

M E M O R A N D U M

DATE: June 18, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0277-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on June 17, 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.'

/dlw

c:  Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING** *

(15801 Old York Road)

10th Election District *

3rd Council District *

Two Horseman, LLC *

Legal Owner

Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2019-0277-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Two Horseman, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to approve an accessory structure (i.e., an equine MRI facility) measuring approximately 30 ft. long by 10 ft. wide by 10.5 ft. tall for use as part of the existing veterinary hospital that was approved by special exception on October 6, 2003 in Case No. 04-075-SPHXA. A site plan was marked and admitted as Petitioner's Exhibit 1.

James Juzwiak appeared in support of the petition. Andrew Kipnis, Esq., represented Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the County reviewing agencies.

The subject property is 3.1 acres in size and is zoned RC-2. The property is located in Monkton and is improved with a commercial building housing a veterinary hospital approved by special exception in a 2003 zoning case. Petitioner proposes to install on the site an MRI machine for horses, which would be the first of its kind in Maryland. The Office of Zoning Review instructed Petitioner to seek special hearing relief, presumably to amend the site plan approved in

ORDER RECEIVED FOR FILING

Date

5/15/19

By

Sen

the 2003 case.

SPECIAL HEARING

As noted in the DOP's ZAC comment, the MRI machine will be an integral part of the veterinary clinic and is permitted by right as an aspect of the earlier special exception. The device will allow the hospital to provide a service that was previously unavailable in the area, which will be a great asset to the equine community. As such the petition will be granted.

THEREFORE, IT IS ORDERED this 15th day of **May, 2019** by this Administrative Law Judge, that the Petition for Special Hearing to approve an accessory structure (*i.e.*, equine MRI facility), and to amend the site plan approved in Case No. 2004-0075-SPHXA, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.

Any appeal of this decision must be filed 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 5/15/19

By slh



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 15801 Old York Road, Monkton, Maryland

which is presently zoned RC2

Deed References: 19857, 589; adjacent parcel: 19857, 581

10 Digit Tax Account # 2 4 0 0 0 0 0 9 5 9

Property Owner(s) Printed Name(s) Two Horsemen, 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 an accessory structure that is an equine MRI facility, measuring approximately 30 feet long by 10 feet wide by 10.5 feet tall for use as part of the existing veterinary hospital that was approved for the site by special exception on October 6, 2003 in Case No. 04-075-SPHXA.
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. a **Variance** from Section(s)

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

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Two Horsemen, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

CASE NUMBER

2019-0277-SPH

Filing Date

3/25/19

ORDER RECEIVED FOR FILING

Do Not Schedule Dates:

Date

5/15/19

Reviewer

AT

REV. 10/4/11

By

Sen

7A

9/25/8 192-1150-1102



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

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

**ZONING DESCRIPTION
PROPOSED NON-DENSITY
TRANSFER PARCEL
ZONING PARCEL B
HESS ROAD HOLDINGS, LLC
PROPERTY
BALTIMORE COUNTY, MARYLAND**

All that piece or parcel of land situate, lying and being in the Tenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Hess Road being 403 feet, northeasterly along the center of Hess Road from the center of the intersection of Old York Road and Hess Road, thence leaving the center of Hess Road and running and binding reversely on lines of Hess Road Holdings LLC Property, the following two courses and distances, viz: (1) North 40 degrees 02 minutes 54 seconds West 445.96 feet, (2) North 46 degrees 45 minutes 19 seconds East 153.57 feet, thence running for the two proposed lines of division of the proposed 1.68 Acres of land, more or less, parcel, (3) North 80 degrees 00 minutes 00 seconds East 175.08 feet, and (4) South 00 degree 00 minutes 00 seconds East 446.60 feet to the zoning point of beginning.

Containing 1.68 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



2019-0277-SPH

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:

4/23/2019

Order #: 11732312
Case #: 2019-0277-SPH
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2019-0277-SPH



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: 2019-0277-SPH

15801 Old York Road

N/east corner of intersecting streets between Monkton Road and Hess Road
10th Election District - 3rd Councilmanic District

Legal Owners: Two Horseman, LLC

Special Hearing for an accessory structure that is an equine MRI facility, measuring approximately 30 ft. long by 10 ft. wide by 10.5 ft. tall for use as part of the existing veterinary hospital that was approved for the site by special exception on Oct. 6, 2003 in Case 04-075-SPHXA.

Hearing: Monday, May 13, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Mike Mohler

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.

ap23

$\frac{1}{2} \frac{d}{dt} \int_{\mathbb{R}^n} |u|^2 dx = \int_{\mathbb{R}^n} u \frac{du}{dt} dx$
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 $\frac{1}{2} \frac{d}{dt} \int_{\mathbb{R}^n} |u|^2 dx = \int_{\mathbb{R}^n} u \frac{du}{dt} dx$



Debra Wiley

JD 5-13-19
10 Am

From: John Altmeyer <jaltmeyer@aol.com>
Sent: Tuesday, May 7, 2019 10:00 PM
To: Administrative Hearings; dkipnis@kinsleyproperties.com
Subject: Case 2019-0277-SPH recheck 15801 Old York Rd. Monkton, MD.21111
Attachments: Scan0024.pdf

CAUTION: This message from jaltmeyer@aol.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

See attached Certificates of Posting Sign1 and Sign 2.

John Altmeyer
410-382-6580

Sign 1

Date: 05/07/2019

RE: Project Name: _____ Public Hearing
Case Number /PAI Number: 2019-0277-SPH
Petitioner/Developer: Two Horseman, LLC
Date of Hearing/Closing: 05/13/2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 15801 Old York Rd.
Monkton, MD. 21111

The sign(s) were posted on 04/22/2019 & recheck on 05/07/2019

(Month, Day, Year)

SIGN LOCATED AT RIGHT SIDE OF
FRONT ENTRANCE

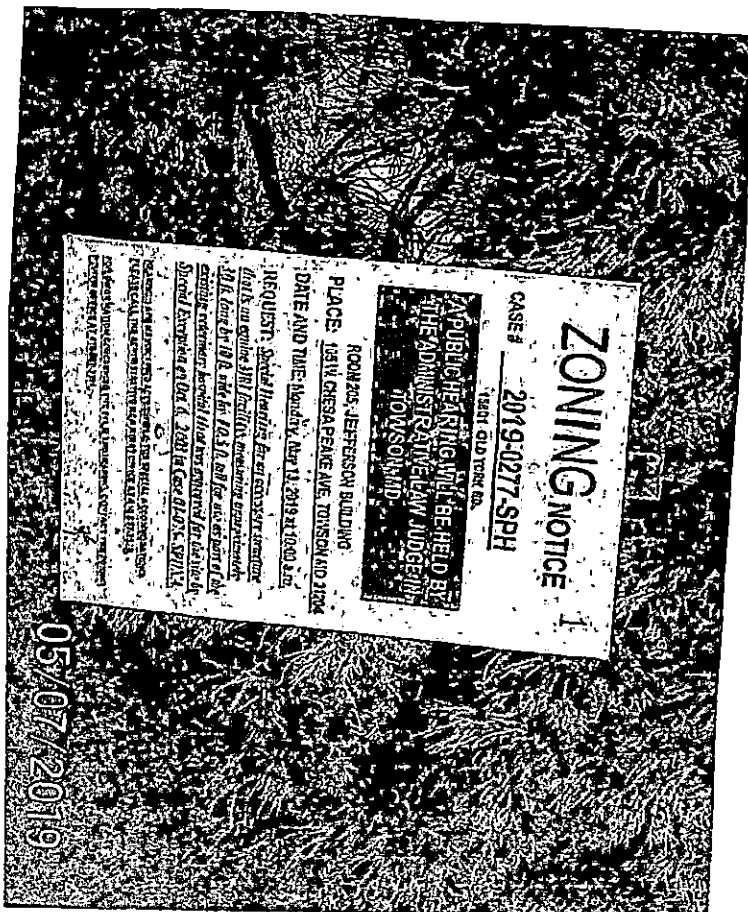
(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

Sign 2

Date: 05/07/2019

RE: Project Name: Public Hearing
Case Number /PAI Number: 2019-0277-SPH
Petitioner/Developer: Two Horseman, LLC
Date of Hearing/Closing: 05/13/2019

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Monkton, MD. 21111

The sign(s) were posted on 04/22/2019 & recheck on 05/07/2019

(Month, Day, Year)

Sign Facing Hess Rd.


(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

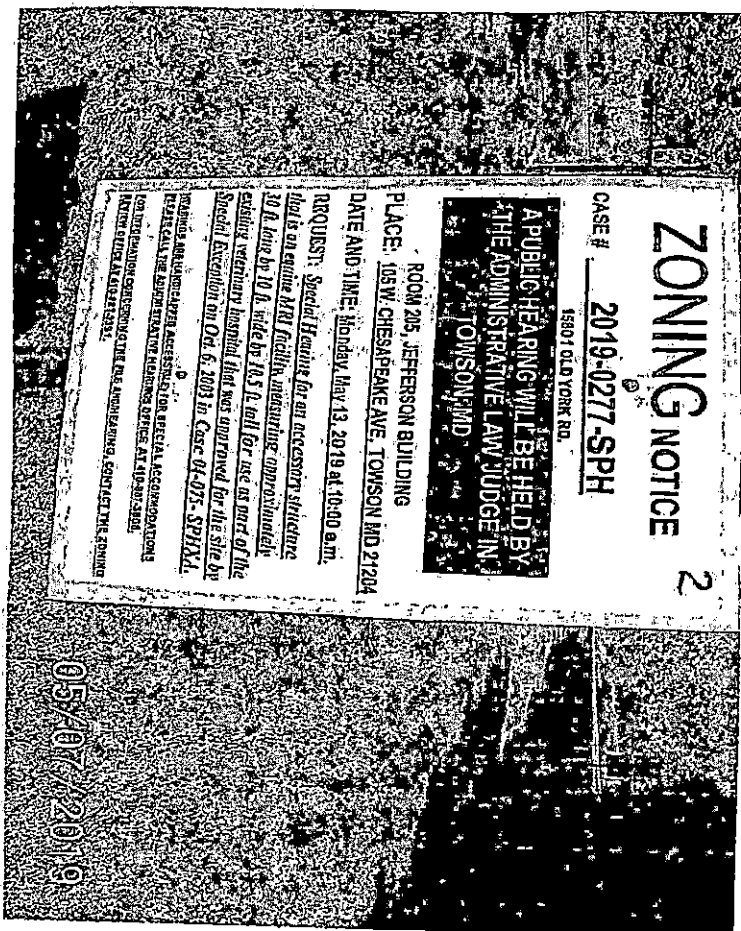
(Street Address of Sign Poster)

Freeland, MD. 21053

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CERTIFICATE OF POSTING

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The sign(s) were posted on 04/22/2019

SIGN FACING HESS Rd ^{SMA}
(Month, Day, Year)

John M. Altmeyer
(Signature of Sign Poster)

John M. Altmeyer

(Printed Name of Sign Poster)

