

IN RE: PETITION FOR VARIANCE

SE side of Eastern Avenue; 155'
SW of Seversky Court
(1609 Eastern Boulevard)
15th Election District
7th Election District

Eastern Avenue 1609 LLC
Legal Owners
Essex Dog and Cat Hospital
Contract Purchaser
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
*
* **CASE NO. 2012-0084-A**

* * * * *

ORDER AND OPINION

This matter comes before the Administrative Law Judge as a Petition for Variance filed by the legal owners of the property, Eastern Avenue 1609 LLC, and the contract purchaser, Essex Dog and Cat Hospital, Petitioners. The Petitioners are requesting Variance relief pursuant to Sections 409.6.A.2, 409.8.A.4, 232.3.B and 409.4.C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 29 parking spaces, a 5 foot setback from a parking space to a public street right-of-way line, a 5 foot setback from a lot (alley) in a residence zone and a 16 foot wide one-way aisle, all in lieu of the required 31 parking spaces, 10 feet, 20 feet and 22 feet respectively for an addition to an existing veterinarian's office. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing held for this case were Dr. Joseph Zulty on behalf of the Essex Dog and Cat Hospital, and David Billingsley with Central Drafting & Design, Inc., the professional land surveyor who prepared the site plan for the Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required

ORDER RECEIVED FOR FILING

Date

11-18-11

By

pm

by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance at the hearing.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Planning on October 11, 2011, and indicate as follows:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department does not oppose the request subject to the review and approval of architectural elevations by this department prior to the issuance of any building permits.

Mr. Billingsley testified and described the subject property. It is .378 acres, is zoned BL-AS, and is improved by a two floor veterinary clinic with 4,000 square feet on each floor. The entire site is paved and is used exclusively by the practice. It is surrounded by commercial uses and a County park. The 20 foot setback from a lot in a residential zone was in fact reduced to 0 feet when the original construction took place in 1970. He further stated that the Petitioners wish to construct an extension of their existing building in order to relocate and expand their surgical facilities. He noted that no additional zoning relief is required for the construction of the extension. However, the additional construction results in a requirement of 31 parking spaces. The lot presently is 26 parking spaces and Petitioners are requesting approval for a total of 29 total spaces.

Utilizing Petitioners' Exhibit 1, (the plan to accompany the petition), Mr. Billingsley proposes that the additional parking spaces are to be placed on each end of the property, adjacent to the right-of-way line on Eastern Blvd.; all are within 5 feet of the Eastern Blvd. right-of-way line. The witness related that when the State of Maryland added curbs and gutters to this portion of Eastern Blvd., they altered the subject site by reducing its available setback from the center line. He opined that this taking by the State and its resultant available setback reduction has

ORDER RECEIVED FOR FILING

Date 11-18-11

2

By pm

added a unique characteristic to this property. Without the requested variances, Petitioners will be unable to construct the building extension as planned while still providing necessary and appropriate numbers of parking spaces.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Moreover, I find that strict enforcement of the B.C.Z.R. would cause the Petitioners to suffer practical difficulty and undue hardship. Therefore, I also find that the variances requested can be granted in strict harmony with the spirit and intent of the said regulations, and in such a manner as to grant relief without injury to the public, health, safety, and general welfare. In all manner and respect, the variances requested meet the requirements of Section 307 of the B.C.Z.R. as well as those requirements established in *Cromwell v. Ward*, 102 Md. App. 691 (1995) and *McLean v Soley*, 270 Md. 208 (1973).

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., 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 this petition held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' variance request should be granted.

ORDER RECEIVED FOR FILING

Date _____

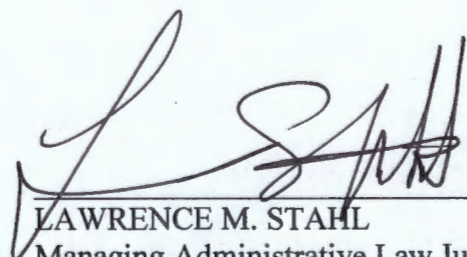
By _____

THEREFORE, IT IS ORDERED, this 18th of November, 2011 by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from Sections 409.6.A.2, 409.8.A.4, 232.3.B and 409.4.C of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 29 parking spaces, a 5 foot setback from a parking space to a public street right-of-way line, a 5 foot setback from a lot (alley) in a residence zone and a 16 foot wide one-way aisle, all in lieu of the required 31 parking spaces, 10 feet, 20 feet and 22 feet respectively for an addition to an existing veterinarian's office, be and hereby is GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners shall submit architectural elevations to the Department of Planning for review and approval prior to the issuance of any building permits.

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


LAWRENCE M. STAHL
Managing Administrative Law Judge for
Baltimore County

LMS:pz

ORDER RECEIVED FOR FILING

Date 11-18-11

By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 1609 EASTERN BOULEVARD
which is presently zoned BL-AS

Deed Reference: 19802 1176 Tax Account # 1502651267

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 PRESENTED 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:

ESSEX DOG AND CAT HOSPITAL
Name - Type or Print DR. JOSEPH ZULTY
Signature Dr. Joseph Zulty
1609 EASTERN BLVD. (410) 687-1111
Address Telephone No.
BALTO. MD. 21221
City State Zip Code

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address Telephone No.
City State Zip Code

Legal Owner(s):

EASTERN AVENUE 1609 LLC
Name - Type or Print GARY GOETZINGER
Signature Gary Goetzing (MEMBER)

Name - Type or Print _____
Signature _____
4037 HOLLY KNOLL DRIVE
Address Telephone No.
GLEN ARM MD. 21057
City State Zip Code

Representative to be Contacted:

DAVID BILLINGSLEY
Name CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD CT. (410) 679-8719
Address Telephone No.
EDGEWOOD MD. 21040
City State Zip Code

Case No. 2012 0084 A

Office Use Only

Estimated Length of Hearing 1HR
Unavailable For Hearing _____

Reviewed by SL Date 9/21/11

REV 8/20/09 ORDER RECEIVED FOR FILING

Date 11-18-11

By cd

ZONING DESCRIPTION

1609 EASTERN BOULEVARD

Beginning at a point on the southeast side of Eastern Boulevard (150 feet wide), distant 155 feet southwesterly from it's intersection with the center of Seversky Court (60 feet wide) thence (1) S 38 19 50 E 74 feet, more or less (2) S 51 16 05 W 218 feet, more or less (3) N 38 11 48 W 77.21 feet and (4) NE'LY 218 feet, more or less to the place of beginning.

