

MEMORANDUM

DATE: January 11, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0094-^{SPHXA}~~A~~ - Appeal Period Expired

The appeal period for the above-referenced case expired on January 10, 2019. 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

/dlw

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE *
(1701 York Road) *
8th Election District
3rd Council District
Nickbiel, LLC
 Legal Owner
Jabber Five, Inc.
 Lessee
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0094-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed on behalf of Nickbiel, LLC, legal owner, and Jabber Five, Inc., lessee (“Petitioners”).

The Petition for Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to confirm that 13 off-street parking spaces are sufficient; and (2) if necessary, to confirm the nonconforming status of four (4) parking spaces along the eastern property line. A Petition for Variance was filed: (1) to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 feet; and (2) to allow 13 off-street parking spaces in lieu of the required 21 parking spaces. Finally, a Petition for Special Exception was filed for a state-licensed medical clinic (freestanding ambulatory care facility for an urologist practice only).

Appearing at the public hearing in support of the requests was Dr. Robert Thompson and professional engineer Rick Richardson. David H. Karceski, Esq. and Jennifer Frankovich, Esq., represented the Petitioners. Several citizens attended the hearing to obtain additional information regarding the project. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (ZAC) comment was submitted by the Department of

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Date

12/11/18

By

Sen

Planning ("DOP"). That agency proposed several conditions for inclusion in the final order although it did not oppose the zoning requests.

The subject property is approximately 17,119 square feet in size and is split-zoned BL & DR 5.5. The property is improved with a one-story commercial building (4,554 sq. ft.) constructed in 1964. Most recently a restaurant was operated at the site, although the building is now vacant. Petitioners propose to operate a urology clinic, and will reuse the existing building and site improvements for that purpose. No exterior changes or improvements are proposed at this time.

Special Hearing

Article 4C of the BCZR contains a unique provision that permits the Administrative Law Judge ("ALJ") to determine with respect to a state-licensed medical clinic whether sufficient parking exists for the proposed use. In this case Dr. Thompson explained the clinic will perform outpatient surgical procedures on urology patients. Dr. Thompson stated the practice will have far fewer patients on a daily basis than would a general medical office or walk-in clinic. Only one physician will be on-duty at any one time, along with four (4) nurses/technicians. The floorplan shows two procedure rooms and one operating room, and Dr. Thompson opined there would not be any more than five (5) patients (and perhaps their spouses/families) in the clinic at the same time. Thirteen spaces are shown on the plan and in my opinion that number is sufficient for this urology clinic given the operation as described at the hearing.

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272, (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court

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Date 12/11/18
By Sen

again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Mr. Richardson testified via proffer Petitioners satisfied the requirements of BCZR Section 502.1 and the case law interpreting that the provision. In the absence of any evidence to the contrary the petition for special exception 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 Md. App 691 (1995).

The property is small (0.3 acres), especially when compared to neighboring commercial sites along York Road. As such the property is unique. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to operate the clinic at this location. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED this 11th day of **December, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to confirm that 13 off-street parking spaces are sufficient, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Exception for a state-licensed

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Date 12/11/18
By Sen

medical clinic (freestanding ambulatory care facility for an urologist practice only), be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 feet; (2) to allow 13 off-street parking spaces in lieu of the required 21 parking spaces; and (3) to permit a fence in a DR zone eight (8) feet in height in lieu of the maximum 6 feet, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners must inform all employees of the medical clinic that they are permitted to park only on the subject property in one of the off-street spaces designated for that purpose.
3. The special exception approval granted herein is for the operation of a freestanding ambulatory care facility (*i.e.*, urology practice) only; any other use permitted by special exception would require approval following a public hearing.
4. Only a single freestanding sign shall be permitted at the site.
5. Petitioners shall construct at their sole cost and expense a board-on-board fence eight (8) feet in height along the entire eastern property boundary.

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:slh

ORDER RECEIVED FOR FILING

Date 12/11/18
By slh



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

December 11, 2018

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

RE: Petitions for Special Hearing, Special Exception and Variance
Case No. ~~2018~~-0094-SPHXA
Property: 1701 York Road

Dear Counsel:

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.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Augusto & Carolyn Gamboa, 1702 Haddington Garth, Lutherville, MD. 21093
Eric Rockel, 1610 Riderwood Dr., Lutherville, MD 21093
Suzanne Royer, 218 Margate Road, Lutherville, MD 21093
John Austin, 1504 Bedworth Road, Lutherville, MD 21093

AMENDED PETITION (PAGE 1)

11/7/18



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 1701 York Road which is presently zoned BL, DR5.5
Deed References: 10853-272 10 Digit Tax Account # 0803003120
Property Owner(s) Printed Name(s) Nickbiel LLC

(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

SEE ATTACHED SHEET

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:
Jabber Five, Inc. A Florida S-Corp.
Brad Shapiro, President

Name- Type or Print
Signature
12806 Bridlepath Road, Reisterstown, MD
Mailing Address City State
21136 / 410-560-3970 /
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):

Nickbiel LLC
Randy Bielski, Member
Name #1 - Type or Print Name #2 - Type or Print
(See next page)
Signature #1 Signature #2
1701 York Road, Lutherville, MD
Mailing Address City State
21093 / 443-866-2161 /
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 2019-0094-SP4XA

Filing Date

Do Not Schedule Dates:

Reviewer

9/25/2018

ORDER RECEIVED FOR FILING
REV. 10/4/11

Date

By

12/1/18

ser



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 1701 York Road which is presently zoned BL, DR5.5
 Deed References: 10853-272 10 Digit Tax Account # 0803003120
 Property Owner(s) Printed Name(s) Nickbiel LLC

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

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

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

SEE ATTACHED SHEET

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

SEE ATTACHED SHEET

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

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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:
 Jabber Five, Inc., A Florida S-Corp.
 Brad Shapiro, President

Name- Type or Print

(see previous page)

Signature

12806 Bridlepath Road, Reisterstown, MD

Mailing Address City State

21136 / 410-560-3970

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):

Nickbiel LLC
 Randy Bielski, Member

Name #1 - Type or Print

Name #2 - Type or Print

Randy Bielski

Signature #1

Signature #2

1701 York Road, Lutherville, MD

Mailing Address City State

21093 / 443-866-2161

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 _____

Date

12/11/11

By

Sen

ORDER RECEIVED FOR FILING

REV. 10/4/11

**ATTACHMENT
TO PETITION FOR SPECIAL HEARING**

1701 YORK ROAD

Special Hearing to confirm that 13 off-street parking spaces are sufficient, pursuant to B.C.Z.R. Section 4C-102.A.2.b.

Special Hearing to confirm the nonconforming status of four (4) parking spaces along the Eastern property line, if necessary.

**ATTACHMENT
TO PETITION FOR SPECIAL EXCEPTION**

1701 YORK ROAD

Special Exception for a state-licensed medical clinic (freestanding ambulatory care facility for an urologist practice only), pursuant to B.C.Z.R. Section 4C-102.A.1.

**ATTACHMENT
TO PETITION FOR VARIANCE**

1701 YORK ROAD

1. Variance from B.C.Z.R. Section 4C-102.A.2.a. to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 feet.
2. Variance to allow 13 off-street parking spaces in lieu of the required 21 parking spaces, pursuant to B.C.Z.R. Section 409.6, if necessary.

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION FOR
1701 YORK ROAD
NICKBIEL LLC.
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the North side of Haddington Road (50' R.O.W.) at a distance 153.50' +/- along the East side of York Road thence (1) North 20 degrees 32 minutes 28 seconds West 115.01 feet, (2) North 70 degrees 6 minutes 24 seconds East 119.48 feet, (3) South 19 degrees 54 minutes 15 seconds East 115.00 feet, (4) South 70 degrees 6 minutes 24 seconds West 118.20 feet: to the point of beginning.

Containing a net area of 13,667 square feet, or 0.314 acres of land, more or less.



2019-0094-SPHKA

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/16/2018

Order #: 11640077
Case #: 2019-0094-SPHXA
Description:

CASE NUMBER: 2019-0094-SPHXA - NOTICE OF ZONING HEARING



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0094-SPHXA

1701 York Road

NE/s York Road, 153.5 ft. NW of Haddington Road

8th Election District - 3rd Councilmanic District.

Legal Owners: Nickbiel, LLC

Contract Purchaser/Lessee: Jabber Five, Inc., A Florida S-Corp.

Special Hearing to confirm that 13 off-street parking spaces are sufficient. Special Exception for a state licensed medical clinic (freestanding ambulatory care facility for an urologist practice only). Variance to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 ft. To allow 13 off-street parking spaces in lieu of the required 21 parking spaces.

Hearing: Friday, December 7, 2018 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.

n16

CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.
Jabber Five, Inc., A Florida S-Corp.

December 7, 2018
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:

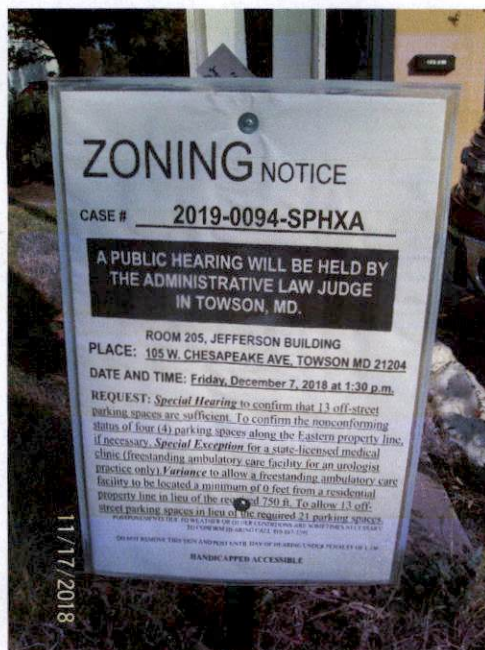
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1701 York Road

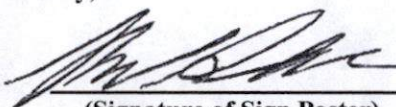
SIGN 1

November 17, 2018

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



Sincerely,

 November 17 2018
(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)

CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.

Jabber Five, Inc., A Florida S-Corp.

