

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

W side of York Road, 285 feet S from
the c/l of Ridgley Road
8th Election District
3rd Councilmanic District
(1734 York Road)

Windsor Mercy Holdings II LLC
Legal Owner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
*
* Case No. 2011-0221-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Exception and Variance filed by William N. Apollony, President of Windsor Mercy Holdings II, LLC, the legal property owner. The Special Exception is to permit a state-licensed medical clinic (freestanding ambulatory care facility) pursuant to Section 4C-102 of the Baltimore County Zoning Regulations ("B.C.Z.R."). The Variance request is as follows:

- From Section 4C-102.A.2 of the B.C.Z.R. to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially zoned property line in lieu of the required 750 feet; and
- From Section 232.3.B of the B.C.Z.R. to allow the rear yard for a commercial building where the rear lot line abuts a lot in a residence zone to be a minimum of 19 feet in lieu of the required 20 feet.

The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the Special Exception and Variance requests were Petitioner William N. Apollony, President of Windsor Mercy Holdings II, LLC, the legal property owner, Leigh T. Howe with Windsor Health Care, Ryan Potter, Esquire with Gallagher

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Date 3-21-11

By

Evelius & Jones, LLP, Robert Edwards and Helen Leek with Mercy Medical Center, George E. Love, M.D. with Mercy Medical Center, Robert Mulreaney, and Matthew Allen with Bohler Engineering, the professional engineer who prepared the site plan. Also attending in support of the requests was David H. Karceksi, Esquire and Kedrick Whitmore, Esquire of Venable LLP, attorney for the Petitioner. Also, Eric Rockel, President of the Timonium Community Council, Inc., was in attendance.

The Petitioner and affiliated entities propose to open on the subject property a state of the art medical facility with various specialties and treatment modalities under one roof. The facility is proposed for 1734 York Road (zoned BL-CCC), part of the Ridgely Plaza Shopping Center, and would occupy the space previously used by a Giant food store which closed some time ago.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. Most County agencies offered no comment, although the Office of Planning on February 11, 2011, indicated that after a comprehensive review of the submittal and a conference with the Petitioner, it supports the request and believed the medical facility would be an enhancement to this section of the York Road corridor.

Turning first to the requested special exception and variance under B.C.Z.R. Section 4C-102, I am persuaded to grant the relief. The undersigned is intimately familiar with Bill 39-02 (now codified at B.C.Z.R. 4C-101 et. seq.) and its enhanced 750 feet setback and special exception requirements. The Baltimore County Council enacted the law in response to a rash of community complaints concerning certain State licensed medical clinics which opened immediately adjacent to residential areas. In fact, Baltimore County litigated for over seven years in defending a challenge to the law brought by a drug treatment clinic in Pikesville. (See Helping Hand LLC v.

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By [signature]

Baltimore County). Bill 39-02 was ultimately upheld by the Federal court, but none of the concerns which animated that litigation are found in the present case.

Indeed, the medical clinic proposed in this case will be run by Mercy Hospital affiliated entities, which are recognized leaders in health care in the Maryland area. The facility will contain a vast array of physicians and will offer "one stop shopping" for medical services to area residents. The facility will contain "major medical equipment" (such as a CT scanner) and as such qualifies as a "state licensed medical clinic" under Section 19-3B-101 of the State Health-General Code. Hence the need for the special exception – since the facility will be located in a business zone – and the 750 foot setback.

Of course, special exception uses are presumptively valid, People's Counsel v. Loyola College, 406 Md 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. Indeed, only one community member appeared at the hearing – Eric Rockel – and he is in fact the President of the Timonium Community Council. Mr. Rockel testified that the neighboring York Manor community offered no objection and that the President of the Lutherville Community Association initially had a concern about the project, but that the Petitioner had addressed that concern, meaning that group was also supportive of the project. Finally, Mr. Rockel testified that the facility will be a much-needed boost for a moribund shopping center that has been plagued with many vacancies.

Simply put, the project would not pose any threat to the health or safety of area residents, nor would it overburden roads or public infrastructure. The Planning Office and Petitioner's engineer – Matthew Allen – so opined, and the State Highway Administration, in a revised comment marked as Petitioner's Exhibit 4, advised the project will not cause congestion in area roads. As is apparent from the architectural drawings submitted at the hearing (Petitioner's

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By pm

Exhibit 7), the Mercy facility will be an attractive and positive addition to this area of the County. Having satisfied the factors set forth in B.C.Z.R Section 502 and the test applied in cases such as Schultz v. Pritts, 291 Md 1 (1981), I find the special exception under B.C.Z.R. 4C-102 for this freestanding ambulatory care facility should be granted.

That provision of the zoning regulations also imposes a 750 foot setback requirement (from a residentially zoned line) and I also find that Petitioner's variance request should be granted to allow this facility to be located 130 feet from a residentially zoned line. Mr. Allen testified – via proffer – that the property in question is uniquely shaped with “jagged edges.” Mr. Allen testified the shopping center was originally approved in the 1970s (as shown on the 1972 Plan marked as Petitioner's Exhibit 5), and that Mercy was proposing a unique, readaptive use from the food store which originally occupied the site. Mr. Allen also opined that Petitioner would experience a hardship or practical difficulty if variance relief were not granted, given that it could not satisfy the 750 foot setback requirement anywhere on the site, and could therefore not open the facility.

With respect to the variance sought under Section 232.3.B of the B.C.Z.R., the above comments concerning the uniqueness of the site are likewise applicable. The variance seeks a rear yard setback of 19 feet instead of the required 20 feet, and Petitioner's engineer testified that in reality the discrepancy will be on the order of several inches. Finally, the rear lot in question faces athletic fields owned by the School Board, and though that property is zoned residential (DR 3.5) and triggers B.C.Z.R. Section 232.3.B, the concerns addressed by that regulation are not really implicated here since a dwelling is not located on the parcel.

I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests, that strict compliance with the Zoning Regulations

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By [Signature]

for Baltimore County would result in practical difficulty or unreasonable hardship, and that the variance request can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered, I find that Petitioner's Special Exception and Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 21 day of March, 2011, that Petitioner's request for Special Exception to permit a state-licensed medical clinic (freestanding ambulatory care facility) pursuant to Section 4C-102 of the Baltimore County Zoning Regulations ("B.C.Z.R.") be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's Variance requests as follows:

- From Section 4C-102.A.2 of the B.C.Z.R. to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially zoned property line in lieu of the required 750 feet; and
- From Section 232.3.B of the B.C.Z.R. to allow the rear yard for a commercial building where the rear lot line abuts a lot in a residence zone to be a minimum of 19 feet in lieu of the required 20 feet

be and are hereby GRANTED.

