

M E M O R A N D U M

DATE: December 21, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0041-SPHA- Appeal Period Expired

The appeal period for the above-referenced case expired on December 18, 2015. 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

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

(9805 York Road & 9804 Monroe St.) *

8th Election District

3rd Council District *

Ryan James Vaughan, et al, *Owners*

Maryland Financial Realty, Inc. *

Contract Purchaser

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0041-SPHA

* * * * *

**ORDER ON PETITIONER'S
CROSS MOTION FOR RECONSIDERATION**

Now pending is a Motion for Reconsideration filed by Petitioner in the above case. Therein, the Petitioner has eliminated the variance requests pertaining to the RTA and the special hearing request to permit commercial parking in a residential zone. The RTA variance requests were denied by Order dated October 21, 2015, but the balance of the petition (requesting variance relief for the number of parking spaces provided and a reduced setback for those spaces) was granted in the earlier Order. As such, the motion will be granted.

WHEREFORE, it is this 18th day of November, 2015, by this Administrative Law Judge, ORDERED that Petitioner's Cross Motion for Reconsideration be and is hereby GRANTED.

IT IS FURTHER ORDERED that the amended Petition for Variance (attached as Exhibit A to Petitioner's motion): (1) to allow 18 off-street parking spaces in lieu of the required 35 parking spaces; and (2) to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road, be and is hereby GRANTED.

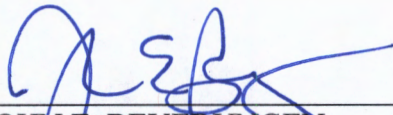
ORDER RECEIVED FOR FILING

Date 11/18/15

By Sen

IT IS FURTHER ORDERED that the Petition for Special Hearing to permit business parking in a residential zone (D.R. 3.5), which has been withdrawn by Petitioner, be and is hereby DISMISSED WITHOUT PREJUDICE.

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/sln

ORDER RECEIVED FOR FILING

Date 11/18/15

By sln

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

(9805 York Road & 9804 Monroe St.) *

8th Election District

3rd Council District *

Ryan James Vaughan, et al, *Owners*

Maryland Financial Realty, Inc. *

Contract Purchaser

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0041-SPHA

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

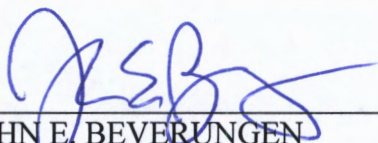
Now pending is a Motion for Reconsideration filed on behalf of the County Home Park Community Association, Inc. The motion will be denied.

An administrative agency "may reconsider an action previously taken and come to a different conclusion upon a showing that . . . some new or different factual situation exists that justifies the different conclusion." The movants have not made such a showing.

WHEREFORE, it is this 12th day of November, 2015, by this Administrative Law Judge, ORDERED that the Motion for Reconsideration, be and is hereby DENIED.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 11-12-15

By sen



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

November 12, 2015

Stephen Weber, V.P.
County Home Park Community Association, Inc.
9801 Van Buren Lane
Cockeysville, Maryland 21030

Motion For Reconsideration

RE: Petition for Variance
Case No. 2016-0041-SPHA
Property: 9805 York Road & 9804 Monroe Street

Dear Mr. Weber:

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 printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Robert and Julie Donatelli, 9807 Monroe Street, Cockeysville, MD 21030
Louis Spera, 12A-Jefferson Avenue, Cockeysville, MD 21030
Lewis Nash, 9813 Monroe Street, Cockeysville, MD 21030
Kent Wyckoff, 6 Gibbons Boulevard, Cockeysville, MD 21030
Thomas W. and Margaret A. Moore, 13 Madison Avenue, Cockeysville, MD 21030
Roger and Dessie Hutton, 17 Madison Avenue, Cockeysville, MD 21030
David H. Karceski, Esq., Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500,
Towson, Maryland 21204

Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103 | Towson, Maryland 21204 | Phone 410-887-3868 | Fax 410-887-3468

www.baltimorecountymd.gov

10-14-15

IN RE: PETITIONS FOR SPECIAL HEARING *	BEFORE THE
AND VARIANCE	
(9805 York Road & 9804 Monroe St.) *	OFFICE OF
8 th Election District	
3 rd Council District *	ADMINISTRATIVE HEARINGS
Ryan James Vaughan, et al, <i>Owners</i>	
Maryland Financial Realty, Inc. *	FOR BALTIMORE COUNTY
Contract Purchaser	
Petitioners *	Case No. 2016-0041-SPHA
* * * * *	

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Ryan James Vaughan, et al, owners and Maryland Financial Realty, Inc., contract purchaser (“Petitioners”). The Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations (“B.C.Z.R.”) for approval of business parking in a residential zone (DR 3.5). In addition, an amended Petition for Variance seeks the following: (1) to allow 31 off-street parking spaces in lieu of the required 62 parking spaces pursuant to §409.6.A.2; (2) to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 ft. and 6 ft. in lieu of the required 75 ft. and 50 ft., respectively; and (3) to allow parking spaces in a surface parking facility to be as close as 7 ft. to the right-of-way line of a public street for York Road. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Appearing at the public hearing in support of the requests was Michael Albo on behalf of the contract purchaser. David H. Karceski, Esq. represented the contract purchaser. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). A letter of opposition was received from Lindsay Johnson, President of County Home Park Community Association, Inc.

The subject property is 0.449 acres and zoned BL-CCC and DR 3.5. The property is presently improved with a commercial building (facing York Road) and a single family dwelling in the DR 3.5 zoned portion of the property. Petitioners propose to raze both structures and construct a new 3,800 sq. ft. 1-story retail building in place of the existing commercial structure and provide business parking on a surface lot where the dwelling is now located. To do so requires variance and special hearing relief.

Special Hearing

B.C.Z.R. §409.8.B permits under certain circumstances commercial parking in a residential zone. A Petitioner must establish the use will not be detrimental to the health, safety or general welfare of the community; i.e., a special exception standard under B.C.Z.R. §502.1. I believe Petitioner can satisfy that standard. The lot would accommodate only 14 vehicles, and modern lighting would be used to prevent "spillage" onto neighboring properties. In addition, the Petitioner would provide a privacy fence and landscaping along the border with Monroe Street, which would screen (at least partially) the proposed parking lot. In addition, Petitioners would be required to observe each of the restrictions/conditions enumerated in B.C.Z.R. §409.8.B.2. As such, the petition for special hearing will be granted.

Variances

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Ms. App. 691 (1995).

Petitioners have met this test, at least with respect to the variance requests pertaining to off-street parking. The lot is irregularly shaped and split-zoned. As such it is unique. If the B.C.Z.R. were

strictly interpreted, Petitioners would experience a practical difficulty, given they would be unable to redevelop the site in an economically advantageous fashion. Finally, I find that these variances 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.

But I do not believe Petitioners have satisfied the requirements for the variance request pertaining to the Residential Transition Area (RTA) buffers and setbacks. The requirements for variance of the RTA regulations are more stringent than in the ordinary variance case under B.C.Z.R. § 307. The regulations provide a specific rule for variance of RTA, as follows:

(1) Notwithstanding the provisions of Section 307, the hearing officer, upon the recommendation of the Departments of Public Works, Planning, Environmental Protection and Sustainability, Permits, Approvals and Inspections, Recreation and Parks, or Economic and Workforce Development, may determine the amount of RTA in cases where a single tract is more than two acres, is vacant, or contains no more than one single-family detached, semidetached or duplex dwelling.

(2) The RTA for a tract may be modified as directed by findings pursuant to § 32-4-402 and the hearing officer's hearing under Article 32, Title 4, Subtitle 2 of the Baltimore County Code. However, the hearing officer may not reduce the amount of RTA unless the officer specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed.

B.C.Z.R. §1B01.1.B.1.c.

In the present case, the DOP's ZAC comment cited subsection (1) quoted above and stated "that the amended plan provides an adequate RTA buffer." But the comment does not provide any additional details or site-specific facts that lend credence to the recommendation. In a recent decision the court of special appeals denied relief to a proposed church (which, unlike a commercial enterprise as in this case, enjoys an "exception to residential transition") under the RTA regulations. The court found that by failing to provide any RTA setback, the proposed church was not compatible with the adjacent neighborhood. I believe that logic applies here as well, where Petitioners similarly propose to provide no RTA setback.

ORDER RECEIVED FOR FILING

Date 10-21-15

3

By EW

The other subsection of the quoted regulation, B.C.Z.R. § 1B01.1.B.1.c(2), provides that the "hearing officer may not reduce the amount of RTA unless ... such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed." In this case, several community members testified they will in fact be adversely impacted by the variance of the RTA, and they feared encroachment of commercial development. They each mentioned problems caused by the restaurant which adjoins the subject property, which apparently has commercial parking immediately adjacent to Monroe Street, as proposed herein. While Mr. Bishop opined Petitioners satisfied B.C.Z.R. § 307, he did not provide testimony or render an opinion as to whether the community would be "adversely impacted" by the elimination of the RTA. As such, while the Petition for Variance will be granted for the majority of the requests, the variance request pertaining to the RTA will be denied for the reasons stated above.

THEREFORE, IT IS ORDERED this 21st day of October, 2015, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for approval of business parking in a residential zone (DR 3.5), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance seeking the following: (1) to allow 31 off-street parking spaces in lieu of the required 62 parking spaces pursuant to §409.6.A.2; and (2) to allow parking spaces in a surface parking facility to be as close as 7 ft. to the right-of-way line of a public street for York Road, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 ft. and 6 ft. in lieu of the required 75 ft. and 50 ft., respectively, be and is hereby DENIED.

ORDER RECEIVED FOR FILING

Date 10-21-15

By ow

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/sln

ORDER RECEIVED FOR FILING

Date 10-21-15

By SW



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

October 20, 2015

David H. Karceski, Esq.
Venable, LLP
210 W. Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2016-0041-SPHA
Property: 9805 York Road & 9804 Monroe Street

Dear Mr. Karceski:

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 printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Robert and Julie Donatelli, 9807 Monroe Street, Cockeysville, MD 21030
Louis Spera, 12A-Jefferson Avenue, Cockeysville, MD 21030
Lewis Nash, 9813 Monroe Street, Cockeysville, MD 21030
Kent Wyckoff, 6 Gibbons Boulevard, Cockeysville, MD 21030
Thomas W. and Margaret A. Moore, 13 Madison Avenue, Cockeysville, MD 21030
Roger and Dessie Hutton, 17 Madison Avenue, Cockeysville, MD 21030



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 9805 York Road, 9804 Monroe Street

which is presently zoned BL-CCC, DR3.5

Deed References: 10608-407, 10608-414

10 Digit Tax Account # 1700012996, 0814000355

Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

(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

SEE ATTACHED SHEET

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

3. ☒ 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)

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:
SEE ATTACHED SHEET

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):
SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

Filing Date

Do Not Schedule Dates:

Reviewer

REV. 10/4/11

Case # 2016-41-SIHA

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING**

9805 YORK ROAD and 9804 MONROE STREET

Special hearing for approval of business parking in a residential zone (DR3.5),
pursuant to Section 409.8.B of the BCZR.

**ATTACHMENT
TO PETITION FOR VARIANCE**

9805 YORK ROAD and 9804 MONROE STREET

1. Variance from Section 409.6.A.2 of the BCZR to allow ³¹~~33~~ off-street parking spaces in lieu of the required 62 parking spaces.
2. ~~Variance from Section 232.A.4 of the BCZR to allow an open space ratio of 0.12 in lieu of the required 0.2.~~
3. Variance from Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively.
4. Variance from 409.8.A.~~4~~⁷ to allow parking spaces in a surface parking facility to be as close as ~~0 and 7~~ feet to the right-of-way line of a public street for York Road ~~and Monroe Street, respectively.~~

ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE

9805 YORK ROAD and 9804 MONROE STREET

Legal Owners:

Ryan James Vaughan

Ryan James Vaughan

1401 Light Street

Baltimore, Maryland 21230

(410) 227-6963

Virginia Ann Pizza

VIRGINIA Ann Pizza

240 High Street

Baltimore, Maryland 21202

(410) 812-1161

Kelly Victoria Vaughan

Kelly Victoria Vaughan

1802 Leadburn Road

Baltimore, Maryland 21204

(813) 335-3393

A. Mary Roeder Vaughan

A. Mary Roeder Vaughan

1807 Thornton Ridge Road

Baltimore, Maryland 21204

(410) 971-0066

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE**

9805 YORK ROAD and 9804 MONROE STREET

Contract Purchaser:

Beverly Dobrochowski, Vice President



Maryland Financial Realty, Inc.
2800 Quarry Lake Drive, Suite 340
Baltimore, Maryland 21209
(410) 308-0700



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 9805 York Road, 9804 Monroe Street which is presently zoned BL-CCC, DR3.5
Deed References: 10608-407, 10608-414 10 Digit Tax Account # 1700012996, 0814000355
Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

(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

SEE ATTACHED SHEET

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

3. ☒ 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)

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 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:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6285 / dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER

Filing Date

Do Not Schedule Dates:

Reviewer

AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

By

2016-0041-A

ATTACHMENT TO PETITION FOR SPECIAL HEARING
Case No. 2016-0041-SPHA

Special Hearing for approval of business parking in a residential zone (DR3.5) pursuant to Section 409.8.B of the BCZR.

ATTACHMENT TO PETITION FOR VARIANCE
Case No. 2016-0041-SPHA

1. Variance from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces.
2. From Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively.
3. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE

9805 YORK ROAD and 9804 MONROE STREET

Legal Owners:

Ryan James Vaughan

Ryan James Vaughan

1401 Light Street

Baltimore, Maryland 21230

(410) 227-6963

Virginia Ann Pizza

VIRGINIA Ann Pizza

240 High Street

Baltimore, Maryland 21202

(410) 812-1161

Kelly Victoria Vaughan

Kelly Victoria Vaughan

1802 Leadburn Road

Baltimore, Maryland 21204

(813) 335-3393

A. Mary Roeder Vaughan

A. Mary Roeder Vaughan

1807 Thornton Ridge Road

Baltimore, Maryland 21204

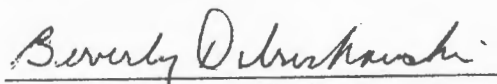
(410) 971-0066

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE**

9805 YORK ROAD and 9804 MONROE STREET

Contract Purchaser:

Beverly Dobrochowski, Vice President



Maryland Financial Realty, Inc.
2800 Quarry Lake Drive, Suite 340
Baltimore, Maryland 21209
(410) 308-0700



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 9805 York Road, 9804 Monroe Street which is presently zoned BL-CCC, DR3.5
Deed References: 10608-407, 10608-414 10 Digit Tax Account # 1700012996, 0814000355
Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

(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

SEE ATTACHED SHEET

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

3. ☒ 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)

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 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:

SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner

(Contract Purchaser)

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2016-0041-SPHA

Filing Date

8/18/15

Do Not Schedule Dates:

Reviewer

AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

By

ATTACHMENT TO PETITION FOR SPECIAL HEARING
Case No. 2016-0041-SPHA

Special Hearing for approval of business parking in a residential zone (DR3.5) pursuant to Section 409.8.B of the BCZR.

ATTACHMENT TO PETITION FOR VARIANCE
Case No. 2016-0041-SPHA

1. Variance from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces.
2. From Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively.
3. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE

9805 YORK ROAD and 9804 MONROE STREET

Legal Owners:

Ryan James Vaughan

Ryan James Vaughan

1401 Light Street

Baltimore, Maryland 21230

(410) 227-6963

Virginia Ann Pizza

VIRGINIA Ann Pizza

240 High Street

Baltimore, Maryland 21202

(410) 812-1161

Kelly Victoria Vaughan

Kelly Victoria Vaughan

1802 Leadburn Road

Baltimore, Maryland 21204

(813) 335-3393

A. Mary Roeder Vaughan

A. Mary Roeder Vaughan

1807 Thornton Ridge Road

Baltimore, Maryland 21204

(410) 971-0066

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE**

9805 YORK ROAD and 9804 MONROE STREET

Contract Purchaser:

Beverly Dobrochowski, Vice President

Beverly Dobrochowski

Maryland Financial Realty, Inc.
2800 Quarry Lake Drive, Suite 340
Baltimore, Maryland 21209
(410) 308-0700



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 9805 York Road, 9804 Monroe Street which is presently zoned BL-CCC, DR3.5
Deed References: 10608-407, 10608-414 10 Digit Tax Account # 1700012996, 0814000355
Property Owner(s) Printed Name(s) SEE ATTACHED SHEET

(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

SEE ATTACHED SHEET

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

3. ☒ 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)

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 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:
SEE ATTACHED SHEET

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner (Contract Purchaser):

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):
SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address City State

21204 410-494-6285 dhkarceski@venable.com

Zip Code Telephone # Email Address

CASE NUMBER

2016-41-SPHA

Filing Date

8.18.15

Do Not Schedule Dates:

Reviewer

AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

By

ATTACHMENT TO PETITION FOR SPECIAL HEARING
Case No. 2016-0041-SPHA

Special Hearing for approval of business parking in a residential zone (DR3.5) pursuant to Section 409.8.B of the BCZR.

ATTACHMENT TO PETITION FOR VARIANCE
Case No. 2016-0041-SPHA

1. Variance from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces.
2. From Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively.
3. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE

9805 YORK ROAD and 9804 MONROE STREET

Legal Owners:

Ryan James Vaughan

Ryan James Vaughan

1401 Light Street

Baltimore, Maryland 21230

(410) 227-6963

Virginia Ann Pizza

VIRGINIA Ann Pizza

240 High Street

Baltimore, Maryland 21202

(410) 812-1161

Kelly Victoria Vaughan

Kelly Victoria Vaughan

1802 Leadburn Road

Baltimore, Maryland 21204

(813) 335-3393

A. Mary Roeder Vaughan

A. Mary Roeder Vaughan

1807 Thornton Ridge Road

Baltimore, Maryland 21204

(410) 971-0066

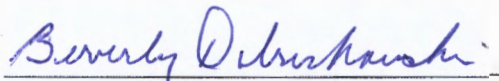
2016-0041-A

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING AND VARIANCE**

9805 YORK ROAD and 9804 MONROE STREET

Contract Purchaser:

Beverly Dobrochowski, Vice President



Maryland Financial Realty, Inc.
2800 Quarry Lake Drive, Suite 340
Baltimore, Maryland 21209
(410) 308-0700

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Property Description For 9805 YORK ROAD

Beginning for the same at a pin and cap ("CORP#72") heretofore set on the westerly side of Monroe Street, 40-feet wide, and at the front common corner of Lots 27 and 28 of Block BB as shown on the plat entitled "Plat No. 2, Timonium Heights" and recorded among the Land Records of Baltimore County, Maryland in Plat Book 7, Page 15, said pin and cap also being at the beginning of the second or South 71° 17' 14" West 245.94 feet line of a deed from Carbroc, LLC to York Road Powerhouse LLLP, dated January 9, 2014 and recorded among the said Land Records in Book 34658, Page 445, thence leaving the last mentioned deed and binding on the easterly side of Lots 27 through 25 of the said plat and on the said westerly side of Monroe Street, as now surveyed, with bearings referred to the Maryland Coordinate System (NAD'83/91),

1. South 18° 42' 46" East 60.00 feet to a Mag. Nail now set at the front common corner of Lots 25 and 24 as shown on the aforesaid Plat, said pin and cap being at the northeast corner of the land conveyed by and described in a deed from James E. Nash to James E Nash and Laura R. Nash, dated March 19, 2014 and recorded among the aforesaid Land Records in Book 347901, Page 067, thence leaving the aforesaid Monroe Street and binding on the division line between the said Lots 25 and 24,
2. South 71° 17' 14" West 125.95 feet to a pin and cap now set at the rear common corner of the aforesaid Lots 25 and 24 and at the rear common corner of Lots 13 and 14 as shown on the aforesaid plat, thence continuing to bind on the aforesaid land of Nash and binding on the division line between Lots 24 and 13 and between Lots 23 and 15, all as shown on the aforesaid plat,
3. South 18° 42' 46" East 40.00 feet to a pin and cap now set at the rear common corner of the aforesaid Lots 23 and 15 and at the rear common corner of Lots 22 and 16 as shown on the aforesaid plat, said pin and cap being at the northeast corner of the land conveyed by and described in a deed from Virginia R. Storm to Anoushirvan Shojae-Chaghorvand and Constance Ann Shojae-Chaghorvand, dated March 30, 2001 and recorded among the aforesaid Land Records in Book 15126, Page 636, thence leaving the aforesaid land of Nash and binding on the division line between the aforesaid Lots 15 and 16 and binding on the northerly outline of the land described in the last mentioned deed,
4. South 71° 17' 14" West 119.94 feet to a pin and cap now set and to intersect the easterly right of way line of York Road, 80-feet wide, as shown on Maryland State Highway Administration Plat No. 42202, thence binding on the said right of way line and crossing Lots 15 through 11 as shown on the aforesaid plat,
5. North 18° 44' 28" West 100.00 feet to a pin & cap (MRA) heretofore set in the division line between the aforesaid Lot 11 and Lot 10 as shown on the aforesaid plat, said pin and cap also being at the end of the aforesaid second line of the first mentioned deed, thence leaving the aforesaid York road and binding reversely on the said second line and binding on the division line between Lots 10 and 11 and between Lots 27 and 28, all as shown on the first mentioned plat,
6. North 71° 17' 14" East 245.94 feet to the place of beginning.

Containing an area of 19,556 square feet or 0.449 acres of land, more or less and being located in the Eighth Election District and Third Council District of Baltimore County Maryland.



