



IN RE: PETITIONS FOR SPECIAL EXCEPTION, \*

SPECIAL HEARING & VARIANCE

NW/corner of York Road and

Rose Street

8<sup>th</sup> Election District

3<sup>rd</sup> Councilmanic District

(2326 York Road)

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-204-SPHXA

Dr. Tracy Bowden

Legal Owner and Petitioner

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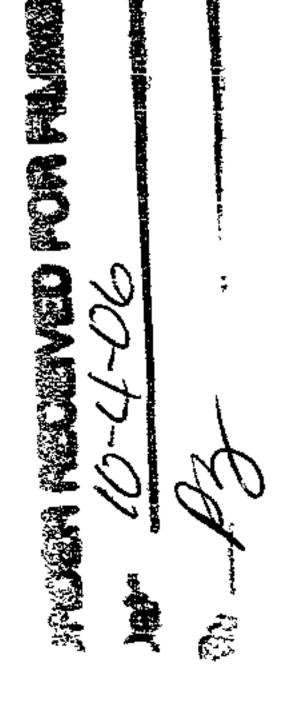
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#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception, Special Hearing and Variance filed by the owner of the subject property, 2326 York Road LLC by Dr. Tracy Bowden, member. The Petitioner is requesting zoning relief for property located at 2326 York Road. The Petitioner originally requested a special exception, special hearing and variance relief. The case was scheduled for December 2004 but continued by agreement to allow the Petitioner and community more time to discuss the proposal.

Subsequently the Petitioner amended its request eliminating the request for special hearing for commercial parking in a residential zone and amending its request for variance. The Petitioner continues to request a Special Exception for construction of a Class B office building in a RO zone per Section 204.3.B.2. In addition the Petitioner amended the Variance request as follows:

- 1. From Section 204.3.B.2.a to permit medical offices to occupy up to 100% of the adjusted gross floor area in lieu of the 25% permitted;
- 2. From Section 204.4.C.4 to permit a side yard setback of 7 feet in lieu of the required 20 feet;
- 3. From Section 204.4.C.4 to permit a front yard setback of 13 feet in lieu of the required 24.7 feet;
- 4. From Section 409.6.A.2 to permit 32 parking spaces in lieu of the required 34 parking spaces;
- 5. From Section 408.8.A.4 to permit a 0 foot setback from the right-of-way line in lieu of the required 10 feet.



The property was posted with Notice of Hearing on August 31, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on August 31, 2006, to notify any interested persons of the scheduled hearing date.

#### Second Amended Petition

Mr. Gontrum explained that Petitioner proposes to have 100% medical offices in the new building and that the parking requirements for medical offices are 4.5 spaces per 100 square feet of gross leasable area of the building. The definition of "gross leasable area" given in the BCZR indicates that only leasable space and not common space is to be used in the calculation. As a result of refinement of the building layout, the Petitioner no longer requires the variance for two parking spaces.

#### Applicable Law

#### Section 502.1 of the B.C.Z.R. Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

#### Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning

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regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

#### Section 307 of the B.C.Z.R. Variances

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

#### **Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: A ZAC comment letter was received from the Bureau of Development Plans Review dated August 15, 2006 which contains restrictions. ZAC comment letter was received from the Planning Office dated November 22, 2004 which indicated the Planning Office support for certain provisions and opposition to other relief. The Planning Office indicated that the comment applied to the revised plan as well. Copies are attached hereto and made a part hereof.

#### **Interested Persons**

Appearing at the hearing on behalf of the variance and special exception requests was Dr.

Tracy Bowden, Petitioner. John Gontrum, Esquire, represented the Petitioner. Eric Rockel and

Louis Miller from the Greater Timonium Community Council, Ed Covahey, an adjacent property

owner, and John Smith appeared at the hearing as an interested citizens. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

#### Testimony and Evidence

Mr. Gontrum gave a short summary of the history of this project which included a hearing scheduled for December 2004 at which time the Petitioner discovered opposition from the GTCC and the Planning Office to parking in the DR 3.5 zone behind the proposed office. Subsequently the Petitioner purchased property so as to provide parking in the RO zone only. This resulted in a revised site plan and different variance requests. He noted that the Petitioner has worked for the past almost two years with the community and Planning Office to resolve concerns regarding this project.

Testimony and evidence indicated that the subject property now contains 0.570 acres zoned RO and DR 3.5 and is improved by a small cottage and garage. The Petitioner proposes to raze the existing structures on the property and erect a Class B Office building which will have 100% medical offices. See Petitioner's exhibit 1, the redline Plat to Accompany, and photographs of the existing cottage in exhibit 2. The property is located at the intersection of Rose Avenue and York Road (State Rt 45), the latter which Mr. Gontrum pointed out is a major thoroughfare and public transit route..

Dr. Bowden indicated that his dental practice would occupy the second floor of the new building and he planned to lease the first floor to compatible medical tenants provided the variance from Section 204.3.B.2.a to permit medical offices to occupy up to 100% of the adjusted gross floor area in lieu of the 25% permitted is granted. In this regard Mr. Rockel and Mr. Miller from the GTCC opined that 100% medical offices were most welcome and needed in the community and fully supported this request. See exhibit 4, the elevation of the proposed building. In fact they requested and the Petitioner agreed that having 100% medical offices should be a condition of approval and not just a maximum allowed.

Mr. Gontrum noted that the site is severely constrained by a public alley containing a sewer line which transects the property north to south and an easement for a major public storm drain pipe east to west. As a result the new office has to be located as shown on redline exhibit 1. Mr. Miller questioned the location of handicapped parking and why the new building could not be moved away from York Road so as to reduce the front yard variance request. The Petitioner admitted that he could remove the southwest corner of the rectangular building to avoid the storm drain easement and alley, but that the property falls away from York Road. In addition his dental practice has a number of wheelchair bound patients who need access to the elevator planned for the rear of the building. Considering the grades of the property and need for handicapped access in the rear, he opined that the best design was as presented even though a front yard variance was required. All agreed that even if the building were moved back from York Road some variance for front yard setback would be needed.

In regard to the side yard variance, Mr. Gontrum pointed out that the existing cottage is 7 feet from the north property line and the new building would hold this line. As a result the Petitioner requests a variance from Section 204.4.C.4 to permit a side yard setback of 7 feet in lieu of the required 20 feet.

Finally Mr. Gontrum pointed out another odd feature of the property in that the State has constructed a formal entrance to the storm water easement from York Road as shown on exhibit 1.

As a result the Petitioner requests a variance from Section 408.8.A.4 to permit parking 0 foot from the right-of-way line of York Road in lieu of the required 10 feet. He opined that from his research the State actually owns this "entrance" in fee and not as a right way as might ordinarily be expected.

Mr. Rockel and Mr. Miller agreed that the site is severely constrained by the alley, storm drain easement and "entrance" on York Road and presented a practical difficulty for the Petitioner such that the variance requests are fully justified.

