

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
W/S Streamwood Road, 250 ft.
+/- E from c/l Hawksbury Road * ZONING COMMISSIONER
8312 Streamwood Road
2nd Election District * OF BALTIMORE COUNTY
3rd Councilmanic District
Phyllis M. Jackson, et al * Case No. 97-476-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for a Zoning Variance for the property located at 8312 Streamwood Drive, located near the Garrison area of Baltimore County. The Petition was filed by Phyllis M. Jackson and John R. Jackson, Jr., property owners. Variance relief is requested from Section 424.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a play space privacy fence to be within 0 ft. of the property line, in lieu of the required 20 ft. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 8.

The subject Petition was originally filed as a Petition for Administrative Variance, pursuant to Section 26-127 of the Baltimore County Code. That section permits the Zoning Commissioner to grant variance relief without a public hearing in certain circumstances. Specifically, if the variance Petition involves an owner/occupied lot zoned residential, an application for administrative variance relief without a public hearing may be submitted. In such event, the property is posted with notice of the requested variance relief. Within 15 days following the posting of such notice, any occupant or property owner within 1,000 ft. of the lot in question may file a formal request for public hearing with the Zoning Commissioner. Moreover, the Zoning Commissioner, within his discretion, may schedule the matter for a public hearing. In this case, numerous

OFFICE OF THE ZONING COMMISSIONER
 DATE 7/31/97
 BY M. Stovak

letters in opposition to the variance request were received and the matter was duly scheduled for public hearing. Notice of the hearing was properly posted and advertised and a hearing was conducted before me on July 2, 1997.

Appearing at the public hearing held for this case were the Petitioners, Phyllis M. and John R. Jackson, Jr. The Petitioners were represented by Mark Martin, Esquire. A number of other individuals appeared in support of the Petition and their attendance is reflected on the Petitioner's Sign-in sheet which was circulated at the hearing and is now contained within the case file. A number of individuals from the locale also appeared in opposition. They included Helen B. Aiken of the Old Court Estates Improvement Association. That association was represented by Paul B. Lang, Esquire. Other individuals who appeared at the hearing in opposition to the Petition are identified on the Protestants' Sign-in sheet, which was also circulated at the hearing and is now contained within the case file.

In that there appeared to be some confusion over the nature of the Petition and question presented, a summary of the relevant provisions of the Baltimore County Zoning Regulations and a brief description of the property is in order.

The subject property is a rectangularly shaped lot, approximately 65 ft. in width and 110 ft. in depth. The property is zoned D.R.3.5, a residential zoning classification. The property is presently improved with a two story dwelling, which is used as the family residence by Mr. and Mrs. Jackson. Additionally, the dwelling features an attached deck. The Petitioners propose constructing a room addition to the rear of the dwelling and also a fence around much of the perimeter of the lot. It is the fence only which is the subject of this Petition. The fence is

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Date 7/13/97
By M. Board

proposed to be 5 ft. high and will be situated immediately abutting the rear and side property lines.

In addition to its residential purposes, the dwelling is also used by Mrs. Jackson for a child care facility operated by her. It is significant to note that such facilities are regulated not only by Baltimore County through the zoning regulations, but also by the State of Maryland. In fact, child care facilities must obtain the requisite State licensing after an inspection and approval process which is conducted by the appropriate State personnel. It is not the role of the Zoning Commissioner of Baltimore County to determine whether a day care facility is fit for licensing or meets the State requirements. Moreover, as was indicated at the hearing, it is not within the Zoning Commissioner's authority to construe deed restrictions and covenants which may be recorded in the Land Records of Baltimore County. Those matters are more appropriately reserved for a judge of the Circuit Court of Baltimore County. The Zoning Commissioner's authority is derived solely from the appropriate provisions of the Baltimore County Code and the Baltimore County Zoning Regulations, as well as the zoning Petition which is at issue.

Presently, Ms. Jackson's facility cares for 8 children. She indicated that of that number, 2 were infants and 6 were before and after school children. Ms. Jackson generally described the facility, the ages of the children and the general operation.

The Baltimore County Zoning Regulations (Section 101) describe such an operation as a, "Family Child Care Home". Such use is expressly defined as, "A private residence wherein care, protection, and supervision is provided for a fee for part or all of a day at least twice a week to no more than 8 children at one time including children of the adult provid-

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Date

7/3/97

By

M. Shook

er." Mrs. Jackson's current operation clearly falls within that definition and is permitted by right in a D.R.3.5 zone by the BCZR.

Additional testimony presented by Mrs. Jackson was that she wishes to expand her operation. It is proposed that up to 12 children will be cared for at the facility. A significant volume of testimony was offered by Ms. Jackson about the need for this expansion and her plans to accommodate same.

In that the number of children to be cared for will be more than 8, the use will no longer be a family child care home. As noted above, by definition, such a use is limited to no more than 8 children. With the expansion, the facility will become, by definition, a Group Child Care Center, Class A. That use is also expressly defined in the BCZR (Section 101) as, "A Group Child Care Center wherein group child care is provided for no more than 12 children at one time." Thus, to emphasize, Mrs. Jackson's facility is presently defined as a family child care home but, pursuant to her expansion, will become a Group Child Care Center, Class A.

A Group Child Care Center, Class A, is also permitted by right in a D.R.3.5 zone (see Section 1B01.1.A of the BCZR). Moreover, a Group Child Care Center, Class A, is regulated by Section 424 of the BCZR. Section 424.4 of the BCZR states that Group Child Care Centers, Class A, are permitted as accessory uses within single family detached dwellings in all residential zones. Thus, such a facility would be permitted at the subject site. However, Section 424.4 goes on to provide that such centers shall not operate until and unless the Zoning Commissioner grants a use permit. That section of the BCZR then goes on to state how a use permit may be obtained and the criteria to be employed in determining whether such a use permit should be issued.

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DATE

BY

7/31/97
A. Howard

It is of note that the County records presently disclose that no such use permit has been obtained by Mr. and Mrs. Jackson for the subject property at 8312 Streamwood Drive. Clearly, such a permit must be obtained before the proposed expansion to 12 children is provided. Moreover, since a permit has not been requested, testimony and evidence relative to the appropriateness of a Class A Group Child Care Center at this site is premature. An examination of much of the record of this case will show that a great amount of testimony and evidence was offered which is simply not relevant for the issue presently under consideration. That testimony may become relevant, if, in the future, the Petitioners apply for a use permit for a Class A Group Child Care Center.

As noted above, the only relief which has been requested is for a zoning variance for a 5 ft. fence to be located closer to the property line than the 20 ft. required. This requirement is set by Section 424.1.B of the BCZR. That section provides, with respect to child care group centers, that outdoor play space abutting residential property shall be fenced. Moreover, it is required that fences shall be of solid wood, stockade or panel, be a minimum height of 5 ft., and no closer to the property line than 20 ft. It is of note, that in reviewing this section, that the fence requirement does not apply to a family child care home (Mrs. Jackson's present operation) but does apply to a Group Child Care Center, Class A, operation (Mrs. Jackson's proposed facility). Thus, apparently, this Petitioner has decided to attempt to first obtain a zoning variance for the fence and, subsequently, obtain a use permit for a Group Child Care Center, Class A.

Despite the volume of the irrelevant testimony relating to the day care operation, there was certain appropriate testimony received regarding the fence. Testimony offered by the Petitioners was that the fence would

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Date

7/31/97
By M. [Signature]

be appropriate for the location, in character with the neighborhood, and not detrimental to the surrounding properties. The Protestants who testified believed that the fence was out of character to the community and would obstruct the view from neighboring properties. This is but a sum of the concerns expressed by both sides.

The grant of variances are governed by Section 307 of the BCZR. Additionally, the provisions of that section have recently been comprehensively discussed by the Court of Special Appeals in Cromwell v. Ward, 102 Md. App. 691 (1995). In that reported decision, the Court discussed the criteria which need be applied in considering any variance. First, the zoning authority must determine whether the property at issue is unique. Only if the property is found to be unique, can variance relief be granted. Moreover, as set forth in both Cromwell and Section 307, the Petitioner must demonstrate that the denial of variance relief would result in a practical difficulty upon the Petitioner and that such relief can be granted without detrimental impact to the adjacent properties.

In my judgment, I do not believe that the subject property features any characteristics sufficient to support a finding of uniqueness. To the contrary, this property is part of a large residential subdivision and is similar in configuration, size, topography and grade to other properties in the neighborhood.

Moreover, I believe that the fence, where proposed, is inappropriate. As shown on the site plan, the Petitioners have proposed constructing the fence immediately adjacent to the rear and side property lines. Such construction of a fence at that location would cause, in my judgment, an adverse impact on surrounding properties. I believe a fence of the proposed size and dimension would adversely impact surrounding properties and be incompatible with the neighborhood. Moreover, it was conceded by

ORDER RECEIVED FOR FILING

Date

By

7/21/97
M. Ward

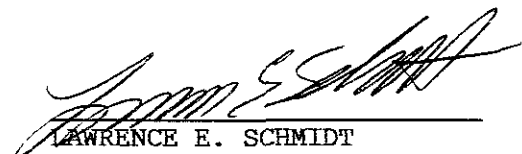
the Petitioners that the relocation of the fence so as to provide a greater setback, although not the full 20 ft., may be possible. This concession eliminates the Petitioners' contention that practical difficulty would be suffered if variance relief would be denied. That is, by law, variance relief can be granted only for the minimal relief necessary.

