IN RE: PETITIONS FOR SPECIAL EXCEPTION & SPECIAL HEARING

N side of Mt. Carmel Road, 250 feet W of the c/l of York Road 7th Election District 3rd Councilmanic District (14 Mt. Carmel Road)

14 Mt. Carmel Road, LLC; Randolph H. Shelley Petitioner

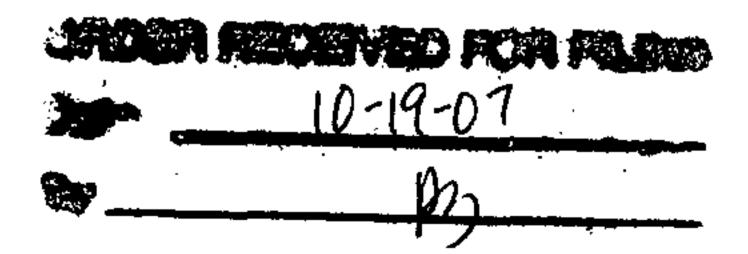
- * BEFORE THE
- * DEPUTY ZONING
- * COMMISSIONER
- FOR BALTIMORE COUNTY

CASE NO. 07-559-SPHX

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by the legal owner of the subject property, Randolph H. Shelley on behalf of 14 Mt. Carmel Road, LLC. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) and requests approval of an amendment to the relief granted and the plans approved in Case Nos. 02-565-X and 04-355-SPH. The Special Exception filed pursuant to Section 259.3.B.3 of the B.C.Z.R. requests approval of an additional 405 square feet of medical office space via a single-story addition to existing Building No. 1, as shown on the site plan, and approval of the total floor area of 8,767 square feet, with 6,927 square feet on the first floor in lieu of the requirements of Section 259.3.C.1 of the B.C.Z.R.. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evdience as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the special hearing and special exception requests were Randolph H. Shelley on behalf of Petitioner 14 Mt. Carmel Road, LLC, Howard L. Alderman, Jr., Esquire, attorney for Petitioner, and Geoffrey C. Schultz with McKee & Associates, Inc., the consultant who prepared the site plan. Also appearing in support of the



requests was Steve Kinsey of 12 Patchwork Court in Monkton, MD. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is a rectangular-shaped parcel located along the north side of Mt. Carmel Road, just west of York Road in the Hereford area of Baltimore County. The property consists of approximately 59,234 square feet or 1.360 acres, more or less, zoned R.C.5 with a C.R. district overlay, and adjoins land zoned B.L.-C.R. and R.O.-C.R. It is currently improved with a two-story framed dwelling used for medical and general offices (labeled on the site plan as Building No. 1) located east of the main entrance into the property. It is also improved with a second two-story framed dwelling used for medical and general offices (labeled on the site plan as Building No. 2) located on the west side of the property.

The property was previously the subject of two prior zoning cases which relate to Petitioner's requests for relief. In 2002, the subject property was already improved with Building No. 1 and the owners of the property, Nancy Wheatley and Vincent Chilcoat, and the Contract Purchasers, 14 Mt. Carmel Road, LLC, sought a special exception to approve the use of the property and the existing building for general office and medical office use in an R.C.5-C.R. district. In Case No. 02-565-X, the special exception was granted by then Deputy Zoning Commissioner Timothy Kotroco in an Order dated October 31, 2002. Thereafter, in 2004, the current owner, Petitioner 14 Mt. Carmel Road, LLC, sought a special hearing to approve an amendment to the previously granted special exception in order to permit the construction of a two-story building for general and medical offices, and an addition to the parking lot -- essentially an expansion of the use existing at that time. In Case No. 04-355-SPH, the special hearing was granted by then Zoning Commissioner Lawrence E. Schmidt in an Order dated April 15, 2004.

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10-19-07
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In the instant matter, Petitioner desires to construct a one-story framed addition to Building No. 1 consisting of 405 square feet for medical office use. In particular, the addition will enable the current tenant on the first floor, Dr. Kinsey, to expand his physical therapy practice. This will result in a gross floor area for the buildings of 8,767 square feet, of which 6,927 square feet will be on the first floor, exceeding the allowable first floor area of 6,600 square feet in a C.R. district overlay, as contained in Section 259.3.C.1(a) of the B.C.Z.R. Because the inclusion of the addition will result in the property exceeding the requirements of Section 259.3.C.1, the use may be permitted under Section 259.3.B.3 of the B.C.Z.R. by special exception only, and the proposed development must be in compliance with site design guidelines and performance standards which are part of a duly adopted Master Plan for the District.

In support of the requests for relief, and in particular, Section 259.3.B.3 of the B.C.Z.R., Petitioner submitted a copy of page 246 of the Baltimore County Master Plan 2010 which was marked and accepted into evidence as Petitioner's Exhibit 4. The Master Plan indicates that Hereford is one of the two designated rural commercial centers in the Master Plan (along with Jacksonville). Petitioner also submitted a copy of page 247 of the Master Plan which states that in order to manage growth in rural commercial centers so as not to be spread or repeated throughout the rural areas, office and retail service uses shall be concentrated in these two areas. See, Petitioner's Exhibit 5. In addition, page 8, Map 2 of the Hereford Community Plan, which was marked and accepted into evidence as Petitioner's Exhibit 6, shows that the subject property is part of the Commercial Rural District Boundary. It should also be noted that page 15 of the Hereford Community Plan states that there are numerous additional opportunities for conversion of small residential properties to small commercial uses. See, Petitioner's Exhibit 7. Petitioner also points out on page 17, Map 4 of the Hereford Community Plan that the property just north of the subject

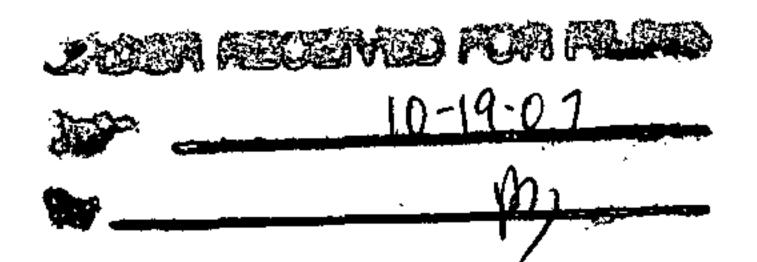
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10-19-07
(A)

property has been designated as a Long Range Potential Commercial Area. See, Petitioner's Exhibit 8.

Finally, Mr. Schultz, Petitioner's consultant, was offered and accepted as an expert in land use and development and opined that in accordance with Sections 500.7 and 502.1 of the B.C.Z.R., the granting of the requested relief would not be detrimental to the health, safety, and general welfare of the public, and was within the spirit and intent of the zoning regulations. He also indicated the plan was in compliance with the C.R. regulations and performance standards.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Comments received from the Office of Planning dated July 10, 2007 indicates that the Office does not object to the special exception for the total floor area of 8,767 square feet with 6,927 square feet on the first floor, but considering that this structure is on the MHIP Inventory and is considered historic, the architecture should match what has already been improved to the primary structure and building elevations and architecture should be submitted to the Planning Office prior to building permit approval.

Considering all the testimony and evidence, I am persuaded to grant the requested relief. Petitioner has shown that the proposed addition will not be detrimental to the health, safety, or general welfare of the locality, nor will it tend to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R. Moreover, the facts and circumstances do not show that the addition and the overall use at this particular location will have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. *See, Schultz v. Pritts*, 432 A.2d 1319 (1981).



In addition to the factors considered in Section 502.1 of the B.C.Z.R., the testimony and evidence clearly demonstrates that the use satisfies all of the requirements and restrictions for a C.R. district, as set forth in Section 259.3 of the B.C.Z.R. Finally, Petitioner's Final Landscape Plan has been reviewed and approved by the County's Landscape Architect, E. Avery Harden. See, Petitioner's Exhibit 9.

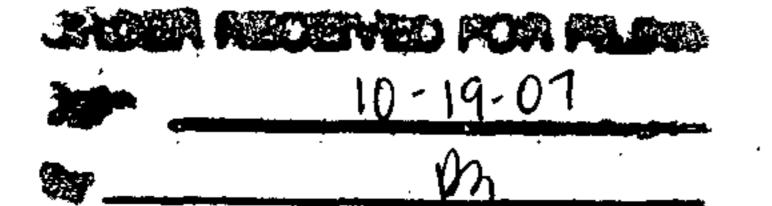
Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's requests for special exception and special hearing should be granted with conditions.

THEREFORE, IT IS ORDERED this _______ day of October, 2007, by the Deputy Zoning Commissioner, that Petitioner's request for Special Exception Pursuant to Section 259.3.B.3 of the B.C.Z.R. for approval of an additional 405 square feet of medical office via a single-story addition to existing Building No. 1, as shown on the site plan, and approval of the total floor area of 8,767 square feet, with 6,927 square feet on the first floor in lieu of the requirements of Section 259.3.C.1 of the B.C.Z.R. be and is GRANTED; and

IT IS FURTHER ORDERED that the Special Hearing request filed pursuant to Section 500.7 of the B.C.Z.R. to approve an amendment of the relief granted and the plans approved in Case Nos. 02-565-X and 04-355-SPH be and is GRANTED.

Subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until 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.
- 2. The structure which is the subject of the proposed addition is on the MHIP Inventory and is considered historic, therefore, the architecture should match what has already been improved to the primary structure and building elevations and architecture shall



be submitted to the Planning Office for review and approval prior to the issuance of any building permit.

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

THOMAS H. BOSTWICK Deputy Zoning Commissioner

for Baltimore County

THB:pz

2020 ACCIVED NOR PROMISED 10-19-07



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

October 19, 2007

HOWARD ALDERMAN, ESQUIRE LEVIN & GANN 502 WASHINGTON AVENUE, 8TH FLOOR TOWSON, MD 21204

Re: Petition for Special Hearing Case No. 07-559-SPHX Property:

Dear Mr. Alderman:

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,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Geoffrey Schultz, Mckee & Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville MD 21030
Steve Kinsey 12 Patchwork Court, Monkton MD, 21111

Steve Kinsey, 12 Patchwork Court, Monkton MD 21111 Randy Shelley, 2601 Cotter Road, Millers MD 21102



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 14 Mt. Carmel Road

which is presently zoned RC-5/CR

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.

	ı	is the subject of this	s retition.		
Contract Purchaser/Lessee:	ı	Legal Owner(s	<u>):</u>		
NONE	1	14 Mt. Carmel Road,	LLC	_	
Name - Type or Print	, ,	lame - Type or Print			
Signature	,	Signature	PH H. S	HELL	EY
Address	Telephone No.	Name - Type or Print			
City State Attorney For Petitioner:	Zip Code	Signature PO BOX 356	410	3-329-8040	
Howard L. Alderman, Jr., Esquir	e ·	Address MONKTON	MD	21111	Telephone No.
Name - Type or Print Signature		Representative	State e to be Conta	•	Code
Levin & Gann, PA Nottingham Centre	, 8th Floor	GEOFFREY C. SCI	HULTZ, PLS	McKee & As	ssoc., Inc.
Company 502 Washington Avenue 410-321-0	600□	Name 5 Shawan Road, Sui	ite 1	410-52	27-1555
Address Towson, MD 21204	Telephone No.	Address Hunt Valley	MD		Telephone No 21030
City	Zip Code	City		State	Zip Code
		<u>c</u>	OFFICE USE ONLY		
Case No. 07-559-5PH	×	ESTIMATED LENGTH UNAVAILABLE FOR H			
DEV 00/15/00		Reviewed By	J₽	Date	-14-07
REV 09/15/98 10-19-0	IN FALLS				

· Attachment 1

PETITION FOR SPECIAL EXCEPTION

CASE NO:	07-	-SPHX

Address:

14 Mt. Carmel Road

Legal Owner: 14 Mt. Carmel Road, LLC

Present Zoning:

RC-5 / CR

REQUESTED RELIEF:

- A. Pursuant to BCZR § 259.3B.3, approval of an additional 405 sq. ft. of medical office via a single story addition to existing Building No. 1, as shown on the Plat to Accompany this Petition, and approval of the total floor area of 8767 square feet, with 6927 square feet on the first floor, in lieu of the requirements of BCZR § 259.3C.1;
- B. To amend the prior relief granted and plans approved in Case Nos. 02-565-X and 04-355-SPH; and
- C. To approve such additional relief as the nature of this case as presented at the time of the hearing on this Petition may require, within the spirit and intent of the BCZR.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 8th Floor, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 14 Mt. Carmel Road
which is presently zoned <u>RC-5 / CR</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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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 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.

		•	is the subject of this I	Petition.	or the property miner
Contract Purchas	ser/Lessee:	•	Legal Owner(s):		
NONE			14 Mt. Carmel Road	, LLC	•
Name - Type or Print		Nan	ne - Type or Print		
Signature			Signature (RANDO)	LPH H. S	HELLEY
Address		Telephone No.	Name - Type or Print		
City	State	Zip Code	Signature PO BOX 356	410	0-329-8040
Attorney For Pet	itioner:	!	Address		Telephone No.
Howard L. Alderma	n, Jr., Esquire	ı	MONKTON	MD	21111
Name - Type or Print, n		City	<u></u>	State	Zip Code
Doward 1	Alder +		Representative t	to be Contacte	<u>:d:</u>
Signature Levin & Gann, PA	9		GEOFFREY C. SCH	IULTZ, PLS Mc	Kee & Assoc., Inc.
Company 502 Washington Av	enue, Suite 800	410-321-0600	Name 5 Shawan Road, Sui	te 1	410-527-1555
Address		Telephone No.	Address		Telephone No.
Towson	Maryland	21204	Hunt Valley	MD	21030
City	State	Zip Code	City	State	e Zíp Code
			<u>OF</u>	FICE USE ONLY	
			ESTIMATED LENGTH (OF HEARING'	
Case No. 07	- <u>55</u> 9- SP4	*	UNAVAILABLE FOR HE	aring	
		Rev	riewed By	Date G	- 14-07
REV 9/15/98	THE RESERVE	WED FOR FLE			
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Attachment 1

PETITION FOR SPECIAL HEARING

CASE NO:	07-	<u>-SPHA</u>
		

Address:

14 Mt. Carmel Road

Legal Owner: 14 Mt. Carmel Road, LLC

Present Zoning:

RC-5 / CR

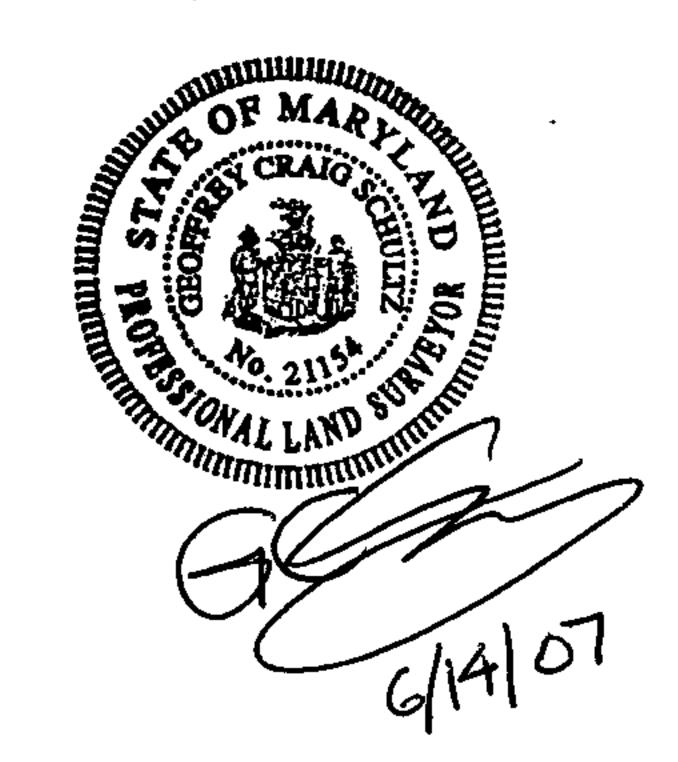
REQUESTED RELIEF:

"why the Zoning Commissioner should approve": (i) an amendment of the relief granted and the plans approved in Case Nos. 02-565-X and 04-355-SPH; and (ii) such further relief and approvals as the nature of this case may require.

FOR ADDITIONAL INFORMATION ON THIS PETITION, PLEASE CONTACT:

Howard L. Alderman, Jr., Esquire Levin & Gann, P.A. 8th Floor, Nottingham Centre 502 Washington Avenue Towson, Maryland 21204

(410) 321-0600 Fax: (410) 296-2801 halderman@LevinGann.com ZONING DESCRIPTION OF
#14 MT. CARMEL ROAD
7TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



BEGINNING at a point on the north side of Mt. Carmel Road (40-foot wide right-of-way) at a distance of 250 feet west of the centerline of York Road; thence running along the north side of Mt. Carmel Road, North 65 degrees 24 minutes 53 seconds West, 144.63 feet and by a curve to the left, having a radius of 1,165.92 feet and an arc length of 228.74 feet; thence running North 00 degrees 58 minutes 15 seconds West, 170.92 feet, South 65 degrees 35 minutes 03 seconds East, 28.95 feet, South 65 degrees 35 minutes 03 seconds East, 342.78 feet, South 04 degrees 29 minutes 25 seconds East, 144.93 feet, and South 04 degrees 29 minutes 25 seconds East, 7.17 feet to the place of beginning. CONTAINING 1.189 acres of land as recorded in Deed Liber 1202, folio 033.

559

DATE G-11 O) ACCOUNT OCIC-CISU NEUTRIN # 1502 1147011 RECEIVED M. L. C.
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The county will hold a public hearing in Towson, Maryland on County will hold a public hearing in Towson, Maryland on County will hold a public hearing in Towson, Maryland on County will hold a public hearing in Towson, Maryland on County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

14 Mt. Carmel Road

15 Mt. Carmel Road

16 Mt. Carmel Road

7th Election District - 3rd Councilmanic. District

8pecial Hearing: to approve an amendment of the requirement by ton the first floor, in ileu of the requirement by the prior religing in BCZR Section 259.3C.1 and to amend the prior religing granted and plans approved in Case Nos. 02-565-X and 04-355-SPH.

Hearing: Wednesday, September 19, 2007 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesspeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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,

(2) For Information concerning the File and/or Hearing,

JT 9/623 Sept. 4

, 20<u>6</u>

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md.,

successive weeks, the first publication appearing 202 once in each of

6

butus Times F

X The Jeffersonian

Catonsville Times

Towson Times

Owings Mills Times

■ NE Booster/Reporter

North County News

1 Julins

LEGAL ADVERTISING

Engineering • Surveying • Environmental Planning Real Estate Development

		DATE: September 04, 2007
TO: Ball	timore County, PDM	RE: Case No.: 07-559-SPHX # 14 Mt. Carmel Road MAI:Job No.: 02-013
ATTENT	ION: Mrs. Kristen Mat	thews / Mr. Timothy Kotroco
(X) We a	are submitting	() We are returning () We are forwarding
() Herev	with	() Under separate cover
No.	·	Description
1	Certificate Of Posting	······································
2	Photos	
	<u></u>	
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(X) For	processing	() For your use () For your review
() Plea	se call when ready	() Please return to this office () In accordance with your request
Remark	(S :	
For furt	her information, please	e contact the writer at this office.
	•	Very truly yours,
		McKee & Associated for Sullick

cc: File

RECEIVED

William D. Gulick, Jr.

SEP 4 2007

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

Shawan Place • Suite 1 • 5 Shawan Road • Cockeysville, MD 21030 Tel: 410-527-1555 • Fax: 410-527-1563 • E-Mail: @mckeeinc.com

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Rm. 111 Towson, MD 21204

Attention: Mr. Timothy Kotroco / Mrs. Kristen Matthews

RE:Case Number: 07-559-SPHX

Petitioner/Developer: Mt. Carmel Road, LLC

Date of Hearing/Closing: Wednesday, Sept. 19, 2007 @ 9:00 am

This is to certify under the penalties of perjury that the necessary sign(s) required by law were

posted conspicuously on the property located at # 14 Mt. Carmel Road

The sign(s) were posted on

September 04, 2007

(Month, Day, Year)

(Signature of Sign Poster)

SEE ATTACH PHOTOGRAPH OF SIGN POSTED ON

PROPERTY

William D. Gulick, Jr.

(Printed Name of Sign Poster)

McKee and Associates, Inc.

