



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

August 26, 2024

Matthew Kotroco, Esquire
Kotroco & Associates, LLC
210 Allegheny Avenue, Suite 100
Towson, MD 21204

Re: Request for Spirit and Intent / Verification
Zoning Case No. 1966-0026-X
2211 Taylor Avenue
DR5.5, .287 Acres
Councilmanic District 6, Election District 9

Dear Mr. Kotroco:

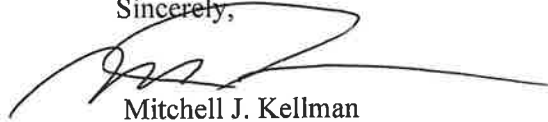
Your recent request to Jeff Perlow, Baltimore County Zoning Supervisor, regarding the referenced property, has been referred to me for reply. You request written verification that the property and improvements are permitted to have 9-16 recovery residents under the State of Maryland "3.1" program (where no drugs are administered under this program nor at this location). This letter follows a previous verification approval from our office confirming that a general "recovery residence" was permitted at this location under the approved 1966 Special Exception for a rooming and boarding house (Case No. 1966-0026-X). You have indicated the facility is working with the State of Maryland and will receive a license for a 3.1-type facility.

Please be advised that the Zoning Review Office will consider the proposed facility as a permitted use on the subject property. Normally, a 3.1 level recovery house for 9-16 beds is permitted in zones that allow for multi-family and by Use Permit approval (with the posting of the property). However, this type of recovery house is considered (for Zoning purposes) a boarding or rooming house on the property where said use was approved by Special Exception. Please note again that drugs are prohibited from being administered at this location and a Change of Occupancy or Use and Occupancy may be required by Baltimore County.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Kellman', with a long horizontal flourish extending to the right.

Mitchell J. Kellman
Planner III
Zoning Review



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

November 29, 2023

Kotroco & Associates
Attorney at Law
305 Washington Avenue, Suite 502
Towson, Maryland 21204
Attn: Matthew. Kotroco, Esq.

RE: Spirit and Intent/Zoning Verification
2211 Taylor Avenue
1966-0026-X
9th Election District

Dear Mr. Kotroco,

Based on the information you provided, a review of all available zoning records and consultation with Jeff Perlow, Zoning Review Supervisor, the following has been determined:

A 1965 special exception granted a boarding and rooming house with no more than thirty (30) persons. The proposed Recovery Residence, for individuals with a history of drug and alcohol abuse, is permitted under the granted special exception for boarding and rooming house. There may not be any administering of drugs or pharmaceuticals at the property. A copy of this letter and a Certification of Recovery Residences, issued by the Maryland Department of Health, must accompany your Change of Occupancy Building Permit.

I hope you find the information provided above satisfactory. If you need further information, you can reach Zoning at 410-887-3391.

THIS LETTER IS STRICTLY LIMITED TO THE APPLICATION OF THE BCZR AS APPLIED TO THE S&I REQUEST PRESENTED IN YOUR LETTER, AND DOES NOT REPRESENT VERIFICATION OR APPROVAL FOR ANY OTHER LOCAL, STATE, OR OTHER REGULATIONS THAT MAY APPLY TO THIS PROPERTY

Sincerely,

A handwritten signature in black ink, appearing to read "Shaun Crawford".

Shaun Crawford
Project Manager, Zoning Review

SC/23-1003

SC 23-1045

Matthew T. Kotroco, Esq.

Kotroco & Associates, LLC
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-9453
mattkotroco@gmail.com

Hand Delivered

Mr. Jeff Perlow, Zoning Supervisor
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Verification for Boarding House at 2211 Taylor Avenue

Our office has been retained by Hopes Horizon, an outpatient living facility program for people with a history of drug and alcohol abuse. The program takes an individual approach to treatment while also creating a community and support network that can only exist outside of some sort of institutional recovery program. Hopes Horizon is licensed by the State of Maryland and has been in business for 10 years.

Hopes Horizon looks for buildings or locations where a house manager can live on-site full time with patients. The home is used for programs and counseling for the tenants to recover and prepare for life free of substance abuse. This can include organizing day tips, programs, or bringing in other professionals. At most, the average duration of a stay is around 21 days.

Hopes Horizon purchased a site in Parkville hoping to open an additional facility serving this purpose. The site, by way of case no. 1966-0026-X was permitted to operate as a boarding house. Exterior evidence still remains of the boarding house use, there is a visible fire escape along the 2nd and 3rd floors of the building. Additionally, the home is significantly larger than its neighbors and has a wider and longer driveway to accommodate more cars. These features show that the house was once utilized as a boarding house, a very similar use to the one being proposed today.