21722 Orwig Rd.

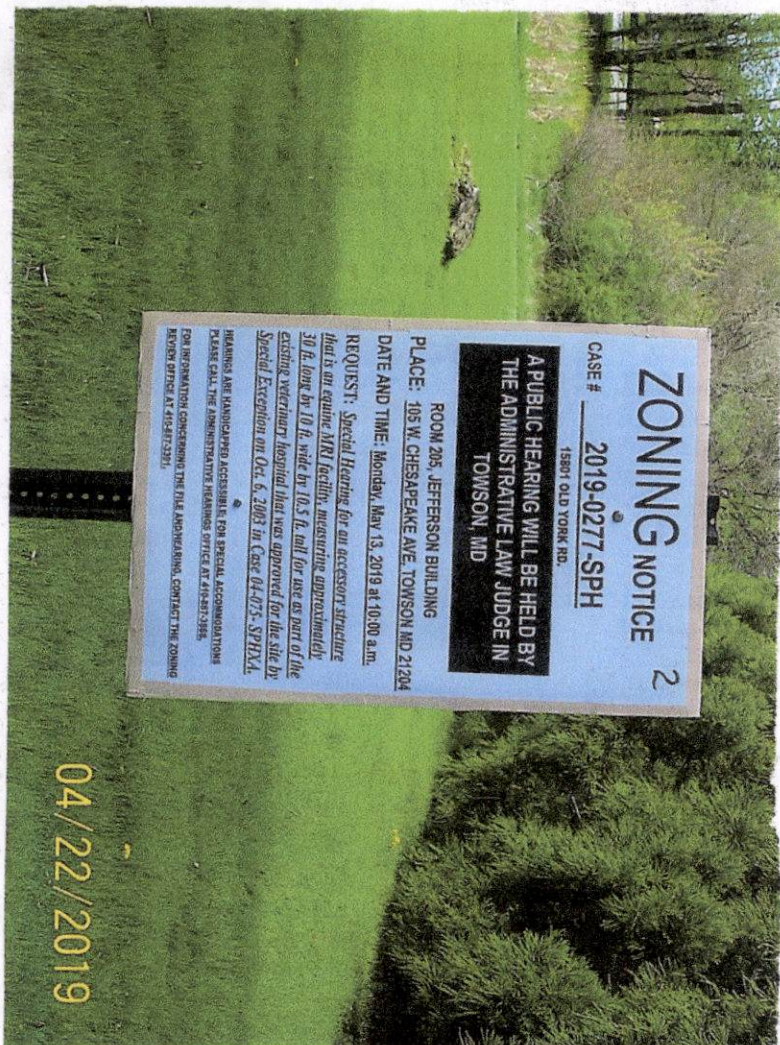
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2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 2680, 2681, 26

CERTIFICATE OF POSTING

Date: 04/22/2019

RE: Project Name: Public Hearing
Case Number /PAI Number: 2019-0277-SPH
Petitioner/Developer: Two Horseman, LLC
Date of Hearing/Closing: 05/13/2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 15801 Old York Rd.
Monkton, MD. 21111

The sign(s) were posted on 04/22/2019 SIGN AT RIGHT SIDE OF FRONT
(Month, Day, Year) ENTRANCE. JMA

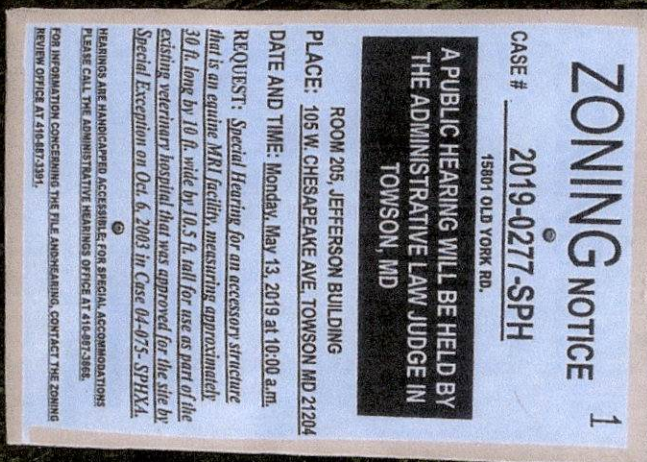

(Signature of Sign Poster)

John M. Altmeyer
(Printed Name of Sign Poster)

21722 Orwig Rd.
(Street Address of Sign Poster)

Freeland, MD. 21053
(City, State, Zip Code of Sign Poster)

410-382-6580
(Telephone Number of Sign Poster)



04/22/2019



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

April 16, 2019

NOTICE OF ZONING HEARING

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15801 Old York Road

N/east corner of intersecting streets between Monkton Road and Hess Road

10th Election District – 3rd Councilmanic District

Legal Owners: Two Horseman, LLC

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Hearing: Monday, May 13, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script, appearing to read "Mike Mohler".

Mike Mohler
Director

MM:kl

C: Andrew Kipnis, 6259 Reynolds Mill Road, Seven Valleys PA 17360
Two Horseman, 15801 Old York Road, Monkton 21111

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 23, 2019.**
- (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
Tuesday, April 23, 2019 - Issue

Please forward billing to:

Andrew Kipnis
6259 Reynolds Mill Road
Seven Valleys, PA 17360

717-741-8424

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Mike Mohler

Director of Permits, Approvals and Inspections for Baltimore County

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING
15801 Old York Road; NE corner
of Monkton & Hess Roads
10th Election & 3rd Councilmanic Districts
Legal Owner(s): Two Horsemen, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2019-277-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

APR 04 2019

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 4th day of April, 2019, a copy of the foregoing Entry of Appearance was mailed to James Juzwvek, 15801 Old York Road, Monkton, Maryland 21111 and Andrew Kipnis, Esquire, 6259 Reynolds Mill Road, Seven Valleys, PA 17360 , Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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

No. 181962

Date:

2019-0277-SPH
3/25/19

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
3/25/2019 3/25/2019 10:13:20 5

REG NSOS WALKIN LRB
>>RECEIPT # 001016 3/25/2019 OFLN

Dept 5 528 ZONING VERIFICATION
181962

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
0001	806	0000		6150					\$500

REC Tot \$ 500.00
500.00 CK .00 CA
Baltimore County, Maryland

Total: \$500

Rec From:

For:

15801 OLD YORK RD

2019-0277-SPH

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

**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: ~~2004-0075-SPHXA~~ 2019-0277-SPH
Property Address: 15801 Old York Road, Monkton, Maryland
Property Description: Tax Account No. 2400005789
1.674 AC
Legal Owners (Petitioners): Two Horsemen, LLC
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Drew Kipnis
Company/Firm (if applicable): Kinsley Properties
Address: 6259 Reynolds Mill Road
Seven Valleys, PA 17360

Telephone Number: 717-741-8424



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

May 8, 2019

Andrew Kipnis
6259 Reynolds Mill Road
Seven Valleys PA 17360

RE: Case Number: 2019-0277-SPH, 15801 Old York Road

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 March 25, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
James S Juzwke 1508 Old York Road Monkton Maryland 21111

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Mike Mohler
Acting Director, Department of Permits, Approvals and Inspections

DATE: 4/24/2019

FROM: Jeff Mayhew
Acting Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-277



INFORMATION:

Property Address: 15801 Old York Road
Petitioner: James Juzwiak
Zoning: RC 2
Requested Action: Special Hearing

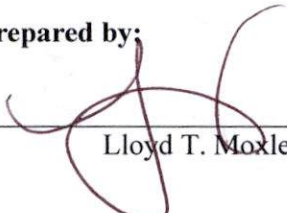
The Department of Planning has reviewed the petition a special hearing to determine whether or not the Administrative Law Judge should approve an accessory structure that is an equine MRI facility for use as part of the existing veterinary hospital that was approved for the site by special exception in case number 04-075-SPHXA.

