

**IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION, & VARIANCE**

NW side of Cockeysville Road, 376' NE of *
the c/line of Beaver Dam Road

(246 Cockeysville Road) *

8th Election District *

3rd Council District *

246 Cockeysville Road Partnership *

(Richard Clarke), *Owner*

Best Friends Fur-Ever, Inc., (Kelly Cullum) *

Contract Purchaser/Lessee

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR

BALTIMORE COUNTY

Case No. 2012-0196-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing, Special Exception, and Variance filed by Richard Clarke, 246 Cockeysville Road Partnership, Legal Owner, and Kelly Cullum, Best Friends Fur-Ever, Inc., Contract Purchaser/Lessee, (the "Petitioners"). Special Hearing relief is requested as follows:

1. Request that the conditions for the proposed commercial kennel (special exception), as provided in Section 253.2.C of the Baltimore County Zoning Regulations (B.C.Z.R.) be waived;
2. To permit exercise areas and dog runs in a riverine floodplain pursuant to Section 500.6 of the B.C.Z.R., Sections 3112.00 and 3112.2 of the Baltimore County Building Code, and Sections 32-4-107, 32-4-404, 32-4-414 and 32-8-301 of the Baltimore County Code (B.C.C.);
3. A modified parking plan pursuant to Section 409.12 of the B.C.Z.R., and
4. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

In addition, Petitioners request Special Exception relief for a commercial kennel pursuant to Section 253.2.C.3 of the B.C.Z.R., and for such other and further relief as may be deemed necessary by the Administrative Law Judge.

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Date 4-9-12

By DW

Variance relief is also being sought pursuant to Section 421.2 of the B.C.Z.R. to permit the use within zero (0) feet of the nearest property line or lease line in lieu of the 200 feet minimum requirement, and for such other and further relief as may be deemed necessary by the Administrative Law Judge.

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

Appearing at the public hearing in support of the requests were Richard Clarke, owner, Kelly Cullum, contract purchaser/lessee, and Kenneth James Wells with kj Wells, Inc., the land surveying and site planning company who prepared the site plan. Jason T. Vettori, Esquire with Smith, Gildea & Schmidt, LLC appeared as counsel and represented the Petitioners. Two interested citizens attended the hearing: Barbara Alderson (1443A East Piney Hill Road, Monkton) and Howard Conaway (100 West Padonia Road, Timonium).

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. A comment was received from the Department of Environmental Protection and Sustainability (DEPS) dated March 14, 2012, which states that the 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 (B.C.C.) as well as comply with Forest Conservation Regulations (Sections 33-6-101 through 33-6-122) of the B.C.C. A ZAC comment dated March 2, 2012, was also received from Edward Adams, Director of the Department of Public Works, wherein that agency recommended approval of the floodplain waiver. Finally, a comment dated April 3, 2012, was received from the Department of Planning. That agency opined that the special exception relief would not be

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By PSW

detrimental to the community's health, safety and general welfare, but it believed certain landscaping requirements should be imposed to provide "visual buffering."

Petitioners presented three witnesses in their case. First was Kelly Cullum, who would operate the proposed facility. Ms. Cullum currently operates a "doggy day care" facility in Harford County, and has done so for the past 11 years. Ms. Cullum testified she cares for approximately 80 dogs at that location, and she has approximately 30 employees. Ms. Cullum explained that clients drop their pets off in the morning and return in the evening after work to pick them up. She explained that the customers are usually in a hurry and do not "linger", so that parking has never been a problem. Ms. Cullum presented a book of photos depicting her current operation (Exhibit 2) as well as brochures outlining the services she performs (Exhibits 5A - D).

Richard Clarke was the next witness, and he testified that he has owned the subject premises since 1983. He explained, with regard to the floodplain issue, that there is a berm at the rear of the building which causes the property grade to rise for approximately 5 or 6 feet from the building, at which point the grade then begins to slope downward toward what was referred to as a "swamp". In response to Ms. Alderson's statement that the area is frequently inundated with rain water, Mr. Clarke testified that he has never had flooding or water inside the building in all the time that he has owned the property.

The final witness was Kenneth Wells, who was accepted as an expert in Baltimore County zoning and land use matters. Mr. Wells prepared the site plan, and explained the layout of the proposed facility, and the redlined plan which shows the boundaries of the 100 year floodplain. Mr. Wells opined that the proposal satisfied the special exception test set forth at B.C.Z.R. § 502.1. Finally, he testified that under the B.C.Z.R., 19 parking spaces were required, while Petitioners' plan shows 16 spaces on site. Even so, Mr. Wells explained that Petitioners

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By [Signature]

have an easement or joint use agreement with the adjoining property owner, allowing them to use the five stacked parking spaces shown on Exhibit 1, for employee parking. Mr. Wells testified that, based on Ms. Cullum's testimony regarding the nature of her business, more than sufficient parking would be provided to support the proposed facility.

At this juncture, Ms. Alderson asked Mr. Wells to explain in detail the 100-year floodplain waiver sought by Petitioners. Ms. Alderson indicated that her primary concern with the proposal was this issue, and she feared that development activities can destroy such environmentally sensitive areas quickly, and yet it is all but impossible to restore such features. Mr. Wells explained that Petitioners' proposed only a very modest encroachment upon the floodplain with a fence and dog run, and that no structures or improvements would be constructed in that area, which would be forbidden by County law. *See* Baltimore County Council Bill No. 47-10. Mr. Wells pointed to the plan and explained that almost the entire width of Cockeysville Road traverses the floodplain, and that Petitioners' incursion would be negligible by comparison. Finally, Mr. Wells testified that the Baltimore County Department of Public Works also supported the requested floodplain waiver (Exhibit 7).

