Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue Towson, MD 21204

July 19, 1994

(410) 887-3353

Ms. Janet M. Paszkiewicz President/Director A Small World, Inc. Child Care Center 4506 Painters Mill Road Owings Mills, Maryland 21117

Re: Zoning Review of a Proposed
26-Student Non-Public Kindergarten as a Permitted
Accessory Use to an Existing Class "B" Group Child Care
A Small World, Inc - 4506 Painters Mill Road (91-447-SPHXA)
2nd Election District

Dear Ms. Paszkiewicz:

Staff has reviewed your approval request for a non-public school kindergarten program to be located in a classroom in your existing building already approved for a Class "B" group child care center in zoning hearing 91-447-SPHXA.

Your provided information indicates that the kindergarten classroom will have a licensed capacity of 26 children as an extension of your regular, Class "B" child care program, which is currently approved for a maximum of 120 children, as shown on your approved zoning site plan.

This proposed 26-student kindergarten (as a non-public school) is approved for zoning as an accessory use to the existing Class "B" group child care subject to the understanding that the total number of children enrolled in all group child care, nursery school, or kindergarten uses or classes on site do not exceed the maximum permitted number of 120 children.

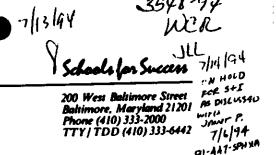
John L. Lewis
Planner II

JLL/cmm

c: Clare C. McNiff File (91-447-SPHXA)

Printed with Snyhean Ink





June 16, 1994

Director
Baltimore County Government
Office of Zoning Admin and
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21201

Dear Director:

Nonpublic school approval regulations COMAR 13A.09.09 and COMAR 13A.09.10 require a nonpublic school to be in compliance with applicable State and local regulations, or both, governing health, fire safety, and zoning prior to the issuance of a Certificate of Approval by the State Board of Education. Written documentation confirming that a nonpublic school is in compliance with applicable regulations is required to be on file in the State Department of Education before initial occupancy of any facility to be used by a

Please notify us in w regulations.	riting whether the school listed below is in compliance with applicable Zoning
Name of School	A Small World, Inc.

Name of School	olA Sm	all World, Inc.		
Street	4506 Painters Mill Road			
City	Owings Mills	Zip Code	21117	
County	Baltimore	Telephone	410-356-9290	
Chief Administrative Officer		Janet Pasziewicz		
Type of Educational Program		kindergarten		
Special Instru	ctions (if any): This is pro	posed site for nonpublic school for	kindergarten pending your	

Thank you for your continued cooperation.

Clare C. W. No. / Clare C. McNiff
Specialist in Accreditation
Nonpublic School Approval Branch

Sincerely yours,

CCM:tms
c: Janet Pasziewicz

Small World, In

To It white finited 6, 1994

Mr. Arnold Jablon 111 W. Chesapeake Avenue Baltimore County Office Building Room 109 Towson, Md. 21,204

Dear Mr. Jablon,

A Small World, Inc. was granted a special exception in July 1991 to operate a day care, center at 4506 Painters Mills Road in Owings Mills. The case number was 91-447-SPH XA. A Small World was granted permission to operate a class B child care center/nursery school with a capacity of 110 children. The center is licensed to care for two (2) through six (6) year olds. A Small World has been operating since March 29, 1993 and has a current licensed capacity of 74 children.

It is my intent to operate a non-public school Kindergarten program in one of the classrooms. The licensed capacity of this room will be 26 children. The Kindergarten curriculum will be an extension of our regular program currently offered to the 2 through 6 year olds. We will work on basic social, math, language, science and computer skills as all of our classes currently do. The teacher will have at least a B.A. in Early Childhood Education and will be licensed to teach Kindergarten.

I would appreciate your help in determining whether a non-public school Kindergarten program can be established at A Small World. I would be more than happy to show you the center and also the room that has been designated for future Kindergarten use. I would also be happy to show you the curriculum we will be using and our philosophy on how an accredited Kindergarten should operate. The demand from the children's parents for a certified Kindergarten has been overwhelming and the entire staff at A Small World is very excited about offering a quality program which will give all of the children enrolled a solid educational and social foundation.

Thank you for your consideration in this matter. If you have any questions please call me at (410) 356-9290.