For all of these reasons, the Petition for Variance will be denied. This decision, however, is without prejudice to any application for a Group Child Care Center, Class A, use permit. Moreover, in the event such a permit is requested, and a Petition for Variance for a greater setback, than is presently requested, may be considered. However, the instant Petition for Variance depicting a proposed fence as shown on Petitioners' Exhibit No. 8, should and must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31st day of July 1997 that a variance from Section 424.1.B. of the Baltimore County Zoning Regulations (BCZR) to permit a play space privacy fence to be within 0 ft. of the property line, in lieu of the required 20 ft., be and is hereby DENIED.

Any appeal from this decision must be taken in accordance with the applicable provisions set forth in Section 26-132 of the Baltimore County Code.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING

Date 7/31/97
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 31, 1997

Mr. and Mrs. John Jackson, Jr.
8312 Streamwood Drive
Pikesville, Maryland 21208

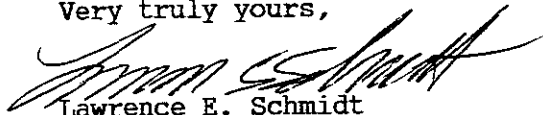
RE: Petition for Variance
Case No. 97-476-A
Property Location: 8312 Streamwood Road

Dear Mr. and Mrs. Jackson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been denied, 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,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

c: Mark Martin, Esquire, c/o Mr. and Mrs. John Jackson, Jr.
c: Paul B. Lang, Esquire, 111 S. Calvert Street, Suite 1400, 21202
c: Mrs. Helen B. Aiken, 4542 Dresden Road, 21208





Petition for Administrative Variance

97-476-A

to the Zoning Commissioner of Baltimore County

for the property located at 8312 STREAMWOOD DR.

which is presently zoned DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s)

424.1.B.8C2R, TO PERMIT THE PLAY SPACE PRIVACY FENCE TO BE WITHIN 0FT. OF THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE.

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/Lessee

~~Phyllis M. Jackson~~
(Type or Print Name)

~~[Signature]~~
Signature

~~8312 Streamwood Dr.~~
Address

~~Pikesville, MD. 21208~~
City State Zipcode

Attorney for Petitioner
(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

Phyllis M. Jackson
(Type or Print Name)

[Signature]
Signature

John R. Jackson Jr.
(Type or Print Name)

[Signature]
Signature

8312 Streamwood Dr. 521-0774
Address Phone No

Pikesville, MD. 21208
City State Zipcode

Name, Address and phone number of representative to be contacted

Phyllis M. Jackson
Name

8312 Streamwood Dr. 521-0774
Address Phone No

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JCM DATE: 4-24-97
ESTIMATED POSTING DATE: 5-4-97



Printed with Soybean Ink on Recycled Paper

ITEM #: 476

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8312 Streamwood Dr
address
Pikesville, MD - 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The noted property is .25 acre, which will not sustain the required 20ft allowance from the property line. However, because the requested Small Day Care Center (3 infants - 9 school age) will have a maximum 9 school age children for 2 hrs. per day - one hr. in the morning & one in the evening, the level of inconvenience/congestion to the neighborhood is non-existent. Moreover the area will be surrounded by a 6ft. high security fence. Please refer to the petition signed by residences of the neighborhood stating that they agree that the small center will not negatively effect the development of the neighborhood.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John R. Jackson Jr
(signature)
John R. Jackson Jr
(type or print name)



Phyllis M. Jackson
(signature)
Phyllis M. Jackson
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 28 day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

John R. Jackson Jr AND Phyllis M. Jackson

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/20/97
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 9/8/99

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8317 Streamwood Dr.
address
Pikesville, MD. 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The noted property is .25 acre, which will not sustain the required 20 ft allowance from the property line. However, because the requested small day care center (3 infants - 9 school age) will have a maximum 9 school age children for 2 hrs. per day - one hr. in the morning & one in the evening, the level of inconvenience/congestion to the neighborhood is non-existent. Moreover the area will be surrounded by a 6 ft. high security fence. Please refer to the petition signed by residents of the neighborhood, stating that they agree that the small center will not negatively affect the development of the neighborhood.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John R. Jackson
(signature)
John R. Jackson
(type or print name)



[Signature]
(signature)
Phyllis M. Jackson
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 20th day of April, 1997, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared John R. Jackson Jr AND Phyllis Jackson

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/20/97
date

[Signature]
NOTARY PUBLIC
 My Commission Expires: 9/8/99



Petition for Administrative Variance

97-476-A

to the Zoning Commissioner of Baltimore County

for the property located at 8312 Streamwood Dr.
which is presently zoned DR3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s) 424.1.B; BCZR, to permit

THE PLAY SPACE PRIVACY FENCE TO BE WITHIN 0 FT. OF THE PROPERTY LINE IN LIEU OF THE REQUIRED 20 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE

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/Lessee.

Phyllis M. Jackson
(Type or Print Name)

[Signature]
Signature

8312 Streamwood Dr.
Address

Pikesville, MD. 21208
City State Zipcode

Attorney for Petitioner
(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Legal Owner(s)

Phyllis M. Jackson
(Type or Print Name)

[Signature]
Signature

John R. Jackson Jr.
(Type or Print Name)

[Signature]
Signature

8312 Streamwood Dr. 521-0774
Address Phone No

Pikesville, MD. 21208
City State Zipcode

Name, Address and phone number of representative to be contacted

Phyllis M. Jackson
Name

8312 Streamwood Dr. 521-0774
Address Phone No

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____ 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY JUM DATE 4-24-97
ESTIMATED POSTING DATE 5-4-97



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ITEM #: 476

ZONING DESCRIPTION FOR 8312 Streamwood Dr.

97-476-A

Beginning at a point on the West side of Streamwood Dr.

which is 20' wide at the distance of 250'^{+/-} ~~West~~ EAST

of the centerline of the nearest improved intersecting street Hawksbury Rd.

which is 40' wide. Being Lot # 35, Block B, Section # -- in the

subdivision of Julian Woods as recorded in Baltimore County Plat Book #

55, Folio# 123, containing 0.25 AC^{+/-}. Also known as 8312 Streamwood Dr.

and located in the 2 Election District, 3 Councilmanic District.

476

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

476 No. 97-476
036526

PAID RECEIPT
04/24/97 04 7 LBS R 4258
Dept: 5 513 ZONING VERIFICATION
GR NO. 036526
\$50.00 CK P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

DATE 4-24-97 ACCOUNT R001-6150

AMOUNT \$ 50.00

RECEIVED FROM: P. JACKSON — 8312 STREAMWOOD
JK.

FOR: Bl. UNZ. (010)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

JCH

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

ADMIN. VARIANCE

RE: Case No.: 97-476-A

Petitioner/Developer: PHYLLIS JACKSON
521-0774

Date of Hearing/Closing: 5/19/97

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

Attention: Ms. Gwendolyn Stephens

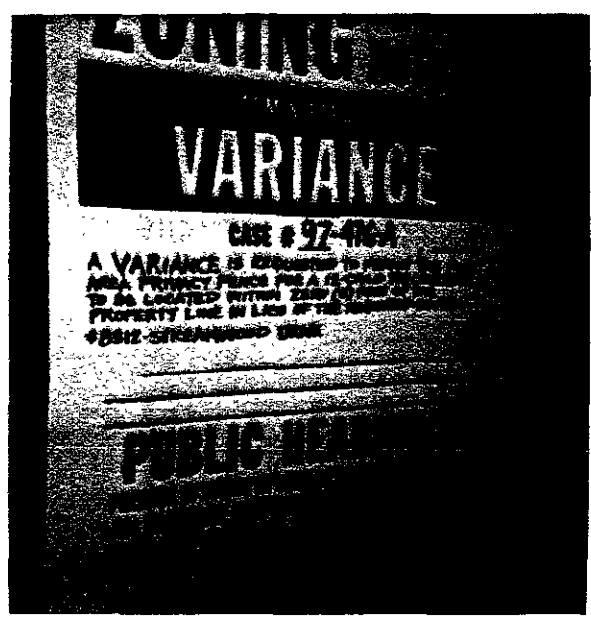
Ladies and Gentlemen:

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 # 8312 STREAMWOOD DRIVE

The sign(s) were posted on 4/25/97
(Month, Day, Year)

Sincerely,
Patrick O'Keefe 4/25/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)
523 Penny Lane
(Address)
Hunt Valley, MD 21030
(City, State, Zip Code)
(410) 666-5366 Pager (410) 646-8354
(Telephone Number)



#8312 STREAMWOOD DR.

