



KEVIN KAMENETZ
County Executive

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

May 8, 2012

J. Neil Lanzi, Esquire
Mercantile Building, Suite 617
409 Washington Avenue
Towson, MD 21204

RE: Petition for Special Hearing and Variance
Case No.: 2012-0236-SPHA
Property: 16928 York Road

Dear Mr. Lanzi:

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 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
N/side of York Road, 16' N of c/line of	*	OFFICE OF
Monkton Road		
(16928 York Road)	*	ADMINISTRATIVE HEARINGS
3 rd Election District		
7 th Council District	*	FOR
Kary Holdings, LLC, <i>Legal Owners</i>	*	BALTIMORE COUNTY
Craig Longenecker, <i>Contract Purchaser</i>		
Petitioners	*	CASE NO. 2012-0236-SPHA

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Kary Holdings, LLC, by Kathy L. Wheatley, Member. The Petitioners are requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to abandon the special hearing relief granted for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop. The Petitioners are also seeking variance relief from Section 409.6.A.2 of the B.C.Z.R., to permit 12 parking spaces in lieu of the required 18 parking spaces. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 2.

Appearing at the public hearing held for this case were Craig Longenecker, contract purchaser, and Bruce E. Doak, with Gerhold, Cross & Etzel, Ltd., the firm that prepared the site plan. J. Neil Lanzi, Esquire appeared as counsel and represented Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants or other interested persons in attendance, and the file does not contain any letters of opposition or protest.

ORDER RECEIVED FOR FILING

Date 5-8-12

By DW

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. A ZAC comment was received from the Department of Planning, dated April 17, 2012, indicating no opposition; however, that Department also commented that 12 parking spaces in lieu of 18 is a justifiable proposal and will not negatively impact the operation of the business or surrounding community.

Testimony and evidence revealed that the subject property, or at least the portion fronting on York Road, was constructed in the late 1800's or early 1900's. In the 1990's the original structure was expanded and the addition was constructed with historically appropriate materials and design. See Exhibit 4. The Petitioner, a dentist, wants to purchase the property and relocate his dental practice, which is presently located nearby at 16918 York Road. The Petitioner testified the purchase price of the property was \$600,000, and another \$200,000 to \$300,000 in interior improvements are planned. No exterior changes of any sort are proposed.

Based on the evidence presented, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Indeed, as Mr. Doak (who was accepted as an expert in zoning and land use matters) testified, the subject property is narrow and long, which is quite unlike the layout and configuration of adjoining lots. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners, given that Dr. Longenecker would be unable to relocate his dental office – a permitted use in the zone – to the property. In addition, Dr. Longenecker testified the 12 parking spaces would be more than sufficient for his practice. He advised he has four employees, and will often see just three patients a day.

ORDER RECEIVED FOR FILING

Date 5-8-12

By RS

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. This is demonstrated by the absence of community opposition and County reviewing agencies. In fact, the local businesses and community associations submitted letters indicating their support for the project and the variance relief.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions, and for the reasons set forth above, the variance relief requested shall be granted. In addition, the special hearing relief granted in Case No. 03-369-SPHA (for inside storage of equipment and materials for a carpentry shop) shall be deemed abandoned.

THEREFORE, IT IS ORDERED, this 8th day of May, 2012 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing seeking relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to abandon the special hearing relief granted in Case No. 03-369-SPHA, for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 of the B.C.Z.R., to permit 12 parking spaces in lieu of the required 18 parking spaces, be and is hereby GRANTED.

The relief granted herein shall be conditioned upon and subject to the following:

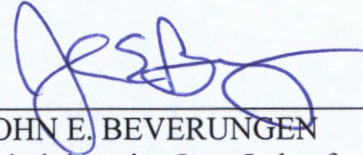
1. The Petitioners may apply for any required permits and may be granted same upon receipt of this Order; however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever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

ORDER RECEIVED FOR FILING

Date 5-8-12

By [Signature]

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

ORDER RECEIVED FOR FILING

Date 5-8-12

By aw



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 1692B YOak ROAD which is presently zoned BM-CR
 Deed References: SM 11929/618 10 Digit Tax Account # 0 7 0 2 0 8 5 8 5 6
 Property Owner(s) Printed Name(s) KARY HOLDINGS, LLC

(SELECT THE HEARING(S) BY MARKING X 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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED SHEET

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

3. X a **Variance** from Section(s)

SEE ATTACHED SHEET

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)

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 bounded 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:

CRAIG LONGENECKER
 Name- Type or Print
Craig Longenecker
 Signature
1691B YOak ROAD SUITE 102 MONKTON MO
 Mailing Address City State
21111 / 410-357-0099
 Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print
 Signature
5-8-12
 Mailing Address City State
 Date
 Zip Code Telephone # Email Address

Legal Owners (Petitioners):

KARY HOLDINGS, LLC
 Name #1 - Type or Print Name #2 - Type or Print
Nathaniel Westley, manager
 Signature #1 Signature #2
17415 WESLEY CHAPEL ROAD MONKTON MO
 Mailing Address City State
21111 / 410-329-2500
 Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
GERHOLD CROSS & ETZEL, LTD.
 Name - Type or Print
Bruce E. Doak
 Signature
320 E. TOWSON TOWN BWO TOWSON MO
 Mailing Address City State
21286 / 410-823-4470 / BDOAK@GCSLIMITED.CO
 Zip Code Telephone # Email Address

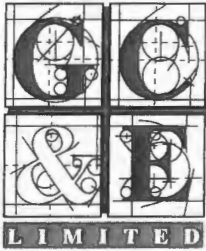
CASE NUMBER 2012-0236-SPHA BY SPHA Filing Date 3/28/2012 Do Not Schedule Dates: Reviewer JNP/GN

Petitions Requested Pertaining to the Property at 16928 York Road

Special Hearing Requested to abandon the special hearing requested for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop.

Variances Requested from section 409.6A2 BCZR to permit 12 parking spaces in lieu of the required 18 parking spaces.

2012-0236-SPHA



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

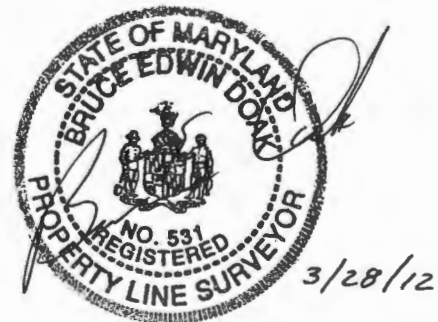
March 28, 2012

ZONING DESCRIPTION Property of Kary Holdings, LLC #16928 York Road

Beginning for the same on the west side of York Road, 16 feet, more or less, north of the center line extension of Monkton Road, thence leaving York Road and running for the outlines of the petitioner, 1) South 86 degrees 59 minutes 54 seconds West 354.83 feet, 2) North 03 degrees 45 minutes 36 seconds West 59.90 feet, 3) North 87 degrees 00 minutes 01 second East 355.20 feet to the west side of York Road, thence running and binding on the west side of York Road and continuing to run on the outlines of the petitioner 4) South 03 degrees 24 minutes 43 seconds East 59.89 feet to the point of beginning.