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People's Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. Petitioners' expert, Kenneth Wells, testified that the project would satisfy Section 502.1 of the B.C.Z.R., and I concur, based upon the same factors Mr. Wells recited in his testimony. In addition, the Department of Planning also believed that the project would not be detrimental to the surrounding community. Ms. Alderson raised a concern with the noise (i.e., dog barking) and it is obvious that the "doggy day care" operation

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By [Signature]

will produce a certain amount of noise. But, the County Council is presumed to be aware of this reality, and it nonetheless permitted these facilities in the ML zone by special exception. The legal test is whether the noise and disruption generated by such a use would have a greater impact at the subject site than at other locations where permitted by special exception. Id. There was no testimony or evidence supporting that proposition, and I believe that the petition should therefore be granted.

Special Hearing

Petitioners have also requested special hearing relief asking that the conditions for operation of a commercial kennel as provided in B.C.Z.R. Section 253.2.C, be waived. Again, no evidence was presented to suggest that such a waiver would be detrimental to the community, and I therefore believe the special hearing relief should be granted.

Variance Relief

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 Petitioners.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test.

Ms. Cullum is proposing to "breathe life" into a largely vacant office building that is situated on a busy corner in the industrial park portion of Hunt Valley. Petitioners are

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Date 4-9-12

By DW

constrained by existing site conditions, which renders the property unique from a zoning perspective. Ms. Cullum indicated she has been looking in the area for over 4 years to locate a suitable site, and her market research indicates a strong need for her services. As such, Petitioners would experience a hardship if they were unable to open and operate the proposed facility which will serve the community's needs in this busy and dynamic part of the County.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception, Special Hearing, and Variance requests should be granted, subject to the comments and conditions which follow.

THEREFORE, IT IS ORDERED this 9th day of April, 2012, by this Administrative Law Judge, that Petitioners' request for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows:

1. Request that the conditions for the proposed commercial kennel (special exception), as provided in Section 253.2.C of the B.C.Z.R. be waived;
2. To permit exercise areas and dog runs in a riverine floodplain pursuant to Section 500.6 of the B.C.Z.R., Sections 3112.00 and 3112.2 of the Baltimore County Building Code, and Sections 32-4-107, 32-4-404, 32-4-414 and 32-8-301 of the Baltimore County Code (B.C.C.);
3. A modified parking plan pursuant to Section 409.12 of the B.C.Z.R., and
4. For such other and further relief as may be deemed necessary by the Administrative Law Judge,

be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' Special Exception request for a commercial kennel pursuant to Section 253.2.C.3 of the B.C.Z.R., and for such other and further relief as may be deemed necessary by the Administrative Law Judge, be and is hereby

GRANTED; and
ORDER RECEIVED FOR FILING

Date 4-9-12

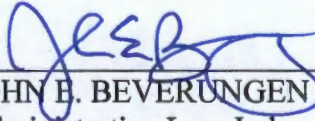
By DW

IT IS FURTHER ORDERED that Petitioners' Variance request pursuant to Section 421.2 of the B.C.Z.R. to permit the use within zero (0) feet of the nearest property line or lease line in lieu of the 200 feet minimum requirement, and for such other and further relief as may be deemed necessary by the Administrative Law Judge, be and is hereby 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 must comply with the environmental regulations set forth in the Department of Environmental Protection and Sustainability's comment dated March 14, 2012, a copy of which is attached hereto and incorporated herein by reference.
3. Petitioners must comply with the landscaping requirements set forth in the Department of Planning's comment dated April 3, 2012, which is attached hereto and made a part hereof.

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/dlw

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Date 4-9-12

By dw

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

MAR 15 2012

OFFICE OF ADMINISTRATIVE HEARINGS



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

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

DATE: March 14, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0196-SPHXA
Address 246 Cockeysville Road
(246 Cockeysville Rd Partnership Property)

Zoning Advisory Committee Meeting of February 27, 2012.

X The Department of Environmental Protection and Sustainability 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).

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

Additional Comments:

An Environmental Variance may be required to allow continued use of the Forest Buffer Area.

Reviewer: Glenn Shaffer; Environmental Impact Review

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Date 4-9-12

By [Signature]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 3, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 246 Cockeysville Road

APR 05 2012

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 12-196

Petitioner: Richard Clarke

Zoning: ML-IM

Requested Action: Special Hearing, Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's requests and accompanying site plan. This department does not oppose the petitioner's requests and is of the opinion that the requested special exception will not be detrimental to the health, safety or general welfare of the surrounding community.

This department requests that the petitioner submit a landscape plan that includes planting that will enhance the property and provide visual buffering along the Cockeysville Road and Beaver Dam Road frontages. The landscape plan should also include plantings for the interior of the site as well.

Additionally, it appears that the parking configuration is being changed. The existing condition allows cars to park parallel to Cockeysville Road. The proposed configuration allows cars to park perpendicular to Cockeysville Road. If cars are indeed going to be parked in the proposed configuration, a variance will be required. Per the development regulations of Baltimore County a 10' setback is required, the site plan accompanying the petition appears to show approximately 5'.

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

Prepared by:

Division Chief:
AVA/LL: CM

ORDER RECEIVED FOR FILING

Date

4-9-12

By

1205



KEVIN KAMENETZ
County Executive

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

April 9, 2012

Jason T. Vettori, Esquire
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204

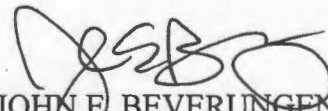
RE: Petitions for Special Hearing, Special Exception and Variance
Case No.: 2012-0196-SPHXA
Property: 246 Cockeysville Road

Dear Mr. Vettori:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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 Office of Administrative Hearings at 887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Barbara Alderson, 1443A East Piney Hill Road, Monkton, Maryland 21111
Howard Conaway, 100 West Padonia Road, Timonium, Maryland 21093



FLOOD PLAIN

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

address 246 Cockeysville Road

which is presently zoned ML-IM

Deed Reference 06509/00500

10 Digit Tax Account # 1900006807

Property Owner(s) Printed Name(s) 246 Cockeysville Road Partnership

CASE NUMBER 2012-0196-SPHXA Filing Date 2/21/12 Estimated Posting Date / / Reviewer Bh

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED

2. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

PLEASE SEE ATTACHED

3. ☒ a **Variance** from Section(s)

PLEASE SEE ATTACHED

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "To Be Presented At Hearing". If you need additional space, you may add an attachment to this petition)

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 petition(s), advertising, posting, etc. and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Kelly Cullum, Authorized Representative of Best Friends Fur-Ever, Inc.