P-4/25/97

(P)



Baltimore County
 Department of Permits and
 Development Management

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

97-476-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations 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 which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 476

Petitioner: Phyllis M. Jackson

Location: 8312 Streamwood Dr.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Phyllis M. Jackson

ADDRESS: 8312 Streamwood Dr.

Pikesville, MD. 21208

PHONE NUMBER: 410-521-0774

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 5-4-97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-476-A

A VARIANCE IS REQUESTED TO PERMIT THE PLAY-AREA PRIVACY FENCE FOR A 12 CHILD DAYCARE HOME TO BE LOCATED WITHIN 0FT. OF THE PROPERTY LINE IN LIEU OF THE REQUIRED 20FT.

PUBLIC HEARING ?

PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE, AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON

* 5-19-97

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 AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

ABOUT YOUR ADMINISTRATIVE VARIANCE

Case Number: 97-476-A
8312 Streamwood Road
W/S Streamwood Road, 250' +/- E from centerline Hawksbury Road
Legal Owner(s): Phyllis M. & John R. Jackson, Jr.
Post by Date: May 12, 1997
Closing Date: May 27, 1997 19

Contact made with this office regarding the status of this case should reference the case number and be directed to 410-887-3391. This notice serves as a refresher regarding the administrative process.

1. The zoning notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
2. The "Closing Date" noted above is the deadline for a neighbor to file a formal request for a public hearing.
3. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He may: (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification (typically with 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
4. In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time, and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.



Arnold Jablon, Director

scj

c: Phyllis M. & John R. Jackson, Jr.

TO: PUPUXENT PUBLISHING COMPANY
June 5, 1997 Issue - Jeffersonian

Please forward billing to:

Phyllis M. Jackson
8312 Streamwood Drive
Baltimore, MD 21208
410-521-0774

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-476-A
8312 Streamwood Road
W/S Streamwood Road, 250'+/- E from c/l Hawksbury Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): Phyllis M. & John R. Jackson, Jr.

Variance to permit the play spaces privacy fence to be within zero feet of the property line in lieu of the required 20 feet.

HEARING: WEDNESDAY, JULY, 2, 1997 at 10:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

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

May 30, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-476-A
8312 Streamwood Road
W/S Streamwood Road, 250'+/- E from c/l Hawksbury Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): Phyllis M. & John R. Jackson, Jr.

Variance to permit the play spaces privacy fence to be within zero feet of the property line in lieu of the required 20 feet.

HEARING: WEDNESDAY, JULY, 2, 1997 at 10:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: Phyllis M. Jackson
Hele Aiken
Martin Kirchansen
Barbara Milsten
Carole Becker

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 17, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Old Court Estates Improvement Association, Inc.

Helen B. Aiken, Pres.
4502 Dresden Road
Pikesville, MD 21208

July 1, 1997

Office of Permits &
Development Management
111 W. Chesapeake Ave.
Towson, MD 21204

The attached letters are in opposition to

Case #: 97-476-A
8312 Streamwood Drive
Baltimore, MD 21208

Legal Owners - Phyllis M. & John R. Jackson, Jr.

Jackson vs Old Court Estates Imp. Assoc., Inc.

Wednesday, July 2, 1997 at 10:30 a.m.

Letters
of
Comments

4722 Hawksbury Road
Pikesville, Maryland 21208
June 27, 1997

Old Court Estates Improvement Assn.
c/o Helen Aiken
4502 Dresden Road
Baltimore, MD 21208

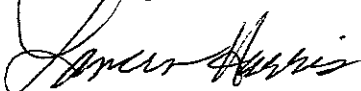
To Whom It May Concern:

This letter is written in support of the Old Court Estates Improvement Association's objection regarding the erection of a six-foot-high fence for the purposes of a 12 child day care center.

My husband and I have lived in this community for 19 years and we have a vested interest. We moved into this "residential" community because of its tranquil environment and the fact that it did not lend itself to the type of invasion that is now being proposed. A day care center is a commercial use and should not be in a residential community. This sort of invasion decreases the value of our homes. I have noticed that such a facility has already found its way in our community (4613 or 4713 Hawksbury Road) and the party has a Van parked in the drive way advertising the day care. This completely violates our covenant, yet it is being allow to exist. Why? As a result, the volume of traffic has increased in the community. It appears that a precedence has been set by allowing this first one to exist and it needs to stop immediately.

We have remained in this community for this long because we enjoy it, however, if zoning continues to allow these commercial facilities to come into the community we will forced to move to another area. A moved we hope will not have to happen.

Sincerely,



Lavern Harris

#97-476-A

June 28, 1997

Mark and Mildred Isaacs
4521 Maryknoll Road
Pikesville, MD 21208

Regarding the Old Court Estates and the upcoming hearing on Wednesday, July 2, 1997.

Dear Mrs. Aiken:

Both my husband and I cannot attend this meeting but feel very strongly about the impending threat to the covenant that has been in place over 32 years.

Please convey our opposition to this request for permission to build a six-foot-high fence at 8312 Streamwood Drive and the operation of a 12-child daycare center on the premises. The reasons are self-evident. This is a residential area not a business-classified one, and this possible change would open up the whole area to further business-oriented incursions.

High level traffic is an obvious result, as well as another reduction in the quality of life and the value of our homes in this area.

Thank you for your time devoted to helping preserve our interests.

Sincerely,

Mildred Isaacs
Mark and Mildred Isaacs *Mark Isaacs*

97-476-A

JUDGE & MRS MARVIN J. LAND
3258 STREAMWOOD DRIVE
BALTIMORE, MARYLAND 21205-2137
(410)655-7266

JUNE 24, 1997

THE ESTATER
C/O HELEN AIKEN
4502 DRESDEN ROAD
BALTIMORE, MARYLAND 21208

RE: PUBLIC HEARING REGARDING POSSIBLE CHANGE OF RESIDENTIAL STATUS

DEAR HELEN:

WE ARE WRITING TO PROTEST THE POSSIBILITY OF A PROPOSED CHANGE IN OUR COMMUNITY. WE HAVE BEEN RESIDENTS OF THE OLD COURT ESTATES/WILLOW GLEN NORTH COMMUNITY FOR ALMOST TWENTY-NINE (29) YEARS, AND FEEL VERY STRONGLY THAT WE WISH TO CONTINUE TO LIVE IN A RESIDENTIAL, SAFE COMMUNITY. OUR COVENANT STATES THAT THERE WILL BE NO COMMERCIAL ESTABLISHMENTS, AND THAT THE SPECIFIC CONDITIONS WERE TO BE COMPLIED WITH IN ORDER TO MAINTAIN THE "RESIDENTIALITY" OF THE NEIGHBORHOOD. WE HAVE BEEN VERY CAREFUL TO COMPLY WITH THE SPECIFICS OF THE COVENANT OVER THESE PAST 29 YEARS, AND FIRMLY EXPECT OTHER RESIDENTS TO DO THE SAME.

TO ADD A DAYCARE CENTER WOULD DESTROY THE AMBIENCE OF THE COMMUNITY, AND WOULD DEFINITELY ADD TO THE ALREADY INCREASED TRAFFIC FLOW ON STREAMWOOD DRIVE. WE ARE VERY SUPPORTIVE OF WELL-RUN DAY CARE CENTERS, GIVEN THE NECESSITY OF TWO-INCOME FAMILIES EVIDENT IN TODAY'S ECONOMY; WE DO, HOWEVER, FEEL THAT PLACEMENT OF SUCH A FACILITY IN OUR COMMUNITY IS BOTH INAPPROPRIATE AND UNACCEPTABLE.

THANK YOU FOR ALLOWING US TO EXPRESS OUR FEELINGS AND CONCERNS. WE ARE MOST DISTRESSED BY THIS SITUATION.

SINCERELY,

Ina & Marvin Land
INA & MARVIN LAND

97-476-A

June 27, 1997

Peggy P. Harris
8233 Brattle Road
Baltimore, MD 21208

To Whom It May Concern:


This letter is to request that you not grant permission to build a 6 ft. high fence at the property of 8312 Streamwood Dr.

I am a property owner in the Old Court Estate development. I moved here six years ago because of the quiet life and open space appearance in this residential community.

It is my understanding that this 6 ft. fence is being built in order to house a 12 - Child Care Center. Because of the high volume of traffic in the community, the health and safety of children playing, senior residents and all residents who enjoy exercising outside (walking, jogging, cycling, skating, etc.) are in jeopardy.

Also, because of this business, our community could lend itself to other home businesses filtering into the neighborhood, which might increase crime and residents safety.

Sincerely,


Peggy P. Harris

97-476-A

Ronald Keene
8126 Steamwood Drive
Baltimore, MD. 21208
June 21, 1997

Old Court Estates Improvement Assn.
c/o Helen Aiken
4502 Duesden Road
Baltimore, MD, 21208
Dear Mrs. Aiken,

I am totaly against a fence
to be erected on the front property
of 8312 Steamwood and a Child
Day Care Center at that location.

