

IN RE: **PETITIONS FOR SPECIAL EXCEPTION
AND VARIANCE**

W/S Belair Road, 250' N c/line
Of White Marsh Blvd. (MD 43)
(8234 Belair Road)
14th Election District
6th Council District

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Sarju Singh, *Legal Owner*;
Mark A. Melenders, *Contract Lessee*
Petitioner(s)

Case No. 08-375-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for the property known as 8234 Belair Road, located in the vicinity of Dunfield Road between the MD 43 access ramps in an area known as Fullerton. The petitions were filed by the owner of the property, Sarju Singh, and the lessee, Mark A. Melenders, through their attorney, Louis J. Glick, Esquire. The Petitioners seek a special exception for a State-Licensed Medical Clinic on the subject property, zoned B.R., pursuant to Article 4C-101 and 4-C-102.A of the Baltimore County Zoning Regulations (B.C.Z.R.) and a variance from Section 4C-102.A.2.a to permit a drug abuse treatment program within 86 feet of a residentially-zoned property line in lieu of the required distance of 750 feet. The subject property and requested relief sought are more particularly described on the revised site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Mark A. Melenders, the Contract Lessee who desires to operate "Melender's 4 Walls Treatment Center" on the property; Kenneth C. Colbert, P.E., of Colbert Matz Rosenfelt, Inc., a professional engineer and land use consultant, who prepared the site plan; Glenn Cook, a traffic engineering consultant, with The Traffic Group, Inc.; Eric Briscoe; and Louis J. Glick, Esquire, attorney for

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the Petitioners. The issues presented in this case generated significant public interest and a number of community associations, individuals¹ and office holders either appeared, wrote letters and/or testified in opposition to the request, namely Donna Bethke, President, Overlea-Fullerton Business and Professional Association; State Senator Katherine Klausmeier; Carl (Bud) Herb, President, Linover Improvement Association; Margaret Winchester, President, South Perry Hall Association; Phyllis Karko, President, Northeast Belair Road Community Council, and Mark McQuade, an adjacent property owner. Leslie M. Pittler, Esquire entered his appearance on behalf of the Northeast Community Council and South Perry Hall Community Association.

The subject property contains a gross area of 0.434 acres, more or less, zoned B.R. As earlier noted, it is located on the west side of Belair Road (US Route 1) just south of Dunfield Road and the Belmont-Wolsingham neighborhood and lies within the boundaries of the North Belair Road Community Coalition. The property is improved with a two-story framed building that was constructed many years ago and provides a parking area for 24 spaces. Testimony offered by Mr. Colbert provided a prospective of the site and adjacent uses. To the south, Mark McQuade does business as Value Equipment where he and his family also reside. The White Marsh Run with its attendant floodplains divide the subject property from the Belmont South Community. See Petitioners' Exhibit 5 – photographs for visual illustration. To the east across Belair Road are numerous commercial uses which include auto dealerships, a body shop, restaurants, equipment sales, etc. See Petitioners' Exhibit 4 – an aerial view of the neighborhood.

In leasing the property, Mr. Melenders intends to utilize the site for a State-Licensed alcohol, abuse and drug treatment program as that term is defined under Title 8, Subtitle 4 (Section 8-403) of the Health-General Article. He states he has used due diligence in

¹ The Protestants produced as Exhibit 1 a petition signed by 750 residents who reside in the surrounding locale.

ascertaining the zoning ordinance requirements to avoid resultant hardships prior to leasing of the property. In this regard, the population of Baltimore County now exceeds 787,000 and yet as illustrated on Petitioners' Exhibit 7 only four (4) existing drug treatment-methadone clinics exist: Awakenings, 2 West Aylesbury Road, Timonium; A Helping Hand, 116 Slade Avenue, Pikesville; BD Health Services, 3955 North Point Road, Dundalk, and Whitestone Treatment Center, 6709 Whitestone Road, Woodlawn. Two (2) additional proposed clinics are seeking certification under Title 8, Subtitle 4, of the Health-General Article of the Annotated Code of Maryland to be known as the Wise Treatment Center, 8801 Wise Avenue, Dundalk, and the 4 Walls Health Services, at the subject property. According to Mr. Melenders, and as depicted on Petitioners' Exhibit 7, the subject location would appear to be in an optimal location and district. Testimony in this regard indicated that Melenders clinic would provide multiple treatment programs for drug related illnesses such as heroin and oxycotin addictions and treatment for pregnant women with drug abuse problems.

He estimates that as many as 60 patients will visit the facility per day for medication therapy between the hours of 5:00 AM and 12:00 Noon Mondays through Saturdays. These services will include methadone medication dispensed by "medical practitioners" as defined by the B.C.Z.R. He (Melenders) will serve as the executive officer, and Pamela Gibson, a certified director for drug abuse treatment programs, will carry out services as the clinic's director. A psychologist, physician and cashier will also provide daily services. After entering the property, there will be no malingering or congregating permitted on the site. After treatment, patients will be instructed to leave.² Mr. Melenders opines that vehicles turning left when departing would require the crossing of two southbound lanes on US Route 1 and could present problems. He

² Methadone is a legal medication produced by licensed and approved pharmaceutical companies using quality control standards under a physician's supervision, it is administered orally on a daily basis with strict program conditions and guidelines. Methadone relieves the craving associated with opiate addiction. Petitioner contends it is not sedating or intoxicating so as to interfere with ordinary activities such as driving a car or operating machinery.

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indicated a "right turn only" sign will be placed at the end of the driveway prior to reaching US Route 1. Under cross-examination from Protestants counsel, Mr. Melenders acknowledged that he was aware, at the time of conducting his feasibility study, that the St. Joseph's Church and School were 2,000 feet away and in relatively close proximity to the subject property. Upon further questioning, Mr. Melenders agreed that he would accept conditions upon approval that would limit the number of patients "to no more than 60 per day" and limit the hours of operation from "5:00 AM to 12:00 Noon".

Mr. Colbert testified that the property is unique given its unusual shape that projects into a drainage utility and recreation easement on the northern boundary. This easement serves as the bed for the White Marsh Run's water flow that meanders from a west to east direction through this area that has created steep slopes. It is this region he opines that is material when measuring in a northerly direction from the edge of the parking lot north to the closest point (residentially-zoned property line) of the Belmont South Community zoned D.R.16. This distance equates to 86 feet (112 feet if measured from the proposed medical clinic). Mr. Colbert opines that this peculiar topography makes the land and structure thereon unique in this case. In his opinion, based on many years of land use and zoning experience, the variance requested is both appropriate and within the spirit and intent of the standards set forth in B.C.Z.R. Section 307. He emphasizes that the 750-foot setback required by Section 4C-102.A.2 given these facts would belie common sense and that a denial of the requested relief will result in a practical difficulty and, that the variance can be granted without causing adverse impacts upon the surrounding locale. He points out that the physical separation between the *Business Roadside* and the *Density Residential* zone lines discussed above would require one to walk from the medical clinic through the woods down an embankment which is heavily covered with underbrush, traverse the running waters of the White Marsh Run only to then climb up a steep hill before reaching the

residential condominiums on Stillmeadow Road.³ To logically reach the residential property by car, Mr. Colbert states would involve driving 1,100 feet to the north on Belair Road prior to turning left onto Dunfield Road. Assuming that individuals would desire to walk from the site north to Stillmeadow Road, this would be unreasonable as Mr. Colbert uses Petitioners' Exhibit 5 to show that guardrails, steep slopes and the absence of shoulders along US Route 1 in this area would gravitate against pedestrian use. On this factor, all parties in attendance agreed there is essentially no reasonable way to walk to or from the site along US Route 1.

As to the special exception request, Messrs. Colbert and Cook testified that the operation of an alcohol abuse and drug treatment program at this location would not adversely affect the public interest nor would there be any adverse impact associated with the use beyond that inherently associated with such a special exception use, irrespective of its location within the zone. In support of the petition, Mr. Cook, a recognized traffic expert, undertook an analysis and study of Belair Road and its nearby intersections. He visited the territory and performed additional studies reviewing basic service maps, etc. He concluded that all pertinent intersections operated at a service level of "C" until you reach the Silver Spring and Belair Road intersection which operates at level "D". He anticipated the hours of operation (5:00 AM to 12:00 Noon) and that 50 to 60 people would arrive and depart the site daily usually within a one-hour time period. He stated that this would not impair or detrimentally impact traffic in the area. Belair Road presently operates with two northbound and two southbound lanes. There is no center or fifth lane which would allow left-turns for traffic traveling northbound and intending to access the site. Public transportation, while available for people coming southbound from Perry Hall, is not relevant here. The bus stop is some 500 feet from the subject property located at

³ Mr. Pittler raised continuing objections to evidence produced that the characteristics of the topography between the physical separation constitutes uniqueness as it relates to the distance requirement regulations of the B.C.Z.R.

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Dunfield Road and as earlier noted there are not sidewalks or shoulder in which to safely walk to the clinic.

As to the opponents, Mr. Herb testified that this portion of Belair Road is heavily traveled with as many as 40,000 average daily trips per day. State Highway Administration – Services Division Data supports this testimony. Mr. McQuade, the adjacent residential neighbor, an operator of the Value Equipment Company, questioned whether additional studies were warranted. He testified that the speed limit on that portion of Belair Road is 45 miles per hour and during peak traffic flows vehicles traveling down the hill desiring to turn left across the southbound lanes of Route 1 would find conditions extremely dangerous if not at all impossible to turn. He states that the prior tenant at 8234 Belair Road, Advance Ambulance Service Company which operated 12 ambulances, abandoned its lease of the property due to being continuously hampered with ingress and egress problems. I conducted a site visit to the property and will credit the testimony of Mr. McQuade. Site distances upon leaving the property are impaired by the existence of guardrails that align both sides of the driveway which is on a significant incline.

In considering the Petition for Special Exception, this Zoning Commissioner must apply the standards set forth in Section 502.1 of the B.C.Z.R. That Section sets out the criteria which must be applied in determining the appropriateness of any special exception use. As has frequently been stated by the appellate courts of this State, the special exception use is a part of the comprehensive zoning plan sharing the presumption that, as such, it is in the interest of the general welfare, and therefore, valid. *See Schultz v. Pritts*, 291 Md. 1 (1981). Moreover, “the special exception use is a valid zoning mechanism that delegates to an administrative board a limited authority to allow enumerated uses which the legislature has determined to be permissible, absent any fact or circumstance negating the presumption.” (Emphasis in original,

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Schultz, infra, at 11). Other jurisdictions label special exceptions as “conditional uses”, the inference being that they are presumptively proper, absent a finding that would negate that presumption.

Schultz is the seminal case in Maryland on special exceptions. In the opinion authored by the late Judge Rita Davidson, the Court comprehensively discussed the standards that must be applied in considering whether a proposed special exception should be granted. The Court specifically rejected the prior holding in *Gowl v. Atlantic Richfield Co.*, 27 Md. App. 410 (1975).

In *Gowl*, the Court of Special Appeals compared the anticipated impacts associated with the proposed special exception use with those impacts which might arise from uses permitted by right. In *Schultz*, the Court rejected this argument. Instead, the *Schultz* Court stated that the appropriate standard to be used is for the zoning authority to determine the nature and extent of the anticipated impacts of the proposed special exception use. If the impacts of that use at a particular location are above and beyond those inherently associated with such a use, then the special exception must be denied.

This principle was cited in *Mossberg v. Montgomery Co.*, 107 Md. App. 1 (1995). In that case, the applicant proposed the construction of a solid waste transfer station in Montgomery County. In considering the issue, the Court opined, “The question in the case *sub judice*, therefore, is not whether a solid waste transfer station has adverse effects. It inherently has them. The question is also not whether the solid waste transfer station at issue here will have adverse effects at the proposed location. Certainly, it will and those adverse effects are contemplated by statute. The proper question is whether those adverse effects are above and beyond, i.e., *greater here* than they would generally be elsewhere within the areas of the County where they may be established...” (*Mossberg*, Pg. 9).