2016-0041-A

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



Zoning Property Description For 9805 YORK ROAD

Beginning for the same at a pin and cap ("CORP#72") heretofore set on the westerly side of Monroe Street, 40-feet wide, and at the front common corner of Lots 27 and 28 of Block BB as shown on the plat entitled "Plat No. 2, Timonium Heights" and recorded among the Land Records of Baltimore County, Maryland in Plat Book 7, Page 15, said pin and cap also being at the beginning of the second or South 71° 17' 14" West 245.94 feet line of a deed from Carbroc, LLC to York Road Powerhouse LLLP, dated January 9, 2014 and recorded among the said Land Records in Book 34658, Page 445, thence leaving the last mentioned deed and binding on the easterly side of Lots 27 through 25 of the said plat and on the said westerly side of Monroe Street, as now surveyed, with bearings referred to the Maryland Coordinate System (NAD'83/91),

1. South 18° 42' 46" East 60.00 feet to a Mag. Nail now set at the front common corner of Lots 25 and 24 as shown on the aforesaid Plat, said pin and cap being at the northeast corner of the land conveyed by and described in a deed from James E. Nash to James E Nash and Laura R. Nash, dated March 19, 2014 and recorded among the aforesaid Land Records in Book 347901, Page 067, thence leaving the aforesaid Monroe Street and binding on the division line between the said Lots 25 and 24,
2. South 71° 17' 14" West 125.95 feet to a pin and cap now set at the rear common corner of the aforesaid Lots 25 and 24 and at the rear common corner of Lots 13 and 14 as shown on the aforesaid plat, thence continuing to bind on the aforesaid land of Nash and binding on the division line between Lots 24 and 13 and between Lots 23 and 15, all as shown on the aforesaid plat,
3. South 18° 42' 46" East 40.00 feet to a pin and cap now set at the rear common corner of the aforesaid Lots 23 and 15 and at the rear common corner of Lots 22 and 16 as shown on the aforesaid plat, said pin and cap being at the northeast corner of the land conveyed by and described in a deed from Virginia R. Storm to Anoushirvan Shojae-Chaghorvand and Constance Ann Shojae-Chaghorvand, dated March 30, 2001 and recorded among the aforesaid Land Records in Book 15126, Page 636, thence leaving the aforesaid land of Nash and binding on the division line between the aforesaid Lots 15 and 16 and binding on the northerly outline of the land described in the last mentioned deed,
4. South 71° 17' 14" West 119.94 feet to a pin and cap now set and to intersect the easterly right of way line of York Road, 80-feet wide, as shown on Maryland State Highway Administration Plat No. 42202, thence binding on the said right of way line and crossing Lots 15 through 11 as shown on the aforesaid plat,
5. North 18° 44' 28" West 100.00 feet to a pin & cap (MRA) heretofore set in the division line between the aforesaid Lot 11 and Lot 10 as shown on the aforesaid plat, said pin and cap also being at the end of the aforesaid second line of the first mentioned deed, thence leaving the aforesaid York road and binding reversely on the said second line and binding on the division line between Lots 10 and 11 and between Lots 27 and 28, all as shown on the first mentioned plat,
6. North 71° 17' 14" East 245.94 feet to the place of beginning.

Containing an area of 19,556 square feet or 0.449 acres of land, more or less and being located in the Eighth Election District and Third Council District of Baltimore County Maryland.



2016-0041-A

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

No. **127380**
 Date: **8/18/15**

PAID RECEIPT

BUSINESS ACTUAL TIME: DEB
 8/18/2015 8/18/2015 13:47:46 1

REC MSD1 WALKIN LRAS LJR
 >> RECEIPT # 605964 8/18/2015 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$1,000

Dept 5 520 ZONING VERIFICATION
 CR NO. 127380

Recpt Tot \$1,000.00
 \$1,000.00 - CK \$0.00 CA
 Baltimore County, Maryland

Total: **\$1,000**

Rec From: _____
 For: **9805 YORK RD.**
2016-0041-SPHA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

RECEIVED

NOV 16 2015

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

(9805 York Road & 9804 Monroe St.)

**8th Election District
3rd Council District**

**Ryan James Vaughan, *et al.*,
Owners**

**MD Financial Realty, Inc.,
Contract Purchaser**

* **BEFORE THE** OFFICE OF ADMINISTRATIVE HEARINGS
* **OFFICE OF**
* **ADMINISTRATIVE HEARINGS**
* **FOR BALTIMORE COUNTY**
*
* **Case No. 2016-0041-SPHA**
*
*

* * * * *

PETITIONER'S CROSS MOTION FOR RECONSIDERATION

Pursuant to Rule 4K of Appendix G of the Baltimore County Zoning Regulations ("BCZR"), Petitioner hereby moves for reconsideration of the October 21, 2015 Order of the Office of Administrative Hearings ("OAH") in the above-captioned matter and states as follows:

INTRODUCTION

This matter came before OAH on October 14, 2015 for consideration of petitions for special hearing and variance. The petition, as presented, requested special hearing relief pursuant to BCZR § 500.7, to permit business parking in a residential zone (DR 3.5). The variance relief was three-fold including the following requests: (1) to allow 31 off-street parking spaces in lieu of 62 spaces pursuant to § 409.6.A.2; (2) to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 ft. and 6 ft. in lieu of the required 75 ft. and 50

ft. respectively; and (3) to allow parking spaces in a surface parking facility to be as close as 7 ft. to the right-of-way line of a public street for York Road.

Following the hearing, OAH issued a decision that approved the petition for special hearing and two (2) of the requests for variance, but denied the variance request pertaining to a reduction of the RTA buffer. On November 9, 2015, the County Home Park Community Association (the "Protestants") filed a Motion for Reconsideration requesting that the portion of the relief that was granted by OAH also be denied. This pleading responds to both the OAH Order and Motion filed by the Protestants, and proposes an overall solution to the issues raised by all parties in this case.

PROPOSED SOLUTION

I. Removal of Request for RTA Reduction and Commercial Parking in a Residential Zone

The clear concern in this case raised by the Protestants is the RTA variance and the potential impact that such a reduction could have on the neighboring residential community. Rather than ask OAH to reconsider its denial, this pleading focuses on a solution – a revised site plan – that removes the request for RTA variance and only requires variances to the total number of provided parking spaces and the setback from York Road (variances already granted by OAH). *See* Revised Petition and Site Plan, respectively attached hereto as Exhibits A and B. As the Revised Site Plan reveals, 9804 Monroe Street, which lies between 9805 York Road and the residential community to the east, is no longer proposed for parking or any other commercial use. The site plan now focuses entirely on 9805 York Road, and proposes 18 surface parking spaces on the property to serve a proposed 4,140 square foot commercial building, without any use of 9804 Monroe Street or the existing surface parking area to the north of 9804 Monroe Street.

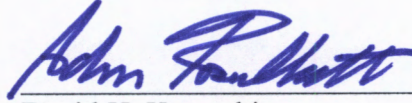
II. Revision to Proposed Use

Another concern raised by the Protestants was the type of commercial tenants proposed for the property, which under the previous site plan could have been entirely restaurant use. Protestants argued at the hearing, and again in their Motion for Reconsideration, that a retail use would require less parking and be more appropriate for this property. As the Revised Site Plan reveals, Petitioners are now proposing a combination of retail and restaurant uses for the proposed 4,140 square foot building with 2,940 square feet proposed for retail space (14.7 required spaces) and 1,200 square feet proposed for restaurant space (19.2 spaces). The total number of required parking spaces under BCZR § 409.6.A.2 is now 35. The Revised Site Plan therefore requires a variance to allow 18 off-street parking spaces in lieu of the required 35 spaces pursuant to § 409.6.A.2. On a percentage basis, the revised request is less intensive than the variance granted by OAH under the original site plan ($18/35 = 48\%$ reduction; $31/62 = 50\%$ reduction). The setback variance from York Road remains the same, and the variance for RTA reduction is no longer necessary.

CONCLUSION

The Revised Petition and Site Plan offer a solution to the issues raised by the Protestants and propose a compromise whereby the proposed use can be implemented without incorporating the residential property known as 9804 Monroe Street. The Revised Site Plan relies only on variances already granted and actually reduces the percentage of the parking variance granted in the October 21, 2015 Order. Accordingly, Petitioners hereby request that OAH issue an Amended Order approving the Revised Site Plan and granting the relief requested in the Revised Petition.

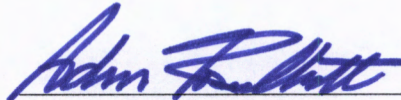
Respectfully submitted,



David H. Karceski
Adam M. Rosenblatt
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204
(410) 494-6825
dkarceski@venable.com

CERTIFICATE OF SERVICE

I hereby certify on this 16th day of November, 2015, that a copy of the foregoing pleading was mailed to the County Home Park Community Association, Inc., 122 Gibbons Boulevard, Cockeysville, MD 21030.



Adam M. Rosenblatt

EXHIBIT A

REVISED ATTACHMENT TO PETITION FOR VARIANCE
Case No. 2016-0041-SPHA

1. Variance from Section 409.6.A.2 of the BCZR to allow 18 off-street parking spaces in lieu of the required 35 parking spaces.
2. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

EXHIBIT B

**County Home Park Community Assn., Inc.
& neighborhood residents
122 Gibbons Boulevard
Cockeysville, MD 21030
November 9, 2015**

RECEIVED

NOV 10 2015

Judge John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Motion for Reconsideration in Case # 2016-0041-SPHA
Petition for Variance & Special Exception
9805 York Road & 9804 Monroe Street, Cockeysville, MD

Dear Judge Beverungen:

This letter is making a Motion for Reconsideration of the decision rendered in the above case on behalf of our community and some of the nearby neighbors directly affected by this case. It is being made within the required 30 days of the date of the original order, that being October 21, 2015, in accordance with Rule K of the Hearings Rules. While our community fully supports your denial of the petitioner's request to basically eliminate the required 75 ft. & 50 ft. RTA buffers, we do find that if the required RTA buffers are supported, then it would not be feasible to grant the parking variance. Further, we do not feel that any consideration has been assessed as to how granting this site plan will cause a conflict with the Board of Appeals case rendered on the adjacent restaurant parcel to the north in Case No. 07-158-SPH dated May 11, 2010. Implementing the petitioner's site plan will remove required parking spaces on the adjacent parcel owned by York Road Powerhouse, LLLP at 9811 York Road. Our request for reconsideration is made based on the following factors.

1. The Site

The petitioner's site is composed of two separate parcels of ground. The site plan fails to show the lot line separating the two parcels and instead tends to indicate that the site is one "L"-shaped parcel. The submitted plan fails to comply with Item #8 of the Zoning Checklist (Rev. 5/21/14) in that the lot lines for the subject site are missing, as are the lot numbers and subdivision name. It also fails to comply with Item #11 of the same Checklist in that the existing two commercial buildings on the 9805 York Road parcel are missing as well as the home at 9804 Monroe Street. Also the portion of the existing use-in-common shared driveway for 9802

& 9804 Monroe Street that exists on the 9804 property is also not shown. (Attached is a portion of the site plan showing the two individual parcels in red.) The 9805 York Road parcel is essentially a square parcel of BL-CCC zoned land slightly over a quarter acre in size and has been used as a commercial office site for at least a few decades. The other parcel at 9804 Monroe Street is a single-family home which is comparable in size to numerous homes and parcels within our adjoining community and has been used as a rental property by the owners also for at least a few decades. It is split zoned: primarily zoned D.R. 3.5, but a small strip of BL-CCC exists along the rear of the property primarily within the half of the 12-foot wide paper alley.

While the petitioner makes a case that the parcel is irregularly shaped and split zoned, in reality such a case could only be made if one were to assume that the two existing parcels in fact exist as one, when instead they are two distinct, adjacent, and disparate parcels that happen to be owned by the same individuals. One is a commercial property with sole access to busy York Road and the other a residential home with sole access to a quiet residential street integrally located within our neighborhood. (The small commercially-zoned strip of this residential property is essentially contained within the half of a paper alley running along the rear of the property.) While we understand the owner's and petitioner's desires to meld an adjacent rear residential property into the use of a commercial property, and thus significantly increase the value of the residentially-zoned property by conversion to commercial use, the same arguments could be made along miles of commercial strip roadways throughout the County to basically grab residential properties from behind the commercial strips and convert their use to commercial. In doing so, such actions would gradually destroy the residential communities that exist behind these commercial strips. While anyone is certainly entitled to own adjacent commercial and residentially zoned parcels, there is absolutely no expectation that anyone can absorb the residentially-zoned property into an adjacent commercial use, and if anything the Baltimore County Zoning Regulations (BCZR) establish regulations to ensure that wherever such situations are requested, there must be a finding of compatibility.

2. Residential Transition Area (RTA)

As indicated earlier, we fully support your finding for denial of the request to essentially eliminate the required RTA. As stated in your opinion, the BCZR do not allow a hearing officer

to reduce the amount of RTA unless such a reduction will not adversely impact the residential community. As our community members testified at the hearing, we have a history of parking issues and complaints due to the commercial parking lot to the north of this site at 9811 York Road, both under the operation as Kosmakos Restaurant and as Piv's Pub. Among some of the problems, we had employees parking within the community along Monroe Street rutting up the grassy right-of-way and destruction of what was supposed to be a landscaped buffer. The fencing around the lot also fell into disrepair and esthetically the parking lot intrusion into the community adversely affected the residential character of the neighborhood. After over a four-year period of going through filing zoning complaints, having a hearing before the Zoning Commissioner, and three different hearings before the Board of Appeals, the issue was finally mutually resolved with Piv's Pub, by the Board of Appeals Order of May 11, 2010 in Case No. 07-158-SPH. The actions taken by Piv's Pub after that order have satisfactorily resolved the long-standing issues, but the community is still left with the undesirable aspects of this commercial parking lot within our neighborhood. Unfortunately, the allowance for that commercial parking in a residential zone occurred prior to the mid-1970's when there were no requirements for consideration of RTAs and also there was no area Master Plan in effect governing commercial and residential development within this York Road corridor.

Knowing the adverse consequences from the 9811 York Road parcel with which the residents have dealt, we feel that it is critical that the laws enacted by the County Council in 1992 with regard to RTAs must be strictly applied in this case (BCZR Sec. 1B01.1.B.) The RTA is generated on a property zoned DR 3.5 if it contains a single-family, semi-detached, or duplex dwelling within 150 feet of the tract boundary. In this case, the petitioner shows one RTA for the adjacent dwelling at 9802 Monroe Street. However, the house across the street at 9807 Monroe Street is located about 84 feet from the tract boundary, the house at 6 Gibbons Boulevard is located about 70 feet from the tract boundary, and the house at 9811 Monroe Street is located about 146 feet from the tract boundary. Therefore, there are four dwellings located within 150 feet of the tract boundary. While the petitioner shows the RTA lines measured from the southern property line, it fails to show that there are also overlapping RTA areas that should be measured from the eastern property line on Monroe Street across from the house at 9807 Monroe Street.

We feel that any reduction in the required 75 feet and 50 feet RTA buffers will definitely adversely impact our residential community, the nearby homes on the lands adjacent to the property proposed to be developed, as well as the additional homes located with 150 feet of the tract boundary. Mr. Nash's property at 9802 Monroe Street would definitely depreciate in value by the petitioner removing a viable residential home with front and rear yards next to him and replacing them with paving and a stockade fence nearly on his property line for almost the entire length of his side yard. By taking actions to convert a residential property to a parking lot simply to support one of the most intense commercial uses of a restaurant and further destroying the residential compatibility within the adjoining neighborhood, for the purpose of increasing the current and historic value of the 9805 York Road property, Mr. Nash at 9802 Monroe Street is supposed to suffer a financial loss on the value of this property.

In addition, we've unfortunately experienced the adverse impacts due to a special exception for commercial parking in a residential zone granted over 40 years ago and therefore seek assurance that the protections put in place by the County Council since that time will prevent further aggravation of the adverse consequences with which this community has had to deal. The Department of Planning confirms in their comments that this site is located within the Hunt Valley/Timonium Master Plan and that in that document the County Council calls for protecting the adjacent Community Conservation Area (of which our residential neighborhood is a part) to, "Restrict nonresidential land uses from encroaching into residential areas." Clearly tearing down a residential home and replacing it with a parking lot and a stockade fence next to the existing homes and street with virtually no buffer around it is in direct conflict with the Council's intent in adopting the Master Plan which is to govern development activity within this area.

BCZR Sec. 1B01.1.B.1.e. requires that the required 50-ft. RTA buffer remain an upgraded, uncleared, landscaped buffer (and if around a parking area permitted under BCZR Sec. 409.8.B, which applies in this case, must also meet the requirements of a Class A landscape plan). Further, no parking area can be closer than 75 feet to the tract boundary. Considering that the parcel itself is only 60 feet wide, the petitioner proposes to do nothing less than totally destroy this requirement of the BCZR and not even make any attempt to provide compatibility or reduce adverse consequences. While the petitioner made no presentation on

how the proposal would not adversely impact the community, given that the residential parcel is configured for a single-family home and not as a sea of blacktop, it is near impossible to believe how a legitimate argument could be made for compatibility and lack of adverse impacts.

As such, we fully support your denial of the petition for variance of the RTA to reduce the required distances of 75 feet and 50 feet by a total of 100% elimination and 88% reduction, respectively.

3. Commercial Parking in a Residential Zone

Under BCZR 409.8.B, the Zoning Commissioner may grant such parking conditional on, "The character of the surrounding community and the anticipated impact of the proposed use on that community." For all of the reasons outlined above with respect to RTAs, we feel that the community would clearly be adversely impacted by granting a permit to allow business parking in this DR 3.5 zone. The community has had a long documented history of the problems created by the granting of such a permit. We find that any decision to grant this permit would only further exacerbate such problems. This parcel is so small that any ability to remedy or mitigate future problems would be nearly impossible. At least when we worked with Piv's Pub, they had a large piece of ground through which we were able to successfully negotiate a solution. The subject site is so small, once it is destroyed there will be nothing left to address the problems except through continual complaints to Zoning Enforcement.

In addition, there is a critical deficiency with the proposal for placing this parking in a residential zone. The petitioner shows utilization of access aisles through the adjacent parking lot at 9811 York Road in order to allow their small parking lot in the residential zone to function. Such a proposal conflicts with the previously referenced Order from the Board of Appeals in Case No. 07-158-SPH in which they approved an amended site plan, which in part provides for a parking variance to only provide 92 spaces in lieu of the required 136 spaces. Thus, the parking on that site is already deficient by 44 parking spaces, providing only 68% of the parking required under BCZR. Also, an 8-foot-high wood fence is required to be installed along the lot line running along the entire north side of 9804 Monroe Street. The petitioners submitted plan proposed to remove four (4) of the required parking spaces at 9811 York Road which would place that property in non-compliance with the Board's Order. Any attempt to do so

would cause our Association to immediately file a Zoning Complaint on Fazzini's Taverna and would have the potential of reopening a case that took years to successfully resolve. Our Association is adamantly opposed to ANY proposals which would modify the Board of Appeal's Order in that case and destroy the years of work it took to resolve it. We feel that the current petitioners were negligent in failing to bring to your attention the factor involving this prior case, and Fazzini's certainly should not have offered any assistance to this proposal when it would cause them to violate the legal constraints that exist on their property. It is possible that the current owners of Fazzini's are not fully aware of the subject 2010 Order since at that time the owner was Carbroc, LLC owned by the Pivec family.

4. Variance of Required Parking to allow 31 Spaces in lieu of the required 62 Spaces

The requested variance is based on the use of the 9805 York Road property as a fast-food or standard restaurant, which requires 16 spaces per 1000 sq. ft. While a restaurant use would require 62 spaces with the proposed building, if the building had retail uses such as a bank, beauty shop/barbershop, carry-out restaurant, furniture or carpet store, health care center, medical office, car rental agency, general office use, or personal service establishment (among other similar uses), all of them would be able to essentially accommodate the required amount of parking on the York Road parcel alone without requesting any parking variance, or at the least with a minimal variance. Then there would also be no need to request commercial parking in a residential zone. It is only because the petitioner wants to place one of the most intense commercial uses on the York Road parcel that creates the petitioner's "hardship". The property has been used for offices for a very extended period (decades), but only because the petitioners are asking to allow a high-intensity use which the parcel cannot accommodate on its own do they then have to look at alternatives which push their commercial activity into the adjacent residential community. On top of that, when they propose to place this high-intensity use on the York Road property and in addition destroy the residential property to the rear, even then those actions only end up providing 50% of the required parking needed to support the restaurant use.

While not specifically referenced in your Order, at the hearing the petitioner put forth the idea of sharing parking with Fazzini's. While we would agree that a use like an office that closes

at 6 p.m. every day might be able to share parking with an adjacent restaurant which tends to have peak parking demands at night and weekends, there is clearly no sharing when the uses are the same. BCZR allows shared parking under Sec. 409.6.B.3. However, when both uses are the same, such as both restaurants, no consideration is to be given to shared parking. In addition, in this case Fazzini's is already dealing with a parking deficiency of 44 spaces less than they are required to have; as such, they are supplying only about two-thirds of the required parking. The Board of Appeals' Order would also prohibit them from entering into any agreements to share parking with the petitioners. On top of that, BCZR 409.7.C. would require a written guarantee of continued future availability for off-site or shared parking, which doesn't exist. Therefore, for a variety of reasons, there is certainly nothing definitive presented by the petitioner indicating that they have rights of use to any of Fazzini's property to help satisfy any of their parking needs, and the Board of Appeals' Order would prevent any such rights unless their Case were re-opened and a different decision rendered.

5. ZAC Comments from Development Plans Review

We note that this agency does not support the parking variance because it may cause patrons to park on Monroe Street. Our experiences with the Kosmakos Restaurant had us experiencing this exact problem with patrons and more so with employees parking in the community on a regular basis. However, the parking variance being required here is far in excess of what exists with Kosmakos and Piv's Pub. Piv's Pub provided 92 spaces in lieu of a required 136, or 68% of the total required. The petitioner's request is for 31 spaces in lieu of 62, only half of what is required.

This agency also points out the shared driveway of #9802 & 9804 Monroe Street, that Mr. Nash has been using for decades, and that removal of a portion of this driveway will leave him with an 8.5-foot wide driveway.

Development Plans Review also noted the elimination of the four (4) parking spaces on the 9811 York Road property. While they note that parking calculations should be made for that side, we're sure they are unaware of the existing parking variance and sub-standard parking on that site as well as the Board of Appeals' decision that makes the removal of those spaces currently not possible.

In conclusion, it is our opinion that the petitioner's combining of a commercially zoned parcel with a residentially zoned parcel to the rear, then proposing use of the commercial parcel with one of the most intense uses, then tearing down a residential home in a Community Conservation Area and walling it off in order to gain a total amount of parking which is only half of what is required under BCZR is an irresponsible act using the properties far beyond what is intended by the County Council in their adoption of the BCRZ, the zoning maps, and the area Master Plan. The two individual parcels are quite consistent with the nearby commercial and residential parcels, in their respective zones. Even the Pizza Palace carry-out restaurant immediately to the south of this property is smaller than the subject property, but it has successfully operated for many years as such and prior to that was a bicycle shop for many years. The Padonia Veterinary Hospital at 9827 York Road of nearly identical size, just three properties to the north, has also operated there successfully for decades with the same use. There are also several similarly sized nearby BL parcels along York Rd just to the south of Padonia Rd likewise with residential D.R. 3.5 zoned properties and single-family homes behind them. The petitioner opines that there is a uniqueness to the property, but the uniqueness is only created by their combining two dissimilar parcels of ground that were never intended by the County Council to be a combined commercial use. If it were the Council's intent that such residential properties could be usurped into the commercial strips lying behind them, then they would allow such combinations to be done by right and eliminate RTA requirements. Furthermore, the Maryland Court of Special Appeals defined the term "uniqueness" with regard to variances in *Cromwell v. Ward*, 102 Md.App. 691 [651 A. 2d.424] (1995) and stated, "In the zoning context the 'unique' aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. 'Uniqueness' of a property for zoning purposes, requires that the subject property has an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access, or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions ... " This particular site is composed of two individual parcels, both in no way unique, unusual, or different from other properties that exist within their respective zones, BL and D.R. 3.5. respectively, with

commercial examples outlined above. Comparing the 9805 York Road property with other similar commercial properties in the BL zone, north and south along York Road, and utilizing the Maryland Department of Assessment & Taxation, Real Property System maps, can further verify that this commercial site is not unique from other nearby commercial properties and the Court of Special Appeals allowed such comparisons for evaluating uniqueness in *Riffin v. People's Counsel for Baltimore County*, 137 Md.App. 90 (2001).