Sincerely Yours
Ronald L Keene

97-476-A

6/22/97

TO COUNTY COURT:

We vehemently oppose a 6 foot fence at 8312 Streamwood Dr for the proposed operation of a 12 child daycare center.

This would cause a residential area to become a "business area"

We also have a neighborhood covenant when our homes were built, 30 years ago. At that time, my next door neighbor, a lawyer, was building a six foot fence in the back of the house, for his too large Afghan dogs. I quickly told him about the covenant and he had it made to four feet.

Please defeat this request as our neighborhood is still beautiful after 30 years.

Respectfully,

Jack J. Cohen Elsie F. Cohen

Elsie & Jack Cohen
8226 Streamwood Drive
Baltimore, MD 21208

97-476-A

To Whom it may concern,

I am sending this letter to present the views of our household since we will not be able to attend the hearing on July 2, 1997 at 10:00. It is my understanding that this hearing is to be held for the purpose of approving or denying the construction of a 6 foot high fence, for the expressed purpose of operating a "~~Commercial Child Day Care Center~~" on the premises known as 8312 Streamwood Drive, located in Pikesville MD 21208.

My wife and I are strongly opposed to the presence of a child day care center within our neighborhood. One of the reasons that we chose this neighborhood to raise our family in, was the rules and regulations set forth in the neighborhood covenant. We also found the aestheticism of this neighborhood to be very pleasing, with a lovely atmosphere throughout. We have enjoyed many relaxing walks throughout our neighborhood over the past 10 years. Our neighborhood has always been a relatively quiet with low traffic and offered a reasonably safe environment for the children to play and move around in.

With the existence of a commercial child day care center in our neighborhood, there will be the presence of their employees and their means of transportation coming and going during the day, as well as the increase in traffic from the parents and guardians, as they drop off and pick up their children. This will create an intolerable situation within our neighborhood, especially for the families and children living on or near Streamwood Drive. Our children will be exposed to the danger and uncertainty resulting from the increased traffic flow from the employee's and the people picking up the children who just want to hurry up and get out of our neighborhood (most likely drive above the speed limit) to get home to their own neighborhood, as well as the presence of strangers within our neighborhood and the danger that poses to our children. The placement of this commercial operations within our neighborhood, will simply open the doors to other commercial operations changing the complexion of the neighborhood for the worst, making it a less desirable place to live. This will result in the reduced marketability of our homes and their values. Our neighborhood will no longer have the appeal that compelled us to become a part of it.

Commercial operations do not belong within a residential community. At best they belong on the outskirts, and better yet just outside of a residential community. If I want to have commercial operations near my front door, "I would move into the City of Baltimore". I, like my many of my neighbors, chose to live in this community because of it's life style and environment. The people living at 8312 Streamwood Drive, made a conscious and informed decision to live in this community, knowing the rules and regulations laid down in the neighborhood covenants, and agreed to them without coercion or reservation. I strongly believe that they should either abide by them, or move to a community that will allow them to operate a commercial operation from their home.

This family seems to feel "**that the needs or desire of the FEW**", out ways the needs and desire of the **MANY**". The other families of this neighborhood have abided by the neighborhood covenants, and I can see **NO** reason why this family should not be held to the same reasonable standards if they choose to remain part of our neighborhood.

97-476-A

I see three viable resolutions here.

They can either:

- (1.) drop their request
- (2.) rent or buy a commercial property
- (3.) or move to another neighborhood.

When taking into consideration that there are several thousand other individuals living in this neighborhood, who would like to maintain the appealing nature which drew them to, and compels them to remain a part of Old Court Estates, I believe that there are no other **FAIR** and **JUST** resolutions to this matter than those remedies I have presented to you. Thank You!

Sincerely,

The Flashman Family
8328 Streamwood Drive
Baltimore, MD 21208

Arnold Jablon
Director
Baltimore County Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

May 14, 1997

Attn: Gwen Stevens

Dear Mr. Jablon,

Old Court Estates Improvement Association is requesting a hearing and sending you this letter of opposition to Case # 97-476-A. The case is a request for the county Zoning Commissioner to permit a 12-child day care center at 8312 Streamwood Drive, to be surrounded by a 6-foot high privacy play fence at the property line instead of the required 20-foot setback.

Streamwood Drive and the immediate vicinity are zoned DR3.5, a residential designation that basically allows 4 per acre. The neighborhood is all single-family homes. It is a stable neighborhood in the Pikesville area. Some of the residents have lived in their houses for 35 years and more. They object to having any commercial venture, which will change the residential character of the area.

The day care center would be located in a small ranch house on a lot of about 1/4th an acre in size. The house is not big enough, or the grounds large enough, to accommodate that many children. Moreover, a 6-foot high fence is not in keeping with the neighborhood covenant.

It should be pointed out, too, that our community association, which encompasses that end of Streamwood Drive, has covenants against home-based businesses and any fencing must be open and not higher than 4 ft. high.

A day care center for that many children is a commercial venture, and it brings commercial activity into narrow, residential streets. As for traffic, there will be at least 24 trips daily from parents dropping off and picking up their children, along with vehicular traffic from center staffers arriving and departing their jobs. The center itself may also have a van in order to take the children on excursions.

The case file includes a list of some 20 people who have indicated that they do not have a problem with the day care center. It should be noted that many of the people on the list do not live in the vicinity. Perhaps they are potential clients of the day care center, but they will not be impacted by the traffic it generates, nor the threat to property values that having such a commercial venture in a residential zone implies. All of this is simply irrelevant, since the covenant will be upheld.

Sincerely,

Helen B. Aiken
President

Peggy J. Stoler
Treasurer



MRS MELVIN AIKEN
4502 DRESDEN RD
BALTIMORE MD 21208

Old Court Estates Improvement Assn
Ms Helen Aiken
4502 Dresden Rd
Baltimore MD 21208

Dear Ms Aiken

In reference to the article in the
Estate concerning the special
hearing on the day care center
at 8312 Streamwood Dr, we agree
the day care center and improvements
contemplated are inappropriate
for a residential area & should
be opposed. Thank you for
informing us of the proposal.

Sincerely,

Andy & Anne Gordon

8265 Streamwood Dr
Baltimore MD 21208-2136

20 June 1997

P.S. You will find a lot of
of home going up for sale
if this is to pass. Very
bad

97-476-A

4112 Windridge Road
Pikesville, MD 21208
(410) 922-4535

June 29, 1997

The Estater
C/O Helen Aiken
4502 Dresden Road
Baltimore, MD 21208

Re: Hearing - July 2, 1997

Dear Ms. Aiken:

Unfortunately, we will not be able to attend the hearing on July 2nd. However, we felt it was our duty to go on record as being totally against the building of a six foot high privacy fence for a proposed day care center or any other business in our neighborhood.

If approved this eye sore will erode our property value and pave the way for any future whims of developers. We will not sit idly by and watch our investment go down the drain.

If there is anything else we can do, please contact us. One cause, one solution, one united community. Absolutely not!

Sincerely,

The Stevensons

97-476-A

Marcia G. Hoffman
4512 Hawksbury Road
Baltimore, Maryland 21208

June 21, 1997

Dear Mrs Aiken-

I am having eye surgery on July 1, 1997 and will require care by my family on July 2nd. Therefore, no one will be present at the hearing on July 2nd from the household of 4512 Hawksbury Road. I am hoping that you can either present this letter or the views of my husband, Dr Gerald F Hoffman and I.

We are opposed to the building of a six foot fence at the property line of 8312 Streamwood Road, Old Court Estates. We purchased this house more than thirty years ago expecting to live in a completely residential neighborhood with a strict set of covenants that would allow for no businesses such as a twelve child day care, and no front and high fences among other things that would make my community not an open-space one. My husband and I are both approaching retirement

97-476-A

and need our property to remain the same. We have no plans to relocate but it is essential to us that our property values continue to increase not decrease. Additionally - it is essential that we live in a safe, residential neighborhood with only residential traffic.

Thank you in advance for presenting these views. Also, please send me a copy of the covenants/s.

Yours Truly



4508 TAPSCOTT ROAD
PIKESVILLE, MD 21208

6/23/97

THE ESTATEEER

c/o HELEN AIKEN

4502 DRESDEN ROAD

BALTIMORE, MD 21208

GENTLEMEN:

I AM A RESIDENT OF OLD COURT
ESTATES.

I AM OPPOSED TO THE BUILDING
OF A 6 FT. HIGH FENCE AT 8312
STREAMWOOD DRIVE. I ALSO OPPOSE THE
USE OF THE PROPERTY FOR BUSINESS PURPOSES,
(CHILD DAY CARE CENTER).

I SUPPORT CONTINUING THE PRESENT
COVENANTS OF MAXIMUM 4 FT. HIGH FENCE
ONLY IN REAR OF PROPERTY AT LEAST 20 FT.
FROM PROPERTY LINE.