The granting of the above relief shall be subject, however, to the following condition:

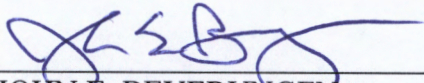
1. Petitioner may apply for any permits required and be granted same upon receipt this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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Date 3-21-11

By jm

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING

Date 3.21.11

By pm



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 18, 2011

DAVID KARCESKI, ESQUIRE
KEDRICK WHITMORE, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

Re: Petition for Special Exception and Variance
Case No. 2011-0221-A
Property: 1734 York Road

Dear Messrs. Karceski and Whitmore:

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.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the name and title of the signatory.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

c: Please See Attached List



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property
located at 1734 York Road

which is presently zoned BL-CCC

Deed Reference: 29607 / 39 Tax Account # 0807030300

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

a state-licensed medical clinic (freestanding ambulatory care facility) pursuant to Section 4C-102 of the Baltimore County Zoning Regulations.

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:

SEE ATTACHED

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Avenue (410) 494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2011-0221-XA

REV 07/27/2007 ORDER RECEIVED FOR FILING

Date

3-21-11

By

[Signature]

Legal Owner(s):

SEE ATTACHED

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

David H. Karcesk

Name

210 W. Pennsylvania Avenue (410) 494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
UNAVAILABLE FOR HEARING

Reviewed By

D.T.

Date

1/25/11

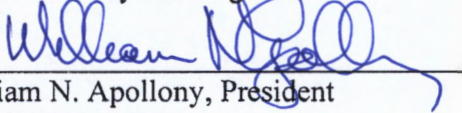
DROP OFF

**Attachment to
Petition for Special Exception**

1734 York Road

Legal Owner:

Windsor Mercy Holdings II LLC



William N. Apollony, President
7312 Parkway Drive
Hanover, MD 21076
(410) 579-3195

**Attachment to
Petition for Special Exception**

1734 York Road

Lessee:

Mercy Medical Center, Inc.



John T. Topper, Executive Vice President
and Chief Financial Officer
200 St. Paul Place, Suite 2400
Baltimore, MD 21202
(410) 332-9313



Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property
located at 1734 York Road
which is presently zoned BL-CCC

Deed Reference: 29607 / 39 Tax Account # 0807030300

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

To be determined at hearing.

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

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

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

Contract Purchaser/Lessee:

SEE ATTACHED

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Ave., Suite 500 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

SEE ATTACHED

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

David H. Karceski

Name

210 W. Pennsylvania Ave., Suite 500 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2011-0221-XA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

DT
DROP OFF

Date

1/25/11

REV 8/20/00 **ORDER RECEIVED FOR FILING**

Date

3-21-11

By

[Signature]

**Attachment to
Petition for Variance**

1734 York Road

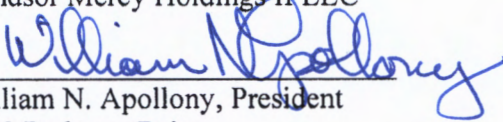
1. Section 4C-102.A.2 of the Baltimore County Zoning Regulations ("BCZR") to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially-zoned property line in lieu of the required 750 feet.
2. Section 232.3.B of the BCZR to allow the rear yard for a commercial building where the rear lot line abuts a lot in a residence zone to be a minimum of 19 feet in lieu of the required 20 feet.

**Attachment to
Petition for Variance**

1734 York Road

Legal Owner:

Windsor Mercy Holdings H LLC



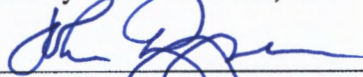
William N. Apollony, President
7312 Parkway Drive
Hanover, MD 21076
(410) 579-3195

**Attachment to
Petition for Variance**

1734 York Road

Lessee:

Mercy Medical Center, Inc.



John T. Topper, Executive Vice President
and Chief Financial Officer
200 St. Paul Place, Suite 2400
Baltimore, MD 21202
(410) 332-9313

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

63601

No.

Date:

1/25/11

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 1/25/2011 1/25/2011 11:53:45 2

REG #005 WALKER GAIL WED
 >>RECEIPT # 562588 1/25/2011 DELJ

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					835.

Total:

835.00

Rec

From: VENABLE LLP

For: 2011-0221-XA

1734 YORK RD.

D THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Case No.:

2011-0221-XA

Exhibit Sheet

Petitioner/Developer

Protestants

No. 1	Site Plan	
No. 2	Resume - Allen	
No. 3	3A - Aerial Photo 3B - zoning Map	
No. 4	SHA Comment -	
No. 5	1472 Shopping Ctr. Plan	
No. 6	Floorplan for	
No. 7	7A - Building Elevations 7B 7C -	
No. 8	Photos -	
No. 9	Property Description interview	
No. 10		
No. 11		
No. 12		



BOHLER™
ENGINEERING

MATTHEW T. ALLEN, P.E.

Branch Manager/Senior Project Manager

EDUCATION

M.B.A. Finance
Pennsylvania State University

B.S. Civil Engineering
Pennsylvania State University

PROFESSIONAL AFFILIATIONS

Baltimore County Chamber of
Commerce

American Society of Civil Engineers

National Society of Professional
Engineers

Maryland Society of Professional
Engineers

International Council of Shopping
Centers

National Association of Industrial
and Office Properties

Urban Land Institute

Greater Baltimore Economic Forum

PROFESSIONAL LICENSES

Delaware PE #13499
District of Columbia PE #900965

Maryland PE #28567
Pennsylvania PE #061707

Virginia PE #040239979
West Virginia PE #18065

PROFESSIONAL SUMMARY

Matthew currently serves as currently serves as a Branch Manager for Bohler Engineering's Towson, Maryland Office. Experience includes twelve (12) years of design and project management. Primarily responsible for the daily operation of the Towson Office as well as client and project management for various commercial, residential and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals and related services.

Other areas of expertise include project permitting which includes coordination/procurement of project approvals ranging from zoning to land development to building permits for over 300 projects in over 150 Mid-Atlantic municipalities including Maryland, District of Columbia, Delaware and Pennsylvania.

PROJECT TESTIMONY

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Board of Supervisors, Zoning Hearing Boards and related municipal entities in Delaware, Maryland and Pennsylvania.

PETITIONER'S

EXHIBIT NO.

2



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PETITIONER' S

EXHIBIT NO. 3A



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

February 25, 2011

Ms. Donna Thompson, Reviewer.
Baltimore County Office of
Permits and Development Management
County Office Building, Room 111
Towson, Maryland 21204

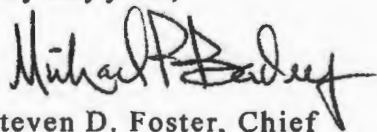
RE: Baltimore County
Item No. 2011-0221-XA
MD 45 (York Road)
285' south of Ridgeley Road
Windsor Mercy Holdings, LLC
1704 York Road
Mile Post 4.39
Special Exception -

Dear Ms. Thompson:

This is in reference to our ongoing review of the site plan to accompany petition for special exception hearing associated with Windsor Holdings, LLC property located at 1704 York Road. After discussions with the engineer of record and further review of the plan, we have determined that proposed improvements at 1704 York Road are less than 25% of the present building size (square footage). Therefore, the State Highway Administration (SHA) will not require improvements to MD 45 along the property frontage. And, SHA has *no* object to approval for Special Exception Case No. 2011-0221-XA. Please include our remarks in your staff report to the Zoning Hearing Officer.