In regard to the request for special exception for the Class B office building in an RO zone, Mr. Gontrum proffered that the request met the criteria of Section 502.1 of the BCZR, would not adversely impact the community and was within the spirit and intent of the RO regulations. He pointed out that the proposal meets all parking regulations as 31 spaces are required and 31 spaces are provided. He explained that Petitioner proposes to have 100% medical offices in the new building and that the parking requirements for medical offices are 4.5 spaces per 100 square feet of gross leasable area of the building. The definition of "gross leasable area" given in the BCZR indicates that only leasable space and not common space is to be used in the calculation. As a result of refinement of the building layout, as shown in exhibit 3, the Petitioner is required to provide 33 parking spaces. However the subject property is located on York Road which has public transportation and therefore is entitled to a discount of 5% of required parking spaces. As a final result 31 spaces are required and 31 are provided.

Mr. Gontrum opined that the new medical office building would provide needed medical facilities for the community, the existing cottage which the new office building will replace is not in good repair, and that there are several all medical office buildings in the immediate area on York Road. He noted again that there is significant buffering of the residential community to the west of the site by leaving the DR 3.5 lots in the rear vacant.

Mr. Miller noted that the proposed parking field along Rose Avenue ended in a concrete structure which would block persons wanting access to Rose Avenue via the alley. Mr. Richardson agreed to redesign the end of the parking field in a redline revision to the site plan which is shown in the redline Plat to Accompany, exhibit 1. In addition the Petitioner has changed the plat to accommodate the ZAC comment from the Bureau of Development Plans Review to widen the alley entrance to 24 feet. Finally Mr. Richardson noted that storm water runoff generated by the new building and parking lot will be channeled to the large storm drain pipe in the easement which transects the property.



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#### Findings of Fact and Conclusions of Law

#### <u>Variances</u>

In regard to the requested variances, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. This property is severely constrained by the alley which transects the property north to south, the storm drain easement which transects the property east to west and the "entrance" to the storm drain easement on York Road. Each of these features directly cause the requested variances. I find the imposition of zoning on this property disproportionably impacts the subject property as compared to others in the zoning district.

I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. As articulated by the community representatives, the site constraints cause the practical difficulties described by the Petitioner.

Residential density is not an issue in this case.

Finally, I find these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare. The facility will provide needed medical services for the community which fully support these requests. There are several medical offices along York Road in this area. There will be no change to the character of the neighborhood.

Consequently I will grant the requested variances again noting that there is no need for parking variance as I am satisfied the Petitioner's plan provides the required parking spaces.

#### **Special Hearing**

The Petitioner having withdrawn this request, I will deny the request as moot.

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#### Special Exception

I find that the proposed Class B office on this site as proposed meets the criteria of Section 502.1 of the BCZR, will not adversely affect the community and is within the spirit and intent of the RO regulations for the reasons given above. The community fully supports this use.

THEREFORE, IT IS ORDERED, this 4<sup>th</sup> day of October, 2006, by the Deputy Zoning Commissioner, that the Special Hearing request to permit business parking in a residential zone per Section 409.8.B subject to compliance with Section 409.7.B.2 be and is hereby DENIED as moot, the Petitioner having withdrawn this request; and

IT IS FURTHER ORDERED, that the Petitioner's variance requests as follows:

- 1. From Section 204.3.B.2.a to permit medical offices to occupy up to 100% of the adjusted gross floor area in lieu of the 25% permitted;
- 2. From Section 204.4.C.4 to permit a side yard setback of 7 feet in lieu of the required 20 feet;
- 3. From Section 204.4.C.4 to permit a front yard setback of 13 feet in lieu of the required 24.7 feet;
- 4. From Section 408.8.A.4 to permit a 0 foot setback from the right-of-way line in lieu of the required 10 feet

are hereby GRANTED; and

THEREFORE, IT IS FURTHER ORDERED, that the special exception relief for construction of a Class B office building in a RO zone per Section 204.3.B.2 is hereby GRANTED subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners may apply for their 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. Pavement widening, curb and cutter and drainage issues will be addressed in the development process. The entrance off of Rose Street must be at least 24 feet wide.
- 3. The office building shall have only medical offices and closely related businesses.

IT IS FURTHER ORDERED that the Petitioner's request for variance from Section 409.6.A.2 to permit 32 parking spaces in lieu of the required 32 parking spaces is hereby DENIED as moot,

the Petitioner having with drawn this request.

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

JOHN 🗸 . MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:pz



JAMES T. SMITH, JR. County Executive

October 4, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

DR. TRACY BOWDEN 2120 CORBETT ROAD MONKTON MD 21111

Re: Petitions for Special Hearing, Special Exception & Variance

Case No. 05-204-SPHXA
Property: 2326 York Road
Petitioner: Dr. Tracy Bowden

Dear Dr. Bowden:

Enclosed please find the decision rendered in the above-captioned case.

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,

John V. Murphy

Deputy Zoning Commissioner

John V. Murshy

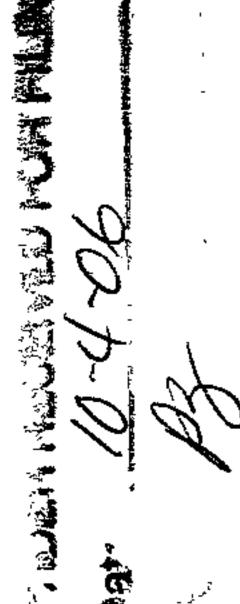
for Baltimore County

JVM:pz

Enclosure

c:

John Gontrum, Esquire, Whiteford, Taylor & Preston, L.L.P., 210 W. Pennsylvania Avenue, Towson, MD 21204 Rick Richardson, Richardson Engineering, LLC, 110 Old Padonia Road, Suite LC, Cockeysville MD 21030 Ed Covahey, 614 Bosley Avenue, Towson MD 21204 Eric Roekel, 1610 Riderwood Drive, Lutherville MD 21093 John Smith, 13 Rose Street, Timonium MD 21093 Bob Allen, Towson Times Newspaper, Towson MD 21093 Louis Miller, 44 East Timonium Road, Timonium MD 21093





#### Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2326 YORK ROAD which is presently zoned RO & DR 3.5

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

Request to permit business parking in a residential zone per Section 409.8.B subject to compliance with Section 409.7.B.2.