AREA SHOULD REMAIN RESIDENTIAL ONLY
AND AVOID THE PROBLEMS (TRAFFIC, ETC) ASSOCIATED
WITH BUSINESS ACTIVITIES.

SINCERELY

Joshua Roseman

JOSHUA

ROSEMAN

97476-A

TO WHOM IT MAY CONCERN:

As residents for over thirty-five years in Old Court Estates we wish to protest the intended 12-child daycare center requested by the occupants at 8312 Streamwood Drive along with a six foot high fence.

As retirees we had intended to spend out our lifetime living in Old Court Estates at 8202 Andes Court. A covenant now exists to protect us against the above actions. If this covenant can easily be broken deterioration will set in and the residential status of the community is destroyed. A covenant that fails to protect the integrity of the neighborhood is worthless...why have it in the first place?

We implore you to protect us, not destroy us.

Thank you,

Gilda H. Weinfeld 6/24/97
Gilda H. Weinfeld
8202 Andes Ct. 21208

Samuel Weinfeld 6/24/97
Samuel Weinfeld
8202 Andes Ct. 21208

97-476-A

Dorothy L. Middleton
4508 Hawksbury Road
Baltimore, MD 21208

(410) 484-5902

June 26, 1997

TO WHOM IT MAY CONCERN;

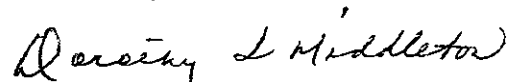
I understand that there will be a public hearing on Wednesday, July 2, 1997 at the County Court Building in Towson in reference to a request by the occupants of 8312 Streamwood Drive for permission to build a six foot high fence at their property line.

As a concerned homeowner and resident of this community (Old Court Estates) I am absolutely opposed to the construction of any type of fence in the front yard of any of the residences. Such a fence would not be suitable for the appearance of the community and would in my opinion be unsightly and detract from the property values.

Additionally I am opposed to the day care center which is proposed because of the increased traffic it will create, and because I do not feel this neighborhood wants a business such as this conducted out of a residence.

For these reasons, I hereby request that Baltimore County does not approve the above mentioned applications.

Sincerely,



Dorothy L. Middleton

97-476-A

To whom it may concern:
I am not in favor of
allowing residents at 8312
Streamwood drive build a
6' fence at their property line.
Our neighborhood has main-
tained a dignified appearance
since people obeyed the
covenant rule of a maximum
4' high fence in the rear
of their property.

Not only would a 6' fence
going to their property line
look unsightly, but the
purpose to keep in up to
12 children at a daycare center
is unacceptable. This is a
residential neighborhood. I am
against using their home as a
business. If allowed, this
opens the community to any
type of business. Sharon Sklar

Nathan R. Sklar, M.D.
Sharon Sklar
8267 Streamwood Drive
Baltimore MD 21208

97426-A

8210 Streamwood Drive
Pikesville, MD 21208

June 24, 1997

The Estater c/o Helen Aiken
4502 Dresden Rd.
Baltimore, MD 212098

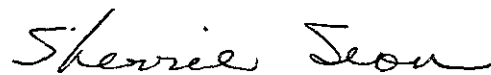
Re: Residential Community - Public Hearing

To Whom it May Concern:

We purchased our home in Old Court Estates because of the tranquil ambience immediately evident upon entering the area. It is our feeling that any business venture with a property facade which conspicuously deviates from the surrounding properties should be prohibited. Additional considerations inherent in some home-based businesses such as traffic and noise would greatly infringe upon the present tranquility of this community.

We feel strongly that every effort should be made to maintain the residential status of Old Court Estates. Any endeavor which clearly encroaches upon the goals of an accepted neighborhood covenant should be banned.

Sincerely yours,

A handwritten signature in cursive script that reads "Sherrie Seon".

Sherrie Seon

Dennis A. Brooks
8203 Daren Court
Pikesville, MD 21208

Date: 6/24/97

Dear Ms Aiken,

I was dismayed to learn that one of my neighbors was interested in doing some construction that could possibly reclassify our neighborhood from residential to business. Eight years ago my family moved to this area because of the residential and family friendly environment , I would hate to see that change. Although I cannot attend the hearing I hope that this letter is helpful, and I hope that the Baltimore County officials will make the appropriate decision and preserve our residential environment.

Sincerely,


Dennis A Brooks



Liberty Road Community Council, Inc.

P.O. Box 31555
Baltimore, MD 21207

June 17, 1997

Mr. Arnold Jablon
Zoning Commissioner
Baltimore, County
County Office Bldg.
111 W. Chesapeake Ave.
Towson, MD 21204

RE: Case #87-476-A
July 2, 1997
10:00 a.m.

Dear Mr. Jablon:

This is to inform you, that we are in opposition of this request for a variance to permit a six foot fence within zero feet of the property in lieu of the required 20 feet.

A six foot high fence of this magnitude will look like a barricaded fort in this fine residential community.

In addition, we have been notified by The Old Court Estates Community Association, that their Covenant permits fencing, only, four ft. in height, open and in the rear of the home.

Also, any commercial development will change the character of this residential community, which is also prohibited by the community covenant.

It should, also, be noted that this house is on a small lot and this house sets on grounds not large enough to accommodate such an addition.

Please give this your prompt attention.

Sincerely,



Dana Stein, President

CASE #97-476-A

Sylvia L. Weber
8246 Streamwood Drive
Baltimore, Maryland 21208

June 30, 1997

Helen,

Sorry I cannot be at the hearing on July 2. These are my concerns about increasing the number of children at the "Home child care facility" at 8312 Streamwood Dr.

- more traffic on Streamwood necessary to bring and pick up children. There is already excessive ^{traffic} on Streamwood because cars use this road as a shortcut between Winands and Old Court. There is also excessive speeding from the beginning of Streamwood near the day care to Old Court. It is a hilly section and the cars hardly slowly down and some do not stop at the 1 stop sign in the one mile stretch of road.

The numbers of cars and excessive speed could endanger the children being dropped off and picked up and also endanger the cars passing by.

- There are already (5) five home day care facilities in the immediate neighborhood in addition to the one at 8312 Streamwood. To keep increasing the numbers of children in each would change the character of the neighborhood from a stable single family community to opening the neighborhood to commercialization.

Sylvia Weber
(410) 655-7077

4101 Windridge Rd.
Baltimore, MD. 21208
July 2, 1997

County Court Bldg. Rm. 407
Towson, Md. 21204

To Presiding Judge in the Case of Old Court Estates
Building Permit:

RE: 8312 Streamwood Dr., 21208 *CASE #97-476-A*
6' high fence for 12-child day care center

I am in extreme opposition to this high fence around our neighbor's property line for the reason of opening a for-profit business. I have been a resident in this neighborhood for over 20 years and have enjoyed the tranquil area, free from heavy traffic areas and , of course, no business enterprises. This request for a 6' high fence and application for a business is a horror and very upsetting as a house owner.

I purchased my home in 1975 under the existing covenants and always have abided by these rules and I expect subsequent home owners to do the same. I have always understood that covenants are legally binding and not to be tampered with in such an abusive and flagrant way. I strongly oppose a ruling in their favor.. I am most concerned with my property value. This is not a business community. REPEAT.. not a business community. If you rule in their favor this will be the start of many in-home business surfacing in our area. Please do not allow this to happen. The sanctity of our neighborhood is at stake and our legal, existing covenants must be upheld --- and you have that authority.

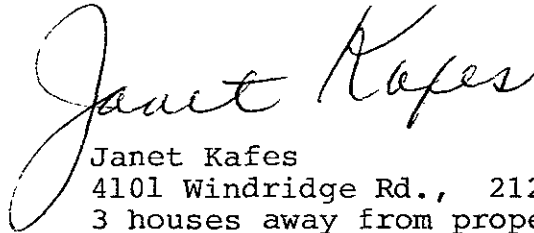
Our area is not for business, it is not for high traffic volume, it is not for 6' high fenced-in properties. Covenants draw up acceptable rules that we are to live by and is not to be changed with every desire or whim. I bought in my neighborhood depending on these rules to be enforced by law and not broken

by individual, selfish needs.

I expect the law to prevail, I expect judges to uphold the law and I expect neighbors to abide by them.

This request should be denied without equivocation.
The covenant laws must be upheld, and our community is depending on you to enforce these easy-to-live-by rules.

Respectfully submitted,

A handwritten signature in cursive script that reads "Janet Kafes". The signature is written in dark ink and is positioned above the typed name and address.

Janet Kafes
4101 Windridge Rd., 21208
3 houses away from property in question



Baltimore County
Department of Permits and
Development Management

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

May 20, 1997

Mr. and Mrs. John Jackson
8312 Streamwood Drive
Pikesville, MD 21208

RE: Item No.: 476
Case No.: 97-476-A
Petitioner: John Jackson, et ux

Dear Mr. and Mrs. Jackson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 24, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure 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. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5/12/97

FROM: R. Bruce Seeley - RDS/GR
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 5, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	463	486
	464	481
	471	482
	472	
	473	483
	474	485
	475	487
	<u>476</u>	
	478	

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

May 8, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

SE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 5, 1997

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Fursuant 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.