5 Shawan Road, Suite 1

(Street Address of Sign Poster)

Cockeysville, MD 21030

(City, State, Zip Code of Sign Poster)

(410) 527-1555

(Telephone Number of Sign Poster)

Revised 3/1/01 - SCJ

Date: Sept. 04, 2007

MAI Job No: 02-013

ZONING NOTICE

CASE # 07-559-5PHX

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

HING HEAPEAKE AVE ROOM 106 PLACE: TOWSON MO 21204

DATE AND TIME: SEPT. 19,2007@9:00 AM

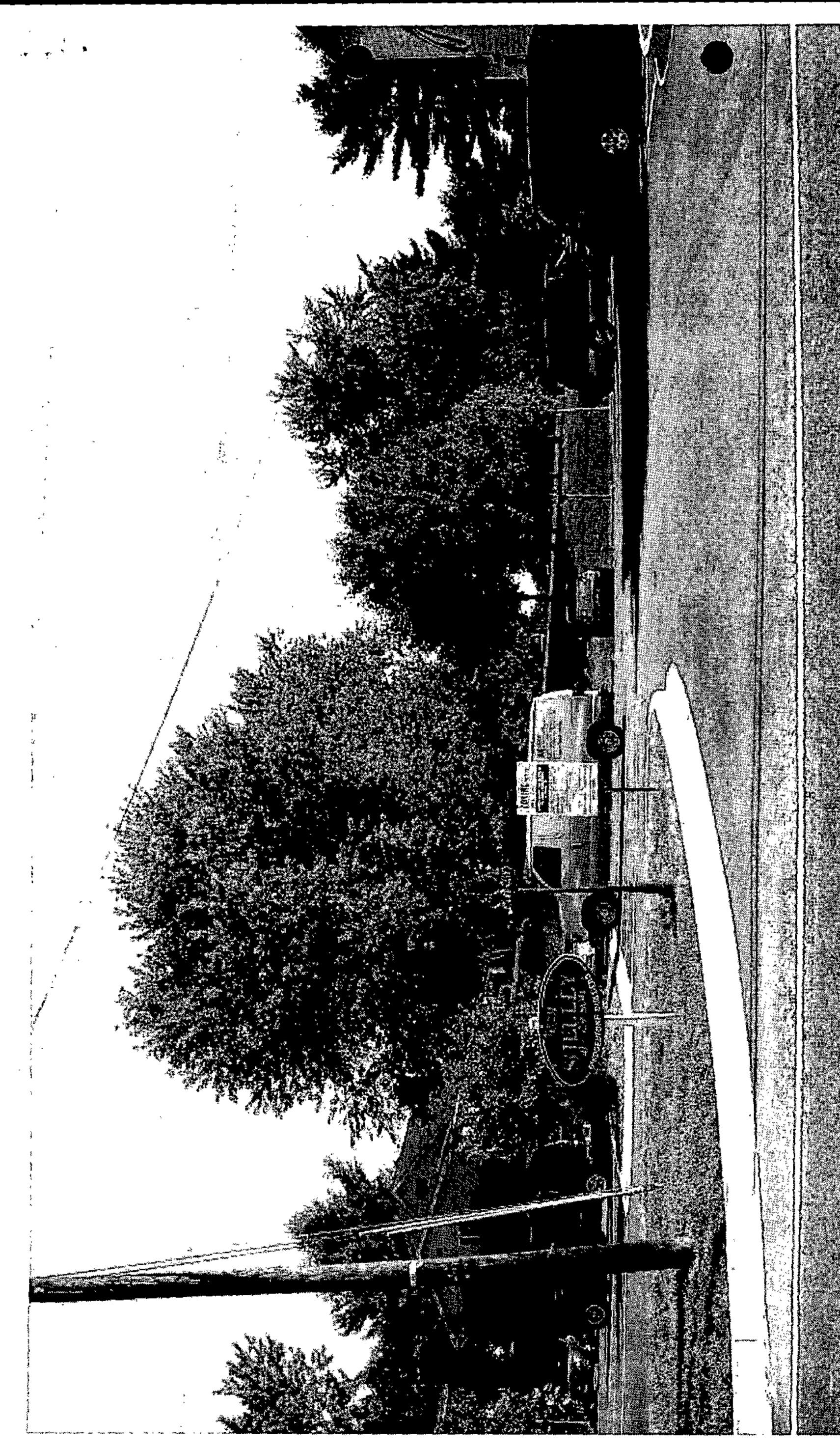
REQUEST: SEECIAL HEARING

AND SPECIAL EXCEPTION

Special Mapping to approve an amendment of the tellet grated and the plans approved in Case Nos. 02-565-X and 04-355-SPH. Special Exception pursuant to Section 359-3B.3 approval of directional 485 are it of medical affice via a single story addition to existing Building No. 1 shows on the Rieflet Accompany the polition, and approved of the total floor area of 8767 are with 8927 are it on the first floor in liabling the requirements in SCCE Section 259.3C. I and to amend the prior relief granted and plans approvedum Case Nos. 02-565-X and 64-365-SPH.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

COUNCE REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



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: 07-559-584×	
Petitioner: 14 MT. CARMEL ROAD LLC	
Address or Location: 14 MT. CARMEL RD.	
· · · · · · · · · · · · · · · · · · ·	
PLEASE FORWARD ADVERTISING BILL TO:	
Name:RANDY SHELLEY	
Address: P.O. BOX 356	
MONKTON MD. ZIIII	
Telephone Number: 410 - 329 - 8840	



JAMES T. SMITH, JR. County Executive

August 7, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-559-SPHX

14 Mt. Carmel Road

N/side of Mt. Carmel Road at a distance of 250 ft. west of centerline of York Road

7th Election District – 3rd Councilmanic District

Legal Owners: 14 Mt. Carmel Road, LLC, Randolph Shelley

Special Hearing to approve an amendment of the relief grated and the plans approved in Case Nos. 02-565-X and 04-355-SPH. Special Exception pursuant to Section 259.3B.3, approval of an additional 405 sq. ft. of medical office via a single story addition to existing Building No. 1, shown on the Plat to Accompany this petition, and approval of the total floor area of 8767 sq. ft., with 6927 sq. ft. on the first floor, in lieu of the requirements in BCZR Section 259.3C.1 and to amend the prior relief granted and plans approved in Case Nos. 02-565-X and 04-355-SPH.