Name- Type or Print

Kelly Cullum

Signature

1009 Philadelphia Road Joppa MD

Mailing Address City State

21085 (410) 688-2865 k_cullum@verizon.net

Zip Code Telephone # Email Address

Attorney for Petitioner:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Jason T. Vettori

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners:

Richard Clarke, Authorized Representative of 246 Cockeysville Road Partnership

Name #1 - Type or Print

Richard Clarke

Signature #1

246 Cockeysville Road Cockeysville MD

Mailing Address City State

21030 (410) 599-3676 rclarke246@aol.com

Zip Code Telephone # Email Address

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Jason T. Vettori

Signature

600 Washington Avenue, Suite 200, Towson, MD

Mailing Address City State

21204 (410) 821-0070 jvettori@sgs-law.com

Zip Code Telephone # Email Address

ATTACHMENT TO PETITION FOR VARIANCE

246 Cockeysville Road

1. 421.2 of the BCZR to permit the BCZR § 421 Use within 0 feet of the nearest property line or lease line in lieu of the 200 feet minimum requirement; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

ATTACHMENT TO PETITION FOR SPECIAL HEARING

246 Cockeysville Road

1. Petitioner's request that the conditions for the proposed commercial kennel (special exception), as provided in the Baltimore County Zoning Regulations (BCZR) § 253.2.C, be waived; and
2. Petitioner's request to permit exercise areas and dog runs in a riverine floodplain pursuant to Section 500.6 of the BCZR and Sections 3112.00 and 3112.2 of the Baltimore County Building Code and Sections 32-4-107, 32-4-404, 32-4-414 and 32-8-301 of the Baltimore County Code (BCC); and
3. A modified parking plan pursuant to Section 409.12 of the BCZR; and
4. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

ATTACHMENT TO PETITION FOR SPECIAL EXCEPTION

246 Cockeysville Road

1. A commercial kennel pursuant to BCZR § 253.2.C.3; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

kjWellsInc

Land Surveying and Site Planning

Telephone: (410) 592-8800
Email: kwells@kjwellsinc.com

7403 New Cut Road
Kingsville, Md. 21087-1132

February 17, 2012

Zoning Description 246 Cockeysville Road Baltimore County Maryland 8th Election District 3rd Councilmanic District

Beginning at a point located on the northwest side of Cockeysville Road (60 feet wide) at a distance of 376 feet more or less northeast from the intersection formed by Cockeysville Road and Beaver Dam Road (width varies), thence the following courses and distances:

- 1) *South 53 degrees 33 minutes 45 seconds West 51.35 feet*
- 2) *South 54 degrees 42 minutes 30 seconds West 197.36 feet*
- 3) *With a line curving to the right having a radius of 90.00 feet and an arc length of 139.09 feet being subtended by a chord bearing and distance North 81 degrees 01 minutes 09 seconds West 125.66 feet*
- 4) *North 36 degrees 44 minutes 49 seconds West 44.80 feet*
- 5) *North 21 degrees 08 minutes 01 seconds East 79.12 feet*
- 6) *South 36 degrees 44 minutes 49 seconds East 26.02 feet*
- 7) *North 54 degrees 42 minutes 30 seconds East 273.23 feet*
- 8) *South 35 degrees 17 minutes 30 seconds East 149.22 feet*

to the place of beginning. Containing 1.135 acres of land more or less.

Being known as Lot 1 as shown in a subdivision entitled "Amended and Addition to Lot #1 and Subdivision of the Remaining Lands of Cockeysville Road Limited Partnership Property" recorded in Plat Book 48 folio 148.



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

No.

81380

Date:

2/21/12

PAID RECEIPT

BUSINESS ACTION TIME DAY
2/22/2012 2/21/2012 11:16:56 2

MS05 WILKIN BEN AND
RECEIPT # 811957 2/21/12 10:11

9 328 ZONING VERIFICATION
NO. 02130

Receipt for \$250.00
\$250.00 0 \$250.00 0
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150				\$ 950.00

Total:

\$ 950.00

Rec

From:

Smith G. L. & Schmitt, LLC

For:

Special Hearing, Special Exception, & Variance

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

Item # 0196

CASHIER'S
VALIDATION

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: # 2012-0196-SPHXA

246 Cockeysville Road
NW/side of Cockeysville Road, 346 feet NE of centerline of Beaver Dam Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): 246 Cockeysville Road Partnership,

Richard Clarke

Contract Purchaser: Best Friends Fur-Ever, Inc., Kelly Cullum

Special Hearing: to request that the conditions for the proposed commercial kennel (special exception), as provided in the BCZR Sec. 253.2.C, be waived; to permit exercise areas and dog runs in a riverine floodplain pursuant to Sec. 500.6 of the BCZR and Sections 3112.00 and 3112.2 of the BCC and Sections 32-4, -107, 32-4-404, 32-4-414 and 32-8-301 of the BCC. Special Hearing for a modified parking plan pursuant to Sec. 409.12 of the BCZR; and for such other and further relief as may be deemed necessary by the Administrative Law Judge. **Special Exception** for a commercial kennel pursuant to BCZR, Sec. 253.2.C.3 and for such other and further relief as may be deemed necessary by the ALJ. **Variance** to permit the BCZR, Sec. 421 use within 0 ft. of the nearest property line or lease line in lieu of the 200 ft. minimum requirement and for such other and further relief as may be deemed necessary by the ALJ.