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:	<u>Legal Owner(s):</u>
TRACY BOWDEN	ALVIN E. WAGENHEIM
hBru-	Hrun & Wagen Rein
Signature 2/20 CORBETT RD 410-960-8521	Signature WALTER M. FRAZIER
Address MOUKTON MD 21111	Name Type or Port
City State Zip Code	FO BOX 345 410-823-8888
Attorney For Petitioner:	Address Telephone No.
JOHN B. GONTRUM  Name - Type or Print City	LUTHERVIUE MD 21093 State Zip Code
In the et	Representative to be Contacted:
Signature V WHITEFORD TAYLOR & PRESTON	WATERU CRICHARDSON JR
Company	Name  Name
210 W. FENNSYLVANIA AVE 40-832-2053 Address Telephone No.	Address Telephone No.
TOWSON	COCKEYSVILLE MD 21030
City State Zip Code	City State Zip Code
	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 05-204-SPHIA	UNAVAILABLE FOR HEARING
Review	ed By BK Date 15/25/04
REV 9/15/98	
10-4-010	



#### Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 2326 YORK ROND

which is presently zoned <u>RO & D.R. 3.5</u>
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

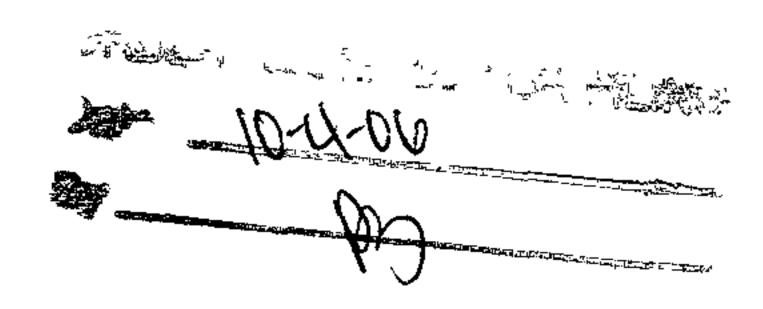
Construction of a Class B Office building in a RO Zone per Section 204.3.B.2

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:	Legal Owner(s):
TRACY BOWDEN  Name - Type of Print  Name -	ALYIN G. WAGENHEIM
155mm	Kim E. Wagenseron
Signature  O CORPETT OD ALL OLD ACAI	Signature IAA 760 AT ICO
2/20 CORBETT RD 410-960-8521 Address Telephone No.	WALTER M. FRAZIER  Name - Type or Print 2
MONKTON MD 21111	Mallerm nancer
City State Zip Code	Signature
Attorney For Petitioner:	PO BOX 395 410-823-8888
	Address Telephone No.
JOHN B. GONTRUM	LUTHER VILLE MD 21093 State Zip Code
Name - Type or Print  City	
Signature 7 M	Representative to be Contacted:
WHITE-FORD TAYLOR & PRESTON	FATRICK C. KICHARDSON, IR
210 W. PENNSYLVANIA AVE 410-823-2055	730 W. PADOLIA RD 410-560-1502
Address Telephone No.	Address Telephone No.
70W50W MD 21204	COCKEYSVILLE MD 21030 State Zip Code
City State Zip Code	City State Zip Code
1	OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 05 - 204-58HXA	UNAVAILABLE FOR HEARING
	Reviewed By BK Date 10/20/04
REV 09/15/98	Reviewed By 15/2 Date 15/2/57





#### Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2326 YORK ROAD

which is presently zoned RO \$ DR 3.5

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 list for specific requests.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The property is split zoned. The irregular and narrow width of the site would make development of a serviceable building impossible. Other such information that may be introduced at the hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

#### Contract Purchaser/Lessee: Legal Owner(s): BOWDEN WAGEN HEIM Name - Type or Prin Name - Type or frient TWO Stonature CORBETT 2120 Address Telephone No. MONKTON, MD 21111 Zip Code State Signature Attorney For Petitioner: Address Telephone No. 2093 LUTHERVILLE GONTRUM MD JOHN City Name - Type or Frint Representative to be Contacted: Signature WHITEFORD, TAYLOR & PRESTON Company 210 W. PENNSYLVANIA AVE 410-832-2055 W. PADONIA RD Address Telephone No. Address 21030 OCKEYSVILLE Towson MD 21204 MO Zip Code State Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING \_\_\_\_ Case No. 05 - 204 - 50/+XA UNAVAILABLE FOR HEARING Reviewed By \_\_\_\_ REV 9/15/98

#### REQUESTED VARIANCES

1B01.1.1.B.1	-	To permit a residential transition area setback and buffer of as little as 13' in lieu of the required 50' and 75' respectively.
204.3.B.2.a	-	To permit medical offices to occupy up to 50% of the adjusted gross floor area instead of the 25% permitted.
204.3.C.4	-	To permit a side yard setback of 7.5' in lieu of the required 10', and 7.5' in lieu of the required street side yard setback of 20'.
409.8.A.4	-	TO PERMIT A PARKING SPACE 5' FROM R/W LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10'



### Amended Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 2326 400 Rd
which is presently zoned 20 D2 3

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 nardship or practical difficulty)

to be provided at the hearthy

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

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

Contract Purchas	er/Lessee:		Legal Owner(s):
$\mathcal{N}_{\mathcal{N}}$	4		2326 Uork Rd LLC
Name - Type or Print	<del>,</del>	Name	- Type or Print
Signature	<u> </u>		Signature Dr. Tracin Bowden-Dwie
Address	<del></del>	Telephone No	Name - Type or Print
City	State	Žip Code	Signature O
Attorney For Petit	ioner:		2120 Corbett Kd. 410828 5699
John B.	Santrum. 8	29	Address Mewitton MD Z1111
Name Typy or Find		City	State Zip Code  Representative to be Contacted:
Signature with 1	aylor & re	sim	John B. Gontrum Esq
Company 210 W. Pennsi Address	Ilvania Ave.	4(1) 832 200 Telephone No	SAddress Name  Name  Arc. 410862 Zos  Address Telephone No
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#### AMENDED VARIANCE REQUEST

THIS REQUEST AMENDS AND SUPERSEDES THE PREVIOUS ZONING VARIANCE REQUEST:

- 1. From Section 204.3B.2.a to permit medical offices to occupy up to 100% of the adjusted gross floor area in lieu of the 25% permitted;
- 2. From Section 204.4C.4 to permit a side yard setback of 7.0' in lieu of the required 20';
- 3. From Section 204.4C.4 to permit a front yard setback of 13.0' in lieu of the required 24.7';
- 4. From Section 409.6A.2 to permit 32 parking spaces in lieu of the required 34 parking spaces;
- 5. From Section 409.8A.4 to permit a 0' setback from the right of way line in lieu of the required 10';

#### PRACTICAL DIFFICULTY:

By not using any of the residential property to the rear to support parking or access the proposed building has been shifted further to the street necessitating a variance request from the front yard. The proposed building relative to the side yard is being placed essentially in the same location as the existing building. The object is to provide enough parking along the side of the building as possible and still meet required setbacks. The parking for example along Rose Street is set back the required distance, whereas the existing structure comes to within 9' of the right of way line. The primary use of the building is for medical offices for use of the owner. Additional medical space is sought because of the location of the use. The site is on a bus line and because of the limited number of patients coming to the site for the uses of the building the parking variance seemed justified. The final variance is necessary because the state essentially took the entrance area as part of the storm drain system. By the taking of the additional 25' the property has a very unique profile to the roadway thereby necessitating the variance. Additional reasons of support will be presented at time of hearing.