December 7, 2018

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:

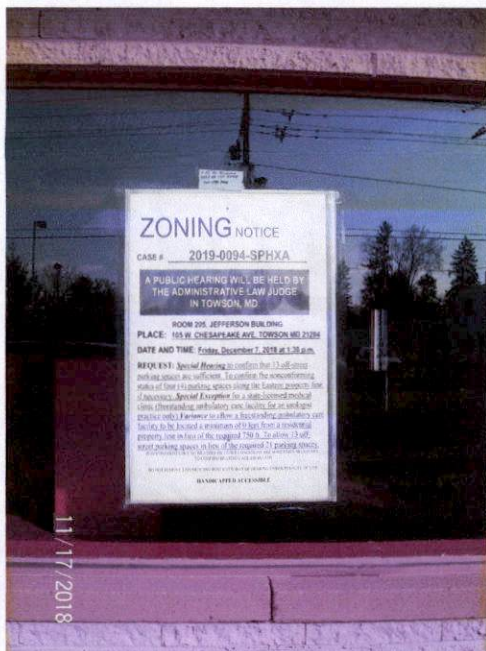
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

1701 York Road

SIGN 2

November 17, 2018

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



Sincerely,

November 17 2018

(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)

CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

**Nickbiel, LLC.
Jabber Five, Inc., A Florida S-Corp.**

December 7, 2018
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: _____

1701 York Road

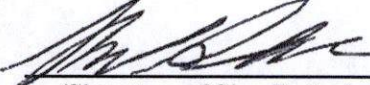
SIGN 3

November 17, 2018

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



Sincerely,

 **November 17 2018**
(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)

CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.

Jabber Five, Inc., A Florida S-Corp.

December 7, 2018

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:

1701 York Road

SIGN 2

November 17, 2018

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

Sincerely,

November 17 2018

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

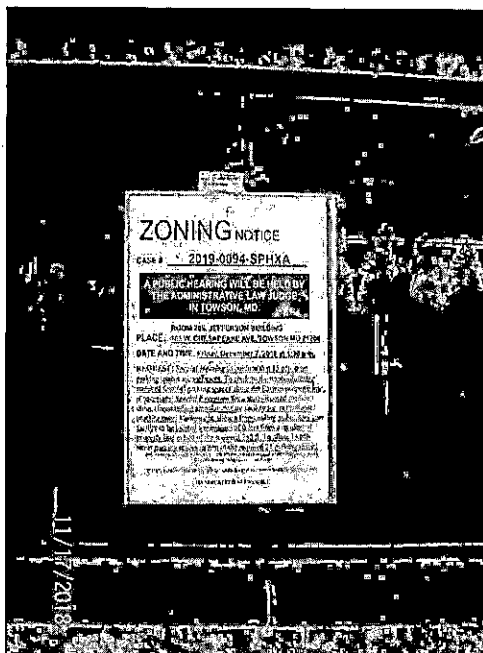
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.
Jabber Five, Inc., A Florida S-Corp.

December 7, 2018
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:

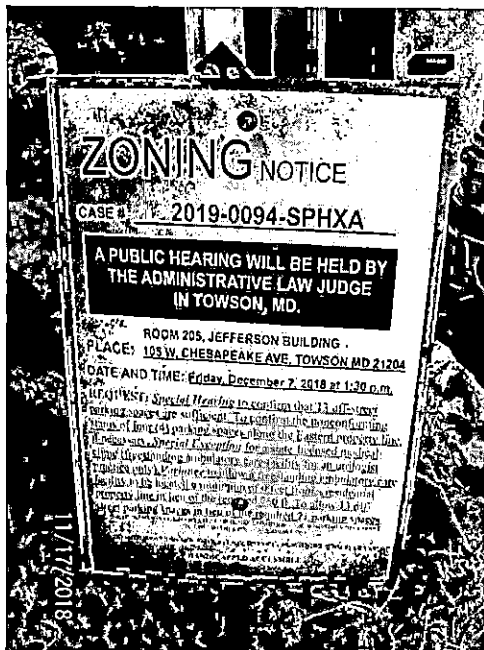
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1701 York Road

SIGN 1

November 17, 2018

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



Sincerely,

 November 17 2018
(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)

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE * OF ADMINISTRATIVE
1701 York Road; NE/S York Road, * HEARINGS FOR
153.5' NW of Haddington Road * BALTIMORE COUNTY
8th Election & 3rd Councilmanic Districts * 2019-094-SPHXA
Legal Owner(s): Nickbeil, LLC *
Contract Purchaser(s): Jabber Five, Inc *
Petitioner(s) *

* * * * *

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

OCT 05 2018

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 5th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 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



DONALD I. MOHLER III
County Executive

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

October 22, 2018

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: 2019-0094-SPHXA

1701 York Road
NE/s York Road, 153.5 ft. NW of Haddington Road
8th Election District – 3rd Councilmanic District
Legal Owners: Nickbiel, LLC
Contract Purchaser/Lessee: Jabber Five, Inc., A Florida S-Corp.

Special Hearing to confirm that 13 off-street parking spaces are sufficient. Special Exception for a state licensed medical clinic (freestanding ambulatory care facility for an urologist practice only). Variance to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 ft. To allow 13 off –street parking spaces in lieu of the required 21 parking spaces.

Hearing: Friday, December 7, 2018 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 Karceksi, 210 W. Pennsylvania Avenue, Ste. 21204
Brad Shapiro, 12806 Bridlepath Road, Reisterstown 21136
Randy Bielski, 1701 York Road, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 17, 2018.**
- (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: THE DAILY RECORD
Friday, November 16, 2018 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6381

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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NE/s York Road, 153.5 ft. NW of Haddington Road

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Legal Owners: Nickbiel, LLC

Contract Purchaser/Lessee: Jabber Five, Inc., A Florida S-Corp.

Special Hearing to confirm that 13 off-street parking spaces are sufficient. Special Exception for a state licensed medical clinic (freestanding ambulatory care facility for an urologist practice only). Variance to allow a freestanding ambulatory care facility to be located a minimum of 0 feet from a residential property line in lieu of the required 750 ft. To allow 13 off-street parking spaces in lieu of the required 21 parking spaces.

Hearing: Friday, December 7, 2018 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.

**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 twenty (20) 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: 2019-0094-SPHXA
Property Address: 1701 York 21093
Property Description: see Property Description
Legal Owners (Petitioners): Nickbiel LLC
Contract Purchaser/Lessee: Jabber Fire Inc., A Florida S-Corp

PLEASE FORWARD ADVERTISING BILL TO:

Name: VENABLE LLP / Barb Lukaserich
Company/Firm (if applicable): _____
Address: 210 W. Pennsylvania Avenue Ste 500
TOWSON, MD 21204
Telephone Number: 410 494.6381

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

No. **176243**

Date: **9/25/2018**

PAID RECEIPT

DISTRICT ACTUAL TIME DRW
 9/25/2018 9/25/2018 11:20:27 5

RECEIPT 976554 9/25/2018 OFLN

Dept 5 528 ZONING VERIFICATION

Amount 1,200.00
 Net Tot. \$1,200.00
 \$1,200.00 CR 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept-Obj	BS Acct	Amount
001	806	0000		6150				1,200.00

Total: **1,200.00**

Rec From: **NICKBIEL, LLC**

For: **SPHXA - 1701 York Road**
2019-0094-SPHXA (Nickbiel, LLC)

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

**CASHIER'S
 VALIDATION**



DONALD I. MOHLER III
County Executive

November 30, 2018

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

Randy Bielski
1701 York Rd.
Lutherville, MD 21093

Mr. Bielski:

RE: Case Number: 2019-0094SPHXA, Address: 1701 York Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 25, 2018. 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, circular official stamp.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
David H. Karceski, Esq. 210 W. Pennsylvania Ave. Ste 500 Towson, MD 21204
Brad Shapiro 12806 Bridlepath Rd. Reisterstown, MD 21136

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0094-SPHXA-1
Address 1701 York Road
(Nickbiel, LLC Property)

Zoning Advisory Committee Meeting of **November 19, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: December 5, 2018

FROM: Vishnu Desai, Supervisor *MD*
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 18, 2018
Item No. 2019-0094-SPHXA, 0130-A, 0144-SPHA, 0150-A, 0151-SPHA,
0152-A, 0154-A and 0155-A

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

VKD: can
cc: file

12-7

RECEIVED
NOV 21 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-094

DATE: 11/19/2018

INFORMATION:

Property Address: 1701 York Road
Petitioner: Nickbiel LLC
Zoning: BL DR 5.5
Requested Action: Special Hearing, Special Exception, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should confirm that 13 off-street parking spaces are sufficient, the petition for special exception to use the property for a state-licensed medical clinic and the petition for variance to permit zoning relief as listed on the attachment submitted in support of the petition.

A site visit was conducted on October 10, 2018.

York Road a main arterial commercial corridor. The Comprehensive Manual of Development Policies (CMDP) provides guidance for development along commercial corridors. Specifically:

- Appropriately screen and buffer commercial development from residentially zoned properties (Page 101).
- Locate buildings and site elements to enhanced surrounding uses (Page 106).
- Provide open space to accommodate landscaping and create useable areas for employees and patrons (Page 106).
- Lighting and sign architecture should complement the buildings architecture and be appropriate for its purpose (Page 107).
- Incorporate representative architectural/site characteristics (Page 108).

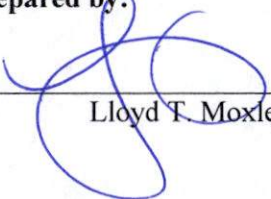
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- Provide a landscape plan to the County Landscape Architect. Such a plan will show that area of paving intervening between the building and the MD 45 R-O-W that is critical to the to the access requirements of the special exception use. Petitioners shall provide landscaping similar to that found at other York Road locations within those areas of paving not deemed critical to the special exception access requirements. Any work within the MD 45 R-O-W shall be confirmed with the SHA.
- The Department supports only a single free-standing sign along the York Road frontage.
- Replace the fence at the rear of the site.

- Provide architectural elevations of the building modifications to the contact person listed below prior to building permit application.

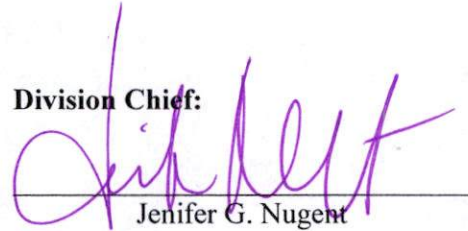
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

12-7

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED
OCT 10 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0094-SPHXA
Address 1701 York Road
(Nickbiel, LLC Property)

Zoning Advisory Committee Meeting of **October 8, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals

DATE: October 16, 2018

FROM: *MD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 8, 2018
Item No. 2019-0080-A, 0088-A, 0089-A, 0090-A, 0092-SPH, 0093-A, 0094-
SPHXA, 0095-A, 0096-A, 0097-A and 0098-A

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

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 10, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0094-SPHXA
Address 1701 York Road
(Nickbiel, LLC Property)

.Zoning Advisory Committee Meeting of **October 8, 2018**.