Hearing: Wednesday, September 19, 2007 at 9:00 a.m. in Room 106,

County Office Building, 111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Howard Alderman, Jr., 502 Washington Avenue, 8th Floor, Towson 21204 Randolph Shelley, P.O. Box 356, Monkton 21111 Geoffrey Schultz, 5 Shawan Road, Ste. 1, Hunt Valley 21030

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 4, 2007.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 4, 2007 Issue - Jeffersonian

Please forward billing to:

Randy Shelley P.O. Box 356 Monkton, MD 21111

410-329-8840

NOTICE OF ZONING HEARING

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

CASE NUMBER: 07-559-SPHX

14 Mt. Carmel Road

N/side of Mt. Carmel Road at a distance of 250 ft. west of centerline of York Road

7th Election District – 3rd Councilmanic District

Legal Owners: 14 Mt. Carmel Road, LLC, Randolph Shelley

Special Hearing to approve an amendment of the relief grated and the plans approved in Case Nos. 02-565-X and 04-355-SPH. Special Exception pursuant to Section 259.3B.3, approval of an additional 405 sq. ft. of medical office via a single story addition to existing Building No. 1, shown on the Plat to Accompany this petition, and approval of the total floor area of 8767 sq. ft., with 6927 sq. ft. on the first floor, in lieu of the requirements in BCZR Section 259.3C.1 and to amend the prior relief granted and plans approved in Case Nos. 02-565-X and 04-355-SPH.

Hearing: Wednesday, September 19, 2007 at 9:00 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

September 12, 2007

Howard L. Alderman, Jr., Esquire Levin & Gann, PA Nottingham Centre, 8th Floor 502 Washington Avenue Towson, Maryland 21204

Dear Mr. Alderman:

RE: Case Number: 07-559-SPHX, 14 Mt. Carmel Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 2007. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Call Rills D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf Enclosures

c: People's Counsel

14 Mt. Carmel Road, LLC Randolph H. Shelley PO Box 356 Monkton 21111 Geoffrey C. Schultz, PLS McKee & Associates, Inc. 5 Shawan Road, Suite 1 Hunt Valley 21030

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

7

Timothy M. Kotroco, Director

DATE: July 10, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s):

Case(s) 07-559- Special Exception and Special

Hearing

The petitioner requests a special exception from Section 259.3B.3 of the BCZR, to permit an additional 405 square feet of medical office via single story addition to existing Building No. 1 and approval of the total floor area of 8,767 square feet, with 6,927 square feet on the first floor, in lieu of the requirements of the BCZR Section 259.3C.1. The petitioner also requests a special hearing for an amendment of the relief granted and the plans approved in Case Nos. 02-565-X and 04-355-SPH.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not object to the special hearing for an amendment of the relief granted and the plans approved in Case Nos. 02-565-X and 04-355-SPH.

Section 259.3.C1, states that buildings which exceed the requirements may be permitted by special exception only when the proposed development is in compliance with site design guidelines and performance standards which are part of a duly adopted (Hereford) Master Plan for the district. Therefore this Office does not object to the special exception, for the total floor area of 8,767 square feet, with 6,927 square feet on the first floor, but considering that this structure is on the MHIP Inventory and is considered historic, the architecture should match what has already been improved to the primary structure and building elevations and architecture shall be submitted to this office prior to building permit approval.

For further questions or additional information concerning the matters stated herein, please contact Jessie Bailek in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

7

Timothy M. Kotroco, Director

DATE: June 27, 2007

Department of Permits & Development Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 2, 2007

Item Nos. 07-521, 555, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569,

570, 571, and 572

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-06272007.doc

Fire Department

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



Baltimore County

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

July 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 25, 2007

559

Item Number: 555 through 572

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

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

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

cc: File





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

Neil J. Pedersen, Administrator

John D. Porcari, Secretary

Maryland Department of Transportation

June 22, 2007

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

RE: Baltimore County

Item No. 07-559-SPHX
MD 137 (MT Carmel Road)
250' west of MD 45 (York RD)
MT Carmel Road, LLC Property

Special Hearing and Special Exception

Dear Ms. Matthews:

We have reviewed the plat to accompany petition for special exception and special hearing on the subject of the above captioned, which was received on June 20, 2007. A field inspection reveals that the MD 137 (MT Carmel Road) location shows that an entrance is provided to serve the existing surface parking. Based on available information the proposed parking layout would operate more efficiently with appropriate acceleration and deceleration lanes along the property frontage. A permit for these improvements within the MD 137 right-of-way issued by this office is necessary. To that end, the State Highway Administration (SHA) recommends that the above be a condition for MT Carmel Road, LLC Item # 07-559-SPHX approval.

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

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA

Mr. Michael Pasquariello, Utility Engineer, SHA

 RE: PETITION FOR SPECIAL HEARING

AND SPECIAL EXCEPTION

14 Mt. Carmel Road; N/S Mt. Carmel Rd,

250' W c/line York Road

7th Election & 3rd Councilmanic Districts Legal Owner(s): 14 Mt. Carmel Rd, LLC

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

* BALTIMORE COUNTY

07-559-SPHX

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of July, 2006, a copy of the foregoing Entry of Appearance was mailed to Geoffrey C. Schultz, McKee & Associates, Inc, 5 Shawan Road, Suite 1, Cockeysville, MD 21030 and Howard L. Alderman, Jr. Esquire, Levin & Gann, P.A., 502 Washington Avenue, 8th Floor, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUL - 3 2007

Set

Heten Mux Ammorman PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME 14 MT CALVER LOS CASE NUMBER 07-559-5PMX DATE 19 SEPT 07

PETITIONER'S SIGN-IN SHEET

E- MAIL													
CITY, STATE, ZIP	HUNT VALLEY MD. 21030	mo 21111	12 du 42	. 21									
ADDRESS	5 SHAWAN ROAD	12 HTEHWORK CT	522 WHSHING TON AVE SPED	2601 CH- M.									
NAME	GEGFFREY C. SCHULTZ	Steve Kinsey	Howald Haraman Se	Kandy Shelley			•						

IN RE: PETITION FOR SPECIAL EXCEPTION
N/S of Mt. Carmel Road, 250' W
centerline of York Road
7th Election District

3rd Councilmanic District (14 Mt. Carmel Road)

Nancy Wheatley & Vincent Chilcoat,

Legal Owners and

14 Mt. Carmel Road, LLC,

Contract Purchaser/Lessee

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 02-565-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, Nancy Wheatley and Vincent Chilcoat and the contract purchaser/lessee, 14 Mt. Carmel Road, LLC. The Petitioners are requesting a special exception to approve the use of the subject property for general office and medical office use in a RC-5/CR district. The petition was prepared and filed by Howard L. Alderman, Jr., Attorney at Law.

Appearing at the hearing on behalf of the special exception request were Karen Kinsey, Randy Shelley, Guy Ward and Howard L. Alderman, the attorney representing the Petitioners. There were no protestants or others in attendance..

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of 1.360 acres, more or less, zoned R.C.5/CR. The subject property is improved with an existing 2-story frame building, which is proposed to be used by the Petitioner as a physical therapist office and other general office use. The details and design of the property are more particularly shown on Petitioners' Exhibit No. 1, the site plan submitted into evidence. The Petitioner proposes to utilize the building as general offices and intends to install a parking



lot to support the use of this structure. No outside alterations are proposed to be made at this time except modifications to the entryway to the structure, in order to bring it into compliance with the Americans with Disabilities Act. In order to proceed with the conversion of the structure into general offices, the special exception is necessary.