Containing 16,481 square feet or 0.378 acre, more or less.

Being known as 1609 Eastern Boulevard. Located in the 15TH Election District, 7TH Councilmanic District of Baltimore County, Md.



0084

PETITIONER'S EXHIBITS

**1609 EASTERN BOULEVARD
CASE NO. 2012-0084-A**

19w 12-21-11
Pg 12/21/11

1. PLAT TO ACCOMPANY PETITION DATED AUGUST 26, 2011 (NO CHANGES)

2. PORTION OF SDAT TAX MAP NO. 90

3. SDAT REAL PROPERTY DATA SEARCH

4. DEED OF RECORD L. 19802 F. 176

5. AERIAL PHOTO

6. PHOTOS

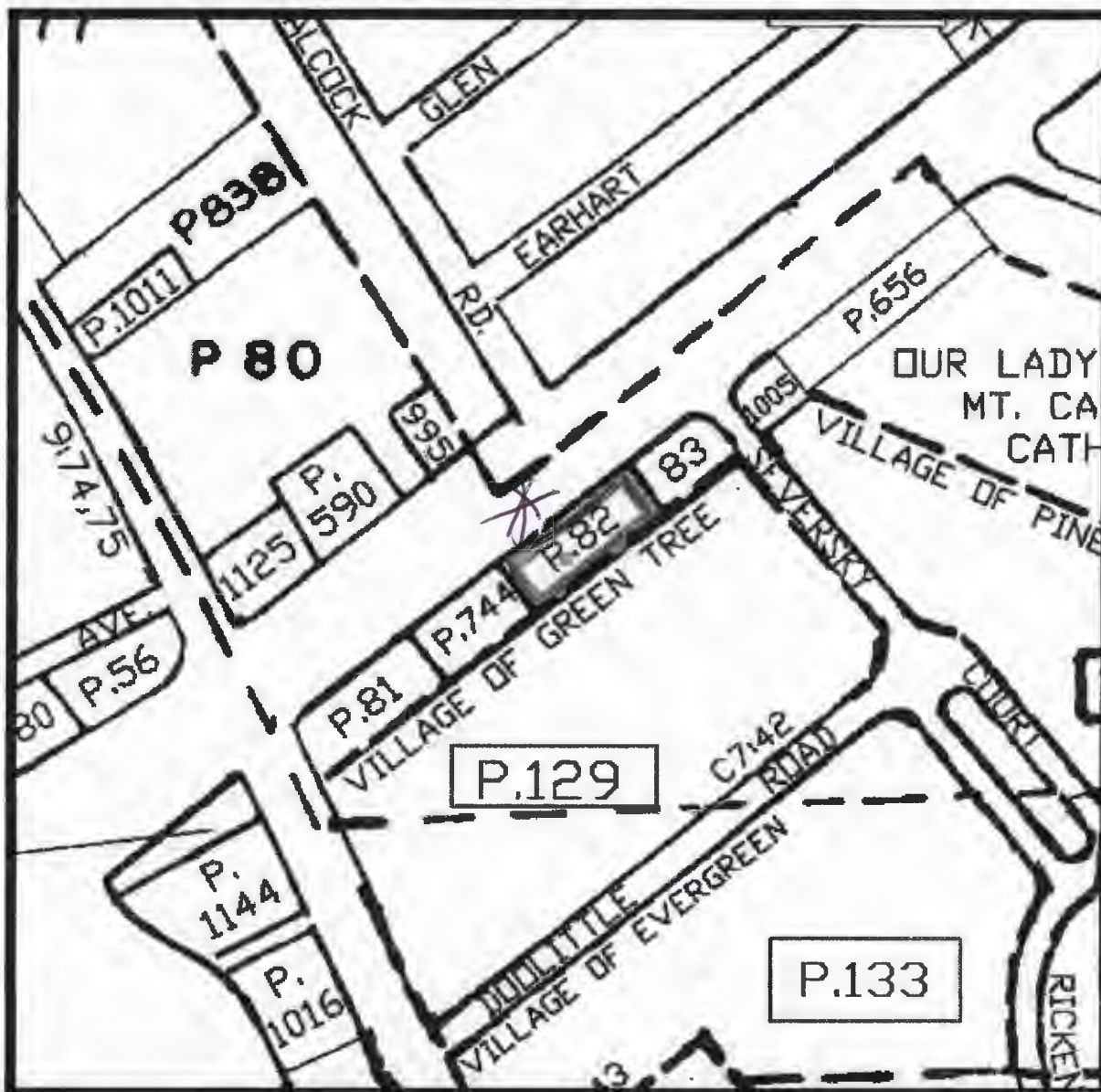
7. Red marked plan



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 15 Account Number - 1502651267



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/Our

PETITIONER'S
EXHIBIT NO. 2

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 15 Account Number - 1502651267

Owner Information

Owner Name: EASTERN AVENUE 1609 LLC Use: COMMERCIAL
Mailing Address: 4037 HOLLY KNOLL DR Principal Residence: NO
GLEN ARM MD 21057-9606 Deed Reference: 1) /19802/ 00176
2)

Location & Structure Information

Premises Address Legal Description
1609 EASTERN BLVD PT LT 1
BALTIMORE MD 21221-2104 1609 EASTERN AVE
MARS HOMES-ESSEX

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0090	0022	0082		0000	B		1	3	Plat 0013/ Ref: 0050