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

Reviewer: Steve Ford

Date: 10/1/18

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

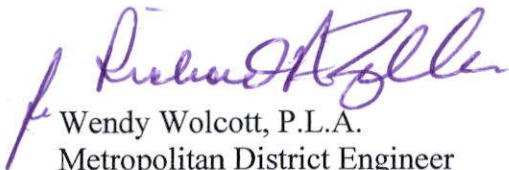
Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 10/1/18. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for

Special Hearing, Case Number 2019-0094-SP4XA
Special Exception
Variance
Nickbeil LLC, Randy Brelski
1701 York Road
MD 45

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,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

NOV 29 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 29, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0094-SPHXA-1
Address 1701 York Road
(Nickbiel, LLC Property)

Zoning Advisory Committee Meeting of **November 19, 2018.**

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

Reviewer: Steve Ford

CASE NAME _____
CASE NUMBER 19-094
DATE Dec. 7, 2018

NAME _____

CITY, STATE, ZIP

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

1701 YORK ROAD
CASE NAME 2019-94-SPHXA
CASE NUMBER
DATE 12/7/2018

PETITIONER'S SIGN-IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

December 7, 2018

Good Afternoon. My name is Suzanne Royer. I live on Margate Road in Lutherville and I'm on the board of the York Manor Improvement Association (YMIA). 1701 York Road backs up to homes in York Manor (YMIA)

YMIA has strong concerns about parking and the requested parking variance. We ask how many physicians and staff are expected on a daily basis and how many patients are expected.

The closest side street is Haddington Road. Parking challenges along Haddington Road are regularly discussed at YMIA board meetings. Employees of the veterinary clinic on York Road across from Haddington already park on Haddington Road. Their cars extend almost to Bedworth Road, making it difficult for residents to park. There are at least seven employees from the veterinary clinic parking on Haddington Rd. on any given day.

There is an in-home day care center on Haddington Road near York Road. The day care prefers that the space in front of their building be open for drop-off and pick-up. There is a business located at 1621 York Road which has a small parking lot (this business is not zoned commercial and is subject to YMIA covenants). In short, there is no room for employees or visitors to the proposed medical clinic to park on nearby residential streets.

Haddington Road is also impacted by turn-around traffic from Lutherville Lab School. Signage only permits a right turn (southbound) onto York Road from the side exit of the school. Many cars leave the school, go a short distance southbound on York Road, then turn left onto Haddington Road. They turn around in Haddington Garth, and then exit northbound on York Road. There is a steady stream of cars doing this when school lets out.

What efforts will be made to minimize light pollution? Nearby residential properties have been negatively impacted by the retail structure which replaced Watson's Garden Center. That structure has bright signage which is elevated and casts light pollution down Haddington Road.

Suzanne Royer
218 Margate Rd.
Lutherville, MD 21093

Sroyer124@gmail.com
443-250-4635

JB 12-7-18 1:30 PM
Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Thursday, December 06, 2018 5:58 PM
To: Barbara A. Lukasevich; DKarceski@Venable.com; jrfrankovich@venable.com;
Administrative Hearings
Subject: Recertifications For 2019-0094-SPHXA
Attachments: Re-Cert 1 2019-0094-SPHXA.doc; Re-Cert 2 2019-0094-SPHXA.doc

Recertification's for 1701 York Road.



CERTIFICATE OF POSTING

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.
Jabber Five, Inc., A Florida S-Corp.

December 7, 2018
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: _____

1701 York Road

SIGN 1 Recertification

November 17, 2018

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



Sincerely,

(Signature of Sign Poster)

December 6, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTGRADUATE

2019-0094-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Nickbiel, LLC.

Jabber Five, Inc., A Florida S-Corp.

December 7, 2018

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:

1701 York Road

SIGN 2 Recertification

November 17, 2018

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

Sincerely,

December 6, 2018

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

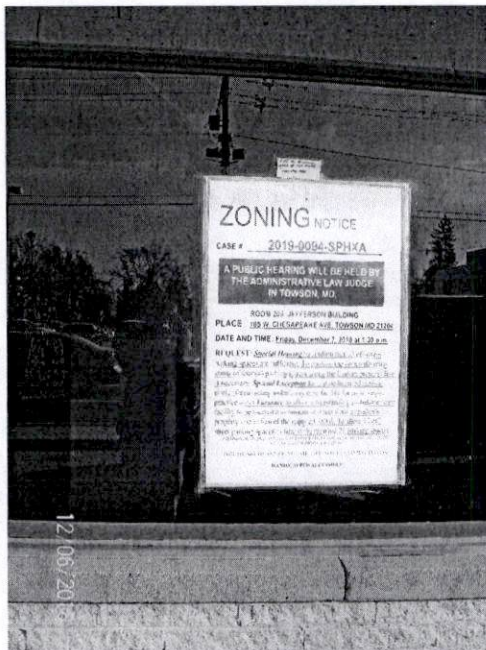
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
10/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO Comments
10/10	DEPS (if not received, date e-mail sent _____)	NO Comments
	FIRE DEPARTMENT	
11/19	PLANNING (if not received, date e-mail sent _____)	Comment
10/1	STATE HIGHWAY ADMINISTRATION	No Objections
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 11/16/18	
SIGN POSTING (1 st)	Date: 11/17/18 by SSG Black	
SIGN POSTING (2 nd)	Date: 12/6/18 by SSG Black	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 08 Account Number - 0803003120			
Owner Information					
Owner Name:		NICKBIEL LLC		Use:	COMMERCIAL
Mailing Address:		1701 YORK RD LUTH-TIMONIUM MD 21093		Principal Residence:	NO
				Deed Reference:	/10853/ 00272
Location & Structure Information					
Premises Address:		1701 YORK RD LUTHERVILLE MD 21093-5607		Legal Description:	LT ES YORK RD NE COR GARDEN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0060	0018	0239		0000	
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1964		4578		12,248 SF	
Property Land Area		County Use			
12,248 SF		15			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		SHOPPING CENTER / NEIGHBORHOOD			
Value Information					
Base Value		Value		Phase-In Assessments	
		As of		As of	
		01/01/2017		07/01/2018	
				As of	
				07/01/2019	
Land:	499,400	499,400			
Improvements	238,700	243,100			
Total:	738,100	742,500		741,033	742,500
Preferential Land:	0				0
Transfer Information					
Seller: HAUSWALD JOHN P HAUSWALD DORIS S		Date: 12/01/1994		Price: \$390,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /10853/ 00272		Deed2:	
Seller: CAJOPH INC		Date: 12/30/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08064/ 00443		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
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					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

Case No.: 2019-0094-SPHXA

Exhibit Sheet

12-11-18

Petitioner/Developer

12-11-19

Protestant

No. 1	Plan	
No. 2	Richardson CV	
No. 3	3A-C Elevations	
No. 4	4A+B Elevations	
No. 5	Site plan w/ vicinity photos	
No. 6	Floorplan	
No. 7	My Neighborhood Map	
No. 8	SDAT record	
No. 9	Zoning Map - 1971	
No. 10	1976 Zoning Map	
No. 11	— OMITTED —	
No. 12	1986 Zoning Map	
No. 13	A+B Photos of delivery truck	

Exempt Class:

NONE

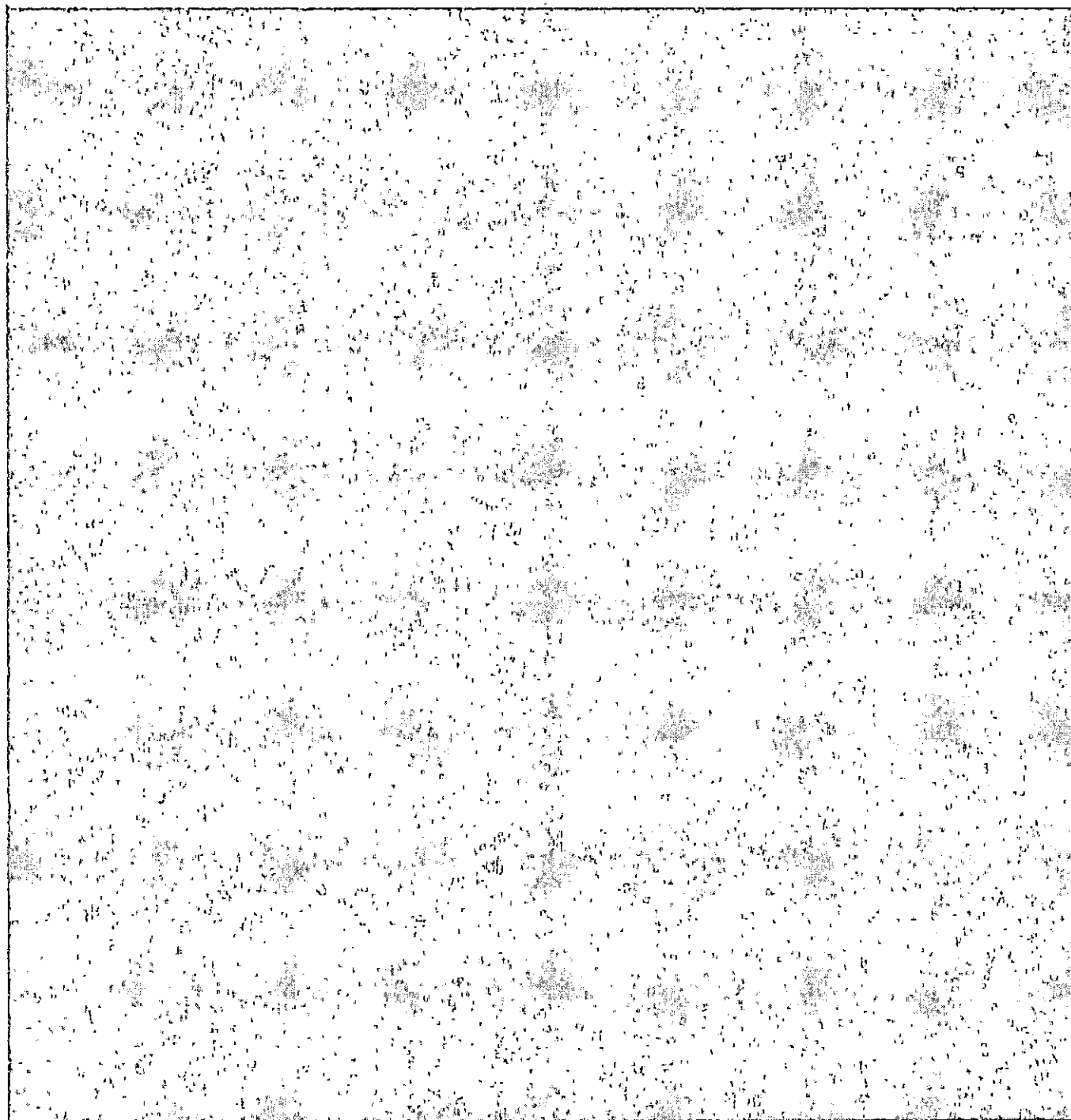
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.



Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

tel. 410-560-1502
fax 443-901-1208

Patrick C. Richardson, Jr., PE
30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

EDUCATION

BSCE University of Delaware, 1982

Professional Engineer in Maryland 1988, Virginia 1993, Washington DC 1997, Delaware 1997

WORK EXPERIENCE

October 1999 to Present, Richardson Engineering, LLC

Owner of engineering firm specializing in Commercial and Residential Land Development. Work includes preparation of zoning plats, site development plans and project management for site development projects. Projects including: Giant Food Stores in Baltimore City and County, Krispy Kreme Stores in Maryland, Verizon switch station expansions in Maryland, Parkway 100 and Techwood Center in Anne Arundel County, and Columbia Technology Campus in Howard County.

July 1999 to September 1999, Purdum and Jeschke, LLC

Chief engineer responsible for preparation of layout and construction documents for commercial land developments. Work included preparation of zoning plats, site development plans and project management for sites in Maryland. Projects including: Loyola College play fields, Baltimore City, Md.; St Paul's Lutheran Church, Baltimore Co.; Red Star Yeast, Baltimore City; Giant Food Stores in Baltimore City.

February 1997 to June 1999, William Monk, Inc.

Chief engineer responsible for preparation of layout and construction documents for commercial land developments. Work included preparation of zoning plats, site development plans and project management for sites in Maryland and Washington DC.

Major projects including: Edmondson Square Shopping Center, Baltimore City, Md. Amoco Oil Company, sites in Baltimore, Anne Arundel, Prince George's, Howard and Baltimore City. Chick-fil-A Restaurant, Baltimore, Anne Arundel and Frederick Co., Md. International Trade Center Office Warehouse, Anne Arundel Co. Md. KFC Restaurants in Maryland and Washington DC.

April 1986 to Jan. 1997, STV Incorporated

Project Manager in the Site Development Department. Responsible for supervision of the preparation of design documents for the department, including review and sealing all documents submitted to reviewing agencies.

Major projects including: The New International Terminal at BWI Airport: Responsible for management of the civil aspects of the site construction including airfield taxiway and hardstand construction, reconstruction of the existing roadways and extension of the upper level roadway bridge to service the building addition. FILA Warehouse - 650,000 SF warehouse in Brandon Woods Industrial Park, Anne Arundel County, Md. Work included coordination with ongoing infrastructure grading, utilities, construction and sediment control for the adjacent activities. FILA Warehouse - 500,000 SF warehouse in Holabird Industrial Park, Baltimore City, Md. Work included getting permission to construct across Municipal Utilities, and Chesapeake Bay Critical Area mitigation. Amoco Oil Company Convenience Mart on Route 140 and Sandymount Road, Carroll County, Md. Blockbuster Video - New store in Jacksonville, Baltimore County, Md. EXXON Company USA - Demolish and Rebuild' Belvedere and

York Roads, Baltimore City, Md. Parkway Crossing Shopping Center - Work included reconstruction for several stores, and a new culvert and access from Perring Parkway including a State Highway Access Permit and WRA approval. Old Dominion Freight Lines - 25,000 SF Addition to existing warehouse, Howard County, Md. Ashton Meadows 300 unit apartment complex in Howard County, Md. Sunrise House of Towson 56 unit three story assisted living facility, Baltimore County, Md. SCM Chemicals Hawkins Point Plant Numerous projects including (2) million gallon tanks and secondary containment, chlorinator replacement, railroad track improvements, technical center building addition and secondary containment for existing tanks. Work included a stormwater management master plan for the facility, Chesapeake Bay Critical Area mitigation and railroad track design. National Gypsum - Canton Plant expansion including dock improvements, storm water management for the Chesapeake Bay Critical Area, grading, utilities, and sediment control. Bayview Medical Campus - Design of infrastructure for the first phase of development of the campus including 0.6 mile road and utilities, and a 19 acre park with a pond.

February 1985 to March 1996, Spellman, Larson and Associates
Engineer/Designer/Draftsman for land development projects in Baltimore County

May 1982 to January 1985, CBI Industries
Engineer for construction of steel plate structures. Field engineer responsible for layout of materials, and coordination with field personnel. Worked on the Peach Bottom No. 2 Recirculation and Reheat Piping Replacement preparing procedures and policies for the construction and field supervision of the work.

Real Property Data Search (w1)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 08 Account Number - 0803003120			
Owner Information					
Owner Name:		NICKBIEL LLC		Use: COMMERCIAL	
Mailing Address:		1701 YORK RD LUTH-TIMONIUM MD 21093		Principal Residence: NO	
				Deed Reference: /10853/ 00272	
Location & Structure Information					
Premises Address:		1701 YORK RD LUTHERVILLE MD 21093-5607		Legal Description: LT ES YORK RD NE COR GARDEN RD	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0060	0018	0239		0000	2017
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
1964	4578		12,248 SF	15	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		SHOPPING CENTER / NEIGHBORHOOD			
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2017	As of 07/01/2018	As of 07/01/2019	
Land:	499,400	499,400			
Improvements	238,700	243,100			
Total:	738,100	742,500	741,033	742,500	
Preferential Land:	0			0	
Transfer Information					
Seller: HAUSWALD JOHN P HAUSWALD DORIS S		Date: 12/01/1994		Price: \$390,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /10853/ 00272		Deed2:	
Seller: CAJOPH INC		Date: 12/30/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08064/ 00443		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018	07/01/2019		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	n n n n n n		
Tax Exempt:		Special Tax Recapture:			