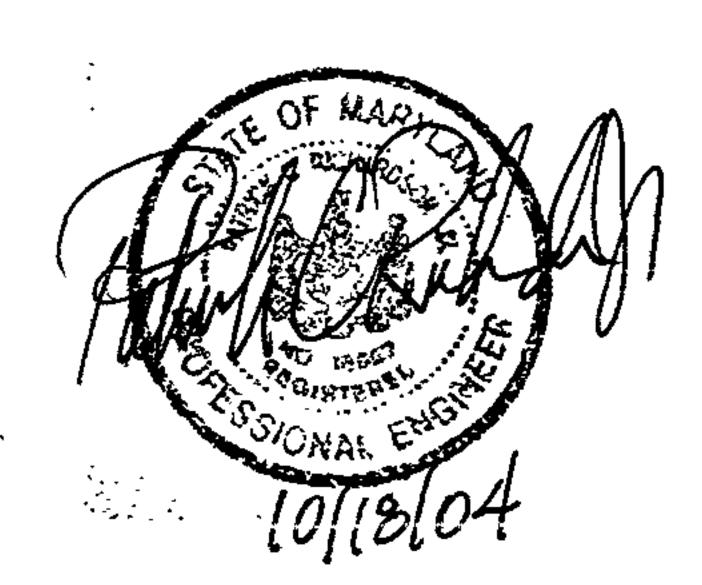
730 W. Padonia Road, Suite 101 Cockeysville, Maryland 21030

410-560-1502, fax 410-560-0827

### ZONING DESCRIPTION 2326 YORK ROAD 8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the west side of York Road, a right-of-way (66) feet in width, at a point where it intersects the north side of Rose Street, a right-of-way (30) feet in width, thence running and binding on the north side of the Rose Street right-of-way (1) South 77 degrees 42 minutes West 212.0 feet, thence leaving perpendicular to Rose Street, (2) North 12 degrees 18 minutes West 126.0 feet to the centerline of an alley (12) feet in width, thence running parallel with said alley, (3) North 77 degrees 42 minutes East 86.0 feet, to the intersection of two alleys (12) feet in width, thence running parallel with an alley (12) feet in width, (4) South 12 degrees 18 minutes East 80.0 feet to the centerline of an alley (12) feet in width, thence running perpendicular to said alley, (5) North 77 degrees 42 minutes East 126.0 feet to a point on the west side of York Road, thence running and binding on the west side of the York Road right-of-way (6) South 12 degrees 18 minutes East 46.0 feet, to the point of beginning.

Containing a net area of 0.382 acres or 16,632 square feet of land, more or less.



#204

DATE. OFFICE OF BUDGET & RECEIVED FROM: BALTIMORE COUNTY, MISCELLANEOUS DISTRIBUTION WHITE - CASHIER FOR PINK RECEIPT - AGENCY FINANCE MARYLAND AMOUNT ACCOUNT YELLOW - CUSTOMER | ❖ MATERIAL SE AND THE WAY CASHIER'S VALIDATION 红豆 (水河 \$ 2 mm (新 4

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by auffnority 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: # Dis.204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of West side of York Road, 300 feet north of centerline of Theima Street

Bih Election District — 3rd Councilmanic District

Logal Owner(s): Dr. Tracy Bowden

Special, Hearing; to permit business parking in a residential zone. Special Exception: to allow construction of a Class B Office Building in a RO zone. Variance: (Revoted Petition - 7/7/06) to permit medical offices to occury up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard satused soft 13.0-feet in lieu of the required 24.7-feet, To permit a 25% permitted 10 feet. To permit a front yard setuling spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 24 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
Zoning Commissioner for Baltimore County
Special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3859.

Contact the Zoning Hevlew Office at (410) 887-3391.

ouo

8/10/2006

THIS IS TO CERTIFY, that the annexed advertisement was published

successive weeks, the first publication appearing newspaper published in Baltimore County, Md., in the following weekly once in each of

**X** The Jeffersonian

Times Arbutus Catonsville Times Times

Mills Times Towson Owings

NE Booster/Reporter

North County News

Mulling.

LEGAL ADVERTISING

## NOTICE OF ZONING MEARING

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: #05-204-SPHXA
2326 York Road
West side of York Road, 300 feet north of centerline of Thelma Streat
Bth Election District - 3rd Councilmanic District
Legal Owner(s): Dr. Tracy Bowden
Special Hearing: to permit business parking in a residential zone. Special Exception: to allow construction of a Class B Office Building in a RO zone. Variance: (Revised Petition - 777/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 13.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.
Hearing: Wednesday, September 20, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

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

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

# OF PUBLICATION

<u>2000</u> 831

that the annexed advertisement was published THIS IS TO CERTIFY,

successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., 202 once in each of ono