A site visit was conducted on 4/12/2019. There is an existing veterinary clinic on site.

The Department has no objection to granting the expansion of the prior approved special exception veterinarian use by the addition of an equine MRI facility. The Department recommends the structure is a part of the principal use of the property and not accessory. As a commercial agriculture support facility the continued use of the site as proposed is appropriate in an RC2 zone.

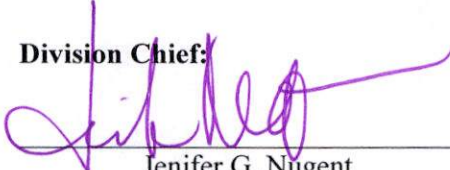
For further information concerning the matters stated herein, please contact Joseph Wiley at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

JM/JGN/LTM/

c: Joseph Wiley
James Juzwiak
Andrew Kipnis
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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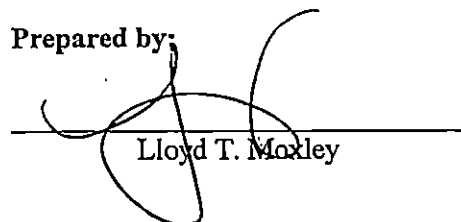
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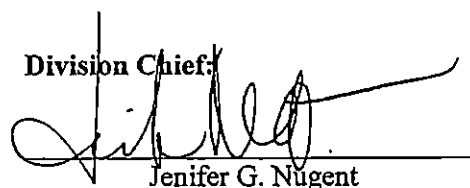
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Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

JM/JGN/LTM/

c: Joseph Wiley
James Juzwiak
Andrew Kipnis
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Mohler, Acting Director
Department of Permits, Approvals

DATE: April 22, 2019

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

SUBJECT: Zoning Advisory Committee Meeting
For April 08, 2019
Item No. 2019-0276-A, 0277-SPH, 0278-A, 0279-A & 0280-A

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

* * * * *

VKD: cen
cc: file

5-13-19

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: April 2, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0277-SPH
Address 15801 Old York Road
(Two Horseman, LLC Property)

Zoning Advisory Committee Meeting of **April 8, 2019**.

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

Reviewer: Steve Ford

Date: 4/1/19

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

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0277-SP14

*Special Hearing
Two Horsemen, LLC
15801 Old York Road*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 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

CASE NAME

DATE _____

2019-277

MAY 13, 2019

E - MAIL

[illegible]

CASE NO. 2019-

0277-SPH

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

4/22

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

No Comment

4/2

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

No Comment

4/24

FIRE DEPARTMENT

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

NO Objection

4/1

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

NO Objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

Support letters

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date: 4/23/19

SIGN POSTING (1st)

Date: 4/22/19

by Altmeier

SIGN POSTING (2nd)

Date: 5/7/19

by Altmeier

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 - 10 Account Number - 2400000959			
Owner Information					
Owner Name:		TWO HORSEMEN LLC		Use:	COMMERCIAL
Mailing Address:		15801 OLD YORK RD MONKTON MD 21111-1723		Principal Residence:	NO
				Deed Reference:	/19857/ 00581
Location & Structure Information					
Premises Address:		OLD YORK RD 0-0000		Legal Description:	.674 AC NES OLD YORK RD 150 FT NW HESS RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0029	0017	0297		0000	2019
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			0.6700 AC	06	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2019	07/01/2018	07/01/2019	
Land:	80,800	80,800			
Improvements	0	0			
Total:	80,800	80,800	80,800	80,800	
Preferential Land:	0			0	
Transfer Information					
Seller: HESS CROSSING LLC		Date: 04/07/2004		Price: \$150,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /19857/ 00581		Deed2:	
Seller: BALTIMORE COUNTY MARYLAND		Date: 05/07/2002		Price: \$130,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /16383/ 00564		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 Status: No Application

Date:

Storm Front Farm

15923 Old York Road
Monkton, Maryland 21111

May 3, 2019

Office of the Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Case Number: 2019-0277-SPH
Two Horsemen, LLC
The Manor Equine Hospital at 15801 Old York Rd, Monkton, MD 21111
Equine MRI machine

Dear Zoning Commissioner:

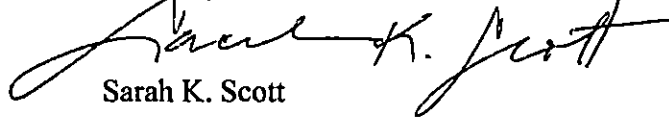
I am writing to record my *strong* support of the application of Two Horsemen, LLC for zoning approval to locate an equine MRI machine in an accessory structure on the property that currently houses The Manor Equine Hospital at 15801 Old York Rd, Monkton, MD 21111.

I am the owner of a farm just a couple hundred yards to the north-east of the Manor Equine Hospital. As a farm and horse owner, I rely on the services of Manor Equine Hospital. I have known Dr. Juzwiak and his veterinary practice for almost 30 years and his is a pillar of the community. The MRI machine is a logical and integral addition to the existing facility, and the service it will allow him to provide is of great need in this community.

Given the existing use, this additional accessory structure to house the Equine MRI machine fits squarely within the character of the neighborhood. It will have no adverse impact to my property or the property of my neighbors, but rather will be a huge benefit to the countless horse owners in the area.