It is clear the Baltimore County Zoning Regulations permit the Petitioner's use in a RC-5/CR zone by special exception. It is equally clear that the proposed use is not detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which shows that the use meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioner has shown that the use is conducted without real detriment to the neighborhood and does not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The use is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

In addition to the usual and customary requirements to prove a special exception, the Petitioner also has the burden to prove that the use requested satisfies the special regulations for CR districts. Those special regulations are found in Section 253.3 of the Baltimore County

Zoning Regulations. The testimony and evidence offered at the hearing clearly demonstrated that the use satisfies all of those restrictions as set forth in that section of the Baltimore County Zoning Regulations. Therefore, based on the testimony and evidence offered at the hearing and the lack of opposition to this request, I find that the special exception should be granted to allow the subject property to be used for general offices and medical offices.

Pursuant to the advertising, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested in the special exception shall be granted.

THEREFORE, IT IS ORDERED this 3/5/day of July, 2002, by this Deputy Zoning Commissioner, that the Special Exception request to approve the use of the subject property for general office and medical office use in a RC-5/CR district, be and is hereby APPROVED, subject, however, to the following restriction:

1. The Petitioners shall comply with the conditions as specified in the comment dated July 16, 2002 from the Office of Planning, a copy of which is attached hereto.

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

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

1/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 16, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JUL 16 2....

SUBJECT:

14 Mt. Carmel Road

INFORMATION:

Item Number:

02-565

Petitioner:

Nancy Wheatley

Zoning:

RC 5/CR

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

The subject property is listed on the Maryland Historical Trust Inventory as MHT # BA 2028. The pre-nineteen hundred structure is also known as the Andersen-Chilcoat House, and is classified by the 1991 Hereford Community Plan as "locally significant." The Office of Planning has determined that this structure is a good example of Victorian architecture in the Hereford community and worthy of preservation.

Considering the aforementioned, the following note should be placed on the plan:

"The structure located at 14 Mt. Carmel Road is listed as # BA 2028 on the Maryland Historical Trust (MHT) Inventory of Historic Property in Baltimore County. As a condition of this Special Exception, all alterations or changes to the exterior of the structure, either in materials and/or design, shall be subject to historic review. The Director of the Office of Planning must review and approve any changes to the exterior of said structure as guided by the Secretary of the Interior's Standards. These changes include, but are not limited to window replacements, siding replacements, roof replacements, partial demolitions, and additions."

Additionally, the Office of Planning requests that, before final approval of the Special Exception, the petitioner provide evidence to the Hearing Officer that the deed of conveyance will note the above referenced special condition on the property. This recommendation is intended to ensure proper notification to future property owners.

Prepared by:

Section Chief:

AFK/LL:MAQ

IN RE: PETITION FOR SPECIAL HEARING N/S Mt. Carmel Road, 250' W of the c/l York Road

(14 Mt. Carmel Road)
7th Election District

3rd Council District

14 Mt. Carmel Road, LLC Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 04-355-SPH

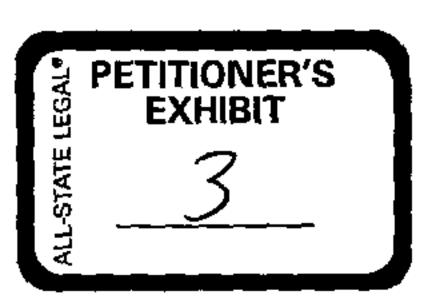
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, 14 Mt. Carmel Road, LLC, by Randolph H. Shelley, Member, through Howard L. Alderman, Jr., Esquire. The Petitioners request a special hearing to approve an amendment to the special exception granted under Case No. 02-565-X to permit the construction of a two-story frame building and an addition to the parking lot. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Randolph Shelley, a Member of the 14 Mt. Carmel Road, LLC, property owners; Geoffrey C. Schultz, Professional Engineer with McKee and Associates, Inc., who prepared the site plan for this property; and Howard L. Alderman, Jr., Esquire, the Petitioners' attorney. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located along the north side of Mt. Carmel Road, just west of York Road in Monkton. The property contains a gross area of 1.360 acres, more or less, zoned R.C.5/C.R., and is improved with a two-story frame building, which is used for medical and general offices. This use was approved by special exception, pursuant to the relief granted on July 31, 2002 in prior Case No. 02-565-X by then Deputy Zoning Commissioner Timothy M. Kotroco. The Petitioner

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now comes before me seeking approval of an expansion of the existing use. Specifically, the Petitioner proposes the construction of a second building on the site. As more particularly shown on the plan, a two-story building, 100° x 50° in dimension, is proposed to the rear of the site and a parking area between the two buildings is proposed to provide up to 36 spaces. The first floor of the new building will have one general and three medical offices, while the second floor will contain attic space and another general office space. Although the building will be two stories in height, there will be limited space on the second floor in that the first floor features a vaulted, cathedral ceiling. The proposed building will contain 5,780 sq.ft. in area. The existing building contains 2,582 sq.ft. Upon completion of the proposed construction, the site will contain a total office area of 8,362 sq.ft., which is within the maximum permitted in the C.R. district. The proposal also complies with all other applicable regulations in the R.C.5/C.R. district. That is, no zoning variances are requested, there is adequate parking on-site, and the proposed floor area ratio is appropriate.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. Schematic representations of the proposed building were submitted (see Petitioner's Exhibit 10) which show same to be appropriately designed and compatible with the area. Additionally, a landscape plan has been submitted for review and approval (Petitioner's Exhibit 7). Finally, the proposal enjoys the support of the Hereford Community Association (Petitioner's Exhibit 11) and the adjacent property owner, Ted Chilcoat (Petitioner's Exhibit 12).

Reference is made to the Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning, the Department of Environmental Protection and Resource Management, and the Maryland State Highway Administration in which certain suggestions were made relative to the design of this project. In this regard, it was indicated that the Petitioners have met with representatives of those agencies to discuss their suggestions and that they will comply with any final recommendations made as a result of these discussions.

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

this _____ day of April 2004 that the Petition for Special Hearing to approve an amendment to the special exception granted under Case No. 02-565-X to permit the construction of a two-story frame building and an addition to the parking lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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.
- 2) The Petitioners shall modify the plan as necessary to comply with any final recommendations made by the Office of Planning, the Department of Environmental Protection and Resource Management, and the Maryland State Highway Administration.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

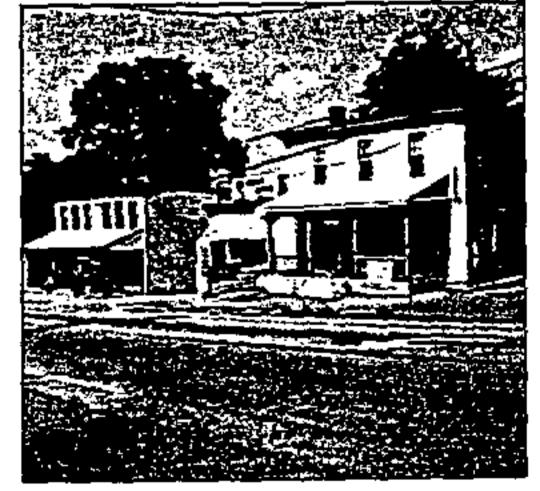
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life, primarily the importance of the automobile, but in a way that does not cede total control to the automobile. Locational factors such as proximity to existing schools and roads should be considered. The economic and environmental feasibility of providing water and sewage service on site also must be addressed for any village development.

