

APPLICATION FOR CHILD CARE CENTER

USE PERMIT

This Use Permit is requested in accordance with Sections 424.5 and 500.4 of the Baltimore County Zoning Regulations.

Proposed Child Care Center Location:

Election District 7th
 Subdivision Rockdale
 Street Address 7818 Liberty Road
 Lot Number 15 + 16 Block Number _____
 *If no lot or block number, give distance to nearest intersecting street _____ feet, north / south / east / west of Street / Road / Avenue
 Lot Size 150 x 93 1/3

Existing Nearest Child Care Center Location: (lot number, street address, etc.)

Kiddie Academy
3609 Milford Mill Road
Baltimore, MD 21244

General Information:

- A. Name and Address of Applicant/Operator
Wanda Michele Williams
7108 Rutherford Green Circle
 Telephone Number (410) 594-1758
- B. Number of Employees 3 Hours of Operation 6:30 am - 6:00 P.M.
 Days of Week Monday - Friday
- C. Number of Children Enrolled 12
- D. Estimated Amount of Traffic Generated:
 Morning 10 Afternoon 10
- E. Site Plan, drawn to scale, indicating location and type of structure on lot in question, location and dimensions of play parking area(s) arrangement, and proximity of dwellings on adjacent lots must accompany this Use Permit
- F. Snapshot of the Structure

I am aware that the zoning regulations require that the above property be posted for a period of thirty (30) days prior to the Zoning Commissioner taking any action, that said posting (sign) shall include information relative to the number of children, hours of operation, and number of employees, and that I am responsible for, and hereby agree, to pay expenses for all posting, advertising, and filing fees.

Michele Williams
 Applicant's Signature

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A CLASS A CHILD CARE CENTER USE PERMIT

The application for your proposed Class A Child Care Center has been reviewed and is accepted for filing by J. MURPHY on 3-13-97.
DATE (A)

A sign indicating the proposed Child Care Center must be posted on the property for thirty (30) days before a decision can be rendered. Total cost, which includes application fee and posting, is \$75.00.

In the absence of a request for a public hearing during the 30-day posting period, a decision can be expected within approximately five weeks.

*SUGGESTED POSTING DATE 3-23
B (A + 7 DAYS OR NEXT FRIDAY)

DATE POSTED _____
C (CERTIFIED BELOW)

HEARING REQUESTED - YES _____ NO _____ - DATE _____

LAST DAY FOR HEARING REQUESTS 4-7
D (C + 30 DAYS)

APPROXIMATE DECISION DATE 4-22
E (A + 40 DAYS OR D + 5 WORK DAYS)

*Within 14 days of filing

=====

C E R T I F I C A T E O F P O S T I N G

District _____

Location of Property: _____

Number of Signs: _____ Date of Posting: _____

Posted by: _____

CERTIFICATE OF POSTING

RE: Case No.: 7818 Liberty Rd

Petitioner/Developer: _____

MICHAEL WILLIAMS

Date of Hearing/Closing: 4/7/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

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

7818 LIBERTY ROAD

The sign(s) were posted on 3/22/97
(Month, Day, Year)



7818 LIBERTY ROAD
POSTED: MAR. 22, 1997
Richard Hoffman 3/22/97

Sincerely,

Richard Hoffman 3/22/97
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELWOOD DR.
(Address)

FALLSTON, MD. 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

Exhibit C

Date to be posted: Anytime before but no later than 3-23-97

Request for Use Permit: Class A Child Care, Parking, Undersized Lot, Farmer's Roadside Stand

Format for Use Permit Sign, Black Letters on White Background:

ZONING NOTICE

BUILDING PERMIT APPLICATION

REQUEST HAS BEEN MADE FOR A CLASS A
DAY CARE CENTER FOR 12 CHILDREN.

PUBLIC HEARING ?

PURSUANT TO SECTION ^{424.4} ~~301.4~~, BALTIMORE COUNTY REGULATIONS,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED BUILDING PERMIT, PROVIDED THE REQUEST
IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

4-7-97
REQUEST FOR HEARING MUST REFERENCE THE ADDRESS ON THIS SIGN.
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF PERMITS
AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING, 111 WEST
CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 028713

DATE 3-13-97 ACCOUNT POCI-FLSD

AMOUNT \$ 40.00

RECEIVED FROM: MICHELE WILLIAMS 7818 LIBERTY RD.

FOR: CLASS A CHILD CARE

03A91#0316MICHRC
BA C002:29PM03-13-97

\$40.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

J. Carr

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 028666

DATE 4/4/97 ACCOUNT PO016150

AMOUNT \$ 40.00

RECEIVED FROM: Kellough

FOR: Challenge to Class A CC use permit.

02A91#0250MICHRC
BA C001:49PM04-04-97

\$40.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: CLASS A CHILD CARE USE PERMIT

Petitioner(s): _____

Location: 7818 Liberty Rd.

I/WE, John Kevin Kellough
Name(s) (TYPE OR PRINT)

Legal Owners Residents, of

7810 Liberty Rd.
Address

Balto. MD. 21244 (410) 922-0139
City/State/Zip Code Phone

"0" FT ON LINE

which is located approximately ~~200~~ ~~200~~ feet from the property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

John Kevin Kellough 4-4-97
Signature Date

Signature Date



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

**NOTICE OF REQUEST FOR
HEARING AND HEARING DATE
FOR CLASS A CHILD CARE**

Please note that a formal request for a public hearing to be held before the Zoning Commissioner has been filed with this office. Pursuant to Baltimore County Zoning Regulations, such hearing has been scheduled and will take place as follows:

HEARING ON REQUEST FOR CLASS A CHILD CARE USE PERMIT
7818 Liberty Road
7th Election District - 3rd Councilmanic
Applicant: Wanda Michele Williams

Hearing to determine whether the Zoning Commissioner should approve the proposed Child Care Center.

DATE: FRIDAY, MAY 9, 1997 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director ZADM

cc: Wanda Michele Williams
John Kevin Kellough

PLEASE NOTE THAT THE ZONING SIGN ON THE PROPERTY MUST BE ALTERED TO GIVE NOTICE OF THE ABOVE HEARING ON OR BEFORE AND CERTIFICATION OF SAME FILED WITH THIS OFFICE. PLEASE CONTACT THE SIGN VENDOR USED FOR THE ORIGINAL POSTING.



RE: HEARING ON REQUEST FOR CLASS A	*	BEFORE THE
CHILD CARE USE PERMIT		
7818 Liberty Road	*	ZONING COMMISSIONER
7th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
Wanda Michele Williams	*	Permit No. N/A
Applicant	*	
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Wanda Michelle Williams, 7108 Rutherford Green Circle, Baltimore, MD 21244, Applicant, and to John Kellough, 7810 Liberty Road, Baltimore, MD 21244, Protestant.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