🛱 The Jeffersonian ☐ Arbutus Times

Catonsville 7

**Fimes** 

Owings Mills Times Towson Times

NE Booster/Reporter

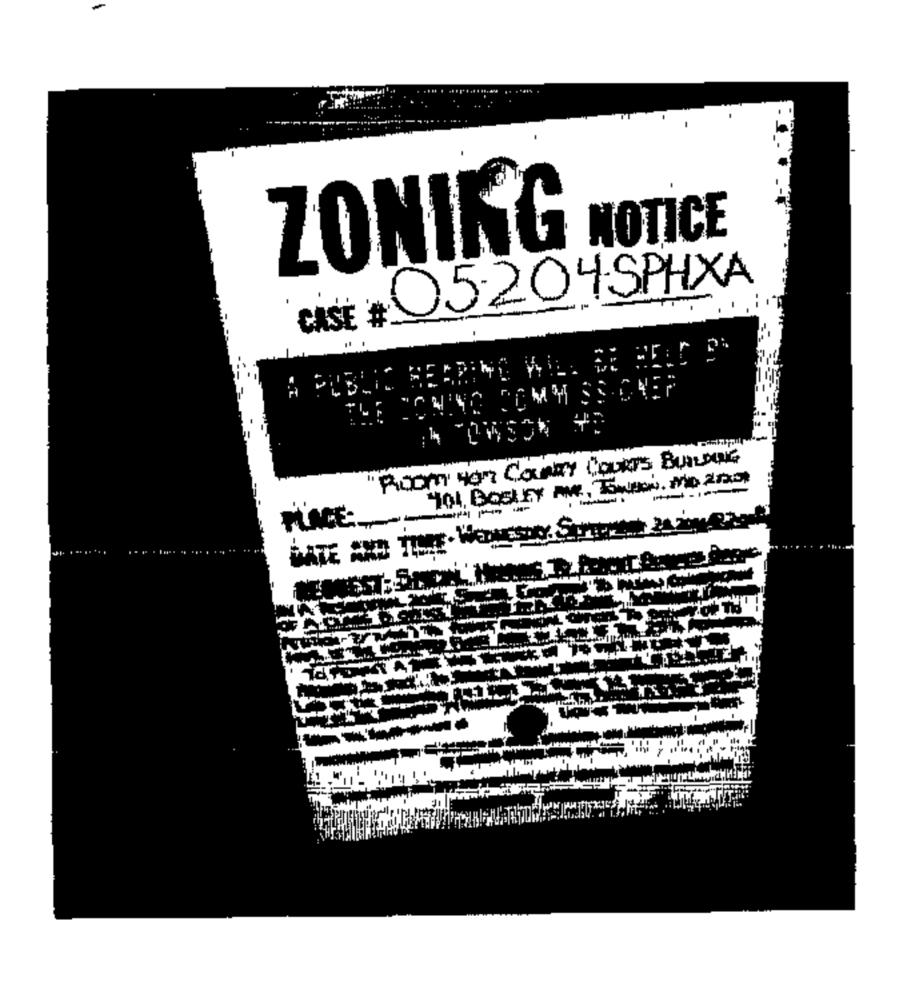
North County News

Wulling.

#### CERTIFICATE OF POSTING

	RE: Case No.: 25- 204-SPHXA
	Petitioner/Developer: DR: TRACY
	BOWDEN
	Date of Hearing/Closing: SEPT 20
Saltimore County Department Permits and Development Mar County Office Building, Room 11 West Chesapeake Avenue Towson, Maryland 21204	agement 111
ATTN: Kristen Matthews {(4)	(9) 867-3394} -⇒
Ladies and Gentlemen:	
This letter is to certify under the proofeed conspicuously on the pr	ne penalties of perjury that the necessary sign(s) required by law were operty located at:
. 2	326 YORK 2D
The sign(s) were posted on	AUG 31, 2006.
	(Month, Day, Year)

Sincerely,



•	Rollint Black 9-6-00 (Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940
	(Telephone Number)

## 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: #05-204-SPHXA
2326 York Road
Wiside of York Road, 300 feet north of centerline of Thelma Street
8th Election District - 3rd Councilmanic District
Legal Owher(s); Alvin E. Wagenheim and Walter M. Frazier
Contract Purchaser: Tracy Bowden
Special Hearing: to permit business parking in a residential zone. Special Exception; to allow construction of a Class B Office Building in an RO zone. Variance: to permit a residential transition area setback and buffer of permit a respectively, to permit medical offices to occupy up to 50% of the adjusted gross floor area instead of the 160 feet respectively, to permit a side yard setback of 7.5 feet in lieu of the required 10 feet and 7.5 feet in lieu of the required 10 feet and 7.5 feet in lieu of the required 10 feet and 7.5 feet in lieu of the required 10 feet.

Hearing: Friday, December 3, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

FY, that the annexed advertisement was published

THIS IS TO CERTI

in the following weekly

once in each of

OU

18 1/

OF PUBLICATION

newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing

william wiseMan
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.

The Jeffersonian

Catonsville Times Times Arbutus

Times Towson

Mills Times Owings NE Booster/Reporter North C

Mulusy ounty News

LEGAL ADVERTISING

#### CERTIFICATE OF POSTING

	RE: Case No.: 05-204-5PHX1
. <i>p</i> c	Petitioner/Developer: TRACY
	BOWDEN
	Date of Hearing/Closing: 12/3/04
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204  ATTN: Kristen Matthews {(410) 887-3394}  Ladies and Gentlemen: This letter is to certify under the penalties of posted conspicuously on the property located	perjury that the necessary sign(s) required by law were
2326· YOR	
The sign(s) were posted on	11/18/04
	(Month, Day, Year)
	Sincerely,
	Robert Block 11/18/04
	(Signature of Sign Poster) (Date)
	SSG Robert Black
	(Print Name)
	1508 Leslie Road
	(Address)
To Dispute the Control of the Contro	Dundalk, Maryland 21222
	(City, State, Zip Code)
	(410) 282-7940

(Telephone Number)

The state of the s

#### Department of Permits Od Development Management

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





#### **Baltimore County**

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

August 11, 2006

#### **CORRECTED NOTICE OF ZONING HEARING**

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

CASE NUMBER: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Special Exception</u> to allow construction of a Class B Office Building in a RO zone. <u>Variance</u> (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Wednesday, September 20, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

buth Rotroco

Duecto

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Dr. Tracy Bowden, 2120 Corbett Road, Monkton 21111

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 31, 2006.

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



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

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 31, 2006 Issue - Jeffersonian

Please forward billing to:

Tracy Bowden 2120 Corbett Road Monkton, MD 21111 410-960-8521

#### **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: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Special Exception</u> to allow construction of a Class B Office Building in a RO zone. <u>Variance</u> (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Wednesday, September 20, 2006 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

#### Department of Permits and Development Management

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



#### Baltimore County

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

August 8, 2006

#### **NEW 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: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Special Exception</u> to allow construction of a Class B Office Building in a RO zone. <u>Variance</u> (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Friday, September 15, 2006 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Dr. Tracy Bowden, 2120 Corbett Road, Monkton 21111

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 31, 2006.

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



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

TO: PATUXENT PUBLISHING COMPANY

Thursday, August 31, 2006 Issue - Jeffersonian

Please forward billing to:

Tracy Bowden

410-960-8521

2120 Corbett Road Monkton, MD 21111

#### **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: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Special Exception</u> to allow construction of a Class B Office Building in a RO zone. <u>Variance</u> (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Friday, September 15, 2006 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

#### Department of Permits Development Management

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



#### Baltimore County

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

July 12, 2006

#### 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: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

Special Hearing to permit business parking in a residential zone. Special Exception to allow construction of a Class B Office Building in a RO zone. Variance (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Wednesday, August 23, 2006 at 9:0 a.m. in Room 106, County Office Building,

111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

Director

TK:kim

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Dr. Tracy Bowden, 2120 Corbett Road, Monkton 21111

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, AUGUST 8, 2006.
  - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
  - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 8, 2006 Issue - Jeffersonian

Please forward billing to:

Tracy Bowden 2120 Corbett Road Monkton, MD 21111 410-960-8521

#### **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: 05-204-SPHXA

2326 York Road

West side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Dr. Tracy Bowden

<u>Special Hearing</u> to permit business parking in a residential zone. <u>Special Exception</u> to allow construction of a Class B Office Building in a RO zone. <u>Variance</u> (Revised Petition – 7/7/06) to permit medical offices to occupy up to 100% of the adjusted floor area in lieu of the 25% permitted. To permit a side yard setback of 7.0 feet in lieu of the required 20 feet. To permit a front yard setback of 13.0 feet in lieu of the required 24.7 feet. To permit 32 parking spaces in lieu of the required 34 parking spaces. To permit a 0 foot setback from the right-of-way in lieu of the required 10 feet.