In conclusion, Two Horsemen, LLC and Dr. Juziwak have my full support in their application to have an equine MRI machine on the Manor Equine Hospital property. Please feel free to call me at 410-830-9048 if you should have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah K. Scott", written over a horizontal line.

Sarah K. Scott



May 3, 2019

Office of the Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Application of Two Horsemen, LLC (The Manor Equine Hospital) for the addition of an equine MRI machine at 15801 Old York Rd, Monkton, MD 21111

Dear Zoning Commissioner:

I am writing in support of the application of Two Horsemen, LLC for zoning approval to locate an equine MRI machine in an accessory structure on the property adjoining mine at the intersection of Hess and Manor Roads. I am the owner of the Manor Tavern, Inc. which owns four parcels of property generally known as 15819 Old York Road, Monkton, Maryland 21111. This property directly adjoins' the property which is subject of the zoning hearing before you.

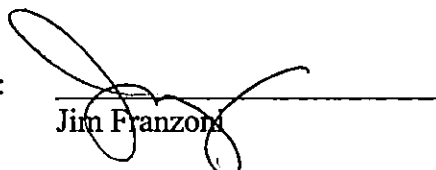
I support the application because it is an appropriate additional service to be provided by the existing equine hospital and will complement the neighborhood and have no adverse impact to my property or any other property in the area. The subject property is already utilized as an equine hospital to serve the large horse-owning community in the area. This accessory structure to house the MRI machine is simply an extension of that service that is needed in this community.

Over the last many years, Dr. Juzwiak and Manor Equine Hospital have been good stewards of the community and considerate neighbors. His business is an asset to the community. I applaud Dr. Juzwiak for investing further into his business in order to better serve the community. It is therefore my pleasure to support this effort to locate an equine MRI facility on the subject property.

Sincerely,

Manor Tavern, Inc.

By:


Jim Franzoni

to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing request shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 6 day of October, 2003, that the Petitioners' special hearing request pursuant to Section 500.7 of the B.C.Z.R., to approve the creation of an R.C.2 non-density parcel of 1.67 acres and a veterinarianium of 6,292, sq. ft. +/- located in part on an R.C.C. parcel of 1.434 +/- acres and in part on an R.C.2 non-density parcel of 1.67 +/- acres, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the special exception request pursuant to Section 1A01.2.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a veterinarianium located in part on an R.C.C. parcel of 1.43 +/- acres and in part on an R.C.2 non-density parcel of 1.67 +/- acres, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variance relief requested from the B.C.Z.R. as follows:

1. from Section 1A06.4, to permit a gross floor area of building in the R.C.C. zone of up to 4,200 sq. ft. in lieu of the 3,000 sq. ft. permitted;
2. from Section 1A06.6, to permit 25.8% (16,100 sq. ft.) of the lot within the R.C.C. zone to be covered by impervious surface in lieu of the 20% (12,493 sq. ft.) as permitted;
3. from Section 421.3, to permit accessory parking as close as 60 ft. to the nearest property line in lieu of the minimum required 100 ft.; and
4. from Section 1A06.4.a.1, to permit a front yard setback that is greater than the average setback of the adjacent lots.

be and is hereby GRANTED.

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj



GENERAL NOTES:

- PROPERTY REFERENCES

PARCEL	DEED	TAX ACCT. #	ADDRESS	TAX MAP
506	8554/201	1600009009	DOGWOOD ROAD	0087
- PLAN PREPARED BY: MUFTI & ASSOCIATES, INC.
6413 WINDSOR MILL ROAD,
BALTIMORE, MD 21207
- OWNER: SHER AHMAD & ZARDANA NOORI
2507 HOLLIFFIELD LANE
ELLICOTT CITY, MARYLAND 21043
- ZONING: RC-6
ACREAGE: 16.324 AC
- GENERAL DATA:
ELECTION DISTRICT: 2ND.
COUNCILMANIC DISTRICT: 4TH.
CONGRESSIONAL DISTRICT: 7TH.
LEGISLATIVE DISTRICT: 44B
WATERSHED: PATAPSCO RIVER
HISTORIC: NO
IN CBQA: NO
IN FLOOD PLAIN: NO
UTILITIES: WATER PRIVATE
SEWER PRIVATE
PRIOR HEARINGS: NO PRIOR HEARINGS

Mufti &
Associates, Inc.
6413 Windsor Mill Road
Baltimore, Md 21207

Phone: 443-604-3127

Sher Ahmad Residence
Dogwood Road
Baltimore County, MD

Revisions:	Date:

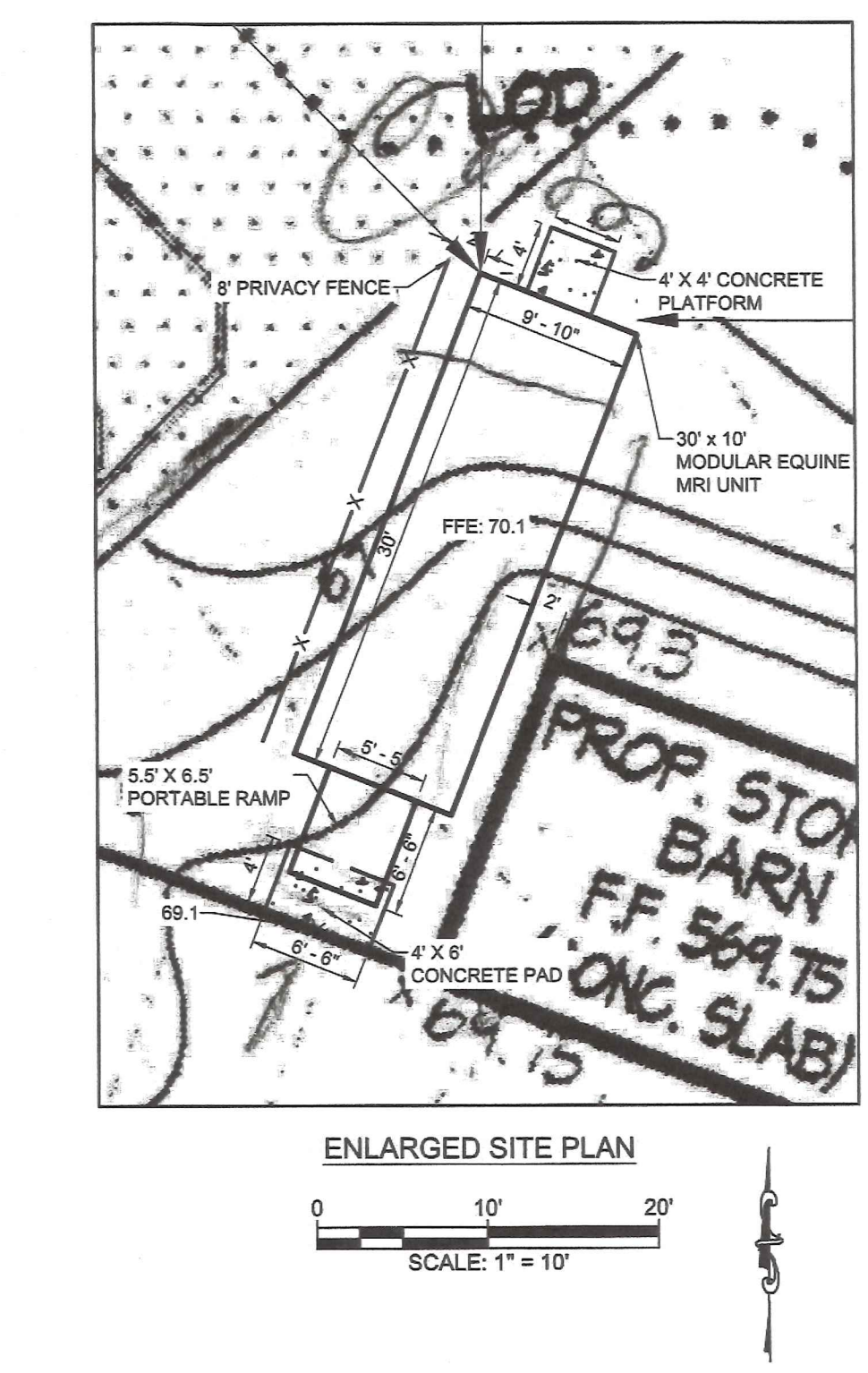
Sheet Title:
Site Plan
Date: 3/19/2019
Scale: 1" = 100'

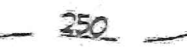
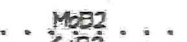
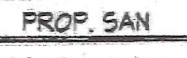
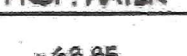
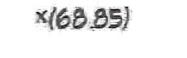
C-1

2019-0276-A

PLAN TO ACCOMPANY
VARIANCE REQUEST TO ALLOW 150'
BUILDING SETBACK IN LIEU OF REQUIRED
200' (CULTIVATED FIELD /PASTURE) NW
SIDE OF PROPERTY

Pet. Ex. 1



	EX. BUILDING
	PROPERTY LINE
	EX. CONTOURS
	EX. EDGE OF PAVEMENT
	EX. ELECTRIC
	EX. STORM DRAIN
	EX. WATER
	EX. SOILS LINE (ALL SOILS ON SITE ARE C250)
	EX. WOODS LINE
	PROP. BUILDING
	PROP. CONTOURS
	PROP. FENCE
	PROP. EDGE OF PAVEMENT
	PROP. WALK
	PROP. SANITARY
	PROP. WATER
	PROP. SPOT ELEVATION
	EX. SPOT ELEVATION

Stormwater management for this project has been addressed through use of the "disconnection of non-rooftop runoff" credit.

2. The proposed grading shown on this plan meets the requirements set forth by the Baltimore County Department of Environmental Protection and Resource Management and complies with Title 14, Article VI of the Baltimore County Code. However, due to building types and layout, some field adjustments may be required. All changes must comply with the above mentioned requirements.
3. All swales have been designed to convey runoff according to Baltimore County Department of Public Works design standards
4. There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer Easement or other forest retention areas, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.

COORDINATES AND ELEVATIONS SHOWN HEREON ARE BASED ON THE MARYLAND
STATE PLANE COORDINATE SYSTEM AND ELEVATIONS ESTABLISHED BY GPS
OBSERVATIONS FROM THE FOLLOWING CONTROL POINT:

BALTIMORE COUNTY CONTROL STATION #302.	
2" BRASS DISK IN GALVANIZED PIPE	
N. 660.851361 E. 1435.081384	ELEV. = 568.074

BE SUBSEQUENT TO THE FIELD SURVEY CONDUCTED BY GERALD CROSS AND ETYEL.
STATION #302 ELEVATION WAS DETERMINED BY BALTIMORE COUNTY IN SEPT. 2003.
ALL DRAWINGS SHOULD REFERENCE THE ESTABLISHED BENCHMARK
LOCATION AT THE OF THE SURVEY. (BAC/OT)

1. OWNER TWO HORSEMAN, LLC
8571 LEHMAN ROAD
DALLASTOWN, PA 17313
2. SITE ADDRESS: 15801 OLD YORK ROAD
MONKTON, MARYLAND 21111
3. TOTAL SITE AREA: 3.889 AC +/- GROSS
3.110 AC +/- NET
4. EXISTING USE: VETERINARY HOSPITAL
5. SITE DATA:
ELECTION DISTRICT: 10
COUNCILMANIC DISTRICT: 3
CAUSUS TRACT: 4101
ADC MAP: BALTIMORE COUNTY PAGE 1, GRID J-4/K-4
EXISTING ZONING: R.C.C. & R.C.Z. (MAP N.E. 24-C
TAX MAP 29, GRID 17 PARCELS 297 & 298 PARCEL 302
TAX ACCT. NOS.: 2400000989/2400000980 2400005789
DEEDS: 19857/00589 19857/00589
SITE AREA: 1.434 AC +/- 1.874C OF 27.28 AC TRACT