Special Tax Areas Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
	4000	14,723 SF	06

Stories Basement Type Exterior
VETERINARIAN HOSPITAL

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
<u>Land</u>	188,300	208,300		
<u>Improvements:</u>	371,600	398,400		
<u>Total:</u>	559,900	606,700	591,100	606,700
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u> GOETZINGER GARY	<u>Date:</u> 03/29/2004	<u>Price:</u> \$0
<u>Type:</u> NON-ARMS LENGTH OTHER	<u>Deed1:</u> /19802/ 00176	<u>Deed2:</u>
<u>Seller:</u> HALL CHARLES H	<u>Date:</u> 11/16/1992	<u>Price:</u> \$275,000
<u>Type:</u> ARMS LENGTH IMPROVED	<u>Deed1:</u> /09461/ 00243	<u>Deed2:</u>
<u>Seller:</u> BRACKETT CHARLES E	<u>Date:</u> 10/24/1988	<u>Price:</u> \$225,000
<u>Type:</u> ARMS LENGTH IMPROVED	<u>Deed1:</u> /08006/ 00749	<u>Deed2:</u>

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
<u>County</u>			0.00
<u>State</u>			0.00
<u>Municipal</u>			0.00

Tax Exempt:
Exempt Class:

Special Tax Recapture:
* NONE *

PETITIONER'S
EXHIBIT NO. 3

0019802 176

RETURN TO: Albert J.A. Young, Esq.
200 S. Main Street
Bel Air, MD 21014

410-838-5500

EXEMPT FROM TRANSFER TAX
PURSUANT TO SECTION 12-108(y)(2)
TAX PROPERTY ARTICLE,
ANNOTATED CODE OF MARYLAND, AS AMENDED

DEED

THIS DEED, made this 10 day of March, 2004, by and between Gary A. Goetzinger and Christina A. Goetzinger, sometimes hereinafter referred to as the "Grantors," and Eastern Avenue 1609 LLC, a Maryland limited liability company, sometimes hereinafter referred to as the "Grantee."

WITNESSETH:

WHEREAS, the Grantors are a proprietorship, comprised of two individuals, which is involved principally in buying, selling, leasing, developing, or managing real property, who desire to convert to a limited liability company; and

WHEREAS, the members of the limited liability company are identical to the individuals of the converting proprietorship and the members' allocations of the profits and losses of the limited liability company are identical to the members' allocations of the profits and losses of the converting predecessor entity; and

WHEREAS, the Grantor proprietorship desires to dissolve the Grantor proprietorship for the purposes of converting to a limited liability company. Wherefore, these presents are executed.

NOW, THEREFORE, THIS DEED FURTHER WITNESSETH: That for and in consideration of the sum of Zero Dollars (\$0.00), which sum is the actual consideration paid or to be paid for the within conveyance, and for other good and valuable consideration, the receipt and sufficiency of all of which being hereby acknowledged, the said Gary A. Goetzinger and Christina A. Goetzinger do hereby grant and convey unto 1609 Eastern Avenue LLC, its successors and assigns, forever, in fee simple, all those lot or parcel of land situate and lying in the FIFTEENTH ELECTION DISTRICT of Baltimore County, State of Maryland, and more particularly described in Exhibit A attached hereto and made a part hereof.

BEING the same and all of the land described in and conveyed by a Deed dated November 10, 1992, and recorded among the Land Records of Baltimore County, Maryland, in Liber SM No. 9461, folio 243, from Charles H. Hall and Dorothy M. Hall, unto Gary A. Goetzinger and Christina A. Goetzinger.

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

TO HAVE AND TO HOLD the said lot of ground and premises, unto the said Eastern Avenue 1609 LLC, its successors and assigns, forever, in fee simple.

GRANTORS certify, under the penalties of perjury, in accordance with Section 10-912(b)(2) of the Tax General Article of the Annotated Code of Maryland, as amended, that (i) they are residents of the State of Maryland, (ii) they are the transferors of the real property described in this Deed, and (iii) the total payment for income tax withholding purposes is \$0.00.

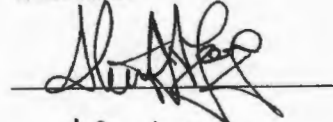
AND the said Gary A. Goetzinger and Christina A. Goetzinger hereby covenant that

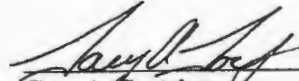
f:\wpdata\jmy\goetzinger\eastern deed\March 5, 2004

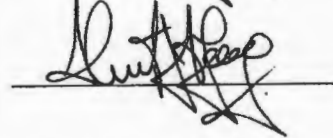
they have not done anything to encumber the property hereby conveyed; that they will warrant specially the property hereby granted and intended to be conveyed; and that they will execute such other and further assurances of the same as may be requisite.

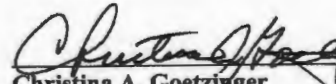
WITNESS the hands and seals of the Grantors as and for the day and year first above written.

WITNESS:



 (SEAL)
Gary A. Goetzinger

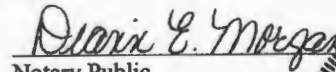


 (SEAL)
Christina A. Goetzinger

STATE OF MARYLAND, COUNTY OF HARFORD, TO WIT:

I HEREBY CERTIFY, that on this 10th day of March, 2004, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Gary A. Goetzinger and Christina A. Goetzinger, and acknowledged the foregoing Deed to be their act and made oath under due law that the consideration set forth therein is the actual consideration to be paid.

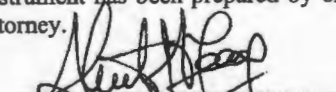
AS WITNESS my hand and Notarial Seal.