A similar approach was applied in *Hayfields v. Valleys Planning Council, et al.*, 122 Md. App. 616 (1998). See also, *Rockville Fuel & Feed Co. v. Board of Appeals*, 257 Md. 183

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(1970), *People's Counsel v. Mangione*, 85 Md. App. 738 (1991), and *Anderson v. Sawyer*, 23 Md. App. 612 (1974).

In the instant case, testimony was received from Mr. Melenders providing a factual foundation as to the proposed use. Additionally, expert testimony was offered by Messrs. Colbert and Cook regarding the specific standards set forth in Section 502.1 of the B.C.Z.R. Finally, the testimony of the residents, particularly Messrs. Herb and McQuade, was instructive. The primary testimony in opposition to the request came from community leaders that voiced safety concerns.

Under the broad purview of whether the use would be "detrimental to the health, safety and general welfare of the locale", Mses. Winchester and Karko contend that the special exception should not be granted because the site is within proximity of schools and the community of Belmont provides no active open space for children's recreational purposes. They contend that these children play in the wooded area in the vicinity of the White Marsh Run discussed by Mr. Colbert. They believe a methadone clinic given these factors would be detrimental to the public health and welfare.

Turning to the variance petition, it has been stated that it is the responsibility of the Zoning Commissioner to determine the intent of the legislature when construing any regulation/statute. In this case, it falls upon the undersigned to determine the intent of the Baltimore County Council when it enacted Section 4C-101 of the B.C.Z.R. and adopted the language therein. (*Marzullo v. Kahl* 366 Md. 158, 175 (2001)). Interpretation of this regulation is a daunting task and one made even more difficult given my respect for the experts who appeared in this case and the excellent arguments they presented.

I will endeavor to do so by examining the words contained in the regulation and the definitions provided.

B.C.Z.R. Section 4C-102.A.2(a) provides that:

In addition to the requirements of Section 502, a state-licensed medical clinic permitted by special exception under Paragraph 1 is subject to the following conditions:

- a. A state-licensed medical clinic may not be located within 750 feet of any residentially-zoned property line. [Bill No. 39-2002]

In ascertaining the County Council's intent, I must look to the language in the regulation itself, giving that language its ordinary and natural meaning and avoiding a construction that is illogical, unreasonable or inconsistent with common sense. *Papillo v. Pockets, Inc.*, 119 Md. App. 78, 83-84 (1997). Maryland courts have held: "...[Zoning ordinances] are in derogation of the common law right to so use private property as to realize its highest utility, and while they should be liberally construed to accomplish their plain purpose and intent, they should not be extended by implication to cases not clearly within the scope and purpose and intent manifest in their language." *White v. North*, 356 Md. 31, 48 (1999) quoting *Aspen Hill Venture v. Montgomery County Council*, 265 Md. 303, 313-314 (1972).

It should be pointed out that the proximity requirement of Section 4C-102A.2(a) is not a new concept but one that has been integral to the B.C.Z.R. since the 1940's. See, for example 1945 zoning regulations, Section VIII G(b) requiring cemetery, graveyard or burial grounds "not to be allowed within 300 feet of any school, hospital, sanatorium or orphanage . . . ; Section 420, helicopter operations "500 feet from any occupied residence for temporary use of helicopter flights - 1,000 feet from any property line in a D.R.5.5 or D.R.1 zone . . . ; striptease business - must be located at least 1,000 feet from any dwelling, church, park, child care center or school . . . [Bill Nos. 137-1990; 29-1998]; dance halls and nightclubs must not be located within 1,000 feet of a lot zoned residentially or devoted primarily to residential use [Bill 40-2001]; adult entertainment business, massage establishments and tattoo or body piercing establishments may not be located within 1,000 feet of . . . a lot zoned residentially or devoted primarily to residential use [Bill No. 29-1998]; animal boarding or private kennels may not be located within 200 feet of the nearest property line [Bill Nos. 85-1967; 87-2001]; cell towers - a

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tower shall be set back at least 200 feet from any other owner's residential property line [Bill 17-2002]; landfills – 500 feet from boundaries of the site or paralleling any public right-of-way [Bill 137-2004]; and manufacturing uses, liquefied gas, oil refinery – 1,000 feet from any residential zone and at least 500 feet from any B.L., B.M. or M.R. zone [Bill Nos. 98-2004; 71-2006].

Let it also be noted that the Office of Planning recommended disapproval in its Zoning Advisory Committee (ZAC) comment, submitted by Division Chief Lynn Lanham, indicating a denial of both the requested Special Exception and Variance on the basis that proposed State-Licensed Medical Clinics "... adjacent to residential communities whose health, safety and welfare could be adversely affected by the daily activity" ... and "there is not an adequate buffer (750 feet) between the subject location and the adjacent residential community."

In sum, I find that the Petitioners' interpretation involving the physical separation is incorrect. The clearly articulated purpose of the legislation, along with legislative history, does not indicate any intent of the Council to measure setbacks between contiguous zoned land in any other manner than by a lineal dimension or as the crow flies. Indeed, it is a familiar principle of zoning law - - adopted by the B.C.Z.R. - - that linear or set back distances are to be measured in a "horizontal" plane. See, B.C.Z.R. Section 101 (definitions of "Lot Depth," "Setback" and "Yard"). In an analogous setting, Wisconsin's highest court confirmed that setback distances are to be determined solely by measurement along a horizontal plane, without regard to the presence of steep slopes or ravines. *State v. Ambros*, 540 N.W. 2d 208, 211 (Wisc. 1995); *Town of Union v. Strong*, 681 A.2d 14 (Me. 1996) (same). The fact that a zoning statute does not provide the method for calculating a setback does not render the statute ambiguous. *Id.* In like fashion, I do not find section 4C-102 of the B.C.Z.R. to be ambiguous, and it would frustrate the Council's obvious purpose in providing for a "buffer" area between potentially incompatible uses if I were to permit a setback of approximately 100 feet, which is just under 15% of the requisite distance

in the regulations. The proposed use does not meet the applicable criteria set forth in Section 502.1A and B of the B.C.Z.R., pursuant to *Shultz and Mossberg*, infra. Moreover, the requirements of Section 307 of the B.C.Z.R. have not been met. The variance relief requested substantially modifies the specific area standards for the special exception use proposed here and significantly alters the legislative mandate of Council Bill No. 39-02 and thus, the petitions for special exception and variance must be denied.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County on this 24th day of April 2008 that the Petition for Special Exception to permit a State-Licensed Medical Clinic, in accordance with Article 4C-101 and 4-C-102.A of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 4C-102.A.2.a of the B.C.Z.R. to permit a State-Licensed Medical Clinic located within 86 feet of a residentially-zoned property line in lieu of the required distance of 750 feet required, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

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By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 24, 2008

WILLIAM J. WISEMAN III
Zoning Commissioner

Louis J. Glick, Esquire
2 Reservoir Circle, Suite 2
Pikesville, Maryland 21208

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

W/S Belair Road, 250' N c/line of White Marsh Blvd. (MD 43)

(8234 Belair Road)

14th Election District – 6th Council District

Sarju Singh, *Legal Owner*; Mark A. Melenders, *Contract Lessee* - Petitioner(s)

Case No. 08-375-XA

Dear Mr. Glick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3891.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

- c: Mark A. Melenders, 18 Randall Avenue, Baltimore, MD 21208-5307
Sarju Singh, 4234B Silver Spring Road, Baltimore, MD 21236
Kenneth J. Colbert, P.E., Colbert Matz Rosenfelt, Inc., 2835 Smith Avenue, Suite G,
Baltimore, MD 21209
Glenn Cook, The Traffic Group, Inc., 9900 Franklin Square Drive, Suite H, Baltimore, MD 21236
Eric Briscoe, 1042 Seminary Avenue, Baltimore, MD 21093
Donna Bethke, President, Overlea-Fullerton Business and Professional Association,
7406 Brookwood Avenue, Nottingham, MD 21236
The Honorable Katherine Klausmeier, 4100 Walter Avenue, Baltimore, MD 21236
Carl (Bud) Herb, 121 Lyndale Avenue, Baltimore, MD 21236
Margaret Winchester, President, South Perry Hall Association, 5012 Shirley Brook Avenue,
Baltimore, MD 21237
Phyllis Karko, President, Northeast Belair Road Community Council, 9910 Richlyn Drive,
Perry Hall, MD 21128
Mark McQuade, 8228 Belair Road, Baltimore, MD 21236
Leslie M. Pittler, Esquire, 25 Wandsworth Bridge Way, Lutherville, MD 21093
People's Counsel; Office of Planning; File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at: 8234 Belair Road
which is presently zoned B.R.

Deed Reference 22093 / 559 Tax Account # 2400011579

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 of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A State-Licensed Medical Clinic, in accordance with Article 4C-101 and 4C-102.A, B.C.Z.R.

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:

MARK A. MELANDERS
Name - Type or Print
18 Randall Ave
Signature
Balto. Md. 21208
Address
Mark A. Melanders
City State Zip Code

Attorney For Petitioner:

Louis J. Glick, Esq.
Name - Type or Print
[Signature]
Signature
Company
2 Reservoir Circle, Suite 2
Address
Pikesville
City
410-484-5588
Telephone No.
MD 21208
State Zip Code

Legal Owner(s):

Sarju Singh
Name - Type or Print
[Signature]
Signature
SARJU SINGH
Name - Type or Print
Mark Molander Lessee
Signature
4234B Silver Spring Road
Address
Baltimore
City
MD 21236
State Zip Code

Representative to be Contacted:

Kenneth C. Colbert, P.E.
COLBERT MATZ ROSENFELT, INC
2835 Smith Avenue, Suite G
Address
Baltimore
City
410-653-3838
Telephone No.
MD 21209
State Zip Code

Case No. 08-375-XA

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JF Date 2/15/08

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By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8234 Belair Road

which is presently zoned B.R.

Deed Reference 22093 / 559 Tax Account # 2400011579

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 of thereof, hereby petition for a Variance from Section(s)

See Attached.

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

Reasons to be presented at the hearing.

Property 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:

Name - Type or Print

Signature

Address.

Telephone No.

City

State Zip Code

Attorney For Petitioner:

Louis J. Glick

Name - Type or Print

Signature

Company

2 Reservoir Circle, Suite 2

Address

Pikesville

City

410-484-5588

Telephone No.

MD 21208

State Zip Code

Legal Owner(s):

Sarju Singh

Name - Type or Print

Signature

Name - Type or Print

Signature

4234 B Silver Spring Road

Address.

Baltimore

City

Telephone No.

MD 21236

State Zip Code

Representative to be Contacted:

Kenneth J. Colbert, P.E.

COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G

Address

Baltimore

City

410-653-3838

Telephone No.

MD 21209

State Zip Code

Case No. 08-375-XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JF

Date 2/15/08

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Date 4-24-08

By aw

ATTACHMENT TO VARIANCE PETITION - 8234 BELAIR ROAD

From Section 4C-102.A.2, B.C.Z.R., for a state-licensed medical clinic located within
86 ~~750~~ feet of a residentially-zoned property line, *in lieu of 750 ft. required.*



ZONING DESCRIPTION 8234 BELAIR ROAD

Beginning at point on the western side of Belair Road, which is of varying width, at a point 250 feet, more or less, north of the centerline of a ramp to Maryland Route 43, which is of varying width, thence the following courses and distances:

N 50°42'53" W, 148.46 ft.;
N 39°17'07" E, 172.43 ft.;
S 19°24'29" E, 174.02 ft., thence
S 39°26'19" W, 82.00 ft. to the Point of Beginning

As recorded in Deed Liber 22093, folio 559 and containing 0.434 acres, more or less. Also known as 8234 Belair Road and located in the 14th Election District, 6th Council District.