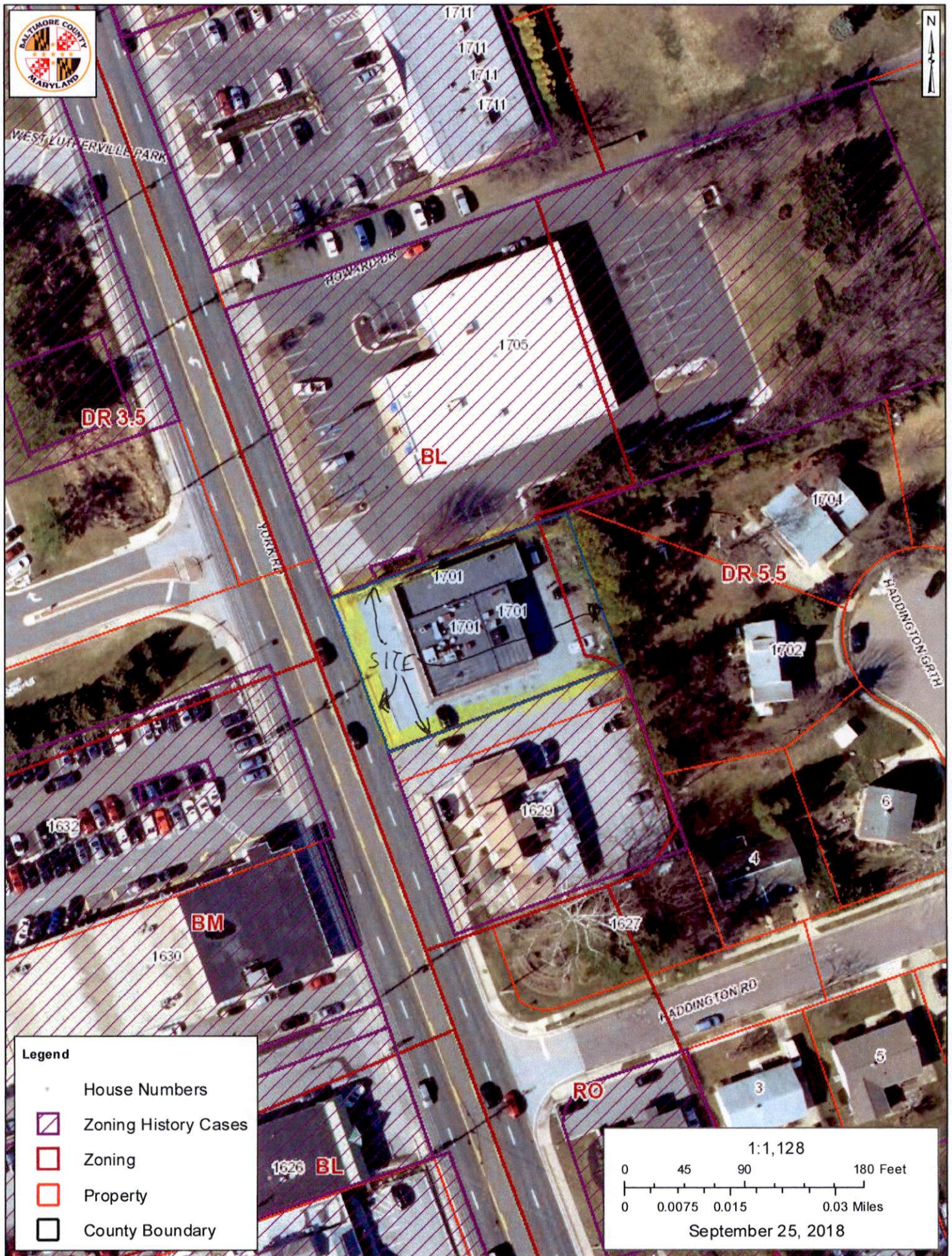


PETITIONER'S EXHIBIT 13A8

212



Baltimore County - My Neighborhood



Legend

- House Numbers
- Zoning History Cases
- Zoning
- Property
- County Boundary

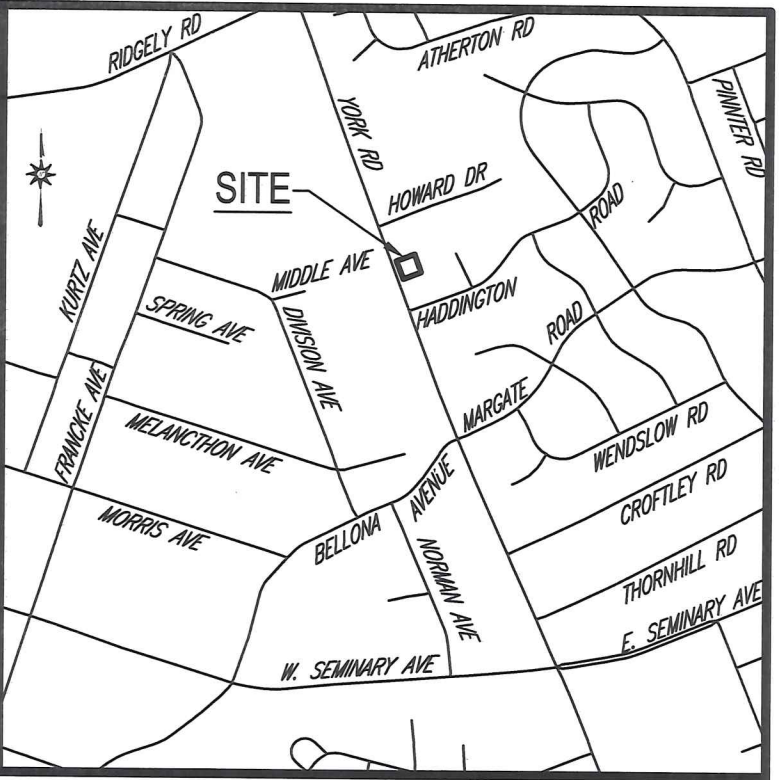
1:1,128

0 45 90 180 Feet

0 0.0075 0.015 0.03 Miles

September 25, 2018

7019-0044-SPHX A



LOCATION MAP

SCALE: 1" = 1,000'

- OWNER: NICKEL, LLC, 1701 YORK RD, TIMONIUM MD 21093
- SITE ADDRESS: 1701 YORK RD.
- SITE AREA: GROSS 17,119 SF or 0.393 Ac.±
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- DEED REF: 10853/272
- TAX MAP #60, GRID #18 & 12, PARCEL #239 & 595
- PLAT REF: 23/5
- PRESENT ZONING: DR 5.5 & BL (PER 1"=200' ZONING MAP 060C2)
- USE: COMMERCIAL
- UTILITIES: PUBLIC WATER & PUBLIC SEWER
- TAX ACCOUNT #0803003120 & 0802089471
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- EXISTING:
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20. SETBACKS FOR BL. PROVIDED
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SIDE 0' 3'
REAR 20'(ADJ. RESIDENTIAL) 30'
*SETBACK AVERAGE 48 + 13 = 50/2 = 25.5'
21. PARKING - STATE LICENSED MEDICAL CLINIC
REQUIRED 4,554 SF @ 4.5/1,000 SF = 21 SPACES
PROVIDED 13 SPACES
22. FLOOR AREA RATIO F.A.R.
PERMITTED 3.0
PROVIDED 4,554 / 13,667 = 0.33

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

MEDICAL OFFICE

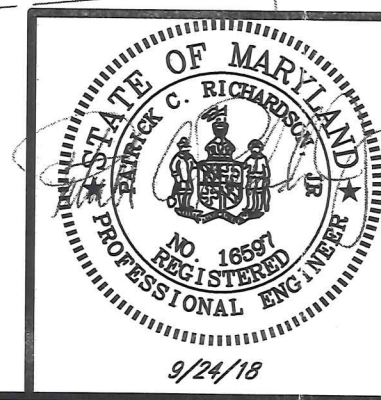
1701 YORK ROAD
TIMONIUM 21093

BALTIMORE COUNTY
8TH ELECTION DISTRICT

MARYLAND
3RD COUNCILMANIC DISTRICT

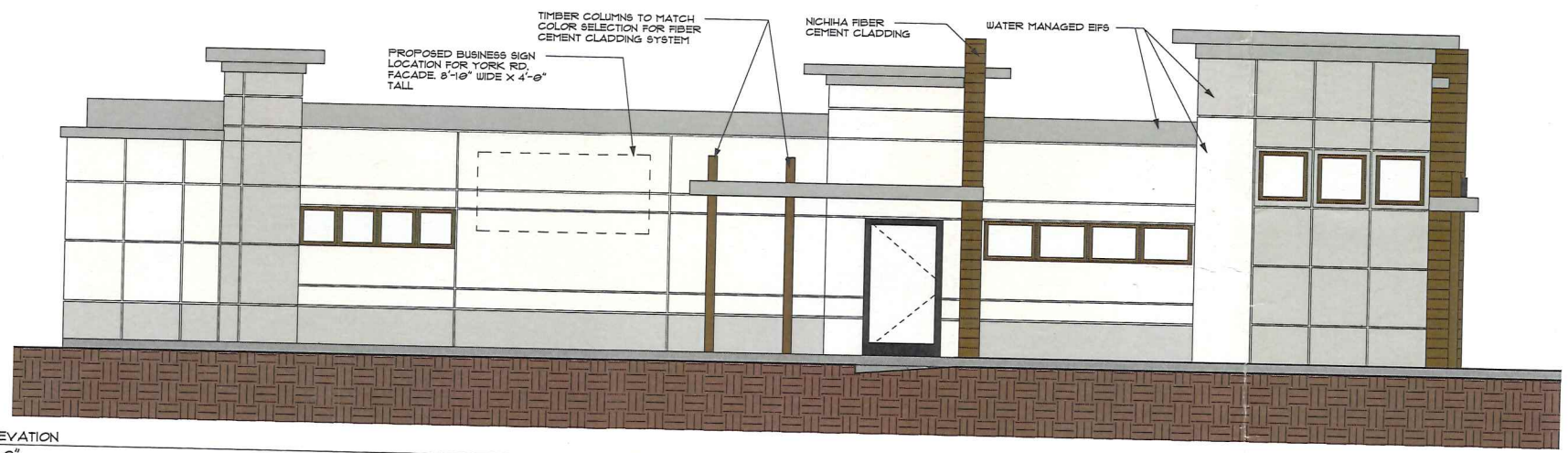
REVISIONS

DRAWN BY:	CHECKED BY:	SCALE:
CLB	PCR	1" = 20'
DATE:	JOB NO.:	SHEET NO.:
9/24/18	18116	1 OF 1

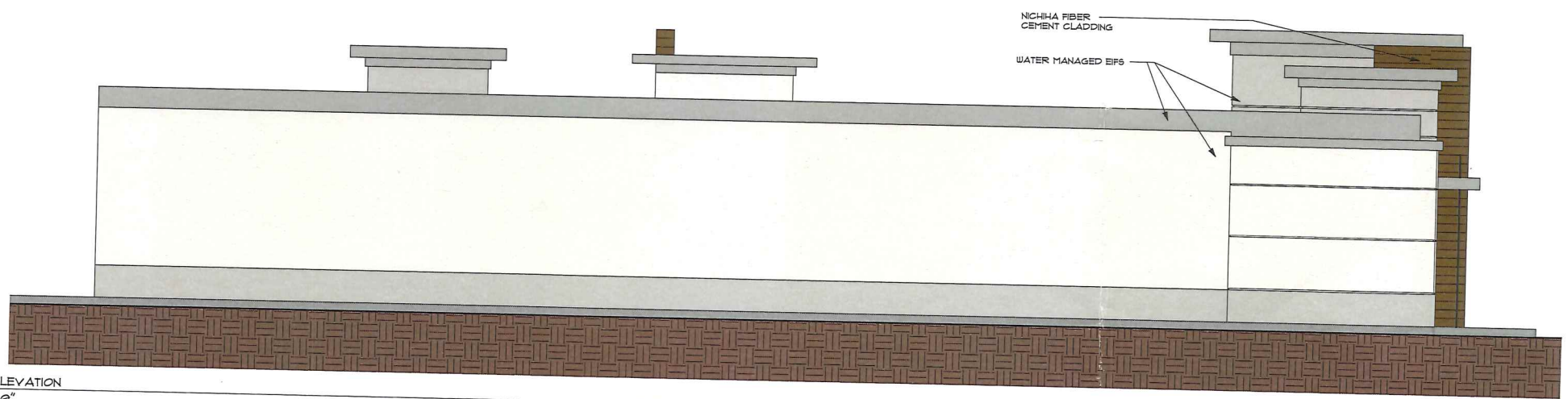


PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16987, EXPIRATION DATE: 08-15-2019

REV	DATE	DESCRIPTION
1	01/01/2020	ISSUED FOR PERMIT
2	01/01/2020	ISSUED FOR PERMIT
3	01/01/2020	ISSUED FOR PERMIT
4	01/01/2020	ISSUED FOR PERMIT
5	01/01/2020	ISSUED FOR PERMIT
6	01/01/2020	ISSUED FOR PERMIT
7	01/01/2020	ISSUED FOR PERMIT
8	01/01/2020	ISSUED FOR PERMIT
9	01/01/2020	ISSUED FOR PERMIT
10	01/01/2020	ISSUED FOR PERMIT
11	01/01/2020	ISSUED FOR PERMIT
12	01/01/2020	ISSUED FOR PERMIT
13	01/01/2020	ISSUED FOR PERMIT
14	01/01/2020	ISSUED FOR PERMIT
15	01/01/2020	ISSUED FOR PERMIT
16	01/01/2020	ISSUED FOR PERMIT
17	01/01/2020	ISSUED FOR PERMIT
18	01/01/2020	ISSUED FOR PERMIT
19	01/01/2020	ISSUED FOR PERMIT
20	01/01/2020	ISSUED FOR PERMIT



① WEST ELEVATION
1/4" = 1'-0"



② NORTH ELEVATION
1/4" = 1'-0"

PETITIONER'S EXHIBIT

MATERIAL LEGEND

	WATER MANAGED EIFS - STO CORP. CLOUD - 39231
	WATER MANAGED EIFS - STO CORP. BRUSHED PEUTER - 11404
	WATER MANAGED EIFS - STO CORP. BURNT ASH - 11403
	EXTERIOR, PANELIZED FIBER CEMENT CLADDING SYSTEM - NICHHA - VINTAGE WOOD - BARK

PETITIONER'S EXHIBIT

3A-C
3



CERTIFICATE OF REGISTRATION
 BEING THAT THESE DOCUMENTS WERE
 ISSUED BY AFFIDAVIT BY THE STATE OF MARYLAND
 AND ARE NOT IN VIOLATION OF THE LAWS OF
 THE STATE OF MARYLAND.
 LICENSE NO.: 0013955
 EXPIRATION NO.: 09.23.2020

ALL DOCUMENTS PREPARED BY FISHER ARCHITECTURE, LLC, ARE SOLELY FOR THE PURPOSES OF THE SPECIFIED PROJECT. THEY ARE NOT INTENDED OR AUTHORIZED FOR USE ON ANY OTHER PROJECT. FISHER ARCHITECTURE, LLC MAKES NO REPRESENTATION AS TO THEIR LIABILITY FOR ANY OTHER USE. ALL DOCUMENTS PREPARED BY FISHER ARCHITECTURE, LLC ARE INSTRUMENTS OF PROFESSIONAL SERVICE IN RESPECT OF THE PROJECT. THESE DOCUMENTS ARE, AND SHALL REMAIN, THE PROPERTY OF FISHER ARCHITECTURE, LLC.