Containing 0.488 of an acre of land, more or less.

This description only satisfies the requirements of the Office of Zoning and should not be used for conveyance purposes.



2012-0236-SPHA

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

No. **81375**

Date: **3/28/2012**

PAID RECEIPT

BUSINESS 3/28/2012 3:28 PM 114 184

REC'D 3/28/2012 3:28 PM 114 184

REC'D 3/28/2012 3:28 PM 114 184

REC'D 3/28/2012 3:28 PM 114 184

REC'D 3/28/2012 3:28 PM 114 184

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub-Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					770.00

Total: **770.00**

Rec From: **Gorhold, Cross & Etzel, LTP.**

For: **SPHA-16928 York Road**
2012-0236-SPHA (Mary Holdings, LLC)

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

MEMORANDUM

DATE: June 11, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0236-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on June 7, 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 Wheatley
CASE NUMBER 2012-236 SPMA
DATE 5/07/12

[illegible]

Prior zoning
2003

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – W/S York Road,
Across from Monkton Road
(16928 York Road)
7th Election District
3rd Council District

Kary Holdings, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 03-369-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Kary Holdings, LLC, by Kathy L. Wheatley, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to confirm the inside storage of equipment and materials as part of a carpentry, plumbing, and heating shop. In addition, variance relief is requested from Sections 259.3.C.2.a and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a minimum front yard setback of 9.3 feet in lieu of the required 15 feet for an existing structure and 2.3 feet in lieu of the required 11.25 feet to an existing open projection; from Section 259.3.C.2.b to permit a minimum side yard setback of 5.9 feet in lieu of the required 15 feet for an existing structure and building addition; from Section 259.3.C.3.a to permit a variable width landscape buffer of 0 to 10 feet in lieu of the required 15 feet; from Section 259.3.C.3.b to permit a pervious surface area of 0% with no interior landscaping in lieu of the minimum required 7% pervious surface with one tree per 8 parking spaces; from Section 259.3.C.4 to permit parking not accessible to the parking lots of adjacent non-residential uses; from Section 404.9.A to permit a 16-foot wide driveway in lieu of the required 20 feet; and from Section 409.8.A.1 to permit a handicapped parking space walkway aisle to be directly adjacent to the building. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Reel Zoning 10/12
1993

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S York Road opposite *
Monkton Road * ZONING COMMISSIONER
16928 York Rd. (Bull property) *
7th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District *
* Case No. 94-84-A
Maryland Line Property, Inc. *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 16928 York Road in Hereford. The Petition is filed by the property owner, Maryland Line Property, Inc., by its President, Randolph H. Shelley. Variance relief is requested from numerous sections of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the variances sought are:

1. A variance from Sections 259.3.C.2.a and 301.1 to permit an existing open projection setback of 9.2 ft. (front yard) and 5.9 ft. (side yard), in lieu of the required 15 ft.;
2. A variance from Sections 259.3.C.2.b. and 259.3.C.3.a to permit an existing 6 ft. side yard setback, in lieu of the required 15 ft., and to permit a buffer as narrow as 1 ft., in lieu of the required 15 ft. side, front and rear landscaping buffer;
3. A variance from Sections 259.3.C.2.a, 235.1 and 303.2 to permit a proposed shed to have a front setback of 311.5 ft., in lieu of the maximum of the average of the setbacks of adjacent buildings (31 ft. +/-);
4. A variance from Section 235.2 to permit a proposed accessory shed to have a side setback from an R.C.5 zone of 15 ft., instead of the required 50 ft.;

5/8 @ 11AM, 205

CASE NO. 2012- 0236-SPHA

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

4-10

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

NC

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

4-18

PLANNING

(if not received, date e-mail sent _____)

Comments

4-3

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 2003-0369-SPHA

and 1994-0084-A)

*placed
in
file
for
job*

NEWSPAPER ADVERTISEMENT

Date: 4-24-12

SIGN POSTING

Date: 4-19-12 by Deak

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 07 Account Number - 0702085856

Owner Information

Owner Name: KARY HOLDINGS LLC **Use:** COMMERCIAL
Principal Residence: NO
Mailing Address: 17415 WESLEY CHAPEL RD
MONKTON MD 21111-1332 **Deed Reference:** 1) /17244/ 00023
2)

Location & Structure Information**Premises Address**

16928 YORK RD
0-0000

Legal Description

16928 YORK RD WS
15 FT MONKTON RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0022	0014	0482		0000				1	

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2004	3744	20,386 SF	06

Stories **Basement** **Type** **Exterior**
OFFICE BUILDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2011	07/01/2012
Land	96,700	201,900		
Improvements:	290,200	286,600		
Total:	386,900	488,500	454,633	488,500
Preferential Land:	0			0

Transfer Information

Seller: SNYDER MICHAEL L, TRUSTEE	Date: 12/17/2002	Price: \$75,000
Type: ARMS LENGTH IMPROVED	Deed1: /17244/ 00023	Deed2:
Seller: MARYLAND LINE PROPERTY INC	Date: 02/08/1996	Price: \$78,568
Type: NON-ARMS LENGTH OTHER	Deed1: /11424/ 00618	Deed2:
Seller: BULL GEORGE ALEX	Date: 06/22/1993	Price: \$89,000
Type: ARMS LENGTH IMPROVED	Deed1: /09839/ 00328	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: NONE

Homestead Application Information

Homestead Application Status: No Application

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 16928 York Road

INFORMATION:

Item Number: 12-236

Petitioner: Kary Holdngs, LLC

Zoning: BM-CR

Requested Action: Special Hearing and Variance

RECEIVED

APR 18 2012

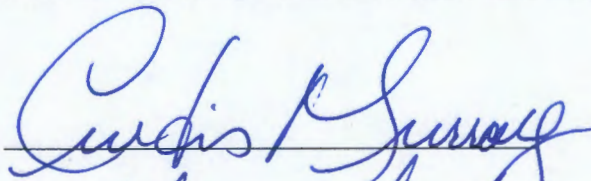
OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's special hearing and variance requests. Currently there is a small general dentistry practice adjacent to the subject site, which is operated by the petitioner. From the information provided it appears that the practice has outgrown its current location at 16918 York Road and the petitioner's wish to relocate to the subject property. Since the operation is a small practice with part-time hours and limited staff, the Department of Planning is of the opinion that 12 parking spaces in lieu of 18 is a justifiable proposal and will not negatively impact the operation of the business or surrounding community.

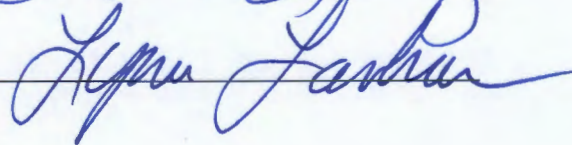
For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Prepared by:



Division Chief:

AVA/LL: CM



Debra Wiley - ZAC Comments - Distribution Meeting of March 26, 2012

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/4/2012 1:55 PM
Subject: ZAC Comments - Distribution Meeting of March 26, 2012

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.