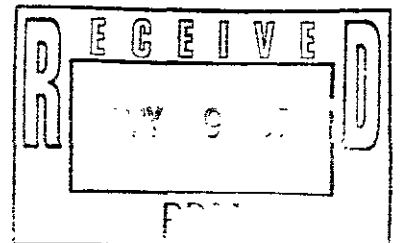
8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

463, 471, 473, 474, 475, 476, 477, 478, 479, 480, 482.

483, 484, and 487.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4681, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

DATE: May 7, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 445, 463, 473, 474, 476, 477, 482, 484, 487

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

AFK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 5-6-97
Item No. 476 JCM

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'R. J. Burns'.

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 97-476 A

Petitioner(s): _____

Location: 8312 Streamwood Dr.
***** Balto..MD 21208

I/WE, Helen Aiken, President
Name(s) (TYPE OR PRINT)

() Legal Owners () Residents, of Old Court Estates
Improvement Ass.

4502 Dresden Rd.
Address

Balto. MD 21208 410-655-3255
City/State/Zip Code Phone

which is located approximately 1/2 mile 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.

Helen B. Aiken 5-16-97
Signature Date

Peggy J. Stahl 5-16-97
Signature Date

Rescheduled from 5/9/97

CASE NUMBER: 97-395

9519 Philadelphia Road
corner S/S Philadelphia Road, SW/S Middle River Road
15th Election District - 5th Councilmanic
Legal Owner(s): Stanley E. Lloyd
Lessee: Philadelphia Road CVS, Inc.

Variance to allow a drug store with 38 parking spaces in lieu of the required 51 spaces; to allow a commercial use with a planting strip along the rear property line abutting a residential zone and a variable width of 7.2' to 10.8' in lieu of the required 10 ft.; and a side property line abutting a residential use in a commercial zone with a 6.6 ft. wide planting strip in lieu of the required 10 ft.; to allow parking spaces in a surface parking facility for a non-residential use that are 5 ft. from the right of way line in lieu of the required 10 feet.

HEARING: WEDNESDAY, JULY, 2, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

Former Closing Date: 5/19/97

CASE NUMBER: 97-476-A

8312 Streamwood Road
W/S Streamwood Road, 250'+/- E from c/l Hawksbury Road
2nd Election District - 3rd Councilmanic
Legal Owner(s): Phyllis M. & John R. Jackson, Jr.

Variance to permit the play spaces privacy fence to be within zero feet of the property line in lieu of the required 20 feet.

HEARING: WEDNESDAY, JULY, 2, 1997 at 10:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

Former Closing Date: 5/19/97

CASE NUMBER: 97-482-A

7342 Manchester Road
N/S Manchester Road, 194' W Margo Road
15th Election District - 7th Councilmanic
Legal Owner(s): James Charles Dietsch, Jr. and Shirley J. Dietsch

Variance to allow an open projection or a setback of zero feet in lieu of the required 7.5 feet.

HEARING: WEDNESDAY, JULY, 2, 1997 at 10:30 a.m., Room 407 Courts Building, 401 Bosley Avenue.

CASE NUMBER: 97-527-SPH

1207-C East Homberg Avenue
NE/S Pietruska Avenue, 325' W of c/l East Homberg Avenue
15th Election District - 5th Councilmanic
Legal Owner(s): David Henry and Sherrie Ann Schenning

Special Hearing to approve an accessory structure on a vacant lot.

HEARING: WEDNESDAY, JULY, 2, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

CASE NUMBER: 97-522-SPHA

Stonegate II at Patapsco
beginning 128' E of Mavvry Road and Cantwell Road, then 435' S of Cantwell Road
1st Election District - 1st Councilmanic
Legal Owner(s): Prestige Development Corporation

Special Hearing to approve an amendemnt to the latest approved FDP.

Variance to allow a window-to-window setback of 25 feet in lieu of the required 40 feet (lots 135, 136, 141, 153, 154, 159, and 160); to allow a window-to-lot line setback of 12.5 feet in lieu of the required 15 feet (lots 135, 136, 141, 142, 147, 148, 153, 154, 159, and 160); and to allow a height-to-height setback of 25 feet in lieu of the required 40 feet (lots 135, 136, 141, 142, 153, 154, 159, and 160).

HEARING: WEDNESDAY, JULY, 2, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

111 St. Chesapeake

~~Cynthia Block~~ - aide



COUNTY COUNCIL OF BALTIMORE COUNTY

COURT HOUSE, TOWSON, MARYLAND 21204

KEVIN KAMENETZ
COUNCILMAN, SECOND DISTRICT

COUNCIL OFFICE: 887-3196
DISTRICT OFFICE: 887-3385

June 26, 1997

Ms. Helen Aiken
Old Court Estates Improvement Association
4502 Dresden Road
Baltimore, Maryland 21208

Re: 97-476-A

Dear Ms. Aiken:

The Office of Permits and Development Management has notified me of a zoning variance matter that I wanted to bring to your attention.

As this hearing constitutes a judicial proceeding before the Zoning Commissioner, I have no legal authority to comment or otherwise influence the outcome.

However, I would ask that you make others in your community aware of the hearing date. Should there be a concern about this zoning matter, it is appropriate to appear before the Zoning Commissioner to submit oral or written testimony. Written testimony must be received prior to the hearing date stating the case number and name of the petitioner.

I will continue to keep you informed regarding important matters affecting our district.

Sincerely,

A handwritten signature in black ink that reads "Kevin Kamenetz".

Kevin Kamenetz
Councilman, Second District

KK:clp



97-2620

6/4/97
8
JD BS



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

MICHAEL J. FINIFTER
DISTRICT 11
BALTIMORE COUNTY

WAYS AND MEANS COMMITTEE

EDUCATION SUBCOMMITTEE

JOINT COMMITTEE ON AUDIT

JOINT COMMITTEE ON FAIR PRACTICES

ANNAPOLIS OFFICE:

306A LOWE HOUSE OFFICE BUILDING
ANNAPOLIS, MARYLAND 21401-1991
(410) 841-3342
FAX (410) 841-3379

DISTRICT ADDRESS:

12147 FAULKNER DRIVE
OWINGS MILLS, MARYLAND 21117
(410) 654-0717
FAX (410) 494-0331

June 2, 1997

97-476-A

Arnold Jablon
Baltimore Co. Permits & Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

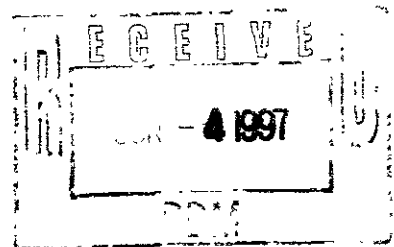
Dear Mr. Jablon:

I received the enclosed letter from my constituent Carole Becker. I would appreciate your investigating this proposed permit for a 12 child day care center on Streamwood Drive.

Thank you for attending to this matter.

Sincerely,

Mike Finifter
Michael J. Finifter



CAROLE BECKER
4606 HAWKSBURY RD
BALTIMORE, MD 21208

MAY 12, 1997

ARNOLD JABLON, DIRECTOR
BALTIMORE COUNTY PERMITS & DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVE
ROOM 111
TOWSON, MD 21204
ATTN: GWEN STEVENS

RE: CASE #97 476 A

DEAR MS. STEVENS:

THIS LETTER IS TO PROTEST THE PERMIT FOR A 12 CHILD DAY CARE CENTER AT 8312 STREAMWOOD DRIVE, BALTIMORE, MD 21208. THIS AREA HAS ALWAYS BEEN ZONED RESIDENTIAL AND THE PEOPLE IN THE IMMEDIATE AREA WANT THIS AREA TO REMAIN RESIDENTIAL ONLY. IN ORDER TO HAVE A DAY CARE WITH 12 CHILDREN, THE HOUSE WOULD HAVE TO CONSTRUCT A SIX FOOT HIGH FENCE ON THE PROPERTY LINE INSTEAD OF THE REQUIRED 20 FOOT SETBACK. THE PETITION WITH THE 20 SIGNATURES ARE NOT PROPERTY OWNERS IN CLOSE PROXIMITY OF THE HOUSE IN QUESTION.

SINCERELY,

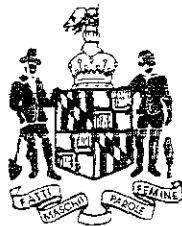


CAROLE BECKER

CC: KEVIN KAMENETZ, C.A. RUPPERSBERGER, MICHAEL FINIFTER

97-3375

7/10/97
TO HS
for file



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

MICHAEL J. FINIFTER
DISTRICT 11
BALTIMORE COUNTY

WAYS AND MEANS COMMITTEE

EDUCATION SUBCOMMITTEE

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ANNAPOLIS OFFICE:

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FAX (410) 841-3379

DISTRICT ADDRESS:

12147 FAULKNER DRIVE
OWINGS MILLS, MARYLAND 21117
(410) 654-0717
FAX (410) 494-0331

Tuesday, July 08, 1997

Arnold Jablon
Baltimore Co. Permits & Development Management
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

Re: Case No. 97-476-A

Dear Mr. Jablon:

The Old Court Estates Improvement Association, Inc. sent me the enclosed information in connection with the above referenced matter. Please carefully consider the community's point of view as you deliberate this matter. Thank you.