Sincerely,

Janet M. Paszkiewicz

President/Director

4506 Painters Mill Road • Owings Mills, MD 21117 • (410) 356 9290

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to Petitions for Special Exception/Special Hearing, permission for a freestanding Class B Group Child Care Center in an RAE-1 zone and to permit a single family dwelling to remain in an RAE-1 zone; and, pursuant to a Petition for Zoning Variance, a variance from Section 200.3.C.1 of the B.C.Z.R. to permit a building setback and a property line setback of 0 ft. and 20 ft. in lieu of the required 45 ft. for new proposed building, and 10 ft. in lieu of the required 45 ft. for existing dwelling to lot lines and, a variance from Section 102.2 of the B.C.Z.R. to permit a building separation of 10 ft.in lieu of the required 90 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, Contract Purchaser, Janet Paszkiewicz, appeared, testified and was represented by John Gontrum, Esquire. Appearing on behalf of the Petition were Dorothy Paszkiewicz, Norbert Paszkiewicz, Greg Paszkiewicz, Mary Beth Paszkiewicz, E.M. Ramm, Janet Quine, Richard Quine and Jacob E. Evans. Appearing as Protestants were Francis Prochazka, and Mary J. Beck. Appearing and testifying as a Protestant was David F. Beck.

The Petitioner is the Contract Purchaser of property known as 4508 Painters Mill Road. That property is improved with a single family detached dwelling house and several existing outbuildings, as indicated on

Petitioner's Exhibit No. 1.

The Petitioner has proposed to build a Class B child care center on this property and also maintain the single family dwelling house as the owner's residence. The current property contains 65,073 sq. ft. and the proposed child care center will cover 7,541 sq. ft. The proposed child care center will have a maximum of 10 employees on any given shift and is proposed for a maximum of 120 children. There are 21 parking spaces to be provided for the day care center and circular driveway for the day care traffic to pass in front of the building and ingress and egress through a singular access point onto Painters Mills Road. The property is currently zoned RAE-1 and could be developable as an apartment complex with appropriate densities within the RAE-1 zone.

The Petitioner testified regarding the criteria for a special exception and for the variances as listed in the Petitions.

Mr. Jacob Evans testified that, in his opinion, the proposed use at the subject property would not be detrimental to the health, safety, and general welfare of the community, and that the conditions delineated in Section 502.1 of the B.C.Z.R. will be satisfied.

The Petitioner testified that, based on her professional experience, was her opinion that the business would not cause any adverse impact and would not create traffic congestion over and above what already exists. She testified that the conditions delineated in Section 502.1 (B.C.Z.R.) will be satisfied.

Mr. David Beck, a residential property owner next door to the proposed subject site, testified in opposition to the variances for the proposed Class B group child center which would place the structure closer to his adjoining property line then would be permitted by the Baltimore County

- 2-

Zoning Regulations. Mr. Beck testified that he was opposed to the setback variances because of the intrusion that would be created by noise and light from the adjoining property onto his property. Mr. Beck testified in opposition to the intrusion of the child care center into this residential area.

The Petitioner is seeking a Class B group child care center within the RAE-1 zone, pursuant to Section 424.5.A of the B.C.Z.R. These regulations provide for group child care centers as a principal use by special exception in the RAE-1 and 2 zones.

It is clear that the B.C.Z.R. permits the use proposed in an RAE-1 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the

- 3-

property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

A special exception is a granting by the Zoning Commissioner or Deputy Zoning Commissioner, pursuant to the existing provisions of the Baltimore County Zoning Regulations (B.C.Z.R.). It is subject to the guidelines and standards contained in the provisions of the B.C.Z.R. A special exception is a use which has been predetermined by the Baltimore County Council to be conditionally compatible with the uses permitted as of right in a particular zone. The Zoning Commissioner or Deputy Zoning Commissioner must in each case, decide under the specific standards set forth in Section 502 of the B.C.Z.R. whether the presumptive compatibility does, in fact, exist in this case. See, Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970). Furthermore, ". . . there cannot be a grant of a Special Exception unless the B.C.Z.R. provide that the conditional use sought is permissible in the zone in which the land involved is situated. . . " Schultz v. Pritts 291 Md. 1, 432 A.2d 1319 (1981). The duty of the Zoning Commissioner or Deputy Zoning Commissioner is to judge whether the neighboring properties in the general neighborhood would be adversely affected and whether the use in the particular case is in harmony with the general purpose and intent of the