2012-0229-A - 11206 Ridgeway Avenue South Avenue
Administrative Variance - Closing Date: No closing date reflected in data base 4/4

2012-0230-XA - 6216 Ebenezer Road
No date reflected in data base 4/4

2012-0231-SPHA - 1655 Belmont Avenue
No date reflected in data base 4/4

2012-0232-A - 2420 Bulls-Sawmill Road
No date reflected in data base 4/4

2012-0233-X - 6709 White Stone Road
No date reflected in data base 4/4

2012-0234-A - 311 Railroad Avenue
No date reflected in data base 4/4

2012-0235-A - 1218 Elm Ridge Avenue
No date reflected in data base 4/4

2012-0236-SPHA - 16928 York Road
No date reflected in data base 4/4

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



KEVIN KAMENETZ
County Executive

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

May 1, 2012

Kary Holdings, LLC
Kathy Wheatley
17415 Wesley Chapel Road
Monkton, MD 21111

RE: Case Number: 2012-0236 SPHA, Address: 16928 York Road

Dear Ms. Wheatley:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 28, 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." The signature is stylized with a large, looped "W" and a cursive "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce Doak, Gerhold, Cross & Etzel Ltd, 320 E Towsontowne Boulevard, Towson MD 21286
Craig Longnecker, 16918 York Road, Suite 102, Monkton, MD 21111

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



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

Date: 4-3-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0236-SPHA
Special Hearing Variance
Kary Holdings, LLC.
16928 York Road.

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4-2-12. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0236-SPHA.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

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: April 10, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 09, 2012
Item Nos. 2012-218, 229, 231, 232, 233, 235
And 236

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-04092012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 16928 York Road

INFORMATION:

Item Number: 12-236

Petitioner: Kary Holdngs, LLC

Zoning: BM-CR

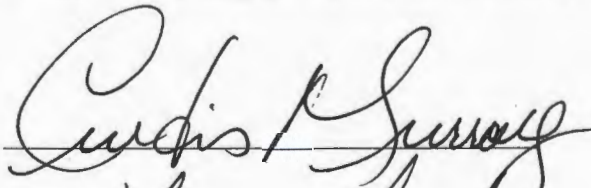
Requested Action: Special Hearing and Variance

SUMMARY OF RECOMMENDATIONS:

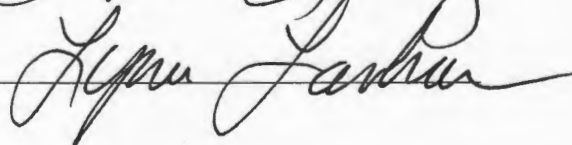
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning does not oppose the petitioner's special hearing and variance requests. Currently there is a small general dentistry practice adjacent to the subject site, which is operated by the petitioner. From the information provided it appears that the practice has outgrown its current location at 16918 York Road and the petitioner's wish to relocate to the subject property. Since the operation is a small practice with part-time hours and limited staff, the Department of Planning is of the opinion that 12 parking spaces in lieu of 18 is a justifiable proposal and will not negatively impact the operation of the business or surrounding community.

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

Prepared by:



Division Chief:
AVA/LL: CM



NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2012-0236-SPHA

16928 York Road
N/side of York Road, 16 feet +/- N/of centerline
of Monkton Road
3rd Election District - 7th Councilmanic District
Legal Owner(s): Kary Holdings, LLC
Contract Purchaser: Craig Longenecker

Special Hearing: requested to abandon the special hearing requested for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop. **Variance:** to permit 12 parking spaces in lieu of the required 18 parking spaces.

Hearing: Tuesday, May 8, 2012 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special 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.

JT/4/752 Apr. 24

302541

CERTIFICATE OF PUBLICATION

4/26/ 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 4/24/ 2012.

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

S. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

RE: Case#2012-0236-SPHA

PETITIONER: Kary Holdings, LLC

DATE OF HEARING: May 8, 2012

CERTIFICATE OF POSTING

MORE COUNTY DEPARTMENT OF
AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS
LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED

LOCATION:
16928 York Road

(see page 2 for full size photo)

SIGNATURE

GERHOLD

320EA
TO

POSTED ON: April 19, 2012

ZONING NOTICE

CASE #2012-0236-SPHA

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

PLACE: Room 205, Jefferson Building
105 West Chesapeake Avenue, Towson 21204

TIME: Tuesday May 8, 2012 at 11:00 AM

DATE: Special Hearing requested to abandon the
special hearing requested for the inside
storage of equipment and materials as part of
a carpentry, plumbing and heating shop.

Variance to permit 12 parking spaces in lieu
of the required 18 parking spaces

IF WEATHER OR OTHER CONDITIONS ARE SOMETIMES
UNFAVORABLE, THE SCHEDULED HEARING DATE
MAY BE POSTPONED. UNDER PENALTY OF LAW,
THIS NOTICE IS REQUIRED ACCESSIBLE



ZONING NOTICE

CASE #2013-001-1000
A PUBLIC HEARING WILL BE HELD BY THE BOARD OF ZONING APPEALS IN TOWSON, MD

TIME
DATE

10:00 AM
2013-01-10

10:00 AM
2013-01-10

10:00 AM
2013-01-10

10:00 AM
2013-01-10

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2013-01-10

10:00 AM
2013-01-10

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
16928 York Road; N/S York Road,
16' N c/line of Monkton Road
3rd Election & 7th Councilmanic Districts
Legal Owner(s): Kary Holdings, LLC
Contract Purchaser(s): Craig Longnecker
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-236-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

APR 02 2012

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of April, 2012, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, Gerhold, Cross & Etzel, 320 E Towsontowne Boulevard, Suite 100, Towson, Maryland 21286, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

April 9, 2012

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: 2012-0236-SPHA

16928 York Road

N/side of York Road, 16 feet +/- N/of centerline of Monkton Road

3rd Election District – 7th Councilmanic District

Legal Owners: Kary Holdings, LLC

Contract Purchaser: Craig Longenecker

Special Hearing requested to abandon the special hearing requested for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop. Variance to permit 12 parking spaces in lieu of the required 18 parking spaces.

Hearing: Tuesday, May 8, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Craig Longenecker, 16918 York Road, Ste. 102, Monkton 21111
Kary Holdings, LLC, 17415 Wesley Chapel Road, Monkton 21111
Bruce Doak, 320 E. Towsontown Blvd., Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 23, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 24, 2012 Issue - Jeffersonian

Please forward billing to:
Craig Longenecker
16918 York Road
Monkton, MD 21111

410-357-0099

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0236-SPHA

16928 York Road

N/side of York Road, 16 feet +/- N/of centerline of Monkton Road

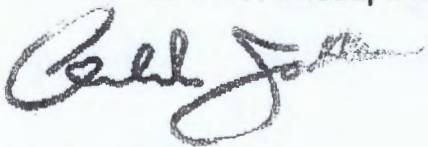
3rd Election District – 7th Councilmanic District

Legal Owners: Kary Holdings, LLC

Contract Purchaser: Craig Longenecker

Special Hearing requested to abandon the special hearing requested for the inside storage of equipment and materials as part of a carpentry, plumbing and heating shop. Variance to permit 12 parking spaces in lieu of the required 18 parking spaces.