Hearing: Wednesday, August 23, 2006 at 9:0 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

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

#### Department of Permits and Development Management

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



#### Baltimore County

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

November 1, 2004

#### **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: 05-204-SPHXA

2326 York Road

W/side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Alvin E. Wagenheim and Walter M. Frazier

Contract Purchaser: Tracy Bowden

Special Hearing to permit business parking in a residential zone. Special Exception to allow construction of a Class B Office Building in an RO zone. Variance to permit a residential transition area setback and buffer of as little as 13 feet in lieu of the required 50 feet and 75 feet respectively, to permit medical offices to occupy up to 50% of the adjusted gross floor area instead of the 25% permitted, to permit a side yard setback of 7.5 feet in lieu of the required 10 feet and 7.5 feet in lieu of the required side street side yard setback of 20 feet and to permit a parking space 5 feet from R/W line of a public street in lieu of the required 10 feet.

Hearing: Friday, December 3, 2004 at 9:00 a.m. in Room 407, County Courts Building,

401 Posley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Alvin Wagenheim, Walter Frazier, P.O. Box 395, Lutherville 21093 Tracy Bowden, 2120 Corbett Road, Monkton 21111 Patrick C. Richardson, Jr., 730 W. Padonia Rd., Cockeysville 21030

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, NOVEMBER 18, 2004.
  - (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
  - (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



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

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 18, 2004 Issue - Jeffersonian

Please forward billing to:

Tracy Bowden
2120 Corbett Road
Monkton, MD 21111

410-960-8521

#### **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: 05-204-SPHXA

2326 York Road

W/side of York Road, 300 feet north of centerline of Thelma Street

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Alvin E. Wagenheim and Walter M. Frazier

Contract Purchaser: Tracy Bowden

Special Hearing to permit business parking in a residential zone. Special Exception to allow construction of a Class B Office Building in an RO zone. Variance to permit a residential transition area setback and buffer of as little as 13 feet in lieu of the required 50 feet and 75 feet respectively, to permit medical offices to occupy up to 50% of the adjusted gross floor area instead of the 25% permitted, to permit a side yard setback of 7.5 feet in lieu of the required 10 feet and 7.5 feet in lieu of the required side street side yard setback of 20 feet and to permit a parking space 5 feet from R/W line of a public street in lieu of the required 10 feet.

Hearing: Friday, December 3, 2004 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN

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

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

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

For Newspaper Advertising:	
Item Number or Case Number: <u>05 - 204- SPH XA</u> Petitioner: <u>TRACY BOWDEN</u>	
Address or Location: 1326 YORK RD	
PLEASE FORWARD ADVERTISING BILL TO:  Name: TRACY BOWDEN	
Address: 2120 CORBETT RD	
MONKTON, MD 21111	
Telephone Number: <u>410-960-8521</u>	

#### Department of Permits Development Management

Development Processing County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204





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

November 22, 2004

John B. Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number:05-204-SPHXA, 2326 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 20, 2004.

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,
U. Call Richall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

**Enclosures** 

c: People's Counsel Alvin E. Wagenheim and Walter M. Frazier P.O. Box 395 Lutherville 21093 Tracy Bowden 2120 Corbett Road Monkton 21111 Patrick C. Richardson, Jr. 730 W. Padonia Road Cockeysville 21030



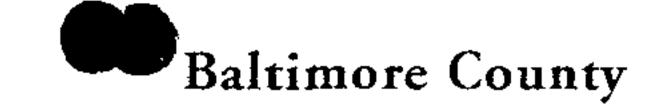
Visit the County's Website at www.baltimorecountyonline.info

#### Fire Department



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





James T Smith, Jr., County Executive John J. Hohman, Chief

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

November 3, 2004

ATTENTION: Zoning Review planners

Distribution Meeting of: November 1, 2004

Item No.: 196-204, 206

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

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

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File



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







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

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

BPR

#### Maryland Department of Transportation

Date: 11.9.04

Baltimore County

Item No. Zo4

RE:

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

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

1. 1 Gul

Engineering Access Permits Division

### BW 3

NCV 3 C 2304

#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

PDM

FROM:

John D. Oltman, Jr 700

**DEPRM** 

DATE:

November 29, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of November 1, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-197

05-200

05-201

05-202

05-203

05-204

05-206

Reviewers:

Sue Farinetti, Dave Lykens

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

DATE: November 22, 2004

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

2326 York Road

INFORMATION:

Item Number:

**5-204** 

Petitioner:

Alvin E. Wagenheim

Zoning:

**RO & DR 3.5** 

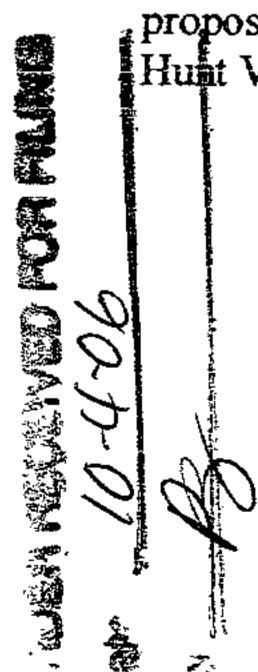
Requested Action:

Variance

# SUMMARY OF RECOMMENDATIONS:

The reuse of the RO zoned properties along this section of York Road in the West Timonium Heights neighborhood has been problematic for years. The West Timonium Heights Plan, adopted by the Baltimore County Council on May 20, 2002, was prepared primarily to "provide opportunities for the reasonable redevelopment of residentially and commercially zoned properties along the York Road corridor while ensuring that such development enhances and strengthens the existing residential community..." It is the opinion of the Community Planning Division that the requested variances will allow the reasonable use of the subject property while not being detrimental to the nearby residential properties.

The Office of Planning recommends that the subject variances be approved provided that the proposed building is constructed in accordance with design and architectural standards of the Hunt Valley/Timonium Master Plan as determined by this office.



Notwithstanding the aforementioned, the request to permit business parking in a residential zone is viewed as a commercial encroachment into the West Timonium Heights neighborhood. It is recommended that this request be **DENIED**.

Prepared by:

AFK/LL:MAC:

Division Chief:

# BALTIMORE COUNTY, MARYLAND

# INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** August 15, 2006

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For July 24, 2006 Item No. 204

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Pavement widening, curb and gutter and drainage issues will be addressed in the development process. The entrance off of Rose Street must be at least 24-feet wide.