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,


for Steven D. Foster, Chief
Access Management Division

SDF/mb

Cc: Mr. Matthew Allen, Engineer, Bohler Engineering, Inc.
Ms. Colleen M. Kelly, Development Manager-PDM, Baltimore County
Mr. Joseph Merrey, PDM, Baltimore County
Mr. David Peake, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
Mercy Medical Center, Inc, Owner
Windsor Medical Center Holdings, LLC, Applicant

PETITIONER'S

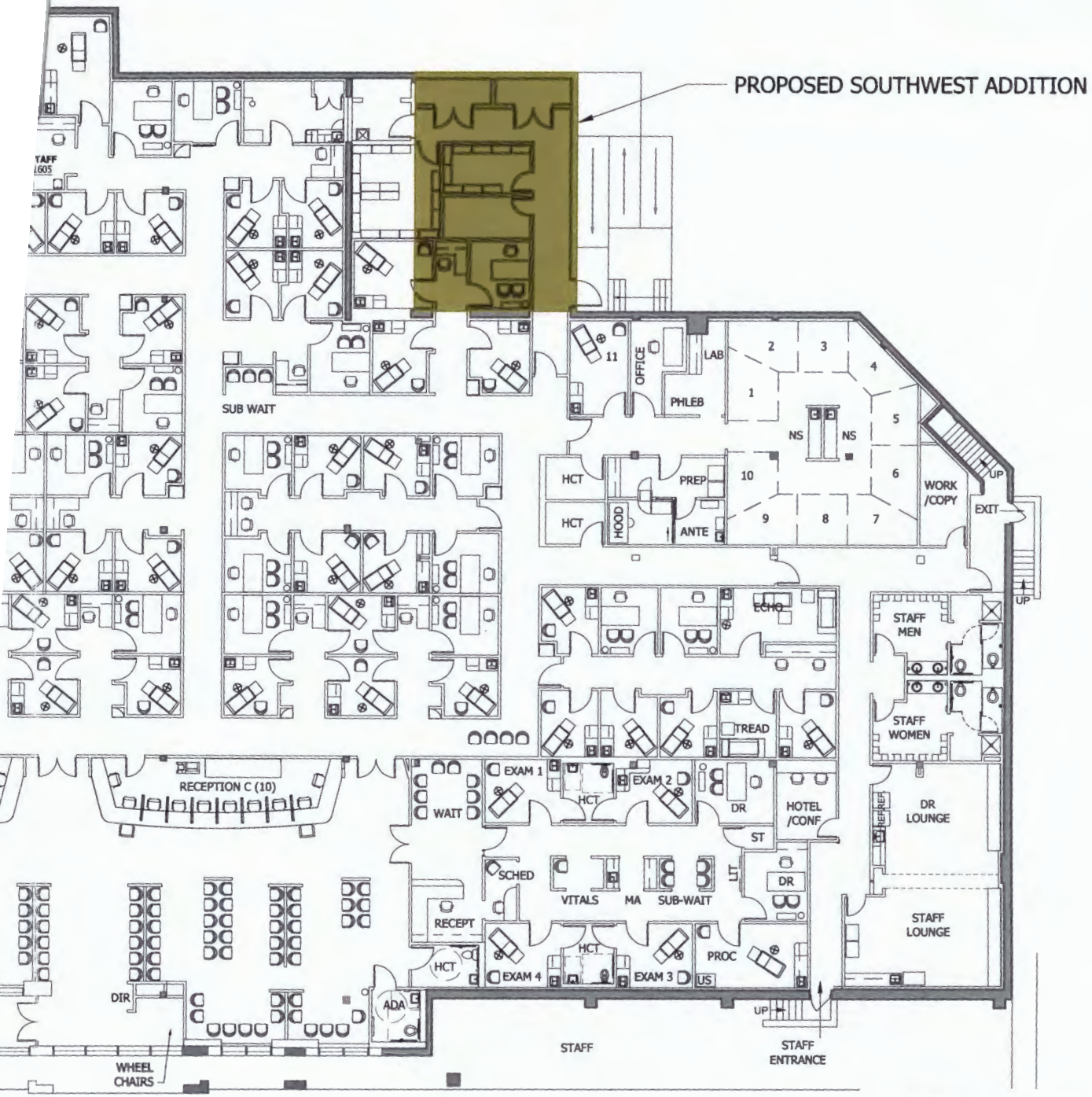
EXHIBIT NO. 4

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com





PETITIONER'S

EXHIBIT NO. 6

Lutherville Personal Physicians
09-128

Scale: NTS
1/12/2011

Bohler Engineering

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners
901 Dulaney Valley Road, Suite 801, Towson, MD 21204 • Phone 410-821-7900 • Fax 410-821-7987



View of Ridgely Plaza from York Road

1



View across York Road from Ridgely Plaza

2

PETITIONER'S

EXHIBIT NO. 8

Bohier Engineering, P.C.

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners

901 Dulaney Valley Road, Suite 801, Towson, MD 21286 • Phone 410-821-7900 • Fax 410-821-7987



View across York Road from Ridgely Plaza

3



View across York Road from Ridgely Plaza

4

Bohler Engineering, P.C.

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners

901 Dulaney Valley Road, Suite 801, Towson, MD 21286 • Phone 410-821-7900 • Fax 410-821-7987



Location of Northeast Addition

5



Location of Southwest Addition

6

Bohler Engineering, P.C.

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners

901 Dulaney Valley Road, Suite 801, Towson, MD 21286 • Phone 410-821-7900 • Fax 410-821-7987



Location of Southwest Addition

7



Existing buffer along southern property line

8

Bohier Engineering, P.C.

Civil, Consulting, Traffic and Geotechnical Engineers • Surveyors • Site Planners

901 Dulaney Valley Road, Suite 801, Towson, MD 21286 • Phone 410-821-7900 • Fax 410-821-7987



Existing buffer along southern property line

PROPERTY DESCRIPTION (PARCEL 466)

BEGINNING AT A POINT ON THE WESTERLY SIDE OF YORK ROAD (MD ROUTE 45), EXISTING VARIABLE WIDTH RIGHT OF WAY, AT A POINT LYING 285 FEET SOUTHERLY FROM THE CENTERLINE OF THE PAVING OF RIDGELY ROAD AND RUNNING SOUTH 20 DEGREES 09 MINUTES 58 SECONDS EAST 247.89 FEET TO A POINT, AND; SOUTH 74 DEGREES 30 MINUTES 47 SECONDS WEST 135.91 FEET TO A POINT, AND; SOUTH 20 DEGREES 29 MINUTES 34 SECONDS EAST 134.06 FEET TO A POINT, AND; NORTH 86 DEGREES 36 MINUTES 15 SECONDS WEST 45.60 FEET TO A POINT, AND; SOUTH 03 DEGREES 17 MINUTES 45 SECONDS WEST 22.75 FEET TO A POINT, AND; SOUTH 81 DEGREES 04 MINUTES 45 SECONDS WEST 122.88 FEET TO A POINT, AND; SOUTH 77 DEGREES 54 MINUTES 45 SECONDS WEST 39.16 FEET TO A POINT AND RUNNING:

1. SOUTH 77 DEGREES 54 MINUTES 45 SECONDS WEST 117.10 FEET TO A POINT, AND;
2. NORTH 20 DEGREES 27 MINUTES 58 SECONDS WEST 206.93 FEET TO A POINT, AND;
3. NORTH 20 DEGREES 05 MINUTES 50 SECONDS WEST 160.85 FEET TO A POINT, AND;
4. NORTH 72 DEGREES 18 MINUTES 05 SECONDS EAST 37.14 FEET TO A POINT, AND;
5. SOUTH 20 DEGREES 05 MINUTES 50 SECONDS EAST 199.12 FEET TO A POINT, AND;
6. NORTH 69 DEGREES 31 MINUTES 10 SECONDS EAST 89.00 FEET TO A POINT, AND;
7. SOUTH 20 DEGREES 27 MINUTES 58 SECONDS EAST 121.25 FEET TO A POINT, AND;
8. SOUTH 69 DEGREES 32 MINUTES 02 SECONDS WEST 10.00 FEET TO A POINT, AND;
9. SOUTH 20 DEGREES 27 MINUTES 58 SECONDS EAST BINDING ALONG (BUT NOT NECESSARILY ON) THE FACE OF THE MASONRY BUILDING HERETOFORE CONSTRUCTED 62.70 FEET TO A POINT.

CONTAINING 28,950 SQUARE FEET (0.665 ACRES) OF LAND, MORE OR LESS.



PETITIONER'S

EXHIBIT NO.

9



The MRI Center at White Marsh
9900 Franklin Square Drive, Suite D
Nottingham, Maryland 21236
Office 410.931.6674
Fax 410.931.2989

March 14, 2011

John E. Beverungen
Administrative Law Judge
for Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

MAR 16 2011

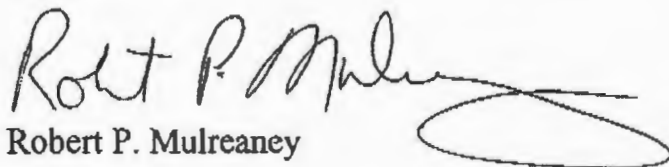
ZONING COMMISSIONER

Dear Judge Beverungen,

As a follow up to the zoning hearing on March 3, I wanted to let you know that I spoke with Verlean Conner, Administrator for Major Medical Equipment Providers (including imaging equipment) with the Maryland Department of Health and Mental Hygiene ("DHMH").

Specifically, I inquired as to whether or not DHMH, in the context of its licensure process, would review the number of parking spaces or the number of patients served in our imaging suite on a daily basis. Consistent with our understanding of the regulations and our past experience at other locations, Ms. Conner indicated that DHMH does not review the foregoing data, nor are we asked or required to supply it.

Best regards,


Robert P. Mulreaney

Case No. 2011-0221-XA

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[Appointment Requests](#)

[Referral Request](#)

[Prescription Renewal](#)

[Health Forms](#)

Introducing Lutherville Personal Physicians

Opening in Spring 2011

Lutherville Personal Physicians will feature some of the area's leading, high quality primary care physicians with expertise in Internal Medicine and Family Medicine.

The former Giant Food Store at York and Ridgely Roads is currently under construction and will feature spacious, modern patient care exam rooms for up to 15 primary care physicians and dozens of specialists all under one roof.

Patient access will be easy and convenient with 200 adjacent parking spaces.

Other on-site patient amenities include Diagnostic Radiology, Laboratory Services, EKG, Dexascan and more.

Please check back with this website often to learn more about which current local primary care physicians will be relocating their practices to Lutherville Personal Physicians. We look forward to serving you and your family!

CASE NAME 1734 York Rd
CASE NUMBER 2011-221-XA
DATE 3/3/11

[illegible]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: February 11, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

RECEIVED

SUBJECT: 1734 York Road

INFORMATION:

FEB 14 2011

Item Number: 11-221

ZONING COMMISSIONER

Petitioner: Windsor Mercy Holdings II, LLC
Mercy Medical Center, Inc.

Zoning: BL-CCC

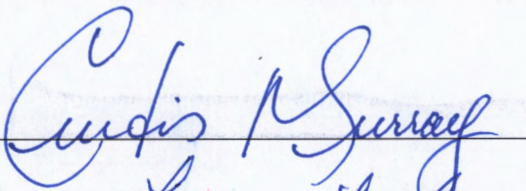
Requested Action: Variance and Special Exception

SUMMARY OF RECOMMENDATIONS:

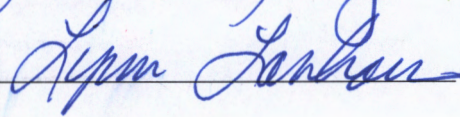
The Office of Planning has reviewed the petitioner's request and accompanying site plan. After a comprehensive review of the submittal and conference with the petitioner the Office of Planning supports the petitioner's request. The subject request is an appropriate use for the subject site and would be an enhancement to this section of the York Road corridor. The subject use does not appear to be detrimental to the health, safety or general welfare of the locality involved or neighboring.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:
JM/LL: CM



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 15, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-221-XA
Address 1734 York Road
(Windsor Mercy Holdings II, LLC Property)

Zoning Advisory Committee Meeting of January 31, 2011.

X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: JWL Date: 2/14/11

RECEIVED

FEB 15 2011

ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 2, 2011

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For February 7, 2011
Item Nos. 2011- 213, 215, 216, 217,
219, 220, 221, 222 and 223

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-02072011 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 3, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **January 31, 2011**

Item No.:

Administrative Variance: 2011-0215A – 0216A, 2011-0224A

Special Hearing: 2011-0213-SPH, 2011-0219-SPHA, 2011-0220-SPH, 2011-0225-SPHA

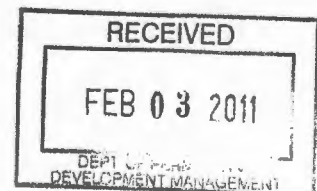
Variance: 2011-0217A, 2011-0219-SPHA, 2011-0221-XA, 2011-0222A – 0223A, 2011-0225-SPHA

Special Exception: 2011-0221-XA, 3-3

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



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



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

February 14, 2011

Ms. Donna Thompson, Reviewer
Baltimore County Office of
Permits and Development Management
County Office Building
Room 111
Towson, Maryland 21204

RE: Baltimore County
Case No. 2011-0221-XA
MD 45 (York Road)
285' south of Rudgely Road)
Windsor Mercy Holdings II, LLC
1734 York Road
Mile Post 4.39

Dear Ms. Thompson:

Thank you for the opportunity to examine and remark on the plan to accompany petition for a special exception hearing associated with Windsor Mercy Holdings II, LLC property located at 1734 York Road. We have completed a review of the site plan and offer the following comments for your consideration:

- The subject property accesses MD 45 (York Road). Our State Highway Location Reference Guide identifies MD 45 (York Road) as principle arterial four lane undivided road. The Annual Average Daily Traffic volume on this section of MD 45 is 37,730 vehicle trips per day.
- We note that the site plan reflects some modifications along MD 45 within the vicinity of existing entrances. A State Highway Administration (SHA) Access Permit is required to construct improvements within the state right-of-way. And at minimum the items listed below are required.
- Sidewalk and handicap ramps consistent with current Americans with Disabilities (ADA) guidelines.
- All entrance(s) landing grade shall be 50' in length at a 3% maximum.