Notary Public

My commission expires: 1-1-06



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


Albert J.A. Young

After recording, return to: Albert J.A. Young, Esquire
Brown, Brown & Brown, P.A.
200 S. Main Street
Bel Air, Maryland 21014
410-838-5500

f:\wpdata\jmy\goetzinger\eastern deed\March 5, 2004

BEGINNING for the same on the southeast side of Eastern Avenue Dual Highway, 150 feet wide, as shown on Plats numbered 4777 and 4778 of the State Roads Commission of Maryland, at the distance of 125 feet southwesterly measured along the southeast side of Eastern Avenue Dual Highway from the Southwestern side of Seversky Court, said place of beginning being at the end of the first line of the lot of ground described in Deed from Morris Macht, Surviving Trustee, to William T. Biermann and wife, dated November 29, 1950 and recorded among the Land Records of Baltimore County prior hereto, and running thence southwesterly binding on the southeastern side of Eastern Avenue Dual Highway 218 feet more or less to the end of the first line of the lot described in Deed from Mercantile-Safe Deposit Trust Company and William B. Davidson, Trustees, to Robert H. Cash and wife, dated February 17, 1967 and recorded among the Land Records of Baltimore County prior hereto thence binding on the second line of the lot described in said last mentioned Deed South 38 degrees 11 minutes 48 seconds East 77 and 21/100ths feet to the northwest side of an alley 15 feet wide there situate, thence running north 51 degrees 16 minutes 5 seconds east binding on the northwest side of said alley with the use thereof in common with others 218 feet more or less, to the end of the second line of the lot described in the aforesaid Deed from Morris Macht, Surviving Trustee, to William T. Biermann and wife, thence binding reversely on said last mentioned line North 38 degrees 19 minutes 50 seconds West 74 feet more or less to the place of beginning. The improvements thereon being known as No. 1609 Eastern Avenue, Baltimore County, Maryland. In Fee Simple.



1609 EASTERN BLVD

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to any warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims any obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

PETITIONER'S
EXHIBIT NO. 5

6a



6b



6c



6d



6a



6f



6g



6h





6i

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: October 7, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 1609 Eastern Boulevard

RECEIVED

INFORMATION:

OCT 11 2011

Item Number: 12-084

Petitioner: Eastern Avenue 1609, LLC

OFFICE OF ADMINISTRATIVE HEARINGS

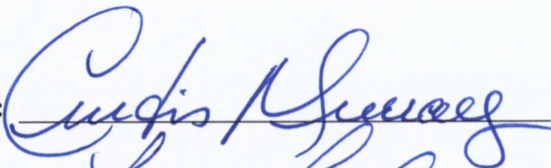
Zoning: BL-AS

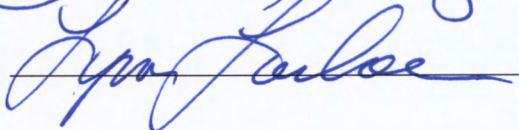
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department does not oppose the request subject to the review and approval of architectural elevations by this department prior to the issuance of any building permits.

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

Prepared by: 

Division Chief: 
AVA/LL: CM

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: # 2012-0084-A

1609 Eastern Boulevard

S/east side of Boulevard, 155 feet s/west of

Seversky Court

15th Election District - 7th Councilmanic District

Legal Owner(s): Eastern Avenue 1609, LLC

Contract Purchaser: Essex Dog & Cat Hospital

Variance: to permit 29 parking spaces, a 5 foot setback from a parking space to a public street right of way line, a 5 foot setback from a lot (alley) in a residence zone and a 16 foot wide one way aisle, all in lieu of the required 31 parking spaces, 10 feet, 20 feet and 22 feet respectively for an addition to an existing veterinarian.

Hearing: Monday, November 14, 2011 at 1:30 p.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 accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
10/231 Oct. 27 289390

CERTIFICATE OF PUBLICATION

10/27/ 2011

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 10/27/ 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING
C I F I C A T E O F P O S T I N G

RE:CASE NO: 2012-0084-A

PETITIONER/DEVELOPER _____

DAVE MILLINGSLEY

DATE OF HEARING/CLOSING: _____

11/14/11

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERITFY UNDER THE PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S)REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE
PROPERTY AT 1609 EASTERN BOULEVARD

THIS SIGN(S)WERE POSTED ON October 29, 2011
(MONTH, DAY, YEAR.)

SINCERELY,

Martin Ogle 10/29/11
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE
(SIGN POSTER)
60 CHELMSFORD COURT
BALTIMORE, MD 21220
(ADDRESS)
PHONE NUMBER: 443-629-3411

ESSEX MIDDLE RIVER
VETERINARIAN

EXTENDING
7:30

ZONING NOTICE

CASE # 2012-0084-A

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

PLACE: ROOM 205 JEFFERSON BUILDING 105 WEST
CHESAPEAKE AVENUE TOWSON 21204

DATE & TIME: MONDAY, NOVEMBER 14, 2011 AT 1:30 P.M.

REQUEST: VARIANCE TO PERMIT 29 PARKING SPACES, A 5
FOOT SETBACK FROM PARKING SPACE TO PUBLIC STREET
RIGHT-OF-WAY, A 5 FOOT SETBACK FROM A LOT (ALLEY) IN A
RESIDENCE ZONE AND A 16-FOOT WIDE ONE WAY AISLE, ALL IN
IN LIEU OF THE REQUIRED 31 PARKING SPACES, 10 FEET
20 FEET AND 22 FEET RESPECTIVELY FOR AN ADDITION
TO AN EXISTING VETERINARIUM

SUSPENSE REMAINS TO THE ZONING AND OTHER COMMISSIONS AND WHEREAS THE
DO NOT REMOVE THIS SIGN AND POST UNTIL HEARING DATE UNDER PENALTY OF LAW

MEETING IS HANDICAP ACCESSIBLE

10/29/2011

M. O. G. 10/29/11

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
1609 Eastern Boulevard; SE/S Eastern Boulevard, *
155' S/W Serversky Court * OF ADMINISTRATIVE
15th Election & 7th Councilmanic Districts *
Legal Owner(s): Eastern Avenue 1609 LLC * HEARINGS FOR
Contract Purchaser(s): Essex Dog & Cat *
Hospital * BALTIMORE COUNTY
* 2012-084-A

* * * * *

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.