Assuming arguendo that the special exception did not vest in time, the DR5.5 zone allows for "group home" uses as a matter of right. The only condition is that group homes in the DR5.5 zone are subject to a finding of compatibility by a hearing officer. This particular area of Parkville known as "Harford Park" was platted in 1920 intending the construction of many single-family homes, that character still holds true today (see attached aerial image). This unchanged character combined with the 1966 approval for a boarding house should allow for the boarding house use to be permitted as a matter of right today, a hearing officer already found the use to be compatible with the area.

Should you have any questions regarding the proposed use, the original special exception approval or the Hopes Horizon program, feel free to reach out to me directly at any time by email (mattkotroco@gmail.com) or phone call (410-299-9453)

Regards,

08/12/

Matthew T. Kotroco, Esq.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Donald G. Tappert,
1, or we, Donald G. Tappert, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an _____ to an as a P1A2
_____ none, for the following reasons: Subject property

was built in 1930 as a rest home and was used variously as a boarding house, apartment house, etc. At the present time it is being used as a P1A2 apartment residence and has been since 1965. See history of use as attached hereto.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

G. V. Bateman
Contract purchaser
Address 533 Broadhurst Rd
Baltimore, Md. 21212

Margaret Tappert
Legal Owner
Address 221 Taylor Ave
Baltimore, Md. 21204

John Thomas Welsh
Petitioner's Attorney
Address 100 N. E. 1st St
Towson, Md. 21204

Protestant's Attorney
Address _____
Baltimore, Md. 21204

ORDERED By the Zoning Commissioner of Baltimore County, this _____ day of _____, 1965, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1965, at 1:00 o'clock P.M.



Zoning Commissioner of Baltimore County.
(over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met,

a Special Exception for a Boarding House for not more than thirty persons should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 1965, that the above reclassification be and the same is hereby

granted, from and after the date of this order, subject to compliance with the Regulations of the Baltimore County Health Department and the Bureau of Fire Prevention and further subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1965, that the above reclassification be and the same is hereby

DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ none, and/or the Special Exception for _____

be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors
708 WASHINGTON AVENUE AT YORK ROAD
TOWSON 4, MD.
June 8, 1965

Zoning Description

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

Beginning for the same on the southwest side of Taylor Avenue at the distance of 300 feet measured southeasterly along the south side of Taylor Avenue from the corner formed by the intersection of the southwest side of Taylor Avenue with the southeast side of Queen Anne Drive and running thence and binding on the southwest side of Taylor Avenue South 51 degrees 01 minutes East 100 feet, thence leaving said avenue and running the three following courses and distances viz: South 38 degrees 59 minutes West 125 feet, North 51 degrees 01 minute West 100 feet and North 38 degrees 59 minutes East 125 feet to the place of beginning.

Containing 0.29 of an Acre of land more or less.

Being Lots Nos. 64 to 68 inclusive, Block 21, as laid out on the plat of Section "A" Harford Park, which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 5 folio 62.



Mrs. Violeta Bateman
2211 Taylor Avenue
Baltimore, Maryland 21204

Dear Mrs. Bateman:

An inspection was conducted on February 26, 1966, of your premises located at 2211 Taylor Avenue, to ascertain compliance with the fire report made on December 1, 1965, concerning a boarding house occupancy. The recommendations #1, #7, #11, and #12 will not be completed until forthcoming state regulations are published which may affect boarding of elderly, unemployed people. We feel it unwise to spend money at this time to meet Baltimore County laws for the aforementioned rules may concern you.

It will be necessary for you to acknowledge receipt of this letter by writing to us stating fire regulations shall be followed when a definite decision has been reached.

It certainly was a pleasure to meet with you and we thank you for your cooperation in this matter.

Sincerely yours,
Paul H. Renicke
Paul H. Renicke, Captain
Fire Prevention Bureau

3/1/66 - Renicke OK to Release permit; will send copy of Bateman Reply letter as soon as it arrives.

BALTIMORE COUNTY DEPARTMENT OF HEALTH

JEFFERSON BUILDING
105 - 107 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE VALLEY 3-3000
Community Health Through Individual Effort

February 25, 1966

Mr. James G. Howell
Planner III
Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Change in Occupancy Hearing
Mrs. Bateman, Room 119
Thursday, February 24, 1966 at 2 P.M.

Dear Mr. Howell:

On February 24, 1966 a zoning board hearing was held in Room 119, County Office Building, at 2 P.M. with Mr. James B. Dyer, Principal Zoning Technician presiding.

During this meeting, Mr. Irwin L. Snyder, Senior Sanitarian of this Department, indicated that the Baltimore County Department of Health does not have jurisdiction over the food facilities located in boarding houses. This department has jurisdiction over the water supply, sewerage disposal facilities, and garbage disposal of boarding houses just as it has in any private home.