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: #08-375-XA

8234 Belair Road

W/side of Belair Road at a distance of 250 feet +/- north of c/line of a ramp to MD Route 43

14th Election District - 6th Councilmanic District

Legal Owner(s): Sarju Singh

Special Exception: for a State-License Medical Clinic, in accordance with Article 4C-101 and 4C-102.A, BCZR. **Variance:** to permit a state-licensed medical clinic located within 86 feet of a residentially zoned property line in lieu of 750 feet required.

Hearing: Tuesday, April 8, 2008 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 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.

JT/3/830 Mar. 25

167907

CERTIFICATE OF PUBLICATION

3/27/2008

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/25/2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 11058

Date: 2-15-08

PAID RECEIPT

BUSINESS ACTUAL TIME OFF
 2/15/2008 2/15/2008 11:25:27 2

505 WALKTH DRN DRN
 RECEIPT # 43335 2/15/2008 0814

5 505 ZIRING IDENTIFICATION
 011009

Recpt Tot \$775.00
 \$775.00 00 0.00 11
 Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	001			0150				705.00

Total: 705.00

Rec

From: H. WALLS HEALTH SERVICES INC.

For: COMM. 2311 BELAIR RD ITEM # 375
PETITION FOR SPECIAL EXEMPTION
AND PETITION FOR VARIANCE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 03/24/08

Case Number: 08-375-XA

Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.

Date of Hearing (Closing): APRIL 8, 2008

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:
8234 BELAIR ROAD

The sign(s) were posted on: 03/21/08



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 3, 2008
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: 08-375-XA

8234 Belair Road

W/side of Belair Road at a distance of 250 feet +/- north of c/line of a ramp to MD Route 43.

14th Election District – 6th Councilmanic District

Legal Owners: Sarju Singh

Special Exception for a State-License Medical Clinic, in accordance with Article 4C-101 and 4C-102.A, BCZR. Variance to permit a state-licensed medical clinic located within 86 feet of a residentially zoned property line in lieu of 750 feet required.

Hearing: Tuesday, April 8, 2008 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Louis Glick, 2 Reservoir Circle, Ste. 2., Pikesville 21208
Sarju Singh, 4234 B. Silver Spring Road, Baltimore 21236
Kenneth Colbert, Colbert, Matz & Rosenfelt, 2835 Smith Avenue, Ste. G, 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 24, 2008.**
- (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, March 25, 2008 Issue - Jeffersonian

Please forward billing to:

Sarju Singh
4234 B Silver Spring Road
Baltimore, MD 21236

410-484-5588

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: 08-375-XA

8234 Belair Road

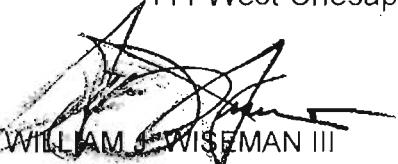
W/side of Belair Road at a distance of 250 feet +/- north of c/line of a ramp to MD Route 43.

14th Election District – 6th Councilmanic District

Legal Owners: Sarju Singh

Special Exception for a State-License Medical Clinic, in accordance with Article 4C-101 and 4C-102.A, BCZR. Variance to permit a state-licensed medical clinic located within 86 feet of a residentially zoned property line in lieu of 750 feet required.

Hearing: Tuesday, April 8, 2008 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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-375-XA
Petitioner: Sarju Singh
Address or Location: 8234 Belair Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sarju Singh
Address: 4234 B Silver Spring Road
Baltimore, Md. 21236
Telephone Number: 410-484-5588 (attorney)

Case No.: 08-375-XA 8234 BELAIR RD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Revised Site Plan	710 Signatures of residents in opposition
No. 2	Aerial Photo	
No. 3	Zoning Map	
No. 4	TRAVEL Distance Exhibit - Aerial	
No. 5	Photo's of Site	
No. 6	OVERVIEW Zoning Map	
No. 7	Aerial MAP Showing Existing Clinks	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

over
OBJECTION

Petition summary and background	Case # 8-375-XA 8234 Belair Rd 14 th Election District 6 th Councilmatic District
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to To oppose granting of variance and special exception to operate a State licensed Health Clinic

Printed Name	Signature	Address	Date
Robert Butler	<i>Robert Butler</i>	8215 SELWIN CT.	4-1-08
RAYMOND KOZLOWSKI	<i>R. J. Kozlowski</i>	8219 SELWIN CT	4-2-08
Deirdre White	<i>Deirdre White</i>	8221 Selwin Ct	4/2/08
RODNEY GRAY	<i>Rodney Gray</i>	8225 Selwin CT	4-2-08
FRANK HARRINGTON	<i>Frank Harrington</i>	6 TREYBURN CT	4/2/08
Pamela Bonner	<i>Pamela Bonner</i>	8 Treyburn Ct	4/2/08
DOUG HAAG	<i>Doug Haag</i>	7 TREYBURN CT	4/2/08
Kim Reth	<i>Kim Reth</i>	5 Treyburn Ct	4/2/08
Sue O'Haire	<i>Sue O'Haire</i>	8222 Selwin Ct	4/2/08
Keith Rowe	<i>Keith Rowe</i>	8218 Selwin Ct	4/2/08
MARK SMITH	<i>Mark Smith</i>	8216 Selwin CT	4/2/08
Hung Dang	<i>Hung Dang</i>	8 CAMROSE CT	4/5/08
DAVID COX	<i>David Cox</i>	7 CAMROSE CT	4/5/08

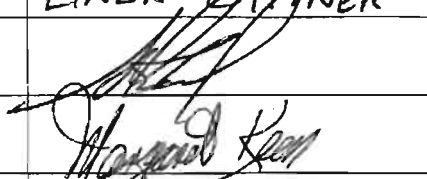
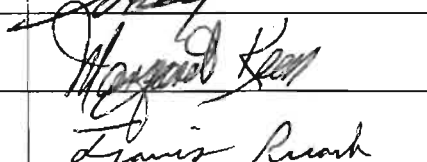
PROTESTANT' S

EXHIBIT NO. 1

Petition summary and background	Case # 8-375-XA 8234 Belair Rd 14 th Election District 6 th Councilmatic District
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to To oppose granting of variance and special exception to operate a State licensed Health Clinic

Printed Name	Signature	Address	Date
NORM KITZMAN	<i>Norm Kitzman</i>	4527 Ridge Rd 21236	4-1-08
BRIAN K HIGDON	<i>Brian K Higdon</i>	4528 Ridge Rd 21236	4-1-08
FRED SCHMIDT	<i>Fred Schmidt</i>	4522 RIDGE RD 21236	4-1-08
BETTY EVANS	<i>Betty Evans</i>	4534 Ridge Rd 21236	4-2-08
MICK SYROPOULOS	<i>Mick Syropoulos</i>	4542 RIDGE RD 21236	4-3-08
Ray. Zavodny	<i>Ray Zavodny</i>	4548 Ridge Rd	4-3-08
James Fromm	<i>James Fromm</i>	4552 Ridge Rd	4-3-08
Nancy Bartenfelder	<i>Nancy Bartenfelder</i>	4566 Ridge Rd.	4-3-08
Paul G. KAH	<i>Paul G. KAH</i>	4571 Ridge Rd	4-3-08
Diane Lillard	<i>Diane Lillard</i>	4568 Ridge Rd	4-3-08
Ed Anderson	<i>Ed Anderson</i>	4600 Ridge Rd	4-3-08
Howard R. Pross	<i>Howard R. Pross</i>	4604 Ridge Rd	4-3-08
Geo Chow	<i>Geo Chow</i>	4608 Ridge Rd	4-3-08

Petition summary and background	Case # 8-375-XA 8234 Belair Rd 14 th Election District 6 th Councilmatic District
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to To oppose granting of variance and special exception to operate a State licensed Health Clinic

Printed Name	Signature	Address	Date
JOHN C ABEL	John C. Abel	4520 Ridge Rd.	4-1-08
PAUL MYERS	Paul Myers	4518 Ridge Rd	4-1-08
Mary Myers	MARY MYERS	4516 Ridge RD	4-1-08
Linda Bitner	LINDA BITNER	4510 Ridge Rd	4/1/08
Stanley Wood III		4500 Ridge rd	4-1-08
MARGARET Keen		4501 Ridge Rd.	4-1-08
Travis Ruark	Travis Ruark	4503 Ridge Rd	4-1-08
Avery Taylor	Avery Taylor	4505 Ridge Rd.	4-1-08
MARGARET PARRY	Margaret Parry	4507 Ridge Rd	4-1-08
Marquetha Spicer	Marquetha Spicer	4509 Ridge Rd	4-1-08
Terry Taylor	Terry Taylor	4525 Ridge Rd.	4-1-08
Loretta Landis	Loretta Landis	4529 Ridge Rd.	4/1/08
Howard Spalding	Howard Spalding	4527A Ridge RD	4/1/08



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

April 2, 2008

Louis J. Glick, Esquire
2 Reservoir Circle, Suite 2
Pikesville, Maryland 21208

Dear Mr. Glick:

RE: Case Number: 08-375-XA, 8234 Belair Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on . 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. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Sarju Singh 4234 B Silver Spring Road Baltimore 21236
Kenneth C. Colbert, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G Baltimore 21209

[Click here and type address]

.....

facsimile transmittal

To: William J. Wiseman, III Fax: 410-887-3468

From: Carl F. (Bud) Herb Date: 04/08/08

Re: Traffic Data (Health Clinic 8-375-XA) Pages: 3 pages inc cover

CC: [Click here and type name]

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

.....

Notes: Mr. Wiseman,

Here's the Average daily traffic data for Belair Rd. (US 1) at the location of the proposed Health Clinic at 8234 Belair Rd. I also included the homepage for the MDOT website.

Bud Herb 410-661-7274

.....

*Maryland Department of Transportation
State Highway Administration
Highway Information Services Division*

AADTS Report By Station

County : Baltimore

Year : 2007

Compiled By : SHATMS

Route NO	Mile	Station ID	Location	Factored AADT
US 1				
	17.20	B030002	US1-.20 MI N OF IS695 (FULLERTON)	47750
	18.05	B0905	US1-.40 MI N OF PUTTY HILL AVE	36170
	18.34	B030102	US1-.10 MI N OF DUNFIELD RD/RAMPS FR MD43	35090
	19.59	B0906	US1-.10 MI S OF JOPPA RD/EBENEZER RD	30570
	19.97	B0907	US1-.10 MI N OF JOPPA RD/INDIA AVE	32600
	21.11	B030103	US1-.10 MI N OF CHAPEL RD/BAKER LA	28820
	23.87	B0908	US1-.50 MI N OF MT. VISTA RD	23660
US 1 AL				
	1.48	B0909	US1AL-.20 MI S OF IS695	17260
	1.96	B1149	US1AL-.30 MI N OF IS695	24360
	2.60	B1180	US1AL-.10 MI S OF BALTO CITY LINE	16710
US 40				
	1.80	B0945	US40-.20 MI E OF ROLLING RD	50681
	2.94	B0946	US40-.50 MI E OF IS695 (WESTVIEW)	54381
	3.55	B030043	US40-.10 MI E OF ST. AGNES LA	30141
	14.13	B0948	US40-.10 MI E OF BALTO CITY LINE (ROSEDALE)	47281
	14.37	B0949	US40-.10 MI E OF MD7	34951
	17.08	B0950	US40-.30 MI E OF MD695	54231
	17.49	B1202	US40-.20 MI E OF ROSSVILLE BLVD	49351
	18.51	B030039	US40-.40 MI E OF MD700 (ATR0057)	0
	18.57	P0057	US 40 East of MD 700	34105
	19.63	B0951	US40-.50 MI E OF MIDDLE RIVER RD	31191
	20.69	B0952	US40-.30 MI W OF MD43	29341
	21.39	B0953	US40-.40 MI E OF MD43	38431
	21.60	B030104	US40-.10 MI E OF EBENEZER RD	33211
	23.83	B0954	US40-.60 MI E OF ALLENDER RD	28321

Citizen Alerts

Maryland.gov

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SHA



John D. Porcari
Secretary



DEPARTMENT OF TRANSPORTATION



Martin O'Malley
Governor

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Safety Campaigns
Seat Belt Laws
Child Passenger Safety Laws
Speed Limits
[more]

► Property Owners Info

Public Meeting Calendar
Outdoor Advertising

News



STEEL PLACEMENT ALONG I-95 @ MD 5 (BRANCH AVENUE) POSTPONED Click here for the press release.