If the size and shape of a site could merely be determined to be unique due to the fact that it has been purposely composed of adjacent but dissimilar and disparate parcels (such as combining a commercial parcel with a different-sized and configured residential parcel or an industrial parcel with a different-sized and configured rural conservation parcel), such "uniqueness" would simply be contrived. Clearly there is no intent in the law to allow property owners to create "uniqueness" by creating "odd-shaped" sites out of what are clearly consistent parcels within their own separate zoning classification, and once such "uniqueness" is created then use special exceptions and/or variances to carry the higher-intensity zoning into the lower-intensity zoning areas that do not permit such uses. Also, the fact that the petitioners in this case are electing to request one of the highest intense uses of a restaurant for this site, rather than proceed with one of numerous commercial uses allowed in a BL-CCC zone and successfully implemented by numerous other nearby property owners along York Road with parking demands that can be accommodated on the commercial parcel, it appears to be a self-generated "hardship". The value and use of all properties throughout the County are limited by their size and location, and the County's zoning laws already allow a large number of legal uses with minimal to no parking variances for the 9805 York Road parcel.

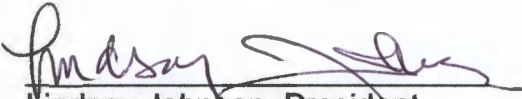
Lastly, while we totally agree with your findings that the required RTA buffers of 50 feet and 75 feet must be maintained, given that no parking lot can be built within the 75-foot buffer and that prohibits construction of any commercial parking within the D.R. 3.5 zone, then no parking lot can be constructed on the residential property of 9804 Monroe Street. It therefore appears inconsistent to grant the petitioner a use permit for use of residentially zoned land for commercial parking since application of the required RTAs negates any need for such a use permit. In addition, because the 14 parking spaces shown on 9804 Monroe Street are all

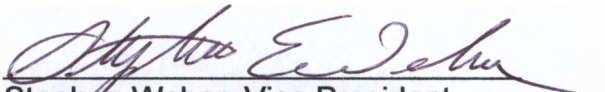
located within the required RTA, and thus cannot be built, this leaves the site with only 17 parking spaces in front of the building next to York Road. Therefore, it also seems inconsistent to grant the petitioner a variance for 31 spaces in lieu of the required 62 since only 17 spaces could exist if the RTA is maintained. As stated before, while 17 spaces could satisfy a large number of commercial uses for the proposed building, it is only 27% of the spaces required for a full restaurant use. Thus we feel it would be appropriate for the Order to deny the parking variance and deny the use permit for a commercial parking facility in a residential zone in order to be consistent with the determination that the RTA buffers must be retained. For the numerous reasons previously outlined, we feel that both the parking variance and the use permit should be denied, even if the RTA was an issue not requiring consideration.

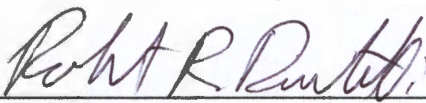
We thank you for reconsideration of your decision in this case for the reasons outlined. We have consulted with the Department of Planning and the Office of People's Counsel in preparing this request and are likewise notifying David Karceski, counsel for the petitioner, of this request.

Judge John E. Beverungen
November 9, 2015
Page 11

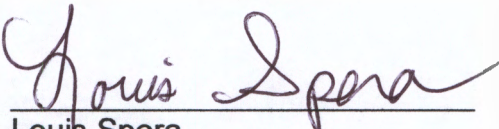
Sincerely,

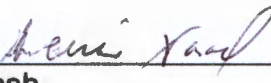

Lindsay Johnson, President
County Home Park Community Assn., Inc.

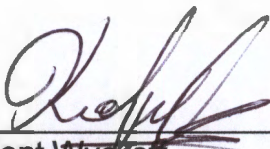

Stephen Weber, Vice President
County Home Park Community Assn., Inc.


Robert Donatelli
9807 Monroe Street


Julie Donatelli
9807 Monroe Street


Louis Spera
12-A Jefferson Avenue, 21030


Lewis Nash
9813 Monroe Street, 21030


Kent Wyckoff
6 Gibbons Boulevard, 21030

cc: Andrea Van Arsdale, Director, Dept. of Planning
Peter Zimmerman, Office of People's Counsel
Dennis Kennedy, Development Plans Review, PAI
David H. Karceski, Esq., Venable, LLP

Attachment

YORK ROAD - MD. ROUTE 45

(80' RM - SHA PLAT NOS. 42202 & 42203)

PARCEL #1
EXISTING 2
COMMERCIAL BLDGS
PLUS PARKING LOT

T.A.# 081400355
JAMES/KELLY/MARY VAUGHN RYAN
VIRGINIA ANN ROEDER VICTORIA PIZZA
9804 MONROE STREET
COCKEYSVILLE MD 21030
DEED REF: 10608/414
USE: RESIDENTIAL
ZONE: DR 3.5

PARCEL #2
EXISTING
SINGLE-FAMILY
HOME PLUS YARD
USE-IN-COMMON
DRIVEWAY

9805 YORK ROAD
COMMERCIAL
(RESTAURANT
AND/OR RETAIL)
3,867 S.F.

T.A.# 1700012986
JAMES/KELLY/MARY VAUGHN RYAN
VIRGINIA ANN ROEDER VICTORIA PIZZA
9805 YORK ROAD
COCKEYSVILLE MD 21030
DEED REF: 10608/407
USE: COMMERCIAL
ZONE: BL-COC

T.A.# 081400354
JAMES E NASH
9802 MONROE ST
COCKEYSVILLE MD 21030
DEED REF: 34790/67
USE: RESIDENTIAL
ZONE: DR 3.5

T.A.# 0810046170
KENT L AND CHERI A WYCKOFF
6 GIBBONS BLVD
COCKEYSVILLE MD 21030
DEED REF: 11226/440
USE: RESIDENTIAL
ZONE: DR 3.5

EX. PIZZA PALACE RESTAURANT

EX. RESIDENTIAL BUILDING

MONROE STREET
(40' RM - PLAT 7-15)

PAGE 12

T.A.# 19
JULIA SU
ROBERT
9807 M
COCKEYS
DEED RE
USE: RE
ZONE: D

CIMARRON LED

Cat.#

Job

Type



Approvals

SPECIFICATIONS

Construction:

- Stylish vertically finned die-cast solid top housing for maximum heat dissipation; Stops collection of unsightly debris from gathering on top of the housing

- Rugged lower die-cast aluminum heat sink accelerates thermal management and optimizes PCB and optical performance

- Separate optical and electrical compartment for optimum component operation

- One piece die cut silicone gasket ensures weather proof seal around each individual LED for IP65 rating

- Backlight Control (BC) option available for 85% spill light reduction, doesn't change fixture appearance or EPA, recommended for Type III and Type IV distributions

- Stamped bezel provides mechanical compression to seal the optical assembly

- Complements the Hubbell Southwest series of outdoor fixtures

- Weight - 45.0 pounds, EPA - 1.3 ft²

- Suitable for applications requiring 3G testing prescribed by ANSI C136.31

Optics:

- Choice of 72 high brightness LED configurations with individual acrylic lenses specially designed for IES Type II, III, IV and V distributions

- CCT: 3000K (80 CRI), 4000K (70 CRI), 5100K (67 CRI), and turtle friendly Amber LED options

- CRI: 70

Electrical:

- Universal input voltage 120-277 VAC, 50/60 Hz

- Integral step-down transformer for 347V & 480V

- Ambient operating temperature -40°C to 40°C

- Automatic thermal self-protection

- Drivers have greater than 90% power factor and less than 10% THD

- Optional continuous dimming to 10% or dual circuitry available

- LED drivers have output power over-

voltage, over-current protection and short circuit protection with auto recovery

- 1050 mA driver available with 90L configuration for increased lumen output

- LED electrical assembly, including PR devices, consumes no power in the 'off' state

- Surge protection of 20KA 8/20 µSec wave; clamping voltage of 320V & surge rating of 273J

Controls:

- Features exclusive wiHUBB technology -Wireless system for On/Off and 0-10VDC full range dimming control -Programmable autonomous operation

- Drivers are 0-10V dimming standard. Photocell and occupancy sensors available for complete on/off and dimming control

Lumen maintenance:

- L90 at 60,000 hours (Projected per IESNA TM-21-11)

Installation:

- Two die-cast aluminum arm designs: The decorative arm offers a sleek upswept look while the straight arm follows the housing's contoured lines for continuity of style

- Fixture ships with arm installed for ease of installation and mounts to #2 drill pattern

- Wall bracket, mast arm, fitter and pole accessories are also available allowing easy mounting for virtually any application

Finish:

- TGIC thermoset polyester powder paint finish applied at nominal 2.5 mil thickness

Warranty:

Five year limited warranty (for more information visit: <http://www.hubbelloutdoor.com/resources/warranty/>)

Listings:

- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations

- Models meet DesignLights Consortium (DLC) qualifications, consult DLC website for more details: <http://www.designlights.org/OPL>

- IDA approved • IP65

PRODUCT IMAGE(S)



90 LED 3/4 VIEW



30 LED

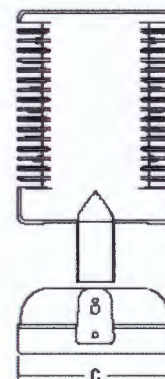
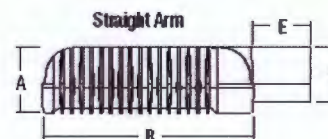
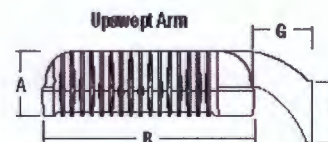


60 LED



90 LED

DIMENSIONS



A	B	C	D	E	F	G
6 3/4" 171mm	21 3/4" 562mm	16" 406mm	6 5/8" 168mm	6 5/16" 160mm	6 5/8" 143mm	6 1/8" 156mm

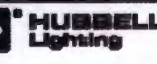
CERTIFICATIONS/LISTINGS



ORDERING INFORMATION SEE NEXT PAGE



Spaulding Lighting • 701 Millennium Boulevard • Greenville, SC 29607 • Phone: 864-678-1000
Due to our continued efforts to improve our products, product specifications are subject to change without notice.
© 2014 SPAULDING LIGHTING, All Rights Reserved • For more information visit our website: www.spauldinglighting.com • Printed in USA CL143-SPEC 8/14



PETITIONER'S EXHIBIT

9

CIMARRON SERIES

Cat.#

Job

Type

Approvals



SPALDING
LIGHTING

APPLICATIONS

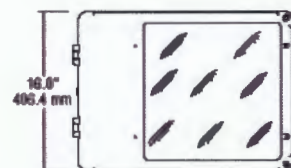
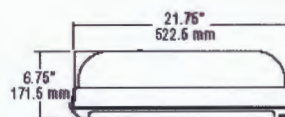
- Area and site lighting.

FEATURES

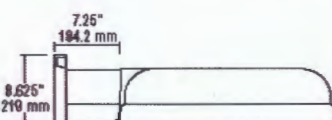
- Complements 'Southwest Series'
- IES Type II, III, V (square) and forward throw light distributions
- Flat lens design
- 100w to 400w lamps in HPS, and Pulse Start MH for design flexibility
- All distributions are field-rotatable
- Mounts on upswept, straight arms for poles or on wall bracket for a uniform project look
- 5 standard, 2 premium, and custom colors are available

LISTINGS/CERTIFICATIONS

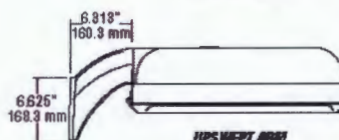
- Title 20 compliant
- UL 1598 listed and CSA certified for outdoor use in wet locations
- U.S. Patent No. D556,935
- IDA fixture seal of approval **EPA = 1.2 fF** (single unit with arm)



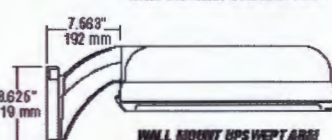
STRAIGHT ARM



WALL BRACKET STRAIGHT ARM



UPSWEPT ARM



WALL MOUNT UPSWEPT ARM

ORDERING INFORMATION

ORDERING EXAMPLE: CR1-A-P40-H3P-F-Q-DB-L

SELECT UNITS ARE STOCKED FOR IMMEDIATE SHIPMENT.

SERIES	SOURCE/WATTAGE	LAMP ORIENT./DISTR.	LENS	COLOR	OPTIONS
CR1 Cimarron	PULSE START METAL HALIDE	H2 Horiz. II - hydroformed	F Flat	DB Dark Bronze	WBAD Substitutes decorative upswept arm when WB wall bracket mounting is chosen
	P10 100w (ED-17 Med base)	H3 Horiz. III - hydroformed		BL Black	
	P12 125w (ED-17 Med base)	H3P Horiz. III - High Performance Series (segmented)		WH White	RPA2 Round pole adapter (2 3/4-3 1/8")
	P15 150w (ED-28 Mog base)	H4 Horiz. IV - multi-piece		GR Gray	RPA3 Round pole adapter (3 1/4-3 3/4")
	P17 175w (ED-28 Mog base)	H4P Horiz. IV - High Performance Series (segmented)		PS Platinum Silver	RPA4 Round pole adapter (3 7/8-4 1/2")
	P20 200w (T-15 Mog base)	H5 Horiz. V (square) - hydroformed		RD Red (premium color)	RPA5 Round pole adapter (5")
	P25 250w (ED-28 Mog base)	H5P Horiz. V - High Performance Series (segmented)		FG Forest Green (premium color)	RPA6 Round pole adapter (6")
	P32 320w (ED-28 Mog base)			CC Custom Color (consult factory)	F(X) Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)
	P35 350w (ED- Mog base)				P(X) Photo button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 6-347)
	P40 400w (ED-28 Mog base)				PR(X) Photo call receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)
	HIGH PRESSURE SODIUM				QZ Quartz RS with lamp
	S10 100w (ED-23.5 Mog base)				HS Internal house side shield (available for H2, H3 & H4 distributions)
	S15 150w (ED-23.5 Mog base)				VG Polycarbonate vandal guard
	S25 250w (ED-18 Mog base)				L Lamp
	S40 400w (ED-18 Mog base)				
MOUNTING			VOLTAGE		
A Arm mount construction (6" straight rigid arm included & acceptable for 90° configurations)			Q1 Quad-Tap® 120/208/240/277V		
AD Decorative arm mount const. (6" decorative upswept arm incl. & acceptable for 90° configurations)			V1 Five-Tap 120/208/240/277/480V (250 & 400w PSMH & HPS only)		
WB Wall bracket const. (includes wall bracket & 6" straight arm unless WBAD option is chosen which substitutes decorative upswept arm)			5 480V		
O No arm or wall bracket (only order without arm or wall bracket when they are ordered as an accessory)			T1 Tri-Tap® 120/277/347V		
			E 50Hz, 220/240V (250 & 400w PSMH & HPS only)		
			O No Ballast		

1 Factory wired for highest voltage unless specified

NOTE: All poles to be drilled with #2 pattern

Note: Mounting A and AD acceptable for 90 degree configurations

EASY ORDER FIXTURE AND POLE COMBINATIONS

Catalog Number	Description
CRPC-1-P25-H3-20	20ft 250w PMH, Type III
CRPC-1-P40-H3-20	20ft 400w PMH, Type III
CRPC-1-P40-H3-25	25ft 400w PMH, Type III
CRPC-1-P40-H4-20	20ft 400w PMH, Type IV
CRPC-1-P40-H4-25	25ft 400w PMH, Type IV
Twin Configurations	
CRPC-2-P25-H3-20	20ft 250w PMH, Type III
CRPC-2-P40-H3-20	20ft 400w PMH, Type III
CRPC-2-P40-H3-25	25ft 400w PMH, Type III
CRPC-2-P40-H4-20	20ft 400w PMH, Type IV
CRPC-2-P40-H4-25	25ft 400w PMH, Type IV

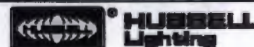
All Combos include lamp, anchor bolts, poles and fixtures, color is Dark Bronze



Spaulding Lighting • 701 Millennium Boulevard • Greenville, SC 29607 • Phone: 864-678-1000

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

© 2014 SPALDING LIGHTING, All Rights Reserved • For more information visit our website: www.spauldinglighting.com • Printed in USA CR1-SPC 9/14



JOSHUA T. SHARON
P.E., L.S.I.T., LEED AP BD+C.

Project Assignment:

Associate

Years of Experience:

MRA: 9-1/2

Education:

B.S., Civil Engineering,
University of Maryland, 2005

Active Registrations:

Professional Engineer - Maryland,

Land Surveyor in Training-
Maryland,

LEED Accredited Professional,

Professional Affiliations:

American Society of Civil Engineers

National Society of Professional
Engineers

Maryland Society of Professional
Engineers

Recognitions:

2009 Consultant of the Year by the
Baltimore County Soil
Conservation District



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Sharon is an Associate with Morris & Ritchie Associates, Inc.'s Towson office. Mr. Sharon has a comprehensive background in the civil engineering field. He has worked with Morris & Ritchie Associates on a variety of projects located in Baltimore City, Baltimore County, Anne Arundel County, Harford County, Garrett County and Frederick County.

Mr. Sharon has extensive experience in the design and development of an assortment of site development projects including single-family residential communities, multi-tenant neighborhoods, commercial properties, retail centers, hospitality buildings and telecommunication sites. He has extensive knowledge of the procedures for processing permits and developments through Baltimore County and other jurisdictions.

As an Associate in MRA's Towson office, Mr. Sharon is responsible for engineering design of development projects, day-to-day management of client services and preparation of construction documents.

Mr. Sharon has extensive design experience that includes site layout and design, grading, earthwork analysis, storm drain and utility design, hydrology and hydraulic analysis and design, erosion and sediment control design, culvert analysis and design, roadway design and stormwater management design for both commercial lots and residential subdivision projects.

PETITIONER'S

EXHIBIT NO.

10

Mr. Sharon is experienced in developing alternatives analysis to evaluate cost effective design options, and solving design problems with severe site constraints.

Examples of Mr. Sharon's project experience include:

10 Light Street, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of the conversion of the 10 Light Street building from office to 430 residential apartments.

5601 Eastern Avenue, Baltimore City, Maryland - Civil Project Engineer for site planning and engineering design of a mixed-use redevelopment PUD project with retail, residential apartments and hospitality.

6300 York Road, Baltimore City, Maryland - Civil Project Engineer for engineering design of an inline-retail addition project to a successful shopping center.

801 Goucher Boulevard, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of a 14.5 acre shopping center containing over 157,000 s.f. of retail space.

725 Butler Road, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of a commercial center consisting of historic buildings and new construction. Project work included the first pervious concrete stormwater management design solution in Baltimore County.

Meadowvale, Baltimore County, Maryland - Civil Project Engineer engineering design team for a 103-unit single family community located in an area of severe grade changes and limited by existing drainage patterns and environmental constraints.

Carriage Hills, Baltimore County, Maryland - Civil Project Engineer for engineering design of a 159-unit town home community located on Liberty Road.

Martin Plaza, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design for redevelopment of the 25 acre shopping center.

Riparius Lot #1, Baltimore County, Maryland - Civil Project Engineer for site planning and engineering design of an 87 room Holiday Inn Express located on an undeveloped parcel hindered by grade changes, environmental constraints and requiring an underground stormwater management facility to meet local and state regulations.

Allender Road, Baltimore County, Maryland - Civil Project Engineer on team designing a 173-unit single-family home community located on Allender Road with stormwater management challenges including dual design discharge points.

The Preserve at Windlass Run, Baltimore County, Maryland - Civil Project Engineer on engineering design team for a 412-unit development mixed with single family and town homes located off of White Marsh Boulevard, surround by environmentally sensitive areas and requiring seven stormwater management facilities.

July 27, 2015

HAND-DELIVERED

The Honorable John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Ste. 103
Towson, Maryland 21204

Re: Petitions for Special Hearing and Variances
Location: 9805 York Road, 9804 Monroe Street
Case No. 2016-41-SPHA

Dear Judge Beverungen:

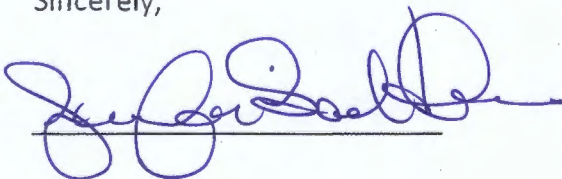
I am writing this letter in support of the proposed use of the above-referenced property. My name is Jennifer Sadtler and I am the legal owner of 10 Gibbons Boulevard. I use this property as my principal residence and am, therefore, interested in the above-referenced zoning case.

The petitioner/owner of the property, A. Mary Roeder Vaughan, has taken the time to meet with me and show me the attached site plan, prepared by Morris & Ritchie Associates and entitled "SITE PLAN TO ACCOMPANY PETITIONS FOR SPECIAL HEARING AND VARIANCES, which indicates the location and proposed configuration for off-street parking spaces for use by passenger vehicles on 9804 Monroe Street. My understanding is that these parking spaces will serve a future commercial use to be located at 9805 York Road as well as the existing restaurant located at 9811 York Road. Petitioner has explained to me the proposed hours of operation expected for parking spaces. These hours, as well as other notes related to the parking spaces, are provided on the site plan filed in the zoning case.

I am writing to inform you it is my opinion that use of the property, as shown on the site plan, will not have an adverse impact on my property or the residential area immediately surrounding the site. I request that you require the future user/s of 9804 Monroe Street to maintain the proposed fencing and landscape buffer areas, as shown on the site plan, in good condition for the benefit of the surrounding residential community.

Thank you for consideration of my position in support of all of the zoning relief requested in Zoning Case No. _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jennifer Sadtler", is written over a horizontal line.