John P. Peil

910 Metfield Rd. Balt. Md

Nichele Williams

7108 Rutherford Green Cir. 21244
21285-1632

Tom D. Maith

2200 Rutherford Green Cir. 21244

Murid K. id

910 Metfield Rd. Balt. Md

21082-1632

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

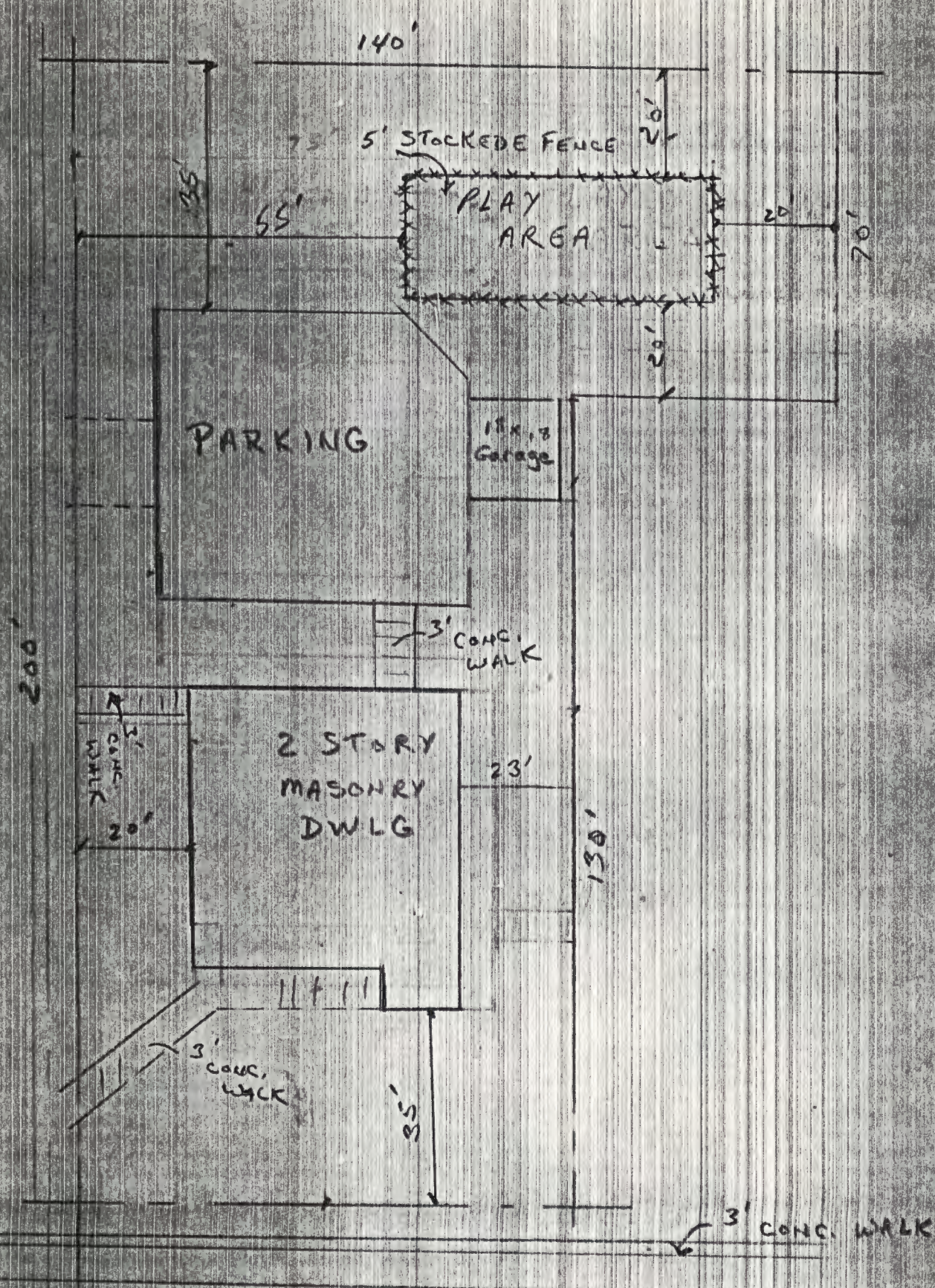
ADDRESS

John Kellough

7810 Liberty Rd. Balto. Md. 21254



WASHINGTON AVE.