Based on available information the SHA has no objection to Case No. 2011-0221-XA approval for the special exception. However, we request that the applicant be required to submit for formal review by the State Highway Administration prior to permit approval.

Should you have any questions, please contact Michael Bailey 410-545-5593 or our toll free number in Maryland Only 1-800-876-4742 extension 5593. Also, you may e-mail at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Michael P. Bailey".

For Steven D. Foster, Chief
Access Management Division

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



Ms. Donna Thompson
Permits & Development Management
Case No. 2011-0221-XA
1734 York Road property
Page 2

SDF/mb

CC: Mr. Matthew T. Allen, Engineer, Bohler Engineer, Inc
Ms. Colleen M. Kelly, Development Manager, Baltimore County
Ms. Erin Kuhn, ADE-Traffic, SHA
Mr. Joe Merrey, Zoning Section, Baltimore County
Mr. David Peake, Metropolitan District Engineer, SHA
Mercy Medical Center, Inc., Owner
Windsor Medical Center Holdings, LLC, Applicant



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 24, 2011

William N. Apollony, President
Windsor Mercy Holdings HLLC
7312 Parkway Drive
Hanover, MD 21076

RE: Case Number 2011-0221 XA, 1734 York Road,

Dear Mr. William N. Apollony,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 25, 2011. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
David Karceski/Venable LLP, 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

CERTIFICATE OF POSTING

2011-0221-XA

RE: Case No.: _____

Petitioner/Developer: _____

Mercy Medical Center

Date of Hearing/Closing: _____

Mar 3, 2011

11 AM

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1734 York Road

February 15, 2011

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

February 15, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 15, 2011 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6204

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0221-XA

1734 York Road
W/side of York Road, 285 feet south side of centerline of Ridgely Road
8th Election District – 3rd Councilmanic District
Legal Owners: Windsor Mercy Holdings, II, LLC
Lessee: Mercy Medical Center, Inc.

Special Exception to permit a state-licensed medical clinic (freestanding ambulatory care facility). Variance to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially zoned property line in lieu of the required 750 feet. To allow the rear yard for a commercial building where the rear lot line abuts a lot in a residence zone to be a minimum of 19 feet in lieu of the required 20 feet.

Hearing: Thursday, March 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE HEARINGS AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 9, 2011

CORRECTED NOTICE OF ZONING HEARING

The Administrative Law Judges 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:

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1734 York Road

W/side of York Road, 285 feet south side of centerline of Ridgely Road

8th Election District – 3rd Councilmanic District

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Lessee: Mercy Medical Center, Inc.

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Hearing: Thursday, March 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director, PAI

AJ:kl

C: David Karceski, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204
William Apollony, Windsor Mercy, 7312 Parkway Dr., Hanover 21076
John Topper, Mercy Medical Center, 200 St. Paul Place, Ste. 2400, Baltimore 21202

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 16, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE OFFICE OF ADMINISTRATIVE HEARINGS AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Received 6/28/2011

To: JALP

STI Re: this

6/24/11 ucn

t 410.494.6285
f 410.821.0147
DHKarcieski@Venable.com

June 24, 2011

HAND-DELIVERED

W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Request for Spirit and Intent Letter**
Location: 1734 York Road
Case No. 2011-0221-XA
8th Election District, 3rd Councilmanic District

Dear Mr. Richards:

This firm represents Mercy Medical Center, Inc., lessee of the above-referenced property (the "Property"). The Property is part of the Ridgely Plaza Shopping Center, located adjacent to and on the west side of York Road (Md. Route 45), south of Ridgely Road, in the Lutherville area of Baltimore County. The site is improved with a one-story commercial building formerly occupied by a Giant Food Store. Our client is renovating the existing building and plans to construct a one-story addition to the rear of the existing structure. I am writing to confirm that minor modifications to the site layout are within the spirit and intent of the Order issued by the Administrative Law Judge in Case No. 2011-0221-XA (the "2011 Case") on March 21, 2011. Such modifications, as explained below, are shown redlined on the enclosed site plan, prepared by Bohler Engineering and entitled "PLAN TO ACCOMPANY SPIRIT AND INTENT REQUEST." I have also enclosed a copy of the 2011 Case Order and the site plan approved in the 2011 Case for your review and convenience.

By way of brief history, in the 2011 Case, my client filed a Petition for Special Exception to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially zoned property line in lieu of the required 750 feet. Additionally, a Petition for Variance was filed to allow the rear yard for a commercial building where the rear lot line abuts a lot in a residence zone to be a minimum of 19 feet in lieu of the required 20 feet. The Administrative Law Judge granted the requested zoning relief. No protestants were present at the public hearing in the 2011 Case.

11-2 15

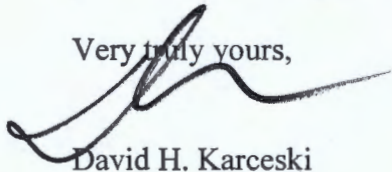
Mr. W. Carl Richards Jr.
June 24, 2011
Page 2

Two separate building additions are shown on the site plan approved in the 2011 Case, one at the northeast corner of the building for the ambulatory care facility (the "front" addition) and another to the rear of the existing building (the "rear" addition). As shown on the enclosed redlined plan, our client no longer plans to construct the front addition, but proposes a reconfigured rear addition. The rear addition is now larger than shown on the 2011 Case site plan; however, a review of the redlined plan makes clear that this reconfigured addition will not require any additional zoning relief. Additionally, with the elimination of the front addition, the special exception area for the ambulatory care facility will change slightly but the distance to the closest residential property line will be no closer than the 144 feet approved in the 2011 Case.

If you are in agreement that the request made by my client for the above-described minor adjustments to the 2011 Case site plan is within the spirit and intent of the Administrative Law Judge's Order, dated March 21, 2011, please countersign this letter below.

With this letter, I have enclosed a check in the amount of \$100.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you require any additional information in order to complete your review, please feel free to give me a call.