PETITIONER'S EXHIBIT 11

Case No.: 2016-0041 - SPHA

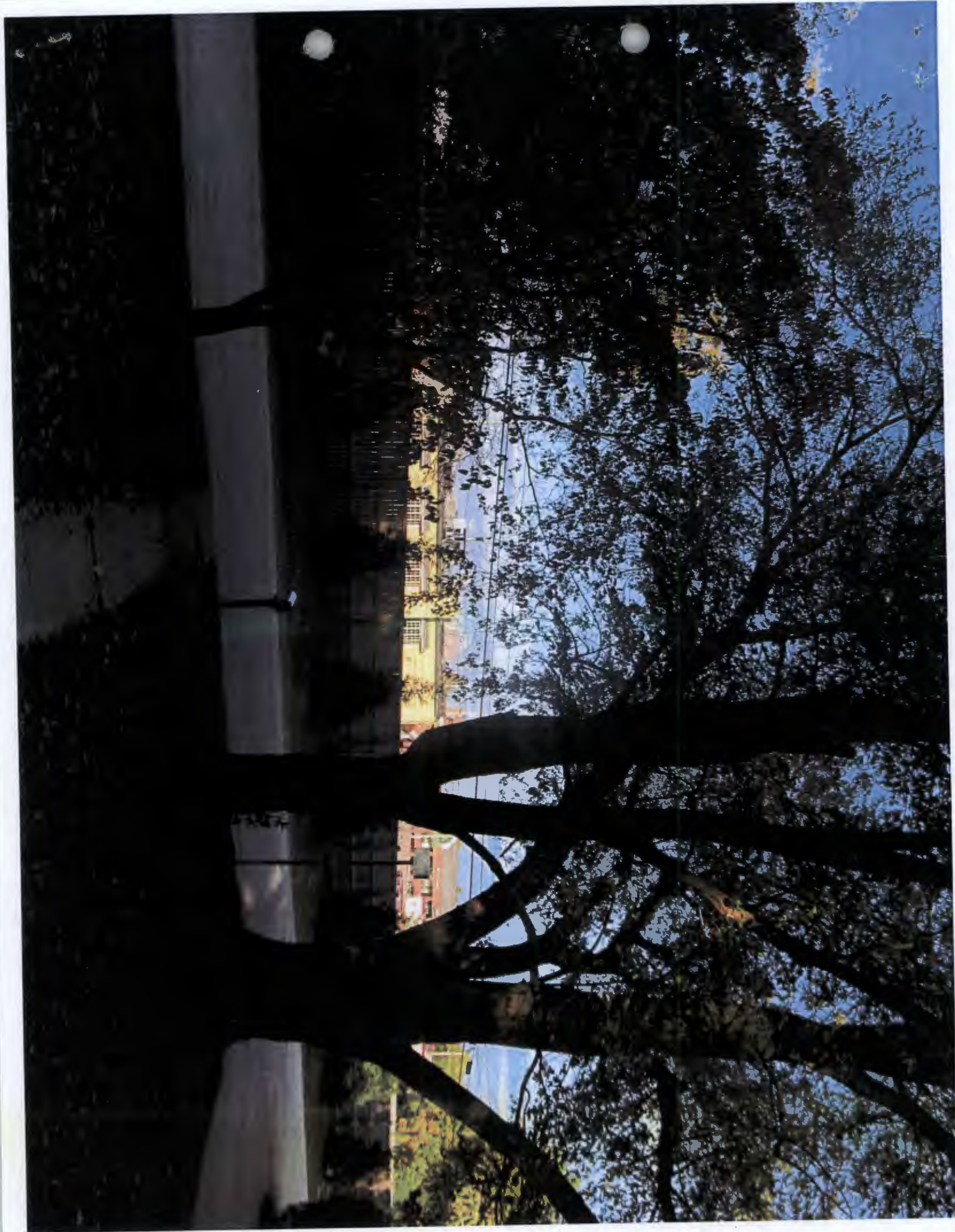
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site plan	Photos
No. 2	2A-2C Photos	
No. 3	Illustrative Site Plan	
No. 4	Bishop resume	
No. 5	Aerial Exhibit	
No. 6	Schematic Landscape Plan	
No. 7	Zoning Map	
No. 8	Lighting detail	
No. 9	Lighting detail	
No. 10	Sharon resume	
No. 11	Sadtler letter	
No. 12		





Case No.: 2016-0041 - SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

DW
12-21-15

LGW
10-21-15

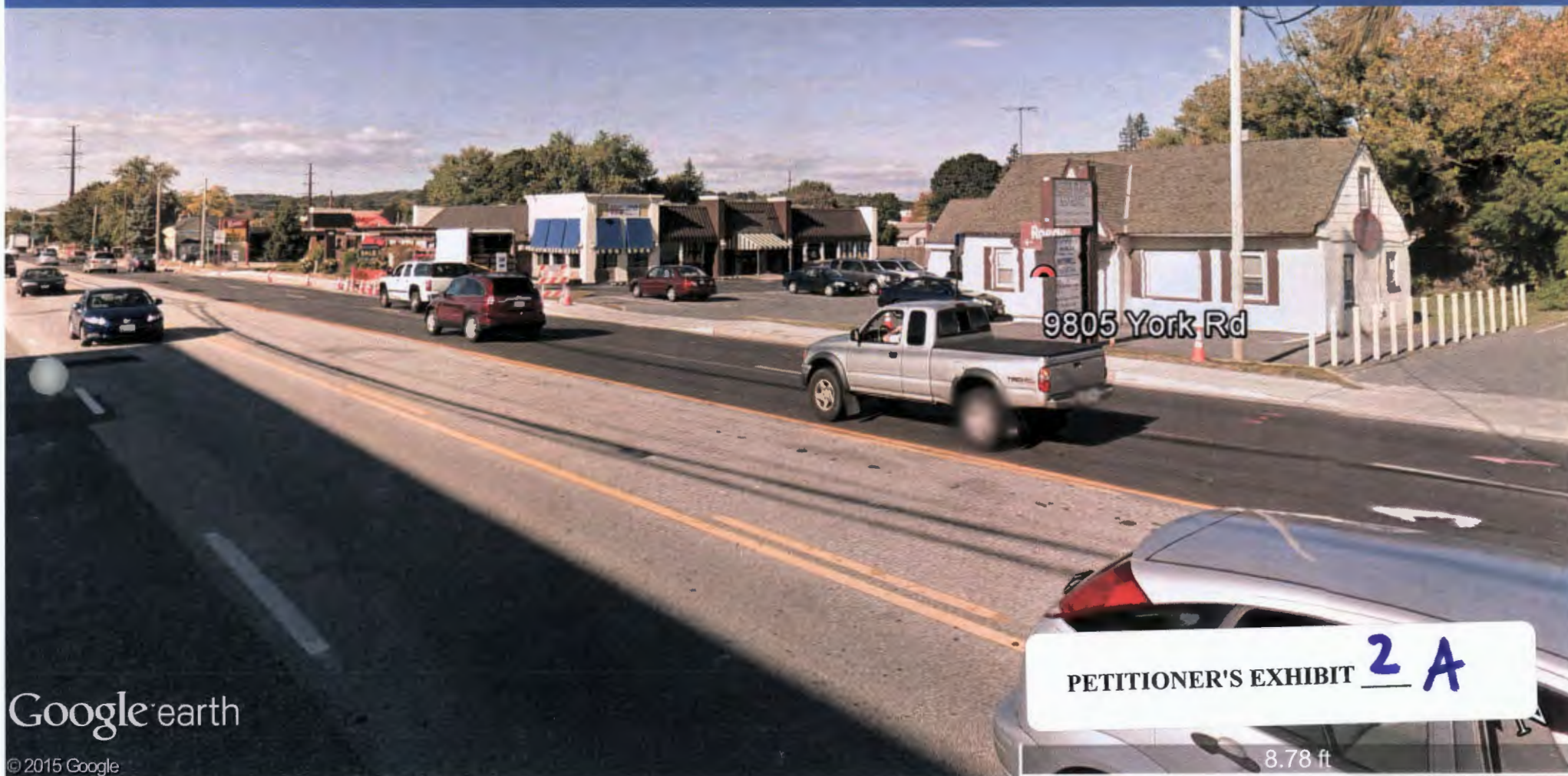
No. 1	Site plan	Photos
No. 2	2A-2C Photos	
No. 3	Illustrative Site Plan	
No. 4	Bishop resume	
No. 5	Aerial Exhibit	
No. 6	Schematic Landscape Plan	
No. 7	Zoning Map	
No. 8	Lighting detail	
No. 9	Lighting detail	
No. 10	Sharon resume	
No. 11	Sadtler letter	
No. 12		

Untitled Map

Write a description for your map.

Legend

📍 9805 York Rd



PETITIONER'S EXHIBIT 2 A

8.78 ft

Google earth

© 2015 Google

Untitled Map

Write a description for your map.

Legend

 9805 York Rd

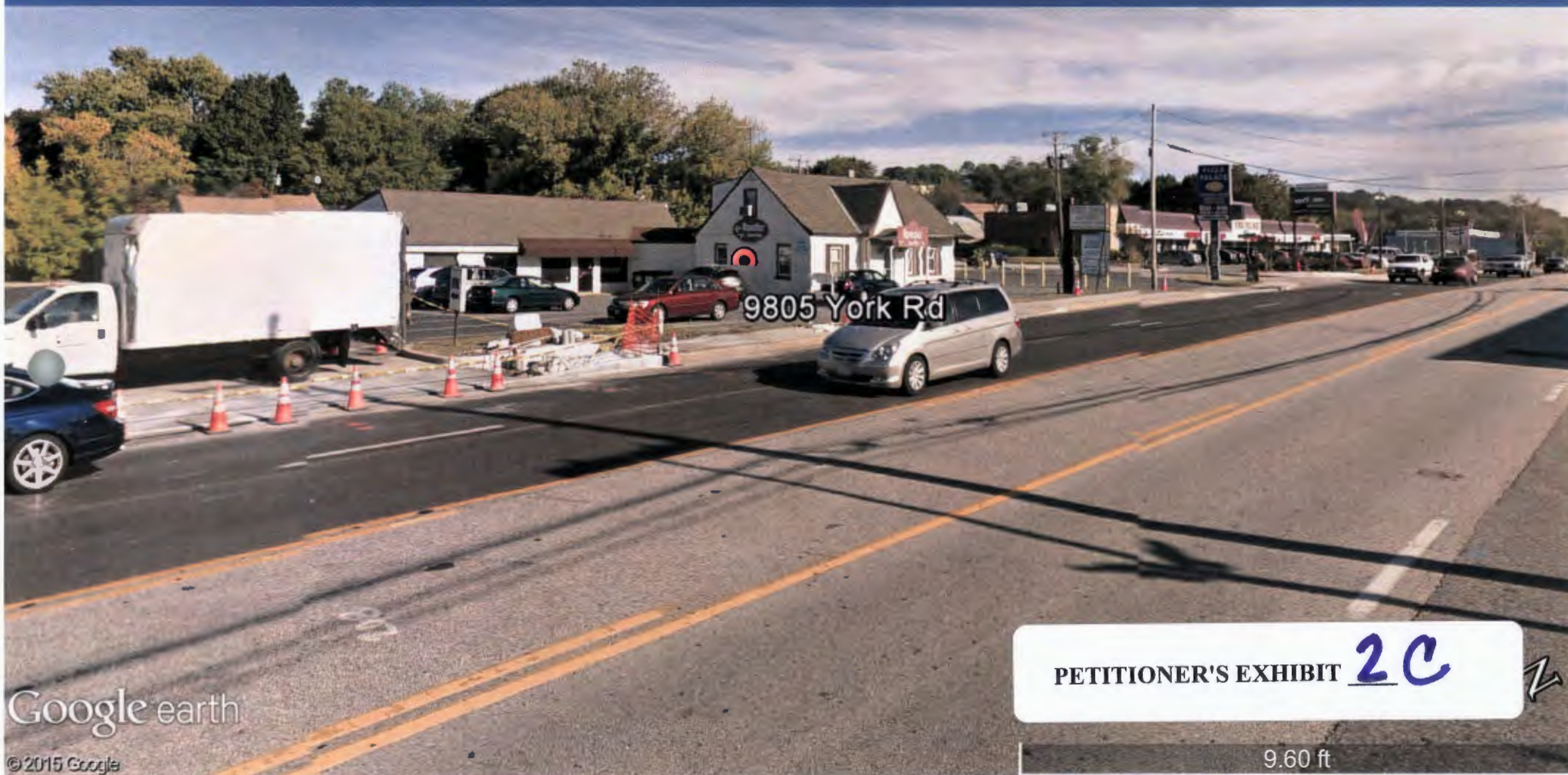


Untitled Map

Write a description for your map.

Legend

 9805 York Rd



Google earth

© 2015 Google

PETITIONER'S EXHIBIT

2C

9.60 ft

1986-0121-A 00001002

0814000281

Lot # 7 0819035390

Pt. Bk. 00000000, Folio 0015

9811 Lot # 7

Lot # 7

Lot # 11 0819035391

Lot # 11

Lot # 13

Lot # 13 0808003441

Lot # 13

Lot # 13

Lot # 17

Lot # 17

Lot # 17 2100011557

JEFFERSON AVE

Lot # 1 1900011336

Lot # 1

Lot # 1

Lot # 1

0815000292 Lot # 5

0815000293

Lot # 7 0819064475

Lot # 7

Lot # 7

Lot # 10 0819064476

Lot # 10

Lot # 10

3 CD

Lot # 13

Lot # 13 0817010050

Lot # 15 0817010051

Pt. Bk./Folio # 007015

PAI # 080511

PAI # 080511

NW 15-A

GIBBONS BLVD

0814066910

Lot # 1

Lot # 1

Lot # 1

Lot # 46

Lot # 46

Lot # 46

0807016320

RO

2008-0560-SPH

0819035012

Lot # 42

Lot # 38

Lot # 38

Lot # 38

1600000860

1985-0171-A

OR-1

ADAMS AVE

2016-0041-SPH

R-1969-0256-A

0808031189

Lot # 16

051C2

DR 3.5

0814000355

Lot # 25 9804

Lot # 25

0814000354

Lot # 22

Lot # 22

Lot # 19

Lot # 19

0810046170

Lot # 19

0807015950

0803051611

0808080078

0808080077

0820020270

Lot # 38

Lot # 39

R-1969-0169-SPH

2007-0158-SPH
2011-0033-SPHX

1986-0176-A
1974-0005-SPH

Lot # 1

Lot # 1

Lot # 1

Lot # 1

Lot # 11

Lot # 11

2002-0268-A

PAI # 080511

PAI # 080511

Lot # 16

Lot # 16

R-1965-0119-A

Lot # 16 0819072210

1996-0003-A
2005-0664-A
2004-0092-A
1986-0236-A

R-1968-0218

BM CCC

BL CCC

2300008150

Lot # 11

0000071, Folio 0121

PAI # 080746

R-1998-0368

97262300010722 Pt. Bk./Folio # 073030

PAI # 080746 PAI # 080746

1955-3504-X

Lot # 1 Pt. Bk. 0000073, Folio 0030

R-1970-0020

051C3

Lot # 10
9720

1957-4216-X

Lot # 10 0803023603
Pt. Bk. 0000004, Folio 0155

Lot # 10

From: Jeanette Tansey [mailto:jtansey@baltimorecountymd.gov]

Sent: Thursday, October 08, 2015 10:00

To: John E. Beverungen

Cc: Bishop, Matthew

Subject: 9805 York Road - 2016-041 SPHA

Good morning, Judge - After having met with Morris & Ritchie on the above with Planning, I received a Schematic Landscape Plan that is acceptable. It requires some Modification of Landscape Standards which have yet to be submitted and approved, so the plan cannot yet be approved. However, I anticipate that the Modification Request will be approved so that the Schematic Landscape Plan will then be able to be approved. A Final Landscape Plan and Photometric Plan will be required as well. I hope this is helpful.

Jeanette M. S. Tansey, R.L.A.

Project Manager, Baltimore County

Permits, Approvals & Inspections

Development Plans Review

111 W. Chesapeake Ave., Room 119

Towson, MD 21204

410-887-3751

jtansey@baltimorecountymd.gov



CONNECT WITH BALTIMORE COUNTY

JB 10-14-15
1:30 PM

James Nash
9802 Monroe Street
Cockeysville, MD
21030
10-17-15

Judge John E. Beverungen
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

Re: Case# 2016-0041-SPHA
9804 Monroe Street/9805 York Road, Cockeysville, MD

Dear Judge Beverungen,

I am the owner of 9802 Monroe Street and use it as my primary residence. My property is adjacent to 9804 Monroe Street, so I have an interest in this case.

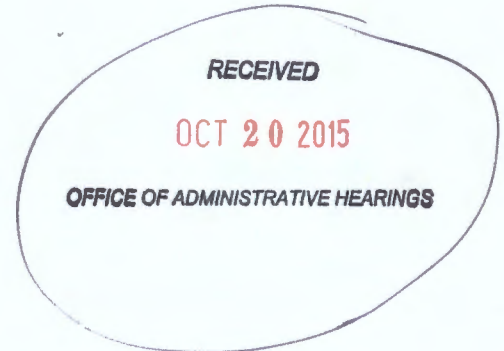
I have a number of concerns about the case. For one, I am concerned that the petitioner may have drawn the property line incorrectly in the proposed plan for the parking lot. Since my father previously owned 9804 Monroe St., we shared the driveway. Ever since the property was sold to the petitioner, I have continued to share it. However, my property line actually extends past the middle of the driveway, and the petitioner's plan may not take this into account.

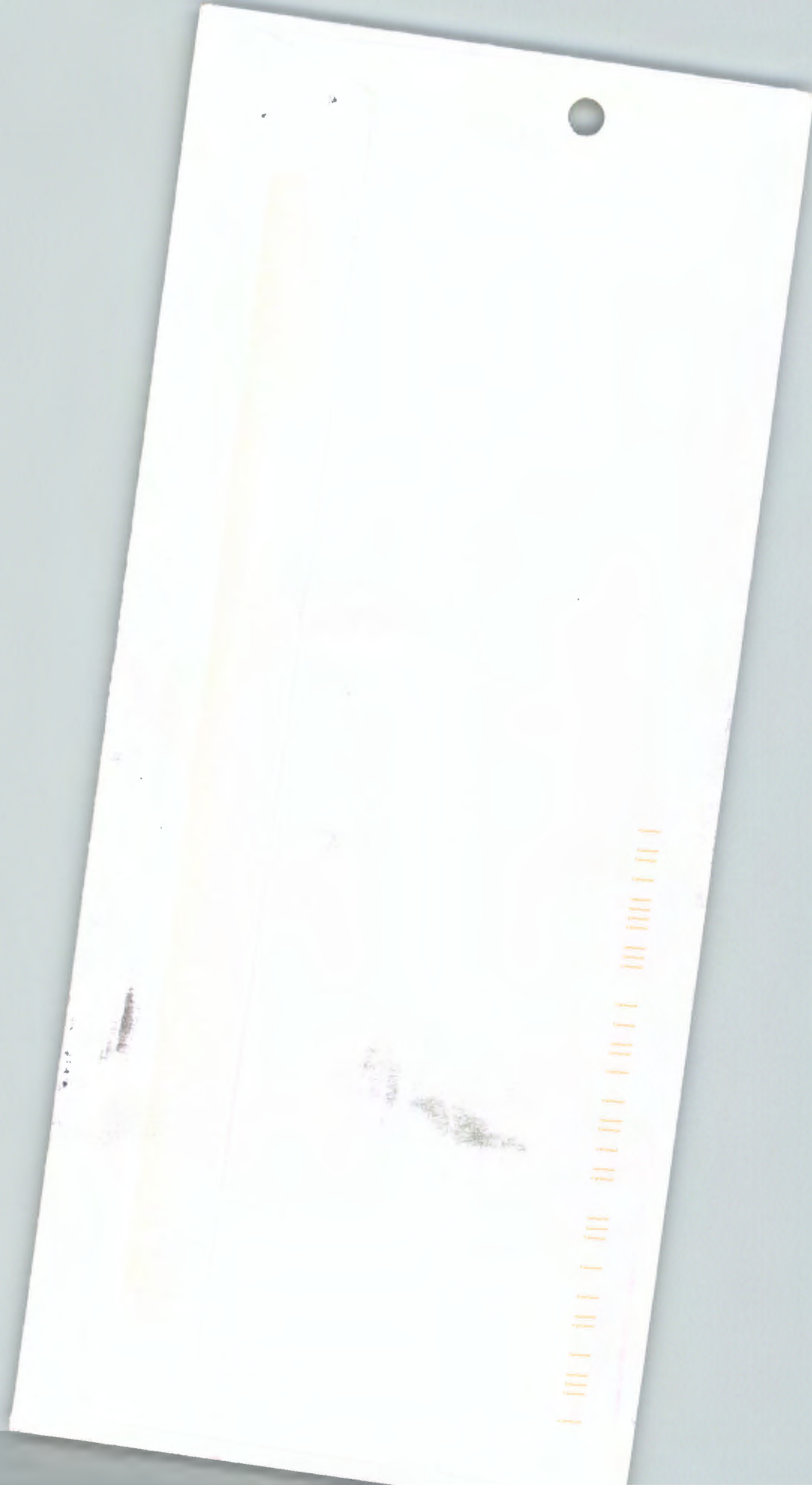
I also have concerns about the proposed parking lot's effect on my family's quality of life. For one, I am concerned that a fence right up against the edge of my property would create a sense of being boxed in. In addition, I am concerned that the parking lot's lights may shine into my windows at night and make it hard to sleep. Finally, we have a sunroom with large windows at the back of our house, and I am concerned about being disturbed there by the noise and light from a parking lot next door.

Thank you for considering my concerns.

Sincerely,

James Nash
James Nash





Debra Wiley

From: John E. Beverungen
Sent: Tuesday, October 20, 2015 2:58 PM
To: Debra Wiley
Subject: 2016-0041
Attachments: 2016-0041-SPHA.docx

Final order is attached. Send to Karceski and community members on sign in sheet.

RECEIVED

OCT 19 2015

OFFICE OF ADMINISTRATIVE HEARINGS

Julia and Robert Donatelli
9807 Monroe Street
Cockeysville, MD 21030
October 15, 2015

Judge John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Avenue, Ste. 103
Towson, MD 21204

Re: Case # 2016-0041-SPHA
9804 Monroe Street / 9805 York Road, Cockeysville, MD

Dear Judge Beverungen:

We are the owners of 9807 Monroe Street and use it as our primary residence. Our house is directly across the street from 9804 York Road, so we have an interest in the subject case. We attended the hearing yesterday.

When the petitioner, her lawyers, the real estate agents, the landscape architect, and the engineer have all made their profit and gone home, we and our neighbors will still be here, living with the unlovely results: more asphalt, lights, car noise, trash smell, and ugliness in our neighborhood.

There will be a stockade fence, but to tear down a house and put up a fence around an asphalt parking lot is to whittle away at the integrity of our neighborhood. Also, as you could see from the photos we submitted at the hearing, the existing fence, at 8 feet high, does not block the view of the parking lot from our house, and nor does it have an impact on the noise from dumpster-emptying and traffic on York Road, which roars across the hard, flat parking lot straight into our windows.