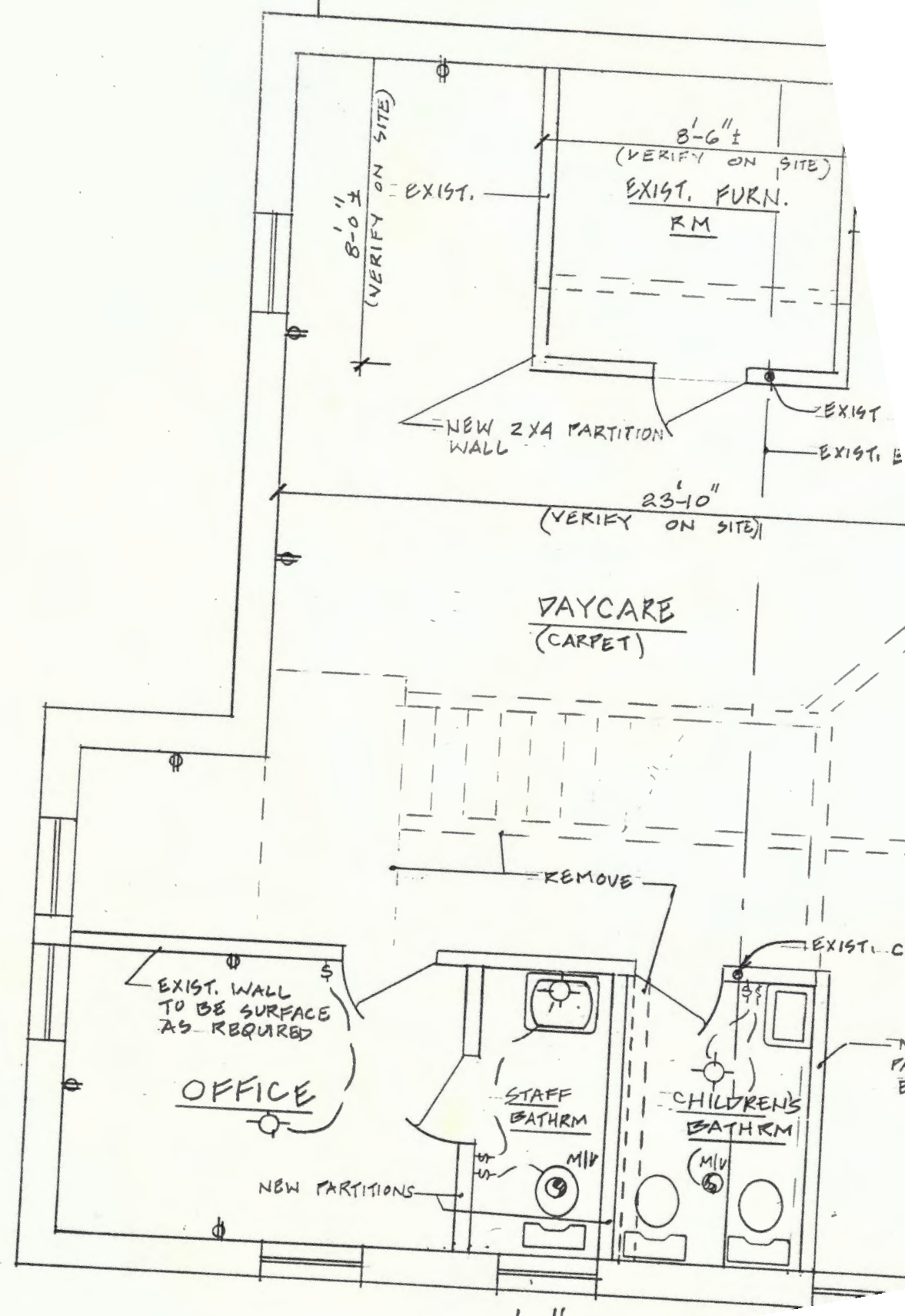
LIBERTY RD.

SCALE 1" = 25'

LITTLE ANGELS CHILD CARE
7818 LIBERTY RD.

LIBERTY RD

31'-8" (VERIFY ON SITE)
13'-0" (VERIFY ON SITE)



7818 Liberty Road



Liberty Rd. Front view



Existing Entrance



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 3, 1997

Ms. Wanda Michelle Williams
7108 Rutherford Green Circle
Baltimore, Maryland 21244

RE: Application for Class A Child Care Center
Location: 7818 Liberty Road
7th Election District, 3rd Councilmanic District

Dear Ms. Williams:

Enclosed please find the decision rendered in the above captioned case. The Application for a Class A Child Care Center has been granted.

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 887-3353.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. John Kellough, 7810 Liberty Road, 21244

IN RE: CLASS A CHILD CARE USE PERMIT * BEFORE THE
7818 Liberty Road * ZONING COMMISSIONER
7th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Wanda Michele Williams
Applicant

* * * * *

ORDER

This matter comes before me for consideration of a use permit application for a Class A Child Care Center on the subject property, known as 7818 Liberty Road, located in the Rockdale subdivision of Baltimore County. The application was filed by Wanda Michele Williams, the proprietor of the proposed child care center. As noted above, the center is proposed for the property known as 7818 Liberty Road which is zoned R.O. Pursuant to Section 424 of the Baltimore County Zoning Regulations (BCZR), notice of the application for a use permit was provided by the posting of a sign on the property on March 22, 1997. Pursuant to that notice, a request for public hearing was made by John Kevin Kellough, who resides at 7810 Liberty Road. Thus, the matter was duly scheduled for public hearing.

Appearing at that hearing was the aforementioned Wanda M. Williams. Also appearing in support of the application was John P. Roil, property manager, Terry D. Maith and Muriel Roil. Mr. Kellough appeared in opposition to the request.