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

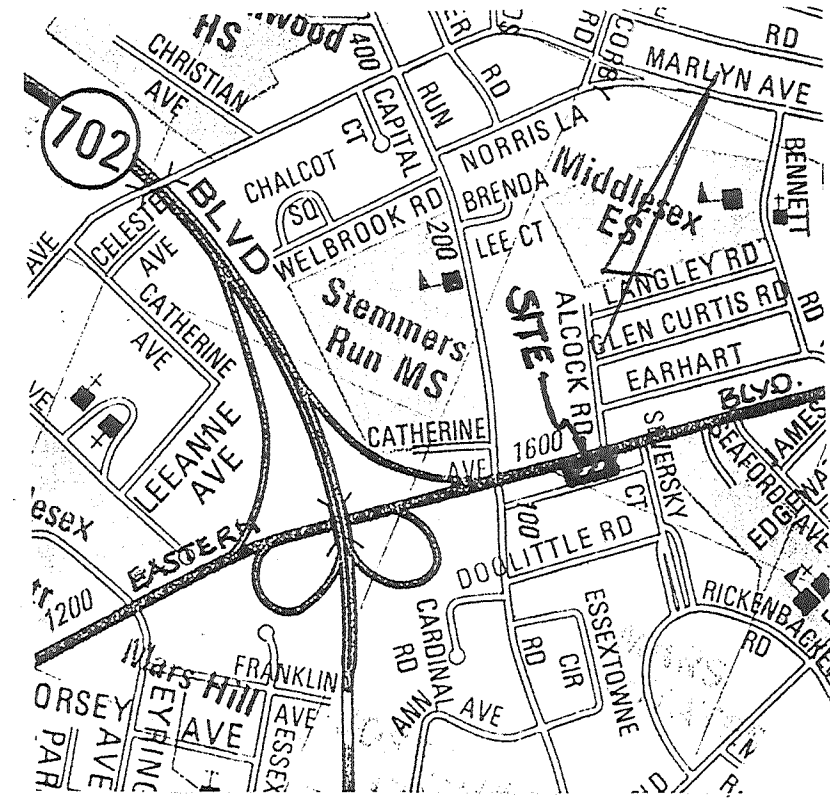
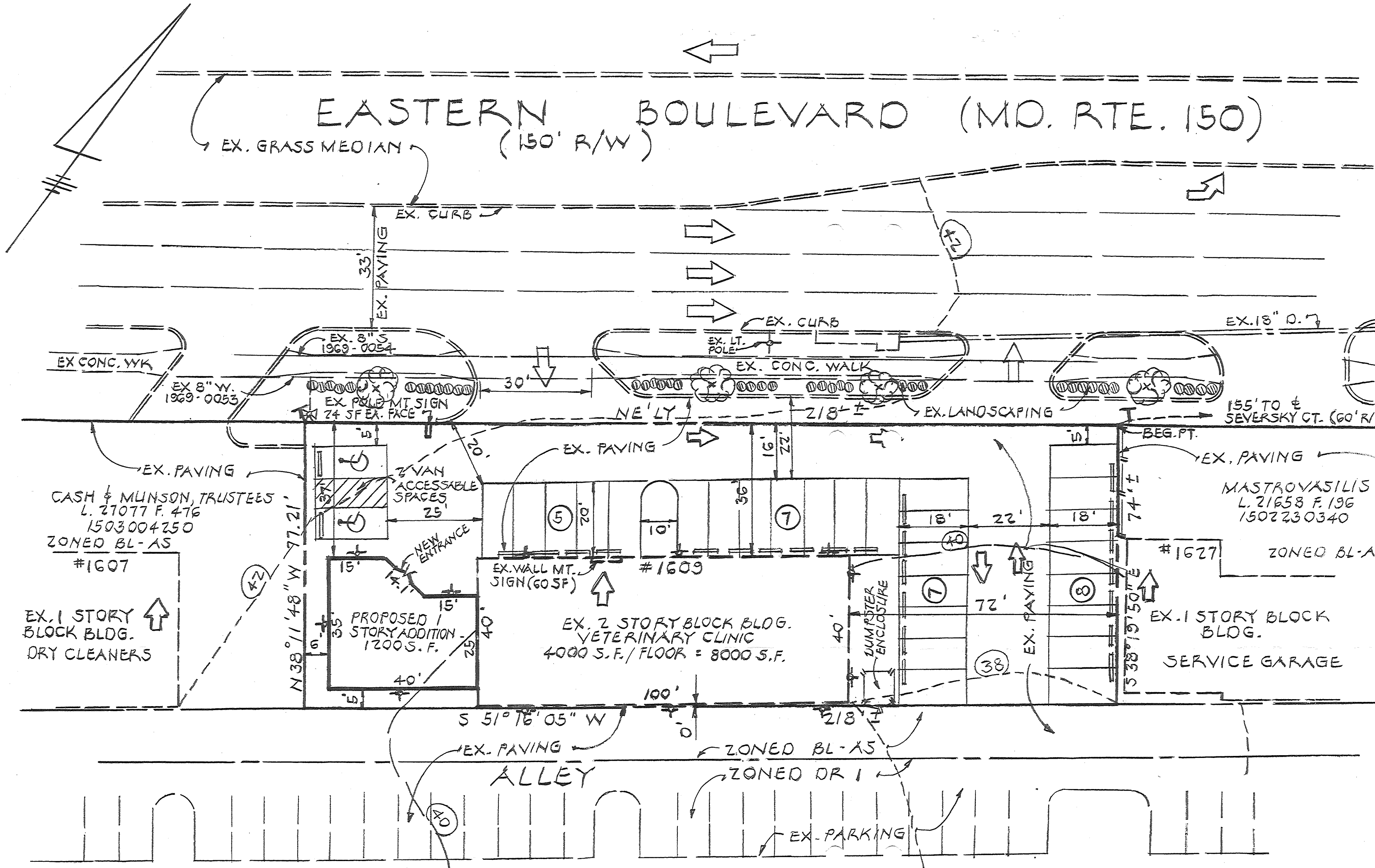
OCT 12 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of October, 2011, a copy of the foregoing Entry of Appearance was mailed to David Billingsley, Central Drafting & Design, 601 Charwood Court, Edgewood, MD 21040, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