We already live with the downsides of our proximity to a big road and numerous commercial properties. This is all the more reason that we desperately want to secure what's left so that our neighborhood remains livable and viable, with homes and neighbors, not parking lots and stockade fences.

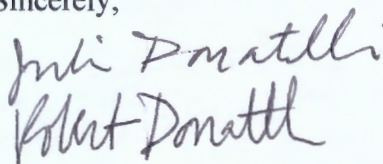
We have a viable neighborhood now, but we are always under threat of losing it, and this petition represents one of those threats.

As I understand it, the County Council's decision to create Community Conservation Areas was intended to protect our neighborhood and others like it from harm done by continued, encroaching commercial development. The 1970s-era variance that provided for the extension of the original restaurant's parking lot into a residential zone did real harm to our neighborhood, and the Council's designation of Community Conservation Areas was intended to prevent further harm.

To paraphrase our Community Association president, just because commercial property owners buy residential property behind their businesses should not set up an expectation that they will be allowed at some point to convert that property for commercial use. This type of money-making scheme will clearly benefit the petitioner and all the other people who will profit from it. But it will cause harm to our neighbors and our neighborhood, damaging its viability and negatively affecting the quality of all of our lives.

Thank you for considering our community in this case.

Sincerely,

Handwritten signatures of Julia Donatelli and Robert Donatelli. The signature for Julia is written above the signature for Robert.

Julia Donatelli

Robert Donatelli

410-628-1877

NAME
 David Karceski
 Matt Bishop
 Chuck A
 Chris
 Joe

PLEASE PRINT CLEARLY

DONOR'S SIGN-IN SHEET
 CITY, STATE, ZIP

CASE NAME
 CASE NUMBER
 DATE

10/14/15

Towson MD 21204

21209

E-MAIL

dkarceski@nashville.com
 mbishop@nashville.com
 christine@nashville.com
 jsharon@nashville.com

1800 East 5th St
 2800 Quarry Rd
 1800 East 5th St
 2800 Quarry Rd
 1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

1800 East 5th St
 2800 Quarry Rd

CASE NAME _____
CASE NUMBER 2016-0041
DATE _____

NAME _____

CITY, STATE, ZIP

E - MAIL

	CITY, STATE, ZIP	E - MAIL	
Robert Donatelli	9807 Monroe St.	Cockeysville, MD, 21030	rdonatelli@townson.
LOUIS SPERA	12A-JEFFERSON AVE.	COCKEYSVILLE, MD 21030	andyspera@yahoo.com
Lewis Nach	9813 Monroe St	Cockeysville Md 21030	
Kent Wyckoff	6 Gibbons Blvd	Cockeysville MD 21030	KLWYCKOFF@Verizon.
THOMAS W Moore	13 Madison Ave	Cockeysville Md 21030	
MARGARET A. Moore	13 Madison Ave	Cockeysville Md 21030	
ROGER HUTTON	17 MADISON AVE	COCKEYSVILLE, MD 21030	pufffire4@gmail.c
DESSIE HUTTON	" "	" "	
Julie Donatelli	9807 Monroe St.	Cockeysville, MD 21030	julsdon@yahoo.com

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
9/1	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
	DEPS (if not received, date e-mail sent _____)	
	FIRE DEPARTMENT	
10/13	PLANNING (if not received, date e-mail sent _____)	C
8/20/15	STATE HIGHWAY ADMINISTRATION	no obj
	TRAFFIC ENGINEERING	
10/8	COMMUNITY ASSOCIATION	County Home Park Community Assoc. <u>opposed</u>
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 02-268-A)NEWSPAPER ADVERTISEMENT Date: 9/24/15SIGN POSTING Date: 9/24/15 by SSG BlackPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 08 Account Number - 0814000355			
Owner Information					
Owner Name:		VAUGHAN RYAN JAMES/KELLY VICTORIA PIZZA VIRGINIA ANN VAUGHAN A MARY		Use: Principal Residence: RESIDENTIAL NO	
Mailing Address:		1807 THORNTON RIDGE RD BALTIMORE MD 21204		Deed Reference: /10608/ 00414	
Location & Structure Information					
Premises Address:		9804 MONROE ST 0-0000		Legal Description: LT 25,26,27 9804 MONROE ST WS TIMONIUM HEIGHTS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0051	0018	0375		0000	BB
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	2
	25	2014		0007/0015	
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1958	1,238 SF	400 SF	7,560 SF	04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	YES	STANDARD UNIT	STUCCO	1 full	
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments	
				As of 07/01/2015	As of 07/01/2016
Land:		107,100	107,100		
Improvements		81,400	65,800		
Total:		188,500	172,900	172,900	172,900
Preferential Land:		0			0
Transfer Information					
Seller: VAUGHAN MARY ROEDER		Date: 06/23/1994		Price: \$1	
Type: NON-ARMS LENGTH OTHER		Deed1: /10608/ 00414		Deed2:	
Seller: NASH ROBERT W		Date: 02/24/1983		Price: \$90,900	
Type: ARMS LENGTH IMPROVED		Deed1: /06491/ 00371		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2015	07/01/2016
County:	000			0.00	
State:	000			0.00	
Municipal:	000			0.00 0.00	0.00 0.00
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore CountyNew Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **08** Account Number: **0814000355**

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

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

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier: District - 08 Account Number - 1700012996					
Owner Information					
Owner Name:		VAUGHAN RYAN JAMES/KELLY/MARY PIZZA VIRGINIA ANN ROEDER VICTORIA		Use: Principal Residence:	COMMERCIAL NO
Mailing Address:		1807 THORNTON RIDGE RD BALTIMORE MD 21204		Deed Reference:	/10608/ 00407
Location & Structure Information					
Premises Address:		9805 YORK RD 0-0000		Legal Description:	PT LT 11-15 9805 YORK RD ES TIMONIUM HEIGHTS
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0051	0018	0375		0000	BB 11 2014 0007/0015
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1949	3585		11,994 SF	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		402,600	402,500		
Improvements		164,300	184,500		
Total:		566,900	587,000	580,300	587,000
Preferential Land:		0			0
Transfer Information					
Seller: VAUGHAN MARY		Date: 06/23/1994		Price: \$1	
Type: NON-ARMS LENGTH OTHER		Deed1: /10608/ 00407		Deed2:	
Seller: ROEDER MARVIN J		Date: 03/26/1982		Price: \$75,000	
Type: ARMS LENGTH IMPROVED		Deed1: /06380/ 00807		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class			07/01/2015	07/01/2016
County:	000			0.00	
State:	000			0.00	
Municipal:	000			0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

District: 08 Account Number: 1700012996



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

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

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Debra Wiley

JB 10-14
1:30

From: Lindsay Johnson <lindsaypagefox@hotmail.com>
Sent: Thursday, October 08, 2015 1:34 PM
To: Administrative Hearings; Andrea Van Arsdale; Jeff Mayhew
Subject: Case #2016-0041-SPHA, 9804 Monroe St
Attachments: Case # 2016-0041-SPHA.pdf

Please reference the attached document for Case #2016-0041-SPHA.

Sincerely,
Lindsay Johnson

**County Home Park Community Assn., Inc.
122 Gibbons Boulevard
Cockeysville, MD 21030
October 8, 2015**

Judge John Beverungen & Judge Lawrence Stahl
Office of Administrative Hearings
105 W. Chesapeake Avenue
Towson, MD 21204

RE: Case # 2016-0041-SPHA
9804 Monroe Street / 9805 York Road, Cockeysville, MD

Dear Judge Beverungen & Judge Stahl:

Our Association became aware of the subject case when the property was recently posted. Our understanding is that this petition is at least in part requesting that a Special Exception be permitted for all or a portion of the property, currently used residentially as 9804 Monroe Street, to allow commercial parking within a residential zone to support an adjoining commercial use at 9805 York Road. Some of our residents became aware that the owner, Ms. Vaughan, had interest in doing this when she personally was trying to get surrounding owners to sign letters of support for this effort this past July.

In reviewing the request of Ms. Vaughan, our Association is very much opposed to the request for expanding commercial parking into the residential area of our community. Our Association was formed back in the 1980s because of various attempts by property owners within the residentially zoned portions of our community to commercialize their properties, at the expense of maintaining the residential integrity of our neighborhood and its continued viability. We have appeared at District Court dealing with code violation issues, before different Zoning Commissioners on past cases, before the Board of Appeals on two different cases, and also before the Circuit Court in one case. In all of these cases, we have managed to obtain support to prohibit the expansion of commercial interests into our community and have vigilantly worked to protect the community and prohibit the creep of any commercial activity into the community.

Ms. Vaughan has owned three rental properties within our community for an extended period of time. One is the subject home at #9804 Monroe Street, but she also owns both #7 & #11 Jefferson Avenue nearby. Likewise she has owned #9805 York Road for a very extended period of time. While we can't say why she bought the three residential homes within our community so long ago, it would appear that they were bought with the intent to operate them as rental properties within close proximity to her business at #9805 York Road, thus providing ease in which to monitor those rental homes.

Back in the 1970s, the adjacent property to the north of #9805 York Road, then known as Pappy's Pizza, filed for and obtained a Special Exception for allowing commercial parking in a residential zone. This resulted in the loss of two residential properties along the west side of Monroe Street to the north of #9804 Monroe Street, and the placement of a stockade fence into the community and around the parking lot. Since that time our community association was formed. Also, there was a recognition that along the entire York Rd corridor, from the Beltway to Hunt Valley, that there was a need to develop a plan to insure the continued viability of the commercial and industrially zoned properties while at the same time insuring that these properties and their uses were not adversely impacting the adjacent residential communities. Thus protections were put in place to establish Community Conservation areas in most of the adjoining residential neighborhoods. The homes within the County Home Park Community Association are one of those areas designated as a community conservation area. The County Council passed this plan as part of a York Road/I-83 Corridor Plan document quite a number of years ago and this is to govern development activity within this corridor. Thus any development activity needs to recognize the intent of the County Council to place most of the adjoining residential neighborhoods in this corridor within Community Conservation areas and to not take actions which would result in harm to the residential integrity of these neighborhoods.

When looking at the property to the north of Ms. Vaughan's property, it changed from Pappy's Pizza, to Kosmokos Restaurant, to Piv's Pub, and now Fazzini's Taverna. While Pappy's Pizza managed to obtain the Special Exception for commercial parking in a residential zone, the result of that action only ended up with the community having numerous adverse effects from both Kosmokos and Piv's Pub. Kosmokos failed to stay in compliance with the Zoning Commissioner's orders, resulting in our Community Association having to file zoning compliance complaints against the business. Mr. Kosmokos himself also ended up performing different illegal acts on the property which the new owner Todd Pivic had to then address when converting the restaurant to Piv's Pub. We ended up having to appear before the Zoning Commissioner for Piv's Pub trying to resolve numerous problems on the property caused by the Kosmokos family and then only by appealing the case to the Board of Appeals were we able to finally reach a mutual solution. (So far, Fazzini's Taverna has been a good neighbor.) We point out these issues to inform you of the numerous problems and issues with which our community association has had to deal as a result of a prior decision by the Zoning Commissioner to grant commercial parking within our residential community. We absolutely do not want these type of problems to be magnified within our community nor do we want to see a whittling away of residential homes on Monroe Street and having them absorbed into the York Rd commercial corridor. Ms. Vaughan can make no promises to anyone about what may or may not happen to the property as she will not remain the property owner forever and she can't make promises for others. Pappy's Pizza probably promised all sorts of things back in the 1970s, but the problems with

Judge Beverungen & Judge Stahl
October 8, 2015
Page 3

which we had to deal didn't become present until the sale of the property to others, some of which had little respect for the community or Code Enforcement.

We find that the purposeful actions of the County Council to approve a York Road corridor plan which established Community Conservation areas along the corridor, designated our community as one of the many such areas so designated, and outlined that future development within the corridor needed to respect the viability and integrity of those communities, makes it clear, along with our Community Association's objections, that the petitioner's request with respect to allowing any commercial parking within the D.R. 3.5 zoning of #9804 Monroe Street should be denied. This community has already had to apply an unreasonable amount of time and resources to ill effects of such an allowance being granted by the Zoning Commissioner back in the 1970s (which was prior to the current protections by the County Council being put into effect). Any action by your office to grant the petitioner's request would only accelerate the demise of the residential integrity of Monroe Street and the adjoining community. Ms. Vaughan is not the only commercial property owner along York Road who owns a residential rental property directly behind them on Monroe Street. Clearly just because commercial property owners on York Road buy properties directly behind them can't be cause for any expectation that they are going to be able to incorporate those residential purchases into a commercial use.

We appreciate your consideration for our community in this case with respect to these written comments and ask for your support to deny the petition's request. Julia Donatelli from our neighborhood will be present at the hearing on October 14th to present her personal issues with this case and also present our comments with respect to this case.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lindsay Johnson", with a long, sweeping horizontal line extending to the right.

Lindsay Johnson, President
County Home Park Community Assn., Inc.
443-622-5759

cc: Ms. Andrea VanArsdale, Director, Department of Planning

IN RE: PETITION FOR VARIANCE
E/S York Road, 59.96' N of
Gibbons Avenue
(9805 York Road)
8th Election District
4th Council District

Mimi Roeder Vaughan
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-268-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

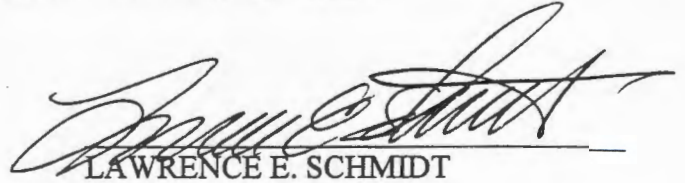
This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Mimi Roeder Vaughan. The Petitioner seeks relief from Section 232.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 6 feet in lieu of the minimum required 20 feet for a proposed building addition. 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.

Appearing at the requisite public hearing in support of the request were Mimi Roeder Vaughan, property owner, and Bruce E. Doak, on behalf of Gerhold, Cross & Etzel, the consultants who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the east side of York Road, just north of its intersection with Gibbons Avenue in Timonium. The property contains a gross area of 0.275 acres, more or less, zoned B.L.-C.C.C. and is improved with a 1½ story building on the front portion of the site and a 1-story building to the rear of the property, which are attached by way of a covered passageway. Collectively, the buildings are used in connection with a travel agency operated by the Petitioner. Photographs of the site show that the property is well-maintained and includes a macadam paved parking lot.

this Order is reversed, the relief granted herein shall be rescinded.

- 2) Pursuant to the ZAC comment submitted by the Office of Planning, some modest landscaping shall be installed along the rear property line; however, a landscape plan will not be required nor strict compliance with the Landscape Manual.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT

Zoning Commissioner
for Baltimore County

LES:bjs



KEVIN KAMENETZ
County Executive

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

October 8, 2015

Ryan James Vaughan	Virginia Ann Pizza	Kelly Victoria Vaughan	A Mary Roeder Vaughan
1401 Light Street	240 High Street	1802 Leadburn Road	1807 Thornton Ridge Road
Baltimore MD 21230	Baltimore MD 21202	Baltimore MD 21204	Baltimore MD 21204

RE: Case Number: 2016-0041 SPHA, Address: 9805 York Road, 9804 Monroe Street

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 18, 2015. 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 fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
David H Karceski, Esquire, 210 W Pennsylvania Avenue, Suite 500, Towson MD 21204
Beverly Dobrochowski, VP, Maryland Financial Realty Inc., 2800 Quarry Lake Drive, Suite 340
Baltimore MD 21209

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 8/26/15

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

RE: Baltimore County

Item No. 2016-0041-A

Special Hearing Variance

Ryan James Vaughan, Virginia Ann Pizza, Kelly Victoria Vaughan,
A. Mary Roeder Vaughan.
4805 York Road MD 45

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 8/26/15. A field inspection and internal review reveals that an entrance onto MD 45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2016-0041-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired or Speech 1.800.735.2258 Statewide Toll-Free

Street Address: 320 West Warren Road – Hunt Valley, Maryland 21030 – Phone 410-229-2300 or 1-866-998-0367 –

Fax 410-527-4685 – www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 13, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 9805 York Road

OCT 13 2015

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Item Number: 16-041

Petitioner: Ryan James Vaughan, Virginia Ann Pizza, Kelly Victoria Vaughan,
A. Mary Roeder Vaughan

Zoning: BL CCC, DR 3.5

Requested Action: Special Hearing, Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve the property for business parking in a residential zone and the Petition for Variance to allow 33 off-street parking spaces, an open space ratio of 0.12, minimum setbacks and residential transition area (RTA) buffers of 0' and 6' and surface parking as close as 0' and 7' to the right-of way (r-o-w) line of a public street in lieu of the required 62 off-street parking spaces, 0.2 ratio, 75' setback and 50' RTA respectively. (Although not cited specifically on the Petition for Variance, the Department understands BCZR Section 409.8.A.4 requires a 10' distance to the r-o-w line for parking).

The site is located within the Hunt Valley/Timonium (HV/T) Master Plan area. The plan encourages "Improving the Visual Quality of the York Road Corridor" and calls for a beautification program and the elimination of "signage clutter, numerous curb cuts, discordant architecture and lack of landscaping" (Page 28). It further calls for protecting the adjacent Community Conservation Areas to: "Restrict nonresidential land uses from encroaching into residential areas" (Page 29). Although not the subject of the Petitions, parking for and access to the subject site will involve 9811 York Road and 9804 Monroe Street. The Department recognizes that the improvements now on 9811 York Road positively support the HV/T plan visual quality goals stated above.

The petitioners have indicated their intentions to better respond to the referenced goals of HV/T plan with additional landscaping and architectural features designed to be in harmony with the existing improvements at 9811 York Road. Amended site and landscape plans dated 10-2-2015 include a reduction in the number of spaces; 7' and 11' setbacks for surface parking from the r-o-w line of a public street for York Road and Monroe Street respectively; substantial landscaping along York Road and in the

area of the proposed business parking in the residential zone; and a residential fence accompanied with heavy landscaping to screen the parking from the adjoining residential area.

The Department of Planning supports the petitions based on the amended plans, with additional conditions as provided below. As required pursuant to BCZR Section 1B01.B.1.c.(1), it is the recommendation of the Department that the amended plan provides an adequate RTA buffer.

Additionally, the Department recommends that the case file be kept open until such time as Baltimore Code Enforcement has conducted an inspection and report to the Administrative Law Judge on the status of signage on the referenced properties, requiring removal of any non-conforming signs.

Should the Petitions be approved, the Department recommends that the Administrative Law Judge's Order include as conditions the following:

- Architectural plans of the proposed building with architectural details in harmony with the building at 9811 York Road, and with any exterior HVAC equipment screened, are to be approved by the Department of Planning prior to the issuance of a building permit.
- Any dumpster is to be located away from the property lines adjoining the residential community and screened within a masonry enclosure.
- Dumpster service is to be between the hours of 8 a.m. and 8 p.m. only.
- Details of a minimum 6' high, high quality residential fence to screen the parking from the residential area are to be approved by the Department of Planning prior to the issuance of a building permit.
- Directional site lighting that does not affect adjacent residential areas is to be approved by the Baltimore County Landscape Architect.

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

Division Chief: _____

Kathy Schlabach

AVA/KS

C:Wallace Lippincott

Jeanette Tansey, RLA, PAI

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 31, 2015
Item No. 2016-0041

DATE: September 1, 2015

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

We do not support the requested reduction in parking spaces, because the limited number of spaces may cause patrons to park on Monroe Street. Also, the ultimate right-of-way for Monroe Street is 50', so the proposed fence should be set back from the existing right-of-way line a distance of 10-feet as was done on the property adjacent to the north. Doing this will remove the two parking spaces near Monroe Street which are part of the variance request # 4, but will also affect variance # 1.

Homes across Monroe Street and at 9802 Monroe Street adjacent to the property are residential and homeowner occupied. The proposed parking lot behind the new restaurant will remove an existing residential building. The zoning behind 9805 York Road is DR 3.5. Other uses along York Road in this vicinity have provided proper setbacks and screening. Therefore, variance # 4 should be denied and should the requested variance # 1 and 2 be approved, adequate buffers of minimum of 10' and screening should be required between the requested commercial parking in a residential zone and 9802 & 9807 Monroe Street.

The property at 9802 Monroe Street appears to share a driveway with the property at 9804. If the plan is executed as shown, the width of the driveway would be reduced to about 8.5 feet. While this is wide enough for vehicles, the 9802 owner may have some right to the portion of the driveway on 9804.

It appears the property to the north will lose four parking spaces. Parking calculations should be made for that site (same ownership).

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0041-08312015.doc



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave Ste 500
TOWSON, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed
County on the following dates:

Sep 24, 2015

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: # 2016-0041-SPHA 9805 York Road & 9804 Monroe Street E/s York Road, 86 ft. NW of centerline of Gibbons Blvd. 8th Election District - 3rd Councilmanic District Legal Owner(s) Ryan J. Vaughan, Virginia Ann Pizze, Kelly V. Vaughn, A. Mary Roeder Vaughn Contract Purchaser(s): Beverly Dobrochowski	
Special Hearing: for approval of business parking in a residential zone (DR 3.5).	
Variance: from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces. From Section 1801.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.	
Hearing: Wednesday, October 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.	
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY	
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.	
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.	
9/343 Sept. 24	3590806

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

2016-0041-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Ryan J. Vaughan, Virginia Ann Pizza, Kelly V. Vaughan, A. Mary Roeder Vaughan
Beverly Dobrochowski

October 14, 2015

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

9805 York Road and 9804 Monroe Street

September 24, 2015

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

Sincerely,

September 24, 2015

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive
September 21, 2015

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

NEW 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: 2016-0041-SPHA

9805 York Road & 9804 Monroe Street

E/s York Road, 86 ft. NW of centerline of Gibbons Blvd.

8th Election District – 3rd Councilmanic District

Legal Owners: Ryan J. Vaughan, Virginia Ann Pizza, Kelly V. Vaughn, A. Mary Roeder Vaughn

Contract Purchaser: Beverly Dobrochowski

Special Hearing for approval of business parking in a residential zone (DR 3.5
Variance from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces. From Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

Hearing: Wednesday, October 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Beverly Dobrochowski, 2800 Quarry Lake Dr., Ste. 340, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, SEPTEMBER 24, 2015**
- (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.



KEVIN KAMENETZ
County Executive

September 8, 2015

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

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: 2016-0041-SPHA

9805 York Road & 9804 Monroe Street

E/s York Road, 86 ft. NW of centerline of Gibbons Blvd.

8th Election District – 3rd Councilmanic District

Legal Owners: Ryan J. Vaughan, Virginia Ann Pizza, Kelly V. Vaughn, A. Mary Roeder Vaughn

Contract Purchaser: Beverly Dobrochowski

Special Hearing for approval of business parking in a residential zone (DR 3.5). Variance to allow 33 off-street parking spaces in lieu of the required 62 parking spaces; and to allow an open space ratio of 0.12 in lieu of the required 0.2; to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively; to allow parking spaces in a surface parking facility to be as close as 0 and 7 feet to the right-of-way line of a public street for York Road and Monroe Street, respectively.