Hearing: Tuesday, May 8, 2012 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE 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.

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: 2012-0236-SP4A

Petitioner: KARY HOLDINGS, LLC

Address or Location: 16928 YORK ROAD MONKTON MD 21111

PLEASE FORWARD ADVERTISING BILL TO:

Name: CRAIG LONGENGCKER

Address: 16918 YORK ROAD, SUITE 102
MONKTON MD 21111

Telephone Number: 410-357-0099

Revised 2/17/11 DT

Case No.: 2012-236-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

PR 5-12-12
DW 5-8-12

No. 1	1A-1C Letters of Support	
No. 2	Site Plan	
No. 3	Aerial Map GIS	
No. 4	4A-T Color Photos	
No. 5	Plan to Accompany Photos	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

HEREFORD COMMUNITY ASSOCIATION, INC.

The Principle Voice of the Hereford Community

March 13, 2012

Dr. Craig Longenecker, DDS
16918 York Road
Monkton, MD 21111

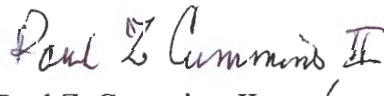
Dear Dr. Longenecker,

We understand that it is your intent to move your dental practice for your current location at 16918 York Road to the premises at 16928 York Road (the Wheatley Building) in the village of Hereford. The use of the new premises, and your practice, will be substantially similar to the use at your current location. The Wheatley Building site currently does not have the number of parking spaces required by the zoning regulations for your proposed use. You therefore intend to request a zoning variance from Baltimore County for up to six parking spaces.

The Hereford Community Association, a non-profit organization is the principal voice of the Hereford and the surrounding area on development, safety and welfare issues and has examined the property at 16928 York Road. We believe that requiring you to take the actions necessary to comply with the zoning regulations would result in unnecessary expense to you and would be disruptive to the community. We also believe that the site, as it currently exists, provides sufficient parking for the proposed use.

As President of the Hereford Community Association, I extend our organizations support for the approval of a zoning variance for this property.

Sincerely,



Paul Z. Cummins, II
President

Hereford Community
Association, Inc.
P.O. Box 180
Monkton, MD 21111

t. 410-357-0252
f. 410-357-0252

pzcummins@comcast.net
[http://herefordcommunity
association.org/](http://herefordcommunityassociation.org/)

PETITIONER'S

EXHIBIT NO.

1A



5 March 2012

P.O. Box 466 · Hereford, MD 21111 · www.hzba.org

Dr. Craig Longenecker, DDS
Hereford Dental Health
16918 York Road Ste 102
Monkton, MD 21111

RE: Zoning variance, property at 16928 York Road, Monkton, MD 21111

Dear Dr. Longenecker:

As President of the Hereford Zone Business Association, a non-profit organization dedicating to promoting the business and economic well-being of Northern Baltimore County, I wish to extend our organization's support for your proposed application for a variance in the zoning regulations for the above captioned property.

We understand that your intent is to move your dental practice from its current location to the premises at 16928 York Road (the "Wheatley Building"), and to convert the use of the downstairs of the Wheatley Building from a retail store to a dentist office. The use of this building, and your practice, will be substantially similar to the use of your current location at 16918 York Road. The Wheatley Building site currently does not have the number of parking spaces required by the zoning regulations for your proposed use—falling short by only a few spaces. You therefore intend to request a zoning variance from Baltimore County for up to six parking spaces.

The Hereford Zone Business Association has looked at the site of the Wheatley Building and fully supports your proposed application for a variance. We believe that requiring you take the actions necessary in order to comply with the existing zoning regulations, would result in unnecessary expense to you and disruption to the community. We further believe that the site, as it currently exists, provides sufficient parking for the proposed medical/office use, as well for any future 100% medical/dental use.

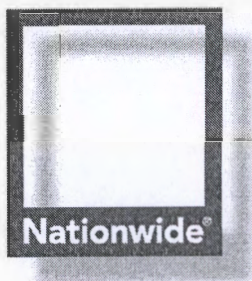
If you need the Hereford Zone Business Association to take any further action with respect to this issue, please feel free to contact me at 410-591-6992.

Sincerely,

D. Kathleen Rus
President, HZBA

PETITIONER'S

EXHIBIT NO. 1 B



Burgess Insurance Agency
16925-A York Road
Monkton, Maryland 21111
Office- 410-329-6800
Fax- 410-357-4663

To Whom It May Concern
Baltimore County Zoning
Towson, Md. 21204

March 1st, 2012

Re: Parking Space Variance

Dear Sir/Madam;

It has come to my attention that a fellow Hereford professional, Craig Longenecker DDS, is considering moving his existing dental office into the property known as 16928 York Road Monkton, Md. 21111.

Per current County requirements....it is also my understanding that the ratio of the number of parking spaces on this property....vs. square footage of the building....leaves a compliance shortage of about 6 parking spaces.

The remedy for this parking space shortage could come as a variance to the current Baltimore County regulation.

Please be advised that I have known and worked with Dr. Longenecker for the past 14 years in Hereford. He operates a 1st class dental office and has been a great supporter and participant in community affairs and concerns.

Speaking on behalf of myself and many other business owners in the Hereford Village....we are privileged to have Dr. Longenecker as part of our business community and I want to be clear that I am in strong favor of any variance that would allow Dr. Longenecker's practice to continue at the new address.

Should any additional information of clarification be needed....please feel free to contact me, directly.

Regards,

Drew Burgess
Broker-Owner

PETITIONER' S

EXHIBIT NO. 15



PETITIONER' S

EXHIBIT NO. 4A-T



FOR SALE
\$599 K
772-913-113







Absolute Companion Care
Elder Care for People & Pets

2ND FLOOR
SIDE ENTRANCE

1649 28



WHEATLEY ASSOCIATES, INC.
DESIGN + REMODEL

MEETING
CENTER

410-329-2500

SINCE 1980

1649 28
1649 28
1649 28

(F)







(H)