Actions

- 1. Investigate the feasibility of a rural village concept based on the following:
 - Map potential locations for rural villages within rural residential areas and rural commercial centers to minimize impact on agriculture and resource preservation areas.
 - Locate villages within proximity of adequate roads.
 - Create appropriate design standards.
 - Provide buffers between rural villages and agricultural uses.
 - Rural villages should not be located close to one another.
 - Set limits on the amount of density, and determine the appropriate mix of land uses for each rural village.
- 2. Determine the economic and environmental feasibility of providing water and sewage systems required for a rural village.
- 3. Investigate using the rural village as a receiving area for a TDR program, transferring density from an agricultural or resource preservation area.
- 4. Apply the program on a limited basis as a test case and evaluate its merits for rural preservation.
- 5. Allow rural village development as a PUD; however, this would be an optional, not mandated, approach.



Hereford is one of the two designated rural commercial centers.

RURAL COMMERCIAL CENTERS

Only two designated rural commercial centers will continue to provide local services and facilities for the surrounding rural area. They are:

- Hereford
- Jacksonville

POLICY

• The nature, size, and scale of rural commercial centers should remain geographically small, rural in character, and be regulated through a master plan process.

ISSUES AND ACTIONS

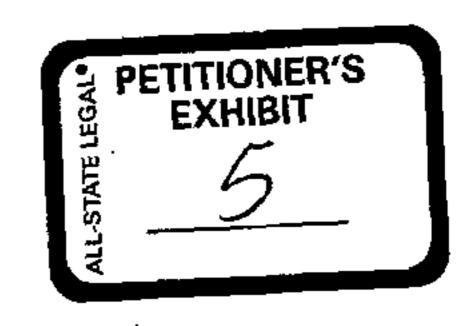
Issue: Managing Growth in Rural Commercial Centers

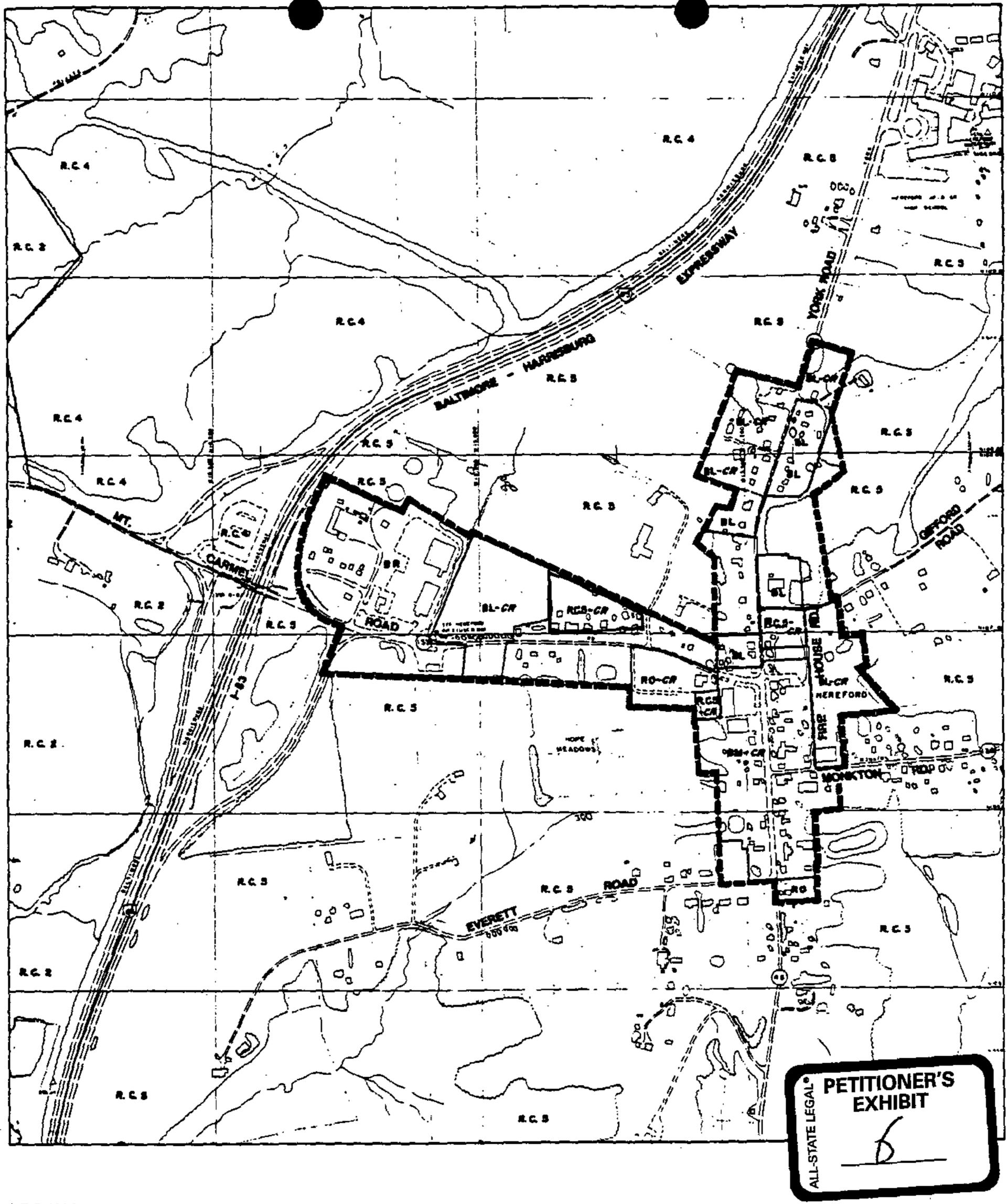
The two rural commercial centers contain a certain mass of retail and office service uses that should not be spread or repeated throughout the rural areas. These areas will continue to be the only locations within the rural area where such services will be concentrated. The size, scale, and quality of development have been a continuing issue in these centers. In addition, the ultimate buildout limits of these areas needs to be considered. These areas may also be suitable as places to transfer development rights removed from agricultural preservation or resource preservation areas.