You are reminded, as indicated during the meeting, the Maryland State Department of Health, Division of Hospital Services, is currently contemplating the passage of regulations which would include jurisdiction over boarding houses.

It was further stated at the meeting that Mr. Snyder would be more than willing to make certain recommendations to Mrs. Bateman, owner of the proposed boarding house, if one so desired.

Very truly yours,
Thomas H. Davis
Thomas H. Davis, Chief
Division of Sanitation
Section of Environmental Health

CC-Mr. John Thomas Welsh
Attorney at Law
44 West Chesapeake Avenue
Towson, Maryland 21204

Mr. James E. Dyer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

To: John G. Rose, Planning Commissioner Date: July 14, 1965

From: George H. Savrellis

SUBJECT: Petition #66-26-X, Special Exception for a Boarding House, Southwest side of Taylor Avenue 330 East Southeast of Queen Anne Drive. Being the property of Donald G. and Margaret Tappert.

5th District

HEARING: Monday, July 26, 1965 (1:00 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

The subject property is located in the middle of a neighborhood of well kept single-family houses. No question whether a boarding house in this vicinity would satisfy the requirements of Subsection 502.1 of the Zoning Regulations - particularly a boarding house for as many as 30 boarders.

Two of the subsection 502.1 requirements are that the use will not "tend to create congestion in roads, streets, or alleys (in the locality involved)" or "tend to overcrowd land and cause undue concentration of population." We believe that the zoning regulations contain an implicit standard with regard to these factors. If the building on the subject lot were a single-family dwelling to be converted to apartments, only two apartments could be allowed. Typical family size is 2.5 persons. From assuming a family size of 2.5 persons, however, a total of only five occupants a family of two and a family of three - would be expected to live in this building if it were arranged as two apartments. Needless to say, five is of quite a different order of magnitude than 30 (or 32), if the operators are included.

We do not suggest that the number of boarders be limited to five; we do suggest that 30 would be far too many.

Hardesty - stills - granted Sp X for boarding house for not more than 30 persons, subject to compliance with regulations of Health Dept. & Fire Bureau, & City approval of site plan by Public Services & Planning.

Health - Margaret - X 742
FILE - VAS-TSO; X-50 - Reinecke

FILE

February 3, 1966

Mr. John Thomas Welsh
Attorney at Law
44 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property of Mrs. G. V. Bateman
2211 Taylor Avenue
Zoning Petition #66-26-X

Dear Mr. Welsh:

Prior to the approval of the site plan of this property for insertion in Zoning File #66-26-X, the proposed use must be approved by the Health Department and the Fire Bureau of Baltimore County. As you noted in our phone conversation this morning, these matters have been resolved and substantiation of this fact will be forthcoming.

In addition, the plot plan must be revised so as to show provision for a 24 foot wide entrance. Application must be made for a permit for the construction of this entrance. For details concerning this matter, contact the Bureau of Public Services.

Sincerely,

John G. Rose
John G. Rose, Planner III

cc: George A. Reiser,
Bureau of Public Services

File (2)

EXTENSION

Baltimore County, Maryland

DEPARTMENT OF PUBLIC WORKS

Room of Highway

COUNTY OFFICE BUILDING

TOWSON, MARYLAND 21204

May 19, 1966

Mr. John Thomas Welsh
Jennifer Building
Towson, Maryland 21204

RE: Driveway Entrance (9)

Taylor Avenue near Aiken Ave.

Dear Sirs:

Permission is hereby granted, insofar as this Bureau has the right and power to grant same to construct a driveway opening at Taylor Avenue in the vicinity of Aiken Avenue in accordance with Baltimore County standards and as shown on the attached drawing R-16.

It shall be your responsibility to provide the necessary lights and barricade signs for the safety of the traveling public. It shall also be your responsibility to provide an adequate detour when and as required, and have same sufficiently marked to provide the traveling public with an easy and direct way for either getting back to the road from which they turned off or close to same by means of detour signs.

Baltimore County will not be held responsible for any accidents or damages resulting from your work.

This permit must be kept on the job at all times when work is in progress. It shall remain in effect for thirty days after date of issue. An extension of this permit, if required, must be requested at least one week in advance of the date of the expiration of this permit.

The work hereby permitted shall be done under the supervision and to the satisfaction of Baltimore County, said County reserving full control over said roads or highways and the subject matter of this permit. All work shall conform to current Baltimore County standards and specifications. The County right-of-way will be left in a neat and clean condition. No excess material will be permitted to remain on the County right-of-way.