seal / stamp



THIS PLAN IS SEALED & CERTIFIED AS BEING
IN ACCORDANCE WITH THE APPROVED
DEVELOPMENT

LICFNSF No. 38561 EXP. DATE 03/31/2020

project team
Civil Engineer
Warehaus
320 North George Street
York, PA 17401
717-845-8383

key plan

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date	project mgr.
03/15/2019	EJV

project no. **2018.0020.00**

drawing set

SITE PLAN

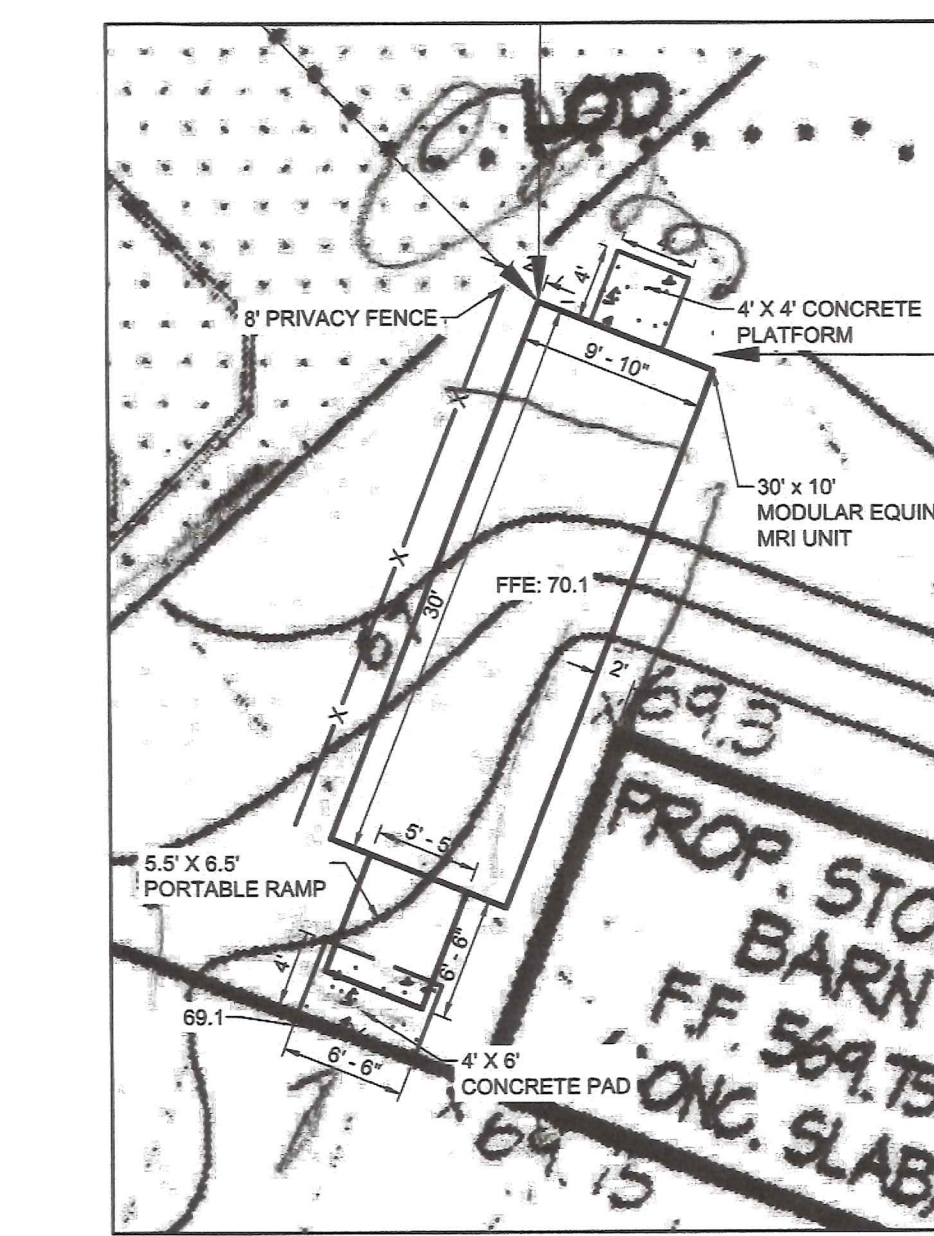
drawing title

**SITE PLAN TO
ACCOMPANY
ZONING
VARIANCE
APPLICATION**

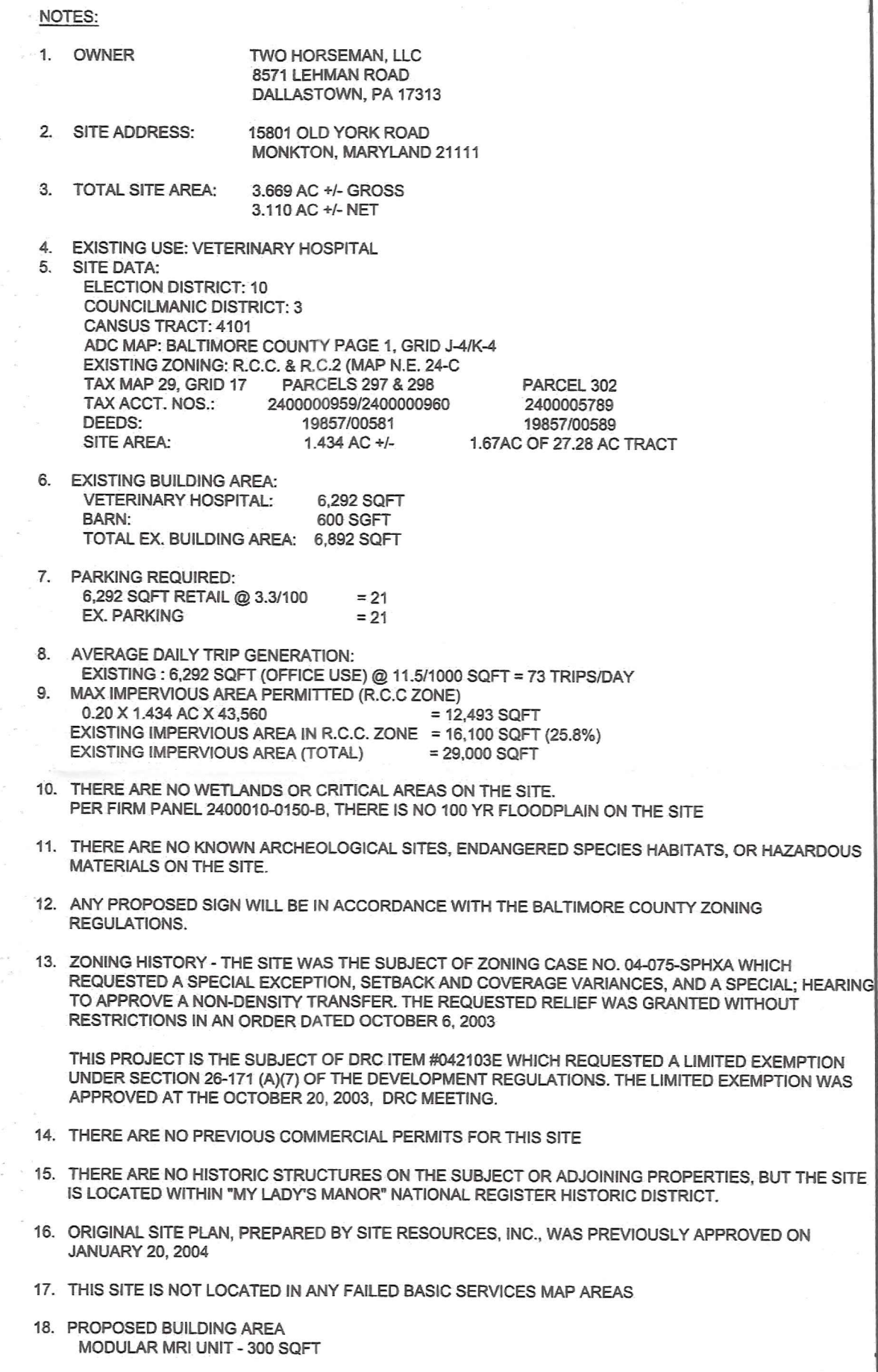
sheet no.

SP-1



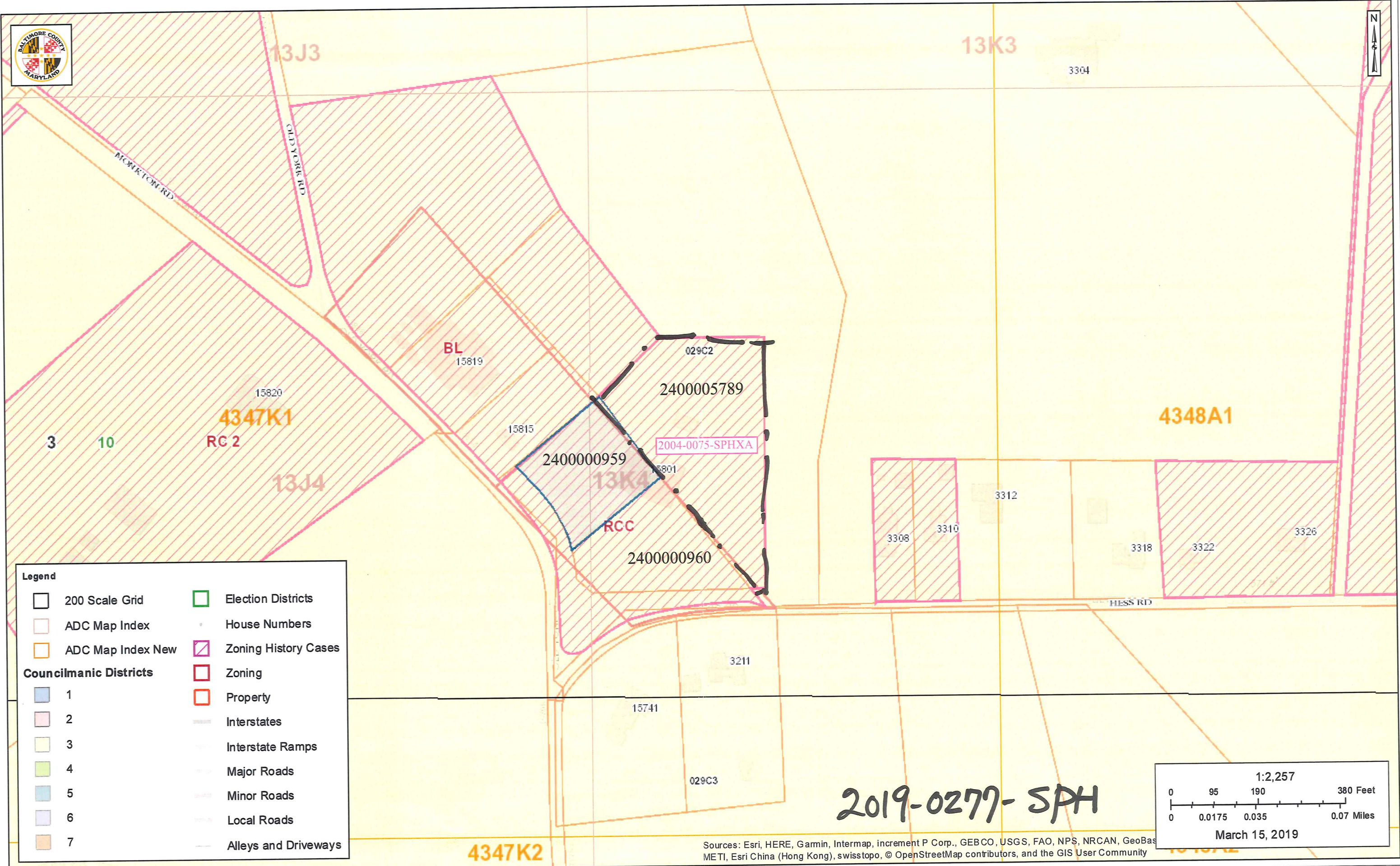


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[illegible]

2019-0277-SPH

Baltimore County - My Neighborhood



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community