LOCATION PLAN
SCALE: 1"=1000'

OWNER

EASTERN AVENUE 1609 LLC
4037 HOLLY KNOLL DRIVE
GLEN ARM, MD. 21057
DEED REFERENCE: L.19802 F. 176
PROPERTY NO. 1502651267

LESSEE

ESSEX DOG AND CAT HOSPITAL
1609 EASTERN BOULEVARD
BALTIMORE, MD. 21221

PREVIOUS ZONING HISTORY

CASE NO. 4352-X (2-24-58) GRANTING A SPECIAL EXCEPTION FOR THE ERECTION OF THREE ADVERTISING STRUCTURES (BILLBOARDS) WHICH HAVE SINCE BEEN REMOVED

CASE NO. 1970-0198 GRANTING VARIANCES TO ALLOW FRONT AND REAR YARDS OF 36 FEET AND 0 FEET RESPECTIVELY

CASE NO. 2005- 0306-SPH PERMITTING AN EXISTING PERMITTED VETERINARIUM TO ALLOW OCCASIONAL OVERNIGHT CARE FOR ESTABLISHED CLIENTELE WITH NO TREATMENT INVOLVED AS AN ACCESSORY USE TO THE VETERINARIUM

NOTES

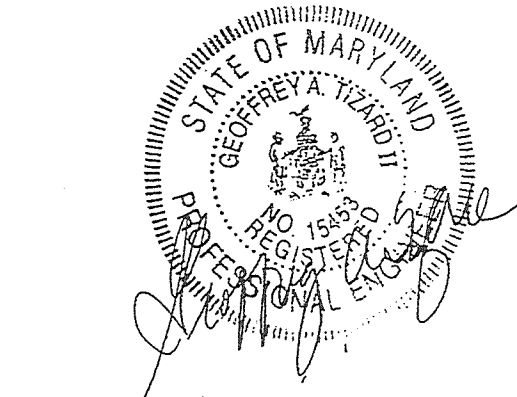
1. ZONING.....BL-AS (MAP NO. 090B3)
2. LOT AREA.....16,481 S.F. = 0.378 ACRE +/-
3. EXISTING AND PROPOSED USE.....VETERINARY CLINIC
4. BUILDING AREA EXISTING.....8000 S.F. (2 STORY)
 PROPOSED.....1200 S.F. (1 STORY)
 TOTAL.....9200 S.F.
5. FLOOR AREA RATIO.....9,200 / 16,481 = 0.56
6. SITE IS NOT LOCATED IN CBCA OR 100 YEAR FLOOD ZONE
7. TO THE PREPARER'S KNOWLEDGE, NO HISTORIC STRUCTURES, ARCHEOLOGIC SITES, UNDERGROUND STORAGE TANKS OR CRITICAL AREAS EXIST
8. PUBLIC WATER AND SEWER IS EXISTING
9. NO VIOLATION ARE KNOWN TO EXIST
10. ALL SIGNS ARE TO BE IN ACCORDANCE WITH THE BCZR
11. * DENOTES LOCATION OF EXISTING / PROPOSED WALL MOUNTED LIGHTING

OFFSTREET PARKING

REQUIRED.....9,200 S.F. @ 3.3 SPACES / 1000 S.F. = 31 SPACES
PROVIDED.....29 SPACES
ALL SPACES TO BE 8.5 FEET X 18 FEET MINIMUM
ALL SPACES AND ACCESS AISLES TO BE PAVED AND STRIPED

PETITIONER'S
EXHIBIT NO. 1

**PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE
1609 EASTERN BOULEVARD
ELECTION DISTRICT 15C7
BALTIMORE COUNTY, MARYLAND
SCALE: 1 INCH = 20 FEET AUGUST 26, 2011**



"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. 15453, Expiration Date: July 2, 2013."

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

EASTERN BOULEVARD (MD. RTE. 150)

(150' R/W)

EX. GRASS MEDIAN

EX. CURB

EX. PAVING

EX. 8" S
1969-0054

EX. 8" W.
1969-0053

EX. POLE MT. SIGN
24 SF EX. FACE

EX. CURB

EX. LT. POLE

EX. CONC. WALK

EX. 18" D.

EX. LANDSCAPING

155' TO SEVERSKY C

BEG. PT.

EX. PAVING

MASTRO
L. 21658
150223

ZON

EX. 1 STORY BLOC
BLOG.

SERVICE GAR.

PETITIONER'S
EXHIBIT NO. 6a-6i

PHOTOS

CASH & MUNSON, TRUSTEES
L. 27077 F. 476
1503004250
ONED BL-AS
#1607

1 STORY
CK BLDG.
CLEANERS

PROPOSED 1
STORY ADDITION
1200 S.F.

EX. WALL MT.
SIGN (60 SF)

EX. 2 STORY BLOCK BLDG.
VETERINARY CLINIC
4000 S.F./FLOOR = 8000 S.F.