The Petitioner has the burden of adducing testimony which will establish that the Petitioner's use meets the prescribed standards and requirements. He does not have the burden of establishing affirmatively that his proposed use would be a benefit to the community and, furthermore, if the Petitioner shows to the satisfaction of the Zoning Commissioner or Deputy Zoning Commissioner that the proposed use would be conducted without real

- 4-

public interest, then the Petitioner has met the burden of proof. See Anderson v. Sawyer, 23 Md. App. 612, 617, 329 A.2d 716, 720 (1974). In the opinion of the Zoning Commissioner, the Petitioner has provided

detail evidence that the Class B child care center would be permissible in

the RAE-1 zone and would not adversely affect the general neighborhood.

detriment to the neighborhood and would not actually adversely affect the

The Petitioner has requested certain variances in relationship to the establishment of the building which will serve as the proposed Class B group child care center and its relationship to the existing home.

The Petitioner has also requested certain relief, pursuant to a special hearing contained within the Petition for Special Exception to permit the detached single family dwelling house to remain as a second principal use upon the subject site as a nonconforming use.

The Petitioner has proposed that the existing two story brick and frame dwelling house known as 4508 Painters Mills Road be permitted to remain as a dwelling house for the Petitioner in conjunction with the operation of the proposed child care center.

The evidence and testimony clearly indicate that the existing dwelling house was established more than 30 years ago. That the existing dwelling house has remained as a residential property continuously every year since it was built until the present. The Petitioner has proposed that this dwelling house be used as a single family dwelling house in conjunction with the operation of the child care center.

The evidence and testimony indicate that in 1980 the subject site was zoned R.C.3 which permitted single family dwelling houses on a site of this size as a matter of right. That in 1984 the zoning of this property was changed to RAE-1 as part of the 1984 comprehensive rezoning process.

- 5-

Clearly, the single family dwelling house is a nonconforming use upon this site. The single family dwelling house was constructed and used as a matter of right within the zoning that existed on the land until 1984. The single family dwelling house has been used and occupied as a single family residence since the change in zoning in 1984 and there have been no lapses in the use of this nonconforming structure. Furthermore, there has been no change or expansion of the prior nonconforming use and the nature, extent and utilization of the nonconforming use has no substantial different impact upon the community and neighborhood either prior to the construction and use of the Class B child care center currently or in the future.

Section 307.1, Baltimore County Zoning Regulations (B.C.Z.R.) states that the Baltimore County Zoning Commissioner and or Deputy Zoning Commissioner shall have the power to create variances from an area regulation where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

In reviewing the Petition, it must be kept in mind that "{t}he standard for granting a variance. . . is . . . whether strict compliance with the regulations would result in 'practical difficulty or unreasonable hardship'; and that it should be granted only if in strict harmony with the spirit and intent of the Zoning regulations; and only in such manner as to grant relief without substantial injury to the public health, safety and general welfare." McLean v. Soley.

The question, therefore, is whether it was fairly debatable that the evidence shows strict compliance with the regulations would result in practical difficulty or unreasonable hardship.

An area variance may be granted where strict application of the zoning C & regulations would cause practical difficulty to the Petitioner and his

- 6**-**

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

> 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances, special exception and special hearing relief were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances and special exception requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the o o relief requested should be granted.

1. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner us hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore Coun-

ty this 19 day of 1991 that, pursuant to a Petition for Spe-

cial Exception/Special Rearing, permission for a freestanding Class B

Group Child Care Center in an RAE-1 zone and to permit a single family

dwelling, as a nonconforming use, may remain in an RAE-1 zone is hereby

ance, a variance from Section 200.3.C.1 of the B.C.Z.R. to permit a build-

ing setback and a property line setback of 0 ft. and 20 ft. in lieu of the

required 45 ft. for new proposed building, and 10 ft. in lieu of the re-

B.C.Z.R. to permit a building separation of 10 ft.in lieu of the required

90 ft., is hereby GRANTED, in accordance with Petitioner's Exhibit No. 1,

subject, however, to the following restriction which are conditions prece-

IT IS FURTHER ORDERED that, a variance from Section 102.2 of the

quired 45 ft. for existing dwelling to lot lines is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to a Petition for Zoning Vari-

cc: Peoples Counsel

dent to the aforegoing relief:

condition.