Hearing: Wednesday, April 4, 2012, at 10:00 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 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.

HT 03/669 March 20

299599

CERTIFICATE OF PUBLICATION

3/22/2012

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 3/20/2012.

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

J. Wilkinson

LEGAL ADVERTISING

(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 20, 2012 Issue - Jeffersonian

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2012-0196-SPHXA

246 Cockeysville Road

NW/side of Cockeysville Road, 346 feet NE of centerline of Beaver Dam Road

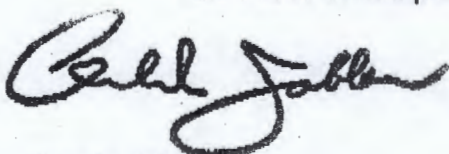
8th Election District – 3rd Councilmanic District

Legal Owners: 246 Cockeysville Road Partnership, Richard Clarke

Contract Purchaser: Best Friends Fur-Ever, Inc., Kelly Cullum

Special Hearing to request that the conditions for the proposed commercial kennel (special exception), as provided in the BCZR Sec. 253.2.C, be waived; to permit exercise areas and dog runs in a riverine floodplain pursuant to Sec. 500.6 of the BCZR and Sections 3112.00 and 3112.2 of the BCC and Sections 32-4-107, 32-4-404, 32-4-414 and 32-8-301 of the BCC. Special Hearing for a modified parking plan pursuant to Sec. 409.12 of the BCZR; and for such other and further relief as may be deemed necessary by the Administrative Law Judge. Special Exception for a commercial kennel pursuant to BCZR, Sec. 253.2.C.3 and for such other and further relief as may be deemed necessary by the ALJ. Variance to permit the BCZR, Sec. 421 use within 0 ft. of the nearest property line or lease line in lieu of the 200 ft. minimum requirement and for such other and further relief as may be deemed necessary by the ALJ.

Hearing: Wednesday, April 4, 2012 at 10:00 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 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.



KEVIN KAMENETZ
County Executive
March 12, 2012

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

NOTICE OF ZONING HEARING

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246 Cockeysville Road

NW/side of Cockeysville Road, 346 feet NE of centerline of Beaver Dam Road

8th Election District – 3rd Councilmanic District

Legal Owners: 246 Cockeysville Road Partnership, Richard Clarke

Contract Purchaser: Best Friends Fur-Ever, Inc., Kelly Cullum

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Hearing: Wednesday, April 4, 2012 at 10:00 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 the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Richard Clarke, 246 Cockeysville Road, Cockeysville 21030
Kelly Cullum, 1009 Philadelphia Road, Joppa 21085

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 20, 2012.**
(2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
(3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

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

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2012-0196-SPHXA

Petitioner: BEST FRIENDS FOR EVER

Address or Location: 246 COCKEYSVILLE ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: JASON T. VETTORI

Address: SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVE., STE. 200
TOWSON, MD 21204

Telephone Number: (410) 821-0070

Revised 2/17/11 DT



KEVIN KAMENETZ
County Executive

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

March 29, 2012

Richard Clarke
246 Cockeysville Road
Joppa MD 21085

RE: Case Number: 2012-0196SPHXA, Address: 246 Cockeysville Road, 21030

Dear Mr. Clarke:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 21, 2012. 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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Jason T Vittori, Esquire, Smith, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200,
Towson, MD 21204
Kelly Cullum, 1009 Philadelphia Road, Joppa, MD 21085

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 3, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 246 Cockeysville Road

APR 05 2012

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 12-196

Petitioner: Richard Clarke

Zoning: ML-IM

Requested Action: Special Hearing, Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's requests and accompanying site plan. This department does not oppose the petitioner's requests and is of the opinion that the requested special exception will not be detrimental to the health, safety or general welfare of the surrounding community.

This department requests that the petitioner submit a landscape plan that includes planting that will enhance the property and provide visual buffering along the Cockeysville Road and Beaver Dam Road frontages. The landscape plan should also include plantings for the interior of the site as well.

Additionally, it appears that the parking configuration is being changed. The existing condition allows cars to park parallel to Cockeysville Road. The proposed configuration allows cars to park perpendicular to Cockeysville Road. If cars are indeed going to be parked in the proposed configuration, a variance will be required. Per the development regulations of Baltimore County a 10' setback is required, the site plan accompanying the petition appears to show approximately 5'.

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

Prepared by:

Division Chief:
AVA/LL: CM

JB A-4, 10 AM 205 Updated Version
BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 15 2012

OFFICE OF ADMINISTRATIVE HEARINGS



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

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

DATE: March 14, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0196-SPHXA
Address 246 Cockeysville Road
(246 Cockeysville Rd Partnership Property)

Zoning Advisory Committee Meeting of February 27, 2012.

X The Department of Environmental Protection and Sustainability 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).

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

Additional Comments:

An Environmental Variance may be required to allow continued use of the Forest Buffer Area.

Reviewer: *Glenn Shaffer; Environmental Impact Review*

Debra Wiley - Zoning Petition comment correction: 2012-0196-SPHXA

From: Jeffrey Livingston
To: Lewis, Kristen; Wiley, Debra; Zook, Patricia
Date: 3/14/2012 3:32 PM
Subject: Zoning Petition comment correction: 2012-0196-SPHXA
Attachments: ZAC 12-0196-SPHXA 246 Cockeysville Road.doc

196 was open when I sent the prior e-mail so it did not send the updated version.