Very truly yours,



David H. Karceski

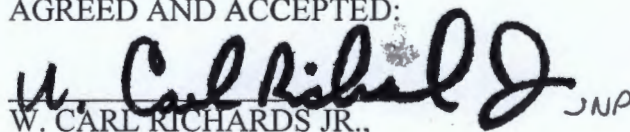
DHK

Enclosure

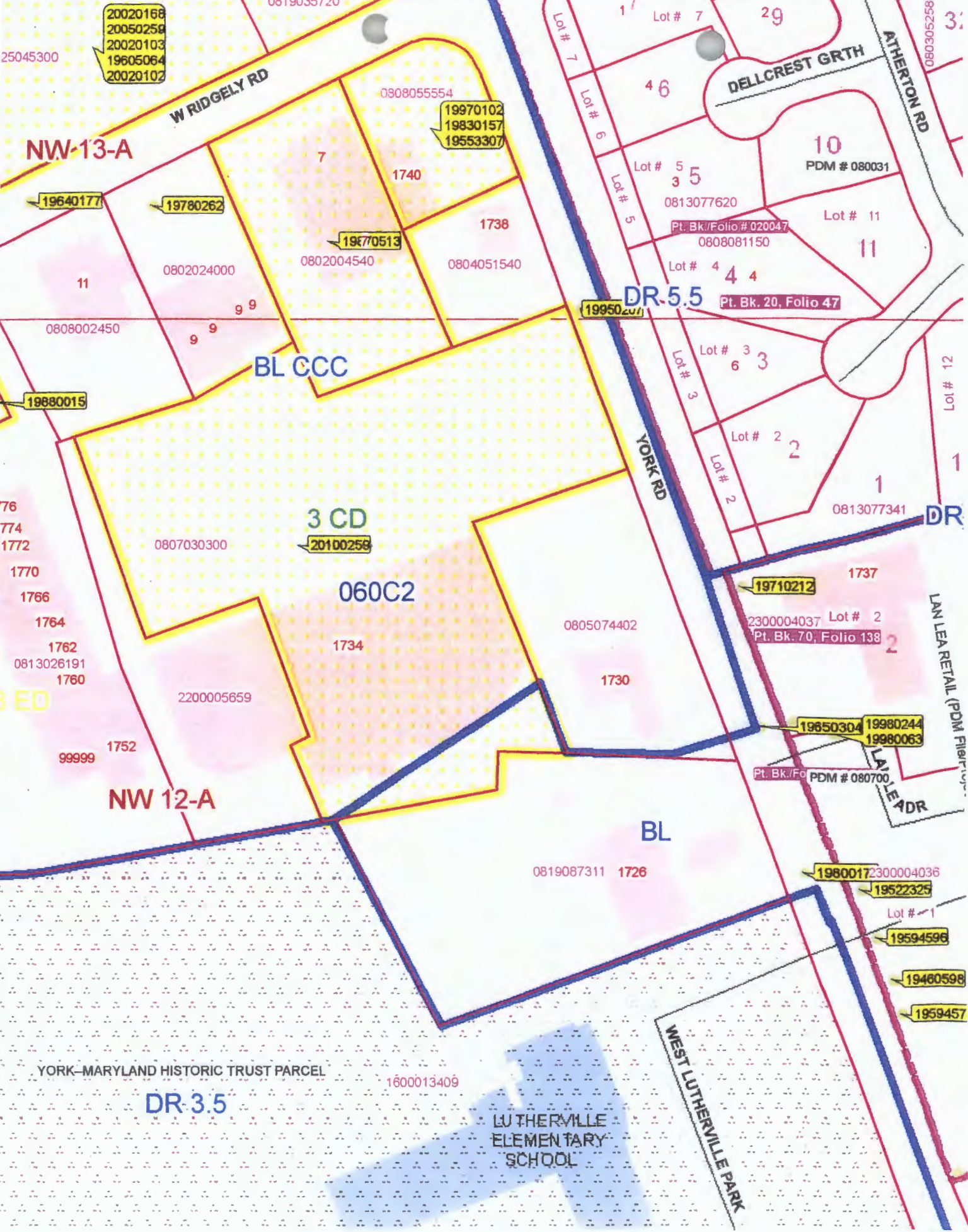
cc: Matthew Allen, P.E.

Ryan Potter, Esquire

AGREED AND ACCEPTED:


W. CARL RICHARDS JR.,
SUPERVISOR FOR
ZONING REVIEW OFFICE

25045300
20020168
20050259
20020103
19605064
20020102





KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 3, 2011

NOTICE OF ZONING HEARING

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8th Election District – 3rd Councilmanic District

Legal Owners: Windsor Mercy Holdings, II, LLC

Lessee: Mercy Medical Center, Inc.

Special Exception to permit a state-licensed medical clinic (freestanding ambulatory care facility). Variance to allow a state-licensed medical clinic (freestanding ambulatory care facility) to be a minimum of 144 feet from a residentially zoned property line in lieu of the required 750 feet. To allow the rear yard for a commercial building where the rear lot line abuts a lot in a residential zone to be a minimum of 19 feet in lieu of the required 20 feet.

Hearing: Thursday, March 3, 2011 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

Arnold Jablon
Director, PAI

AJ:kl

C: David Karceski, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204
William Apollony, Windsor Mercy, 7312 Parkway Dr., Hanover 21076
John Topper, Mercy Medical Center, 200 St. Paul Place, Ste. 2400, Baltimore 21202

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., FEBRUARY 16, 2011.**
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TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 15, 2011 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6204

NOTICE OF ZONING HEARING

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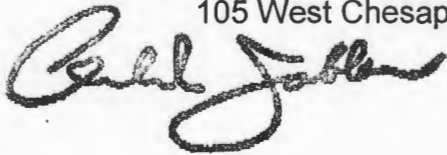
8th Election District – 3rd Councilmanic District

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE HEARINGS AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE *none*
And VARIANCE *
1734 York Road, W/side York Rd., 285ft. * ZONING COMMISSIONER
South side of centerline Ridgley Road *
8th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Windsor Mercy Holdings II LLC *
Lessee: Mercy Medical Ctr., Inc. * BALTIMORE COUNTY
Petitioner(s) *
2011-0221-XA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all documentation filed in the case.

RECEIVED

FEB 02 2011

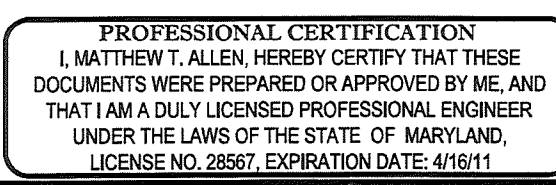
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of February, 2011, a copy of the foregoing Entry of Appearance was mailed to David H. Karceski., 210 W. Pennsylvania Ave., Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