GRANTED; and,

- 7-

Zoning Commissioner for

- 8**-**

Baltimore County

111 West Chesapeake Avenue Towson, MD 21204

887-3353

July 18, 1991

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, Maryland 21221

> RE: Case No. 91-447-SPHXA Petitions for Special Hearing, Special Exception and Zoning Stanley C. Miles, Legal Owner, Janet Paszkiewicz, Contract Purchaser, Petitioner

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Zoning Commissioner

cc: Peoples Counsel Mr. Jacob E. Evans Mr. and Mrs. David Beck Mr. Francis Prochazka

Number of Signe:

HOTICE OF HEATING

The Zening Commissioner of Bellimore Cearly, by eatherly of the Zoning Act and Regulations of Bellimore County will hold a public hearing on the properly identified herein in Room 106 of the County Office Building, located at 111 W. Chesapseks Avenue in Towson, Maryland 21204 on follows:

Case Number 91-447-SPHXA W/S Painters Mill Road, 500' N of Lyons Mill Road 4508 Painters Mill Road 2nd Election District 3rd Councilment: Legal Owner(s): Stanley C. Miles Contract Purchaser(s): Jenet Paszidewicz Hearing Date: Wednesday, July 3, 1991 at 10:00 a.m.

Special Exception: for a free-standing Clees "B" group child care center. Special Hearing: to permit a single tamily dwelling to remain in a R.A.E.-1 zone. Vari-esse: to permit building setbacks of zero feet and 20 feet in fieu of the required 45 feet for new proposed building and 10 feet in lieu of required 45 feet for existing dwelling (owner-epartment) to lot times; to permit building separa-tion of 10 feet in lieu of required 90 feet.

CERTIFICATE OF POSTING TOWNS DEPARTMENT OF BALTIMORE COUNTY

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CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on

PETITION FOR ZONING VARIANCE

453

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-447-SPHXA The undersigned, legal owner(s) 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 for a

Variance from Section 200 3. C. A. Fo. Mos. A. C. C. C. PROPERTY SAR SETTINGE OF THE PROPERTY SET Lower Committee of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the

following reasons: (indicate hardship or practical difficulty) The Board of Section Time Constitution in the Constitution of the construction of the contract o

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

	I/We do 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 Petition.		
Contract Purchaser:	Legal Owner(s):	F.	
Janet Haszkichicz (Type or Print Name)	(Type or Print Name)	. 3.6 7	
Signature Standard	Signature C. Muc.	10 F	
1804 Blakefield Circle	Derective M. Hile6 (Type or Print Name)	(*) _(*)	
Address Lutherville Mu 21093 City and State	Signature		
Attorney for Petitioner: (Type or Print Name) Signature	Address Curass Mills, MD. 211 City and State	Phone No.	
Address	Name, address and phone number of tract purchaser or representative to	legal owner, con- be contacted	
City and State	Name		
Attorney's Telephone No.: _696-8274	Addrogg	363-1663 Phone No.	

of _____, 19____, 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 had before the Zoning counts of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19___, at ____ o'clock

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

Zoning Commissioner of Baltimore County.

APPRILE OF HEAVING

Special Exception: for a free-standing Class "B" group child care center. Special Hearing: to permit a single family dwelling to remain in a R.A.E.-1 zone. Vari-ance: to permit building setbecks of zero feet and 20 feet in lieu of the required 45 feet for new proposed building and 10 feet in lieu of required 45 feet for enteting dwelling (currer-apartment) to lot lines; to permit building separa-tion of 10 feet in lieu of required on feet

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive

PETITION FOR SPECIAL EXCEPTION /Special Hearing

Legal Owner(s):

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-447-5PHXA The undersigned, legal owner(s) 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the Herein described property for A FACESTANCIA CLASS & GROVE Child Conc Contex in a RANGEL FORT and to Free it a susta Facility diseller to send a 10 B R. A. F. T. T. Comment of State of the send of the sen

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above 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.

> I/We do 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 Petition.

