

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(15801 Old York Road)</b>		
10 <sup>th</sup> Election District	*	OFFICE OF
3 <sup>rd</sup> Council District		
Two Horseman, LLC	*	ADMINISTRATIVE HEARINGS
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
<b>Petitioner</b>	*	<b>Case No. 2019-0277-SPH</b>

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**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

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 15<sup>th</sup> 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.

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln