IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE	*	BEFORE THE
W/S of Jarrettsville Pike, 250' S centerline of Paper Mill Road	*	ZONING COMMISSIONER
10th Election District	*	FOR BALTIMORE COUNTY
3rd Councilmanic District (14240 Jarrettsville Pike)	*	CASE NO. 03-250-SPHXA
Maryanna B. Apicella, *Legal Owner* **and** Lynch Family, L.L.L.P., *Contract Purchasers* *Petitioners*	*	

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on Petitions for Special Exception, Special Hearing, and Variance for the property located at 14240 Jarrettsville Pike in Phoenix/Jacksonville. The petitions were filed by Maryanna Apicella, property owner and the Lynch Family, L.L.L.P., the contract purchasers/lessee.

Special Exception relief is requested:

1. to allow 10,480 sq. ft. of gross floor area in an existing building in lieu of the 8,800 sq. ft. maximum permitted under the Baltimore County Zoning Regulations (B.C.Z.R.), Section 259.3.C.1.A; and

2. to permit a floor area ratio of 0.26 in lieu of the required 0.20 pursuant to Section 259.3.C.1.b of the Baltimore County Zoning Regulations.

Special Hearing relief is requested to determine the required number of off-street parking spaces for the proposed business; specifically, whether parking should be determined based on a requirement of 4.5 spaces per 1,000 ft. of gross floor area or, in the alternative, 3.3 spaces per 1,000 ft. of gross floor area. Also, Special Hearing Relief is requested to confirm that the minor overnight care and temporary housing of animals is permitted as included under activities permitted as a Veterinarium under Section 230.9 of the B.C.Z.R.. Finally, the Petitioners seek

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approval for a proposed outdoor exercise yard, not to be enclosed pursuant to B.C.Z.R., Section 230.12.A.

Variance relief is requested as follows:

1. to allow landscaping of less than the entire available side setbacks to the extent feasible in conjunction with Baltimore County's landscape architect, and not be required to have the sides entirely landscaped as required by Section 259.3.C.3a of the B.C.Z.R (*Note: The side yard setbacks vary because of the location of the existing building and parking lot constraints);

2. to permit a side yard setback of 6 ft. on the north side of the existing building in lieu of 15 ft. required under Section 259.3.C.2b of the B.C.Z.R.;

3. to permit Petitioner's property to not be accessible to adjoining non-residential parking lots as required under Section 259.3.C.4 of the B.C.Z.R., due to physical constraints and site configuration; and

4. to allow all parts of the use as a Veterinarium, including, but not limited to exercise areas, septic systems, dog runs and parking areas, to be less than the required 200 ft. from the nearest property line under Section 421.2 of the B.C.Z.R.

Appearing at the requisite pubic hearing held for this case were Maryanne Apicella, property owner and Michael J. Lynch, D.V.M. & Mary Lee Lynch, D.V.M., principals of Lynch Family, L.L.L.P. Also appearing in support of the request were Robert J. Bayer, architect, Wilbur Duvall, Jr., civil engineer with W. Duvall & Associates, Antoinette Bachmann, Margaret Nikola and Michael A. Riley. The Petitioner was represented by Ronald A. Decker, Esquire. There were no protestants or other interested persons present.

The undersigned Zoning Commissioner is familiar with the operations of the Lynch Family, L.L.L.P. by virtue of a prior case, #99-372-SPHX. The testimony and evidence offered in that case is that the Lynch family has long operated a veterinary office in Jacksonville. The existing office is located on Sweet Air Road and has been at that location for approximately 30 years. The nature of the practice is to treat primarily pets; mostly dogs, cats and other domestic

2/6/03 R. Jameson

animals. In addition to outpatient treatment, some animals are hospitalized and kept overnight as needed.

In Case #99-372-SPHX, Dr. Lynch proposed to acquire a property near the existing office known as 3422 Sweet Air Road. In fact, the existing office and new property were within close proximity, separated by but a single lot. Dr. Lynch proposed a two-story building on the new site to permit an expansion of the veterinarian offices as a place for boarding of animals. Special exception and special hearing relief were requested in that case to approve those plans. By Order dated July 20, 1999, approval was granted.

Apparently, Dr. Lynch ultimately decided not to pursue the acquisition and use of that property. Instead, the subject property has become available and Dr. Lynch now proposes relocation of his practice to this site. As noted above, the property is located at 14240 Jarrettsville Pike, just south of the intersection of Paper Mill Road and Jarrettsville Pike, known as the "Four Corners" in Jacksonville. The subject property is approximately 0.86 acres in area, zoned B.L. (Business Local) with the C.R. (Commercial Rural) district overlay. Presently, the site is improved with an existing building which has been used for many years as a hardware store. That business is owned and operated by Ms. Apicella. She apparently intends to retire from that business and close the operation. Dr. Lynch will move his practice to relocate to this property and rebuild the interior of the existing structure, as necessary, to accommodate his office. Additionally, the site plan shows that a small bump-out addition to the side of the building will be removed. However, two smaller additions near that area will be added for stairs and storage.

Dr. Lynch testified and described his practice. His description was similar to that described in the prior Order. The office hours are generally 7:30 A.M. to 8:00 P.M., Monday

2/6/03 K. Jenkins

through Friday. The office maintains shorter hours on Saturday (8:00 A.M. to 3:30 P.M.) and is closed on Sundays. There are four veterinarians who practice at the site. However, they are typically all not present at the same time. Primarily, small animals and pets are treated. Most of the clients are from the Jacksonville area.

The longstanding nature of the practice is evident by the number of exhibits that were presented at the hearing. These included a letter from Stephen Kirsch, President of the Greater Jacksonville Association, Inc., which supports the request. Additionally, a petition signed by a number of residents and clients of the practice were submitted at the hearing (Petitioner's Exhibit No. 5) endorsing the move to the subject property. In addition, testimony was received from Mr. Bayer, the architect, depicting the interior changes which will be necessary to accommodate the office. These are more particularly described in the building elevation and floor plan drawings which were submitted as Petitioner's Exhibit No. 7.

Section 101 of the B.C.Z.R. defines the terms and words used throughout the regulations. A "veterinarian" is defined as "a person licensed to engage in the practice of veterinary medicine". A "Veterinarian's Office" is defined as "an office which is maintained by a veterinarian for the treatment of animals, and in which no animal is kept overnight". A "Veterinarium" is defined as "any building or portion thereof which is used, intended to be used, or arranged primarily for treatment of animals by a veterinarian, where overnight care <u>is allowed</u>, and where all areas are used for treatment or housing of animals are odor-proofed and sound-proofed". (Emphasis added)

It is clear that the subject property will be used as a veterinarium, given the overnight facilities provided. In this regard, Dr. Lynch indicated that animals which need prolonged treatment or surgery are typically kept overnight to monitor their recovery.

2/6/03 R. Jameson

Section 230 of the B.C.Z.R. lists those uses permitted in the B.L. zone. Section 230.9 specifically identifies both a veterinarian's office and a veterinarium's use as permitted by right in the B.L. zone. The Petition for Special Exception is mandated because of the additional requirements imposed by the C.R. (Commercial/Rural) district overlay. Specifically, Section 259.3.C of the B.C.Z.R. limits buildings on a lot with the C.R. district overlay shall not exceed 8,800 sq. ft. Additionally, a maximum floor area ratio of 0.20 is permitted.

In this case, the building is an existing structure and exceeds both of those limitations. The testimony and evidence presented was persuasive that the change of use of this structure will not detrimentally impact the health, safety, and general welfare of the locale. The letters and petitions submitted at the hearing support that finding. Moreover, it is clear that the building will be improved as required so as to be soundproof and odor-proof. For all of these reasons, I am persuaded that the Petition for Special Exception should be granted. I specifically find that the proposed use in this existing building, at this locale, will not detrimentally impact the health, safety and general welfare of the locale. It is to be specifically noted that the site is located within the "downtown" Jacksonville business district and that there are no residences in the immediate proximity.

Special Hearing relief is also requested. One issue presented under that petition relates to the required number of parking spaces. The site plan shows that 3.3 parking spaces are required per 1,000 sq. ft. of building area. Based upon the square footage of the building, 35 parking spaces are required. Moreover, the plan shows that 35 spaces are available on site. The issue presented is whether the 3.3 calculation is appropriate in this instance. Section 409.6 of the B.C.Z.R. sets out the required number of parking spaces for given uses. That regulations indicate that 4.5 parking spaces per 1,000 sq. ft. of gross floor area are required for a "medical

2/6/03 K. Ernestor

office or clinic". This section further establishes that 3.3 parking spaces per 1,000 sq. ft. of gross floor area are required for "office-general". The question presented herein is whether the veterinarium falls within the medical office or general office classification.

As noted above, Section 101 of the B.C.Z.R. defines the words used throughout the regulations. A "Medical Office" is defined therein as "a place for the treatment of outpatients by one or more medical practitioners. This term does not include a veterinarian's office, medical clinic, ambulatory care center, diagnostic center, birthing center, or dialysis satellite unit. The term does not include ambulatory surgical facilities." (Emphasis added) The definition of a "Medical Practitioner" does not include a veterinarian. Based on these definitions, it is apparent that the phrase "Medical Office" in Section 409 relates only to places of medical treatment for humans. Under the circumstances, parking should therefore be calculated under the Office-General category and thus 3.3 spaces per 1,000 sq. ft. are required. In sum, the 35 spaces provided on site are sufficient in this instance.

Special hearing relief is requested to also confirm that minor overnight care and temporary housing of vehicles is permitted. As noted above, the focus on the Lynch practice is to treat domesticated animals and pets. Surgery and long-term care is provided as necessary. In my judgment, minor overnight care and temporary housing of animals is legitimately an accessory component of that activity. It is apparent that some animals need to be kept overnight to facilitate their treatment. Finally, the Petitioner also seeks approval of certain proposed outdoor exercise yards. Dr. Lynch indicated that the recovery requires the exercising of animals so as to increase movement and strength in limbs. An outdoor exercise yard for this purpose is proposed on the site plan. The use of this exercise yard for such purposes appears consistent with the use and purposes of this practice and shall, therefore, be permitted.

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Finally, variances are requested as noted above. Primarily, these variances are necessary, given the fact that the property is improved with an existing structure which is being converted for the proposed use. The deficient setbacks and landscaping, for example, are as a result of the constraints associated with this property in its present state. As is noted above, the building has been operated as a hardware store for many years.

Based on the testimony and evidence offered, particularly that rendered by Mr. Duvall (engineer) and Mr. Bayer (architect), I am persuaded that the Petition for Variance should likewise be granted. I find that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. and that the granting of variance relief is warranted.

Finally, although there were no adverse zoning advisory committee comments, a comment was received from the State Highway Administration regarding improvements to the entrance to the property from Jarrettsville Pike. It was indicated at the hearing that these improvements would be incorporated as part of the redevelopment of the site. Compliance with that zoning advisory committee comment will, therefore, be required as a condition precedent to the approval of the site plan.

Pursuant to the advertisement, posting of the property and public hearing held on the Petitions and for the reasons given above, I believe that the special exception, special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County, this 10th day of February, 2003, that the Petitioner's Special Exception request: (1) to allow 10,480 sq. ft. of gross floor area in an existing building in lieu of the 8,800 sq. ft. maximum permitted under the Baltimore County Zoning Regulations (B.C.Z.R.), Section 259.3.C.1.A; and

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L. Gruber

(2) to permit a floor area ratio of 0.26 in lieu of the required 0.20 pursuant to Section 259.3.C.1.b of the Baltimore County Zoning Regulations, be and is hereby GRANTED;

IT IS FURTHER ORDERED, that the Petitioner's request for Special Hearing, (1) to determine the required number of off-street parking spaces for the proposed business, specifically whether parking should be determined based on a requirement of 4.5 spaces per 1,000 ft. of gross floor area or , in the alternative, 3.3 spaces per 1,000 ft. of gross floor area; (2) to confirm that the minor overnight care and temporary housing of animals is permitted as included under activities permitted as a Veterinarium under Section 230.9 of the B.C.Z.R.; and (3) to seek approval for a proposed outdoor exercise yard, not to be enclosed pursuant to B.C.Z.R., Section 230.12.A, be and is hereby GRANTED;

IT IS FURTHER ORDERED, that the Petitioner's request for Variances, as follows:

1. to allow landscaping of less than the entire available side setbacks to the extent feasible in conjunction with Baltimore County's landscape architect, and not be required to have the sides entirely landscaped as required by Section 259.3.C.3a of the B.C.Z.R (*Note: The side yard setbacks vary because of the location of the existing building and parking lot constraints);

2. to permit a side yard setback of 6 ft. on the north side of the existing building in lieu of 15 ft. required under Section 259.3.C.2b of the B.C.Z.R.;

3. to permit Petitioner's property to not be accessible to adjoining non-residential parking lots as required under Section 259.3.C.4 of the B.C.Z.R., due to physical constraints and site configuration; and

4. to allow all parts of the use as a Veterinarium, including, but not limited to exercise areas, septic systems, dog runs and parking areas, to be less than the required 200 ft. from the nearest property line under Section 421.2 of the B.C.Z.R.

be and they are also hereby GRANTED.

IT IS FURTHER ORDERED, that the relief granted herein is subject to compliance with the recommendations submitted by the State Highway Administration of the Maryland

2/6/03
R. Jenkins

Department of Transportation dated December 18, 2002, a copy of which is attached hereto and made a part hereof.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:raj

2/6/03
R. Jameson

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 6, 2003

Ronald A. Decker, Esquire
Moore, Carney, Ryan & Lattanzi, L.L.C.
4111 E. Joppa Road, Suite 201
Baltimore, Maryland 21236

Re: Petitions for Special Hearing, Special Exception & Variance
Case No. 03-250-SPHXA
Property: 14240 Jarrettsville Pike, Phoenix, MD

Dear Mr. Decker:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing, special exception and variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Printed with Soybean Ink
on Recycled Paper

Copies to:

Lynch Family, L.L.L.C.
P. O. Box 8
Phoenix, MD 21131-0008

Maryanna B. Apicella
14240 Jarrettsville Pike
Phoenix, MD 21131

Robert J. Bayer
P. O. Box 85
Phoenix, MD 21131

Wilbur Duval, Jr.
W. Duval & Associates
8 Edgarwood Ct
Phoenix, MD 21131

Stephen Kirsch, President
Greater Jacksonville Association, Inc.
P. O. Box 126
Phoenix, MD 21131

SPH - To determine that parking for a veterinarium would be based upon 3.3/1000 sq. ft. in lieu of 4.5/1000 sq. ft. as determined by P.D.M staff. Also that overnight care and temporary housing of animals is permitted. and approval of an outdoor exercise yard not to be enclosed.

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 14240 Jarrettsville Pike, Phoenix, MD
which is presently zoned B.L.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine ~~whether or not the Zoning Commissioner should approve~~ the required number of off-street parking spaces. The Director of the Department of Permits and Development Management staff has determined that the parking should be based on 4.5 spaces per 1,000 sq. ft. of gross floor area. The Petitioner is seeking approval of all off-street parking spaces based upon 3.3 per 1,000 sq. ft. of gross floor area, pursuant to BCZR Section 232.4 and BCZR Section 409.6A and Section 500.6. Also, Petitioner seeks confirmation that minor overnight care and temporary housing of animals is permitted as included under activities permitted as a Veterinarium under BCZR Section 230.9. Also, Petitioner seeks approval for proposed outdoor excercise yard not to be enclosed pursuant to BCZR Section 230.12.A. M.A.R.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Lynch Family L.L.L.P.
Name - Type or Print

11/21/02
Signature

P. O. Box 8 (410) 666-1390
Address Telephone No.

Phoenix, Maryland 21131-0008
City State Zip Code

Legal Owner(s):

Maryanna B. Apicella
Name - Type or Print

Maryanna B. Apicella
Signature

Name - Type or Print

Signature

14240 Jarrettsville Pike (410) 666-2526
Address Telephone No.

Phoenix MD 21131
City State Zip Code

Attorney For Petitioner:

Ronald A. Decker
Name - Type or Print

Ronald A Decker
Signature

Moore, Carney, Ryan & Lattanzi, L.L.C.
Company

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

Representative to be Contacted:

Ronald A. Decker
Name

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 11/22/02

Case No. 03-250-SPHXA

2/6/03 Extension

REV 9/15/98

PETITION FOR SPECIAL HEARING

STATEMENT IN SUPPORT OF PETITION

Petitioner is the contract purchaser of an existing hardware store building. The current plans are to convert it to a Veterinarium. Baltimore County Zoning Regulations, Section 409 do not contain a specific requirement for parking for the specified use. Meetings have been held with staff of the Director of Permits and Development Management to discuss the required parking spaces. Petitioner feels that 3.3 parking spaces per 1,000 sq. ft. provides more than sufficient parking spaces for the anticipated use and numbers of clients. The configuration of the property and the existing building would make it impossible to meet a higher parking requirement. The Director's staff has recommended 4.5 parking spaces per 1,000 sq. ft. The site cannot support 48 parking spaces.

Petitioner's request is supported by findings which were made previously by the Zoning Commissioner when there was a proposal to have a new Veterinarium constructed two blocks from the current site. In Case No. 99-372-SPHX, the Honorable Lawrence E. Schmidt considered a site plan which included parking based on 3.3 spaces per square foot and found that the plan generally meets all parking requirements. (See Zoning Commissioner of Baltimore County Case No. 99-372-SPHX, Findings of Fact and Conclusions of Law (July 20, 1999)). The property is located at 3422 Sweet Air Road, which is 525 feet east of the centerline of Jarrettsville Pike. The property being considered in this Petition is on Jarrettsville Pike approximately 250 feet from the centerline of Sweet Air Road/Papermill Road.

Petitioner requests that the Zoning Commissioner determine that the permitted uses under BCZR Sections 101 and 230.9, which allow overnight care, permit the temporary housing of animals as part of the Veterinarium use.

Petitioner asks the Zoning Commissioner to permit an outside exercise yard to the rear of the existing building in lieu of being inside as required under BCZR Section 230.12.A. This general requirement, that applies to all permitted uses in the BL zone, would cause an unreasonable hardship and would not be in the best interest of the animals which are receiving care and treatment.

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Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 14240 Jarrettsville Pike, Phoenix, MD
which is presently zoned R.L.--C.R.

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

(See Attached)

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

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:

Lynch Family L.L.L.P.
Name - Type or Print

11/27/02
Signature

P. O. Box 8 (410) 666-1390
Address Telephone No.

Phoenix, Maryland 21131-0008
City State Zip Code

Attorney For Petitioner:

Ronald A. Decker
Name - Type or Print

Signature

Moore, Carney, Ryan & Lattanzi, L.L.C.
Company

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

Legal Owner(s):

Maryanna B. Apicella
Name - Type or Print

Maryanna B. Apicella
Signature

Name - Type or Print

Signature

14240 Jarrettsville Pike (410) 666-2526
Address Telephone No.

Phoenix, Maryland 21131
City State Zip Code

Representative to be Contacted:

Ronald A. Decker
Name

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

Case No. 03-250-SPHXA

REV 09/15/98

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____
Reviewed By JNP Date 11/22/02

ATTACHMENT TO SPECIAL EXCEPTION PETITION

1. To allow 10,480 square feet of gross floor area in the existing building in lieu of the 8,800 square feet maximum under BCZR Section 259.3.C.1.a.

2. To floor area ratio of 0.26 in lieu of the required 0.20 under BCZR Section 259.3.C.1.b.

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JUSTIFICATION - PETITION FOR SPECIAL EXCEPTION

Petitioner is the contract purchaser of an existing hardware store building which was built in the 1940s. The current plans are to convert it to a Veterinarium. Petitioner had received approval from the Zoning Commission of Baltimore County in Case No. 99-372-SPHX to have a proposed Veterinarium at 3422 Sweet Air Road, Phoenix, Maryland. That site is approximately 525 feet east of Jarrettsville Pike, and is approximately .15 mile from the previously considered site.

A Veterinarium is permitted as a matter of right under BCZR Section 230.9. Due to the enactment of the Commercial Rural ("C.R.") regulations, the existing building does not meet several of the requirements. Petitioner respectfully asks that the Zoning Commissioner grant the following special exceptions:

1. To allow 10,480 square feet of gross floor area in the existing building in lieu of the 8,800 square feet maximum under BCZR Section 259.3.C.1.a.
2. To floor area ratio of 0.26 in lieu of the required 0.20 under BCZR Section 259.3.C.1.b.

03-250-SPHXA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14240 Jarrettsville Pike, Pheonix, MD

which is presently zoned B.L. - C.R.

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)

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.

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:

Lynch Family L.L.L.P.
Name - Type or Print

11/21/02
Signature

P. O. Box 8 (410) 666-1390
Address Telephone No.

Phoenix, Maryland 21131-0008
City State Zip Code

Attorney For Petitioner:

Ronald A. Decker
Name - Type or Print

Ronald A. Decker
Signature

Moore, Carney, Ryan & Lattanzi, L.L.C.
Company

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

Legal Owner(s):

Maryanna B. Apicella
Name - Type or Print

Maryanna B. Apicella
Signature

Name - Type or Print

Signature

14240 Jarrettsville Pike (410) 666-2526
Address Telephone No.

Phoenix, Maryland 21131
City State Zip Code

Representative to be Contacted:

Ronald A. Decker
Name

4111 E. Joppa Rd., Suite 201 (410) 529-4600
Address Telephone No.

Baltimore MD 21236
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 11/22/02

Case No. 03-250-SPHXA

Revised 09/15/98

ATTACHMENT TO PETITION FOR VARIANCE

1. To allow landscaping of less than the entire available side setbacks to the extent feasible in conjunction with Baltimore County's landscape architect, and not be required to have the sides entirely landscaped as required by BCZR Section 259.3.C.3a. (Note: The side yard setbacks vary because of the location of the existing building and parking lot constraints).

2. To permit a sideyard setback of six feet on the north side of the existing building in lieu of 15 feet required under BCZR Section 259.3.C.2b.

3. To permit Petitioner's property to not be accessible to adjoining non residential parking lots as required under BCZR Section 259.3.C.4 due to physical constraints and site configuration.

4. To allow all parts of the use as a Veterinarium, including, but not limited to exercise areas, septic systems, dog runs and parking areas, to be less than the required 200 feet from the nearest property line under BCZR Section 421.2.

5. And to allow other variances deemed to be necessary by the Zoning Commissioner.

03-250-SPHXA

JUSTIFICATION FOR PETITION FOR VARIANCES

Petitioner is the contract purchaser of an existing hardware store building which was built in the 1940s. The current plans are to convert it to a Veterinarium. Petitioner had received approval from the Zoning Commission of Baltimore County in Case No. 99-372-SPHX to have a proposed Veterinarium at 3422 Sweet Air Road, Phoenix, Maryland. That site is approximately 525 feet east of Jarrettsville Pike, and is approximately 0.15 mile from the previously considered site.

A Veterinarium is permitted as a matter of right under BCZR Section 230.9. Due to the enactment of the Baltimore County Zoning Regulations ("BCZR") and Commercial Rural ("C.R.") regulations, the existing building does substantially comply with the BCZRs, but does not meet all of them. Petitioner respectfully asks that the Zoning Commissioner grant the following variances:

1. To allow landscaping of less than the entire available side setbacks to the extent feasible in conjunction with Baltimore County's landscape architect, and not be required to have the sides entirely landscaped as required by BCZR Section 259.3.C.3a. (Note: The side yard setbacks vary because of the location of the existing building and parking lot constraints).

2. To permit a side yard setback of six feet on the north side of the existing building isin lieu of 15 feet required under BCZR Section 259.3.C.2b.

3. To permit Petitioner's property to not be accessible to adjoining non residential parking lots as required under BCZR Section 259.3.C.4 due to physical constraints and site configuration.

4. To allow all parts of the use as a Veterinarium, including, but not limited to exercise areas, septic systems, dog runs and parking areas, to be less than the required 200 feet from the nearest property line under BCZR Section 421.2.

5. And to allow other variances deemed to be necessary by the Zoning Commissioner.

The entire front set back is presently impervious area and is used for parking for the existing business entity. All of those impervious areas will be removed, and with the exception of the required State Highway Access Improvements, the area in front of the building will be vegetated and landscaped in accordance with the Landscape Manual.

The existing building is 6 feet from the north property line. It is not possible to provide the required landscaping. Additionally, compliance with the Building Code requires that the existing sidewalk, elevated by a retaining wall, be maintained to the emergency exit located along that side of the building. Also, a grade level concrete head is located on the north side of the building. It is not possible to provide the landscaping or screening with these necessary safety

03-250-SPHXA

improvements exist.

In order to meet parking requirements and other physical and topographical site constraints, there will be a landscape area between the proposed parking and the property line that will be less than required 15 feet. Landscaping will be provided to the maximum extent possible in conjunction with Baltimore County's Landscape Architect.

The existing building was located on the subject property at a distance that varies from 6-7 feet. The structure was erected prior to enactment of Baltimore County zoning regulations which require a setback of 15 feet. There is no reasonable means to comply with this requirement.

There are non residential parking lots on both sides of the subject property. Existing parking in front of Petitioner's building will be removed; therefore, they would be no reasonable means to have access to the parking lot on the north side of the property. Petitioner plans to install parking spaces on the south side of the existing building; however, differences of elevation and the existence of the retaining wall justify a variance from the requirement that there be access to the adjoining a parking lot.

The subject property is a only 134 feet wide. Therefore, there could be no use of the property of any if the petitioner has to comply with the requirement that all improvements and uses be 200 feet from the property line.

03-250-SPHXA

ZONING DESCRIPTION

Beginning at a point on the west side of Jarrettsville Pike, Maryland Route 146, which is variable in width, at the distance of 250 feet more or less, south of the center line of Paper Mill Road which is variable in width. Thence the following courses and distances;

1. N 66° W, 279.03'
2. S 26° 08' W, 134'
3. S 66° E, 282.2', and
4. N 24° E, 134' to the place of beginning,

Containing 0.86 acres of land, more or less.

As recorded in Deed Liber 6676, Folio 226

Being known as 14240 Jarrettsville Pike, located in the 10th Election District of Baltimore County, Maryland.

STATE OF MARYLAND
GARY EDWARD [illegible]
No. 514
REGISTERED
PROPERTY LINE SURVEYOR

11-21-02

03-250-SPHXA

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: #03-250-SPHXA
14240 Jarrettsville Pike
W/side of Jarrettsville Pike, 250 feet of Paper Mill Road
10th Election District - 3rd Councilmanic District
Legal Owner(s). Maryanna B. Apicella
Contract Purchaser Lynch Family, LLLP

Special Hearing: to determine that parking for a veterinarian would be based upon 3 3/1000 square feet in lieu of 4.5/1000 square feet as determined by Permit and Development Management staff. Also, that overnight care and *temporary housing of animals is permitted and approval of* an outdoor exercise yard not to be enclosed. **Special Exception:** to permit 10,480 square feet of gross floor area in the existing building in lieu of the partial 8,800 square feet. To permit floor area ratio of *0.26 in lieu of the* required 0.20 **Variance** to allow landscaping of less than the side setbacks to the extent feasible. To permit a side yard setback of six feet in lieu of 15 feet required. To allow all parts of the use as a Veterinarian, to be less than the required 200 feet from the nearest property line; and to allow other variances deemed to be necessary by the *Zoning Commissioner.*

Hearing: Monday, January 27, 2003 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at *(410) 887-4386.*
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

1/127 Jan 9 C581351

CERTIFICATE OF PUBLICATION

1/9, 2003

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/9, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 19218

DATE 11/22/02 ACCOUNT A-001-6150

AMOUNT $ 650.00

RECEIVED FROM: Lynn Family LLP

FOR: 1424 Bowman Ville Rd (Agriello)

50-IPHXA

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE RECEIPT
PAID ACCT
RECEIPTED ACTUAL TIME
11/22/2002 11/22/2002 [illegible]
REG 0992 MOOL JEGA JEL 15-HUEY
>RECEIPT # 237110 11/22/2002 [illegible]
DEPT 5 528 ZONING VERIFICATION
CR NO. 019218
Rcpt Tot $50.00
$50.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 03-250-SPHXA

Petitioner/Developer: Lynch
E.T.A.L.

Date of Hearing/Closing: Jan 27, 2003

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

887-5708

ATTENTION: BECKY HART

Special Hearing, Special Exception + Variance

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 1420 Jarretsville Pike

The sign(s) were posted on January 10, 2003
(Month/Day, Year)

Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

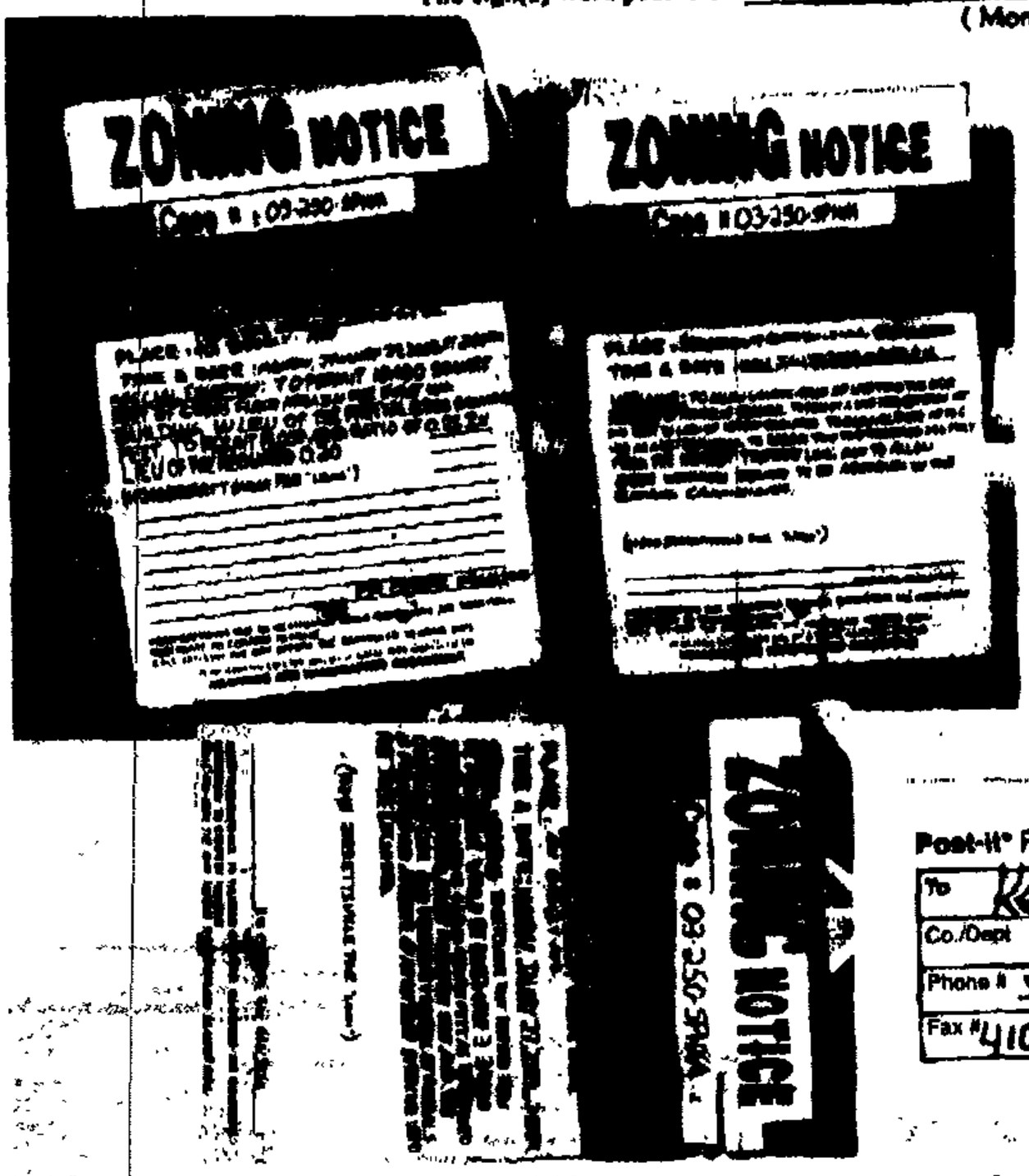
523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)

Post-it® Fax Note 7671	Date 1/11/03	# of pages ▶ 1
To Kevin White	From LINDA O'Keefe	
Co./Dept	Co. ZONING SIGNS	
Phone # 583-9571	Phone # 410-666-5366	
Fax # 410-583-1513	Fax # 410666-0929	

Post-it® Fax Note 7671	Date 1/11/03	# of pages ▶ 1
To Kevin White	From LINDA O'Keefe	
Co./Dept	Co. ZONING SIGNS	
Phone # 583-9571	Phone # 410-666-5366	
Fax # 410-583-1513	Fax # 410666-0929	



Pet. Ex No 1

Baltimore County
Department of Permits and
Development Management

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

December 17, 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: *03-250-SPHXA*
14240 Jarrettsville Pike
W/side of Jarrettsville Pike, 250 feet of Paper Mill Road
10th Election District – 3rd Councilmanic District
Legal Owner: Maryanna B. Apicella
Contract Purchaser: Lynch Family, LLLP

Special Hearing to determine that parking for a veterinarian would be based upon 3.3/1000 square feet in lieu of 4.5/1000 square feet as determined by Permit and Development Management staff. Also, that overnight care and temporary housing of animals is permitted and approval of an outdoor exercise yard not to be enclosed. Special Exception to permit 10,480 square feet of gross floor area in the existing building in lieu of the partial 8,800 square feet. To permit floor area ratio of 0.26 in lieu of the required 0.20. Variance to allow landscaping of less than the side setbacks to the extent feasible. To permit a side yard setback of six feet in lieu of 15 feet required. To allow all parts of the use as a Veterinarian, to be less than the required 200 feet from the nearest property line; and to allow other variances deemed to be necessary by the Zoning Commissioner.

Hearings: Monday, January 27, 2003 at 2:00 p.m. in Room 407, County Courts Buildings, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Ronald A. Decker, Moore, Carney, Ryan & Lattanzi, LLC, 4111 E. Joppa Road, Suite 201, Baltimore 21236
Lynch Family, LLLP, P.O. Box 8, Phoenix 21131-0008
Maryanna B. Apicella, 14240 Jarrettsville Pike, Phoenix 21131

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 11,2002.**
(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.

Printed with Soybean Ink on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 9, 2002 Issue - Jeffersonian

Please forward billing to:
Michael Lynch, DVM 410-666-1390
P. O. Box 8
Phoenix, MD 21131-0008

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: 03-250-SPHXA
14240 Jarrettsville Pike
W/side of Jarrettsville Pike, 250 feet of Paper Mill Road
10th Election District – 3rd Councilmanic District
Legal Owner: Maryanna B. Apicella
Contract Purchaser: Lynch Family, LLLP

Special Hearing to determine that parking for a veterinarian would be based upon 3.3/1000 square feet in lieu of 4.5/1000 square feet as determined by Permit and Development Management staff. Also, that overnight care and temporary housing of animals is permitted and approval of an outdoor exercise yard not to be enclosed. Special Exception to permit 10,480 square feet of gross floor area in the existing building in lieu of the partial 8,800 square feet. To permit floor area ratio of 0.26 in lieu of the required 0.20. Variance to allow landscaping of less than the side setbacks to the extent feasible. To permit a side yard setback of six feet in lieu of 15 feet required. To allow all parts of the use as a Veterinarian, to be less than the required 200 feet from the nearest property line; and to allow other variances deemed to be necessary by the Zoning Commissioner.

Hearings: Monday, January 27, 2003 at 2:00 p.m. in Room 407, County Courts Buildings, 401 Bosley Avenue

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 03-250-SPHXA

Petitioner: Lynch Family L.L.L.P.

Address or Location: 14240 Jarrettsville Pike, Phoenix, MD 21131

PLEASE FORWARD ADVERTISING BILL TO:

Name: Michael Lynch, DVM, P. O. Box 8, Phoenix, MD 21131-0008

Address: _____

_____

_____

Telephone Number: (410) 666-1390

Revised 2/20/98 - SCJ

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 24, 2003

Ronald A. Decker
Moore, Carney, Ryan, & Lattanzi, LLC
4111 E. Joppa Road, Suite 201
Baltimore, MD 21236

Dear Mr. Decker:

RE: Case Number: 03-250-SPHXA, 14240 Jarrettsville Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 22, 2002.

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Ms. Maryanna B. Apicella, 14240 Jarrettsville Pike, Phoenix 21131

Printed with Soybean Ink
on Recycled Paper

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: December 18, 2002

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

RE: Baltimore County
Item No. 250 (JNP)
14240 Jarrettsville Pike
MD 146
Mile Post 9.14

Dear Ms. Jackson:

This office has reviewed the referenced Item and has no objection to approval of the SpecialHearing.

However we will require the owner to obtain an access permit through our office and as a minimum the following roadway improvements will be required:

- Standard curb, gutter and sidewalk improvements from property corner to property corner..
- Minimum 25' wide entrance

Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Should any additional information be required please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

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

CC: Robert W. Bowling, P.E.

2/6/03

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

December 19, 2002

ATTENTION: George Zahner

Distribution Meeting of: 12/23/02

Property Owner: Maryanna Apicella

Location: ~~14240~~ Jarretsville Pike

Item No.: 250

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.

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

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley RBS

DATE: January 27, 2003

SUBJECT: Zoning Item 250
Address 14240 Jarrettsville Pike

Zoning Advisory Committee Meeting of: December 16, 2002

See the attached comments from Rob Powell dated November 20, 2002.

Reviewer: Rob Powell Date: January 23, 2003

for - 03-250-SPHXA

Baltimore County
Department of Environmental Protection and Resource Management
Ground Water Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204
410-887-2762
Fax: 410-887-4804

11/20/2002

Kevin Wight
W. Duvall and Assoc; Inc.
530 E. Joppa Rd
Towson, MD 21286

RE: 14240 Jarrettsville Pike, D-10

Dear Mr. Wight,

A representative of this office, Thomas I. Bodrogi, R.S., conducted soil evaluations on 10/30/02 regarding the above-referenced lot(s). Prior to granting approval of the soil percolation tests, a revised plan, drawn to a scale no greater than 1" equals to 100', must be submitted to this office and contain the following:

- Topography of the property
- Accurate location(s) of:
  - All completed test pits and proposed sewage disposal reserve area(s)
  - Proposed water well(s)
  - Proposed dwelling(s)
  - Existing water well(s) on site and within 100 ft. of the property lines
  - Existing septic system(s) on site and within 100 ft. of the property lines
  - Existing underground storage tank(s) on site and within 100 ft. of the property lines

Please provide legible water flow data for the existing Veterinary Hospital. Some data has been received by this office but it is too messy/jumbled up to review properly.

In order to subdivide this property, the owner/developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. For additional subdivision information, contact the Development Coordination office at 410-887-5859.

If there are any questions regarding this Revised Plan Request, please contact this office.

Sincerely,

J. Robert Powell, R.S.
Soil Evaluation Program

J \PERC LETTERS\2002 PERC LETTERS\Revised Plan Letters\Jarrettsville Pike, 14240, 11-20-02.doc

fro
1/27

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 6, 2003

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

JAN - 7

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-250**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: MacGACunningham

Section Chief: Lynn Lanham

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 17, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For December 23, 2002
Item Nos. 241, 243, 244, 245, 246, 248,
249, 250, 251, 252, 253, 254, 255, 256,
and 269

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

RWB:CEN:jrb

cc: File

RE:	PETITION FOR SPECIAL HEARING SPECIAL EXCEPTION & VARIANCE	*	BEFORE THE
	14240 Jarrettsville Pike; Wside Jarrettsville Pike, 250ft of Papermill Road	*	ZONING COMMISSIONER
	10th Election District 3rd Councilmanic District	*	FOR
	Legal Owner(s): Maryanna B. Apicella Contract Purchaser: Micharl L. Lynch, DVM	*	BALTIMORE COUNTY
	Petitioner(s)	*	03-250-SPHXA

* * * * * * * * * * * * *

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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 17th day of December, 2002, a copy of the foregoing Entry of Appearance was mailed to Ronald A. Decker, Moore, Carney, Ryan & Lattanzi, LLC, 4111 E. Joppa Road, Suite 201, Baltimore, MD 21236, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

NOTE TO FILE

DATE: December 13, 2002

TO: Zoning Commissioner

FROM: Jeffrey Perlow, Planner II
Zoning Review

RE: 03-250-SPHXA (14240 Jarrettsville Pike), Maryanna Apicella-owner, Lynch Family LLLP-contract purchaser/lessee

At the initial petition review appointments and at the subsequent filing appointment on November 22, 2002, I advised the petitioners, the petitioner's engineer, and the petitioner's attorney that an additional petition should be filed for a parking variance, to address the shortage in spaces for the proposed veterinarium. The petitioner's attorney felt that the additional petition was unnecessary, since they disagreed with the zoning office interpretation that the proposed veterinarium is a medical office/clinic type of use requiring 4.5 spaces per 1000 square feet of gross floor area. Therefore, petitioner's attorney felt that the issue of parking requirements was better addressed as a petition for Special Hearing before the Zoning Commissioner, which is how it was filed.

M.H.I.L 10791

03-250-SPHXA

Michael A. Riley & Associates, Inc.

Custom Builder

O 410-592-7242
Cell 443-463-2165 > Mike Riley, Builder

Dear Zoning Hearing Planner,

Ron Decker/Attorney For
Dr. Mike Lynch/Veterinarian
Project Address:

14240 Jarrettsville Pike
Phoenix, Md. 21131
Balto. Co. Md.

Is Requesting Not To Set Up Zoning Hearing On These Dates, Due To Conflicts.
January 13, 22, 29
February 18, 25, 26

Ron Decker's
PH # 410-529-4600

Thank You,

11/22/2002

1/27/03
8
wcr to file for 2/c

Greater Jacksonville Association, Inc.

P.O. Box 126 Phoenix, Maryland 21131

January 23, 200

RECEIVED
JAN 3 1 2003
ZONING COMMISSIONER

Arnold Jablon
Director, Permits
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

This is to advise you that the Greater Jacksonville Association supports the requested variances being sought by Dr. Michael Lynch for the property at 14240 Jarrettsville Pike, currently occupied by The Priceless Hardware Store. These variances involve allowing landscaping of less than the side setbacks, to permit a side yard setback of 6 feet in lieu of the required 15 feet, to allow the premises to be used as a veterinarian hospital within less than the required 200 feet from the nearest property line, to permit 10,480 square feet of gross floor space in the existing building in lieu of the partial 8,800 square feet, permitting a floor area ratio of 0.26 in lieu of the required 0.20, to allow parking to be based upon 3.3/1000 square feet in lieu of 4.50/1000 square feet, to permit overnight care and temporary housing of animals and approval of an outdoor exercise yard that is not enclosed.

This support is based on Dr. Lynch's presentation to a general meeting of the Greater Jacksonville Association last year at which time he and his representative presented to our membership a detailed plan for the improvements and changes he proposes to the above property for his veterinarian hospital. After answering questions of the membership and the officers of the association, the members of the association voted to approve the proposed changes.

Accordingly on behalf of the Greater Jacksonville Association and the members thereof, I urge you to approve and grant the variances as requested in Case No. 03-250-SPHXA.

If you would like any further information concerning our support, please do not hesitate to call me at 410-243-5100. Thank you on behalf of the members of the Greater Jacksonville Association and Board of Directors for carefully considering our support.

Very truly yours,

Stephen Kirsch

Stephen Kirsch
President
Greater Jacksonville Association, Inc.

RECEIVED
JAN 27 2003
03-0221

Parris N. Glendening
Governor
Kathleen Kennedy Townsend
Lt. Governor

Maryland Department of Planning

Roy W. Kienitz
Secretary
Mary Abrams
Deputy Secretary

December 20, 2002

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

Re: **Zoning Advisory Committee Agenda, 12/23/02 re: case numbers 03-241-SPHXA, 03-242-SPH, 03-243-A, 03-244-A, 03-245-A, 03-246-SPHX, 03-247-A, 03-248-SPHA, 03-249-A, 03-250-SPHXA, 03-251-A, 03-252-A, 03-253-A, 03-254-A, 03-255-SPH, 03-256-A, 03-269-A**

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 12/19/02. The information has been submitted to Mr. Mike Nortrup.

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

Sincerely,

James R. Gatto

James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

PLEASE PRINT CLEARLY

CASE NAME LYNCH / APICELLA
CASE NUMBER 03-250-SPHXA
DATE 1/27/03

PETITIONER'S SIGN-IN SHEET

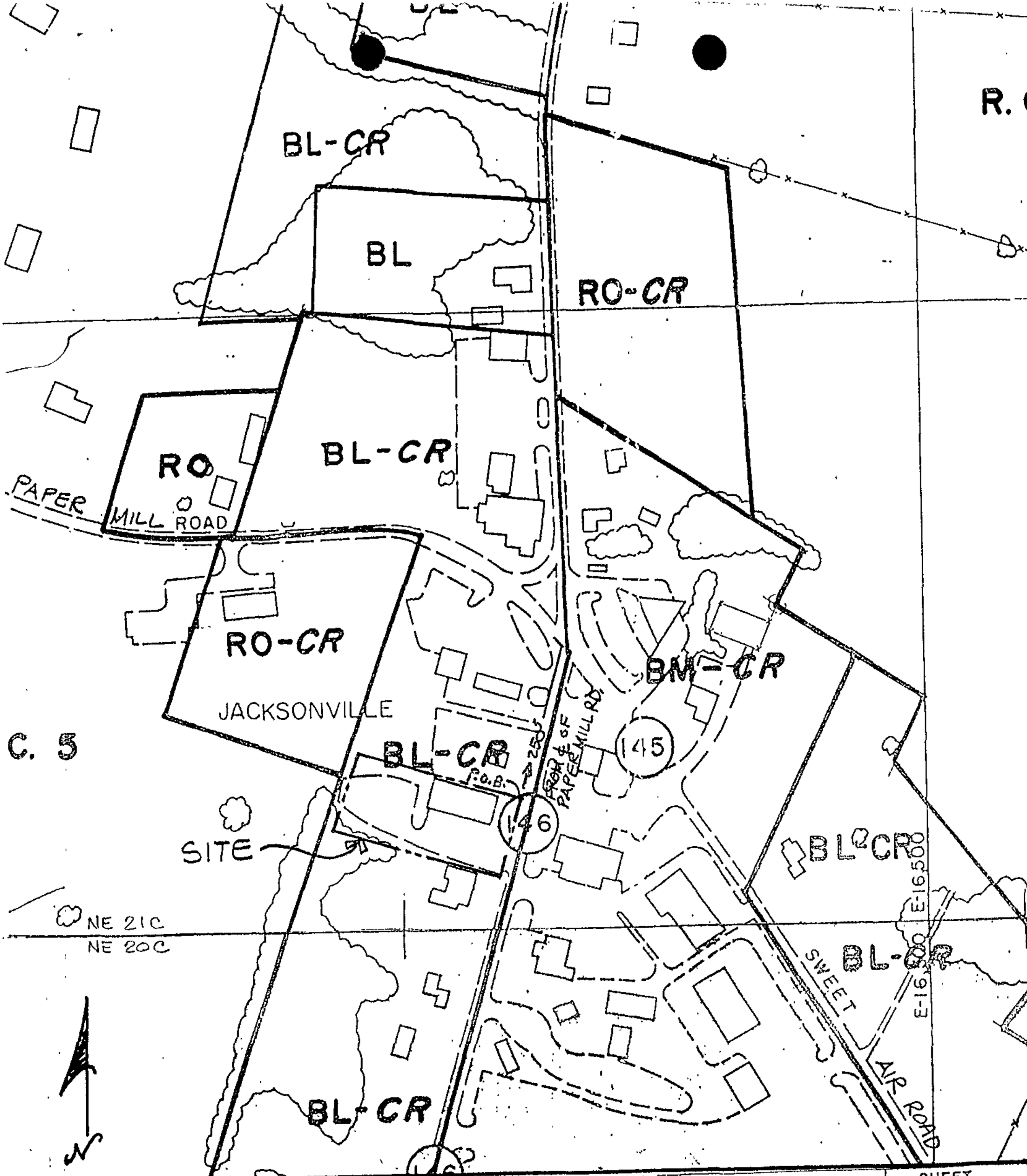
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Maryanna B. Apicella			
MARYANNA B. APICELLA	13606 DEVONBROOK RD	BALDWIN, MD 21013	ANDREW5@COMCAST.NET
Michael J. Lynch DVM	2832 Baldwin Mill Rd	Baldwin MD 21013	?
Ronald A. Decker	4111 E. Joppa Rd Ste 201	Baltmore MD 21236	RADecker@merllaw.com

PLEASE PRINT CLEARLY

CASE NAME LYNCH/APICELLA
CASE NUMBER 03-250-SPHXA
DATE 1/27/03

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Maryheelynch, D.V.M.	2832 Baldwin Mill Rd	Baldwin, MD 21013	
ROBERT J. BAYER	P.O. BOX 85	PHOENIX, MD. 21131	
Antoinette Bachmann	13606 Dwoubrook RD	Baldwin MD 21013	
MARGRET NIKOLA	10 PICKBUEN CT.	COCKEYSVILLE, MD 21030	
Michael A. Riley	5325 Sweet Air Rd.	Baldwin, Md. 21013	
PAT VANDEN BERNT	BOX 37	MONKTON MD 21111	



SCALE	LOCATION	SHEET	SCALE	LOCATION	SHEET
1" = 200'±	SOUTH OF JACKSONVILLE	N.E. 20-C	1" = 200'±	JACKSONVILLE	N.E. 21-C
DATE OF PHOTOGRAPHY JANUARY 1986			DATE OF PHOTOGRAPHY JANUARY 1986		

03-250-SPHXA

Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 21, 1999

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

Pd 3A

RE: PETITIONS FOR SPECIAL HEARING & SPECIAL EXCEPTION
NE/S Sweet Air Road, 525' E of the c/l Jarrettsville Pike
(3422 Sweet Air Road)
10th Election District – 6th Councilmanic District
Lynch Family No. 2, L.L.P. - Petitioners
Case No. 99-372-SPHX

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Special Exception have been granted, 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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Dr. Michael J. Lynch
3410 Sweet Air Road, Phoenix, Md. 21131-1826

People's Counsel; Case File

Post-it® Fax Note 7671	Date 2/22/00	# of pages ▸ 5
To Charles	From	
Co./Dept.	Co. Howard Alderman	
Phone # 825 1331	Phone #	
Fax #	Fax #	

Printed with Soybean Ink on Recycled Paper

IN RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION – NE/S Sweet Air Road, 525' E of the c/l of Jarrettsville Pike (3422 Sweet Air Road) 10th Election District 6th Councilmanic District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
	*	Case No. 99-372-SPHX
Lynch Family No. 2, LLP Petitioners	*	

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the owners of the subject property, Lynch Family No. 2, L.L.P., by Michael J. Lynch, D.V.M., through their attorney, Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing to approve the following: 1) That the proposed uses and improvements can be located as shown on the site plan across the existing zoning division line; 2) that based on the pre-existing development and existing site constraints, the proposed parking layout meets the spirit and intent of Section 259.3.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.); and, 3) that the proposed principal and accessory improvements meet the minimum requirements of the underlying zones (B.L. and B.M.), and applicable district C.R. In the alternative, the Petitioners request approval of the plan as a modified plan, pursuant to Section 230.12.F of the B.C.Z.R. In addition to the special hearing request, the Petitioners request a special exception to permit an animal boarding place, Class A, in that portion of the subject property zoned B.L.-C.R., pursuant to Sections 230.~~12~~13 and 259.3.B.1 of the B.C.Z.R. The proposed animal boarding facility (Class A) is permitted by right in that portion of the property zoned B.M.-C.R., pursuant to Section 233.2, in combination with a veterinarian's office, which is also permitted as of right, pursuant to Section 230.9 and 233.1 of the B.C.Z.R. All of the subject property and requested relief are more particularly shown on the site plan submitted with the Petition filed and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite hearing held for this case was Michael J. Lynch, D.V.M., and his wife, Mary Lee Lynch, D.V.M., principals of the Lynch Family No. 2, L.L.P., Petitioners/Property

Owners; Eugene F. Raphel, Professional Land Surveyor; and, Howard L. Alderman, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is roughly rectangular in shape, approximately 1.76 acres in area, split zoned B.M.-C.R. and B.L.-C.R. The property is located on Sweet Air Road, not far from the landmark intersection in the center of Jacksonville, known as Four Corners, which results from the convergence of Paper Mill Road, Sweet Air Road and Jarrettsville Pike. The split zoning of the property is unusual in that the zoning line does not divide the property into a front and rear section; rather the zone line runs parallel with the side property lines.

The Lynch family has long operated a veterinarian office in Jacksonville. In fact, their operation is currently located just down the street from the subject site on Sweet Air Road and is separated by one parcel which is owned by the Rittenhouse Fuel Company. The Lynch Family Veterinarian's office has been at this location for nearly 30 years. Approximately four (4) Veterinarians are employed at the facility in addition to approximately 20 staff employees. The nature of the practice is to treat primarily pets; mostly dogs, cats, and other domestic animals. In addition to out-patient treatment, some animals are hospitalized and kept overnight as needed.

Drs. Lynch propose acquiring the subject site and improving same so as to accommodate an enlarged operation. As shown on the site plan, a two-story building is proposed which will contain the veterinarians' offices and a place for the boarding of animals. There will also be an outside area to walk/exercise dogs and other animals which are boarded on the property. As the plan indicates, the proposed building will consist of 8,638 sq.ft. and straddle the zoning line. The parking lot will be entirely located in the B.L.-C.R. zoned portion of the site. The proposed building meets all floor area regulations and setback requirements, and the plan generally meets all parking requirements.

Special exception relief is requested to approve the animal boarding facility on that portion of the property zoned B.L.-C.R. As noted above, such use is permitted by right in the B.M.-C.R. portion of the property, as is the veterinarian's office. An Animal Boarding Place is defined in Section 101 of the B.C.Z.R. as "Any building, other structure or land, or any portion thereof, which is used, intended to be used, or arranged for the boarding, breeding, or other care of animals for profit, but

excluding a farm, kennel, pet shop, veterinarian's office or veterinarian." An Animal Boarding Place, Class A is defined as "An animal boarding place exclusively for dogs, cats, birds, and/or other household pets." Obviously, the overnight accommodation of animals proposed here fits in the Animal Boarding Place, Class A definition.

Based upon the testimony and evidence presented, I am persuaded that the Petition for Special Exception should be granted. There were no Protestants present and the Petitioners offered a series of letters and petitions from residents of the area supporting the proposed use. Apparently, the Lynch Family practice has long provided a benefit to the Jacksonville community at large and provides a welcome and needed service to residents of the area. Moreover, based upon the nature of the surrounding locale, it is clear that the proposed use will not be detrimental to the health, safety and general welfare of the neighborhood and should be approved. Thus, the Petition for Special Exception should and will be granted.

The grant of the requested special hearing relief is also appropriate. The unusual zoning of the property and placement of the zone line necessitates a finding that the proposed use and improvements can be located across that line and as more particularly shown on the plan. In my judgment, the location of the proposed building is entirely appropriate. Also, based upon pre-existing development in the area and existing site constraints, I am persuaded that the proposed parking layout meets the spirit and intent of the B.C.Z.R. and should be approved. The plan shows that 31 parking spaces will be provided, more than is required under the parking regulations. Additionally, the nature of the business supports a finding that the number of parking spaces is sufficient for the proposed operation.

Lastly, I am persuaded that the proposed use and improvements meet the minimum requirements of the underlying zone and district. In sum, the use proposed is clearly appropriate and there will be no detrimental impact caused by the development of this property as proposed. Moreover, the use will not be detrimental to surrounding or adjacent properties; to the contrary, it provides a needed and necessary service to the community.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the special hearing and special exception relief shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of July, 1999 that the Petition for Special Hearing to approve that, 1) the proposed uses and improvements can be located as shown on the site plan across the existing zoning division line; 2) that based on the pre-existing development and existing site constraints, the proposed parking layout meets the spirit and intent of Section 259.3.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.); and, 3) that the proposed principal and accessory improvements meet the minimum requirements of the underlying zones (B.L. and B.M.) and applicable district (C.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an Animal Boarding Place, Class A, in that portion of the subject property zoned B.L.-C.R., pursuant to Sections 230.12 and 259.3.B.1 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their 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.

IT IS FURTHER ORDERED that the Petition for Special Hearing seeking alternative relief to approve the plan as a modified plan, pursuant to Section 230.12.F of the B.C.Z.R., be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

VICINITY MAP
SCALE 1"=1,000'

GENERAL NOTES

Existing Zoning ____ BM-CR / BL-CR
Gross Area of Property ____ 1.76 Acres+/-
Highway Widening Area ____ 0.12 Acres+/-
Net Area of Property ____ 1.64 Acres+/-

1) Private well and private septic to serve this lot.
2) 6th. Councilmanic District, Census Tract 4102
3) Sub-Sewer Shed 81, Water Shed 7
4) Regional Planning District 305
5) Amenity Open Space 7% of the Interior Parking Lot, not including the Setback and Buffer Requirements. (Shall be Pervious Land Area in Association with the Plantings)
6) The gross floor area shall not exceed 8800 square feet and the first floor shall not exceed 6600 square feet, per B.C.Z.R. (259.3 C.1a)
   Proposed First Floor = 6332 square feet, Proposed Second Floor = 2304 square feet, Proposed Gross Floor Area = 8636 square feet)
   Floor Area Ratio shall not exceed 20% per B.C.Z.R. (259.3 C.1b)
   Proposed F.A.R. = 8636sq.ft. / 1.76acres = 11.3%
7) Setbacks are as shown, within which are Buffers per B.C.Z.R. (259.3 C.3a)
8) There are no Wetlands, Critical Areas, Archeological Sites or Endangered Species or Hazardous Materials stored on site.
9) There are no Historical Buildings on Site
10) The Maximum Height of any Proposed Building = 30 feet.
11) Stormwater Management To be provided as shown.
12) The Maximum Height of the Building is 30 feet per B.C.Z.R. (259.3 C.1c)

PARKING TABULATIONS

Total Building Area (Two Floors) ____ 8,636S. F.
Parking Required = 8,636@ 3.3 Spcs./1000 sf = ____ 28.5 Spaces
Total Parking Spaces Provided ____ 29 - (9' x 18') Spaces
and two 12' x 18' Handi-cap spaces = ____ 31 Parking Spaces

Average Daily Trips Generated (ADT)
8,636 @ 25/1000 s.f. = ____ 216 Trips

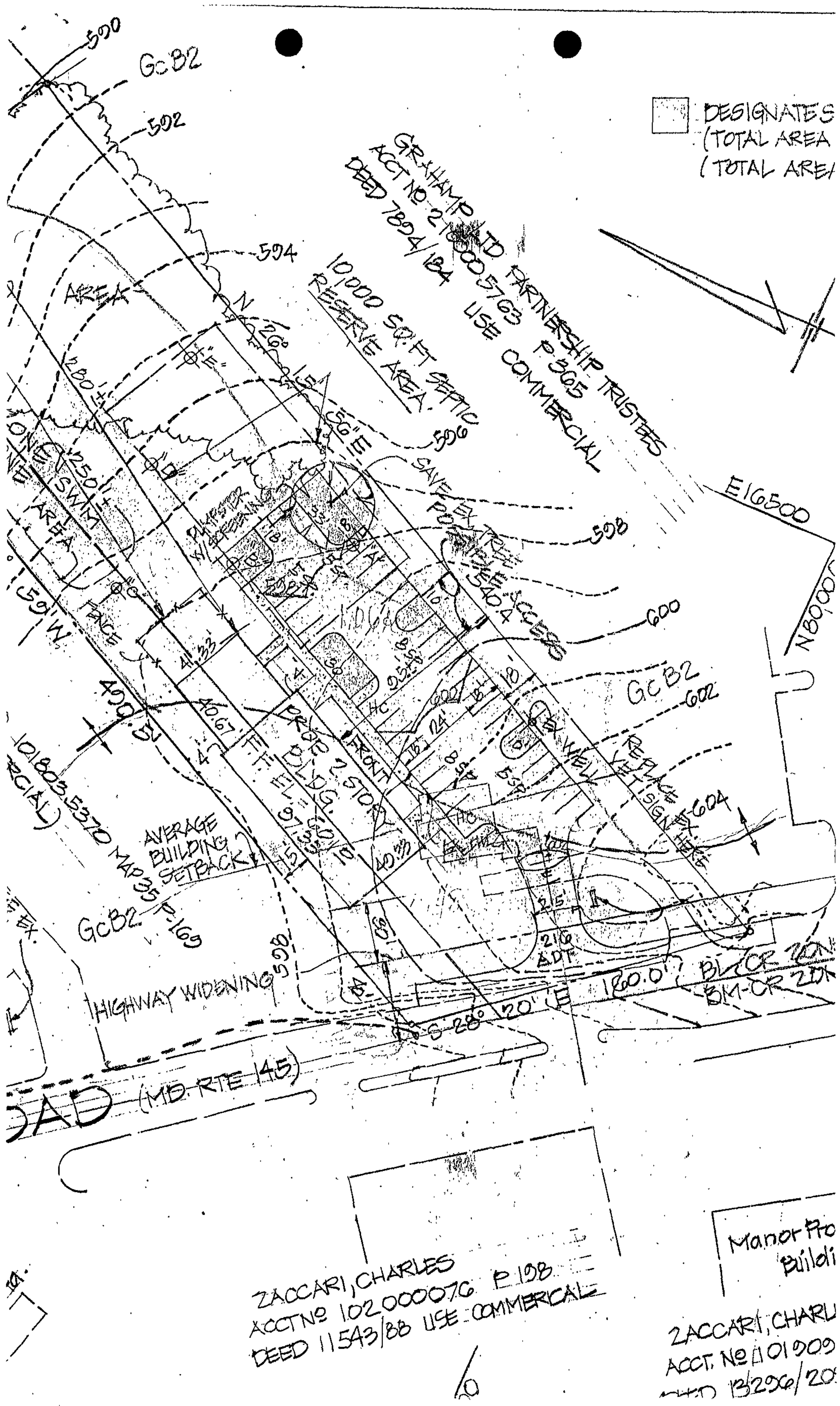
Special Exception approval for an Animal Boarding Place, Class A, in that portion of the subject property zoned BL-CR per BCZR 233,12 & 259.3B.1 (of right in portion zoned BM-CR per BCZR 233.2), in combination with a Veterinarian's Office (of right per BCZR 230.9 & 233.1).
Special Hearing approval that i) the proposed uses and improvements can be located as shown across the existing zoning division line; ii) based on pre-existing development and existing site constraints, the proposed parking layout meets the spirit and intent of BCZR 259.3.C.4; and iii) the proposed principal and necessary improvements meet the minimum requirements of the underlying zone and applicable district, or in the alternative, approval of the Plat to Accompany the Petitions in this case as a modified plan pursuant to BCZR 230.12.F.

I hereby certify that there are no delinquent accounts for any other development with respect to the following: the applicant, a person with financial interest in the proposed development, or a person who will perform contractural services on behalf of the proposed development.

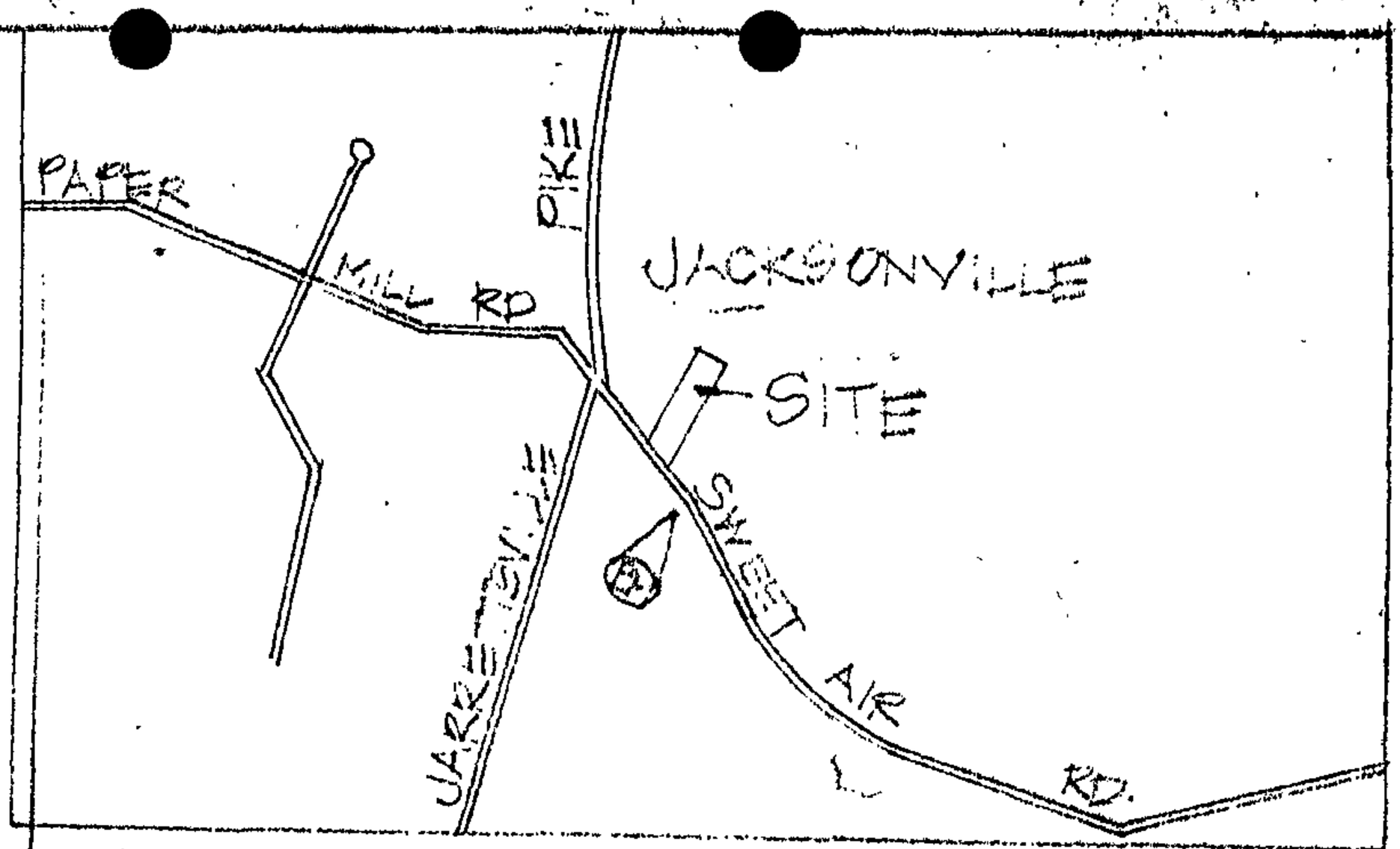
PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION / SPECIAL HEARING & DEVELOPMENT PLAN
JACKSONVILLE VETERINARY HOSPITAL

TENTH ELECTION DISTRICT BALTIMORE COUNTY MARYLAND

SCALE: 1" = 50' DATE: MARCH 17, 1999


DESIGNATES
(TOTAL AREA
(TOTAL AREA
GRAHAM
ACCT NO 2
DEED 789
ID PARTNERSHIP TRUSTEES
0005763
P 365
USE COMMERCIAL
10,000 SQ.FT SEPTIC
RESERVE AREA
SAVE EX. POND
SWM
AREA
GCB2
HIGHWAY WIDENING
(MD. RTE 145)
AVERAGE
BUILDING
SETBACK
PROP 2 STORY
BLDG.
FRONT
REPLACE
EXIT SIGN
E16500
N80000
ZACCARI, CHARLES
ACCTNO 102000076 P 198
DEED 11543/88 USE COMMERCIAL
ZACCARI, CHARLES
ACCT. NO 101909
DEED 13296/20
Manor Pro
Buildi

BALTIMORE COUNTY, MARYLAND PDM
Project No. X-373/0214006
DEVELOPMENT REG.
Exempt from Sections 26-202 & 26-206
CERTIFICATION of Limited Exemption or Plan Approval
By: [illegible] Date 9/29/00
This plan approval shall expire [illegible] from the above date [illegible]



VICINITY MAP
SCALE 1"=1,000'

GENERAL NOTES

Existing Zoning ____ BM-CR / BL-CR
Gross Area of Property ____ 1.76 Acres+/-
Highway Widening Area ____ 0.12 Acres+/-
Net Area of Property ____ 1.64 Acres+/-

Lot 34

1) Private well and private septic to serve this lot.
2) 6th. Councilmanic District, Census Tract 4102
3) Sub-Sewer Shed 81, Water Shed 7
4) Regional Planning District 305
5) Amenity Open Space 7% of the Interior Parking Lot, not including the Setback and Buffer Requirements. (Shall be Pervious Land Area in Association with the Plantings)
6) The gross floor area shall not exceed 8800 square feet and the first floor shall not exceed 6600 square feet, per B.C.Z.R. (259.3 C.1a)
   Proposed First Floor = 6332 square feet, Proposed Second Floor = 2304 square feet, Proposed Gross Floor Area = 8636 square feet)
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9) There are no Historical Buildings on Site.
10) The Maximum Height of any Proposed Building = 30 feet.
11) Stormwater Management To be provided as shown.
12) The Maximum Height of the Building is 30 feet per B.C.Z.R. (259.3 C.1c)

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Special Exception approval for an Animal Boarding Place, Class A, in that portion of the subject property zoned BL-CR per BCZR 233.12 & 259.3B.1 (of right in portion zoned BM-CR per BCZR 233.2), in combination with a Veterinarian's Office (of right per BCZR 230.9 & 233.1).
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I hereby certify that there are no delinquent accounts for any other development with respect to the following: the applicant, a person with financial interest in the [illegible]

CERT By: 4

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GENERAL NOTES

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Average Daily Trips Generated (ADT)
8,636 @ 25/1000 s.f. = ____ 216 Trips

Special Exception approval for an Animal Boarding Place, Class A, in that portion of the subject property zoned BL-CR per BCZR 233.12 & 259.3B.1 (of right in portion zoned BM-CR per BCZR 233.2), in combination with a Veterinarian's Office (of right per BCZR 230.9 & 233.1).
Special Hearing approval that i) the proposed uses and improvements can be located as shown across the existing zoning division line; ii) based on pre-existing development and existing site constraints, the proposed parking layout meets the spirit and intent of BCZR 259.3.C.4; and iii) the proposed principal and necessary improvements meet the minimum requirements of the underlying zone and applicable district, or in the alternative, approval of the Plat to Accompany the Petitions in this case as a modified plan pursuant to BCZR 230.12.F.

I hereby certify that there are no delinquent accounts for any other development with respect to the following: the applicant, a person with financial interest in the proposed development, or a person who will perform contractural services on behalf of the proposed development.

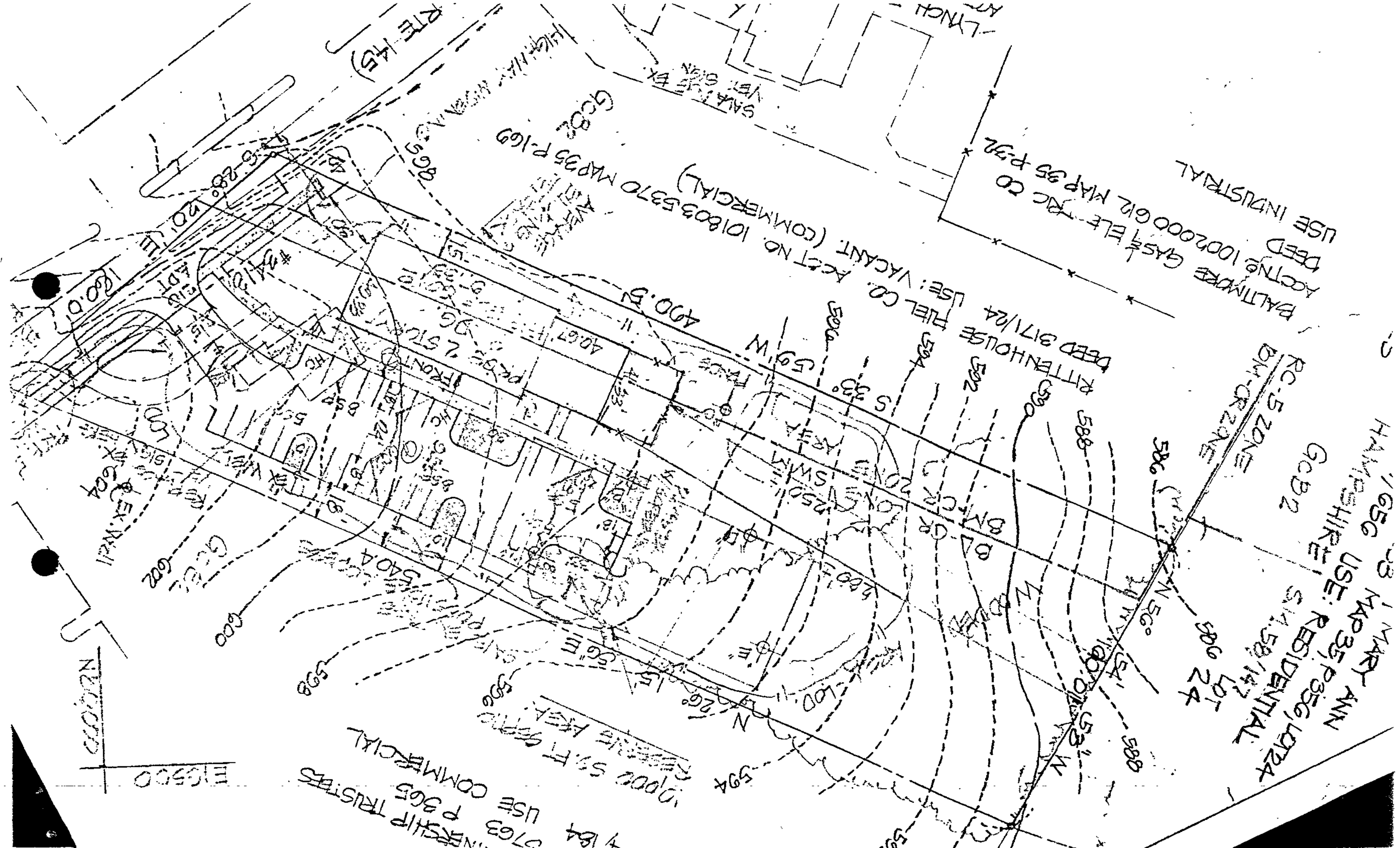
P.D.M #X-373

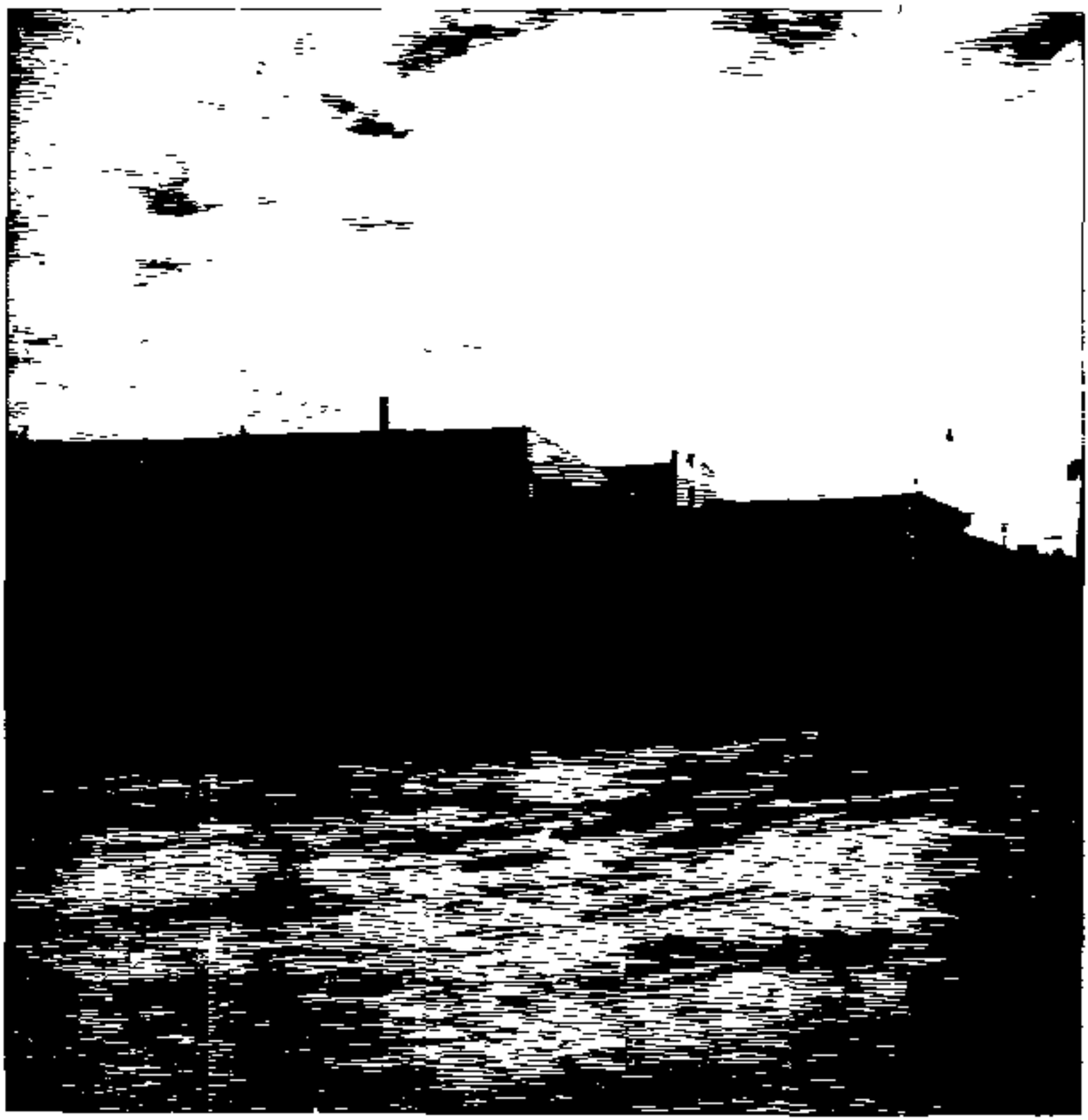
DEVELOPMENT PLAN
JACKSONVILLE VETERINARY HOSPITAL

#3418 SWEET AIR ROAD, PHOENIX 21131
TENTH ELECTION DISTRICT BALTIMORE COUNTY MARYLAND

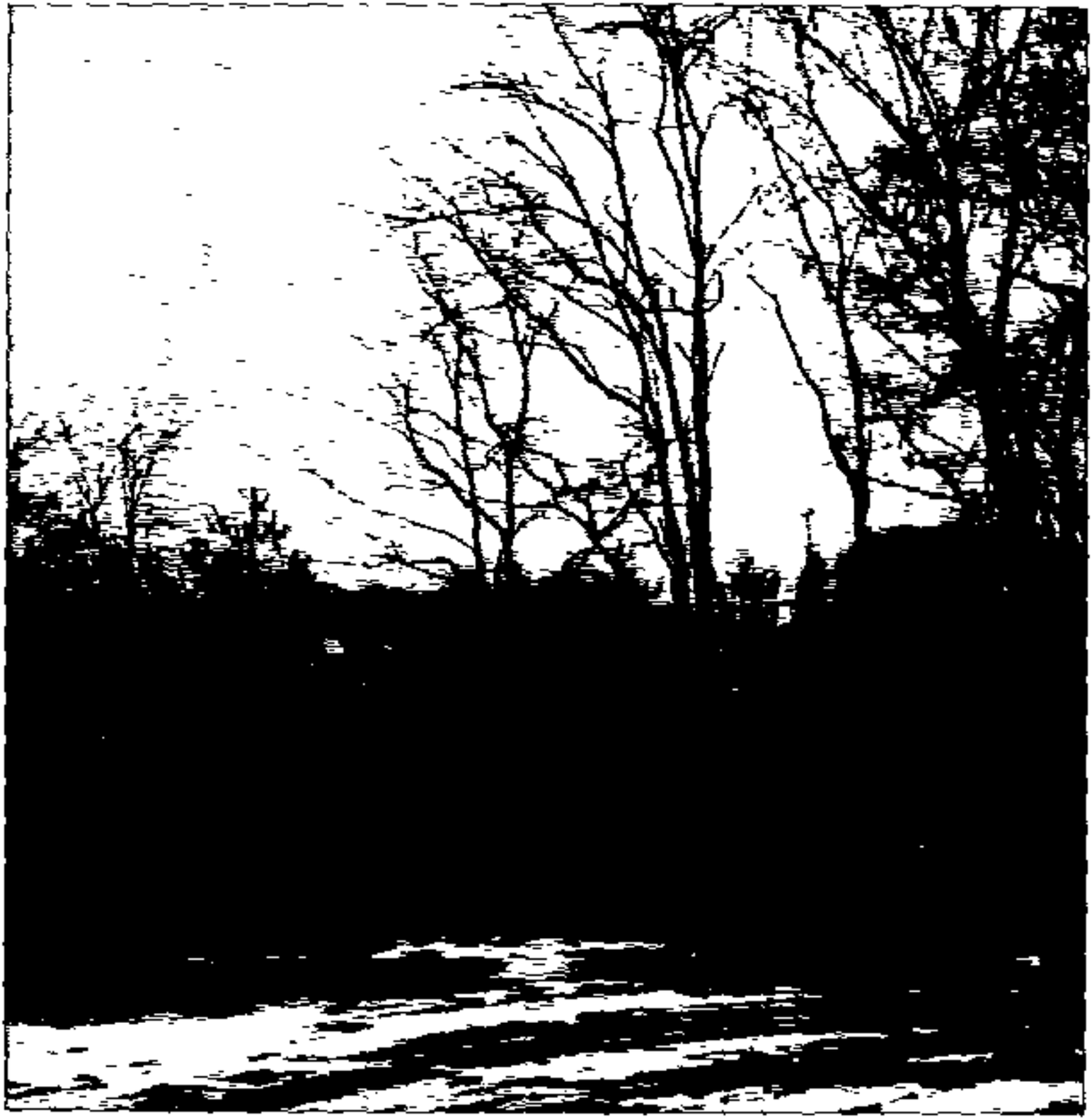
SCALE: 1" = 50' DATE: April 04, 2000

REVISED SEPT. 19, 2000
REVISED SEPT 25, 2000


RTE 145
LYNCH
SANTUCE BX
VET. SIGN
GC&E P.169
MAP 35 P.370
ACCT NO. 1018035370
HILL CO.
USE: VACANT (COMMERCIAL)
490.5'
S 33° 59' W
BALTIMORE GAS & ELE. PUC CO
ACCTNO 1002000612
DEED 3171/24
USE INDUSTRIAL
RITTENHOUSE
DEED 3171/24
MAY ANN
MAP 35 P.350 LOT 24
RESIDENTIAL
USE: RESIDENTIAL
HAMPSHIRE
GC&E
BM-CR ZONE
RC-5 ZONE
PAGE 1 STORY
FRONT
40.67'
180.0'
N 26°
N 59°
EX. WALL
EX. BLDG
EASTVIEW
ELEVATION
N COORD
10000 SQ. FT. GROUP
RESERVE AREA
USE COMMERCIAL
5763 P.365
4184
TRUSTEES



REAR BUILDING

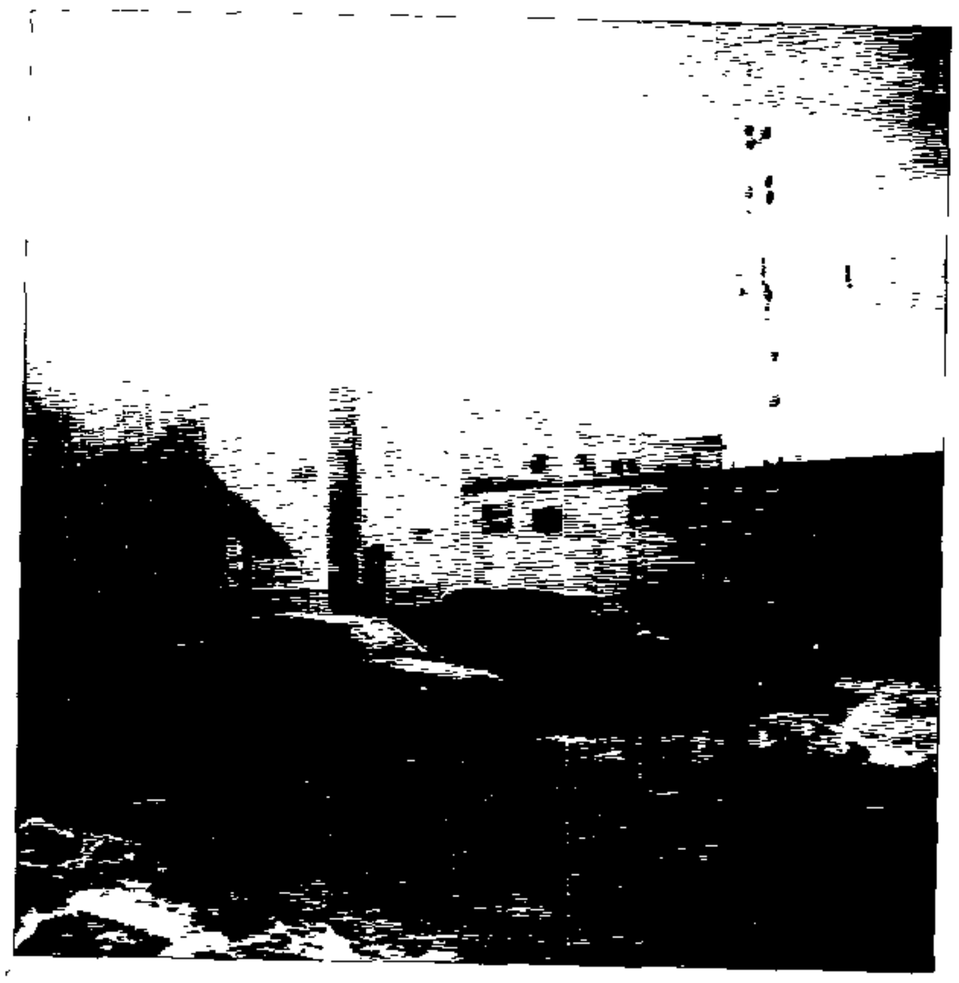


Paper Mill Village

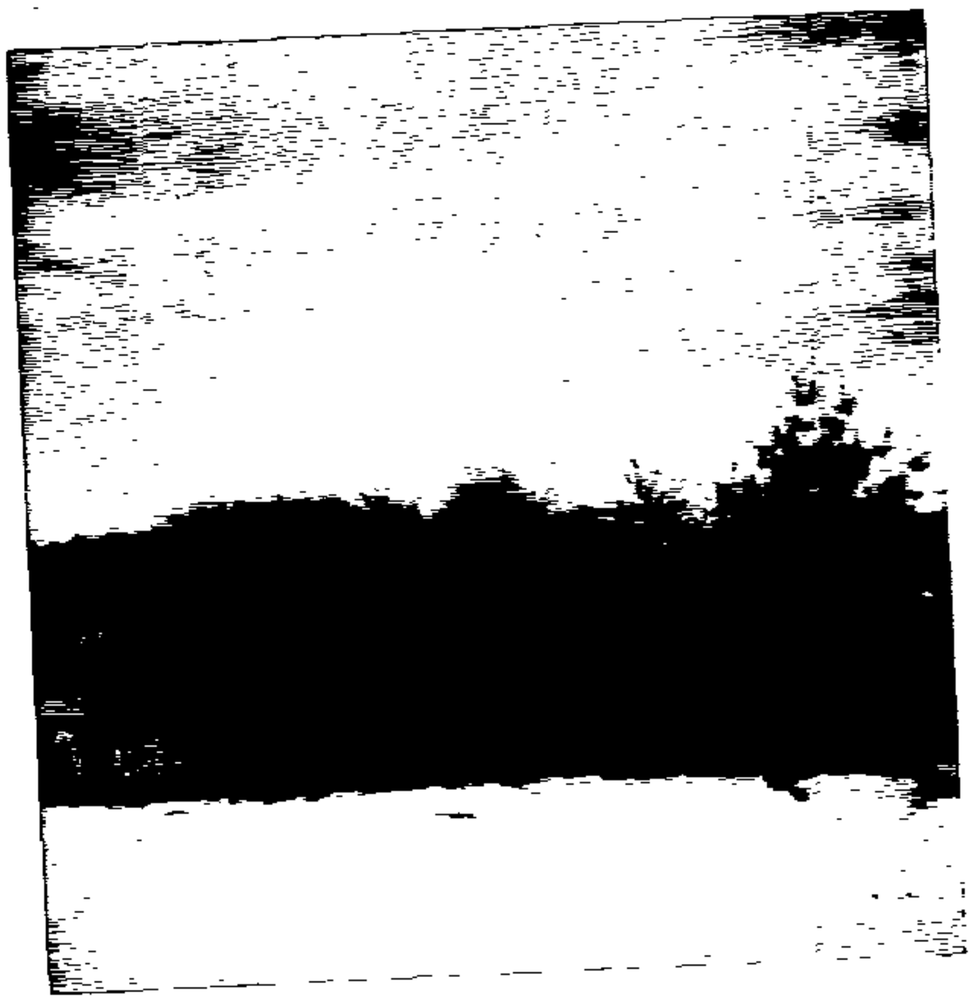
4 Beyond Approx 1,000'

Office Building
Beyond Approx 800'

5



RIGHT SIDE
22 REAR



Rear View From
6 Building - Easement Area

Rear View Easement &
7 House Beyond Approx. 800'.

Rear View Easement
8

9 Rear View - EASMENT

10 Rear View Royal Farm Property - Septic Area

12 Royal Farm Building Side That Faces Property

11 Rear View Royal Farm Building - Tree Screening

EXXON BEYOND

2 REAR BUILDING

EXXON Beyond

3

ACROSS J/Pike Between

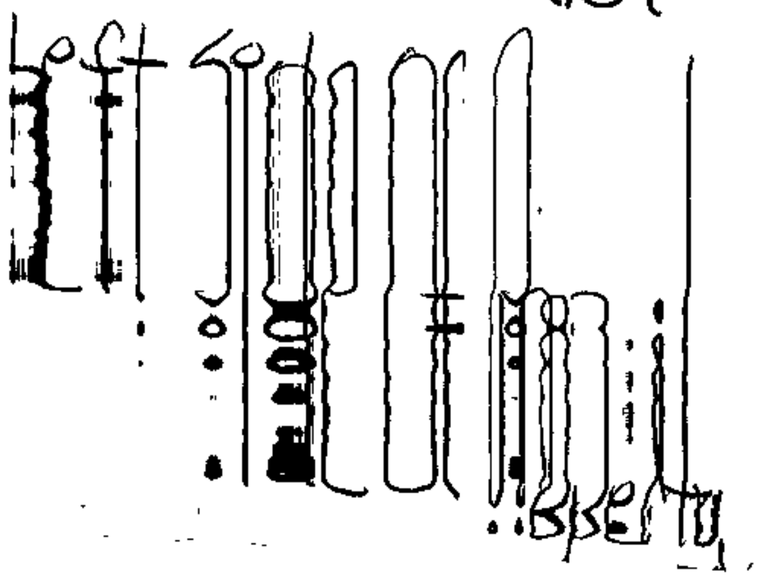
15 Real Estate Office & Bank

Mercantile Bank

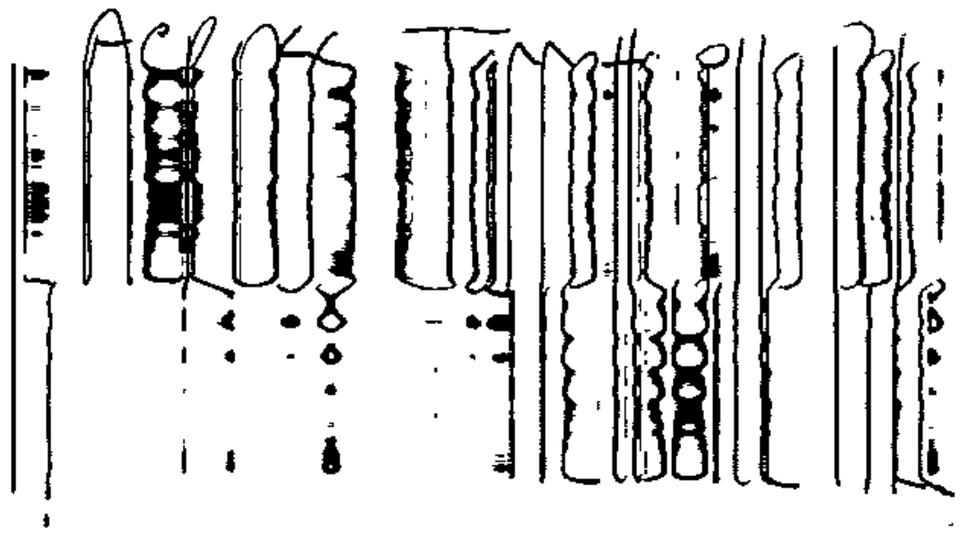
14 J/ Pike

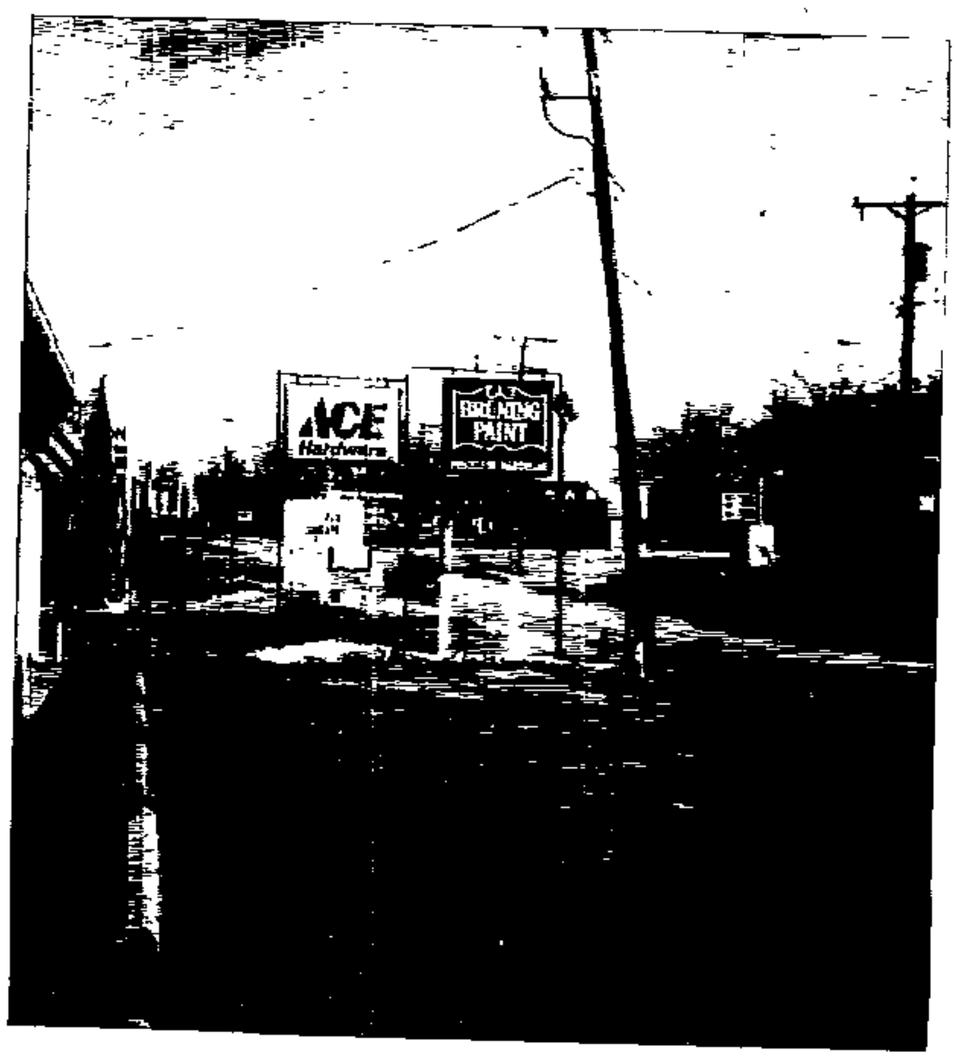
Royal Farms - VACANT

13 TO Left Go



AMACO STATION





FRONT OF PROPERY
LOOKING NORTH @
18 Jarrettsville Pike

EXISTING BUILDING
20 FRONT

Petitioner's
Ex. 4

03-250-SPNXA

Pet No5

PETITION FOR JACKSONVILLE VETERINARY HOSPITAL

By signing this petition I am showing my support for Jacksonville Veterinary Hospitals' proposed move from their present location to the Jacksonville Hardware Store.
(The larger building will allow us to better serve our clients.)

1. Jennifer Beckwith
2. Amanda L. Galbreath
3. Pamela Schiavino
4. Kelly Rowe
5. Joan R. Robertson
6. Raymond M. Brown
7. Gail G. Gutowski
8. Alice L. Russell
9. Carol L. Willingham
10. Dan Willingham
11. Sharon Buckley
12. John Buckley
13. Claudia Ruff
14. Ellen Dengwillis
15. Betty Weise
16. Shawn Venter
17. McVentura
18.
19. Frank Brown
20.
21. Deborah L. Hamby
22. Bryan R. Fisher
23. James Gehringer
24. Joshua Cofer
25. Jennifer Gerschwer
26. Edward Miller
27. Bella E. Miller
28. Kleo Dren
29. Linda Br
30. Sue Williams
31. Susan F. Berry
32. C. Kerry

turn to next page to sign

33. Melissa O'Neil
34. Georgia Andreadakis
35. Teri Swartz
36. Kitty Macnell
37. Susan O'Neill
38. Mary A. Hodgins
39. Tommy Rodgers
40. JAN DIXON
41. Sue Wheldon
42. Grace G. Dubbe
43. Anna Hanahan
44. Harriet L. Jennings
45. U. Adoumon
46. Frank L. Jennings
47. Willie Hayes
48. Vinthai
49. Molli Jones
50. Janet Barnett
51. Walter Clayton
52. Vaughn Murrah
53. Thomas Burns
54. Martha Chapman
55. Olga Younis
56. Chelsea Wagner
57. Len Klein
58. Elaine Jones
59. Frances Ramey
60. Sheila Pinsci
61. Susan Rowe
62. Carolyn Lynch
63. Ann Carter Smith
64. Ellen Cornish
65. Louis A. Smith
66. John Barr
67. Rudo Smith
68. Bill Shelp
69. Emily Sullivan
70. Christopher S. Bir

71. Jennifer Sowe
72. [illegible]
73. [illegible]
74. [illegible]
75. [illegible]
76. [illegible]
77. Jean Bosley
78. [illegible]
79. Margie [illegible]
80. Pete Shaw
81. [illegible]
82. Sydia H. Clement
83. Mary Vernon
84. Sue Berry
85. Charles R Carver
86. Carol Cochran
87. Betty Papp
88. [illegible]
89. Regina Koenig
90. Stephanie Kimmons
91. Nancy Buck
92. Jerry Bart
93. Stephanie Lovell
94. Leslie Peter Mallen
95. Jo Schoolder
96. Allison [illegible]
97. Penni Parker
98. [illegible]
99. Patti Cannon
100. Clarke Tuytle
101. Mary Kusik
102. Mike Cooper
103. Bedan Kusik
104. [illegible]
105. Norma Namuth
106. Cheryl Terry
107. Sonya Smith
108. Harrett C Robinson

109. [illegible]
110. [illegible]
111 ~~103.~~ [illegible]
112 ~~104.~~ Kathryn J. Allenweber
113 ~~105.~~ Britni Manning
114 ~~106.~~ Theodore A E Whitely
115 ~~107.~~ Michael Baxter
116 ~~108.~~ Marcia Stewart
117 ~~109.~~ Kim Black
118 ~~110.~~ Sally Nickel
119 ~~111.~~ Dorothy E. Black
120 ~~112.~~ Amanda Henderson.
121 ~~113.~~ Carrie [illegible]
122 ~~114.~~ Michele Zakordach
123 ~~115.~~ Jane Liss
124 ~~116.~~ [illegible]
125 ~~117.~~ [illegible]
126 ~~118.~~ [illegible]
127 ~~119.~~ [illegible]
128 ~~120.~~ [illegible]
129 ~~121.~~ Katherine White
130 ~~122.~~ [illegible]
131 ~~123.~~ Kevin Shoemaker
132 ~~124.~~ [illegible]
133 ~~125.~~ [illegible]
134 ~~126.~~ Joni Kramer
135 ~~127.~~ [illegible]
136 ~~128.~~ Michael D. Martin
137 ~~129.~~ [illegible]
138 ~~130.~~ Charles E. German
139 ~~131.~~ Lori A. Schmeke
140 ~~132.~~ Betty German
141 ~~133.~~ [illegible]
142 ~~134.~~ Judy L. Galbreath
143 ~~135.~~ Amy Anderson
144 ~~136.~~ Joe R. Galbreath.
145 ~~137.~~ Adele LeBrun
146 ~~138.~~ Jennifer Sonnenriech.

Petition

Jeanette E. Hulla
Tom I. Burton
Jennifer Nuttall
Judith Cavanaugh
Terryle Goldbeck
Philip Brown Jr.
Nelley Chaney
Carol Nuessen
Chris Brown
Ben Martin
Robin Ogramowski
Carol Chaney
Gary Chaney
Bernard J. Murphy Jr.
Alex Mont
Macey Murphy
Ann Wiesner
Gladys Schuller
Mary Paul Sykes
Judi Keeley
Jim Fowler
Bryan Moltke
Janine Smetana
Karl Kills-Pamfilis
Amy Dinkevitz
Will Hosley
Cathryn O'Hara
Julie Eader
Elizabeth Bruley
JR Addings
Justin Shunkwiler

Mai Moe
Thomas Lyle
Chris Scarlett
Denise Parrott
Suzanne Carr
Enid D. Hause
Diane Perkins
Terri Schwarz
Larry Straslinger
Ginger Roberts
Tim
Katie Meyers
Peter C. Sugatt
Catherine Weimar
Thure
Ethel Conglaro
Richard Hill
Bill Clement
Ron Schmidt
Shery Shafer
Betty Dittkofer
John Dittkofer
Joyce Nott
Johnson Hawkins
Walter Nott
Whitney Clifton
Kathryn A. Kramer
Michael Hamill
Dan Stewart
JOSEPH J. SCHIFF
Phil Dunlap

Over →

Petition

Carolyn Milk
M McCrebs
Claire Cook
Paul Knight
Paul Bozman
[illegible]
Bal H. Lemenn
Jackie Leber
Albert Nelson
[illegible]
Cindy Sugatt
Eileen Webster
Virginia Lily
[illegible]
Gay W Shaw
Margaret Green
Beth McCoffett
[illegible]
Chris Mayo
Rene Mayo
Fonay Buchanan
Katie Coach
Linda Connoff
[illegible]
Carolyn L Martin
[illegible]
[illegible]
Coeline Holsebung
Why mafLS
[illegible]

Joyce Sheets
Michelle Donald
Elizabeth C Daunch
Marilyn Coane
Michael Connor
Sharon Corey
[illegible]
[illegible]
[illegible]
David S. Hamilton
[illegible]
Howard Fogleman
Nancy Yates
Ann Albert-Elliott
[illegible]
[illegible]
Linda Jure
[illegible]
Kim O'May
Judy Haire
Theresa Schmetz
Janice Elerding
Heather Ryan
Timothy Ryan
Marilyn E. Carr
[illegible]
M T Sasso
Francis S. Keay
Pat Kane
Janet Rentz
Kari Walker

Petition

Gloria Weber
Adam Weber
Lydia Stone
Hans C. [illegible]
Anne W. Hane
Ronald [illegible]
Nancy B. Meyer
[illegible]
Michele [illegible]
Pat Sahey
Stephen Rothe
Joanne Rothe
Mary Bull
Catherine Hilsebeck
E. M. [illegible]
Wesley [illegible]
Mary Lee Lynch
[illegible]
Linda Field
Richard Field
Emily Spade
Eileen Weiman
Sandra Taylor
Susan Gore
Christina Hej
Anita Dunkelman
Judy Cook
[illegible]
[illegible]
Daphne Mark Brojin

Ellie G. Heyck
Elizabeth Constable
Jennifer Chilcote
Dorothy M. Deegel
Kimberly Morton
Jay Worrell
Susan Nedich
Bobby Hess
E. Jane Stevens
[illegible]
[illegible]
[illegible]
Joe K. Hill
Nina Geiger
Bernard F. Jude Jr.
Ann Berger
Judith Pratt
[illegible]
Lynn Spadi
Debbie Davis
Micki Marconi
Joann S. Ensor
Linda Sweeket
Phyllis Pirsiano
E. W. Dec
Sue Sedgwick
Anita Bromgert
Gloria Mullany
Pat Moorefield
Robert Hilfa

Petition

Sharon Martin
Chuck Stewart
Bob Alexander
Joe Connell
Bill Morse
Karen Zeller
[illegible]
Valerie Faulconer
[illegible]
Juanita Cochran
Kim Hoffman
Kim Hanson
Mark Barnett
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
Michele Bond
Mary E Davis
[illegible]
[illegible]
[illegible]
Victor Conn
[illegible]
Carolyn Breault
Ann Niles
[illegible]
Patricia High

[illegible]
Gene Pohl
Rick Pohl
Schweizer Pohl
Meeske Pohl
Shelly Kelly Moran
[illegible]
Rick Moran
Patti Thompson
Nancy Machen
Katie Machen
David Bongiovanni
[illegible]
[illegible]
[illegible]
Marie Grasso
[illegible]
[illegible]
Lisa Grogan
Mike Grogan
Doug Ouder
Darlene Smith
Kathryn R Kramer
Peter J. Kramer
[illegible]
[illegible]
Andrea Walat
Samantha Judge
Joyce Huber
Eric Moratti

Petition

Karol Morel
Beth Donaldson
Lynne Coddford
Trish Stroman
Karen M Stum
Mitchell Swarzberg
James C. Fetters
Jim Morgan
Joe Spriggs
Dennis Jensen
Rob Collinge
William A. Collinge
Asuda Cogelbs
Elizabeth Brose
Nancy Gruver
Stephen DeBris
M. Jacobs
P de Bruin

Gary Mayo III
Barbara Gottschall
J M Fan
E K Behlach
James Behlach
Elaine Behlach
Cheryl A Hodgins
Kathleen Barnes
Heather Brooks
Brenda Rockley
Jim Crouse
Bonnie Cippulel
Tim Campbell
Carol Sidon
Gill Edwards
Mike Pascal
Molly K Johnston
Catherine R Ann Babcock
Albert B. Dubina

Petition

Bernadette Ward
Kelly Schnitzler
Sara Pedrosa
Michele Pedrosa
Fred Pedrosa
Ricky Pedrosa
Ann Tracey
Peter Hays
Jim HAYS
Cynthia Clausen
Joyce Luanne Gettman
B. Alan Friedl
[illegible]
Allison Childs
Maureen Bobe
Bill Gayle
Jennifer DeWitt
Nancy Nell
Tracy Schech
Caitlin Schlemer
Brian Schech
[illegible]
Debi Reesey
[illegible]
Liz Elliott
Peter A. Ryan
Colleen Wyatt
[illegible]
[illegible]
[illegible]

[illegible]
Susan Goldwell
Allen C. Hoare II
Judy Wagner
Lilly Lamphear
Rachael Reid
Gail Reddy
Adele Snowman
Susanna R. Bredehoeft
Chris Davis
Wayne Bredehoeft
[illegible]
Cheryl Baker
Sandra Lumpkin
Samuel HM Lumpkin
Jennifer Shuffett
[illegible]
Sonia B. Princinsky
Cynthia Wurster
Paula Reyman
Claudia Blaize
Pulina Garey
Carmen Winf
Cathy Peters
[illegible]
Samuel Lumpkin M.D.
Kathleen Fair
Valerie Lambert Bergel
Fatima Fagan
Dale Brock

Petition

Mrs Barbara Owens
Alma Gentile
Maggie Owens
Maryjane Sharpson
Michael McNell.
Charles W. Johnson
Andrew Barth
Sarah Allison N.O.H.
Daniel C Ward
Mike Bogly
[illegible]
Dave Steer
ALBERT W. RUEBELING, JR.
[illegible]
Donald P. Dean
[illegible]
E. Getsinger
Terry Myers
Arthur Edwards
Alvin A. Schupp
Pamela Wood
Bob Miller
Michael K. Martin
Catherine M. Spielvogel
Dennis Menab
J. John Stieber
J.S. Kasper
[illegible]

Ryles S. Ersw
Carla J. Rakowski
[illegible]
Valerie Twamley
Nancy J. Bromwell
Amanda N. Florio
James Hodge
Tommy Davis
Barbara Connor
Edward Caso
Stephanie Zenker
Barbara Fletcher
Ruth F. Tupill
Karen S. Tupill
[illegible]
Mary M. Verch
Diana McVeigh
Ray Brown
John W. Hunter Jr.
[illegible]
Hall Compton
Tony Mento
Barbara (Bobbie) Jones
Jane Turnbull
Karen Makowske
[illegible]
C. R. [illegible]
[illegible]
[illegible]
Dawn Deeyn Sicker

Petition

Corinne Allen
[illegible]
Sandra Foster
Priscilla DiGalbo
Dennis DiGalbo
K L Baldwin
Anna Pete Ryan
[illegible]
[illegible]
Joann P Copen
Doris Salzman
Sharon A. Dixon
Michele Guglietta
Carol Gilmartin
[illegible]
Donna W Taylor
Marilyn Meyer
[illegible]
Ali Gilton
Nancy Fitton
Mary Knott
[illegible]
Ben Biggs
M J Wetherill
Mary McKenzie
Laura Johnson
Jane Bower
Clayton Lynch
Ruth Ludwig

Faith Townsend
[illegible]
Pat Bond
Linda Hutchings-Joyce
Virginia Ann Mofield
Paula Tilley
[illegible]
[illegible]
Barbara Green
Deborah Garrison
John S. Lanier
Samuel B. Bradner
Margaret Verlinger
Jacqueline Fedorko
Nicole Anderson
Arlene Singerwald
Ruth Rice
Ellen S. Barber
Lynn Kendrick
[illegible]
[illegible]
Carolyn Brazynski
Jean Thornhill
Barbara Goettner
Lee Relton
LYNN CONNOR
Olivia M Holzbrunn-Kelly II
Joan Clemans
[illegible]
[illegible]

Petition

Dixie Shipley
John G. Orr
Cooper
Allison Bonetta
W Gaby Dossel
Happy Riley
Ken Riley
Virginia Sidler
Rose Spaning
Mary Lee Bowen
Loretta Bordeaux
Melba Watkins
Lisa A. Barber
Pam Moulsdale
Opal B Waldman
Latina Stolarsky
C R Grafton
Marcia M. Mech
Robert L. Travis
Eymar L. Mayo
Thane Johnson
C.D. Hess
Michael C. Minkel
Sally Adams
Marty Rice
Jennifer Confer
Amy Bilhardt
Luke Wilson
Fred Rogers
Molly Orlando

Bob & MARLANE DOWNEY
Matt Saunders
Nathaniel J Price
Jerome J Schaller
Greg Bossenmyer
Gail M. Sertes
Susan Sims
Shirley Cook
Cecil T. Stamos
DEBBIE PAVESICH
Shawn Steele
Bonnie L. Litz
Wendy Albert
Deborah Campbell
Peter M. Moulder
M.P. Moulder
Brendan Moulder
Ray A. Stollman
Vicki L. Ray
Susan G. Wilson
Becky Mayhew
Mary Ann Shockley
Ken Shockley
Jean Wimmer
Robert D. Low
Ron P. Dunn
John Kylmell
Linda Todd Bosley
Mimi Todd
Amy Neubauer

Petition

Carolyn Mayo
Courtney Zimmerman
Dan Zimmerman
J M Wolz
[illegible]
Mark C. [illegible]
[illegible]
Jessica Beckwith
Rudolf Gatt
Lisa Barlow
Steve Barlow
RYAN BARLOW
Lisa Churchman
Susan DiVenna
Denny Haskell
J Carl Hull
[illegible]
[illegible]
Sedia [illegible]
[illegible]
[illegible]
Margaret C. Caslin
[illegible] T. CLAPP
Marcia M Mech
[illegible]
[illegible]
[illegible]
Debbie Janka
Misty Dopp
Ursula P. Campbell
Carolyn Teeter

[illegible]
Richard [illegible]
Veronica Griffith
Kenneth E Wright Jr
Patricia S. Wright
Deborah N. Frock
Margie Burke
Simon Richmond
R K Grimes
Leila Lincoln
Susan Hartlett
[illegible]
Ed F Dutt
Walter F. Allen Jr
M Lee Allen
Sue Kessler
M Kessler
Judith M. Jessua
Sherry R. Carney
[illegible]
Emily Wood
Lois A. Yates
[illegible]
Jennifer Castero
[illegible]
[illegible]
John C Lapp
Eva Martin
Sidney Grandison
Pameka Morgan
[illegible]

Petition

Dana Pittinger
Ellen Farley
Sally Zikhart
Katherine Blanker
Bob Frederich
Angelia Michels
Ann S. Babich
Joan Dulson
Jean Kenyon
Kathy L. Brown
Mary P. Davis
Clark Easton
Courtney Gilbert
Joseph + Marie Zeller
Gary Nixon
Radhika Trafton
Robert A. Kuykendall
Amy R. Wing
Miranda Murdoch
Christine Carpenter
M W Gibbons
Kelly Sapp
Melissa Sapp
Esther N. Stepp

Kathleen Greenwig
Mary Ann Gray
Helen Carroll
Gloria J. Stutt
Marian Crossfield
Ann Kearnce
Joan Brighton
Ena Alabezovich
Rosann Kalelo
Cory Hedges
Nelle Jensen
Amy Dean
Pat Pluzzoff
Bonnie B Walck
Pat McAlpin, OST
Laura Tremain
George Schroeder
Judith Cole
Mark Kay
Lynn Shuttie
Nancy Lang
Charlotte Pierce
Jane Franklin
Virginia H. Miller Alarcuki
Jan Benton
R. C. Hase DDS
Terry Everett
Gary Bowers
Elizabeth Crusoe
Anne A Shanahan

2651 Pot Spring Road
Timonium, MD 21093
410-561-5035

12 January 2003

Dr. Michael Lynch
Jacksonville Veterinary Hospital
P.O. Box 8
Phoenix, MD 21131

Dear Dr. Lynch,

I have reviewed the plans for the proposed improvements to 14240 Jarrettsville Pike in anticipation of your move to that location. I have also discussed these plans at length with your proposed builder, Mr. Michael Riley. Based on this review and discussion, I have no objection to your moving forward with your plans.

As the owner of the adjacent property at 14242 Jarrettsville Pike, I am pleased to see you bringing improvements to the look and character of the heart of Jacksonville and I look forward to seeing the improvements begin soon.

Please feel free to contact me if you need any further information.

Sincerely,

Dorothy A. Johanson

Dorothy A. Johanson

Pet No 6 P

Greater Jacksonville Association, Inc.

P.O. Box 126 Phoenix, Maryland 21131

January 23, 2003

Arnold Jablon
Director, Permits
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

This is to advise you that the Greater Jacksonville Association supports the requested variances being sought by Dr. Michael Lynch for the property at 14240 Jarrettsville Pike, currently occupied by The Priceless Hardware Store. These variances involve allowing landscaping of less than the side setbacks, to permit a side yard setback of 6 feet in lieu of the required 15 feet, to allow the premises to be used as a veterinarian hospital within less than the required 200 feet from the nearest property line, to permit 10,480 square feet of gross floor space in the existing building in lieu of the partial 8,800 square feet, permitting a floor area ratio of 0.26 in lieu of the required 0.20, to allow parking to be based upon 3.3/1000 square feet in lieu of 4.50/1000 square feet, to permit overnight care and temporary housing of animals and approval of an outdoor exercise yard that is not enclosed.

This support is based on Dr. Lynch's presentation to a general meeting of the Greater Jacksonville Association last year at which time he and his representative presented to our membership a detailed plan for the improvements and changes he proposes to the above property for his veterinarian hospital. After answering questions of the membership and the officers of the association, the members of the association voted to approve the proposed changes

Accordingly on behalf of the Greater Jacksonville Association and the members thereof, I urge you to approve and grant the variances as requested in Case No. 03-250-SPHXA.

If you would like any further information concerning our support, please do not hesitate to call me at 410-243-5100. Thank you on behalf of the members of the Greater Jacksonville Association and Board of Directors for carefully considering our support.

Very truly yours,

Stephen Kirsch

Stephen Kirsch
President
Greater Jacksonville Association, Inc.

6B

Elizabeth H. Lehmann
4104 Green Glade Road
Phoenix, MD 21131

January 24, 2003

Mr. Arnold Jablon, Director
Baltimore County Permits and Development
111 W. Chesapeake Avenue, #450
Baltimore, MD 21204

Dear Mr. Jablon:

The Board of Directors of the Greater Jacksonville Association (GJA) have asked me to write to you about the Jacksonville Veterinary Hospital's proposal to relocate to the Priceless Hardware site on Jarrettsville Pike. Veterinarian owner Mike Lynch brought his plan and drawings to the GJA Board and presented them to a general membership meeting last year. The community expressed support for his proposed move and site design.

Mr. Lynch is a lifelong resident of the Jacksonville area and has owned and operated the veterinary hospital for many years without any site improvements. For many years this small facility was the only source of pet care for the area, and the pet population has grown exponentially along with the area housing growth. The Jacksonville Veterinary Hospital is a vital community service that has long been in need of new and improved facilities.

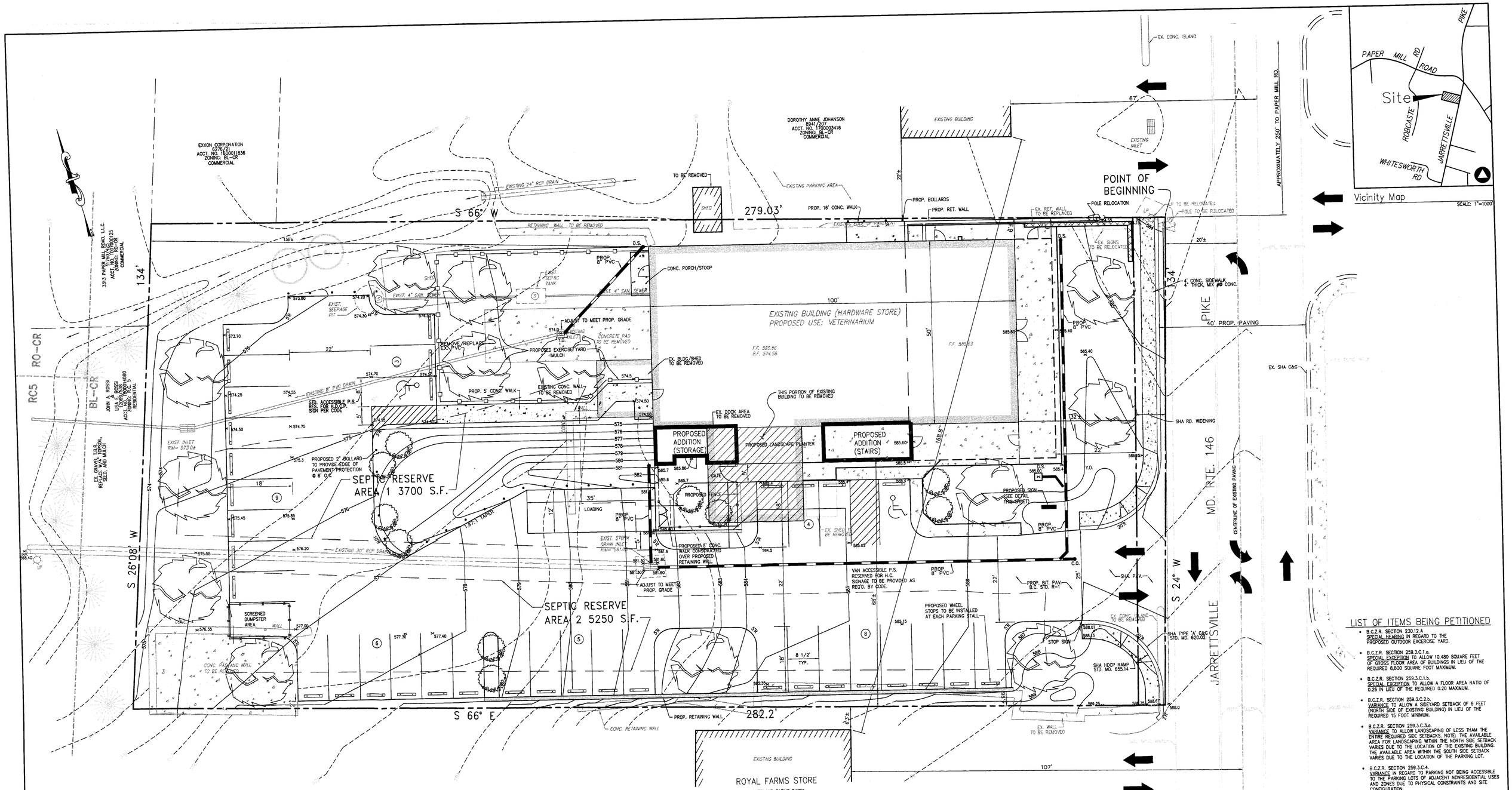
The Greater Jacksonville Association fully supports the plan presented for the Jacksonville Veterinary Hospital relocation and improved facilities at the Priceless Hardware site. We hope that county zoning and permits will agree.

Sincerely,

Elizabeth H. Lehmann
Past president
410-592-8693 (H)
410-539-0872 ext.202 (W)

cc. Michael J. Lynch

Pat
6C



Proposed Prime I.D. Sign

SCALE: 1/2"= 1'-0"

6x6 TREATED POST BOLLARD

N.T.S.

NOTES

1. SITE IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN LIMITS ACCORDING TO F.I.R.M. COMMUNITY-PANEL NUMBER 240010 0150 B, EFFECTIVE DATE MARCH 2,1981
2. THERE IS NO KNOWN ZONING CASE HISTORY OR PREVIOUS COMMERCIAL PERMITS FOR THIS SITE.
3. THIS SITE IS NOT LOCATED WITHIN A HISTORIC DISTRICT OR THE CHESAPEAKE BAY CRITICAL AREA.
4. THIS SITE IS SERVED BY PRIVATE ON-SITE WATER AND SEPTIC SYSTEMS. THE EXISTING SEPTIC SYSTEM IS TO BE PUMPED, BACKFILLED AND ABANDONED IN PLACE. THE EXISTING WELL IS TO HAVE A FILTER INSTALLED THAT IS SUFFICIENT TO REMOVE M.T.B.E. CONTAMINATION.
5. AMENITY OPEN SPACE IS NOT REQUIRED FOR BL-CR ZONES.
6. THIS REDEVELOPMENT WAS GRANTED LIMITED EXEMPTION STATUS UNDER SECTION 26-171(a)(7) OF THE BALTIMORE COUNTY CODE AS PER THE DEVELOPMENT REVIEW COMMITTEE (D.R.C.) MEETING ON JUNE 3, 2002 (D.R.C. NUMBER 060302F).
7. A REQUEST HAS BEEN MADE FOR AN EXEMPTION FROM STORMWATER MANAGEMENT REQUIREMENTS BASED ON THE RULE THAT A PROPOSED REDEVELOPMENT WILL REMOVE AT LEAST 20% OF IMPERVIOUS SURFACES.
8. TREES SHOWN HEREON ARE TO SCHEMATICALLY REPRESENT AREAS TO BE LANDSCAPED. LANDSCAPING WILL BE DONE IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL AND A LANDSCAPE PLAN SHALL BE SUBMITTED TO BALTIMORE COUNTY FOR APPROVAL.

D.S.-DOWNSPOUT
Y.D.-YARD DRAIN
C.O.-CLEANOUT

OWNER
BENJAMIN A. APICELLA
&
MARYANNA B. APICELLA
14240 JARRETTSVILLE PIKE
PHOENIX, MD. 21131
6676/226
ACCT. NO. 1016075340

CONTRACT PURCHASER/DEVELOPER
LYNCH FAMILY L.L.L.P.
P.O. BOX 6
PHOENIX, MD. 21131-0008
PH. 410-666-1390

SITE DATA

TAX MAP 35, PARCEL 182, GRID 24
DEED REF: 6676/226
ZONING: BL-CR (MAP NO. NE 21 C)
EXISTING PROPERTY AREA = 37459 S.F./0.86 AC. ±
GROSS SITE AREA (TO CL ROAD) = 40139 S.F./0.92 AC. ±
HIGHWAY WIDENING AREA = 1106 S.F./0.025 AC. ±
NET SITE AREA = 36353 S.F./0.83 AC. ±
(EXISTING PROPERTY AREA, LESS HIGHWAY WIDENING AREA)

EXISTING USE: HARDWARE STORE (BUILT IN 1940±)
PROPOSED USE: VETERINARIUM
EXISTING BUILDING HEIGHT = 24' (2 STORIES)
PROPOSED BUILDING HEIGHT = 28' (2 STORIES)
FLOOR AREA RATIO (FAR) CALCULATION

BASEMENT	3500 S.F.
FIRST FLOOR	5480 S.F.
SECOND FLOOR	1500 S.F.
TOTAL	10480 S.F.

GROSS SITE AREA (TO ℄ JARRETTSVILLE RD.) = 40139 S.F.±
FAR = 10480 S.F./40139 S.F. = 0.26:1

PARKING REQUIREMENT

10480 S.F. @ 3.3 P.S./1000 S.F. = 35 PARKING SPACES *

PARKING PROVIDED = 35

33 STD. @ 8.5' x 18'
1 STD. HANDICAP @ 8' x 18' W/5' AISLE
1 VAN ACCESSIBLE @ 8' x 18' W/8' AISLE

LIST OF ITEMS BEING PETITIONED

- B.C.Z.R. SECTION 230.12.A
  SPECIAL HEARING IN REGARD TO THE PROPOSED OUTDOOR EXCERCISE YARD.
- B.C.Z.R. SECTION 259.3.C.1.a.
  SPECIAL EXCEPTION TO ALLOW 10,480 SQUARE FEET OF GROSS FLOOR AREA OF BUILDINGS IN LIEU OF THE REQUIRED 8,800 SQUARE FOOT MAXIMUM.
- B.C.Z.R. SECTION 259.3.C.1.b.
  SPECIAL EXCEPTION TO ALLOW A FLOOR AREA RATIO OF 0.26 IN LIEU OF THE REQUIRED 0.20 MAXIMUM.
- B.C.Z.R. SECTION 259.3.C.2.b.
  VARIANCE TO ALLOW A SIDEYARD SETBACK OF 6 FEET (NORTH SIDE OF EXISTING BUILDING) IN LIEU OF THE REQUIRED 15 FOOT MINIMUM.
- B.C.Z.R. SECTION 259.3.C.3.e.
  VARIANCE TO ALLOW LANDSCAPING OF LESS THAM THE ENTIRE REQUIRED SIDE SETBACKS. NOTE: THE AVAILABLE AREA FOR LANDSCAPING WITHIN THE NORTH SIDE SETBACK VARIES DUE TO THE LOCATION OF THE EXISTING BUILDING. THE AVAILABLE AREA WITHIN THE SOUTH SIDE SETBACK VARIES DUE TO THE LOCATION OF THE PARKING LOT.
- B.C.Z.R. SECTION 259.3.C.4.
  VARIANCE IN REGARD TO PARKING NOT BEING ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES AND ZONES DUE TO PHYSICAL CONSTRAINTS AND SITE CONFIGURATION.

** B.C.Z.R. SECTION 409.6.A
SPECIAL HEARING TO DETERMINE A REQUIRED NUMBER OF OFF-STREET PARKING SPACES FOR A VETRINARIUM.

- B.C.Z.R. SECTION 421.2
  VARIANCE(S) TO ALLOW ALL PARTS OF THE USE, INCLUDING BUT NOT LIMITED TO EXERCISE AREAS, SEPTIC SYSTEMS, DOG RUNS AND PARKING AREAS, TO BE LOCATED LESS THAN THE REQUIRED 200 FEET FROM THE NEAREST PROPERTY LINE.
- SPECIAL HEARING TO CONFIRM THAT THE MINOR OVERNIGHT CARE AND TEMPORARY HOUSING OF ANIMALS IS PERMITTED AS PART OF THE VETERINARIUM USE AS DEFINED IN B.C.Z.R. SECTION 101.
- OTHER VARIANCES DEEMED NECESSARY BY THE ZONING COMMISSIONER.

Pet Ex, Var 2

STATE OF MARYLAND
KEVIN WAYNE WILSON
No. 12906
PROFESSIONAL ENGINEER

ENGINEER/APPLICANT
W. DUVALL & ASSOCIATES, INC.
ENGINEERS - SURVEYORS - LAND PLANNERS
530 EAST JOPPA ROAD
TOWSON, MARYLAND 21286
410-583-9571

Prepared for

Jacksonville Veterinarium

14240 JARRETTSVILLE PIKE
PHOENIX, MARYLAND
BALTIMORE COUNTY, MARYLAND

Drawing Title

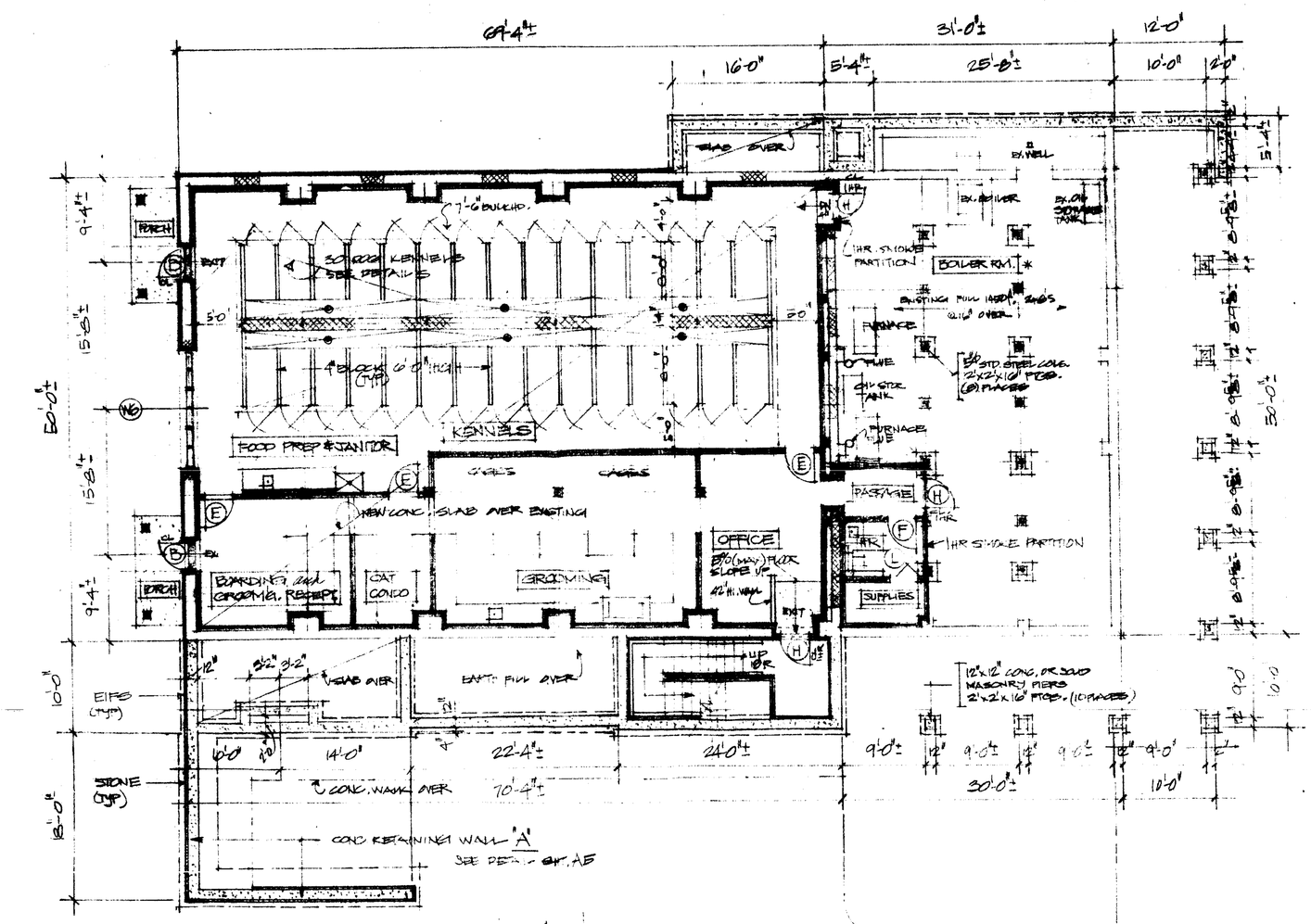
PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTIONS, VARIANCES AND SPECIAL HEARING

10 0 10 20
SCALE IN FEET

Election District 10C3	Date 11/18/02	Scale 1"= 10'	CAD File 01010ZON.dwg		
Designed by R.W.R./K.W.	Drawn by L.D.D.	Checked by W.L.D.	Sheet No. 1 of 1		

03-250-SPHXA

01010A



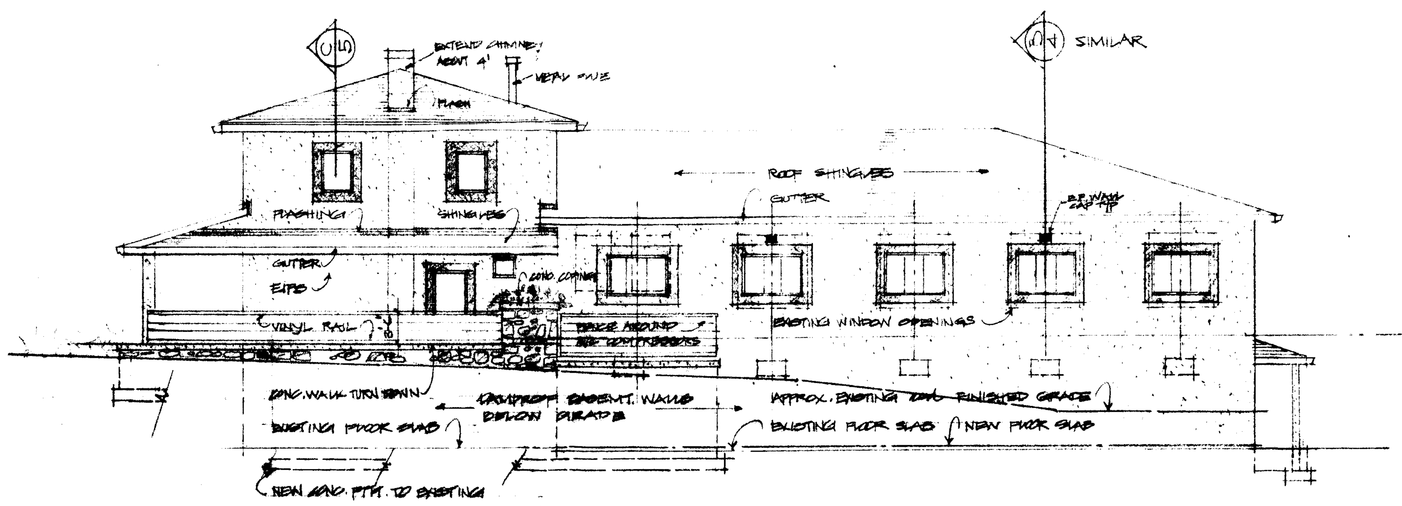
EXISTING FLOOR LOADS 100 PSF LIVE LOAD

GENERAL NOTES and CODE REQUIREMENTS

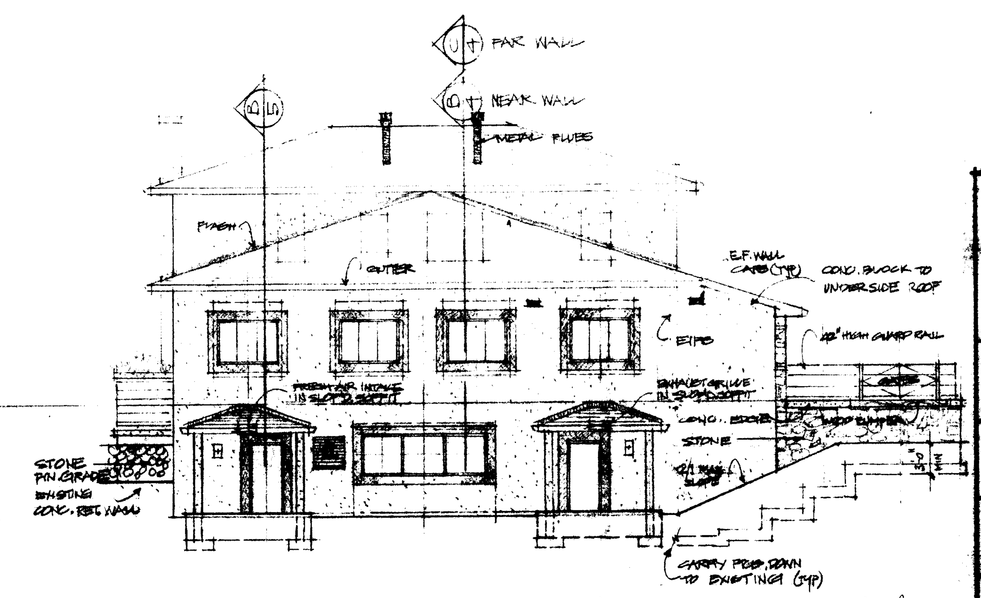
BUILDING USE OR OCCUPANCY - BUSINESS "B" - VETERINARY HOSPITAL, DOG KENNEL and OFFICE.

TYPE OF CONSTRUCTION - NONCOMBUSTIBLE/COMBUSTIBLE TYPE 3B-UNPROTECTED.
HEIGHT and AREA LIMITS - 3 STORY (40') 14,400 S.F.
EXISTING and PROPOSED HEIGHT and AREA - 2 STORY (30') 5,530 S.F.
INTERIOR FINISHES - BOCA 803.4, NFPA 101-6.5
FIRE PROTECTION SYSTEMS - LIMITED AREA SPRINKLER SYSTEMS BOCA 907.0
FIRE EXTINGUISHERS - BOCA 921.0
BUILDING ACCESSIBILITY - CABO A117.1 CHAP. 35 and BOCA 1101.0
HEATING and COOLING - 70°F WINTER / 80° SUMMER
ROOF VENTILATION - BOCA 1210.1
ROOF ACCESS - BOCA 1211.2
ROOF DRAFTSTOPPING - 3000 s.f. MAX. ~~AREAS~~ BOCA 721.7 2.2

INSULATION REQUIREMENTS - ROOF R 30 V.B. FACED BATTS
WALLS 2nd FLOOR - EXISTING INTERIOR, PROPOSED EXTERIOR 1½" RIGID FOAM R 5.1
1st FLOOR - PROPOSED EXTERIOR 1½" RIGID FOAM R 5.1
PROPOSED INTERIOR 2" V.B. FACED BATTS R 5.5
BASEMENT - PROPOSED EXTERIOR 2" RIGID FOAM R 5.1
PROPOSED INTERIOR 3½" V.B. FACED BATTS (SEE PLAN) R 13
FLOORS ONLY UNHEATED BASEMENTS - 3½ V.B. FACED BATTS R 13
OVER HEATED BASEMENTS - 4" NOISE BARRIER BATTS
AIR DUCTS IN ROOF AREAS R 8
IN UNHEATED BASEMENTS R 5



RIGHT SIDE ELEVATION (NORTH) 1"=8'



REAR ELEVATION (WEST) 1"=8'

PERMIT PRINT 10/3/02

THE JACKSONVILLE VETERINARY HOSPITAL
DR. M.J. LYNCH (OWNER)
14240 JARRETTSVILLE PIKE
PHOENIX, MD 21131
BALTO., CO. MD

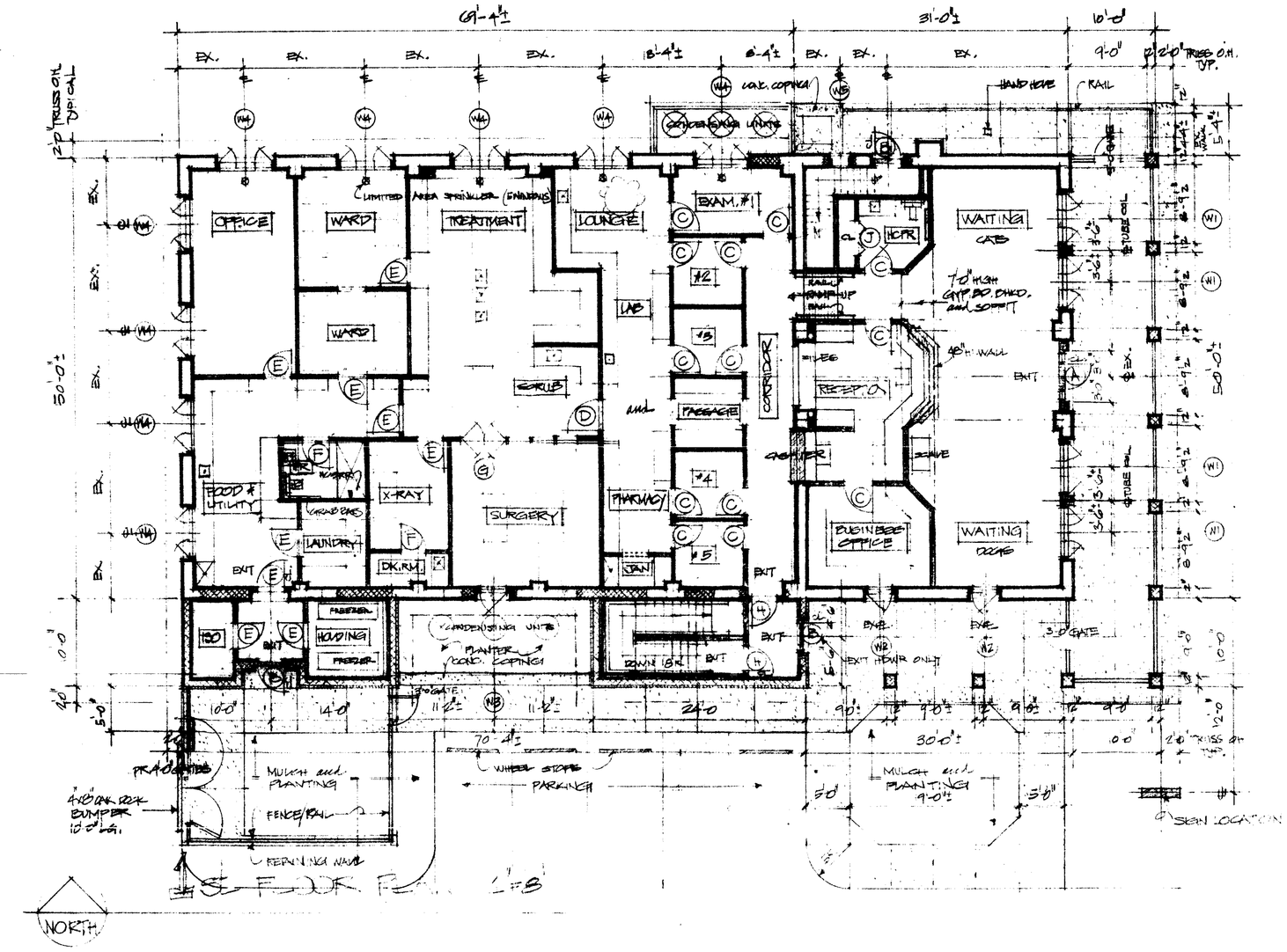
ROBERT J BAYER
ARCHITECT
P.O. BOX 65, PHOENIX, MD 21131
PHONE / FAX 410-666-9200

SHEET
BASEMENT PLAN
NOTES and CODE REQUIREMENTS
ELEVATIONS

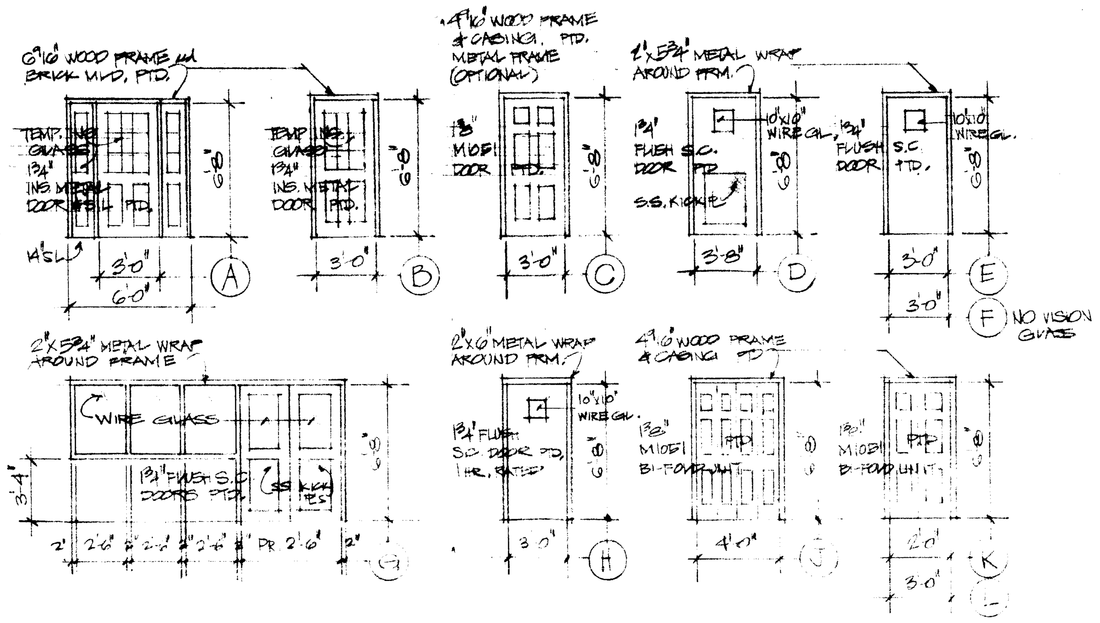
SHEET NO
A-1

CONTR. NO.
DATE

Ex 107



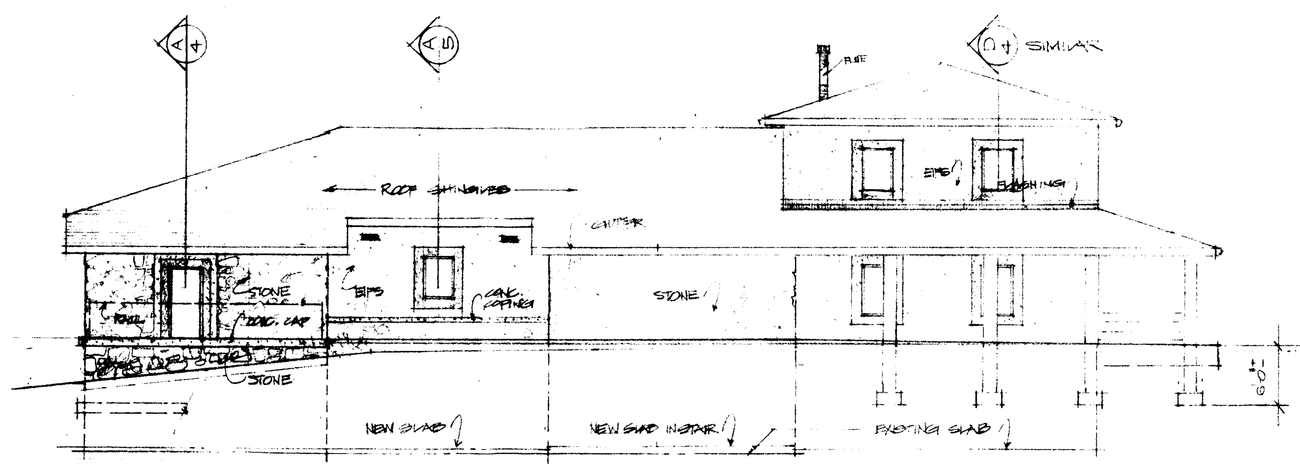
1st FLOOR PLAN 1"=8'



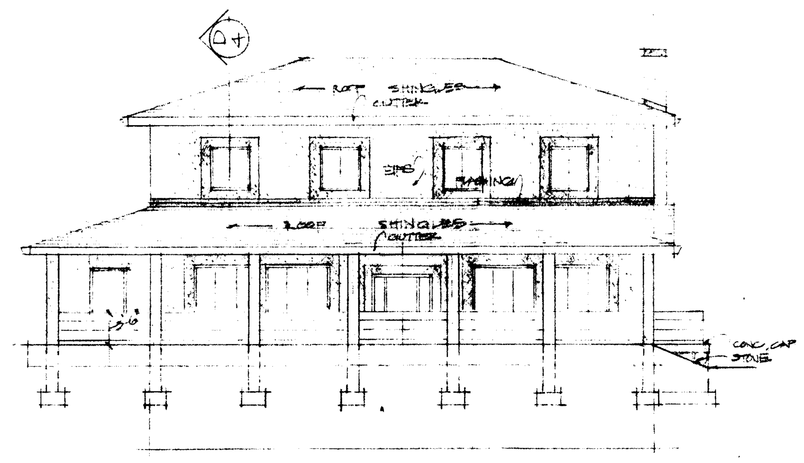
DOOR SCHEDULE

NOTES

WOOD CASINGS SHALL BE: NO 88 [illegible] 2 2 x (1/10) and 1 8 - 2 [illegible]
STEEL FRAME OPTION SHALL BE: ALWAYS STEEL ALUMINUM OR [illegible]
MODIFIED FOR DRY WALL APPLICATION.



LEFT SIDE ELEVATION (SOUTH) 1"=8'



FRONT ELEVATION (EAST) 1"=8'

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VETERINARY HOSPITAL
DR. M.J. LYNCH (OWNER)
14240 JARRETTSVILLE PIKE
PHOENIX, MD 21131
BALTO., CO. MD

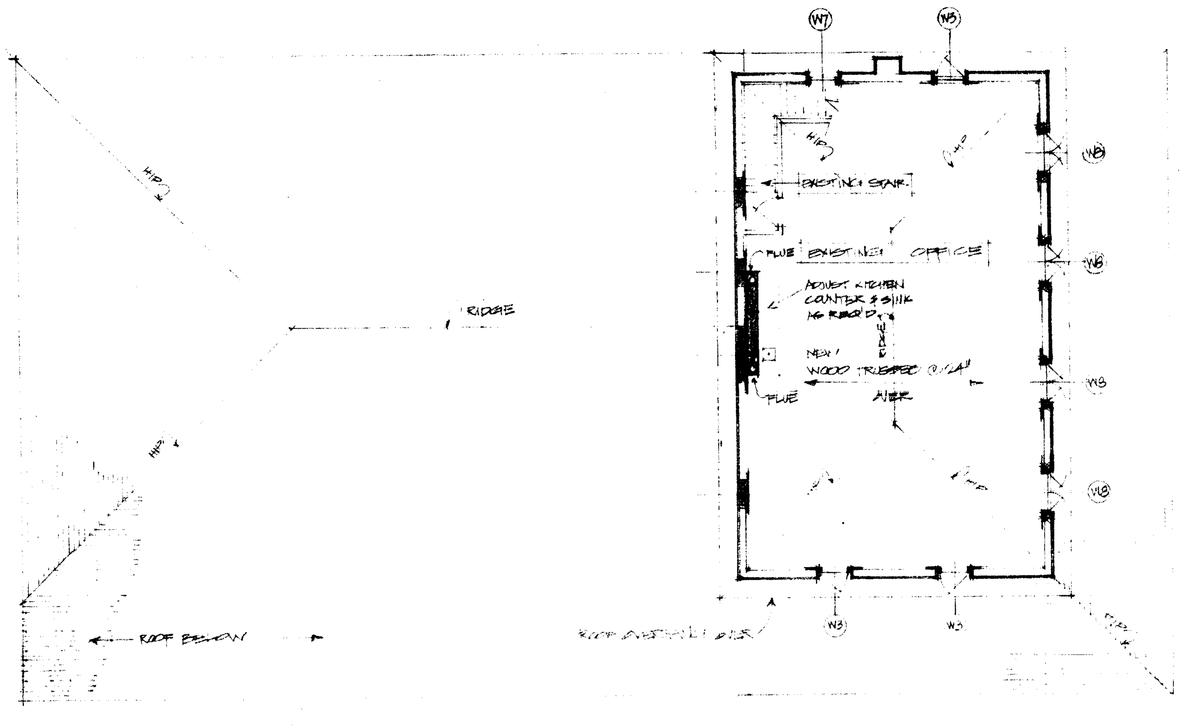
ROBERT J BAYER
ARCHITECT
P.O. BOX 85, PHOENIX, MD 21131
PHONE / FAX 410-666-9200

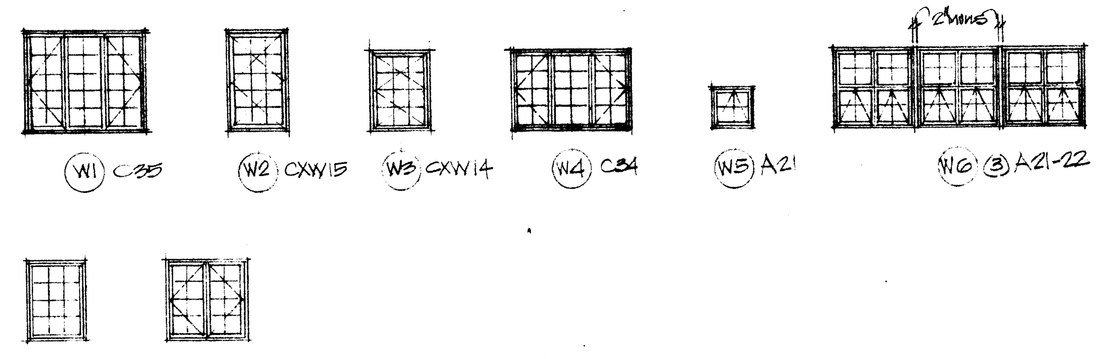
SHEET
FIRST FLOOR PLAN
DOOR SCHEDULE
ELEVATIONS

SHEET NO
A-2

COMM. NO
2001-61

DATE

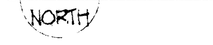




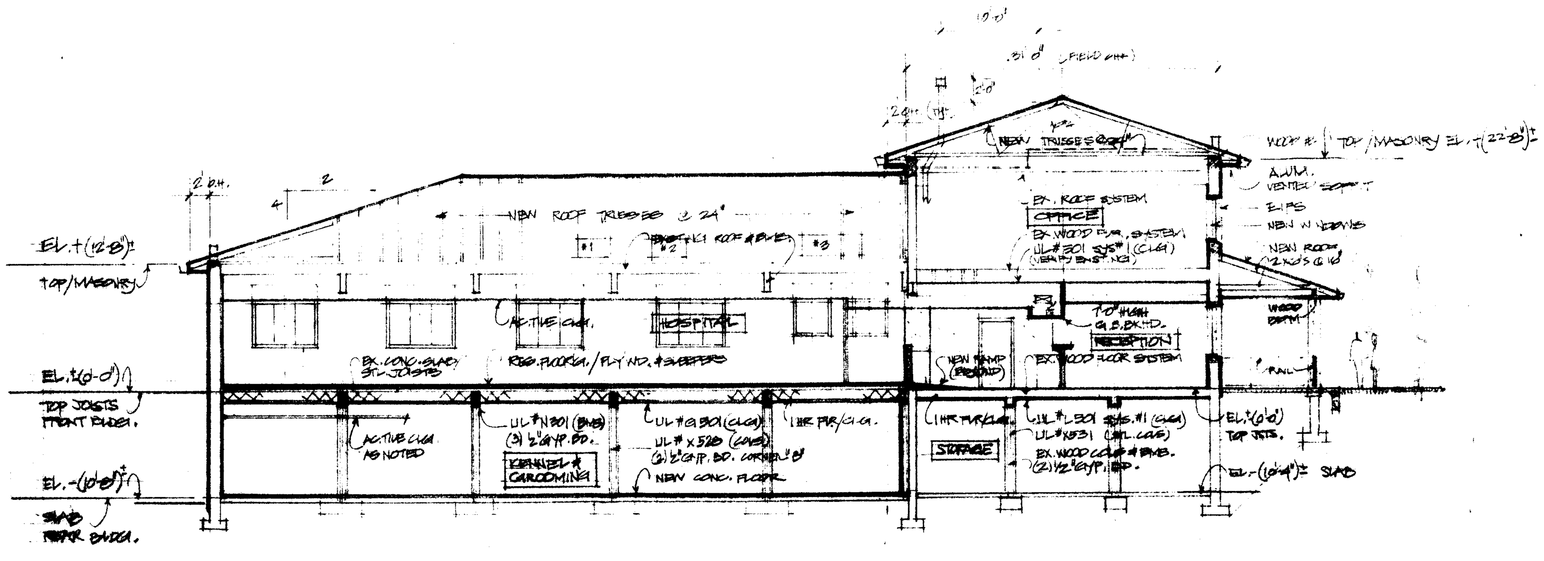
WINDOW SCHEDULE

WINDOW NOTES

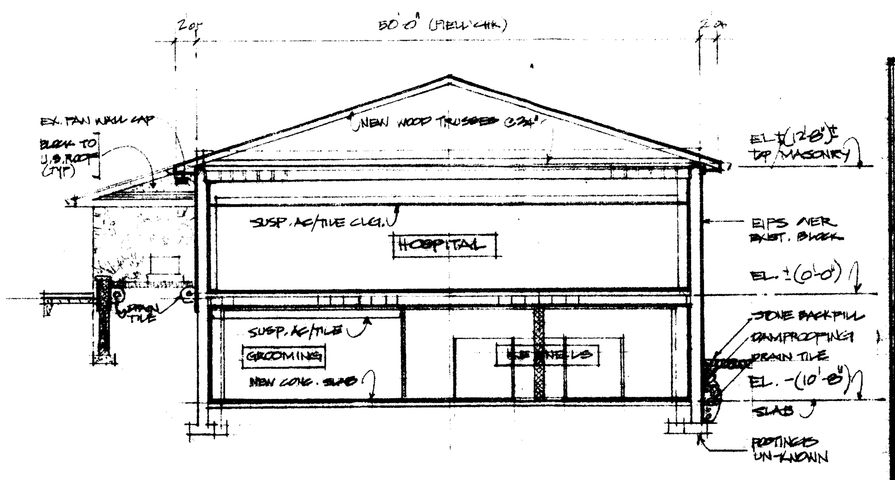
WINDOWS SHOWN ~~and~~ SPECIFIED ARE TO BE "ANDERSEN" WOOD/VINYL COVERED, WHITE COLOR, STANDARD UNITS, HIGH PERFORMANCE GLAZING, PERMA CLEAN INSERT SCREENS, FULL DIVIDED LIGHT GRILLES, METRO HARDWARE ~~and~~ DRYWALL RETURN BEAD.



2nd FLOOR PLAN 1"=8'



LONGITUDINAL SECTION (LOOKING NORTH) 1"=8'



CROSS SECTION (LOOKING WEST) 1"=8'

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ARCHITECT
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PHONE / FAX 410-666-9200

SHEET
SECOND FLOOR PLAN
WINDOW SCHEDULE
1/8" SECTIONS

SHEET NO
A-3

CONST. NO
9201-01

DATE