Tailet Puik (City (Type or Print Name)	(Type or Print Name)
(Type or Print Name) Signature	Signature
1864 Blukelield Circle	(Type or Print Name)
City and State	Signature J
Attorney for Petitioner:	·
(Type or Print Name)	Address Phone No.
Signature	City and State
Sil Essies Bl.d.	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.: 656-5274	Address Phone No.
ORDERED By The Zoning Commissioner of	Baltimore County, this day
of, that the	e 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____, day of _____, 19___, at ____ o'clock

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 PILED BY JLL 5/24/91 O MAY TIME ON DAY

Baltimore County
Zoning Commision
County Office Building
111 West Chesapeake Aver
Towson, Maryland 21204

Zoning Commisioner

County Office Building 111 West Chesapeake Avenu

Contract Purchaser:

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Account: R-001-6150

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Please Make Checks Payable To: Baltimore Faunty) 021 31 PM05-24-91

Zoning Commisioner County Office Building
111 West Chesapeake Avenue

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Account: R-001-6150

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ZONING CONNISSIONER

cc: John B. Gontrum, Esq.

BALTIMORE COUNTY, MARYLAND

Civil Consultant Services, Ltd.

5706 Arnhem Road Baltimore, MD 21206 (301) 866-3074

91-447-5PHXA

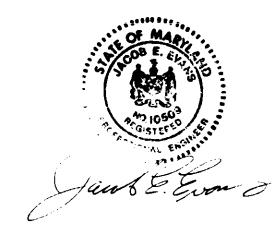
ZONING DESCRIPTION

(CLASS B GROUP CHILD CARE CENTER)

Engineering Design • Studies

4508 Painters Mill Road Owings Mills, Maryland 21117

Beginning at a point on the west side of Painter Mill Road which is 98 feet wide at the distance of 500 feet north of the centerline of Lyons Mill Road which is 60 feet wide. Thence the following courses and distances: S.870-11'-54"W. 176.00 ft., N.020-48'-06"W. 106.00 ft., N.870-11-54"E. 104.00 ft., N-020-48'-06"W. 17.00 ft., N.420-11'-54" E. 88.00 ft., S.590-48'-06" E. 103.07 ft., S.220-57'-25" W. 56.38 ft., S.300-51'-54" W. 94.10 ft. to the point of beginning, being part of parcel 298, as recorded in Deed Liber 2875, Folio 5 containing 0.680 acres.



Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

DATE: 6/24/91

Janet Paszkiewicz 1804 Blakefield Circle Lutherville, Maryland 21093

Case Number: 91-447-SPHXA W/S Painters Mill Road, 500' N of Lyons Mill Road 4508 Painters Mill Road 2nd Election District - 3rd Councilmanic Legal Owner(s): Stanley C. Miles Contract Purchaser(s): Janet Paszkiewicz HEARING: WEDNESDAY, JULY 3, 1991 at 10:00 a.m.

Dear Petitioner(s):

Please be advised that \$163,44 is due for advertising and posting of the above

THIS FEE WUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL MOT ISSUE, DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

111 West Chesapeake Avenue Towson, MD 21204

June 18, 1991

John B. Gontrum, Esquire 814 Eastern Blvd Baltimore, MD 21221

> RE: Item No. 453, Case No. 91-447-SPHXA Petitioner: Stanley C. Miles, et ux Petition for Special Exception and Special Hearing

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures

cc: Mr. & Mrs. Stanley C. Miles Ms. Janet Paskiewicz

887-3353

111 West Chesapeake Avenue Towson, MD 2120 i

887-3353

Your petition has been received and accepted for filing this 28th day of May, 1991.

Baltimore County Government Office of Zoning Administration

and Development Management Office of Planning & Zoning

ZONING COMMISSIONER

Zoning Plans Advisory Committee

Petitioner: Stanley C. Miles, et ux Petitioner's Attorney: John B. Gontrum

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: June 27, 1991

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Stanley C. Miles, Item No. 453

In reference to the petitioner's request, staff offers the following comment:

The provision of a quality day care facilities at this location is consistent with the Master Plan because this development proposal supports the concept of fostering a mix of uses that are essential to the success of a well integrated planned area.

Under the heading of "Community Planning and Conservation," the Master Plan addresses the importance of providing an amalagam of community support services with the following statement, "...[T]he thrust of the County's community planning program for new residential development should be aimed at new development areas, such as Owings Mills, Perry Hall-White Marsh and Patapsco. Emphasis should be placed on the creation of live communities supported by appropriate public and community facilities." The Master Plan also addresses the need to "[R]evise the Zoning Regulations so that commercial uses, day care facilities, health service, etc. may be allowed..."