NEW! SHA unveils new website to celebrate 100 years of modern road building in Maryland. Click here to explore the past and consider possibilities for the future!



Take the "road less traveled" and enjoy Maryland's scenic beauty, rich heritage and natural splendor. Maryland's 19 byways encompass 2,467 miles of beautiful roads. For more information, visit the Scenic Byways website, the Maryland is Fun website or call 1-877-632-9923.

Business



Information and resources to help you, as a business, understand which SHA laws apply to your business and what opportunities are available for you.

"Real-time" traffic and weather information to help commuters and travelers.

Real-time traffic and weather information to help commuters and travelers.



For information on the Maryland Strategic Highway Safety Plan, traffic safety programs and projects, community grants, traffic safety matters, click here.

Maps & Brochures



All the maps and brochures you need to be on the road in Maryland can be located here.

OKlahoma

Maps & Brochures

ICC



Intercounty Connector



Contact your SHA local office to report Litter or a Pothole



E-ZPass



SHA ADA



Connecting People, Business & Government

Green Highways Partnership



National Conference on Access Management

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Development Management

DATE: April 3, 2008

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

RECEIVED
APR 09 2008

SUBJECT: 8234 Belair Road

BY:.....

INFORMATION:

Item Number: 08-375

Petitioner: Sarju Singh c/o Colbert Matz Rosenfelt Inc.

Zoning: B.R.

Requested Action: Special Exception to use the subject property as a State Licensed Medical Clinic, in accordance with Article 4C-101 and 4C-102.A of the Baltimore County Zoning Regulations and a variance from Section 4C-102.A.2 for the BCZR to allow for a state licensed medical clinic to be located within 86 feet of a residentially zoned property in lieu of the 750 feet required.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the subject requests and strongly opposes them for the following reasons:

- The subject property is adjacent to residential communities whose health; safety and welfare could be adversely affected by the daily activity associated with the existence of a medical clinic at this location. There is not an adequate buffer (750 feet) between the subject location and the adjacent residential community.
- The property is located within the boundaries of the North Belair Road Community Coalition, where area community organizations have been working together with the county and state to revitalize the business corridor for shopping and retail purposes that would serve the residents of the adjacent communities.

- Traffic speed and congestion, and lack of pedestrian accommodations at the **subject** location could potentially prove to be dangerous for the number of medical customers that could patronize the clinic at peak hours, as well as for area residents and motorists.

For the reasons outlined above, the Planning Office recommends denial of these requests.

Prepared by: _____

CTM by JH

Division Chief: _____

Spencer

AFK/LL: CM

BW 4/8
9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
MAR 06 2008

BY:.....

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *SWL*

DATE: March 6, 2008

SUBJECT: Zoning Item # 08-375-XA
Address 8234 Belair Road

Zoning Advisory Committee Meeting of February 25, 2008

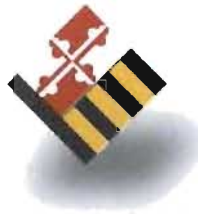
- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

An administrative variance to the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains will be required for any redevelopment activity involving a grading or building permit.

Reviewer: Glenn Shaffer

Date: 2/26/08



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

February 27, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 25, 2008

Item Number: 373, 375, 379

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

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



John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Date: February 26, 2008

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

RE: Baltimore County
Item No. 08-375-XA
US Rte 1 (Belair Road)
8234 Belair Road
Singh Property
Plan to Accompany Petitions
For Special Exception And
Variance

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on February 26, 2008. A field inspection and internal review reveals that the existing entrance onto US Rte 1 is consistent with current State Highway Administration requirements. Therefore, this office has no objection to Singh Property 8234 Belair Road, Case Number 08-375-XA 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: March 4, 2008

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 3, 2008
Item Nos. 08-370, 371, 372, 373, 374,
375, 376, 378, 379, 380, 381, 382, and 383

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-02292008.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *syd*

DATE: March 6, 2008

SUBJECT: Zoning Item # 08-375-XA
Address 8234 Belair Road

Zoning Advisory Committee Meeting of February 25, 2008

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

An administrative variance to the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains will be required for any redevelopment activity involving a grading or building permit.

Reviewer: Glenn Shaffer

Date: 2/26/08

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 AND VARIANCE *
 8234 Belair Road; W/S Belair Road, 250' N * ZONING COMMISSIONER
 c/line of ramp to MD Route 43 *
 14th Election & 6th Councilmanic Districts * FOR
 Legal Owner(s): Sarju Singh *
 Petitioner(s) * BALTIMORE COUNTY
 * 08-375-XA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

12-11-2008

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Kenneth Colbert, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Louis Glick, Esquire, 2 Reservoir Circle, Suite 2, Pikesville, MD 21208, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

From: Debra Wiley
To: Murray, Curtis
Date: 04/03/08 1:01:45 PM
Subject: OP Comment Needed

Hi Curtis,

Bill will be hearing a case next week and needs a comment from your office. I have provided a case description for your convenience as follows:

CASE NUMBER: 8-375-XA

8234 Belair Road

Location: W side of Belair Road, 250 feet +/- N of c/l of a ramp to MD Route 43.

14th Election District, 6th Councilmanic District

Legal Owner: Sarju Singh

SPECIAL EXCEPTION A State-License Medical Clinic, in accordance with Article 4C-101 and 4C-102.A, BCZR.

VARIANCE To permit a state-licensed medical clinic located within 86 feet of a residentially zoned property line in lieu of 750 feet required.

Hearing: Tuesday, 4/8/2008 at 9:00:00 AM, County Office Building, 111 West Chesapeake Avenue, Room 106, Towson

Thanks and have a great day !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
401 Bosley Avenue, Room 405
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



BW
4-8-08

Overlea-Fullerton Business and Professional Association

www.ofbpa.com

Zoning Commissioner
Baltimore County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

April 4, 2008

-----BY: [Signature]
RECEIVED
APR 11 2008

To Whom It May Concern,

Unfortunately I can not attend the hearing on April 9th in reference to Case Number 8-375-XA located at 8234 Belair Road concerning the variance exception due to a prior commitment; however I would like to share the thoughts and concerns from our business members. I brought this concern to my membership and board who attended our meeting on March 19th and we were all in agreement.

We would not be in favor of the Meleder's 4 Walls Treatment Center location as stated due to the fact it is within 86 feet instead of the required 750 feet of a residence. The owners Mark and Kathy McQuade still have minor children at home and their home and business all share the same driveway as the proposed clinic.

Also there is a concern for safety if a client is using the bus line, coming southbound from the Perry Hall area and uses the bus stop at the Dunfield Road location there is no sidewalk or shoulder in which to safely walk to the clinic. There is a guardrail and there is no way to walk to the inside of the guardrail as there is a severe drop and a stream below. Also if traveling northbound from the beltway and exiting at the bus stop near BJ's, although there is sidewalk that continues in front of Bob Evans and down the hill until you are directly across from the driveway entrance to the proposed clinic, one must cross 4 lanes of traffic on Belair Road with no cross walks where cars are traveling approximately 40-45 mph. Also when traveling northbound there is no dedicated left turn lane, which makes turning into this driveway difficult at this point. This driveway has a major blind spot as the property sits well below Belair Road.

We appreciate the fact that treatment clinics are necessary as the drug problem increases in all our neighborhoods, however we wonder if there might be a better, safer and a more accessible location for it at this time?

Sincerely,


Donna Bethke, President
7406 Brookwood Avenue
Nottingham, MD 21236
410-665-6551

ptavon@comcast.net

cc: OFBPA Board of Directors

KATHERINE KLAUSMEIER
8th Legislative District
Baltimore County

Chair
Rules Committee

Finance Committee

Executive Nominations Committee



The Senate of Maryland

ANNAPOLIS, MARYLAND 21401

□ Annapolis Office
James Senate Office Building
11 Bladen Street, Room 103
Annapolis, Maryland 21401
410-841-3620
1-800-492-7122 Ext. 3620
Katherine.Klausmeier@senate.state.md.us

□ District Office
4100 Walter Avenue
Baltimore, Maryland 21236
410-256-1353 • Fax 410-256-0319

April 7, 2008

The Honorable William S. Wiseman
Baltimore County Zoning Commissioner
County Courts Building—4th Floor
Towson, Maryland 21204

RECEIVED
APR 10 2008

Re: Variance Request- 8234 Belair Road

BY:.....

Dear Commissioner Wiseman

It my understanding that you are scheduled to hear a request for a zoning area variance on the above identified property on April 8th, 2008. I would request that you consider this letter in your deliberations on this request. I would appear in person however my duties as I member of the General Assembly require me to attend a signing of newly passed legislation which the Governor has scheduled for the same time as this hearing.

I represent the legislative district where the subject property is located and have for thirteen years. I am very familiar with the property at 8234 Belair Road. Based on my knowledge of the property and the surrounding area, I am opposed to the granting of the requested variance from the statutory setback requirement in the Baltimore County Zoning Regulations.

There are no special circumstances that are peculiar to the address in question. The other uses surrounding this property all have adhered to the appropriate setback requirements. This property should be treated no differently. It is no different in nature from the properties surrounding it. It shares with the surrounding properties all the same inherent characteristics. The many business and commercial uses in this part of Belair Road have all dealt with the topography of the area. The topography of the subject property is not unique and does not pose a practical difficulty.

As you know, the burden to show that the setback requirement does impose a practical difficulty or undue hardship rests with the applicant. To my knowledge, the applicant has not reached out to the community, the neighbors or the area's elected officials prior to filing the application for a variance. If they had, they could explain what objective evidence exists upon which to base a finding of practical difficulty or undue hardship. Frankly I do not think such objective evidence exists. Absent such evidence you will be left with no choice but to deny the request for a variance.

Thank you for taking the time to read this correspondence and for including my opposition to this application in the record.

Very truly yours,

A handwritten signature in cursive script that reads "Kathy Klausmeier". The signature is written in dark ink and is positioned above the printed name.

Kathy Klausmeier
State Senator

CASE NAME _____
CASE NUMBER 08-375-XA
DATE 4-8-08

[illegible]

CASE NAME _____
CASE NUMBER 08-375-KA
DATE 4-8-08

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
McQuade	228 Belair Rd	Baltimore, MD 21236	
(Bud) HERB	121 LYNDALE AVE	BALTO, MD 21236	mistee@aol.com
M. P. Hiler	25 Wandsworth Bridge Way	Lutherville, Md. 21093	Les-law@comcast.net
PEGGY WINCHESTER	5012 SHIRLEY BROOK AVE	BALTO MD 21237	WINPEGGY@AOL.COM
	of South Perry Hall Assn.		
LIS KARKO	9910 RICHLYN DR	PERRY HALL MD 21128	pkarko@stjoe.fullerton.org
Heart Belair	P.O. Box 16952	BALTO. Md. 21206	
d Community			
ncil			

0022093 559

DEED - FEE SIMPLE

ID NO. 14-17-00-005671
ID NO. 14-17-00-005672
ID NO. 14-22-00-007706
(DEED PREPARED FOR
CONSOLIDATION to a SINGLE
TAX ID NO.)