16928







Module
Composition
FERTILE



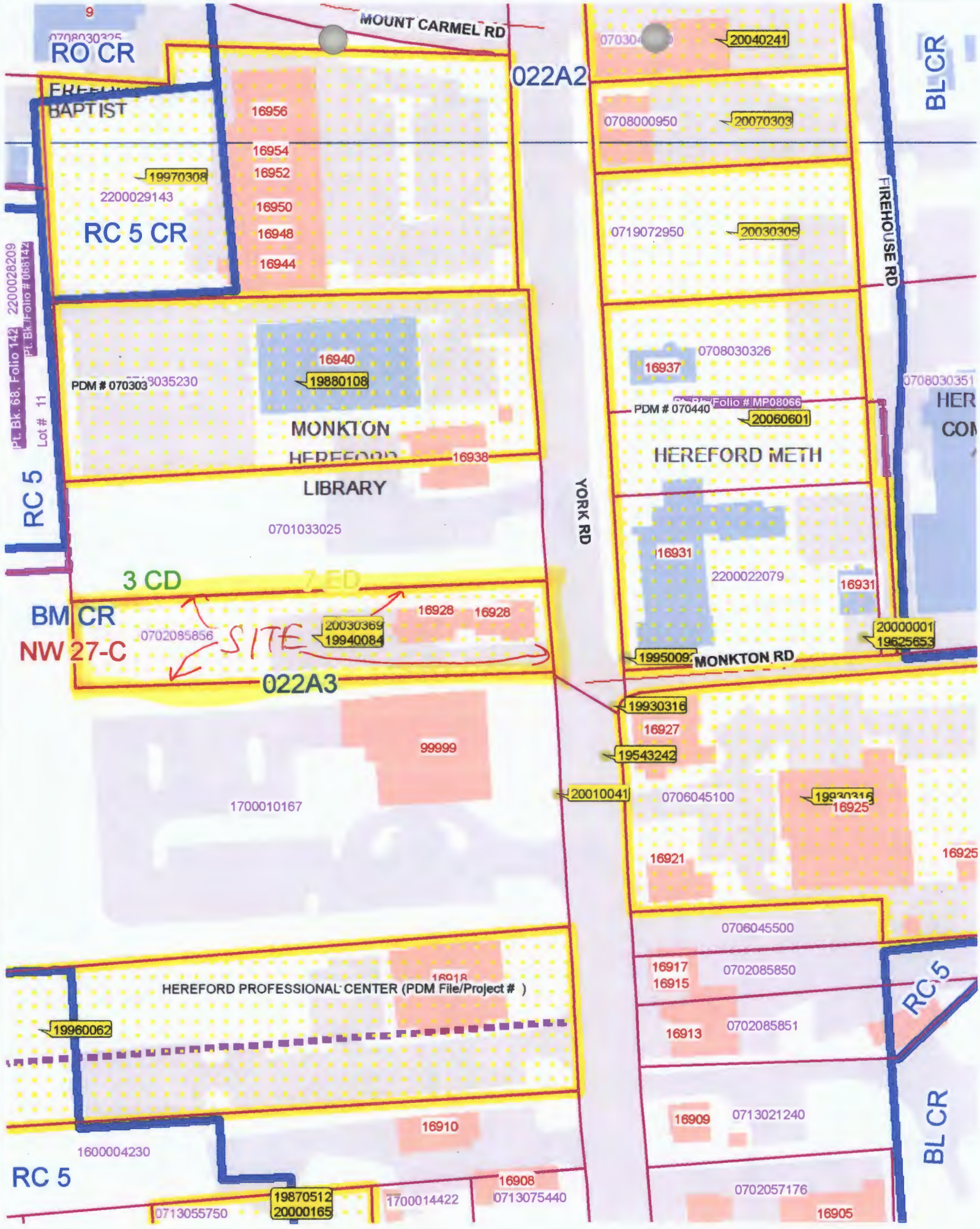












Pt. Blk. 68, Folio 142, 2200028209
Pt. Blk. Folio # 068142
Lot # 11

RC 5

BM CR
NW 27-C

RC 5

022A2

022A3

YORK RD

FIREHOUSE RD

RC 5

BL CR

BL CR

HEREFORD PROFESSIONAL CENTER (PDM File/Project #)

MONKTON
HEREFORD
LIBRARY

HEREFORD METH

HER
COM

SITE

3 CD

7 ED

RO CR

FREE
BAPTIST

RC 5 CR

MOUNT CARMEL RD

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PDM # 070303 9035230

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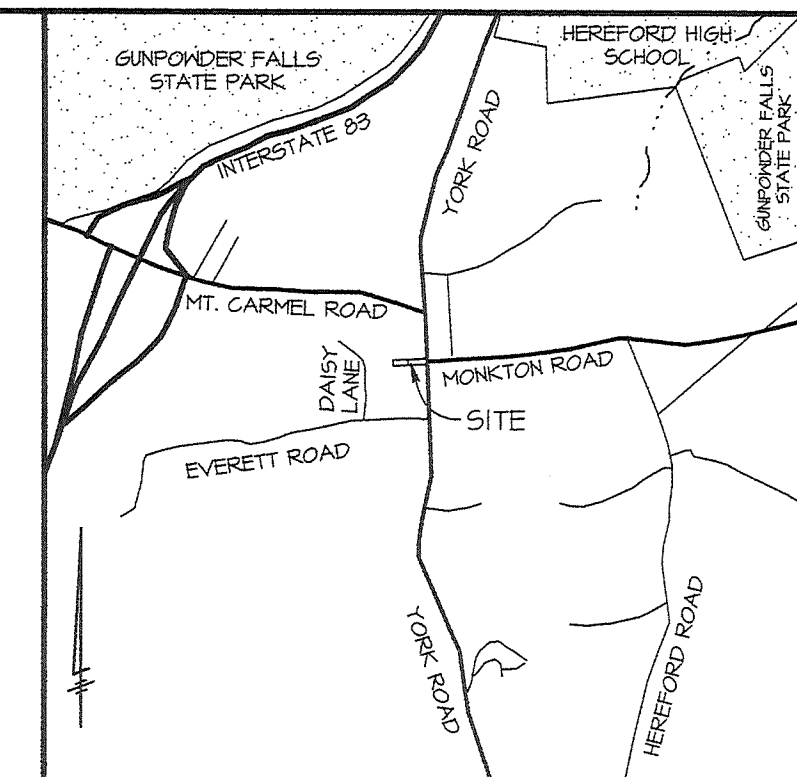
16908
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20000165

0713055750

1600004230



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
2. THE IMPROVEMENTS AND TOPOGRAPHY SHOWN HEREON WAS FIELD RUN AND TAKEN FROM 615 TILE 022A3.
3. CENSUS TRACT 4072 A.D.C. MAP & GRID 7 E-II
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THE SUBJECT PROPERTY AND BUILDING ARE NOT IN A HISTORIC DISTRICT AND ARE NOT HISTORIC.
7. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
8. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
9. NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
10. PROPOSED USE: MEDICAL OFFICE
11. PARKING:
PARKING SPACES EXISTING: 12
PARKING SPACES REQUIRED: 3,434 SQ. FT. BUILDING (MEDICAL OFFICE USE)
4.5 PARKING SPACES PER 1000' SQ. FT. G.F.A. = 17.1 = 18

CONTRACT PURCHASER/DEVELOPER

DR. CRAIG LONGENECKER, DDS
16918 YORK ROAD, SUITE 102
MONKTON, MARYLAND 21111
410-351-0099

OWNER

KARY HOLDINGS, LLC
17415 MESLEY CHAPEL ROAD
MONKTON, MARYLAND 21111

SPECIAL HEARINGS REQUESTED

TO ABANDON THE SPECIAL HEARING REQUESTED FOR THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP.