Here is the updated version of 2012-0196-SPHXA

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAR 14 2012



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: March 14, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0196-SPHXA
Address 246 Cockeysville Road
(246 Cockeysville Rd Partnership Property)

Zoning Advisory Committee Meeting of February 27, 2012.

X The Department of Environmental Protection and Sustainability 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).

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

Additional Comments:

An administrative variance may be required to allow continued use of Forest Buffer Area.

Reviewer: Glenn Shaffer Date: _____

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 2-28-12

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

RE: Baltimore County
Item No 2012-0196-SPHXA
Special Hearing Variance
Special Exception
Richard Clarke, 246 Cockleysville
Road Partnership
246 Cockleysville Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2012-0196-SPHXA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 02, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For March 12, 2012
Item Nos. 2012-191, 192, 193, 194, 195
And 196

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

DAK:CEN

cc: File

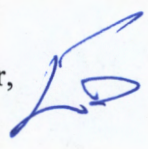
G:\DevPlanRev\ZAC -No Comments\ZAC-03122012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

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

ATTN: Kristen Matthews
MS 1105

FROM: Edward Adams, Director,
Public Works 

DATE: March 2, 2012

SUBJECT: Case No. 2012-0196-SPHXA
246 Cockeysville Road
Special Hearing for commercial kennel with exercise area and dog run in a
100-year riverine floodplain.

Section 32-8-303 (c) of the Baltimore County Code concerning waivers to the floodplain regulations says, "In considering a waiver action, comments from the state coordinating office and the County Department of Public Works shall be taken into account and maintained with the permit file." This memo is the comment from the Department of Public Works for the subject waiver.

The waiver involves a proposed fenced animal exercise area and dog run in the 100-year riverine floodplain. The proposed fence is located at the fringe of the floodplain area along its edge in a backwater area that does not convey flow through the proposed fence. Therefore the impact of the development on the 100-year water surface elevation is virtually zero, even if the fence should become blocked by debris.

This office recommends approval of the waiver.

ECA/DLT/s

CC: Jason T. Vettori, Smith, Gildea & Schmidt; Ken Wells, KJWells, Inc.; Dennis Kennedy, Chief, Development Plan Review & Building Plans Review; Peter M. Zimmerman, Peoples' Counsel

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE		
246 Cockeysville Road; NW/S of Cockeysville*		OF ADMINISTRATIVE
Road, 376' NE c/line Beaver Dam Road		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): 246 Cockeysville Rd Partnership		
Contract Purchaser(s): Kelly Cullum	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2012-196-SPHXA

* * * * *

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

MAR 02 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of March, 2012, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - ZAC Comments - Distribution Mtg. of 2/27/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 3/1/2012 12:36 PM
Subject: ZAC Comments - Distribution Mtg. of 2/27/12

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0191-A (1438 Kent Road) - **CRITICAL AREA & FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0192-A (8700 Liberty Road)
No hearing date assigned as of 3/1/12

2012-0193-A (6805 Wellwood Court)
Administrative Variance - Closing Date: 3/12/12

2012-0194-A - (9895 Belair Road) - **FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0195-A (701 E. Joppa Road)
No hearing date assigned as of 3/1/12

2012-0196-SPHXA (246 Cockeysville Road) - **FLOODPLAIN**
No hearing date assigned as of 3/1/12

2012-0197-A (532 Cole Road) - **CRITICAL AREA**
Administrative Variance - Closing Date: 3/19/12

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

JB A-4-12
2012-0196-
SPMxA

The mortgaged fee simple property of
SHARON C. CONYERS

Case #03-C-10-002513 FC

In account with, James E. Clarke, et al, trustees

		DEBITS
Trustees for their commissions (5% per deed of trust)		Waived
Court Costs, viz:		
Attorney & Surcharge	\$ 45.00	
Clerk	\$ 80.00	
Housing Fund	\$ -	\$ 125.00
Expenses of Trustee, per vouchers:		
Bond	\$ 91.25	
Advertising sale	\$ 883.92	
Order Nisi	\$ 205.00	
Auctioneer Commission	\$ 225.00	
Title examination	\$ 295.00	
Miscellany	\$ 16.77	\$ 1,716.94
Allowances in the settlement, viz:		
	NONE	\$ -
Reasonable attorney fees per terms of deed of trust	\$	850.00
Auditor for this Account, copies and notices	\$	300.00
On account of deed of trust claim filed herein statement of debt through 09/24/2010	\$	216,484.17
Mortgage claim filed herein	\$	216,484.17
Interest	\$	-
Total due on mortgage claim	\$	216,484.17
Additional expenses/debits as listed above	\$	2,991.94
	\$	219,476.11

RECEIVED

APR 05 2012

OFFICE OF ADMINISTRATIVE HEARINGS

CREDITS

The amount of the sale reported by the Trustees

\$ 216,484.00

Adjustment of taxes

\$ 550.21

\$ 217,034.21

ACCOUNT SUMMARY

DEBITS

\$ (219,476.11)

CREDITS

\$ 217,034.21

DEFICIENCY

\$ (2,441.90)

James E. Clarke, et al
Substitute Trustee

IN THE
CIRCUIT COURT FOR BALTIMORE
COUNTY

Vs.
Sharon C. Conyers

Docket No. _____ Case No. **03-C-10-**
002513
Towson, MD **4-4-12**

You will please take notice that I have this day filed in the Clerk's Office my Report and Account in the above entitled case, which, if not excepted to, will be ratified after the expiration of 10 days from the date hereof. When ratified, payment will be made by

James E. Clarke, Atlantic Law Group, Post Office Box 2548,
Leesburg, VA 20177

PLEASE DIRECT ALL INQUIRIES TO THE ABOVE.

The amount audited to you
is set forth in said account.

