 29, 1985  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

May 29, 1985

Herbert R. O'Connor, III, Esquire  
Cook, Howard, Downes & Tracy  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Dulaney Valley Road,  
192.90' N of the centerline of  
Locustvale Rd. (1006 Dulaney Valley)  
9th Election District  
Case No. 85-333-X (Item No. 292)  
A. Lloyd Bryant, et ux -  
Petitioners

Dear Mr. O'Connor:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,  
Signature  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:bg

Attachments

cc: Mr. Charles Stokes  
901 Locustvale Road  
Towson, Maryland 21204

Mr. John Marshall Jones, Jr.  
1016 Dulaney Valley Road  
Towson, Maryland 21204

People's Counsel

PETITION FOR SPECIAL EXCEPTION  
9th Election District

LOCATION: West side Dulaney Valley Road, 192.90 ft. North from the centerline of Locustvale Road (1006 Dulaney Valley Road)

DATE AND TIME: Wednesday, May 22, 1985 at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a dentist's office in accordance with Section 1801.1.C.9.B

Being the property of A. Lloyd Bryant, et ux as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
W/S Dulaney Valley Rd., 192.90' : OF BALTIMORE COUNTY  
N from the Centerline of :  
Locustvale Rd. (1006 Dulaney :  
Valley Rd.), 9th District :  
A. LLOYD BRYANT, et ux, : Case No. 85-333-X  
Petitioners : : : : :  
: : : : :  
ENTRY OF APPEARANCE

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

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2168

I HEREBY CERTIFY that on this 2nd day of May, 1985, a copy of the foregoing Entry of Appearance was mailed to Herbert R. O'Connor, III, Esquire, Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioners.

Peter Max Zimmerman  
Peter Max Zimmerman

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

May 16, 1985

Herbert R. O'Connor, III, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
W/S Dulaney Valley Rd. 192.90' N from the c/l of  
Locustvale Road (1006 Dulaney Valley Road)  
A. Lloyd Bryant, et ux - Petitioners  
Case No. 85-333-X

Dear Mr. O'Connor:

This is to advise you that \$64.35 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Signature  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF THE REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 007256

DATE 5/16/85 ACCOUNT R-01-113-000

AMOUNT \$ 64.35

RECEIVED FROM Cook Howard Downes & Tracy

FOR 85-333-X

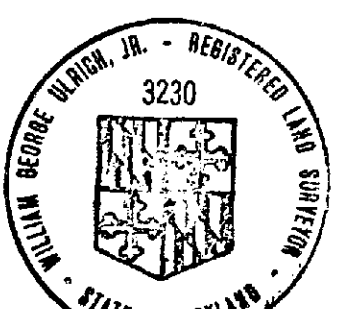
8104\*\*\*\*\*45514 5216F

VALIDATION OR SIGNATURE OF CARRIER

GERHOLD, CROSS & ETZEL  
Registered Professional Land Surveyors  
412 DELAWARE AVENUE  
TOWSON, MARYLAND 21204  
823-4470

March 26, 1985

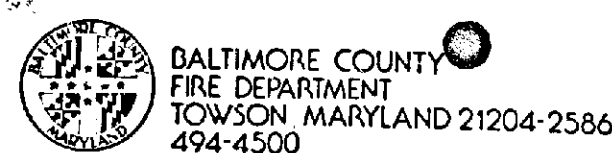
Beginning for the same on the west side of Dulaney Valley Road as laid out and shown on Plat No. 1 Dulaney Manor and recorded among the Plat Records of Baltimore County in Plat Book G.L.B. No. 17 folio 16 at the distance of 192.90 feet north of the centerline of Locustvale Road. Being Lot No. 3, Block No. 4 as shown on the aforesaid Plat No. 1 Dulaney Manor, Also known as No. 1006 Dulaney Valley Road in the Ninth Election District of Baltimore County, Maryland.