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



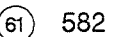
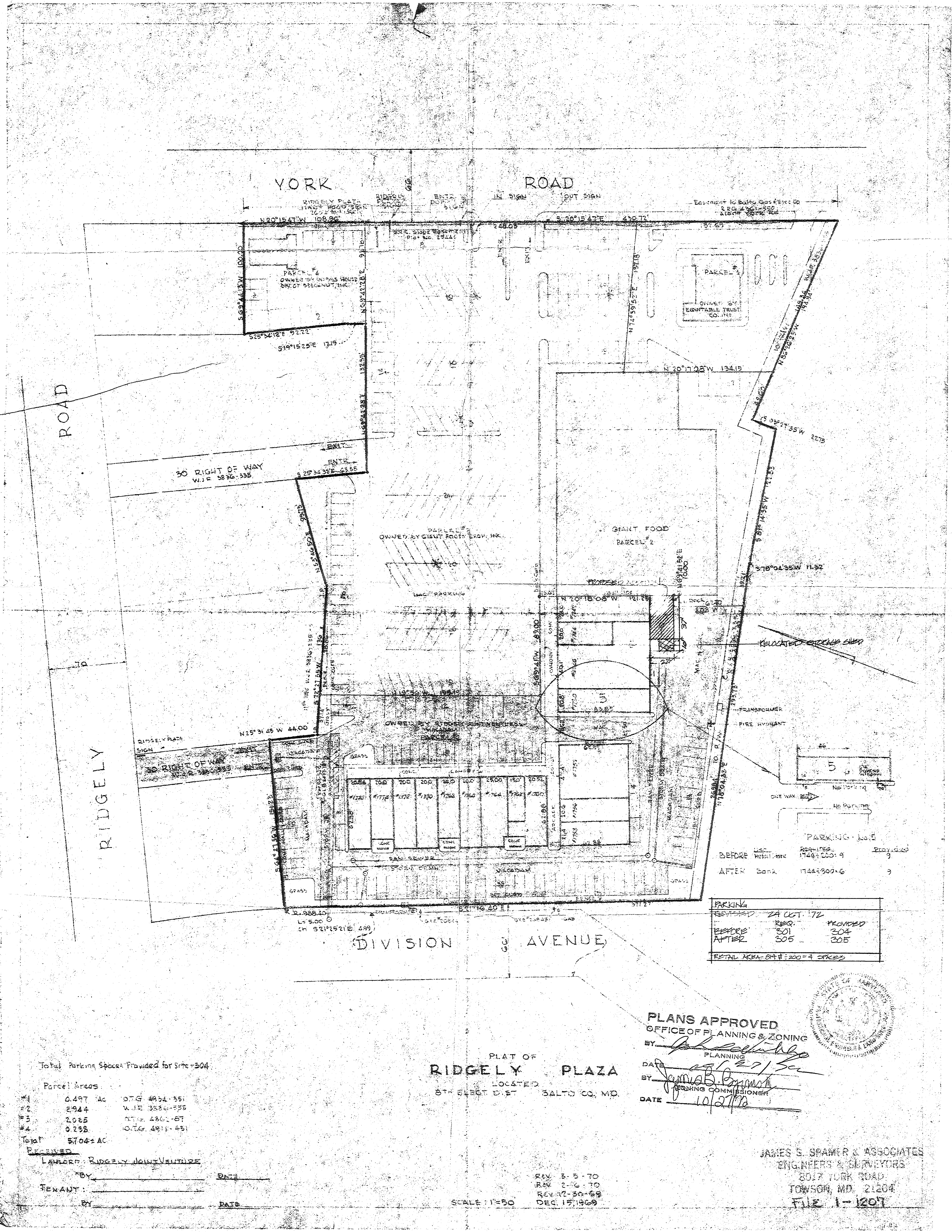


EXHIBIT NO.

69

908



Total Parking Spaces Provided for Site = 504

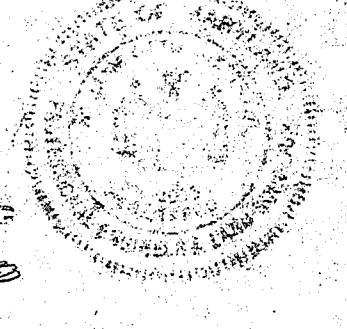
Parcel Areas	
#1	0.497 Ac DTG 4954-551
#2	2.944 WJE 3884-555
#3	2.025 DTG 4801-67
#4	0.155 DTG 4911-451
Total	5.704± AC

RECEIVED
LANDLORD: Ridgely Joint Venture
BY: _____ DATE: _____
TENANT: _____
BY: _____ DATE: _____

PLAT OF
RIDGELY PLAZA
LOCATED
5TH ELECT DIST BALTO CO, MD.

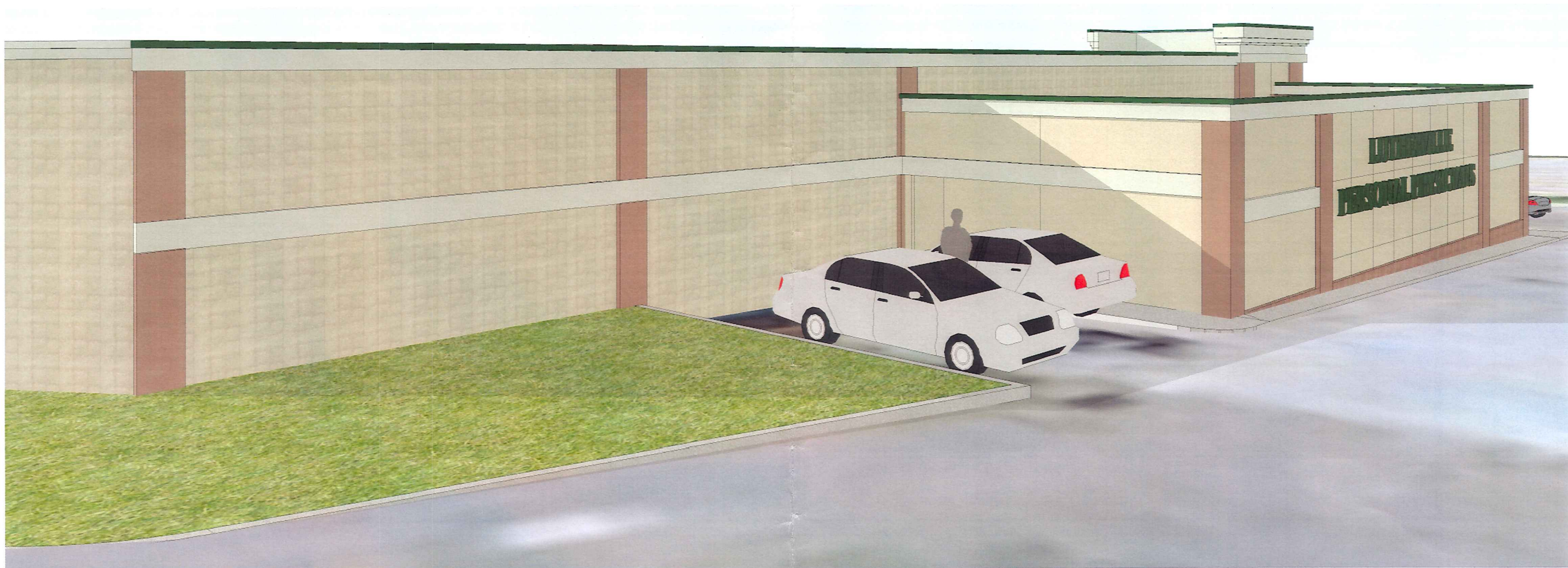
REV. 3-5-70
REV. 2-16-70
REV. 12-30-69
DEC. 15-1969
SCALE: 1"=50'