Hearing: Wednesday, October 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Beverly Dobrochowski, 2800 Quarry Lake Dr., Ste. 340, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, SEPTEMBER 24, 2015**
- (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
Thursday, September 24, 2015 Issue - Jeffersonian

Please forward billing to:

Adam Rosenblatt

410-494-6271

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2016-0041-SPHA

9805 York Road & 9804 Monroe Street

E/s York Road, 86 ft. NW of centerline of Gibbons Blvd.

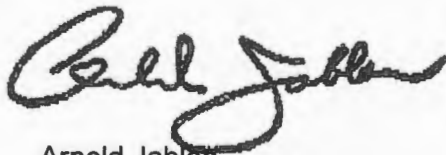
8th Election District – 3rd Councilmanic District

Legal Owners: Ryan J. Vaughan, Virginia Ann Pizza, Kelly V. Vaughn, A. Mary Roeder Vaughn

Contract Purchaser: Beverly Dobrochowski

Special Hearing for approval of business parking in a residential zone (DR 3.5). Variance to allow 33 off-street parking spaces in lieu of the required 62 parking spaces; and to allow an open space ratio of 0.12 in lieu of the required 0.2; to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively; to allow parking spaces in a surface parking facility to be as close as 0 and 7 feet to the right-of-way line of a public street for York Road and Monroe Street, respectively.

Hearing: Wednesday, October 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 24, 2015 Issue - Jeffersonian

Please forward billing to:

Adam Rosenblatt
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6271

CORRECTED 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: 2016-0041-SPHA

9805 York Road & 9804 Monroe Street

E/s York Road, 86 ft. NW of centerline of Gibbons Blvd.

8th Election District – 3rd Councilmanic District

Legal Owners: Ryan J. Vaughan, Virginia Ann Pizza, Kelly V. Vaughn, A. Mary Roeder Vaughn

Contract Purchaser: Beverly Dobrochowski

Special Hearing for approval of business parking in a residential zone (DR 3.5

Variance from Section 409.6.A.2 of the BCZR to allow 31 off-street parking spaces in lieu of the required 62 parking spaces. From Section 1B01.1.B of the BCZR to allow minimum setbacks from the tract boundary and minimum RTA buffers of 0 and 6 feet in lieu of the required 75 and 50 feet, respectively. From Section 409.8.A.4 to allow parking spaces in a surface parking facility to be as close as 7 feet to the right-of-way line of a public street for York Road.

Hearing: Wednesday, October 14, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
9805 York Road; E/S York Road, 86' NW of * OF ADMINISTRATIVE
c/line of Gibbons Boulevard *
8th Election & 3rd Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Ryan, Kelly, & *
A. Mary Vaughan & Virginia Pizza * BALTIMORE COUNTY
Contract Purchaser: Maryland Financial Realty, *
Inc by Beverly Dobrochowski * 2016-041-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

AUG 31 2015

[Signature]

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 31st day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE

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 legal owner/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 legal owner/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:

Case Number: 2016-0041-SPHA
Property Address: 9805 York Road, 9807 Monroe Street
Property Description: e/s of York Road, N of Gibbons Blvd.
Legal Owners (Petitioners): R. Vaughan, V. Pizza, K. Vaughan, A. Roeder
Contract Purchaser/Lessee: Maryland Financial Realty, Inc.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adam Rosenblatt
Company/Firm (if applicable): Venable LLP
Address: 210 W. Penn. Ave, Suite 500
TOWSON MD 21204
Telephone Number: (410) 494 6200

**MATTHEW A. BISHOP, PLA,
LEED AP**

Associate

PROJECT ASSIGNMENT:

Expert Witness, Landscape Architect

YEARS OF EXPERIENCE:

MRA: 9
Other Firms: 5

EDUCATION:

B.S. Landscape Architecture / 2001 /
University of Connecticut
M.S. Plant Science / 2005 / University
of Connecticut

ACTIVE REGISTRATION:

Landscape Architect:
Maryland, 2006, #3365
North Dakota, 2013, #80

L.E.E.D. Accredited Professional
(2008)

PROFESSIONAL AFFILIATIONS:

American Society of Landscape
Architects (ASLA)
U.S. Green Building Council
(USGBC), Maryland Chapter
Homebuilders Association of
Maryland, Baltimore County
Chapter

QUALIFICATIONS:

Mr. Bishop is an Associate with MRA's Towson office. His experience includes a variety of projects ranging in scale from site specific to regional planning including streetscapes, neighborhood parks, mixed-use and residential development. The scope of Mr. Bishop's project involvement includes site analysis through construction documents; applications and permitting; graphic renderings; grading; and cost estimating. His experience also includes working with various government agencies, private interest groups, and project related consultants including: architects; civil engineers; traffic engineers; and City, State, and County environmental and planning agencies.

Sample projects managed by Mr. Bishop include the following:

Firestone Auto Care Center, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this commercial auto care facility included 5,000 sf of service and retail space with associated parking, signage, and landscape improvements. Served as project manager in the preparation of all Baltimore County required plans including a Special Exception Plan, Development Plan, Grading Plan, Site Plan, ESC Plan, Utility Plans, and Landscape Plans. Served as expert witness at the Special Exception hearing.

Gunpowder Overlook, Baltimore County, Maryland - Located in Perry Hall on the east side of Belair Road, this residential community includes 48 single family detached residential homes with associated open space, stormwater management facilities, environmental conservation areas, public roads and utilities. Served as project manager in the preparation of Concept Plans, a Development Plan, a Pattern Book, and coordination of a Community Input Meeting. Provided expert witness testimony at the Administrative Law Judge Hearing.

5737 Allender Road, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 121 homes situated around an extensive network of community open spaces. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also provided expert witness testimony for a Variance hearing to reduce side and rear yard building setbacks.

Red Lion Farm, Baltimore County, Maryland - Located on the east side of Baltimore County in White Marsh this development incorporates 61 homes. Provided expert witness testimony for a variance hearing to reduce rear yard building setbacks.

Windlass Run, Baltimore County, Maryland - Located on the east side of Baltimore County south of White Marsh Boulevard this Planned Unit Development incorporates 424 homes situated around an extensive network of community open spaces including a clubhouse, pool, and children's play equipment. Served as project landscape architect in the design and preparation of planning related design products including Concept Plan, Development Plan, Pattern Book, and Final Development Plan. Also designed and prepared detailed landscape architecture related design products including Active Open Space areas, Passive Open Space areas, Entry features, and Club house/pool area.

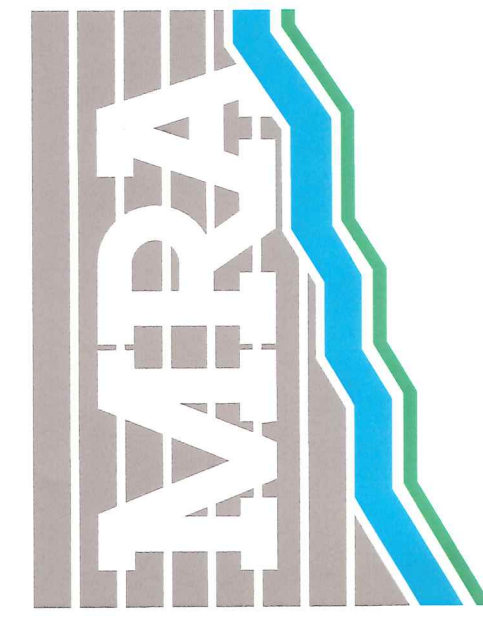
Towson Manor, Towson, Maryland - Located south of downtown Towson, on the east side of York Road, this Planned Unit Development incorporates 109 townhouses and an assisted living facility on ±8.22 acres. The project is a redevelopment of an existing single family residential community which had fallen into disrepair. Served as project



MORRIS &
ASSOCIATES

PETITIONER'S EXHIBIT **4**

landscape architect in the design and preparation of Baltimore County required Concept Plan, Development Plan, Pattern Book, Final Development Plan, Grading Plan, Landscape Plan / Cost Estimates, and Stormwater Management Plan. Also designed and prepared landscape construction drawings for a highly visible centrally located Bio-Retention facility that will be used not only as a functional stormwater treatment facility but also as a visually appealing community open space. The design incorporated native plant species chosen for both functional and aesthetic qualities while also meeting the strict specifications of Baltimore County DEPS and the Maryland Stormwater Design Manual



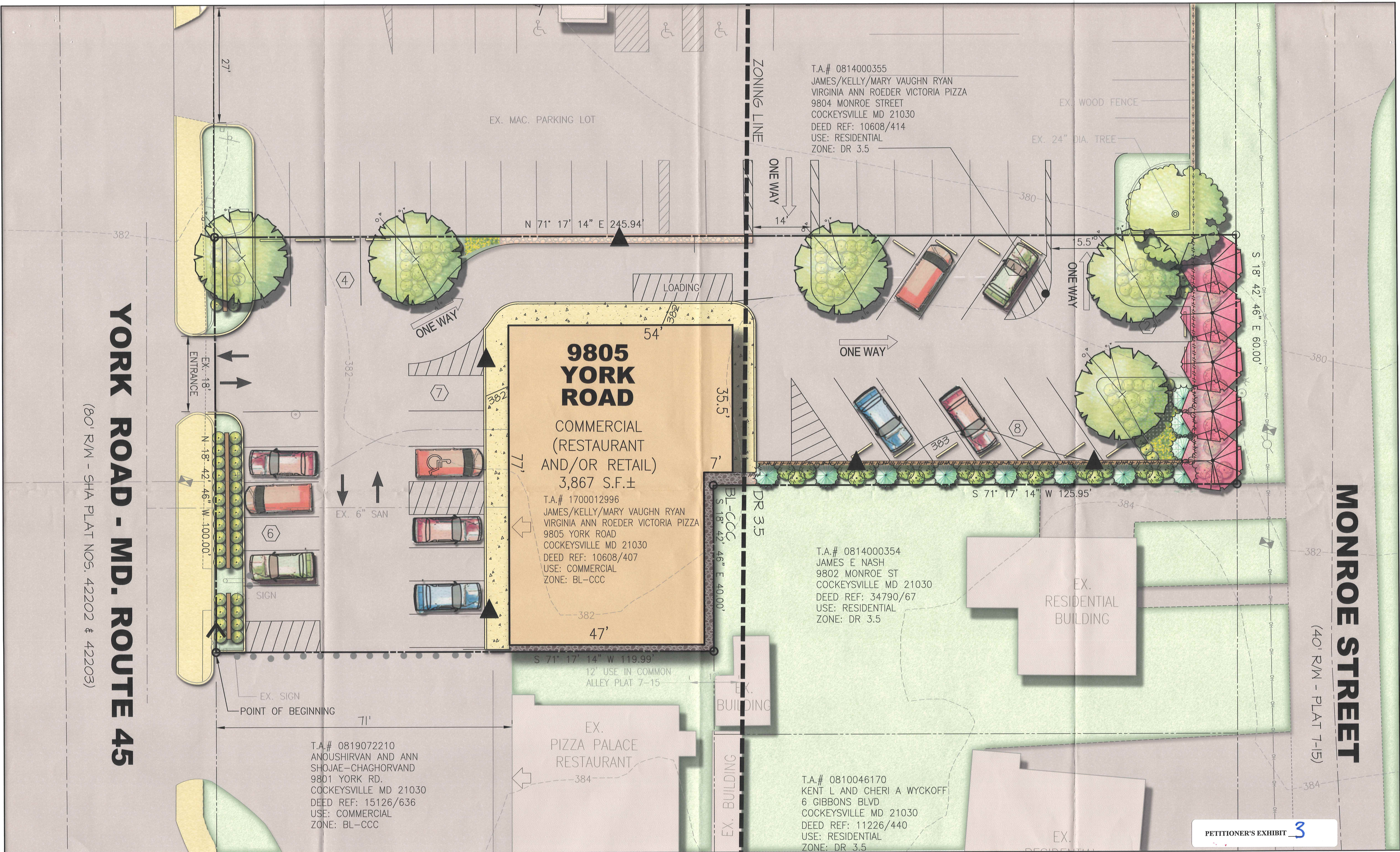
MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND
LANDSCAPE ARCHITECTS



9805 YORK ROAD / 9804 MONROE STREET - AERIAL IMAGERY





YORK ROAD - MD. ROUTE 45
(80' R/W - SHA PLAT NOS. 42202 & 42203)

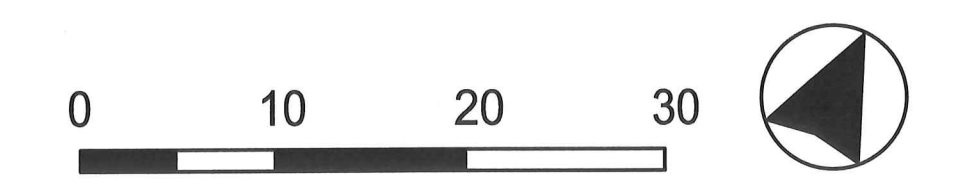
MONROE STREET
(40' R/W - PLAT 7-15)

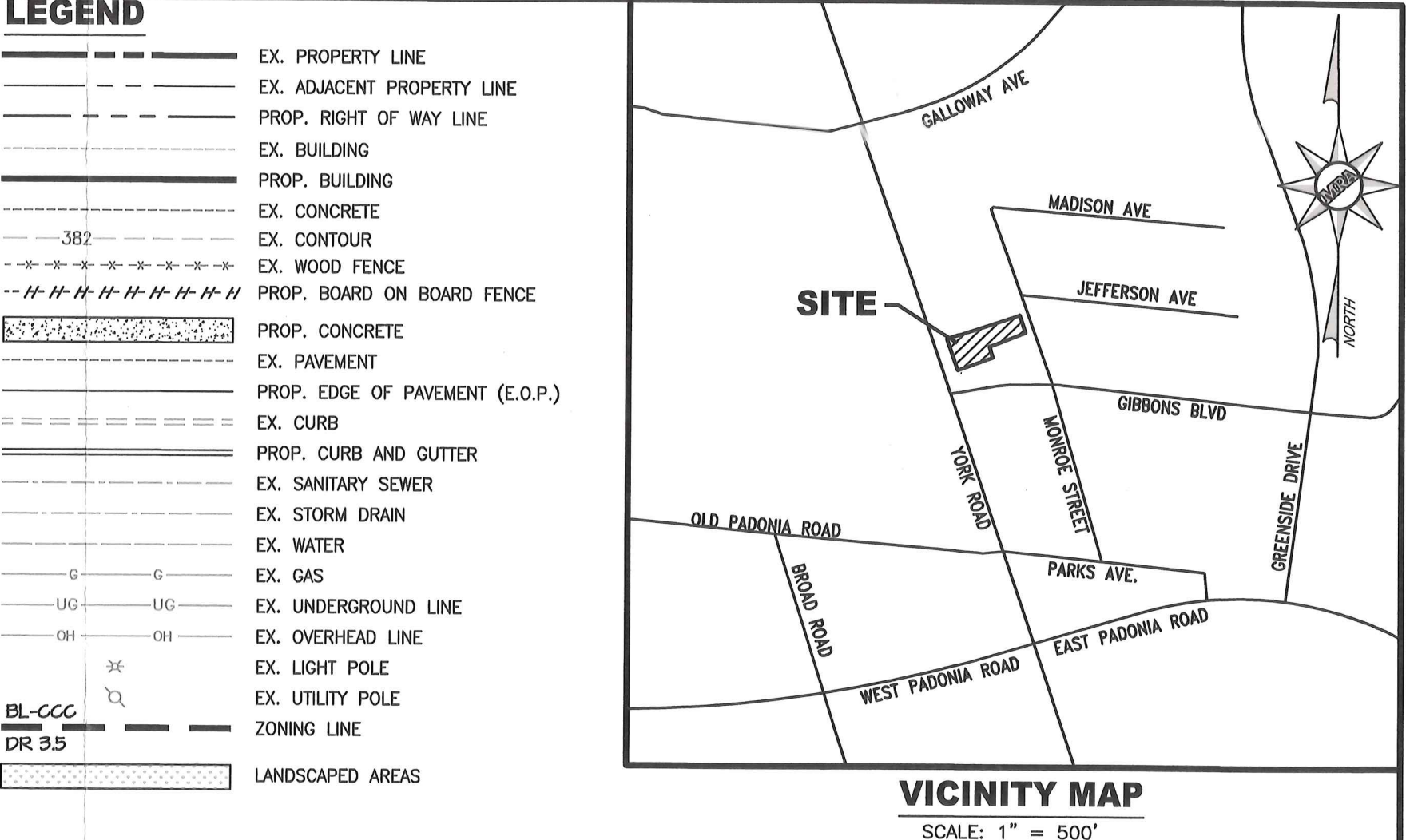
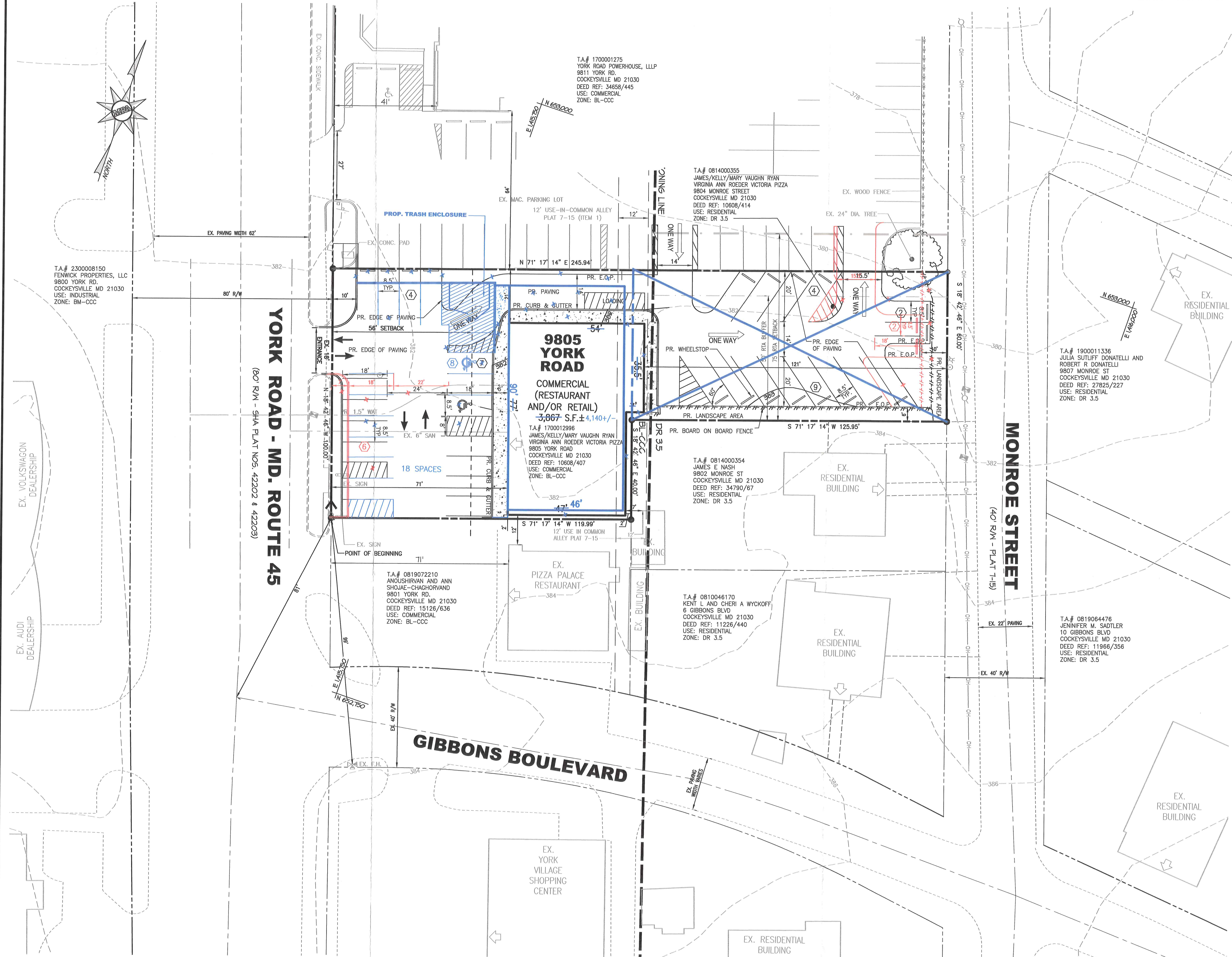
PETITIONER'S EXHIBIT **3**



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS, AND
LANDSCAPE ARCHITECTS

9805 YORK ROAD / 9804 MONROE STREET- ILLUSTRATIVE SITE PLAN





- GENERAL NOTES**
- PROPERTY INFORMATION:
 - A. ADDRESSES: 9805 YORK ROAD AND 9804 MONROE STREET COCKEYSVILLE, MD 21030
 - B. OWNERS: RYAN JAMES VAUGHAN, VIRGINIA ANN PIZZA, KELLY VICTORIA VAUGHAN, A. MARY ROEDER VAUGHAN
 - C. SITE AREA:
 - 9805 YORK ROAD 12,066 S.F. ± 0.277 AC.
 - 9804 MONROE STREET 7,490 S.F. ± 0.172 AC.
 - NET AREA: 19,556 S.F. ± 0.449 AC. ± 12,066 0.277
 - D. ELECTION DISTRICT: 8
 - E. COUNCILMANIC DISTRICT: 3
 - F. ADC MAP: 446017
 - G. CENSUS TRACT: 408503
 - H. TAX MAP: 51
 - I. TAX ACCOUNT NO.: 1700012996, 0814000355
 - J. DEED REFERENCE: 10608/407, 10608/414
 - K. PARCEL: 575
 - L. LOTS: 15-15 AND 25-27
 - ZONING: BL-CCC (BUSINESS LOCAL)
DR-3.5 (DENSITY-RESIDENTIAL-3.5 UNITS-PER-ACRE)
 - ZONING MAP / GIS TILE NO.: 051C2
 - FLOOR AREA RATIO:
 - PERMITTED = 4.0
 - PROPOSED = 0.19 (3,067 S.F. / 20,735 S.F.)
 - 0.35 (4,140 S.F. / 12,066 S.F.)
 - EXISTING LAND USE: COMMERCIAL AND RESIDENTIAL
 - PROPOSED LAND USE: COMMERCIAL
 - BL-CCC ZONE SETBACKS:
 - FROM PROPERTY LINE: 56' (REQUIRED), 71.0' ± (PROVIDED)
 - FRONT: 0' (REQUIRED), 0' (PROVIDED)
 - SIDE (INTERIOR): 0' (REQUIRED), 2.0' ± (PROVIDED)
 - SIDE (STREET): 10' (REQUIRED), N/A (PROVIDED)
 - REAR: 0' (REQUIRED), 2.0' ± (PROVIDED)
 - HEIGHT REQUIREMENTS:
 - PROPOSED BUILDING HEIGHT: NOT TO EXCEED 40'
 - DOES NOT EXCEED 30'
 - PUBLIC WATER WILL BE PROVIDED USING AN EXISTING WATER METER. PUBLIC SEWER WILL ALSO BE PROVIDED USING AN EXISTING SEWER CONNECTION.
 - SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
 - THERE ARE NO HISTORIC BUILDINGS ON THIS SITE.
 - THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN FEMA MAP 2400100235F.
 - THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
 - THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
 - AMENITY OPEN SPACE:
 - REQUIRED (19,556 S.F. ± 0.2) = 3,911 S.F. -774 S.F. 878
 - PROPOSED = 2,350 S.F. -2,350 S.F. 1,100
 - PROPOSED RATIO = 0.12 -0.59 0.26
 - ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
 - SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
 - STORM WATER MANAGEMENT WILL BE PROVIDED USING ENVIRONMENTAL SITE DESIGN TO THE MAXIMUM EXTENT PRACTICABLE. THIS SITE HAS EXISTING IMPERVIOUS AREA GREATER THAN 40% AND IS CLASSIFIED AS "REDEVELOPMENT".
 - CONDITIONS FOR BUSINESS PARKING IN A RESIDENTIAL ZONE:
 - A. PARKING FOR USE BY PATRONS AND EMPLOYEES OF 9805 AND 9811 YORK ROAD.
 - B. ALL PROPOSED PARKING SPACES TO BE USED FOR PASSENGER VEHICLES ONLY.
 - C. NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING FOR PASSENGER VEHICLES WILL BE ALLOWED.
 - D. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
 - E. PARKING ARRANGEMENT AND VEHICULAR ACCESS WILL BE AS PROVIDED ON THIS SITE PLAN.
 - F. HOURS OF OPERATIONS 5:00 AM TO 12:00 AM DAYS OF WEEK. THE PARKING AREA WILL BE MAINTAINED BY THE OPERATOR OF THE USE LOCATED AT 9805 YORK ROAD.
 - G. OTHER CONDITIONS OF PARKING, IF ANY, TO BE DETERMINED AT THE PUBLIC HEARING BEFORE THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
 - THERE ARE NO COMMERCIAL PERMITS ON THIS SITE.