DAK:CEN:clw cc: File

ZAC-ITEM NO 204-08152006.doc



2326 York Road; W/side York Road,

300' N c/line Thelma Street

8<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts Legal Owner(s): Alvin E Wagenheim &

Walter M Frazier

×

Contract Purchaser(s): Tracy Bowden

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

\* FOR

\*

\*

BALTIMORE COUNTY

05-204-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.

People's Counsel for Baltimore

People's Counsel for Baltimore County

RECEIVED

Per....

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 29<sup>th</sup> day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to Patrick C. Richardson, Jr, 730 W. Padonia Road, Cockeysville, MD 21030 and to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY SLITE 495 COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

JOHN B. GONTRUM

DIRECT NUMBER

410-832-2055

JGontrum@wtplaw.com

210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515

> 410 832-2000 DIRECT FAX 410 339-4058

> > www wtplaw com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

115 ORONOCO STREET
ALEXANDRIA, VIRGINIA 22314
TELEPHONE 703 836-5742
FAX 703 836-3558

Kristen: OK to postpore MK

July 27, 2006

Timothy Kotrocco, Director
Department of Permits and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, MD 21204

Case Number: 05-204-SPHXA
2326 York Road West side of York Road,
300 feet north of centerline of Thelma Street
8th Election District - 3rd Councilmanic District
Legal Owners: Dr. Tracy Bowden

Dear Director Kotroco:

Re:

Please be advised that a Special Hearing with regard to the above-captioned matter is presently scheduled for August 23, 2006 at 9:00 a.m. Due to a conflict in my schedule. I respectfully request an adjournment of this matter until **September 15, 2006.** 

Thank you for your time and consideration in this matter.

Sincerely,

John B. Gontrum

JBG:vm

Cc: Dr. Tracy Bowden

Mr. Patrick C. Richardson, Jr.



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ALEXANDRIA, VIRGINIA 22314
TELEPHONE 703 836-5742
FAX 703 836-3558

July 7, 2006

Carl Richards, Zoning Supervisor Department of Permits and Development Management County Office Building 111 W. Chesapeake Avenue Baltimore, Maryland 21204

Re: Case No. 05-204-SPHXA

Dear Mr. Richards:

Attached are amended site plans, descriptions and petitions in the above-referenced matter. Last year, after filing the petitions in the above referenced case, conversations ensued among my client, the neighbors and the Greater Timonium Community Council. As a result my client purchased adjoining property and relocated his proposed parking so outside the D.R. zone.

My client's special exception request for a Class B office building in a R.O. zone remains the same. The area encompassed by the request, however, has changed. My client is dropping the Special Hearing request, for there is no longer any parking or use of the D.R. zoned property to support the medical offices.

Because of the relocation of the building and adjustment to the parking area, the variance request is being amended to reflect the proposed structure, its use for medical offices and its location on the property.

We also believe that the property should be reposted and advertised.

John B. Gontrum

JBG:jbg Attachments

# WHITEFORD, TAYLOR & PRESTON L.L.P.

SEVEN SAINT PAUL STREET BALTIMORE, MARYLAND 21202-1626 TELEPHONE 410 347-8700 FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

> JOHN B. GONTRUM DIRECT NUMBER 410-832-2055 JGontrum@wtplaw.com

210 West Pennsylvania Avenue TOWSON, MARYLAND 21204-4515 410 832-2000 FAX 410 832-2015

www.wtplaw.com

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742 FAX 703 836-0265

February 7, 2005

William J. Wiseman, III Baltimore County Zoning Commissioner 4th Floor, Room 405 401 Bosley Avenue Towson, Maryland 21204

Re:

Dr. Tracy A. Bowden-

**Zoning Matters** 

Case No.: 05-204-SPHXA Our File No.: 079850/00001

Dear Commissioner Wiseman:

I am in receipt of your letter dated February 2, 2005 wherein you discuss that the above referenced case was continued on December 3, 2004 to allow discussions with the community. My client is in the process of trying to resolve some issues with the community members and, as you indicated, additional time is required. I believe it is in the best interests for all involved at this time that the file be returned to DPDM for future scheduling. We will contact Ms. Kristen Matthews when we are ready to proceed.

Thank you for your kind attention to this matter.

John B. Gontrum

JBG/kml

Dr. Tracy A. Bowden CC:

Mr. Alvin Wagenheim

Mr. Walter Frazier

Mr. Rick Richardson

Mr. Lou Miller

Ms. Kristen Matthews

Edward C. Covahey, Jr., Esquire

321503v2

WHITEFORD, TAYLOR & PRESTON L.L.P.

> 210 WEST PENNSYLVANIA AVENUE Towson, Maryland 21204-4515 410 832-2000 FAX 410 832-2015

> > www wtplaw com

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1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2928 TELEPHONE 703 836-5742

NOV 3 0 2004

December 1, 2004

ZONING COMMERCIAL COMPARCIAL COMPARCIAL COMPARCIAL COMMERCIAL COMMERCIAL COMPARCIAL COMPARCIAL COMPARCIAL COMP

JOHN B. GONTRUM

SEVEN SAINT PAUL STREET

BALTIMORE, MARYLAND 21202-1626

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COLUMBIA, MARYLAND 21044-3528

TELEPHONE 410 884-0700

FAX 410 884-0719

DIRECT NUMBER 410-832-2055 JGontrum@wtplaw.com

# VIA HAND DELIVERY

William J. Wiseman, III Baltimore County Zoning Commissioner 4th Floor, Room 405 401 Bosley Avenue Towson, Maryland 21204

Re:

Dr. Tracy A. Bowden-

**Zoning Matters** 

Case No.: 05-204-SPHXA Our File No.: 079850/00001

Dear Commissioner Wiseman:

I am writing to request a continuance in connection with the above referenced Zoning Hearing which is scheduled to be held on Friday, December 3, 2004 at 9:00 a.m. We are in the process of holding discussions with the community council and are reconfiguring our development proposal in an effort to settle some issues with the community association. Unfortunately, we are not able to have the revised plans by Friday and do not wish to proceed under our current filing at this time. A copy of the original Notice is enclosed for your convenience.

Please contact our offices at your earliest convenience.

Very truly yours,

John B. Gontrum

JBG/kml Enclosure

Dr. Tracy A. Bowden CC:

Mr. Alvin Wagenheim

Mr. Walter Frazier

Mr. Rick Richardson

321503

# ATTORNEYS AT LAW 614 BOSLEY AVENUE TOWSON, MARYLAND 21204

EDWARD C. COVAHEY, JR.