THIS DEED, made this 29th day of April, 2005, by and between SARJU SINGH, of Baltimore County, in the State of Maryland, of the first part, Grantor, and SARJU SINGH, of the second part, Grantee.

WITNESSETH: That in consideration of sum of FIVE DOLLARS (\$5.00), which sum is the actual consideration paid or to be paid for the within conveyance and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said SARJU SINGH does grant and convey unto SARJU SINGH, his Personal Representatives and assigns, in fee simple, all that lot of ground situate, lying and being in Baltimore County, State of Maryland and described as follows:

See description Exhibit A attached hereto incorporated herein by reference.

BEING the same lot of ground and series of three parcels conveyed by deed dated February 23, 2004 and recorded among the Land Records of Baltimore County in Liber 20166 folio 278 from Bellini, LLC to Sarju Singh. The purpose herein being to consolidate all of those parcels into a single description.

TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises above described and mentioned, and hereby intended to be conveyed; together with the rights and privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said SARJU SINGH, his personal representations and assigns, in fee simple.

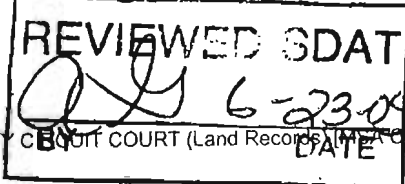
And the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; that he will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor.

WITNESS:



 (SEAL)
SARJU SINGH



STATE OF MARYLAND, CITY/COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 29 day of April, 2005, before me, the subscriber, a Notary Public of the State of Maryland, in and for the City/County of Baltimore, aforesaid, personally appeared Sarju Singh, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

My Commission Expires: 11-1-2007

Philip S. Allegretti
Notary Public

At the request of Sarju Singh no title search was made and this Deed was prepared solely on the basis of information furnished by Sarju Singh.

This is to certify that the within instrument has been prepared by and under the supervision of the undersigned Maryland Attorney.

Ralph K. Rothwell, Jr.
Ralph K. Rothwell, Jr.

DESCRIPTION**8234 BELAIR ROAD**

Beginning for the same at a point at the beginning of the second line of Parcel One described in a deed dated February 23, 2004 and recorded among the Baltimore County Land Records in Liber 20166 Folio 287 which was conveyed by Bellini LLC to Sarju Singh, thence binding along said second line, along the second line of Parcel Two described in said conveyance and along the first line of Parcel Three described in said conveyance, in all, (1) N 43°45'00"E 172.48 feet to a point at the beginning of the second line of said Parcel Three, thence binding thereon and along the west side of Belair Road (U.S. Route 1) as shown on Maryland State Roads Commission Plat No. 50138 (2) S 14°55'38"E 174.05 feet, thence leaving the last mentioned second line and continuing along the west side of said Belair Road (3) S 43°54'13"W 82.00 feet to a point in the first line of said Parcel One, distant 16.54 feet from the beginning thereof, thence leaving the west side of said Belair Road and binding along the last mentioned first line for the remainder of it's distance (4) N 46°15'00"W 148.46 feet to the place of beginning.

Containing 0.4341 acre of land, more or less.

Being all of Parcels One, Two and Three of the above mentioned conveyance.

Subject to the Revertible Easement for Supporting Slopes as shown on the above mentioned Maryland State Roads Commission Plat No. 50138.

CERTIFICATE OF EXEMPTION FROM WITHHOLDING
Upon Disposition of Maryland Real Property

AFFIDAVIT OF RESIDENCE OR PRINCIPAL RESIDENCE

TRANSFEROR CLAIMS EXEMPTION, based on the certifications below, from the tax withholding requirements of the Annotated Code of Maryland, Tax General Article, Section 10-912 which requires that tax payments are required to be withheld when a deed or other instrument is recorded and affects a change of ownership. The requirements of withholding DO NOT apply when a transferor of real property executes a certification of Maryland residence OR a certification that the property transferred is the principal residence of the transferor.

A. TRANSFEROR INFORMATION

Name of Transferor:

B. REASON FOR EXEMPTION

Resident Status: ☒ I, the Transferor, am a resident of the State of Maryland.

☐ Transferor is a resident entity under Section 10-912(A)(4) of the General Article of the Annotated Code of Maryland, I am an agent of the Transferor, and I have the authority to sign this document on behalf of the Transferor.

Principal Residence: ☐ Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in the internal Revenue Code, Section 121.

The undersigned transferor, under the penalties of perjury, certifies that I have examined this declaration and to the best of my knowledge, that is true, correct and complete.

C. INDIVIDUAL TRANSFEROR

Shane S.
 Witness

Sarju Singh
 X Sarju Singh

X

D. ENTITY TRANSFEROR

Witness

X

X

X

X

0020093 500

State of Maryland Land Instrument Intake Sheet

☐ Baltimore City ☒ County: BALTO

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.

(Type or Print in Black Ink Only—All Copies Must Be Legible)

Type(s) of Instruments	☒ Deed	☐ Mortgage	☐ Other	☐ Other
	☐ Deed or Trust	☐ Lease	☐ Unimproved Sale	☐ Multiple Accounts
Conveyance Type Check Box	☐ Improved Sale	☐ Arms-Length (1)	☐ Arms-Length (2)	☐ Arms-Length (3)
Tax Exemptions (if Applicable)	☐ State Transfer	☐ Single Transfer	☐ Multiple Transfer	☐ Not an Arms-Length Sale [9]
Cite or Explain Authority	Deed prepared for consolidation to a single tax ID#			
Consideration and Tax Calculations	Purchase Price/Consideration	\$ 6	Transfer and Recording Fee	\$ 325
	Any New Mortgage	\$ 0	Consideration	\$ 6
Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	Balance of Existing Mortgage	\$ 0	Recording Charge	\$ 20
	Other:	\$ 0	Surcharge	\$ 20
	Other:	\$ 0	State Recordation Tax	\$ 0
	Full Cash Value:	\$ 0	State Transfer Tax	\$ 0
	Recording Charge	\$ 20	County Transfer Tax	\$ 0
	Surcharge	\$ 20	Other	\$ 0
	State Recordation Tax	\$ 0	Other	\$ 0
	State Transfer Tax	\$ 0		
	County Transfer Tax	\$ 0		
	Other	\$ 0		
Transferred From	14-17-00-005671 2016/278			
	8234 Belair Rd			
Transferred To	Sarju Singh			
	4234 Silver Spring Rd 21236			
Other Names to Be Indexed	Sarju Singh			
	4234 Silver Spring Rd 21236			
Contact/Mail Information	Name: <u>Ralph K. Rothwell Jr.</u>			
	Firm: <u>MASLAN, MASLAN & ROTHWELL P.A.</u>			
Assessment Information	Address: <u>7508 Eastern Ave</u>			
	Baltimore MD 21224 Phone: <u>(410) 280-0700</u>			
Assessment Information	Return to Contact Person ☒			
	Hold for Pickup ☐			
Assessment Information	Return Address Provided ☐			
	Will the property being conveyed be the grantee's principal residence? ☐ Yes ☒ No			
Assessment Information	Does transfer include personal property? If yes, identify: _____			
	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required). ☐ Yes ☒ No			
Assessment Information	Assessment Use Only - Do Not Write Below This Line			
	Director of Assessments and Finance			
Assessment Information	BALTIMORE COUNTY FINANCE			
	RECORDATION TAX			
Assessment Information	RECORDATION TAX			
	Per			

BALTIMORE COUNTY CIRCUIT CLERK'S OFFICE
06/29/2005.
 Distribution:
 White - Clerk's Office
 Green - SDAT
 Pink - Office of Finance
 Goldenrod - Preparer
 AOC-CC-300 (6/95)

Received by Circuit Court Clerk Recording Validation

 INDEXED GIRE \$ 20.00
 RECORDING FEE 20.00
 TOTAL 40.00
 Rpt # 0581

MAP NO. 71C3



DR 5.5

BR

SITE

BELAIR RD.

DR - 16

DURNESS CT

MONHEGAN CT

MINFREY CT

SHARPLEY CT

KINWALL PL

WOLINGHAM RD

DUNNETT CT

STILMEADOW RD

GOATBRIDGE CT

STEWARTON CT

CONSETT CT

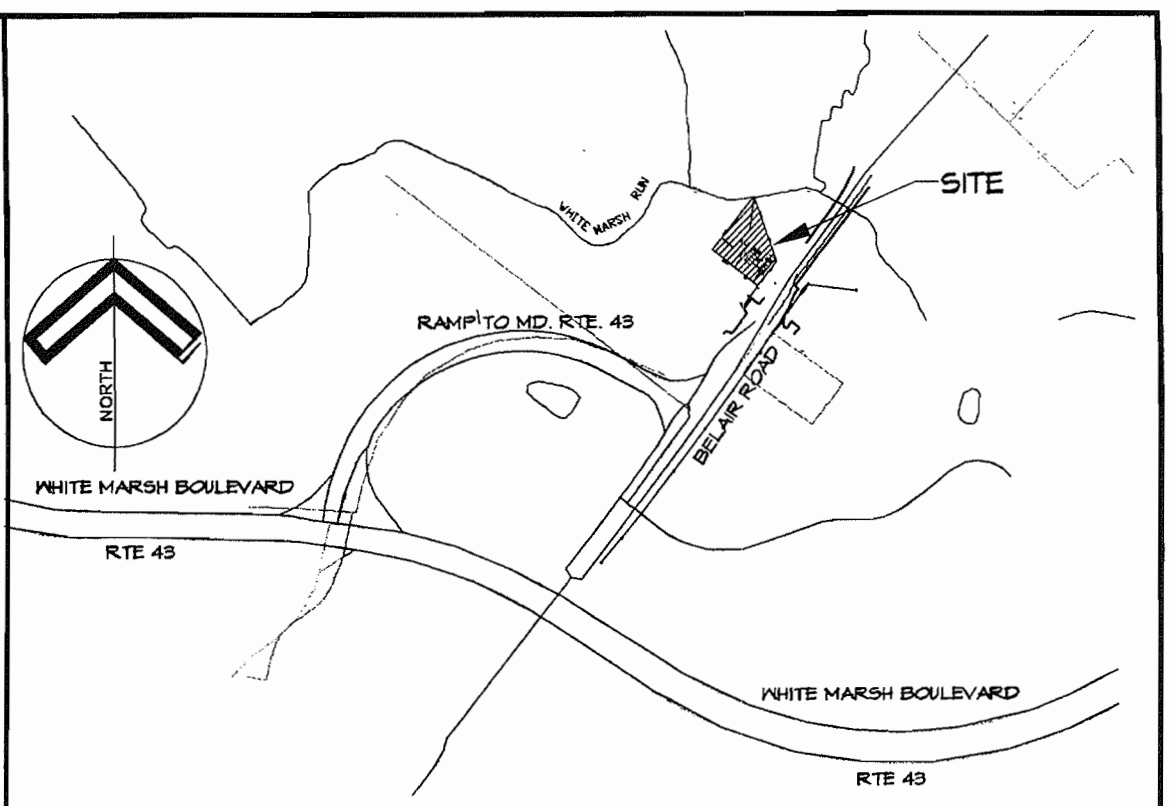
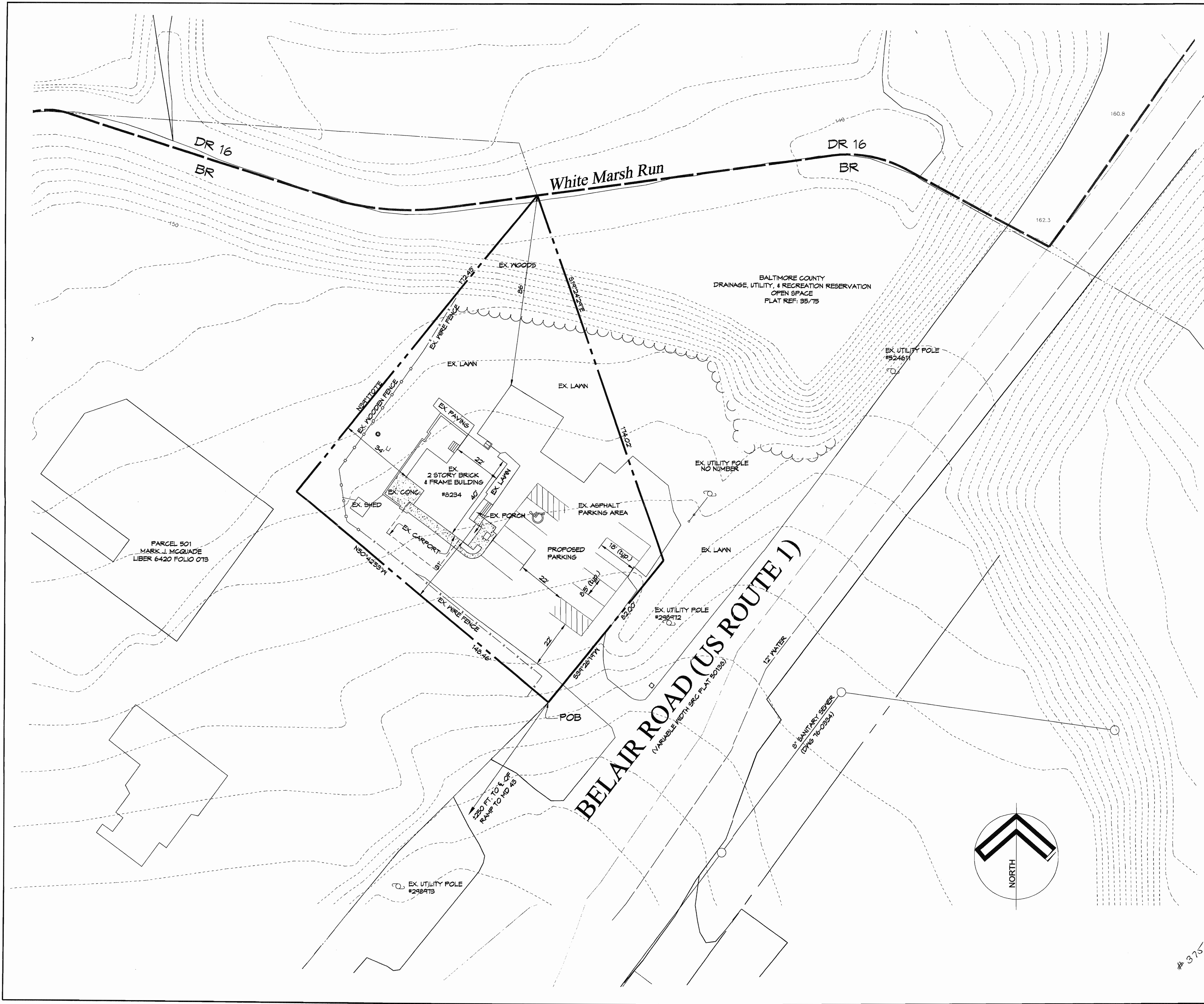
TARLAND CT