ZONING CASE HISTORY:

1.	CASE NO. 2002-0268-A - TO PERMIT A 6 FT REAR YARD SETBACK IN LIEU OF THE REQUIRED 20' (GRANTED MARCH 26TH 2002)
----	---

PARKING CALCULATIONS:

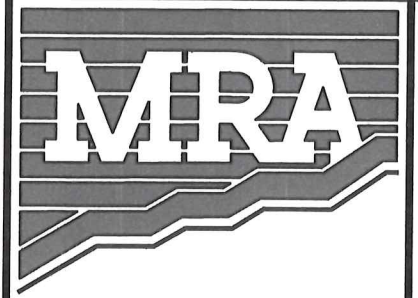
REQUIRED PARKING	-16 / +1,000 SF - 62 P.S.
PROPOSED PARKING	= 33 P.S. -34 P.S.
REQUIRED PARKING	2,940 SQ.FT. RETAIL (5 SPACES / 1,000 SQ.FT. OR 15)
TOTAL REQUIRED	1,200 SQ.FT. RESTAURANT (16 SPACES / 1,000 SQ.FT. OR 20)
TOTAL PROVIDED	35 SPACES
	18 SPACES

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479 EXPIRATION DATE: 06/21/2016.

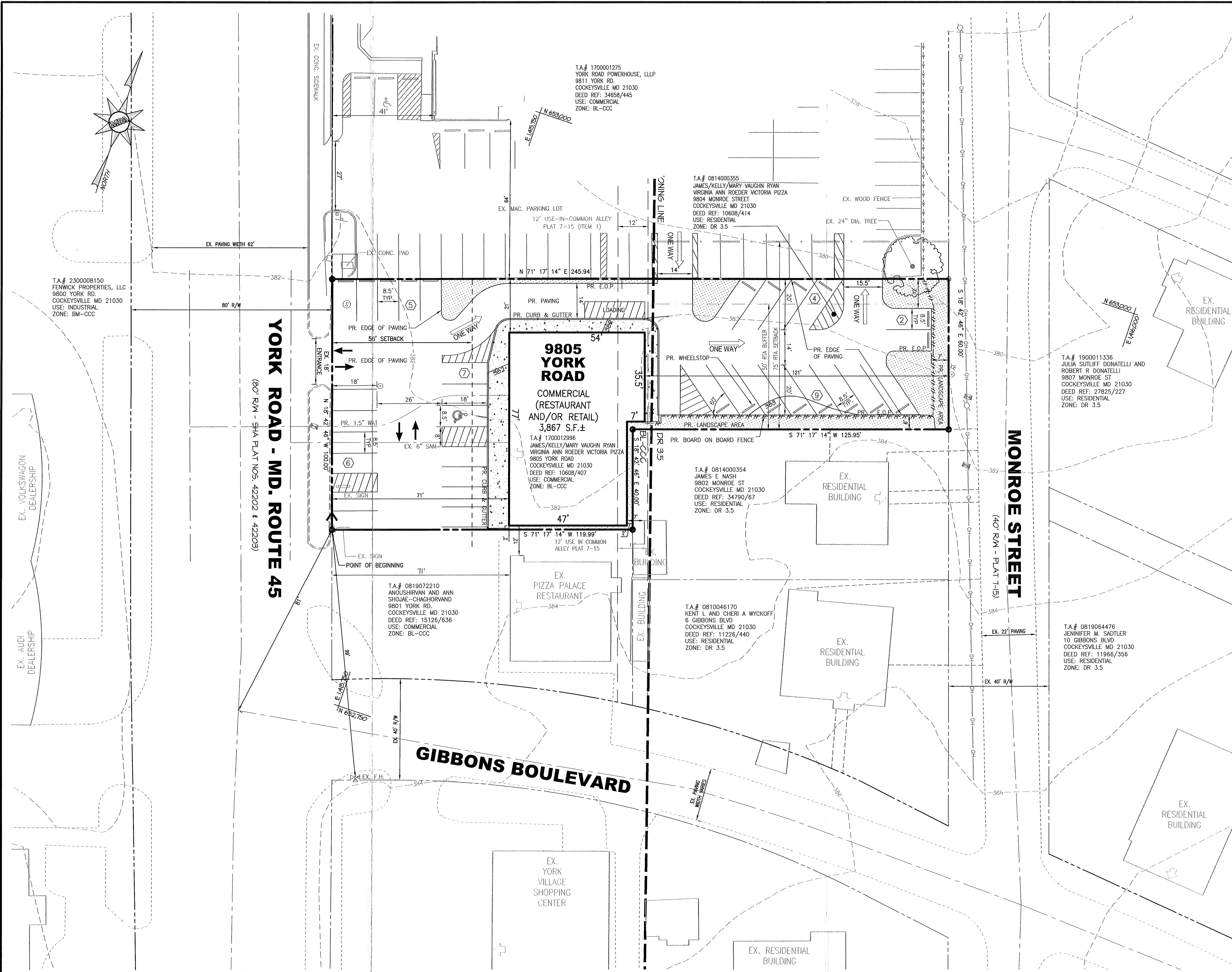
DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83(1991) VERTICAL NAVD 83



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: (410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

SITE PLAN TO ACCOMPANY PETITIONS FOR SPECIAL HEARING AND VARIANCES
9805 YORK ROAD / 9804 MONROE STREET
8 TH ELECTION DISTRICT
3 RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.:	18177
10/13/2015	REDLINE TO ADDRESS AGENCY COMMENTS	SCALE:	1" = 20'
11/16/2015	BLUELINE	DATE:	09/18/2015
		DRAWN BY:	MLE
		DESIGN BY:	JTS
		REVIEW BY:	JTS
		SHEET:	01 OF 01



- LEGEND**
- EX. PROPERTY LINE
 - EX. ADJACENT PROPERTY LINE
 - PROP. RIGHT OF WAY LINE
 - EX. BUILDING
 - PROP. BUILDING
 - EX. CONCRETE
 - EX. CONTOUR
 - EX. WOOD FENCE
 - PROP. BOARD ON BOARD FENCE
 - PROP. CONCRETE
 - EX. PAVEMENT
 - PROP. EDGE OF PAVEMENT (E.O.P.)
 - EX. CURB
 - PROP. CURB AND GUTTER
 - EX. SANITARY SEWER
 - EX. STORM DRAIN
 - EX. WATER
 - EX. GAS
 - EX. UNDERGROUND LINE
 - EX. OVERHEAD LINE
 - EX. LIGHT POLE
 - EX. UTILITY POLE
 - ZONING LINE
 - LANDSCAPED AREAS

GENERAL NOTES

- PROPERTY INFORMATION:
 - ADDRESSES: 9805 YORK ROAD AND 9804 MONROE STREET COCKEYSVILLE, MD 21030
 - OWNERS: RYAN JAMES VAUGHAN, VIRGINIA ANN PIZZA, KELLY VICTORIA VAUGHAN, A. MARY ROEDER VAUGHAN
 - SITE AREA:

9805 YORK ROAD	12,066 S.F.± 0.277 AC±
9804 MONROE STREET	7,490 S.F.± 0.172 AC±
NET AREA:	19,556 S.F.± 0.449 AC±
 - ELECTION DISTRICT: 8
 - COUNCILMANIC DISTRICT: 3
 - ADD MAP: 4460J7
 - CENSUS TRACT: 408503
 - TAX MAP: 51
 - TAX ACCOUNT NO.: 1700012996, 0814000355
 - DEED REFERENCE: 10608/407, 10608/414
 - PARCEL: 375
 - LOTS: 15-16 AND 25-27
- ZONING: BL-CDC (BUSINESS LOCAL)
DR 3.5 (DENSITY RESIDENTIAL 3.5 UNITS PER ACRE)
- ZONING MAP / GIS TILE NO.: 051C2
FLOOR AREA RATIO: PERMITTED = 4.0
PROPOSED = 0.19 (3,867 S.F. / 20,735 S.F.)
- EXISTING LAND USE: COMMERCIAL AND RESIDENTIAL
PROPOSED LAND USE: COMMERCIAL
- BL-CDC ZONE SETBACKS:

FROM PROPERTY LINE	REQUIRED	PROVIDED
FRONT	56' (FRONT YARD AVERAGE)	71.0±
SIDE (INTERIOR)	0'	2.0±
SIDE (STREET)	10'	N/A
REAR	0'	2.0±
- HEIGHT REQUIREMENTS: NOT TO EXCEED 40'
PROPOSED BUILDING HEIGHT: DOES NOT EXCEED 30'
- PUBLIC WATER WILL BE PROVIDED USING AN EXISTING WATER METER. PUBLIC SEWER WILL ALSO BE PROVIDED USING AN EXISTING SEWER CONNECTION
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THERE ARE NO HISTORIC BUILDINGS ON THIS SITE.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN FEMA MAP 2400100235F.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- AMENITY OPEN SPACE:

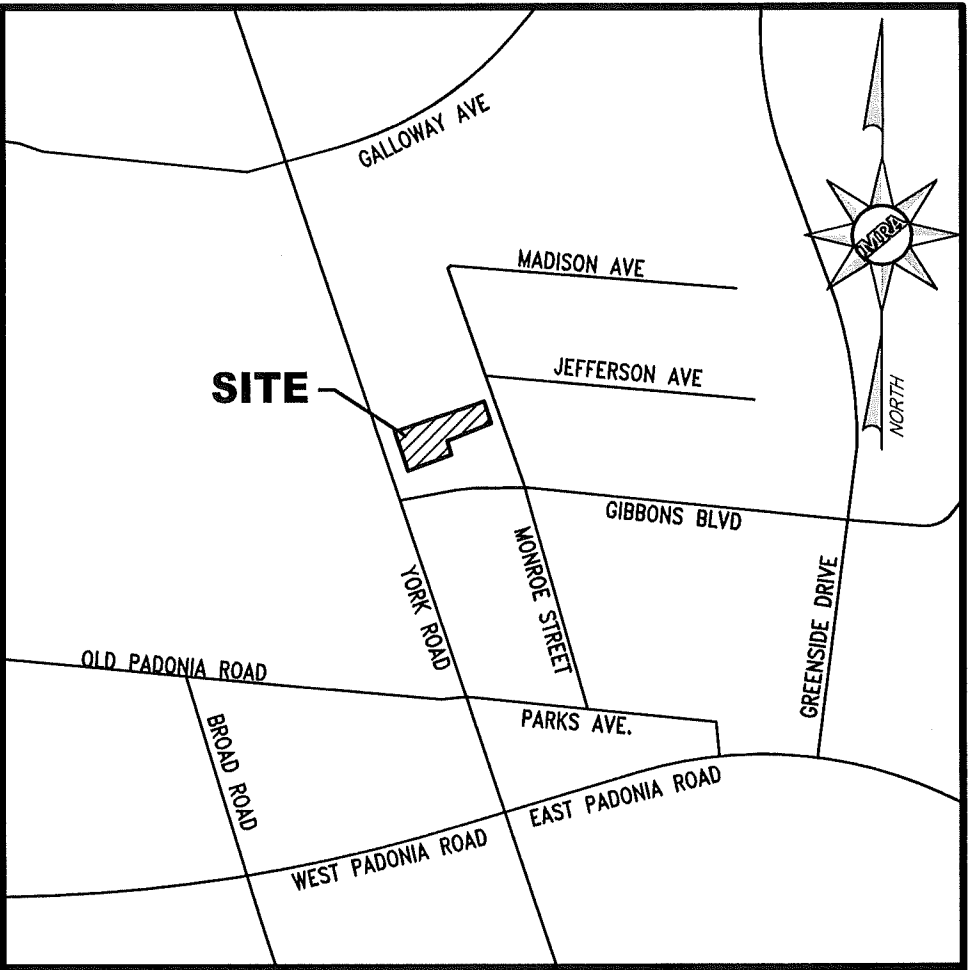
REQUIRED (19,556 * 0.2)	= 3,911 SF
PROPOSED	= 2,359 SF
PROPOSED RATIO	= 0.12
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
- STORM WATER MANAGEMENT WILL BE PROVIDED USING ENVIRONMENTAL SITE DESIGN TO THE MAXIMUM EXTENT PRACTICABLE. THIS SITE HAS EXISTING IMPERVIOUS AREA GREATER THAN 40% AND IS CLASSIFIED AS "REDEVELOPMENT".
- CONDITIONS FOR BUSINESS PARKING IN A RESIDENTIAL ZONE:
 - PARKING FOR USE BY PATRONS AND EMPLOYEES OF 9805 YORK ROAD.
 - ALL PROPOSED PARKING SPACES TO BE USED FOR PASSENGER VEHICLES ONLY.
 - NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING FOR PASSENGER VEHICLES WILL BE ALLOWED.
 - ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
 - PARKING ARRANGEMENT AND VEHICULAR ACCESS WILL BE AS PROVIDED ON THIS SITE PLAN.
 - HOURS OF OPERATIONS 5:00 AM TO 12:00 AM DAYS OF WEEK. THE PARKING AREA WILL BE MAINTAINED BY THE OPERATOR OF THE USE LOCATED AT 9805 YORK ROAD.
 - OTHER CONDITIONS OF PARKING, IF ANY, TO BE DETERMINED AT THE PUBLIC HEARING BEFORE THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- THERE ARE NO COMMERCIAL PERMITS ON THIS SITE.

ZONING CASE HISTORY:

- CASE NO. 2002-0268-A - TO PERMIT A 6 FT REAR YARD SETBACK IN LIEU OF THE REQUIRED 20' (GRANTED MARCH 28TH 2002)

PARKING CALCULATIONS:

REQUIRED PARKING 16 / 1,000 SF = 62 P.S.
PROPOSED PARKING: = 33 P.S.



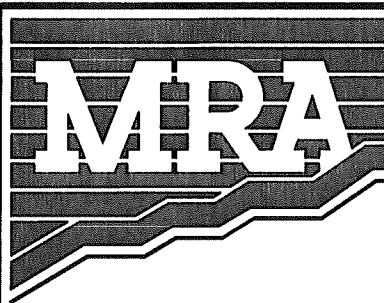
VICINITY MAP
SCALE: 1" = 500'

PLAN
SCALE: 1" = 20'

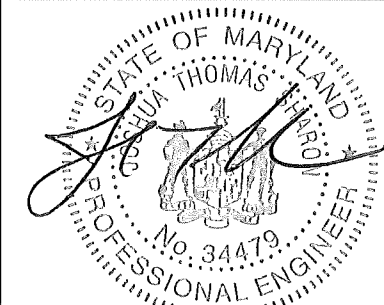
PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479 EXPIRATION DATE: 06/21/2016.

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/(1991) VERTICAL NAVD 88



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: (410) 821-6990
FAX: (410) 821-1748
MRAGTA.COM

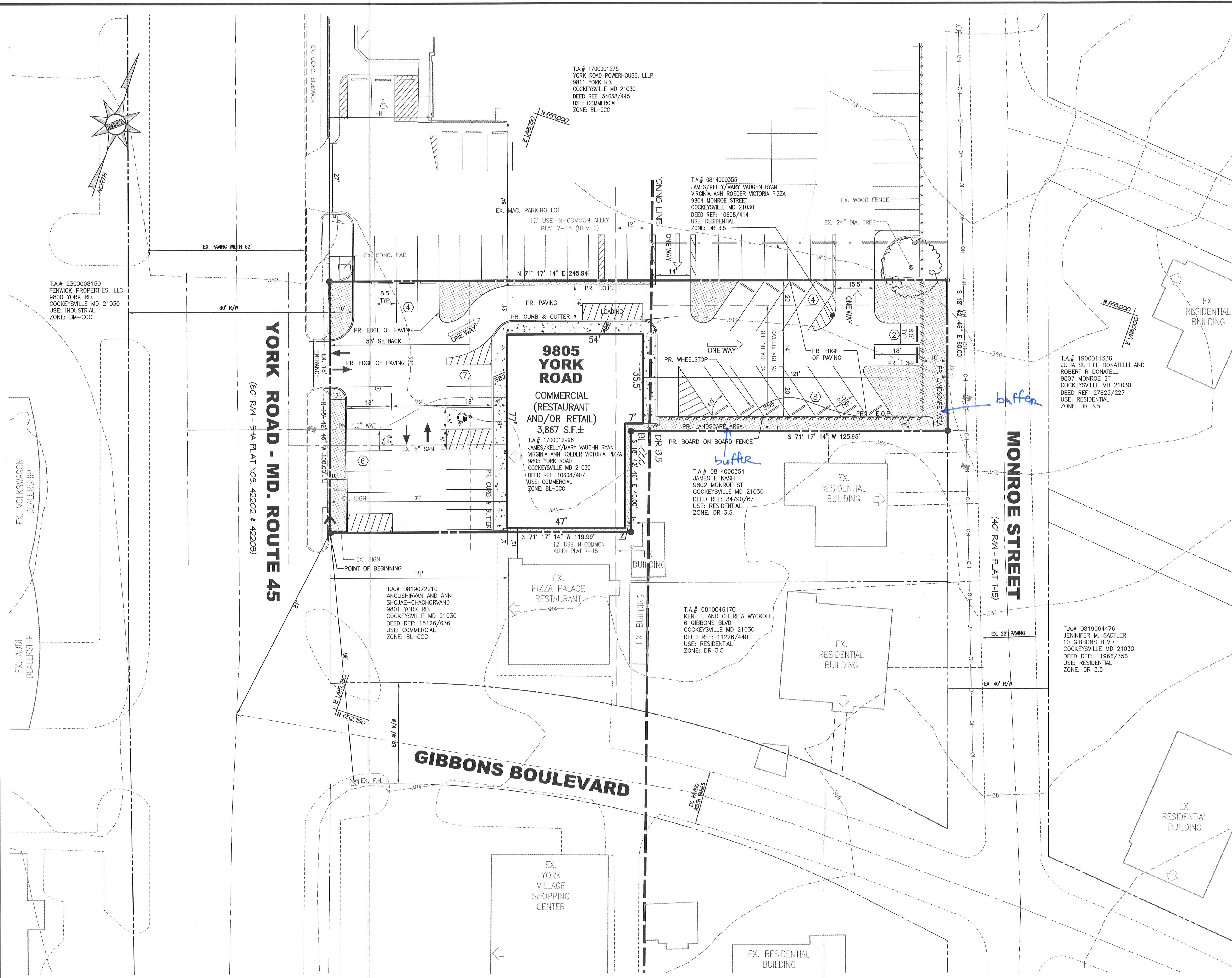


**SITE PLAN TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING
AND VARIANCES**
9805 YORK ROAD / 9804 MONROE STREET

8 TH ELECTION DISTRICT
3 RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

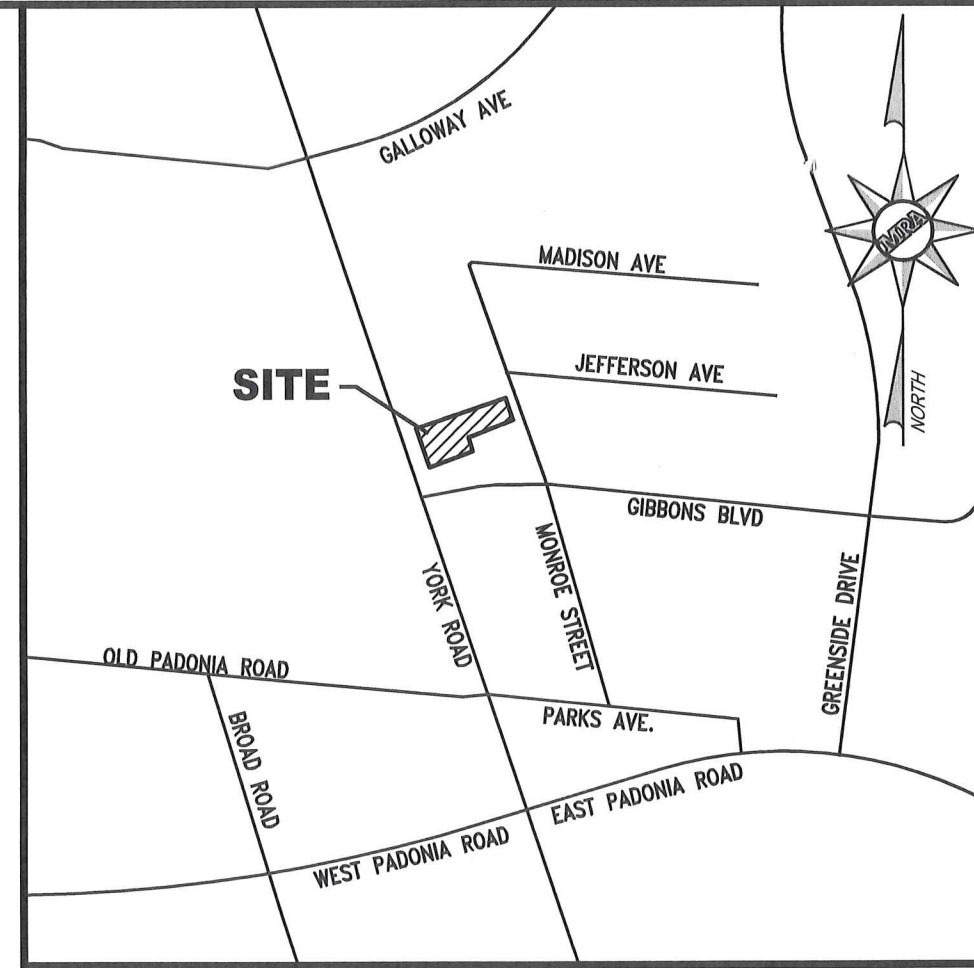
DATE	REVISIONS	JOB NO.: 18177
		SCALE: 1" = 20'
		DATE: 08/18/2015
		DRAWN BY: MLE
		DESIGN BY: JTS
		REVIEW BY: JTS
		SHEET: 01 OF 01