Staff supports the applicant's request, conditioned upon the following:

- The plan should be amended to indicate the layout of the play area and the type of fence to be used. The details should be approved by the deputy director of the Office of Planning and Zoning (OPZ) prior to the issuance of any building permits.
- The applicant shall submit a landscape plan to the Baltimore County landscape planner for approval by the deputy director of OPZ. Subsequent to approval, a copy of the plan should be forwarded to the Zoning Office to be maintained in the official file.

MOTIFIED J. GONDENTS OFFICE 7/2/91 Will Plu COMMENTS

Baltimore County Government Fire Department

700 East Joppa Road, Suite 901 Towson, MD 2120 (5500)

(301) 887 4500

MAY 31, 1991

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Paltimore County Office Building Towson, MD 21204

RE: Property Owner: STANLEY C. MILES

Location:

#4508 PAINTERS MILL ROAD

Zoning Agenda: JUNE 4, 1991

Item No.: 453 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. SECTION 10-7

JK/KEK

Stanley C. Miles, Item No. 453 Page Two June 27, 1991

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM453/ZAC1

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887 3353

May 31, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-447-SPHXA W/S Painters Mill Road, 500' N of Lyons Mill Road 4508 Painters Mill Road 2nd Election District - 3rd Councilmanic Legal Owner(s): Stanley C. Miles Contract Purchaser(s): Janet Paszkiewicz HEARING: WEDNESDAY, JULY 3, 1991 at 10:00 a.m.

Special Exception for a free-standing Class "B" group child care center. Special Hearing to permit a single fam.ly dwelling to remain in a R.A.E.-1 zone. Varianceto permit building setbacks of zero feet and 20 feet in lieu of the required 45 feet for new proposed building and 10 feet in lieu of required 45 feet for existing dwelling (owner-apartment) to lot lines; to permit building separation of 10 feet in lieu of required 90

Zoning Commissioner of Baltimore County

cc: Stanley C. Miles Janet Paszkiewicz John B. Gontrum, Esq.

BALTIMORE COUNTY, MARTLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

June 3, 1991

Zoning Commissioner Office of Planning and Zoning

DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #453, Zoning Advisory Committee Meeting of June 4, 1991, Mr. Stanley C. Miles, Contract Purchaser: Janet Paszkiewicz, W/S Painters Mill Road, 500' N of Lyons Mill Road (#4508 Painters Mill Road), D-2, Public Water and Sewer

COMMENTS ARE AS FOLLOWS:

Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

, SSF:rmk ackslash 453ZNG/GWRMK

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11-447

PETITIONER(S) SIGN-IN SHEET

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STOC ARNHEM ROAD BALTO. MD 21206

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

May 28, 1991

91-447-5PHXA

RE: Petition Filed in Zoning Office

Item Number 435 453

Dear Petitioner:

Stanley C. Miles

Dorothy M. Miles

4508 Painters Mill Road Owings Mills, MD 21117

This letter is to inform you that there is a technical problem with your Petitions for Special Hearing/Special Exception/Variance, which were filed on 5/24/91 (Item #453) with John L. Lewis.

The Petitions lack the signatures of the Legal Owners and the Contract Purchaser, as well as their addresses and telephone numbers. We have allowed these Petitions to be placed on the agenda for the week of June 4, 1991 due to the closing date deadline; however, these signatures must be obtained as soon as possible.

If you have any questions regarding this matter, please contact either John Lewis or Gwen Stephens at 887-3391.

Zoning Commissioner

cc: Janet Paszkiewicz, Contract Purchaser John B. Gontrum, Esquire

received

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 3, 1991

The Developers Engineering Division has reviewed

For Items 432,, 439 and 444, the previous County Review

For Items 445, 446, 450 and 453, County Review Group

Robert W. Bowling, F. Chief,

Developers Engineering Division

For Item 447, this site is subject to the previous

the subject zoning items and we have no comments for

Items $4\overline{3}1$, 441, $4\overline{4}2$, 443, 448, 449, and 451.

Zoning Advisory Committee Meeting

FROM: Robert W. Bowling, P.E.

for June 4, 1991

Group comments are still applicable.

Meetings are required.

RWB: B

minor subdivision comments.