Richard C. Burch, Court Auditor
401 Washington Ave. Suite 900
Towson, Maryland 21204

M E M O R A N D U M

DATE: May 10, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0196-SPHXA - Appeal Period Expired

The appeal period for the above-referenced case expired on May 9, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME 20 BEST FRIENDS
CASE NUMBER 2012-196-SPHNA
DATE 4/04/2012

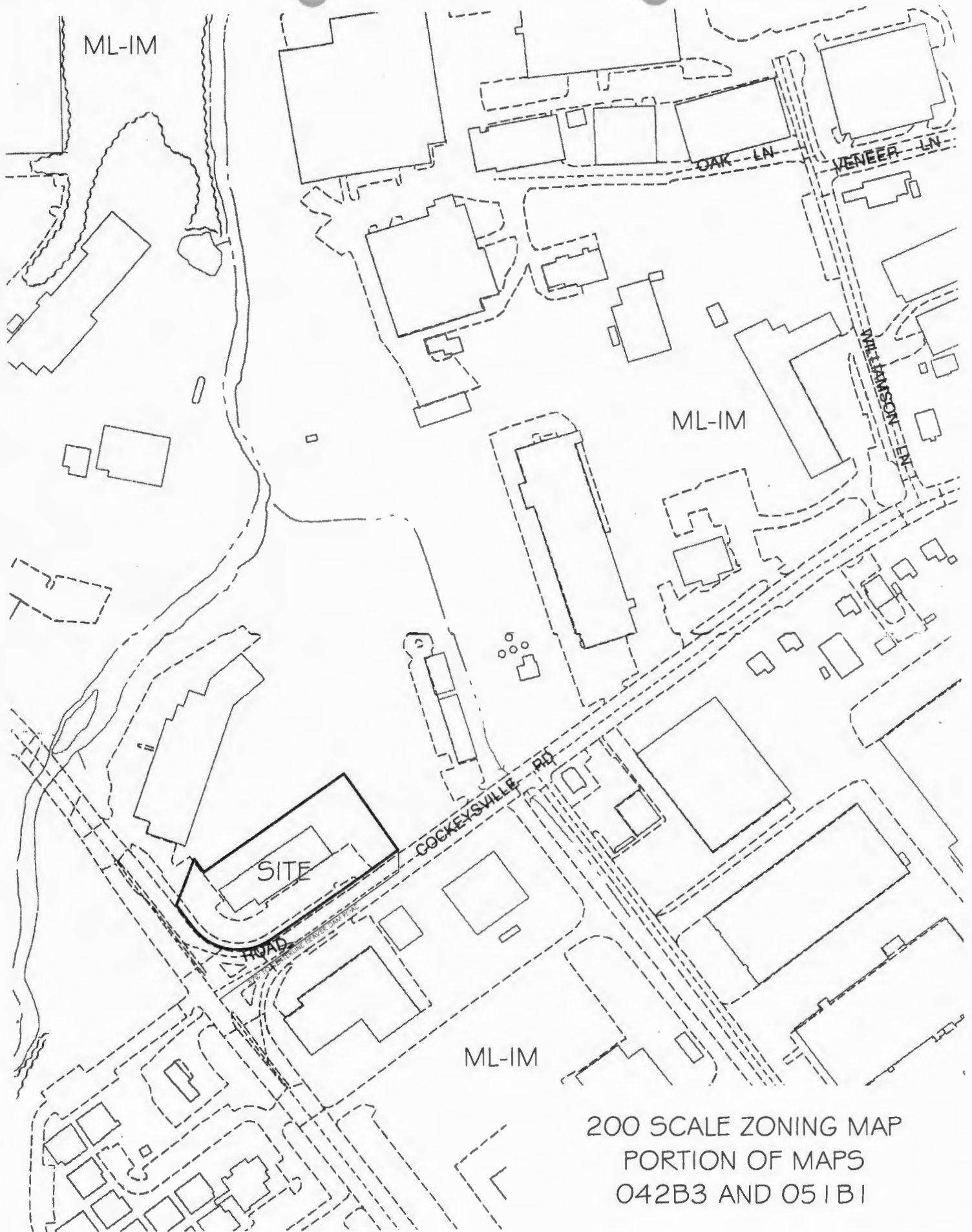
[illegible]

PLEASE PRINT CLEARLY

CASE NAME Best Friends
CASE NUMBER 2012-196-SPHX
DATE 4-4-12

CITIZEN'S SIGN-IN SHEET

[illegible]



200 SCALE ZONING MAP
PORTION OF MAPS
042B3 AND 051B1

#0196

4-4-12

Case No.: Best Friends 2012-196-SPHXA

Exhibit Sheet

5/10/12 JR
DS 4-9-12

Petitioner/Developer

Protestants

No. 1	Site Plan (redlined)	
No. 2	Book of Photos	
No. 3	Letter from neighbor	
No. 4	Pet Care Agreement	
No. 5	Brochures 5A-5D	
No. 6 A-U	A-U Photos	
No. 7	ZAC Comments.	
No. 8	Adopt a Pet decision 02-575-SPHXA	
No. 9		
No. 10		
No. 11		
No. 12		



Friends
Ever

PETITIONER'S
EXHIBIT NO. 2

Roger Sayers
1011 Philadelphia Road
Joppa, MD 21085

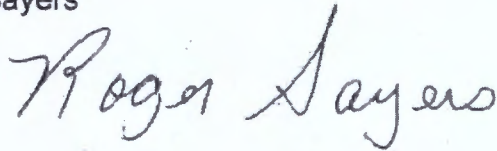
March 24, 2012

To Whom It May Concern:

I have been a residential neighbor of Best Friends Fur Ever since 2005. I personally use the facilities services for my own dogs. The facility offers daycare, overnight stays, grooming, training and a do it yourself dog wash. I have used all of the services available. I have not experienced anything negative with regard to residing next to the facility. There is not excessive noise, odors or traffic issues. The staff is very professional and the facility itself is a very safe environment. I enjoy being their neighbor and would recommend this facility to anyone.