CONSULTANTS:

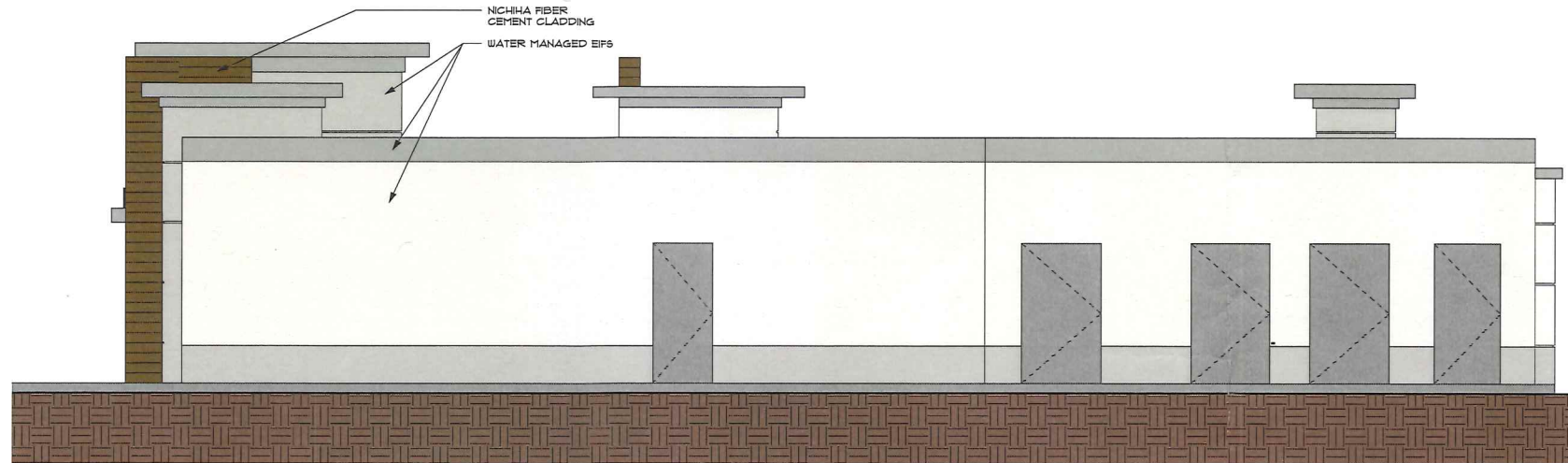
UROLOGICAL INSTITUTE OF
MARYLAND
1701 YORK RD.
TIMONUM, MD 21083

MEET INFO:

EXTERIOR ELEVATIONS

[illegible]

A-202



① EAST ELEVATION
1/4" = 1'-0"

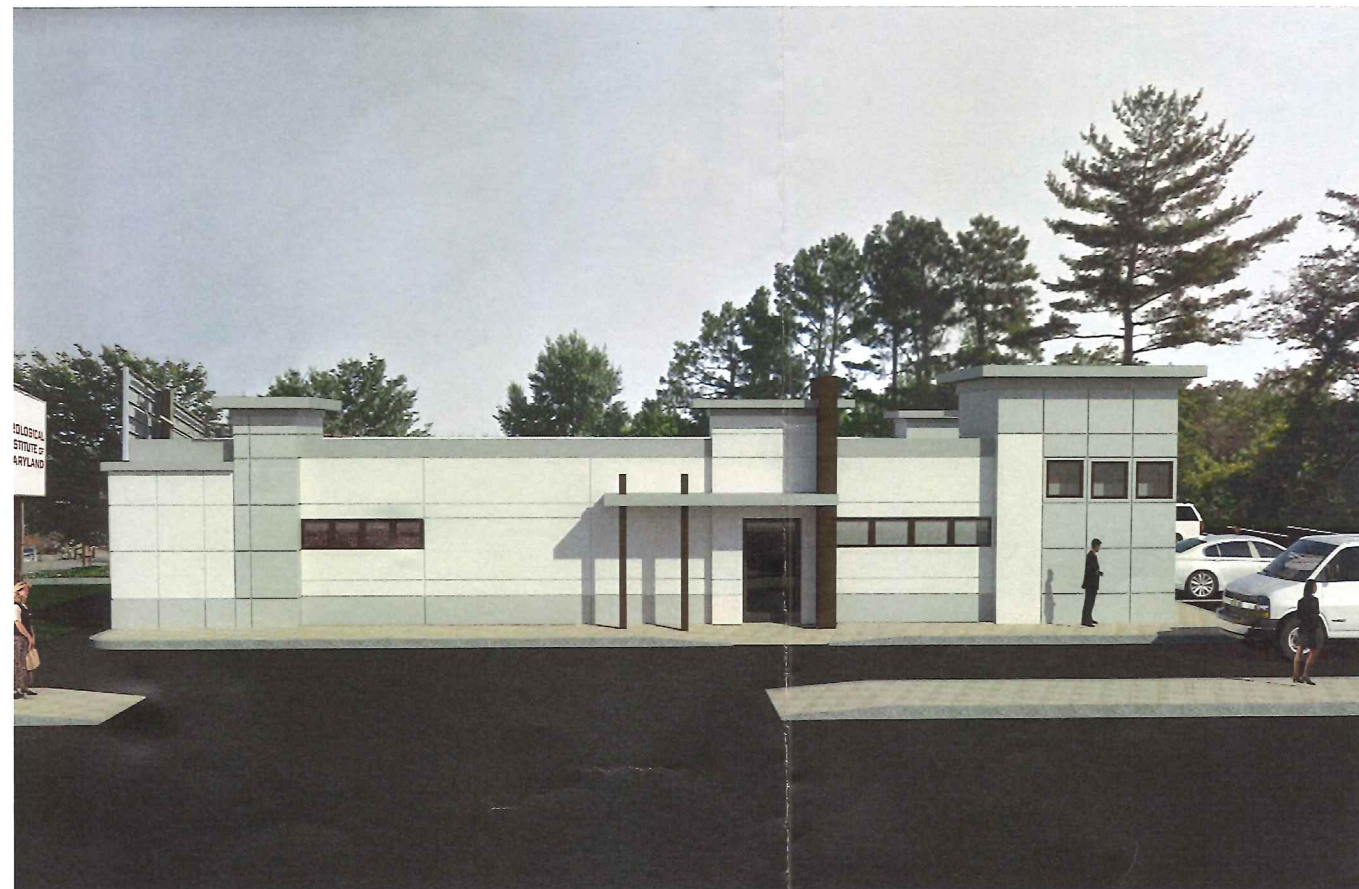


② SOUTH ELEVATION
 $1/4" = 1'-0"$

MATERIAL LEGEND	
	WATER MANAGED EIFS - STO CORP. CLOUD - 35231
	WATER MANAGED EIFS - STO CORP. BRUSHED FEUTER - 114@4
	WATER MANAGED EIFS - STO CORP. BURNT ASH - 114@3
	EXTERIOR, PANELIZED FIBER CEMENT CLADDING SYSTEM - NCHHA - VINTAGE WOOD - BARK



SOUTHWEST VIEW



WEST VIEW- YORK ROAD FACADE



FISHER
ARCHITECTURE
Fisher Architecture, LLC
542 Riverside Drive
Salisbury, MD 21801
(410) 742-0238

100

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED
 HEREIN IS TRUE AND CORRECT TO THE BEST OF MY
 KNOWLEDGE AND BELIEF, AND THAT I AM A
 RESIDENT OF THE STATE OF MARYLAND.

SIGNATURE: _____ DATE: _____
 PRINTED NAME: _____

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RESULTS:

UROLOGICAL INSTITUTE OF
MARYLAND
1701 YORK RD.
TIMONUM, MD 21083

MEET INFO:

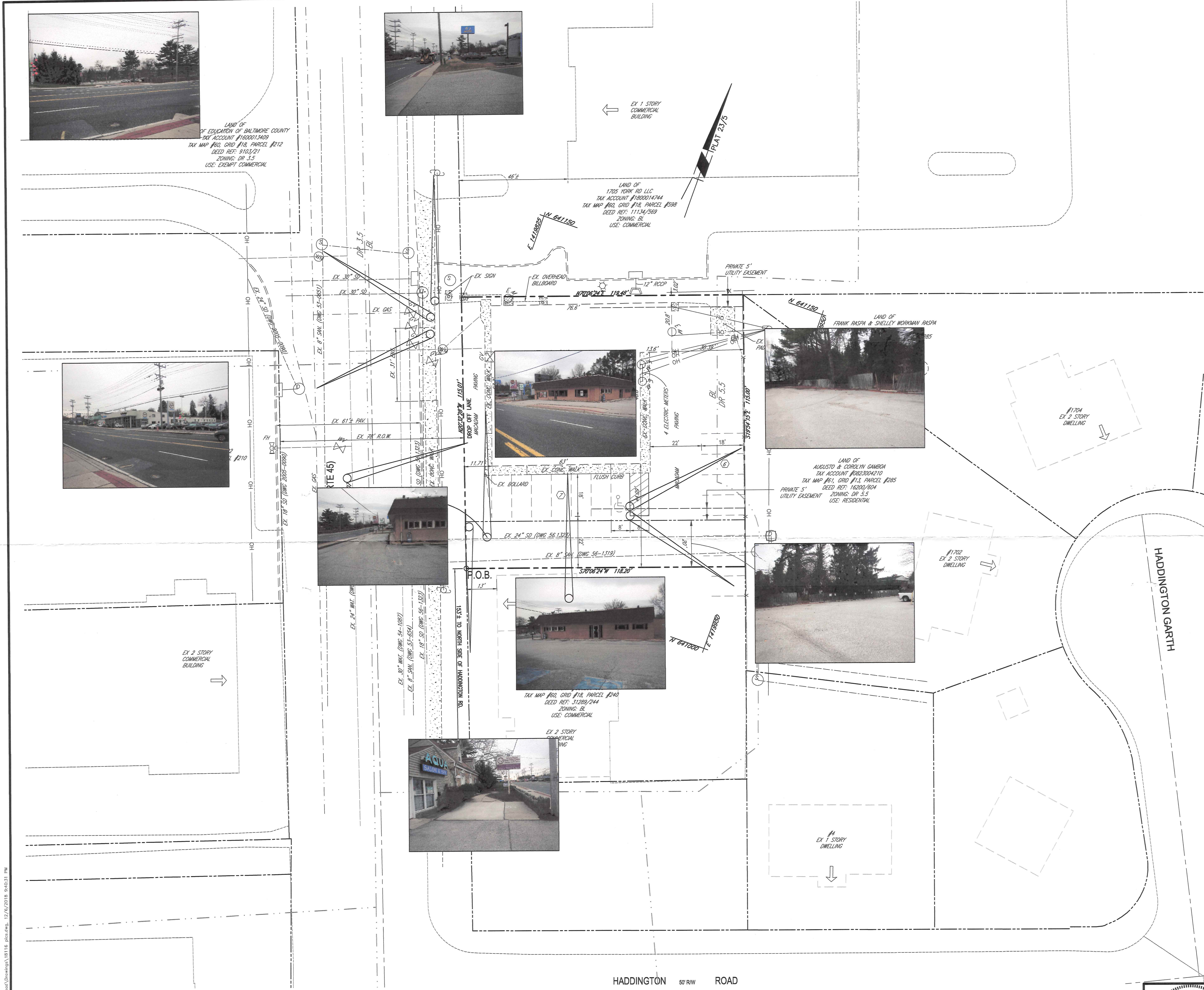
RENDERINGS

DATE	DESCRIPTION
CT NO.	2018073
GR:	Designer
EY:	Author
NUMBER:	

A-801

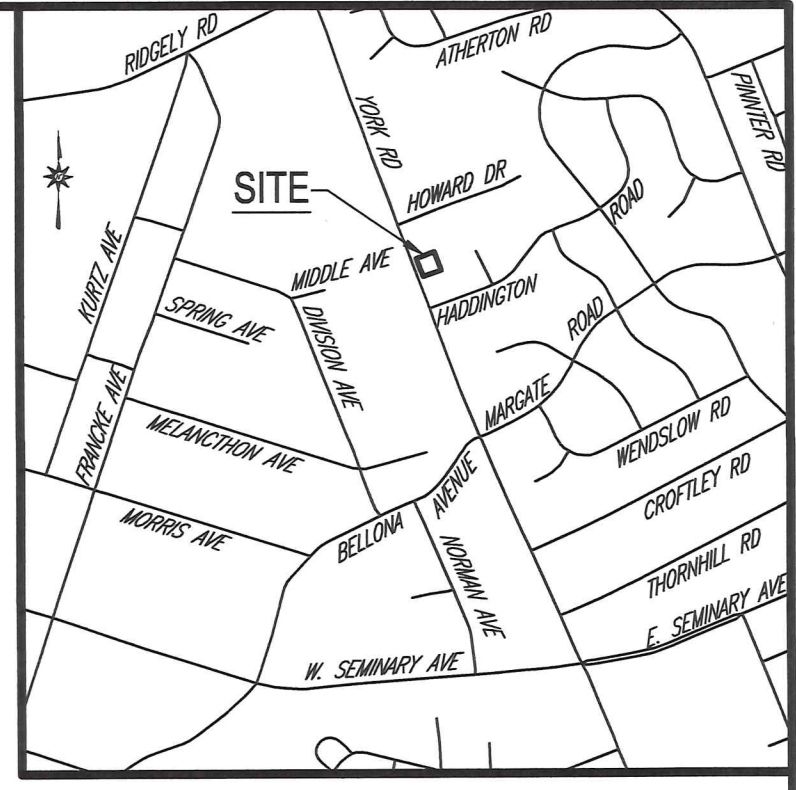






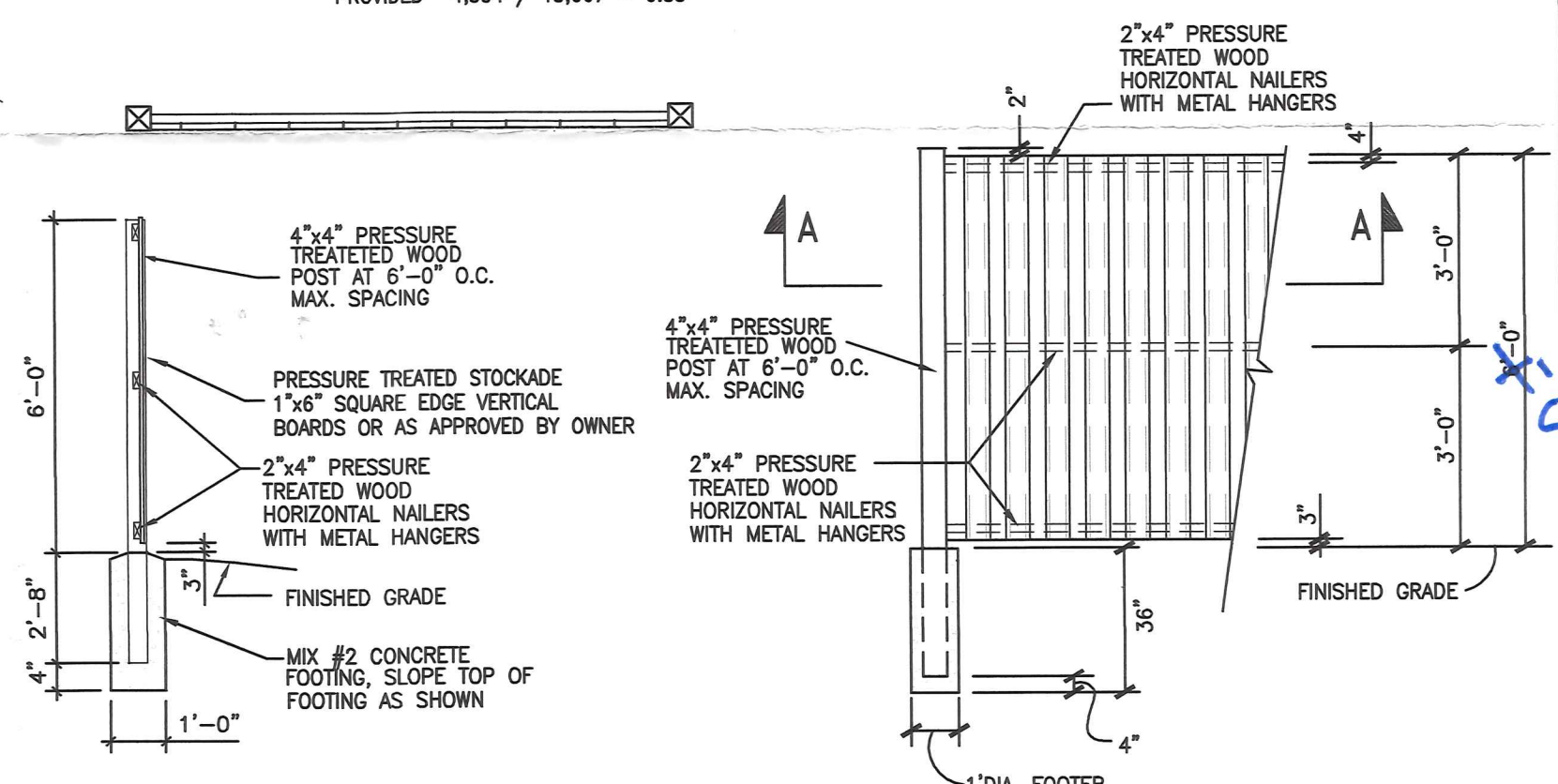
UROLOGICAL
INSTITUTE OF
MARYLAND

48 SF SIGN
PROPOSED IDENTIFICATION SIGN
NOT TO SCALE



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- FLOOR AREA RATIO F.A.R.: PERMITTED 3.0, PROVIDED 4,554 / 13,667 = 0.33

Proposed 8' tall
fence



SPECIFICATIONS:
1. ALL FENCE SECTION TO BE WOOD UNLESS NOTED OTHERWISE ON DRAWING. PRE-CONSTRUCTED FENCE SECTIONS MAY BE USED AND SHALL CONFORM TO ABOVE SPECIFICATIONS, OR APPROVED EQUAL.
2. ALL FASTENERS TO BE HOT DIP GALVANIZED, IF APPLICABLE.
3. WOOD SECTIONS SHALL BE PRESSURE TREATED.

WOOD PRIVACY FENCE
NOT TO SCALE

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR
MEDICAL OFFICE

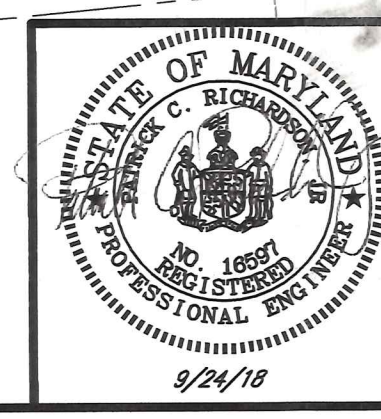
1701 YORK ROAD
TIMONIUM 21093

BALTIMORE COUNTY
8TH ELECTION DISTRICT

MARYLAND
3RD COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CLB	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	9/24/18	18116	1 OF 1

PETITIONER'S EXHIBIT **5**



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 NUMBER 18597, EXPIRATION DATE: 08-15-2019