RESPECTED JOHN E. WOLF

John E. Wolf
Chief, Bureau of Highways
Deputy Roads Engineer

JEW/eh
CC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: July 16, 1965

FROM: George E. Gavett

SUBJECT: Petition #66-26-X. Special Exception for a Boarding Home. Southwest 1/4 of Taylor Avenue 300 feet Southeast of Queen Anne Drive. Being the property of Donald G. and Margaret Taggart.

9th District

HEARING: Monday, July 26, 1965 (1:00 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

The subject property is located in the middle of a neighborhood of well kept single-family houses. We question whether a boarding house in this vicinity would satisfy the requirements of Subsection 502.1 of the Zoning Regulations - particularly a boarding house for as many as 30 boarders.

Two of the subsection 502.1 requirements are that the use will not "tend to create congestion in roads, streets, or alleys (in the locality involved)" or "tend to overcrowd land and cause undue concentration of population." We believe that the Zoning Regulations contain an implicit standard with regard to these factors. If the building on the subject lot were a single-family dwelling to be converted to apartments, only two apartments could be allowed. Typical family size in apartments is 2.2 persons. Even assuming a family size of 2.5 persons, however, a total of only five occupants - a family of two and a family of three - would be expected to live in this building if it were arranged as two apartments. Needless to say, five is of quite a different order of magnitude than 30 (or 32, if the operators are included).

We do not suggest that the number of boarders be limited to five; we do suggest that 30 would be far too many.

CERTIFICATE OF POSTING
ZONING DEPARTMENT, BALTIMORE COUNTY
TOWSON, MARYLAND

District: 9th Date of Posting: 7-8-65
Posted for: Planning Commission July 26, 65 AT 1:00 P.M.
Petitioner: Donald G. Taggart
Location of property: Southwest 1/4 of Taylor Avenue 300' SE of Queen Anne Drive
Location of Sign: On Main Road at the corner of the road to Queen Anne Drive and on the sign to the Main Road
Remarks: This is a Special Exception for a Boarding House
Posted by: [Signature] Date of return: 7-11-65

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James A. Dyer, Chairman
Zoning Advisory Committee
Lieutenant Charles F. Norris, Sr.
FROM: Fire Bureau - Plans Review

SUBJECT: Property Owner: Donald G. Taggart & Wife
2211 Taylor Avenue

Dist. 9
Present Zoning - R-6 Proposed Zoning - Special Exception for Boarding House

1. Shall comply with all fire department regulations governing boarding homes.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this
22nd day of June, 1965

Owner Name: Donald G. Taggart
Reviewed by: [Signature]

JOHN G. ROSE
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 31936

DATE 7/6/65

TO: G. Vilella Bateman
830 Broadhurst Road
Baltimore, Md. 21212

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
			50.00
		Petition for Special Exception for Donald G. Taggart	50.00
		#66-26-X	
			50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 31994

DATE 7/22/65

TO: G. Vilella Bateman
830 Broadhurst Road
Baltimore, Md. 21212

QUANTITY	DEPOSIT TO ACCOUNT NO. 01-622	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
			36.75
		Advertising and posting of property for Donald G. Taggart	36.75
		#66-26-X	
			36.75

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

John Thomas Walsh, Esq.
Jennifer Building
Towson, Maryland 21204

SUBJECT: Special Exception for a Boarding House for Donald G. Taggart
Located SW 1/4 Taylor Avenue
SE of Queen Anne Dr., 9th District
(Item 1, June 22, 1965)

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

OFFICE OF PLANNING AND ZONING: This office will review the subject petition and submit any necessary comments at a later date.

FIRE BUREAU - PLANS REVIEW: See attached comments.

The following members had no comment to make:

Board of Education
Bureau of Traffic Engineering
Health Department
Industrial Commission
Buildings Department
State Board of Education
Bureau of Engineering

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

cc: Albert Walsh - Office of Planning and Zoning
Lt. Morris - Fire Bureau - Plans Review

Very truly yours,

[Signature]
JOHN G. ROSE
Zoning Commissioner

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 8, 1965

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. ONCE A WEEK.

ONCE A WEEK. JUNE 26, 1965, before the 26th day of July, 1965, the first publication appearing on the 8th day of July, 1965.

THE JEFFERSONIAN,

G. L. Smith, Jr.
Manager.

Cost of Advertisement \$...

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press

DUNDALK, MD., July 7, 1965

THIS IS TO CERTIFY, that the annexed advertisement of "Donald G. Taggart" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive week before the 7th day of July, 1965; that is to say, the same was inserted in the issues of 7-7-65.

Stromberg Publications, Inc.

Publisher.

By: Mrs. Palmer Price