Sincerely,

Roger Sayers

A handwritten signature in black ink that reads "Roger Sayers". The signature is written in a cursive style with a large, stylized 'R' and 'S'.

PETITIONER' S

EXHIBIT NO.

3

Best Friends Fur-Ever™ Pet Care Agreement

EXHIBIT NO. 4

Pet's Name _____

Date _____

(1) Name _____ Street Address _____ City _____ State _____ ZIP _____ Phones (Home) _____ (Work) _____ Ext. _____ (Cell) _____ e-mail address _____ Occupation _____ Employer _____	(2) Name _____ Street Address _____ City _____ State _____ ZIP _____ Phones (Home) _____ (Work) _____ Ext. _____ (Cell) _____ e-mail address _____ Occupation _____ Employer _____
---	---

Emergency Contact Information - Please tell us who to contact in case of emergency:

1) Name _____ Phone _____
 2) Name _____ Phone _____

If anyone other than the owner has permission to pick up your dog, please give us their names:

Names _____

We need a copy of current shot records to include a Bordetella vaccination

Veterinary Information Name of Veterinarian _____
 Name of Clinic _____ Phone _____
 Date of last DHLPP (Distemper, etc.) inoculation _____
 Is your dog vaccinated for Kennel Cough? Yes ☐ No ☐ If yes, date _____

Pet 1 - Rabies expiration date _____

Pet 2 - Rabies expiration date _____

Checked by _____ Date _____

Checked by _____ Date _____

Please complete for each owner, if applicable:

As a condition of using our services for your pets, the following Waiver & Assumption to Hold Harmless must be signed: By choosing to utilize the services, participate in activities, groom or board my pet(s) at Best Friends Fur-Ever™, I agree to the following:

- Best Friends Fur-Ever intends to rely on and has the right to rely on the information supplied by you in this application.
- I agree to pay the rates that are in effect at the time my pet is at Best Friends Fur-Ever™. I am aware that extra charges may be incurred and I agree to pay them at the time of pick-up. Examples include, but are not limited to: Daycare, boarding, grooming and training.
- All animals must have proper identification on them at all times, either via a collar, microchip, or tattoo.
- Best Friends Fur-Ever reserves the right to terminate this Pet Care Agreement at any time in its sole and exclusive subjective discretion.
- Any bill which is not paid within thirty (30) days of receipt shall accrue interest at 18% per annum from the date the bill was issued. If Best Friends Fur-Ever is required to initiate collection proceedings, either informally or through a Court case, it shall be entitled to recover its costs and reasonable attorneys' fees in the amount of one-third (1/3) of the amount due. Payment is due at the time the pet is dropped off or petsitting is initiated.
- If a check or other instrument has been dishonored by non-acceptance or non-payment and has not been paid within ten (10) days, Best Friends Fur-Ever may send a notice of dishonor to you as provided under Section 15-802 et seq. of the Commercial Law Article. If the check or other instrument is not paid within thirty (30) days after the notice of dishonor is sent, Best Friends Fur-Ever reserves the right to file a complaint in any District Court for the amount of the check or instrument, a collection fee up to \$35.00 and an amount up to two times the amount of the check, but not more than \$1,000.00.
- I understand that on entering Best Friends Fur-Ever™ my pet will be examined for fleas. If fleas are found, the pet will not be admitted. Guest are required to be on a 30 day spot flea preventive.
- If my dog participates in playgroup or daycare, I understand that an interactive play setting is not without some risk of injury, that despite all the dogs appearing healthy and being handled with the greatest amount of care and foresight, dogs are not always predictable and the unexpected may occur. I recognize that the benefits of an interactive playgroup are valuable to my dog, and accept the potential risks. I further agree to pay veterinary/medical expenses incurred as a result of injury to or caused by my dog.
- I am aware that there is a 2-day minimum charge for overnight boarding and a 3-day minimum charge on major holiday weekends.
- If my pet appears to be ill, I authorize Best Friends Fur-Ever™ to engage the services of a veterinarian at my expense, to give other requisite

OUR VISION

To provide an outstanding range of services and programs that will enrich and enhance the lives of dogs and their people. To provide a loving, fun, and safe environment for all of our Best Friends... Fur-Ever!

REQUIREMENTS

Guests must have proof of age appropriate vaccinations including Bordetella, Spay or Neutered after 6 months of age, and be on a monthly Flea & Tick Preventative.



OTHER ACTIVITIES

- Field Trips with your Best Friend
- Canine Massage/Healing Touch
- Pack Leader Seminars
- Birthday Parties
- House Training and so much more!



Where the dogs go for a doggone great time!

DIRECTIONS

Just 2 minutes off of I-95 at intersection of Rte 152 and Rte 7 in Joppa, MD.

From Baltimore and points South:

Take I-95 to Exit 74, Rte 152, merge right off exit to first light, Rte 7 and take a left. Our center is located directly on your right.

From Havre de Grace and points North:

Take I-95 to Exit 74, Rte 152. Take a left at the light and follow Mountain Rd (Rte 152) to second light and take a left. Our center is located directly on your right.



Best Friends Fur Ever

1009 Philadelphia Rd
Joppa, MD 21085

Phone (410)671-7529
Fax (410)671-3647

www.bestfriendsforever.com

DOGGIE DAYCARE & OVERNIGHT RESORT



Let us love them when you can't

PETITIONER'S

EXHIBIT NO.

5

5A

I Miss You!!!!

It has been awhile since I have seen you and your pup and I miss you. I have made some positive changes in our grooming area and I would love for you and your pup to come back and visit us.