William S. Clark

APR 17 1987





PAUL H. REINCKE  
CHIEF  
Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

April 25, 1985

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: A. Lloyd Bryant, et ux

Location: W/S Dulany Valley Road 192.90' N. from c/l Locustvale Rd.

Item No.: 292

Zoning Agenda: Meeting of 4/16/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *W. W. Hammer*  
Noted and Approved: \_\_\_\_\_  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



TED ZALESKI, JR.  
DIRECTOR

April 22, 1985

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 292 Zoning Advisory Committee Meeting are as follows:

Property Owner: A. Lloyd Bryant, et ux  
Location: W/S Dulany Valley Road 192.90' N. from c/l Locustvale Road  
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(1) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.M.S.I. #17-1 - 1980) and other applicable Codes and Standards.

(2) A building and other miscellaneous permits shall be required before the start of any construction.

(3) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.

(4) Commercial: One set of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

(5) All the Groups except Plot Single Family Detached dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. Plot the Groups require a one hour wall, if closer than 6'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

(6) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 500 and 505 and have your architect/engineer contact this department.

(7) The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

(8) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirement. For the new use, Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from the 10-1, 10-2, 10-3, 10-4, 10-5, 10-6, 10-7, 10-8, 10-9, 10-10, 10-11, 10-12, 10-13, 10-14, 10-15, 10-16, 10-17, 10-18, 10-19, 10-20, 10-21, 10-22, 10-23, 10-24, 10-25, 10-26, 10-27, 10-28, 10-29, 10-30, 10-31, 10-32, 10-33, 10-34, 10-35, 10-36, 10-37, 10-38, 10-39, 10-40, 10-41, 10-42, 10-43, 10-44, 10-45, 10-46, 10-47, 10-48, 10-49, 10-50, 10-51, 10-52, 10-53, 10-54, 10-55, 10-56, 10-57, 10-58, 10-59, 10-60, 10-61, 10-62, 10-63, 10-64, 10-65, 10-66, 10-67, 10-68, 10-69, 10-70, 10-71, 10-72, 10-73, 10-74, 10-75, 10-76, 10-77, 10-78, 10-79, 10-80, 10-81, 10-82, 10-83, 10-84, 10-85, 10-86, 10-87, 10-88, 10-89, 10-90, 10-91, 10-92, 10-93, 10-94, 10-95, 10-96, 10-97, 10-98, 10-99, 10-100, 10-101, 10-102, 10-103, 10-104, 10-105, 10-106, 10-107, 10-108, 10-109, 10-110, 10-111, 10-112, 10-113, 10-114, 10-115, 10-116, 10-117, 10-118, 10-119, 10-120, 10-121, 10-122, 10-123, 10-124, 10-125, 10-126, 10-127, 10-128, 10-129, 10-130, 10-131, 10-132, 10-133, 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May 8, 1985

The Zoning Board  
Baltimore County

Gentlemen:

Dr. A. Lloyd Bryant has been my family's dentist for over 30 years, the majority of that time at his office and home at 1006 Dulaney Valley Road.

Following Dr. Bryant's retirement, my dental care was continued at the same address with Dr. Richard C. Powell. I intend to continue my family's care with Dr. Powell; therefore, I hope that he will be allowed to continue his practice at this location, which is very convenient to the majority of his patients.