VARIANCES REQUESTED

VARIANCE FROM SECTION 404.6.A.2 B.C.Z.R. TO PERMIT 12 PARKING SPACES IN LIEU OF THE REQUIRED 18 PARKING SPACES.

CASE #2012-0236-SPHA PLAT TO ACCOMPANY PETITIONS FOR ZONING RELIEF ON THE PROPERTY AT #16928 YORK ROAD

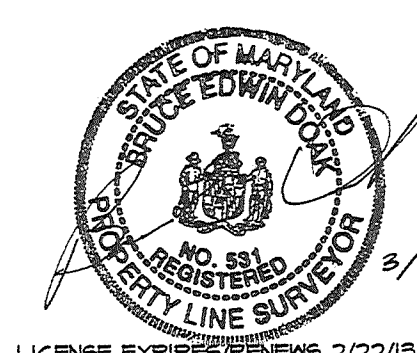
Deed Ref: S.M. No. 11424 folio 618
Tax Account No.: 0702085856
Zoned BM-CR; Map NW 27C
Tax Map 22; Grid 14; Parcel 482
7th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: FEBRUARY 27, 2012

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21206
(410) 823-4470

PETITIONER'S
EXHIBIT NO. 2



REVISION	DATE	COMPUTED	DRAWN	CHECKED	BY

LEGEND

- BUILDING
- WOOD FENCE
- WOODS LINE
- PLANTED AREA
- CONIFEROUS TREE
- DECIDUOUS TREE
- CLEANOUT
- SIGN
- LIGHT POLE

PRIOR ZONING CASE #94-084-A

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT AN EXISTING OPEN PROJECTION SETBACK OF 4.2' (FRONT YARD) AND 5.9' (SIDE YARD) IN LIEU OF THE REQUIRED 15';

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.b AND 254.3.C.3.a TO PERMIT AN EXISTING 6' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 15' AND TO PERMIT A BUFFER AS NARROW AS 1' IN LIEU OF THE REQUIRED 15' SIDE FRONT AND REAR LANDSCAPING BUFFER.

GRANTED A VARIANCE FROM SECTION 254.3.C.2.a, 255.1 AND 305.2 TO PERMIT A PROPOSED SHED TO HAVE A FRONT SETBACK OF 31.5' IN LIEU OF THE MAXIMUM OF THE AVERAGES OF THE SETBACKS OF ADJACENT BUILDINGS (31'2);

GRANTED A VARIANCE FROM SECTION 255.2 TO PERMIT A PROPOSED ACCESSORY SHED TO HAVE A SIDE SETBACK FROM AN R.C. 5 ZONE OF 15' INSTEAD OF THE REQUIRED 50';

GRANTED A VARIANCE FROM SECTION 254.3.C.3.b TO PERMIT A PROPOSED PARKING LOT WITH 0% PERVIOUS SURFACE AND NO INTERIOR LANDSCAPING IN LIEU OF THE REQUIRED 7% PERVIOUS SURFACE WITH ONE TREE PER EIGHT PARKING SPACES;

GRANTED A VARIANCE FROM SECTION 254.3.C.4 TO PERMIT PARKING WHICH IS NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES IN LIEU OF THE REQUIRED PARKING LOT WHICH IS ACCESSIBLE TO ADJACENT NONRESIDENTIAL PARKING LOTS.

PRIOR ZONING CASE #03-369-SPHA

GRANTED A SPECIAL HEARING TO CONFIRM THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP;

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT A MINIMUM FRONT YARD SETBACK OF 4.3' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND 2.3' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND BUILDING ADDITION;

GRANTED A VARIANCE FROM SECTION 254.3.C.2.b TO PERMIT A MINIMUM SIDE YARD SETBACK OF 5.9' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND BUILDING ADDITION;

GRANTED A VARIANCE FROM SECTION 254.3.C.3.a TO PERMIT A VARIABLE WIDTH LANDSCAPE BUFFER OF 0' TO 10' IN LIEU OF THE REQUIRED 15';

GRANTED A VARIANCE FROM SECTION 254.3.C.3.b TO PERMIT A PERVIOUS SURFACE AREA OF 0% WITH NO INTERIOR LANDSCAPING IN LIEU OF THE REQUIRED 7% PERVIOUS SURFACE WITH ONE TREE PER EIGHT PARKING SPACES;

GRANTED A VARIANCE FROM SECTION 254.3.C.4 TO PERMIT PARKING NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES;

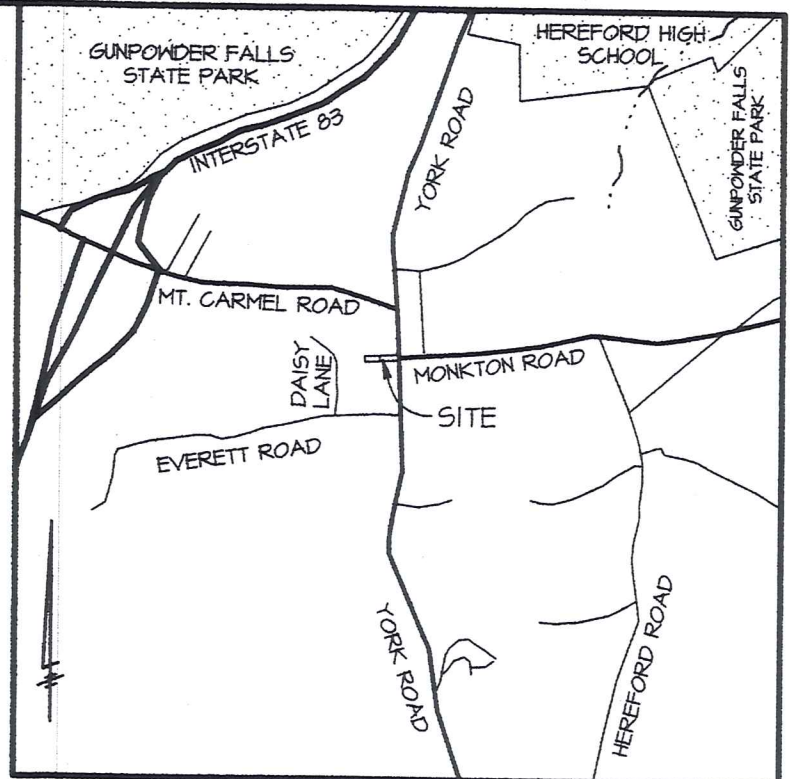
GRANTED A VARIANCE FROM SECTION 404.9.A TO PERMIT A 16' WIDE DRIVENWAY IN LIEU OF THE REQUIRED 20';

GRANTED A VARIANCE FROM SECTION 404.8.A.1 TO PERMIT A HANDICAPPED PARKING SPACE WALKWAY AISLE TO BE DIRECTLY ADJACENT TO THE BUILDING



	Economic Map	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, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all 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.
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Printed 2/22/2012