F. VERNON BOOZER \*

MARK S. DEVAN

THOMAS P. DORE

MICHAEL T. PATE

STACIE D. TRAGESER

BRUCE EDWARD COVAHEY

JENNIFER MATTHEWS HERRING

YONA OPENDEN

\*ALSO ADMITTED TO D.C. BAR

410-828-9441

FAX 410-823-7530

ANNEX OFFICE SUITE 302 606 BALTIMORE AVE. TOWSON, MD 21204

JAN I 0 2005

January 7, 2005

THE COMER

Zoning Commissioner's Office for Baltimore County 401 Bosley Ave., Suite 405 Towson, Maryland 21204

Re: Case No. 05-204-SPHXA

Property: 2326 York Road

### Dear Sir/Madam:

Please enter the appearance of the undersigned as counsel for Edward C. Covahey, Jr. and Donald C. Covahey, the owners of that real estate situate at 2318-2320-2322 York Road.

Please provide the undersigned with any notices with respect to this matter, and especially the hearing that I understand was continued.

Your cooperation is appreciated.

Very truly yours,

Edward C. Covahey, Jr.

ECC,Jr./ldr 0106ldr07

cc: John B. Gontrum, Esq.

# Bill Wiseman - Bowden Case

From: "Gontrum, John" < JGontrum@wtplaw.com>

To: <wwiseman@co.ba.md.us>

**Date:** 12/1/2004 5:09:45 PM

Subject: Bowden Case

Bill, thanks so much for the kind words. Actually, I do intend to be present to formally request the continuance. I agree with you that is a good way to handle such matters. In this case Betty asked for the letter for the file, for I had called her to tell her that I would be requesting the continuance and why. This is so that you might know my intentions in advance in case there were any objections as well as to assist with scheduling. We have contacted the community association to let them know what we are doing and why, but others may show up and it is wise to let them know what is going on. John

This transmission contains information from the law firm of Whiteford, Taylor & Preston L.L.P. which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify us by telephone (410) 832-2000or (410) 832-2055 or by email (jgontrum@wtpiaw.com) immediately.

# Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



# Baltimore County

James T. Smith, Jr., County Executive William J Wiseman III, Zoning Commissioner

February 2, 2005

John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Baltimore, Maryland 21221

PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE RE:

NW/Corner York Road and Rose Street

(2326 York Road)

8<sup>th</sup> Election District – 3<sup>rd</sup> Council District

Alvin Wagenheim & Walter Frazier, Owners; Tracy Bowden, Contract Purchaser - Petitioners

Case No. 05-204-SPHXA

Dear Mr. Gontrum:

This is a gentle reminder that the above-captioned case was continued in open hearing on Friday, December 3, 2004 to allow for further discussions with the community council and a reconfiguration of your client's development proposal to resolve some issues with the community.

In that nearly two months have passed since that date, I would appreciate your contacting my office at your earliest convenience and advising me as to the status of this matter. If your client is prepared to move forward on the Petitions filed, we can establish a mutually convenient hearing date and time. In the event additional time is required, it would be my suggestion that I return the file to the Department of Permits and Development Management to avoid confusion, and when you are ready to proceed, you would then contact Ms. Kristen Matthews and ask her to reschedule.

Thank you for your prompt attention to this matter.

WILLIAM J. WISEMAN, III

Zoning Commissioner

for Baltimore County

Very traily yours.

cc:

WJW:bis

Messrs. Alvin Wagenheim & Walter Frazier, P.O. Box 395, Lutherville, Md. 21093

Dr. Tracy A. Bowden, 2120 Corbett Road, Monkton, Md. 21111

Mr. Patrick C. Richardson, Jr., 730 W. Padonia Road, Cockeysville, Md. 21030

Edward C. Covahey, Jr., Esquire, 614 Bosley Avenue, Towson, Md. 21204

Mr. Lou Miller, 44 E. Timonium Road, Timonium, Md. 21093

Ms. Kristen Matthews, DPDM; People's Counsel; Case File



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

- f. Spirits manufacture, including the manufacture of alcohol to be used in gasoline/alcohol mixtures, but excluding the production of these mixtures. [Bill Nos. 178-1979; 51-1993]
- g. Firewood operations. [Bill No. 151-1992]
- h. Winery, including accessory retail and wholesale distribution of wine produced on-premises. Temporary promotional events, such as wine tastings or public gatherings associated with the winery, are permitted, within any limits set by the special exception. [Bill No. 51-1993]
- i. Bottled water plant, if the source of the water is located on the same site as the plant, and provided that the Director of Environmental Protection and Resource Management makes a recommendation that the proposed facility will not adversely affect the quality or capacity of surface water or groundwater. [Bill No. 51-1993]

## 1A01.3 Height and area regulations.

A. Height regulation. No structure hereafter erected in an R.C.2 Zone shall exceed a height of 35 feet, except as otherwise provided under Section 300.

# B. Area regulations. [Bill No. 178-1979]

- 1. Subdivision lot density. No lot of record lying within an R.C.2 Zone and having a gross area of less than two acres may be subdivided. No such lot having a gross area between two and 100 acres may be subdivided into more than two lots (total), and such a lot having a gross area of more than 100 acres may be subdivided only at the rate of one lot for each 50 acres of gross area. In cases where land in single ownership is crossed by existing or proposed roads, rights-of-way or easements, the portions of land on either side of the road, right- of-way or easement shall not be considered separate parcels for the purpose of calculating the number of lots of record. [Bill Nos. 199-1990; 125-2005]
- Lot size. A lot having an area less than one acre may not be created in an R.C.2 Zone.
- Setback requirements. No principal structure or dwelling (whether or not it
  is a principal structure) in an R.C.2 Zone may be situated within 75 feet of
  the center line of any street or within 35 feet of any lot line other than a
  street line.
- 4. Principal dwellings per lot. No more than one principal dwelling is permitted on any lot in an R.C.2 Zone.
- 1A01.4 Maryland Agricultural Land Preservation Program. The use or development of land in an agricultural district established in accordance with Title 2, Subtitle 5 of the Agriculture Article of the Annotated Code of Maryland shall be governed by agricultural land preservation provisions enacted by the County Council pursuant to § 2-513 of the Agriculture Article in the case of any conflict between those provisions and these regulations. [Bill Nos. 178-1979; 137-2004]

1A-10 02-15-2006

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBEROS ADUI-SPHXA
DATE 9-20-06

# CITIZEN'S SIGN-IN SHEET

E- MAIL	W. D. D.	MODE BOCKEDAN				
TATE, ZII	Lutheenille MD 21093 Lutheenille MD 21093 Timontum 21293	7 (M. M.) 2002				
SS	3/12	ONIN				
NAME	SED COVAHISTER CENTER AND A THEN	LOUIS W MILLER				

PLEASE PRINT CLEARLY

CASE NUMBER 05. 204.5PHXA
DATE 9[20/06

PETITIONER'S SIGN-IN SHEET

PUCCCUMOSON EXPINERALINEAR E-MAIL Marwik Town MD 211 CITY, STATE, ZIP MP 21030 Coccessuce SUTELC CORBET PADDUIA R.P. ADDRESS 000 2120 CICHINGO SON