TAPU CT

BELDALE CT

375





- VICINITY MAP**
SCALE: 1"=500'
- NOTES**
- Owner:
Sarju Singh
4234B Silver Spring Road
Baltimore, Md. 21236
 - Site Data:
Tax Account No. 2400011519
Deed Reference: 22093/559
Map T1, Parcel 1434
Site Area: 0.434 AC±
 - Proposed Use:
State-Licensed Medical Clinic - Existing building
 - Zoned B.R. - Zoning Map 71C3
 - There is no zoning history for this property.
 - Off-Street Parking:
Parking is sufficient to accommodate all clinic employees and patients.
 - Zoning Requests:
Special ~~request~~ ^{request} for a State-licensed medical clinic.
Variance for a State-licensed medical clinic located within 750 feet of a residentially-zoned property line.
 - Information shown hereon is taken from Deeds, Baltimore County GIS data, public records and plats and plans by others and does not represent a field survey.

Key

	PROPERTY LINE
	ZONING LINE
	EX. CONTOUR
	EXISTING WOODS LINE

PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL ~~HEARING~~ ^{EXCEPTION} AND VARIANCE

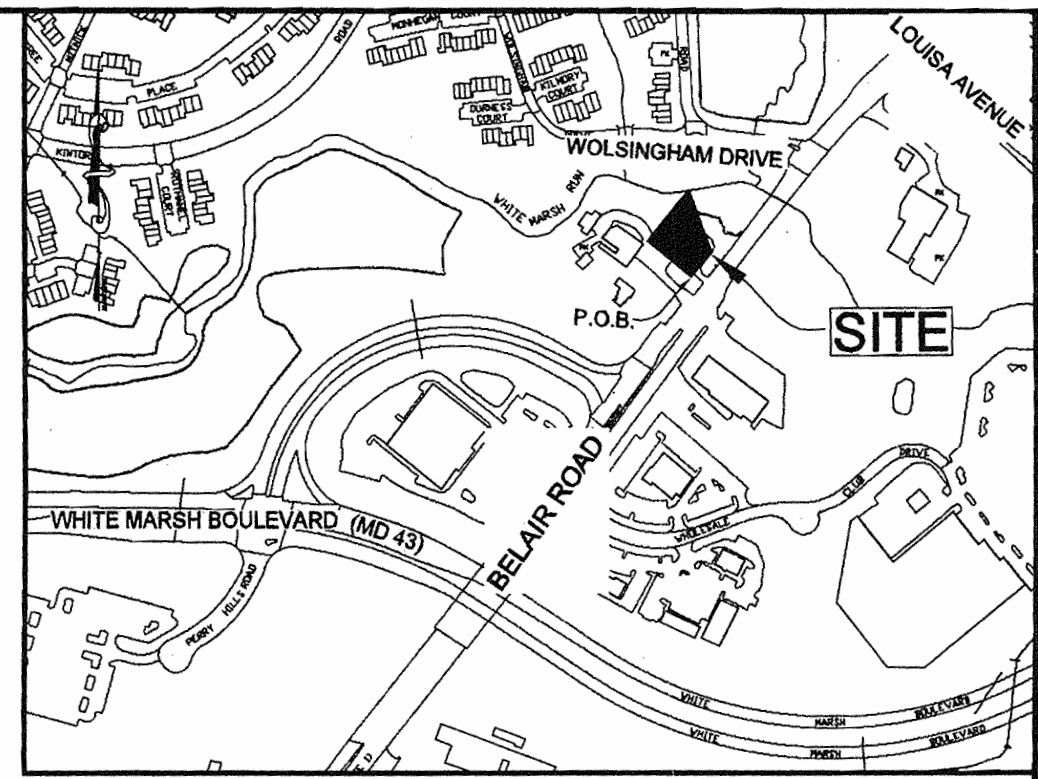
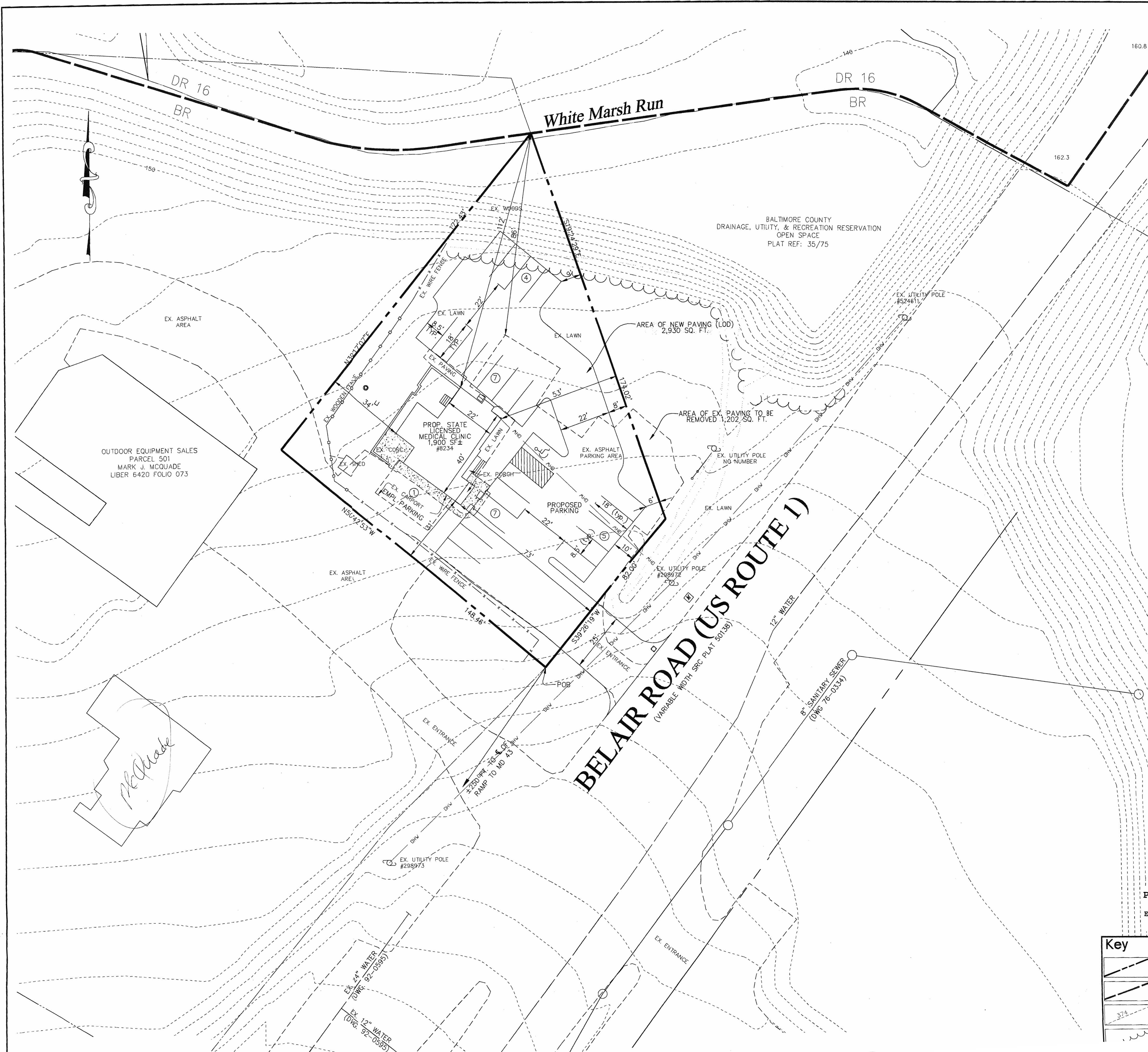
8234 BELAIR ROAD

DEED REF; LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE (IN FEET)
1 inch = 20 ft.