Sincerely,

Michael J. Finifter

cc: Helen B. Aiken, President
4502 Dresden Road
Baltimore, MD 21208



Arnold Jablon
Director
Baltimore County Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

May 14, 1997

Attn: Gwen Stevens

Dear Mr. Jablon,

Old Court Estates Improvement Association is requesting a hearing and sending you this letter of opposition to Case # 97-476-A. The case is a request for the county Zoning Commissioner to permit a 12-child day care center at 8312 Streamwood Drive, to be surrounded by a 6-foot high privacy play fence at the property line instead of the required 20-foot setback.

Streamwood Drive and the immediate vicinity are zoned DR3.5, a residential designation that basically allows 4 per acre. The neighborhood is all single-family homes. It is a stable neighborhood in the Pikesville area. Some of the residents have lived in their houses for 35 years and more. They object to having any commercial venture, which will change the residential character of the area.

The day care center would be located in a small ranch house on a lot of about 1/4th an acre in size. The house is not big enough, or the grounds large enough, to accommodate that many children. Moreover, a 6-foot high fence is not in keeping with the neighborhood covenant.

It should be pointed out, too, that our community association, which encompasses that end of Streamwood Drive, has covenants against home-based businesses and any fencing must be open and not higher than 4 ft. high.

A day care center for that many children is a commercial venture, and it brings commercial activity into narrow, residential streets. As for traffic, there will be at least 24 trips daily from parents dropping off and picking up their children, along with vehicular traffic from center staffers arriving and departing their jobs. The center itself may also have a van in order to take the children on excursions.

The case file includes a list of some 20 people who have indicated that they do not have a problem with the day care center. It should be noted that many of the people on the list do not live in the vicinity. Perhaps they are potential clients of the day care center, but they will not be impacted by the traffic it generates, nor the threat to property values that having such a commercial venture in a residential zone implies. All of this is simply irrelevant, since the covenant will be upheld.

Sincerely,

Helen B. Aiken
President

Peggy J. Stoler
Treasurer



MRS MELVIN AIKEN
4502 DRESDEN RD
BALTIMORE MD 21208

Handwritten signature and date: July 12, 1997



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

MICHAEL J. FINIFTER

DISTRICT 11
BALTIMORE COUNTY

WAYS AND MEANS COMMITTEE

EDUCATION SUBCOMMITTEE

JOINT COMMITTEE ON AUDIT

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306A LOWE HOUSE OFFICE BUILDING
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FAX (410) 841-3379

DISTRICT ADDRESS:

12147 FAULKNER DRIVE
OWINGS MILLS, MARYLAND 21117
(410) 654-0717
FAX (410) 494-0331

Tuesday, July 08, 1997

Lawrence E. Schmidt
Zoning Commissioner
400 Washington Avenue
Towson, MD 21204

Re: Case No. 97-476-A

Dear Mr. Schmidt:

The Old Court Estates Improvement Association, Inc. sent me the enclosed information in connection with the above referenced matter. Please carefully consider the community's point of view as you deliberate this matter. Thank you.

Sincerely,

Handwritten signature: Mike Finifter

Michael J. Finifter

cc: Helen B. Aiken, President
4502 Dresden Road
Baltimore, MD 21208

Arnold Jablon
Director
Baltimore County Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21284

May 14, 1997

Attn: Gwen Stevens

Dear Mr. Jablon,

Old Court Estates Improvement Association is requesting a hearing and sending you this letter of opposition to Case # 97-476-A. The case is a request for the county Zoning Commissioner to permit a 12-child day care center at 8312 Streamwood Drive, to be surrounded by a 6-foot high privacy play fence at the property line instead of the required 20-foot setback.

Streamwood Drive and the immediate vicinity are zoned DR3.5, a residential designation that basically allows 4 per acre. The neighborhood is all single-family homes. It is a stable neighborhood in the Pikesville area. Some of the residents have lived in their houses for 35 years and more. They object to having any commercial venture, which will change the residential character of the area.

The day care center would be located in a small ranch house on a lot of about 1/4th an acre in size. The house is not big enough, or the grounds large enough, to accommodate that many children. Moreover, a 6-foot high fence is not in keeping with the neighborhood covenant.

It should be pointed out, too, that our community association, which encompasses that end of Streamwood Drive, has covenants against home-based businesses and any fencing must be open and not higher than 4 ft. high.

A day care center for that many children is a commercial venture, and it brings commercial activity into narrow, residential streets. As for traffic, there will be at least 24 trips daily from parents dropping off and picking up their children, along with vehicular traffic from center staffers arriving and departing their jobs. The center itself may also have a van in order to take the children on excursions.

The case file includes a list of some 20 people who have indicated that they do not have a problem with the day care center. It should be noted that many of the people on the list do not live in the vicinity. Perhaps they are potential clients of the day care center, but they will not be impacted by the traffic it generates, nor the threat to property values that having such a commercial venture in a residential zone implies. All of this is simply irrelevant, since the covenant will be upheld.

Sincerely,

Helen B. Aiken
President

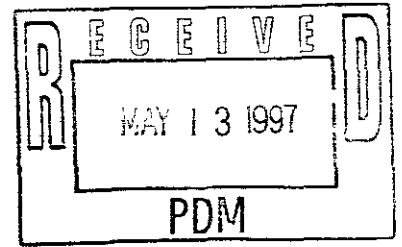
Peggy J. Stoler
Treasurer



MRS MELVIN AIKEN
4502 DRESDEN RD
BALTIMORE MD 21208

May 12, 1997

Arnold Jablon
Director
Baltimore County Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204
ATTENTION: Gwen Stevens



Re: Case #97-476-A

Dear Mr. Jablon:

I urge you to reject the request for a zoning variance for the above cited case number for the following reasons:

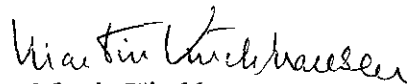
1. I believe that a fence to the property line (as requested) would be unsightly in a neighborhood where there are no other such fences; and
2. I believe that another "group" home would diminish the value of other properties in the immediate neighborhood.

In addition, I submit that the petition should be denied because:

1. The letters of support that accompanied the petition were signed, in some cases, by people who do not live in the immediate area and, thus, would not be affected by a reduction in property values that would probably occur; and
2. These same people probably have a vested interest in having the petition approved since they probably have children who would be serviced by the day care center.

Please consider the above factors before you arrive at a decision.

Sincerely yours,

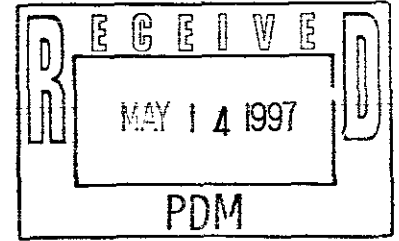

Martin Kirchhausen
8223 Streamwood Drive
Baltimore, MD 21208
(410) 484-6141

cc: Kevin Kamenetz

97-2302

CAROLE BECKER
4606 HAWKSBURY RD
BALTIMORE, MD 21208

MAY 12, 1997



5/14/97
G

ARNOLD JABLON, DIRECTOR
BALTIMORE COUNTY PERMITS & DEVELOPMENT MANAGEMENT
111 WEST CHESAPEAKE AVE
ROOM 111
TOWSON, MD 21204
ATTN: GWEN STEVENS

RE: CASE #97 476 A

DEAR MS. STEVENS:

THIS LETTER IS TO PROTEST THE PERMIT FOR A 12 CHILD DAY CARE CENTER AT 8312 STREAMWOOD DRIVE, BALTIMORE, MD 21208. THIS AREA HAS ALWAYS BEEN ZONED RESIDENTIAL AND THE PEOPLE IN THE IMMEDIATE AREA WANT THIS AREA TO REMAIN RESIDENTIAL ONLY. IN ORDER TO HAVE A DAY CARE WITH 12 CHILDREN, THE HOUSE WOULD HAVE TO CONSTRUCT A SIX FOOT HIGH FENCE ON THE PROPERTY LINE INSTEAD OF THE REQUIRED 20 FOOT SETBACK. THE PETITION WITH THE 20 SIGNATURES ARE NOT PROPERTY OWNERS IN CLOSE PROXIMITY OF THE HOUSE IN QUESTION.

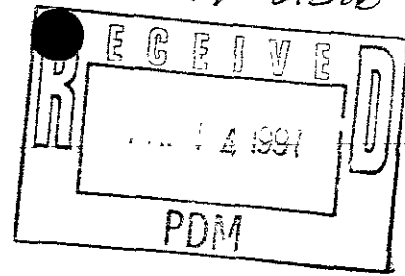
SINCERELY,

A handwritten signature in cursive script that reads "Carole Becker".