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
2. THE IMPROVEMENTS AND TOPOGRAPHY SHOWN HEREON WAS FIELD RUN AND TAKEN FROM 615 TILE 022A3.
3. CENSUS TRACT 4072 A.D.C. MAP & GRID 7 E-II
WATERSHED LOCH RAVEN SUBSEVERSHED NS
SCHOOL DISTRICT 52 REGIONAL PLANNING DISTRICT 301A
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
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PARKING SPACES EXISTING: 12
PARKING SPACES REQUIRED: 3,434 SQ. FT. BUILDING (MEDICAL OFFICE USE)
4.5 PARKING SPACES PER 1000 SQ. FT. G.F.A. = 11.7 = 12

CONTRACT PURCHASER/DEVELOPER

DR. CRAIG LONGENECKER, DDS
16418 YORK ROAD, SUITE 102
MONKTON, MARYLAND 21111
410-337-0099

OWNER

KARY HOLDINGS, LLC
17415 WESLEY CHAPEL ROAD
MONKTON, MARYLAND 21111

Plan to Accompany Photographs

CASE #2012-0236-SPHA PLAT TO ACCOMPANY PETITIONS FOR ZONING RELIEF ON THE PROPERTY AT #16928 YORK ROAD

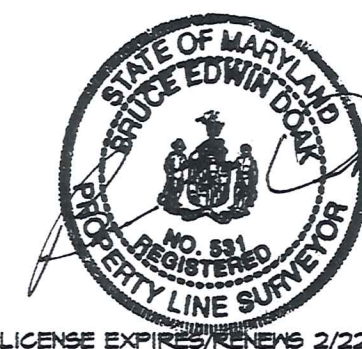
Deed Ref: S.M. No. 11424 Folio 618
Tax Account No.: 0702085856
Zoned BM-CR; Map NW 27C
Tax Map 22; Grid 14; Parcel 482
7th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20'

Date: FEBRUARY 27, 2012

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS

Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470



LICENSE EXPIRES/RENEW 2/22/15

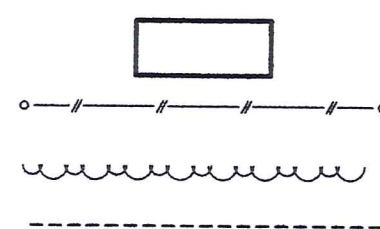
SPECIAL HEARING REQUESTED

TO ABANDON THE SPECIAL HEARING REQUESTED FOR THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP.

VARIANCES REQUESTED

VARIANCE FROM SECTION 401.6.A.2 B.C.Z.R. TO PERMIT 12 PARKING SPACES IN LIEU OF THE REQUIRED 18 PARKING SPACES.

LEGEND



BUILDING
WOOD FENCE
WOODS LINE
PLANTED AREA
CONIFEROUS TREE
DECIDUOUS TREE
CLEANOUT
SIGN
LIGHT POLE

PRIOR ZONING CASE #94-084-A

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT AN EXISTING OPEN PROJECTION SETBACK OF 4.2' (FRONT YARD) AND 5.4' (SIDE YARD) IN LIEU OF THE REQUIRED 15';

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.b AND 254.3.C.3.a TO PERMIT AN EXISTING 6' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 15' AND TO PERMIT A BUFFER AS NARROW AS 1' IN LIEU OF THE REQUIRED 15' SIDE, FRONT AND REAR LANDSCAPING BUFFER;

GRANTED A VARIANCE FROM SECTION 254.3.C.2.a, 235.1 AND 303.2 TO PERMIT A PROPOSED SHED TO HAVE A FRONT SETBACK OF 311.5' IN LIEU OF THE MAXIMUM OF THE AVERAGES OF THE SETBACKS OF ADJACENT BUILDINGS (311.5');

GRANTED A VARIANCE FROM SECTION 235.2 TO PERMIT A PROPOSED ACCESSORY SHED TO HAVE A SIDE SETBACK FROM AN R.C. 5 ZONE OF 15' INSTEAD OF THE REQUIRED 50';

GRANTED A VARIANCE FROM SECTION 254.3.C.3.b TO PERMIT A PROPOSED PARKING LOT WITH 0% PERVIOUS SURFACE AND NO INTERIOR LANDSCAPING IN LIEU OF THE REQUIRED 7% PERVIOUS SURFACE WITH ONE TREE PER EIGHT PARKING SPACES;

GRANTED A VARIANCE FROM SECTION 254.3.C.4 TO PERMIT PARKING WHICH IS NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES IN LIEU OF THE REQUIRED PARKING LOT WHICH IS ACCESSIBLE TO ADJACENT NONRESIDENTIAL PARKING LOTS.

PRIOR ZONING CASE #03-369-SPHA

GRANTED A SPECIAL HEARING TO CONFIRM THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP;

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT A MINIMUM FRONT YARD SETBACK OF 4.3' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND 2.3' IN LIEU OF THE REQUIRED 11.25' TO AN EXISTING OPEN PROJECTION;

GRANTED A VARIANCE FROM SECTION 254.3.C.2.b TO PERMIT A MINIMUM SIDE YARD SETBACK OF 5.9' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND BUILDING ADDITION;

GRANTED A VARIANCE FROM SECTION 254.3.C.3.a TO PERMIT A VARIABLE WIDTH LANDSCAPE BUFFER OF 0' TO 10' IN LIEU OF THE REQUIRED 15';

GRANTED A VARIANCE FROM SECTION 254.3.C.3.b TO PERMIT A PERVIOUS SURFACE AREA OF 0% WITH NO INTERIOR LANDSCAPING IN LIEU OF THE REQUIRED 7% PERVIOUS SURFACE WITH ONE TREE PER EIGHT PARKING SPACES;

GRANTED A VARIANCE FROM SECTION 254.3.C.4 TO PERMIT PARKING NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES;

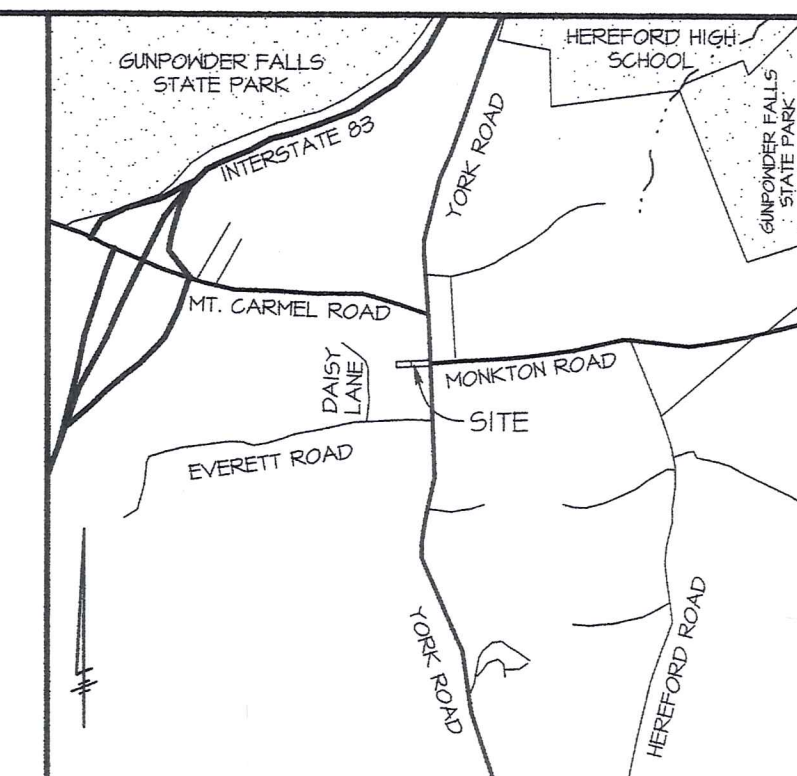
GRANTED A VARIANCE FROM SECTION 404.9.A TO PERMIT A 16' WIDE DRIVEWAY IN LIEU OF THE REQUIRED 20';

GRANTED A VARIANCE FROM SECTION 404.8.A.1 TO PERMIT A HANDICAPPED PARKING SPACE WALKWAY AISLE TO BE DIRECTLY ADJACENT TO THE BUILDING

REVISION	DATE	COMPUTED	DRAWN: RTD	CHECKED: BED

PETITIONER'S

EXHIBIT NO. 5



VICINITY MAP
1" = 2000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM A SURVEY BY GERHOLD, CROSS & ETZEL, LTD.
2. THE IMPROVEMENTS AND TOPOGRAPHY SHOWN HEREON WAS FIELD RUN AND TAKEN FROM 615 TILE 022A3.
3. CENSUS TRACT 4072 A.D.C. MAP & GRID 7 E-II
- WATERSHED LOCH RAVEN SUBWERSHED 15
- SCHOOL DISTRICT 52 REGIONAL PLANNING DISTRICT 301A
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THE SUBJECT PROPERTY AND BUILDING ARE NOT IN A HISTORIC DISTRICT AND ARE NOT HISTORIC.
7. ALL APPARENT SEPTIC SYSTEMS, WELLS, AND SOIL PERCOLATION TESTS WITHIN 100' OF THE PROPERTY LINES WERE FIELD LOCATED.
8. ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
9. NO GRADING IS TO BE DONE IN THE SEPTIC RESERVE AREAS.
10. PROPOSED USE: MEDICAL OFFICE
11. PARKING:
PARKING SPACES EXISTING: 12
PARKING SPACES REQUIRED: 3,934 SQ. FT. BUILDING (MEDICAL OFFICE USE)
4.5 PARKING SPACES PER 1000 SQ. FT. G.F.A. = 17.7 = 18

CONTRACT PURCHASER/DEVELOPER

DR. CRAIG LONGENECKER, DDS
18918 YORK ROAD, SUITE 102
MONKTON, MARYLAND 21111
410-357-0099

OWNER

KARY HOLDINGS, LLC
17415 WESLEY CHAPEL ROAD
MONKTON, MARYLAND 21111

SPECIAL HEARING REQUESTED

TO ABANDON THE SPECIAL HEARING REQUESTED FOR THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP.

VARIANCES REQUESTED

VARIANCE FROM SECTION 409.6.A.2 B.C.Z.R. TO PERMIT 12 PARKING SPACES IN LIEU OF THE REQUIRED 18 PARKING SPACES.

CASE #2012-0236-SPHA
PLAT TO ACCOMPANY
PETITIONS FOR ZONING RELIEF
ON THE PROPERTY AT
#16928 YORK ROAD
Deed Ref: S.M. No. 11424 folio 618
Tax Account No.: 0702085856
Zoned BM-CR; Map NW 27C
Tax Map 22; Grid 14; Parcel 482
7th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=20' Date: FEBRUARY 27, 2012

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Townsontown Boulevard
Towson, Maryland 21286
(410) 823-4470



REVISION	DATE	COMPUTED	DRAWN	RTD	CHECKED	BED

LEGEND

- BUILDING
- WOOD FENCE
- WOODS LINE
- PLANTED AREA
- CONIFEROUS TREE
- DECIDUOUS TREE
- CLEANOUT
- SIGN
- LIGHT POLE

PRIOR ZONING CASE #94-084-A

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT AN EXISTING OPEN PROJECTION SETBACK OF 4.2' (FRONT YARD) AND 5.4' (SIDE YARD) IN LIEU OF THE REQUIRED 15';

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.b AND 254.3.C.3.a TO PERMIT AN EXISTING 6' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 15' AND TO PERMIT A BUFFER AS NARROW AS 1' IN LIEU OF THE REQUIRED 15' SIDE FRONT AND REAR LANDSCAPING BUFFER;

GRANTED A VARIANCE FROM SECTION 254.3.C.2.a, 255.1 AND 303.2 TO PERMIT A PROPOSED SHED TO HAVE A FRONT SETBACK OF 31.5' IN LIEU OF THE MAXIMUM OF THE AVERAGES OF THE SETBACKS OF ADJACENT BUILDINGS (31');;

GRANTED A VARIANCE FROM SECTION 255.2 TO PERMIT A PROPOSED ACCESSORY SHED TO HAVE A SIDE SETBACK FROM AN R.C. 5 ZONE OF 15' INSTEAD OF THE REQUIRED 50';

GRANTED A VARIANCE FROM SECTION 254.3.C.3.b TO PERMIT A PROPOSED PARKING LOT WITH 0% PERVIOUS SURFACE AND NO INTERIOR LANDSCAPING IN LIEU OF THE REQUIRED 1% PERVIOUS SURFACE WITH ONE TREE PER EIGHT PARKING SPACES;

GRANTED A VARIANCE FROM SECTION 254.3.C.4 TO PERMIT PARKING WHICH IS NOT ACCESSIBLE TO THE PARKING LOTS OF ADJACENT NONRESIDENTIAL USES IN LIEU OF THE REQUIRED PARKING LOT WHICH IS ACCESSIBLE TO ADJACENT NONRESIDENTIAL PARKING LOTS.

PRIOR ZONING CASE #03-369-SPHA

GRANTED A SPECIAL HEARING TO CONFIRM THE INSIDE STORAGE OF EQUIPMENT AND MATERIALS AS PART OF A CARPENTRY, PLUMBING AND HEATING SHOP;

GRANTED A VARIANCE FROM SECTIONS 254.3.C.2.a AND 301.1 TO PERMIT A MINIMUM FRONT YARD SETBACK OF 4.3' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND 2.3' IN LIEU OF THE REQUIRED 11.25' TO AN EXISTING OPEN PROJECTION;

GRANTED A VARIANCE FROM SECTION 254.3.C.2.b TO PERMIT A MINIMUM SIDE YARD SETBACK OF 5.4' IN LIEU OF THE REQUIRED 15' FOR AN EXISTING STRUCTURE AND BUILDING ADDITION;

GRANTED A VARIANCE FROM SECTION 254.3.C.3.a TO PERMIT A VARIABLE WIDTH LANDSCAPE BUFFER OF 0' TO 10' IN LIEU OF THE REQUIRED 15';

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