Sincerely,

Donald W. DeHaven

Donald W. DeHaven,  
Vice-President  
244-6042

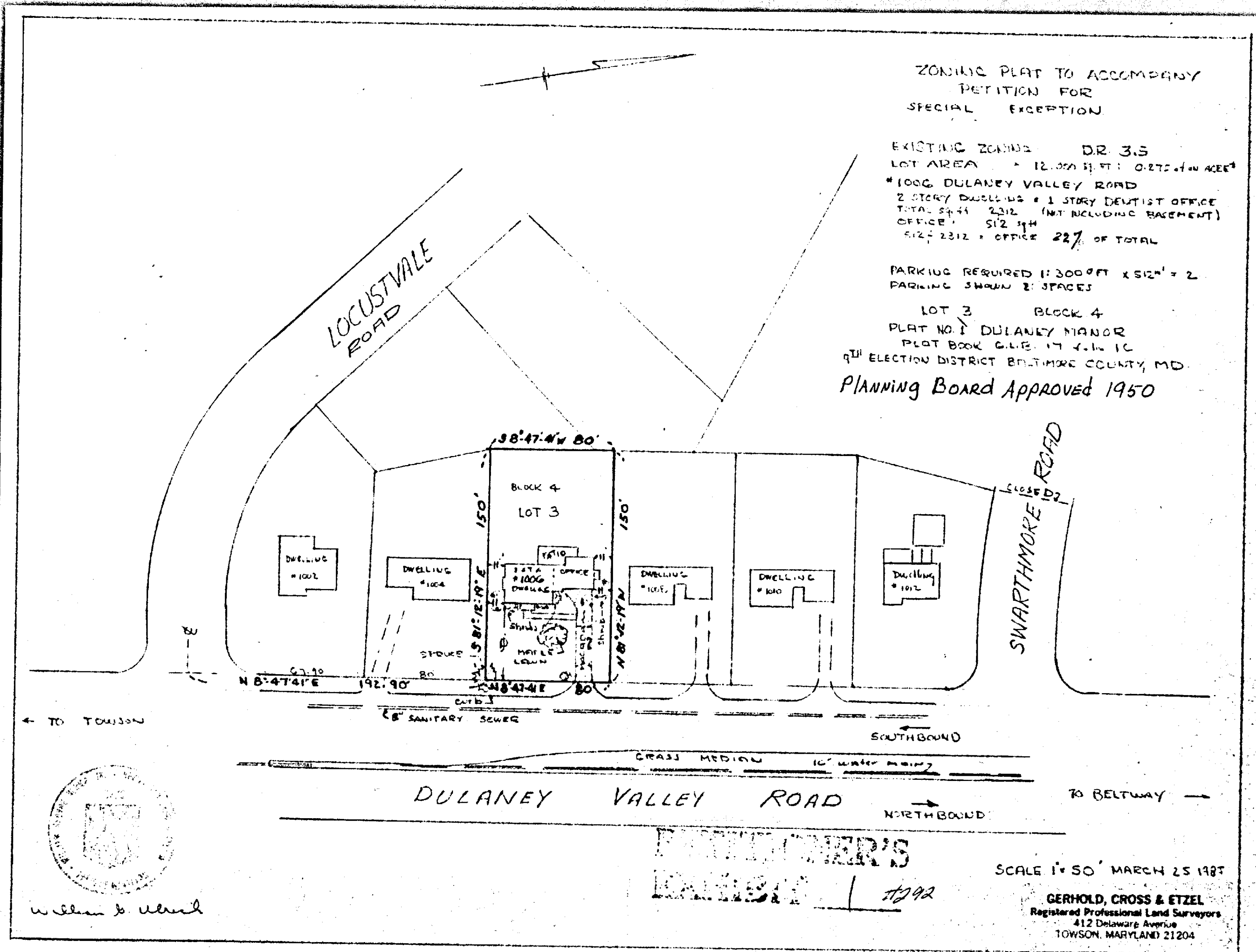
/j/p

EXHIBIT 2

Mr. William N. S. Pugh  
1002 Dulaney Valley Road, Towson, Maryland 21204

To whom it may concern -  
Having been a patient and neighbor of Dr. Bryant for over 15 years, I can see no objection to Dr. Powell having an office at the same address.

William N. S. Pugh



To whom it may concern,  
Dr. A. Lloyd Bryant had been my dentist and my wife's dentist for some years. When he was taken ill and Dr. Powell took over for him I was very pleased to be able to continue at the same convenient location for our dental needs. We hope that Dr. Powell will continue his practice at 1006 Dulaney Valley Road in Towson.

Sincerely,  
George L. Grice  
1006 Dulaney Valley Road  
Towson, Md.