	Colbert Matz, Rosenfelt, Inc. Engineers * Surveyors * Planners	
	2835 3rd Avenue, Suite G Baltimore, Maryland 21209 Telephone: (410) 653-3838 Facsimile: (410) 653-7953	
NO. DATE REVISIONS: BY		SCALE: 1"=20' DATE: 2/15/08 JOB NO.: 2007211 DESIGNED: KJC DRAWN: LBF CHECKED: JMF FILE: 2007211ZON.dwg
Professional Certification I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland. License No. 9752 Expiration Date: 2/28/10		DRAWING NUMBER: ZON-1 SHEET 1 OF 1

N:\Users\Project\2007\2007211\Project Directories\CRK\Concept-Prelim CURRENT\1\3007211ZON.dwg 2/15/2008 10:18:41 AM EST



NOTES

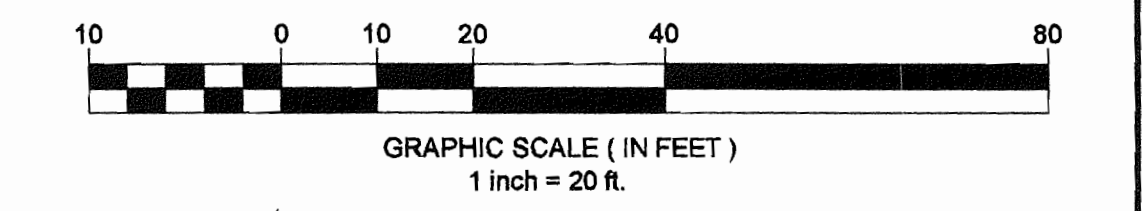
VICINITY MAP

1. Owner:
Saru Singh
4234B Silver Spring Road
Baltimore, MD. 21236
2. Site Data:
Tax Account No. 2400011579
Deed Reference: 22093/559
Map 71, Parcel 1434
Site Area: 0.434 AC±
3. Proposed Use:
State-Licensed Medical Clinic - Existing building
4. Zoned B.R. - Zoning Map 71C3
5. There is no zoning history for this property.
6. Off-Street Parking:
Required Parking: 14 Spaces
(8 Patients/hour + 6 employees)
Proposed Parking: 24 Spaces including 2 H.C.
7. Zoning Requests:
Special Exception for a State-licensed medical clinic.
Variance for a State-licensed medical clinic located within 86 feet of a residentially-zoned property in lieu of 750 feet required.
8. Information shown hereon is taken from Deeds, Baltimore County GIS data, public records and plats and plans by others and does not represent a field survey.
9. Setbacks
- | | Required | Existing |
|-------|----------|----------|
| Front | 25' | 73'± |
| Side | 30' | 31'± |
| Rear | 30' | 34'± |
10. FAR - Max. Permitted: 2.00
Existing: 0.11
11. Site is not in the Chesapeake Bay Critical Area.
12. Site is not in a 100-year floodplain.
13. There are no historic buildings or districts on this site.
14. All parking to be durable, dust-free and striped.
15. No signs are proposed for this development.
16. There are no commercial permits on file for this property.

PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL EXCEPTION AND VARIANCE

8234 BELAIR ROAD

DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

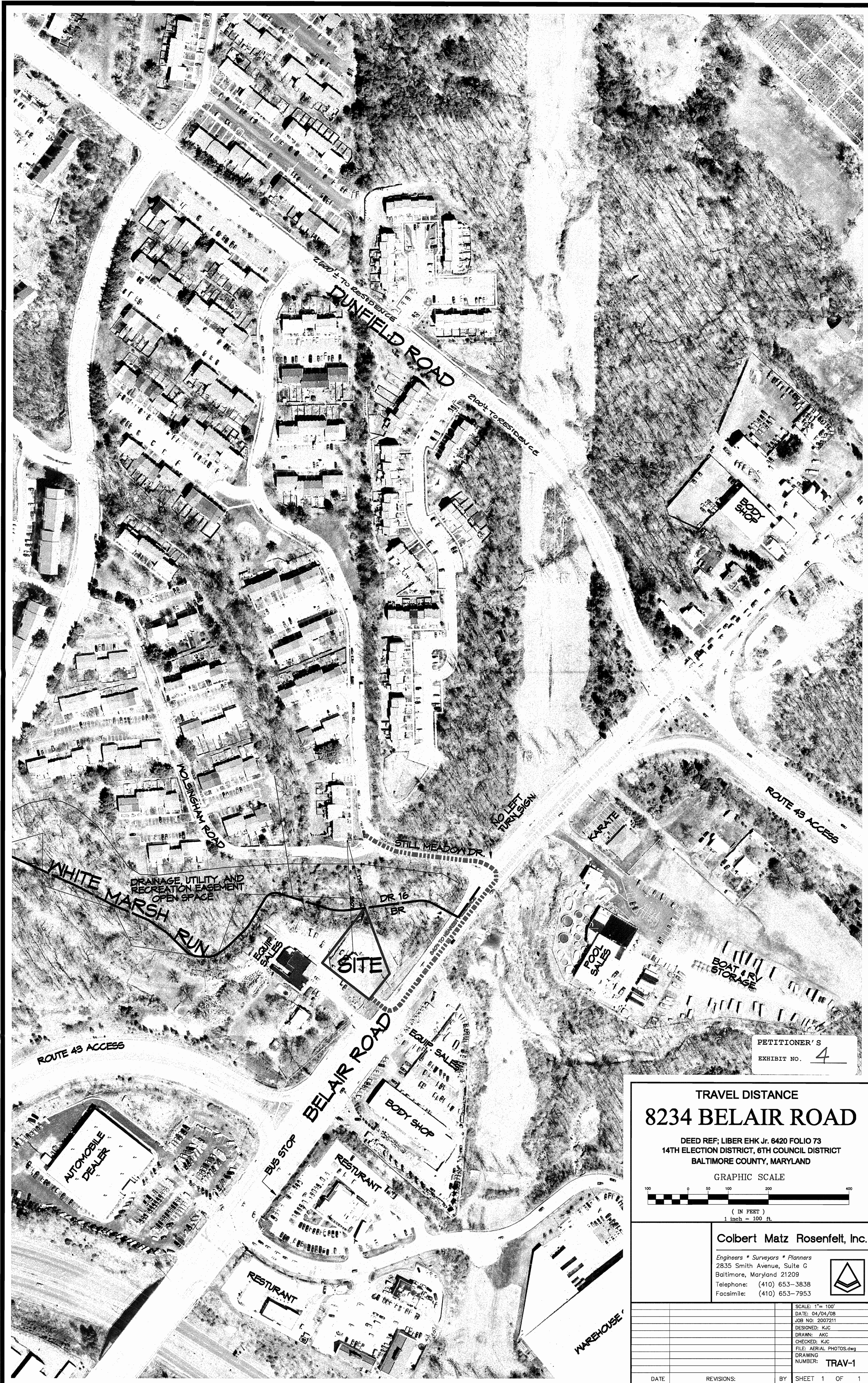
PETITIONER'S
EXHIBIT NO. 1

Key

- PROPERTY LINE
- ZONING LINE
- EX. CONTOUR
- EXISTING WOODS

SCALE: 1"=20'	
DATE: 04/04/08	
JOB NO.: 2007211	
DESIGNED: KJC	
DRAWN: LBF/JKP	
CHECKED: JMF	
FILE: 2007211ZON.dwg	
DRAWING NUMBER: ZON-1	

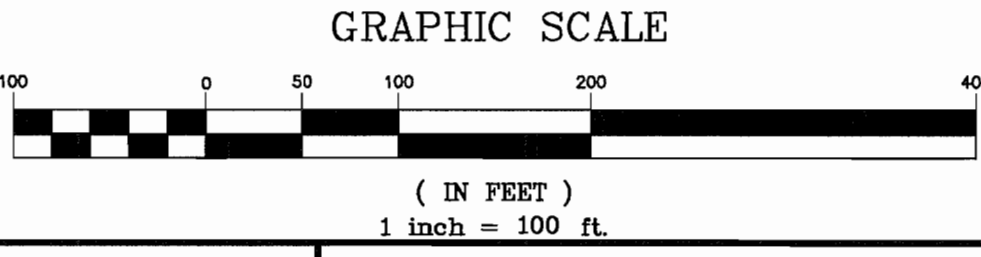
Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.



PETITIONER'S
EXHIBIT NO. 4

TRAVEL DISTANCE
8234 BELAIR ROAD

DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



SCALE: 1" = 100'
DATE: 04/04/08
JOB NO: 2007211
DESIGNED: KJC
DRAWN: AKC
CHECKED: KJC
FILE: AERIAL PHOTOS.dwg
DRAWING
NUMBER: **TRAV-1**

DATE REVISIONS: BY SHEET 1 OF 1



PETITIONER'S
EXHIBIT NO. 5

PHOTO EXHIBIT
8234 BELAIR ROAD

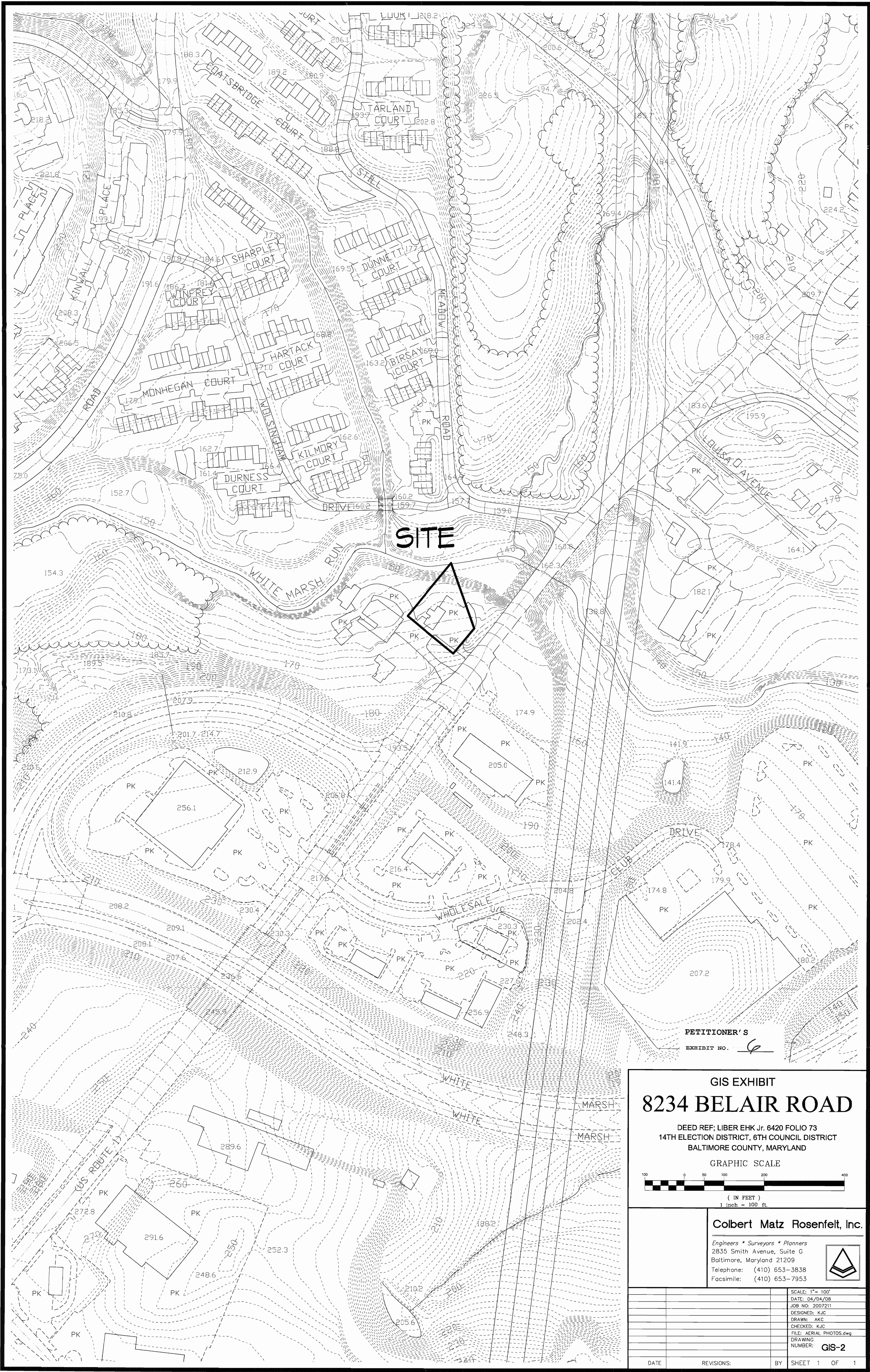
DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