DUMSTER
ENCLOSURE

S 51° 16' 05" W

EX. PAVING

ALLEY

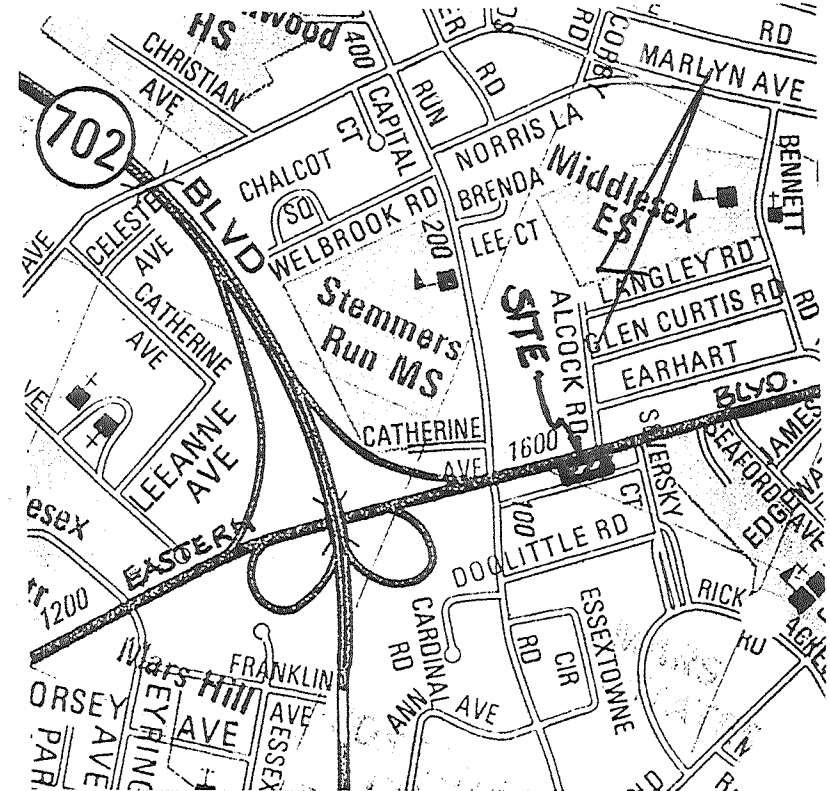
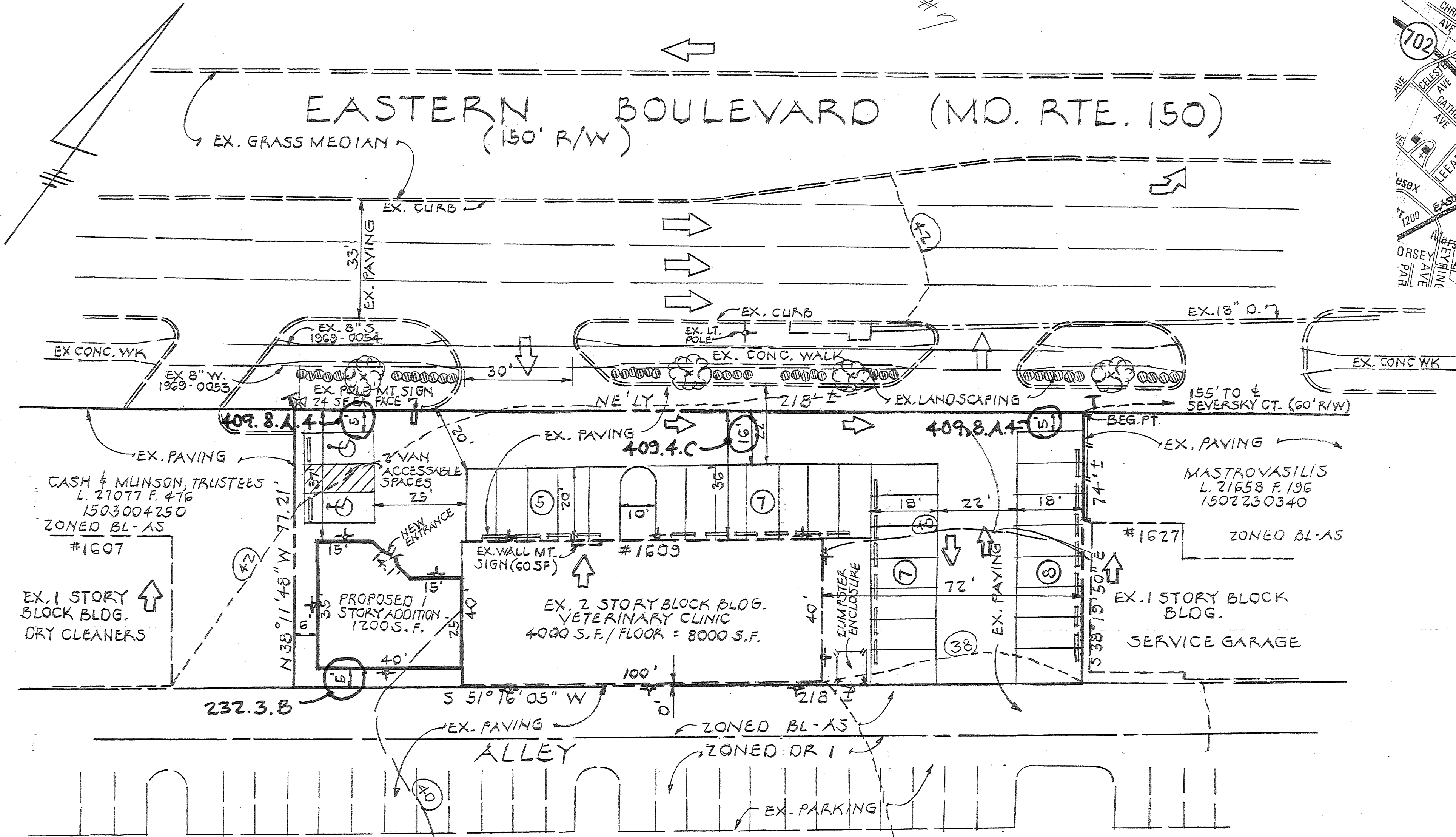
ZONED BL-AS

ZONED R2

6c

6d

6e



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BALTIMORE COUNTY, MD.
"COUNTY PARK"