Baltimore County - My Neighborhood



Legend

- House Numbers
- Zoning History Cases
- Zoning
- Property
- County Boundary

1:4,514

0 195 390 780 Feet

0 0.035 0.07 0.14 Miles

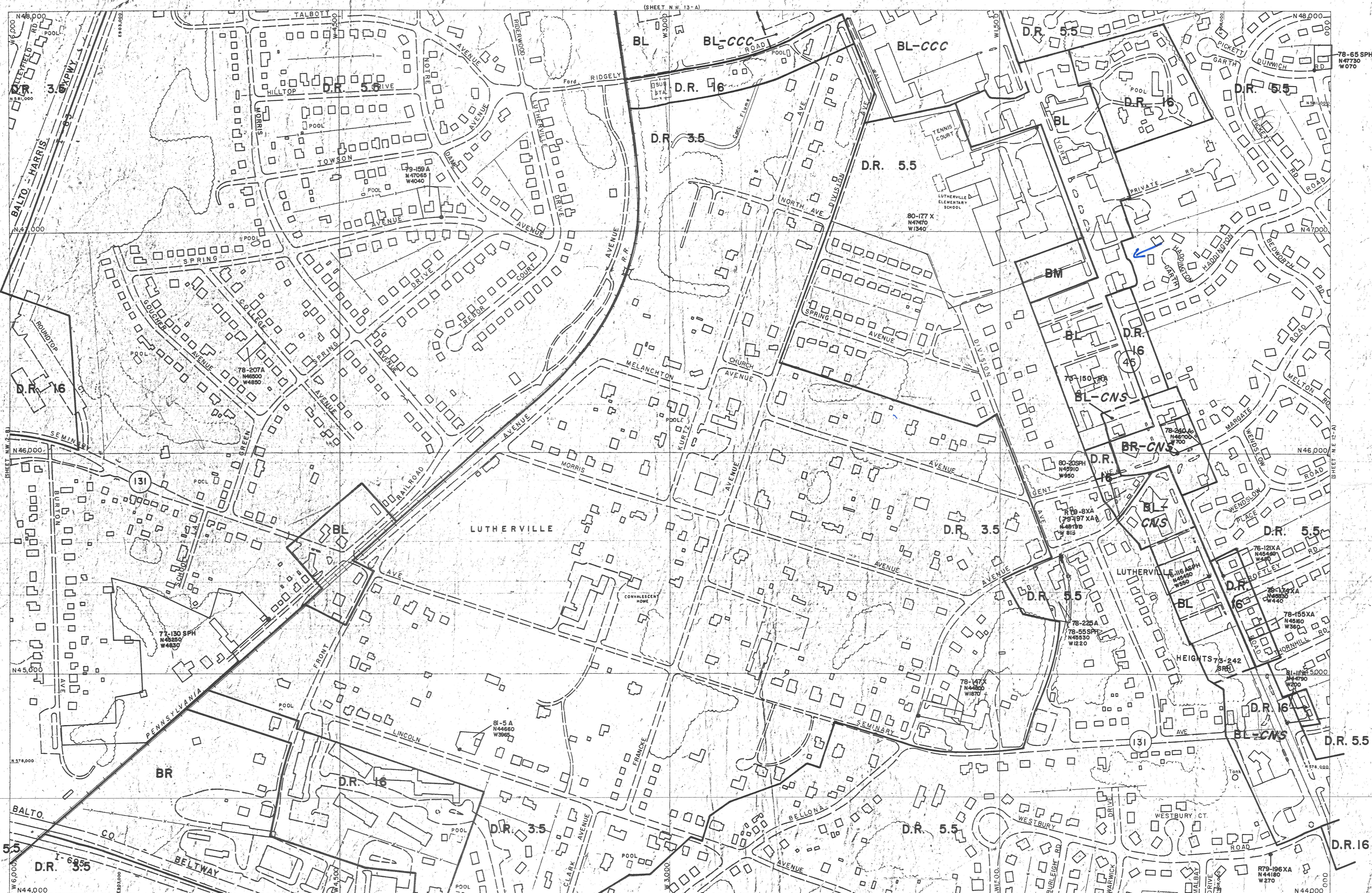
November 29, 2018

PETITIONER'S EXHIBIT **7**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR Aero, SDA, USDA, USGS, AeroGRID, IGN, and the GIS user community



PETITIONER'S EXHIBIT



S - SE R - SW

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
BILL NOS. 108-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

CHAIRMAN COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		
	BY	DATE
Planimetric	MAPS, INC.	4-11-70

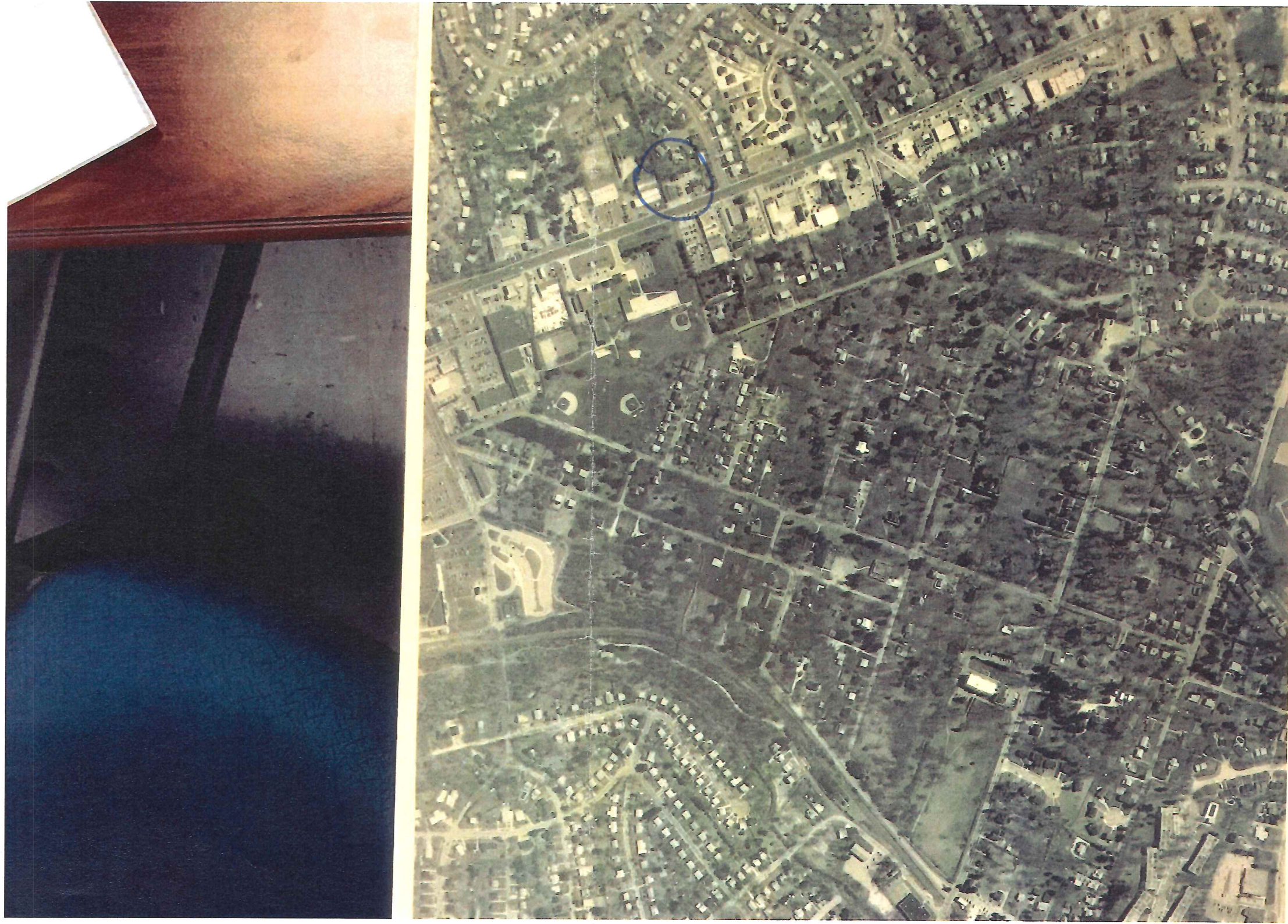
Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA

SCALE
1" = 200'

DATE OF PHOTOGRAPHY
APRIL 1953

LOCATION
LUTHERVILLE

SHEET
N.W.
12-A

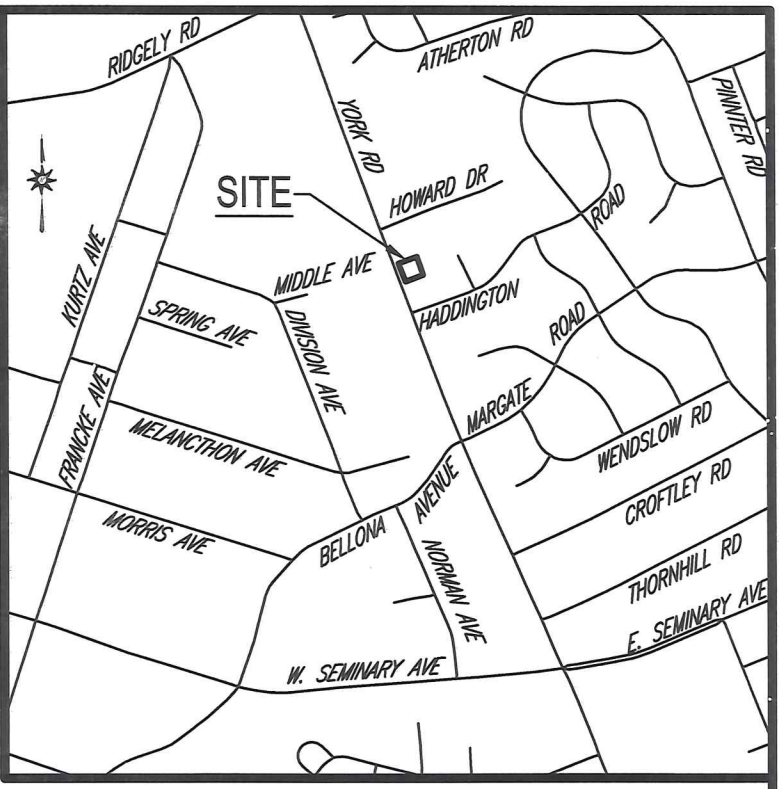


BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200'

LOCATION
LUTHERVILLE

DATE
OF
PHOTOGRAPHY
JANUARY
1986



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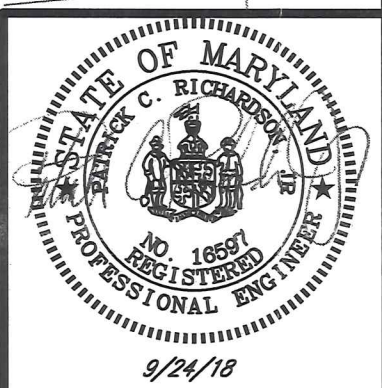
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TIMONIUM 21093

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8TH ELECTION DISTRICT

MARYLAND
3RD COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	CLB	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	9/24/18	18116	1 OF 1



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