			SCALE: N.T.S.
			DATE: 04/04/08
			JOB NO: 2007211
			DESIGNED: KJC
			DRAWN: AKC
			CHECKED: KJC
			FILE: AERIAL PHOTOS.dwg
			DRAWING
			NUMBER: PHOTO-1
DATE	REVISIONS:	BY	SHEET 1 OF 1

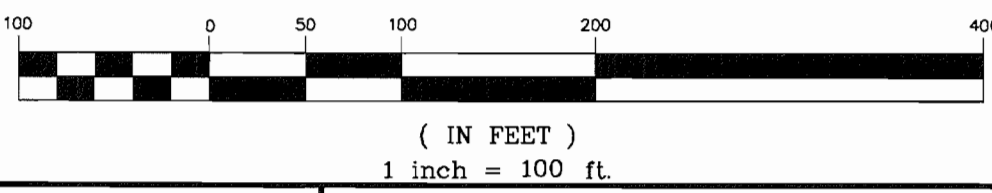


PETITIONER'S
EXHIBIT NO. 6

GIS EXHIBIT
8234 BELAIR ROAD

DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



			SCALE: 1"= 100'
			DATE: 04/04/08
			JOB NO: 2007211
			DESIGNED: KJC
			DRAWN: AKC
			CHECKED: KJC
			FILE: AERIAL PHOTOS.dwg
			DRAWING NUMBER: GIS-2
DATE	REVISIONS:	BY	SHEET 1 OF 1



- EXISTING CLINICS
- ① AWAKENINGS
(PUBLIC-PRIVATE HYBRID)
2 WEST AYLESBURY ROAD,
TIMONIUM
 - ② A HELPING HAND
116 SLADE AVENUE,
PIKESVILLE
 - ③ BD HEALTH SERVICES
3455 NORTH POINT ROAD,
DUNDALK
 - ④ WHITESTONE TREATMENT CENTER
6709 WHITESTONE ROAD SUITE B,
WOODLAWN
- PROPOSED CLINICS
- ⑤ WISE TREATMENT CENTER
8801 WISE AVENUE,
DUNDALK
 - ⑥ 4 WALLS HEALTH SERVICES
8234 BELAIR ROAD, NOTTINGHAM-
WHITE MARSH
- SOURCE- BALTIMORE SUN, 2/24/08

PETITIONER'S
EXHIBIT NO. 7

SURROUNDING CLINICS MAP

8234 BELAIR ROAD

DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE

5280 0 2640 5280 10560 21120

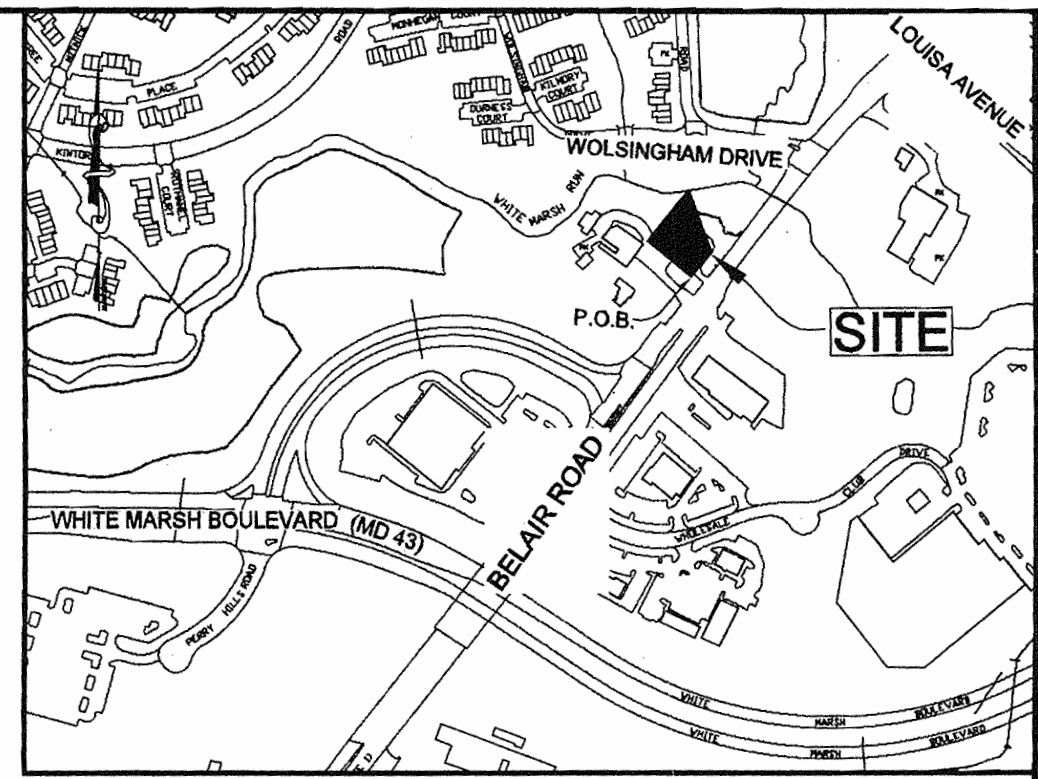
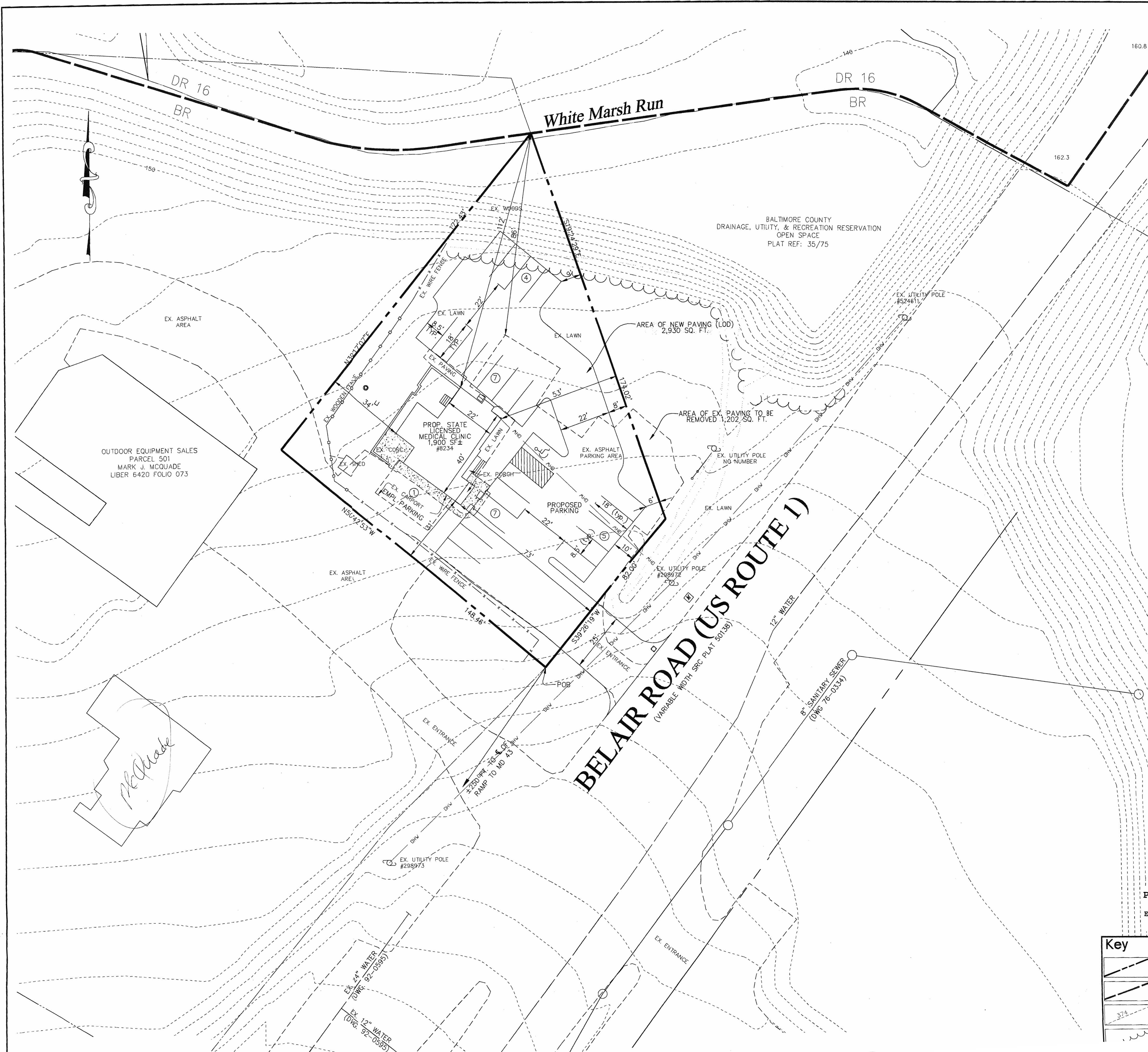
(IN FEET)
1 inch = 5280ft

Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

SCALE: 1" = 1 MILE			
DATE: 04/04/08			
JOB NO: 2007211			
DESIGNED: KJC			
DRAWN: AKC			
CHECKED: KJC			
FILE: AERIAL PHOTOS.dwg			
DRAWING NUMBER: CLIN-1			
DATE	REVISIONS:	BY	SHEET 1 OF 1

7



NOTES

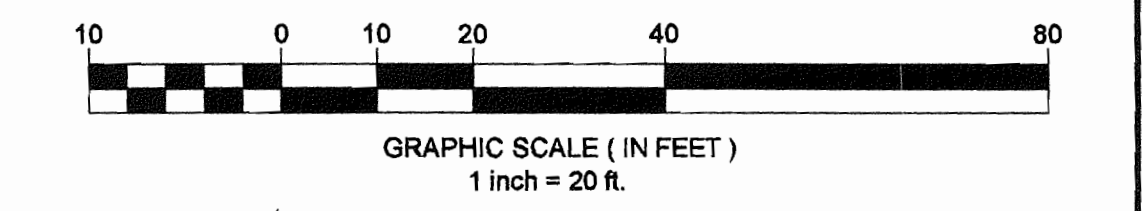
VICINITY MAP

1. Owner:
Saru Singh
4234B Silver Spring Road
Baltimore, MD. 21236
2. Site Data:
Tax Account No. 2400011579
Deed Reference: 22093/559
Map 71, Parcel 1434
Site Area: 0.434 AC±
3. Proposed Use:
State-Licensed Medical Clinic - Existing building
4. Zoned B.R. - Zoning Map 71C3
5. There is no zoning history for this property.
6. Off-Street Parking:
Required Parking: 14 Spaces
(8 Patients/hour + 6 employees)
Proposed Parking: 24 Spaces including 2 H.C.
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16. There are no commercial permits on file for this property.

PLAN TO ACCOMPANY PETITIONS FOR
SPECIAL EXCEPTION AND VARIANCE

8234 BELAIR ROAD

DEED REF: LIBER EHK Jr. 6420 FOLIO 73
14TH ELECTION DISTRICT, 6TH COUNCIL DISTRICT
BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PETITIONER'S
EXHIBIT NO. 1

Key

- PROPERTY LINE
- ZONING LINE
- EX. CONTOUR
- EXISTING WOODS

SCALE: 1"=20'	
DATE: 04/04/08	
JOB NO.: 2007211	
DRAWN: LBF/JKP	
DESIGNED: KJC	
CHECKED: JMF	
FILE: 2007211ZON.dwg	
DRAWING NUMBER: ZON-1	
Professional Certification	
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.	