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: *10/27/72*



JAMES S. SPAWER & ASSOCIATES
ENGINEERS & SURVEYORS
8017 YORK ROAD
TOWSON, MD. 21204
FILE 1-1207

PETITIONER'S
EXHIBIT NO. 5



NORTHEAST ADDITION - VIEW FROM SOUTHEAST

Lutherville Personal Physicians
09-128

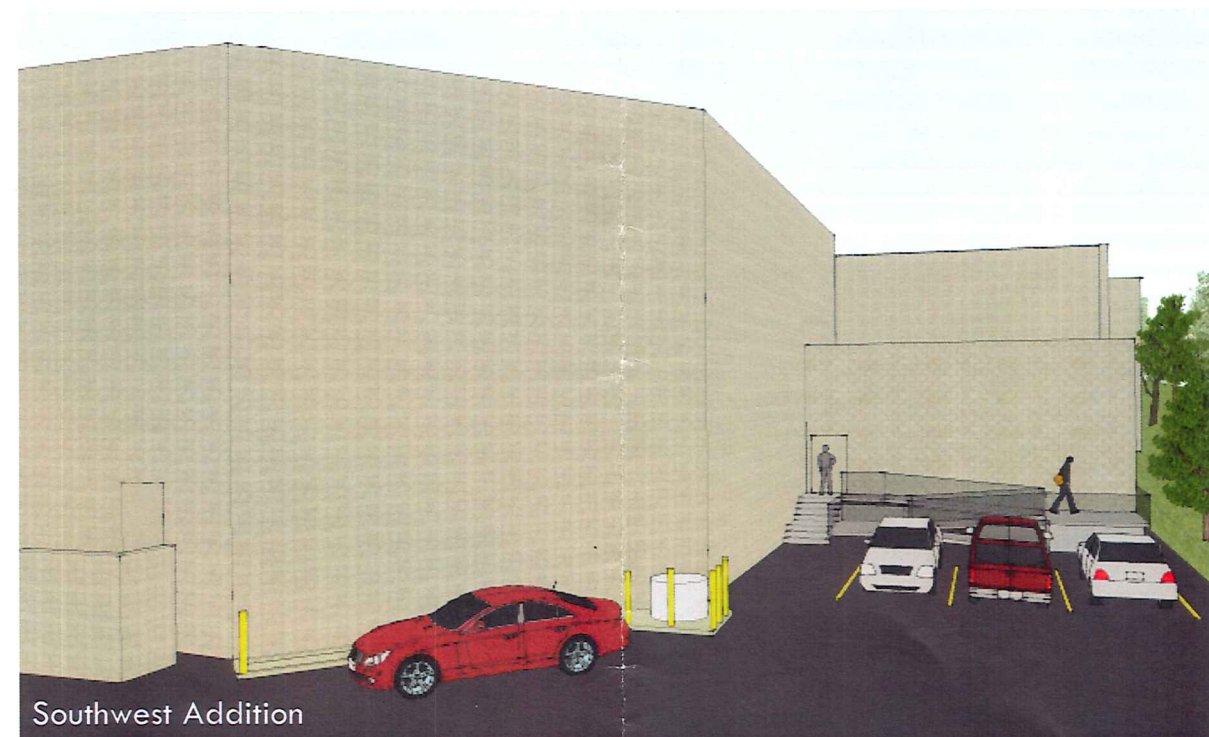
Scale: N.T.S.
January 17, 2011



East Elevation



North Elevation



Southwest Addition

LUTHERVILLE PERSONAL PHYSICIANS

Lutherville Personal Physicians
09-128

Scale: N.T.S.
January 17, 2011

WINDSOR
HEALTHCARE A WEXFORD EQUITIES COMPANY

LUTHERVILLE
PERSONAL
PHYSICIANS

Mercy
MEDICAL CENTER

WT WHITING-TURNER

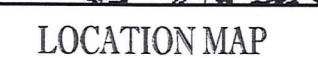
A H AMMON HEISLER SACHS
s a architects
345 North Charles Street Baltimore, Maryland 21201 P: 410.752.3510 F: 410.752.8358

7C



1. SITE ADDRESS:
1734 YORK ROAD
LUTHERVILLE, MD 21093

- REQUIRED: PARCEL 220:
WACHOVIA BANK:
2,960 S.F. X 3.31/1,000 S.F. = 9.77 SPACES
THE KAIFER UNIVERSITY (BASMENT LEVEL - GENERAL OFFICE):
2,960 S.F. X 3.31/1,000 S.F. = 9.77 SPACES
- PARCEL 624, 466:
LUTHERVHIE PERSONAL PHYSICIANS CENTER:
46,055 S.F. X 4.51/1,000 S.F. = 209.86 SPACES
45,251 208.76
- PARCEL 721:
VACANT:
1,200 S.F. X 5/1,000 = 6 SPACES
KATZENSTEIN FRAME & ART:
1,080 S.F. X 5/1,000 S.F. = 5.4 SPACES
VACANT:
1,744 S.F. X 5/1,000 S.F. = 8.72 SPACES
CHINESE CARRYOUT:
1,260 S.F. X 5/1,000 S.F. = 6.3 SPACES
TROPICAL FISH/PET SHOP:
2,300 S.F. X 5/1,000 S.F. = 11.5 SPACES
OLYMPIA PIZZA:
PATRON AREA (STANDARD)
552 S.F. X 16/1,000 S.F. = 8.32 SPACES
CARRYOUT:
984 S.F. X 5/1,000 S.F. = 4.92 SPACES
SAM'S BARBER SHOP:
600 S.F. X 5/1,000 S.F. = 3 SPACES
OLIVER HAIR DRESSING:
1,510 S.F. X 5/1,000 S.F. = 7.55 SPACES
FITNESS TOGETHER:
2,641 S.F. X 5/1,000 S.F. = 13.21 SPACES
RIDGLEY LIQUOR STORE:
3,550 S.F. X 5/1,000 S.F. = 17.75 SPACES
- PARCEL 722:
1ST MARINER BANK:
1,200 S.F. X 3.31/1,000 S.F. = 3.96 SPACES
- TOTAL REQUIRED = 362.94 SPACES
326.14
- TOTAL PROVIDED = 393 SPACES
8 SPACE REMOVED
9 SPACES ADDED
= 337 SPACES



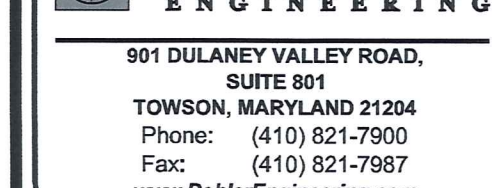
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PERMIT USE NO. 20602153-5
SCALE: 1"=1000'

	BUILDING ADDITION (NO LONGER PROPOSED)
	FREESTANDING AMBULATORY CARE FACILITY (4,789 SF) (2,820 SF)
	OPEN SPACE
	RECONFIGURED REAR BUILDING ADDITION

[illegible]

PROJECT No.:	MD102060
DRAWN BY:	RLB
CHECKED BY:	CWA
DATE:	2/14/11
SCALE:	1"=50'
CAD I.D.:	SP1

— FOR —
**MERCY
 MEDICAL
 CENTER INC.**
 LOCATION OF SITE
 1734 YORK ROAD
 LUTHERVILLE, MD 21093



PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 23557

LETTER

SHEET NUMBER:

1

OF 1

2011-0221XA