Inside you can read about all of the changes that I have made and find some great coupons to use at your appointment.

Your pup deserves special treatment and now they will certainly get the personal attention that you would want them to have.



...*"Is it my turn yet?"*

Best Friends FurEver
1009 Philadelphia Rd
Joppa, Md. 21085



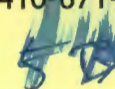
Best Friends FurEver

Grooming Salon,
New and Improved!



Let us love them when
you can't

1009 Philadelphia Rd
Joppa, MD. 21085
410-671-7529



Families with older dogs may have many issues that often leave them with difficult decisions. Our geriatric canine family members face problems with sight, hearing and incontinency. They may need special medications such as Insulin for diabetes or Phenobarbital for seizures. They have a greater need for sleep and in general more difficulties being active.



Bubba -
Age 13

For many of these families, work schedules and/or school force them to leave these precious family members home alone all day. Most of these dogs need some sort of mid-day or all-day care that these families can not provide.

Best Friends Fur Ever has created a very special program to help these older pups and their owners. Our goal is to help them keep their



Harvey - Age 17

senior family members alive longer with quality care. We want to help them not have to

make the decision with regard to the rainbow bridge before it is time.

DIRECTIONS

Just 2 minutes off of I-95 at the intersection of Rte 152 and Rte 7 in Joppa, MD.

From Baltimore and points South:

Take I-95 to Exit 74, Rte 152, merge right off exit to first light, Rte 7 and take a left. Our center is located directly on your right.

From Havre de Grace and points North:

Take I-95 to Exit 74, Rte 152. Take a left at the light and follow Mountain Rd. (Rte 152) to second light and take a left. Our center is Located directly on your right.



*In Loving Memory
of Dusty and Rudy*

Best Friends Fur Ever
1009 Philadelphia Rd.
Joppa, MD 21085
Tel. 410-671-PLAY (7529)
Fax. 410-676-DOGS (3647)
www.bestfriendsforever.com



**Best Friends
Fur Ever**

CANINE ASSISTED LIVING CARE



Holly - Age: 16

5C

PRIVATE 1 HOUR SESSIONS

We will help you to work on your choice of behaviors in a one on one setting. The in facility rate is \$70 per hour and the in home rate is \$75 per hour.

RALLY

Four week class must be at least a level 3 to attend. We will be working on the fundamentals of Novice Rally.

OUTDOOR ADVENTURES

Periodically throughout the year we schedule classes around the area to assist your dog in perfecting their training. We add distractions such as hiking trails, restaurant patios, and local parks and rivers.

All of our training classes, clinics, or seminars require that the dogs have age appropriate vaccinations including Bordetella.

All classes/seminars must be paid in advance. Last minute sign up is allowed if space is available. No refunds within one week of class date.



Having a blast during an outdoor adventure!

DIRECTIONS

Just 2 minutes off of I-95 at intersection of Rte 152 and Rte 7 in Joppa, MD.

From Baltimore and points South:

Take I-95 to Exit 74, Rte 152, merge right off exit to first light, Rte 7 and take a left. Our center is located directly on your right.

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Take I-95 to Exit 74, Rte 152. Take a left at the light and follow Mountain Rd (Rte 152) to second light and take a left. Our center is located directly on your right.



Best Friends Fur Ever

1009 Philadelphia Rd
Joppa, MD 21085
Phone (410) 671-7529
Fax (410) 676-3647
bestfriendsforever@verizon.net
www.bestfriendsforever.com

TRAINING PROGRAMS



**Best Friends
Fur Ever**

50













































COPY

KEVIN KAMENETZ
County Executive

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

March 29, 2012

PETITIONER'S

EXHIBIT NO. 7

Richard Clarke
246 Cockeysville Road
Joppa MD 21085

RE: Case Number: 2012-0196SPHXA, Address: 246 Cockeysville Road, 21030

Dear Mr. Clarke:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 21, 2012. 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: jaf

Enclosures

c: People's Counsel
Jason T Vittori, Esquire, Smith, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200,
Towson, MD 21204
Kelly Cullum, 1009 Philadelphia Road, Joppa, MD 21085



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

September 24, 2007

LAWRENCE E. SCHMIDT, ESQUIRE
GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MD 21204

PETITIONER'S

EXHIBIT NO. 8

Re: Petitions for Special Hearing, Special Exception and Variance
Case No. 07-575-SPHXA
Property: 19604 Old York Road

Dear Mr. Schmidt:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

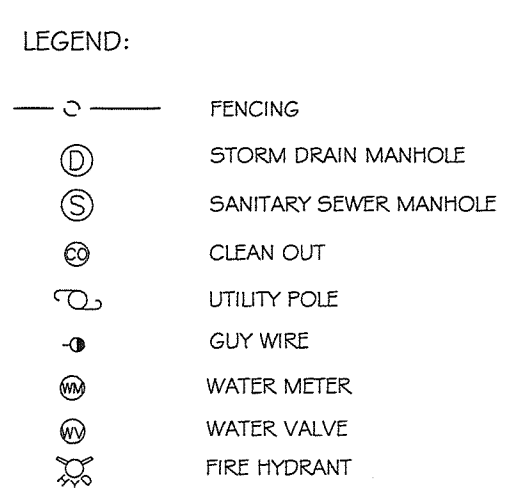
Very truly yours,

A handwritten signature in dark ink, appearing to read "Tom H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz
Enclosure

c: Stacey and Michael McCarthy, 19604 Old York Road, White Hall MD 21161
James Grammer, McKee & Associates, Inc., 5 Shawan Road, Suite 1, Cockeysville MD 21030



DRAWN BY: KJW
CHECKED BY: KJW
DATE: 2/15/2012
PROJECT NO.: 2012-004
SHEET 1 OF 1

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