Testimony and evidence presented was that the site is a corner property, located adjacent to the intersection of Liberty Road and Washington Avenue. The property features a two story masonry building, a detached 18 ft. x 18 ft. garage and a large macadam parking area. Apparently, the structure on site contains several uses. Specifically, the first floor of the structure is occupied by a dental office. An insurance agency occupies the second floor. The Applicant, Wanda M. Williams, has entered into

ORDER RECEIVED FOR FILING
Date 6/4/97
By M. Good

a contingent lease for the basement of the building. A copy of the floor plan for the basement was submitted which shows that same will be renovated to contain the child care center. It was indicated at the hearing that the other tenants of the building fully endorse the project.

Additional testimony offered was that Ms. Williams is a licensed day care operator and presently operates a nearby facility with six children. She proposes to move to the subject property and expand her operation. The proposed center will care for a maximum of 12 children. The children will be ages 2 to 4 years and are pre-schoolers. The proposed hours of operation are 6:30 A.M. to 6:00 P.M., Monday through Friday. The floor plan submitted shows the layout of the proposed basement floor, including the play area, an office area, bathroom facilities, etc. Additionally, a fenced outdoor play area is also proposed. This outside play area will be enclosed with a 5 ft. stockade fence as required by the BCZR.

Ms. Williams also discussed the staffing of the center and the need for the facility in the area. She indicated that the use would not dramatically increase the traffic in view of the relatively small number of children at the center. Moreover, the children will be dropped off throughout the morning, so that there will not be a large increase of vehicles at a single specific time.

Mr. Kellough, who resides at 7810 Liberty Road, testified in opposition. He indicates that he is a truck driver by occupation and sleeps during the day. He believes that the proposed use will be disruptive to the use of his property. He also indicates that he has two large German Shepherd dogs in which he believes will be disturbed by the children's outdoor play activities. He also expressed concerns regarding additional traffic in the area. He believes that the intersection of Liberty Road

ORDER RECEIVED FOR FILING

Date

By

6/11/97
A. J. Jorak

and Washington Avenue is already congested and cannot support additional traffic.

Section 424.4.6 of the BCZR requires the Zoning Commissioner to consider the character of the surrounding community and the anticipated impact of the proposed use upon that community. In my judgment, the proposed day care center is appropriate. I do not believe that this use is incompatible with the neighborhood and do not believe that the use will be disruptive on neighboring properties. With all due respect to Mr. Kellough's concerns, I believe that the heavy traffic on Liberty Road and the existing character of the neighborhood would be far more disruptive to him than any impacts associated with the proposed child care activity. The businesses which already occupy the property are supportive of the request and it is clear that they would suffer the greatest impact. For these reasons, I believe that the application for use permit should be approved and will so order.

Notwithstanding my Order, however, it is noted that the Applicant has agreed to situate the outdoor play area as far as possible from Mr. Kellough's property. The regulations require a minimum 20 ft. setback from the common property line and the plan shows such a setback. Although the plan meets the requirements, the Applicant did agree to relocate the play area farther towards Washington Avenue, in a manner as far as possible from Mr. Kellough's dwelling. I endorse the Applicant's offer in this regard and request that the play area be relocated, for so long as same does not interfere with the sight distance on Washington Avenue or otherwise disrupt the properties and traffic in that direction.

ORDER RECEIVED FOR FILING

Date

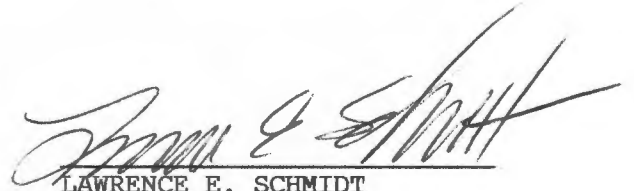
6/4/97

By

M. Spack

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the application should be approved.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of June 1997 that a Use Permit for a Class A Child Care Center at the subject location be and is hereby GRANTED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Ms. Wanda Michelle Williams, 7108 Rutherford Green Circle, 21244
c: Mr. John Kellough, 7810 Liberty Road, Baltimore, Maryland 21244

ORDER RECEIVED FOR FILING

Date

By

6/4/97
J. Spork



Parking Lot Washington Ave view



Parking Lot



Playground Area



Playground Area