2016-0041-A



LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- PROP. RIGHT OF WAY LINE
- EX. BUILDING
- PROP. BUILDING
- EX. CONCRETE
- EX. CONTOUR
- EX. WOOD FENCE
- PROP. BOARD ON BOARD FENCE
- PROP. CONCRETE
- EX. PAVEMENT
- PROP. EDGE OF PAVEMENT (E.O.P.)
- EX. CURB
- PROP. CURB AND GUTTER
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. GAS
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT POLE
- EX. UTILITY POLE
- ZONING LINE
- LANDSCAPED AREAS



VICINITY MAP
SCALE: 1" = 500'

GENERAL NOTES

- PROPERTY INFORMATION:
 - ADDRESSES: 9805 YORK ROAD AND 9804 MONROE STREET COCKEYSVILLE, MD 21030
 - OWNERS: RYAN JAMES VAUGHAN, VIRGINIA ANN PIZZA, KELLY VICTORIA VAUGHAN, A. MARY ROEDER VAUGHAN
 - SITE AREA:
 - 9805 YORK ROAD 12,066 S.F.± 0.277 AC±
 - 9804 MONROE STREET 7,490 S.F.± 0.172 AC±
 - NET AREA: 19,556 S.F.± 0.449 AC±
 - ELECTION DISTRICT: 8
 - COUNCILMANIC DISTRICT: 3
 - ADC MAP: 4460J7
 - CENSUS TRACT: 408503
 - TAX MAP: 51
 - TAX ACCOUNT NO.: 1700012996, 0814003355
 - DEED REFERENCE: 10608/407, 10608/414
 - PARCEL: 379
 - LOTS: 15-15 AND 25-27
- ZONING:
 - BL-COC (BUSINESS LOCAL)
 - DR 3.5 (DENSITY RESIDENTIAL 3.5 UNITS PER ACRE)
- ZONING MAP / GIS TILE NO.: 051C2
- FLOOR AREA RATIO:
 - PERMITTED = 4.0
 - PROPOSED = 0.19 (3,867 S.F. / 20,735 S.F.)
- EXISTING LAND USE: COMMERCIAL AND RESIDENTIAL
- PROPOSED LAND USE: COMMERCIAL
- BL-COC ZONE SETBACKS :
 - FROM PROPERTY LINE: 56' (REQUIRED), 71.0'± (PROVIDED)
 - FRONT: 0' (REQUIRED), 2.0'± (PROVIDED)
 - SIDE (INTERIOR): 10' (REQUIRED), N/A (PROVIDED)
 - SIDE (STREET): 0' (REQUIRED), 2.0'± (PROVIDED)
 - REAR: 0' (REQUIRED), 2.0'± (PROVIDED)
- HEIGHT REQUIREMENTS:
 - PROPOSED BUILDING HEIGHT: NOT TO EXCEED 40'
 - DOES NOT EXCEED 30'
- PUBLIC WATER WILL BE PROVIDED USING AN EXISTING WATER METER. PUBLIC SEWER WILL ALSO BE PROVIDED USING AN EXISTING SEWER CONNECTION
- SCREENING AND LANDSCAPING SHALL COMPLY WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- THERE ARE NO HISTORIC BUILDINGS ON THIS SITE.
- THIS SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE SITE IS NOT LOCATED IN A 100 YEAR FLOODPLAIN FEMA MAP 2400100235F.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THIS PROPERTY.
- AMENITY OPEN SPACE:
 - REQUIRED (3,867 * 0.2) = 774 SF
 - PROPOSED = 2,300 SF
 - PROPOSED RATIO = 0.59
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- SIGNAGE ON THIS SITE SHALL CONFORM WITH THE SIGNAGE REQUIREMENTS OF THE BALTIMORE COUNTY ZONING REGULATIONS SECTION, 450.
- STORM WATER MANAGEMENT WILL BE PROVIDED USING ENVIRONMENTAL SITE DESIGN TO THE MAXIMUM EXTENT PRACTICABLE. THIS SITE HAS EXISTING IMPERVIOUS AREA GREATER THAN 40% AND IS CLASSIFIED AS "REDEVELOPMENT".
- CONDITIONS FOR BUSINESS PARKING IN A RESIDENTIAL ZONE:
 - A. PARKING FOR USE BY PATRONS AND EMPLOYEES OF 9805 AND 9811 YORK ROAD.
 - B. ALL PROPOSED PARKING SPACES TO BE USED FOR PASSENGER VEHICLES ONLY.
 - C. NO LOADING, SERVICE OR ANY USE OTHER THAN PARKING FOR PASSENGER VEHICLES WILL BE ALLOWED.
 - D. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
 - E. PARKING ARRANGEMENT AND VEHICULAR ACCESS WILL BE AS PROVIDED ON THIS SITE PLAN.
 - F. HOURS OF OPERATIONS 5:00 AM TO 12:00 AM DAYS OF WEEK. THE PARKING AREA WILL BE MAINTAINED BY THE OPERATOR OF THE USE LOCATED AT 9805 YORK ROAD.
 - G. OTHER CONDITIONS OF PARKING, IF ANY, TO BE DETERMINED AT THE PUBLIC HEARING BEFORE THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE COUNTY.
- THERE ARE NO COMMERCIAL PERMITS ON THIS SITE.

ZONING CASE HISTORY:

- CASE NO. 2002-0268-A - TO PERMIT A 6 FT REAR YARD SETBACK IN LIEU OF THE REQUIRED 20' (GRANTED MARCH 26TH 2002)

PARKING CALCULATIONS:

REQUIRED PARKING 16 / 1,000 SF = 62 P.S.
PROPOSED PARKING: = 31 P.S.

PLAN
SCALE: 1" = 20'

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.

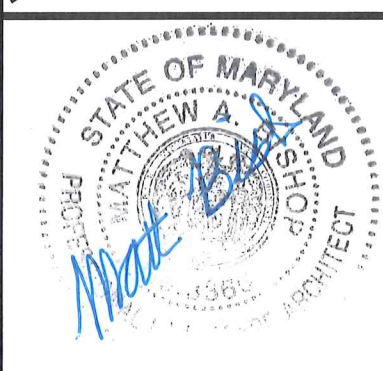
PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 34479 EXPIRATION DATE: 06/21/2016.

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/(1991) VERTICAL NAVD 88

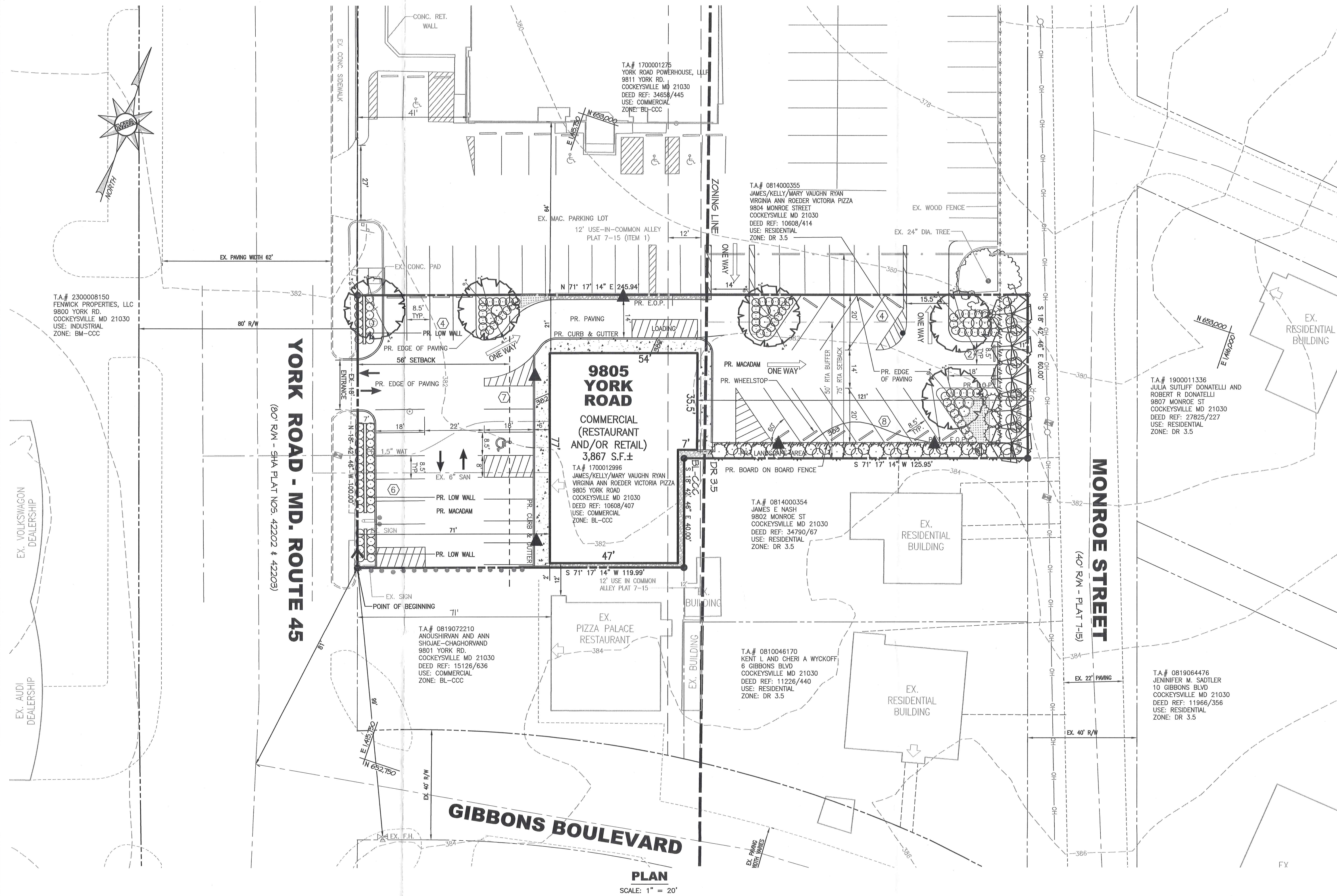


MORRIS & RICHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: (410) 821-1690
FAX: (410) 821-1748
MRAGIA.COM



SITE PLAN TO ACCOMPANY
PETITIONS FOR SPECIAL HEARING
AND VARIANCES
9805 YORK ROAD / 9804 MONROE STREET
8 TH ELECTION DISTRICT
3 RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.:	18177
		SCALE:	1" = 20'
		DATE:	09/18/2015
		DRAWN BY:	MLE
		DESIGN BY:	JTS
		REVIEW BY:	JTS
		SHEET:	01 OF 01



LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. BUILDING
- EX. CONCRETE
- EX. CONTOUR
- EX. WOOD FENCE
- EX. PAVEMENT
- EX. CURB
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER
- EX. GAS
- EX. UNDERGROUND LINE
- EX. OVERHEAD LINE
- EX. LIGHT / UTILITY POLE
- EX. SIGN
- ZONING LINE
- EX. WATER METER / HYDRANT
- EX. SANITARY MANHOLE
- PROP. RIGHT OF WAY LINE
- PROP. BUILDING
- PROP. BOARD ON BOARD FENCE
- PROP. CONCRETE
- PROP. EDGE OF PAVEMENT (E.O.P.)
- PROP. CURB AND GUTTER
- PROP. CONTOUR
- PROP. GROUND COVER
- PROP. DECORATIVE STONE
- PROP. LIGHT
- PROP. MAJOR TREE
- PROP. FLOWERING TREE
- PROP. EVERGREEN TREE
- PROP. SHRUB

GENERAL NOTES

- PROPERTY INFORMATION:
 - ADDRESSES: 9805 YORK ROAD AND 9804 MONROE STREET COCKEYSVILLE, MD 21030
 - OWNERS: RYAN JAMES VAUGHAN, VIRGINIA ANN PIZZA, KELLY VICTORIA VAUGHAN, A. MARY ROEDER VAUGHAN
 - SITE AREA:

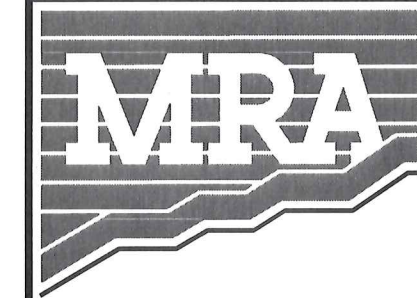
9805 YORK ROAD	12,066 S.F. ± 0.277 AC ±
9804 MONROE STREET	7,490 S.F. ± 0.172 AC ±
NET AREA:	19,556 S.F. ± 0.449 AC ±
 - ELECTION DISTRICT: 8
 - COUNCILMANIC DISTRICT: 3
 - ADC MAP: 4460/7
 - CENSUS TRACT: 408503
 - TAX MAP: 51
 - TAX ACCOUNT NO.: 1700012996, 0814000355
 - DEED REFERENCE: 10608/407, 10608/414
 - PARCEL: 375
 - LOTS: 15-15 AND 25-27
- ZONING:
 - BL-CCC (BUSINESS LOCAL)
 - DR 3.5 (DENSITY RESIDENTIAL 3.5 UNITS PER ACRE)
- EXISTING LAND USE:
 - COMMERCIAL AND RESIDENTIAL
 - PROPOSED LAND USE: COMMERCIAL
- PROVIDED PARKING: 31 SPACES

PLANTING UNIT CALCULATIONS:

Baltimore County Planting Unit Condition	PU Credit Requirement Rate	Quantity	Required Planting Units (PU)
Condition A Street Frontage and Streetscape			
Interior Road	1 PU/20 LF	106	5.3
Adjacent Road	1 PU/40 LF	160	4.0
Condition B Parking Lots			
Parking adjacent to Public Road	1 PU/15 LF	117	7.8
Parking adjacent to Residential	1 PU/15 LF	103	6.9
Parking adjacent to Commercial	1 PU/20 LF	155	7.8
Interior Parking Lot	1 PU/12 Parking Spaces	33	2.8
Condition E Nonresidential Buildings			
Landscape Buffer adjacent to Residential	1 PU/15 LF of Building Façade	41	2.7
Condition G Storage and Loading Areas			
Screening of Loading Area from Commercial	1 PU/15 LF	30	2.0
Screening of Loading Area from Residential	1 PU/10 LF	10	1.0
Total Required Planting Units (PU)			40.2

Baltimore County Planting Units	PU Credit Rate	Quantity	Provided Planting Units (PU)
Major Trees Provided	1 PU/Tree	5	5.0
Minor Trees Provided	1 PU/2 Trees	5	2.5
Evergreen Trees	1 PU/2 Trees	8	4.0
Shrubs	1 PU/5 Shrubs	160	32.0
Total Provided Planting Units (PU)			43.5

A MODIFICATION HAS BEEN REQUESTED FOR THE FOLLOWING CONDITIONS: CONDITION A, B, E, AND G. REFER TO THE MODIFICATION LETTER FOR DETAILS.



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1220-C EAST JOPPA ROAD, SUITE 505
 TOWSON, MARYLAND 21286
 PHONE: (410) 821-1690
 FAX: (410) 821-1748
 MRAGTA.COM



SCHEMATIC LANDSCAPE PLAN 9805 YORK ROAD / 9804 MONROE STREET

8 TH ELECTION DISTRICT
 3 RD COUNCILMANIC DISTRICT
 BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.:	18177
		SCALE:	1" = 20'
		DATE:	10/12/2015
		DRAWN BY:	CGM
		DESIGN BY:	CGM
		REVIEW BY:	MAB
		SHEET:	01 OF 01

SCHEMATIC LANDSCAPE PLAN CERTIFICATION FORM

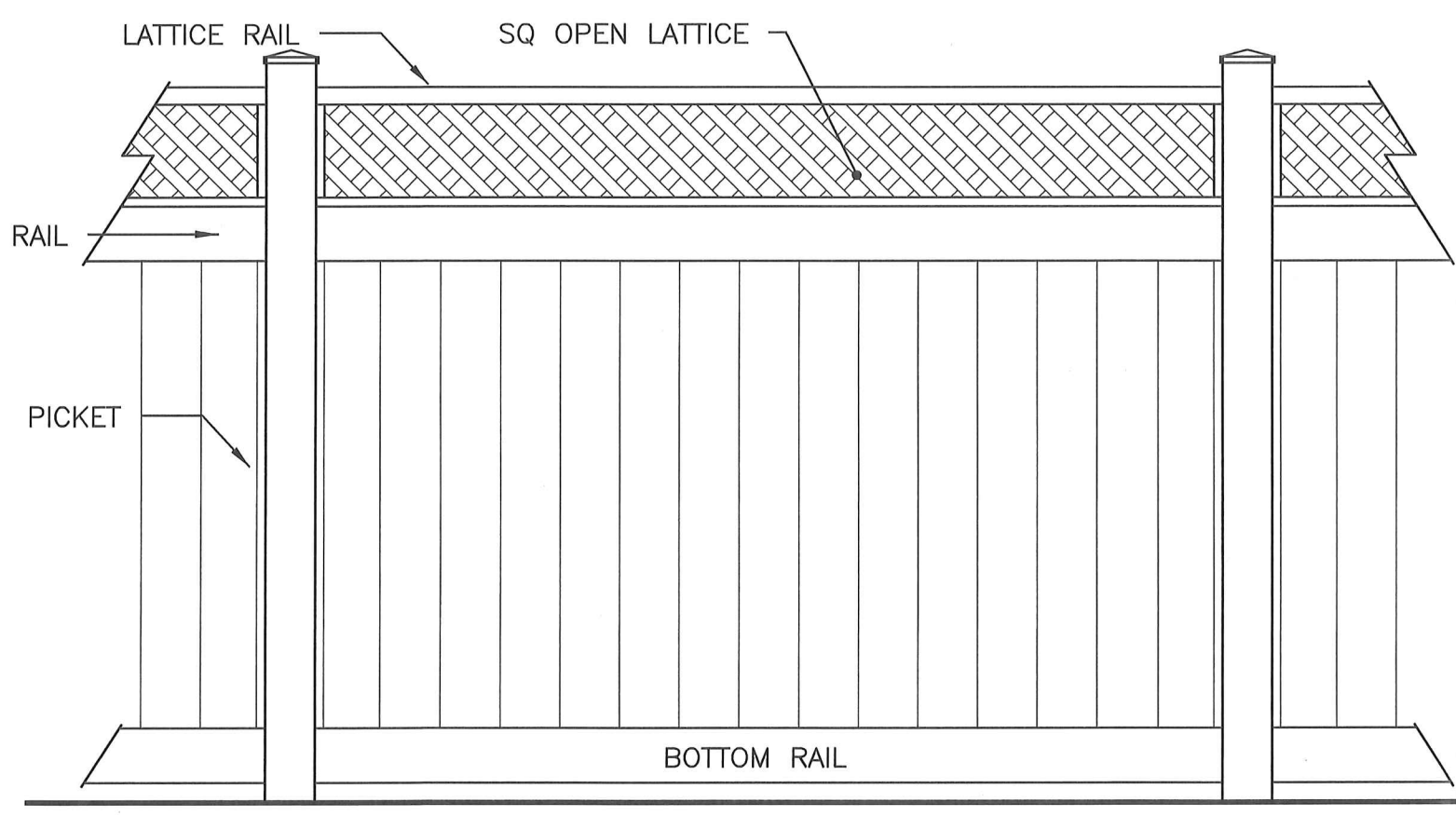
THIS SCHEMATIC LANDSCAPE PLAN IS SEALED BY A LANDSCAPE ARCHITECT AND CERTIFIED BY MY SIGNATURE BELOW AS BEING IN ACCORDANCE WITH ALL COUNTY AGENCY LANDSCAPE ARCHITECTURAL COMMENTS.

Matthew Bishop 10/12/15 *Matthew Bishop*

APPLICANT SIGNATURE DATE PRINT NAME

MAILING ADDRESS (IF NOT ALREADY ON PLAN)

THE CORRECTNESS OR COMPLETENESS OF EXISTING INFORMATION SHOWN ON THE DRAWINGS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES AND UNDERGROUND FACILITIES, BY TEST PITS OR OTHER METHODS APPROVED BY THE OWNER'S REPRESENTATIVE, AS REQUIRED TO VERIFY EXACT LOCATIONS AND DEPTHS WITHIN THE LIMIT OF DISTURBANCE. ALL DISCREPANCIES BETWEEN INFORMATION SHOWN ON THE DRAWINGS AND THAT VERIFIED IN THE FIELD SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.



- FENCE NOTES:
- 6" TALL WHITE VINYL PRIVACY FENCE.
 - 8" PANEL SECTIONS MEASURED FROM CENTER OF POST TO CENTER OF POST.
 - USE LONG FENCE HILLSIDE W/LATTICE MODEL OR APPROVED EQUAL.
 - FOLLOW ALL MANUFACTURER'S SPECIFICATIONS FOR PROPER POST INSTALLATION.
 - PROVIDE SHOP DRAWINGS FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

PRIVACY FENCE SECTION ELEVATION

NOT TO SCALE

ZONING CASE HISTORY:

- CASE NO. 2002-0268-A - TO PERMIT A 6 FT REAR YARD SETBACK IN LIEU OF THE REQUIRED 20' (GRANTED MARCH 25TH 2002)

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3369, EXPIRATION DATE: 08/20/2016

DESIGN & DRAWING BASED ON MARYLAND COORDINATE SYSTEM: HORIZONTAL NAD 83/(1981) VERTICAL NAVD 88

PETITIONER'S EXHIBIT 6