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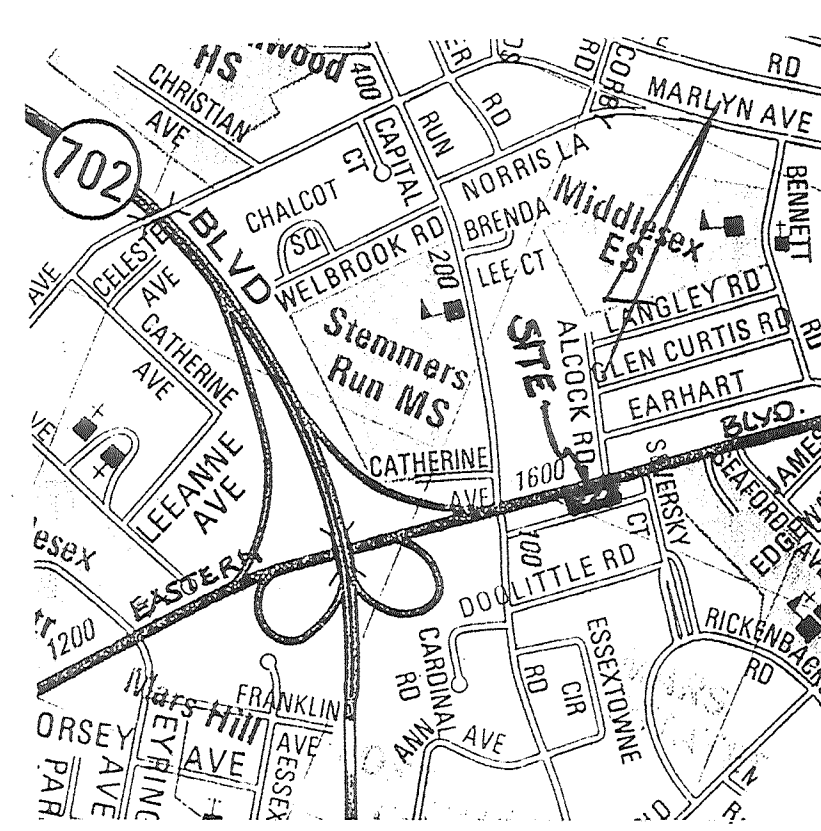
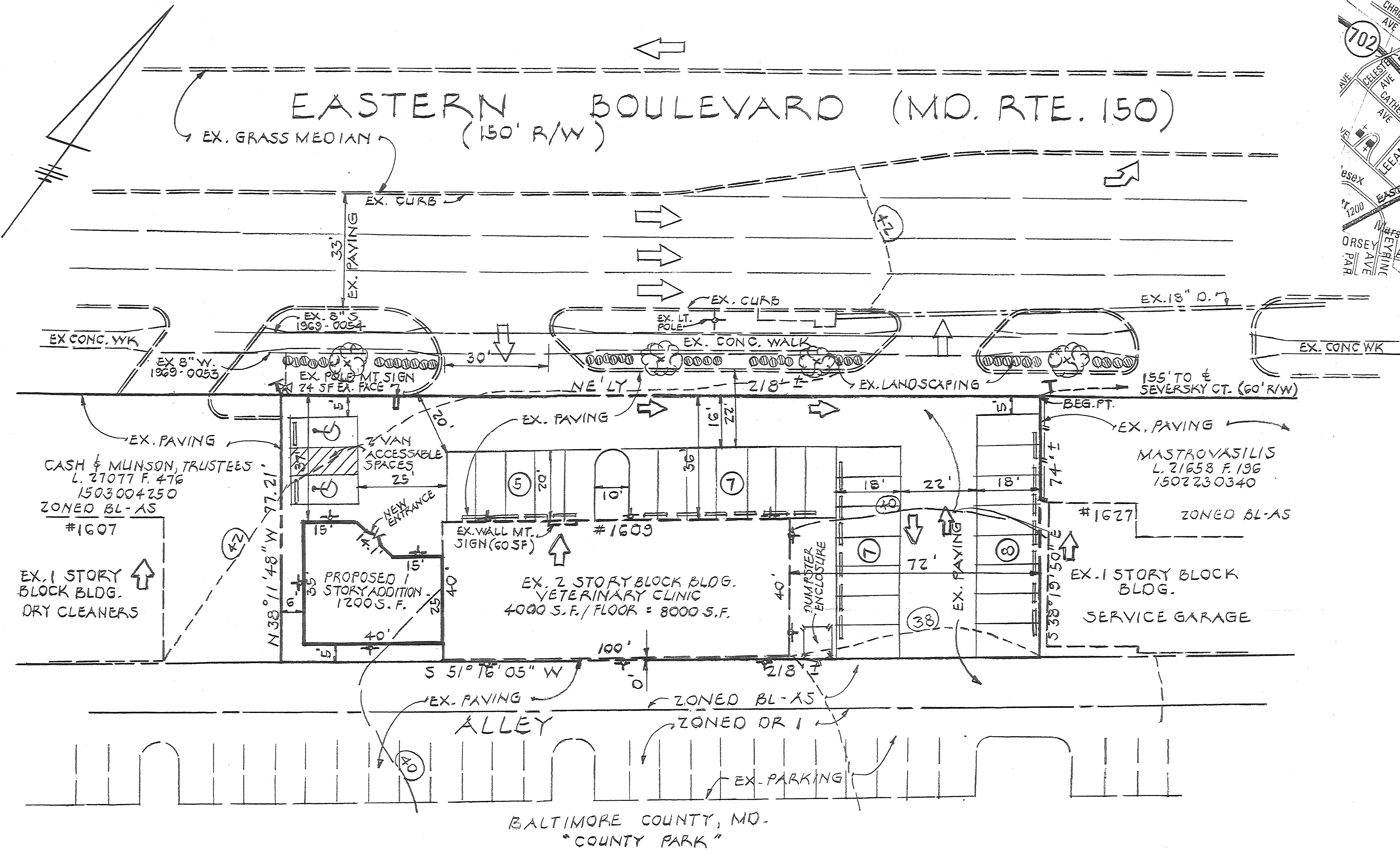
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0084