Actions

- Manage growth and development through the adoption of specific rural commercial center master plans that are regularly updated. The master planning process should determine the ultimate boundaries and buildout of these areas.
- 2. Undertake detailed studies to determine the appropriateness and capacity of these areas to receive TDRs, both commercial and residential. Any expansion of these areas should conform to a rural village concept.
- 3. Develop overlay districts or specific zoning classifications with design performance criteria that would be unique to each of the centers so issues such as use, size, scale and design are addressed. These centers have unique characteristics that should be enhanced by new development.
- 4. Adopt development performance guidelines and standards to ensure design quality, appropriate scale of uses, natural resource protection, appropriate buffers adjacent to agricultural uses, adequate open space close to homes, and pedestrian accessibility.
- 5. Provide infrastructure support such as stormwater management.
- 6. Develop a PUD-RP process that will allow large institutional, educational, religious, and recreational uses only through a planned development process. Create locational criteria and development standards.
- 7. Provide adequate buffers and transitions between commercial projects and differing adjacent land uses to maintain rural character.

MANAGEMENT OF
THE GROWTH AND
DEVELOPMENT IN
THE RURAL
COMMERCIAL
CENTERS WILL BE
BASED ON SPECIFIC
MASTER PLANS.





LEGEND



Hereford Committee C.R. District Boundary Recommendation (September 1988) COMMERCIAL RURAL DISTRICT BOUNDARY

HEREFORD COMMUNITY PLAN

Propercy Sy: Settimore County Office of Planning and Zoning

MAP 2



In summary, review of the commercial core indicates that there are numerous additional opportunities for conversion of small residential properties to small commercial uses. The opportunity for the larger multi-tenant development is restricted to two sites of which only the property located near I-83 has good access. Thus, there may be the long term need to provide for additional commercial zoning.

The area most suitable for future commercial development is north of Mt. Carmel Road and bounded by I-83 on the west, the existing commercial zoning on the east and the limits of the existing C.R. District to the north. The area is shown on Map 4. This area was selected in order to concentrate present and future growth of commercial.

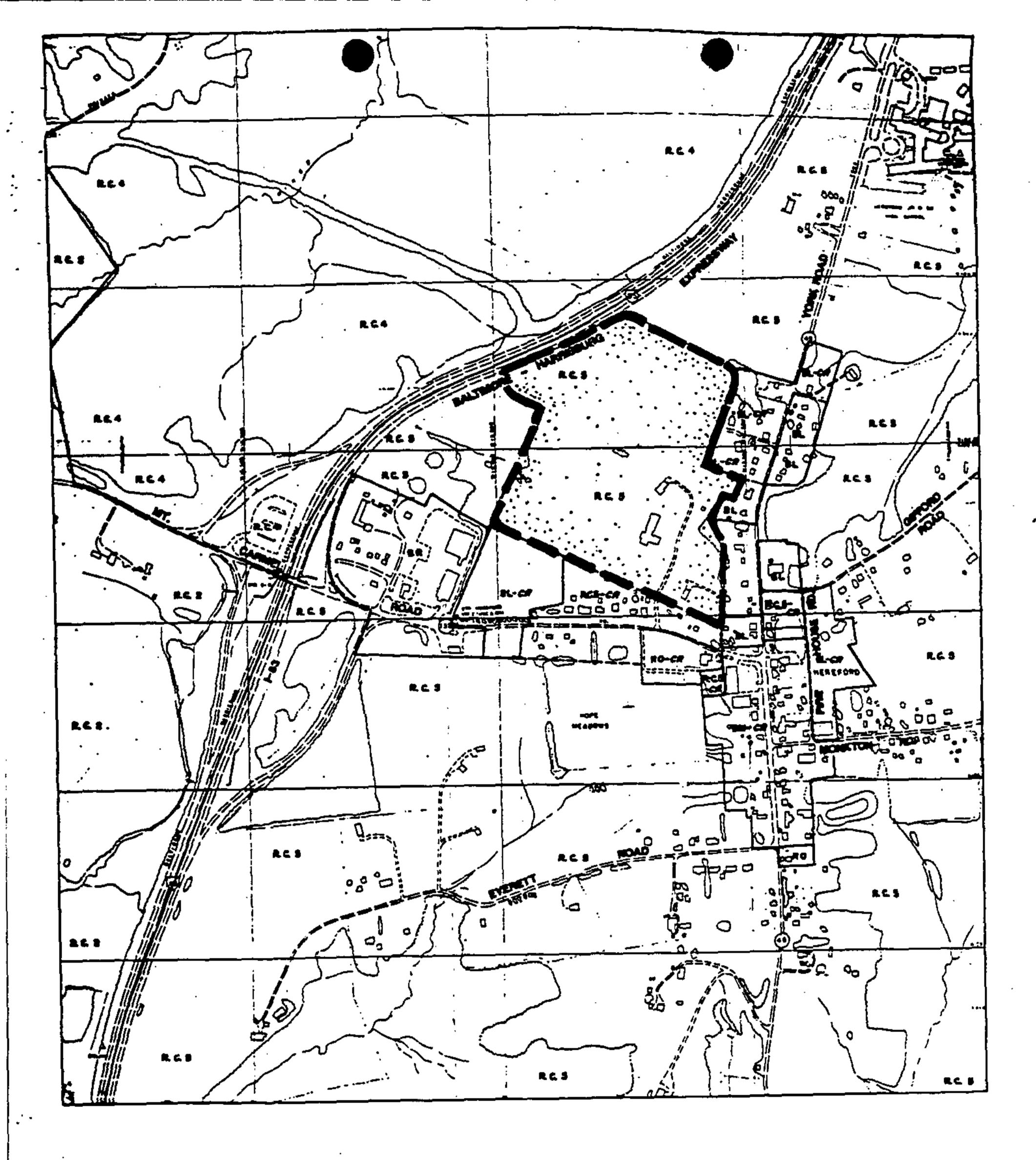
The commercial zoning was increased in the 1988 Comprehensive Zoning Process and this Plan calls for some expansion in 1992 with the addition of remaining residential within the proposed C.R. District. What is listed as future commercial is intended to be that area where growth should ultimately be directed. In addition to not rezoning this area in the near future, the rezoning should be phased so as to provide for limited controlled growth.

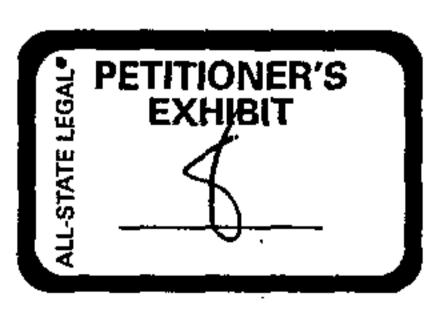
The objective with respect to future commercial growth is to try to maintain the compact nature of Hereford. To achieve this it is recommended that there be no commercial expansion to the north or south along York Road. The western boundary of commercial should continue to be the I-83 interchange. Expansion of commercial to the east should be in concert with the potential Mt. Carmel Road expansion.

There is currently a wide range of private services available in Hereford (Table 7). The range of public and institutional services is less broad (Table 8) but an important addition was the Hereford Branch of the Baltimore County Public Library System in 1988.

ALL-STATE LEGA

EXHIBIT





LONG RANGE POTENTIAL COMMERCIAL AREAS

HEREFORD COMMUNITY PLAN

Properted By: Baltimare County Office of Pleasing and Zoning

MAP 4



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