CAROLE BECKER

CC: KEVIN KAMENETZ, C.A. RUPPERSBERGER, MICHAEL FINIFTER

97-2316



5/14/97
8
OS

Re: Case # 97-476-A

From: Barbara Milsten
8245 Streamwood Drive
Baltimore, MD. 21208

Tuesday, May 13, 1997

To: Arnold Jablon
Director
Baltimore County Permits & Development Management
111 West Chesapeake Ave.
Room 111
Towson, Md. 21204

Dear Mr. Jablon,

Because of the \$40 fee to request a hearing before the Zoning Commissioner, I am writing this letter in opposition to the above case. The case requests a 12-child day care center at 8312 Streamwood Drive, to be surrounded by a 6-foot high privacy play fence at the property line instead of the required 20-foot setback.

Streamwood Drive is part of a residential neighborhood in Randallstown. The neighborhood is primarily single-family homes. It is a stable neighborhood in which some residents have owned their houses for 30 years and more. I am one of them, having moved into my house in 1968. I object to having a commercial establishment in the midst of a residentially zoned area.

The day care center would be located in a ranch house on a lot no larger than one-quarter of an acre. A day care center for 12 children is a considerable size, and it should be located in a commercially zoned area where its functioning will not impact on its neighbors nor its business nature detract from the property values of a residential neighborhood.

A day care center for that many children will mean at least 24 trips daily from customers dropping off and picking up their children. The center will also employ staffpeople, who will have to drive to and from their jobs (there is no bus service within the neighborhood streets). The house in which the center would be located is on a narrow street and it is not intended to accommodate that amount of traffic. It should also be noted that a fence that high is not in keeping with the rest of the neighborhood.

There are other issues with the potential day care center. Old Court Estates Improvement Association, the community association for Streamwood Drive, has covenants against home-based businesses of this type and against any fence being higher than 4-feet.

There are two group homes for developmentally disabled adults in

the neighborhood (one on Streamwood Drive and the second on Balmoral Circle). There was a day care center on Hawksbury Road although I cannot ascertain at this point whether or not it is still operating. Each of these by itself is not a problem but, taken together and with the possibility of the proposed day care center, I believe they threaten the integrity of the area as a residential neighborhood.

Because of my job commitments, I did not have the opportunity to read the case file in the Permits Office myself but Joe Merrey, of the Permits Office, read it over the phone to me. Several people have apparently agreed to having their names included in the file, saying they have no objection to the day care center. From the addresses read to me, though, it appears that more than half of these people do not live in the neighborhood. Perhaps they are potential customers of the day care center but they will not face the unwanted traffic or the implications to property values should the day care center be approved.

Thank you for the opportunity to add my voice to the case file. I hope you and the Zoning Commissioner will take these points into consideration in deciding on Case # 97-476-A.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Milsten".

Barbara Milsten

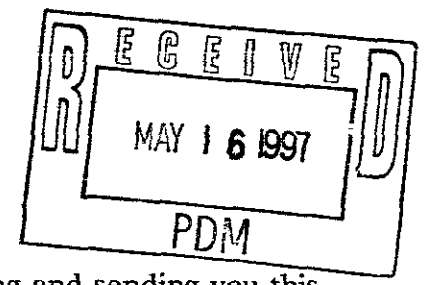
Old Court Estates Improvement Association, Inc.

Arnold Jablon
Director
Baltimore County Permits and Development Management
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

May 14, 1997

Attn: Gwen Stevens

5/18/97
JG
JO BS



Dear Mr. Jablon,

Old Court Estates Improvement Association is requesting a hearing and sending you this letter of opposition to Case # 97-476-A. The case is a request for the county Zoning Commissioner to permit a 12-child day care center at 8312 Streamwood Drive, to be surrounded by a 6-foot high privacy play fence at the property line instead of the required 20-foot setback.

Streamwood Drive and the immediate vicinity are zoned DR3.5, a residential designation that basically allows 4 per acre. The neighborhood is all single-family homes. It is a stable neighborhood in the Pikesville area. Some of the residents have lived in their houses for 35 years and more. They object to having any commercial venture, which will change the residential character of the area.

The day care center would be located in a small ranch house on a lot of about 1/4th an acre in size. The house is not big enough, or the grounds large enough, to accommodate that many children. Moreover, a 6-foot high fence is not in keeping with the neighborhood covenant.

It should be pointed out, too, that our community association, which encompasses that end of Streamwood Drive, has covenants against home-based businesses and any fencing must be open and not higher than 4 ft. high.

A day care center for that many children is a commercial venture, and it brings commercial activity into narrow, residential streets. As for traffic, there will be at least 24 trips daily from parents dropping off and picking up their children, along with vehicular traffic from center staffers arriving and departing their jobs. The center itself may also have a van in order to take the children on excursions.

The case file includes a list of some 20 people who have indicated that they do not have a problem with the day care center. It should be noted that many of the people on the list do not live in the vicinity. Perhaps they are potential clients of the day care center, but they will not be impacted by the traffic it generates, nor the threat to property values that having such a commercial venture in a residential zone implies. All of this is simply irrelevant, since the covenant will be upheld.

Sincerely,

Helen B. Aiken
Helen B. Aiken
President
4502 Tapscott Road
Baltimore, MD 21208
(410) 655-3255

Peggy J. Stoler
Peggy J. Stoler
Treasurer

Liberty Road Community Council, Inc.

P. O. Box 31555
Baltimore, MD 21207

6/18/97
TO GS
8

June 17, 1997

Mr. Arnold Jablon
Zoning Commissioner
Baltimore, County
County Office Bldg.
111 W. Chesapeake Ave.
Towson, MD 21204

RE: Case ~~#87-476-A~~
July 2, 1997
10:00 a.m.

Dear Mr. Jablon:

This is to inform you, that we are in opposition of this request for a variance to permit a six foot fence within zero feet of the property in lieu of the required 20 feet.

A six foot high fence of this magnitude will look like a barricaded fort in this fine residential community.

In addition, we have been notified by The Old Court Estates Community Association, that their Covenant permits fencing, only, four ft. in height, open and in the rear of the home.

Also, any commercial development will change the character of this residential community, which is also prohibited by the community covenant.

It should, also, be noted that this house is on a small lot and this house sets on grounds not large enough to accommodate such an addition.

Please give this your prompt attention.

Sincerely,



Dana Stein, President

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

HELEN B. AIKEN	4502 DRESDEN RD 21208
PAUL B. LANG	111 S. CALVERT ST, SUITE 1400 21202
Melvin B. Aiken	4502 Dresden Rd 21208
Karen A. Aiken	4640 Hawksbury Rd. 21208
BARBARA MILSTEN	8245 STREAMWOOD DR. 21208
Donna Peters	8275 Streamwood DE 21208
MARIAN S. TUTT	8272 Streamwood Dr 21208
Peggy J. Stoler	4530 Tapscott Rd. 21208
Melvin R Sweren	4503 Maryknoll Rd 21208
Terry L. ANDERSON	4512 MARYKNOLL RD 21208
Bonnie L. Skavito	8304 STREAMWOOD DR 21208
Sheldon Skavito	8304 STREAMWOOD DR. 21208
James Ditsch	7342 Manchester Rd. 21222
Lottie HOLZMAN	4526 MARYKNOLL RD 21208
Edward Holzman	4526 MARYKNOLL Rd 21208
Janet KAFES	4101 Windridge Rd 21208
LOIS KRENGEL	4513 TAPSCOTT RD 21208
SIDNEY J KRENGEL	4513 TAPSCOTT RD 21208



F 53

Petition

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Phyllis + John Jackson
 Sara Feldman-Saunders
 James Preston
 John Reed
 Leo F. Dudek
 C. Abby Fowler
 Shirley Edmund
 Don J. [unclear]
 Gilbert R. [unclear]
 Marnie [unclear]

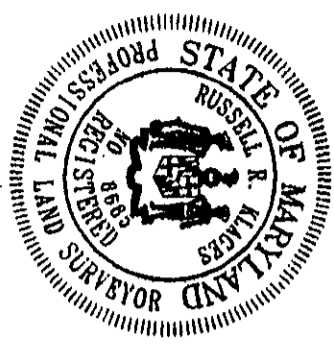
8312 Streamwood Dr. 21208
 3903 Setonhurst Rd 21208
 8238 Streamwood Dr 21208
 8257 Streamwood Dr. 2208
 7344 MANCHESTER RD 21222
 2618 W Poplar Dr 21207
 8307 Streamwood Dr.
 4205 Laurel Dr
 8122 STREAMWOOD DR
 3611 Dunley Lane



Plat to accompany Petition for Zoning Variance Special Hearing

Property Address: 8313 Streamwood Drive
 Subdivision name: Julian Woods
 Owner: John + Phyllis Jackson

Lot Number : 35
 Block/Section : B
 Plat Reference : Book : 55 Page : 123
 Title of Plat : Amended Plat, Julian Woods

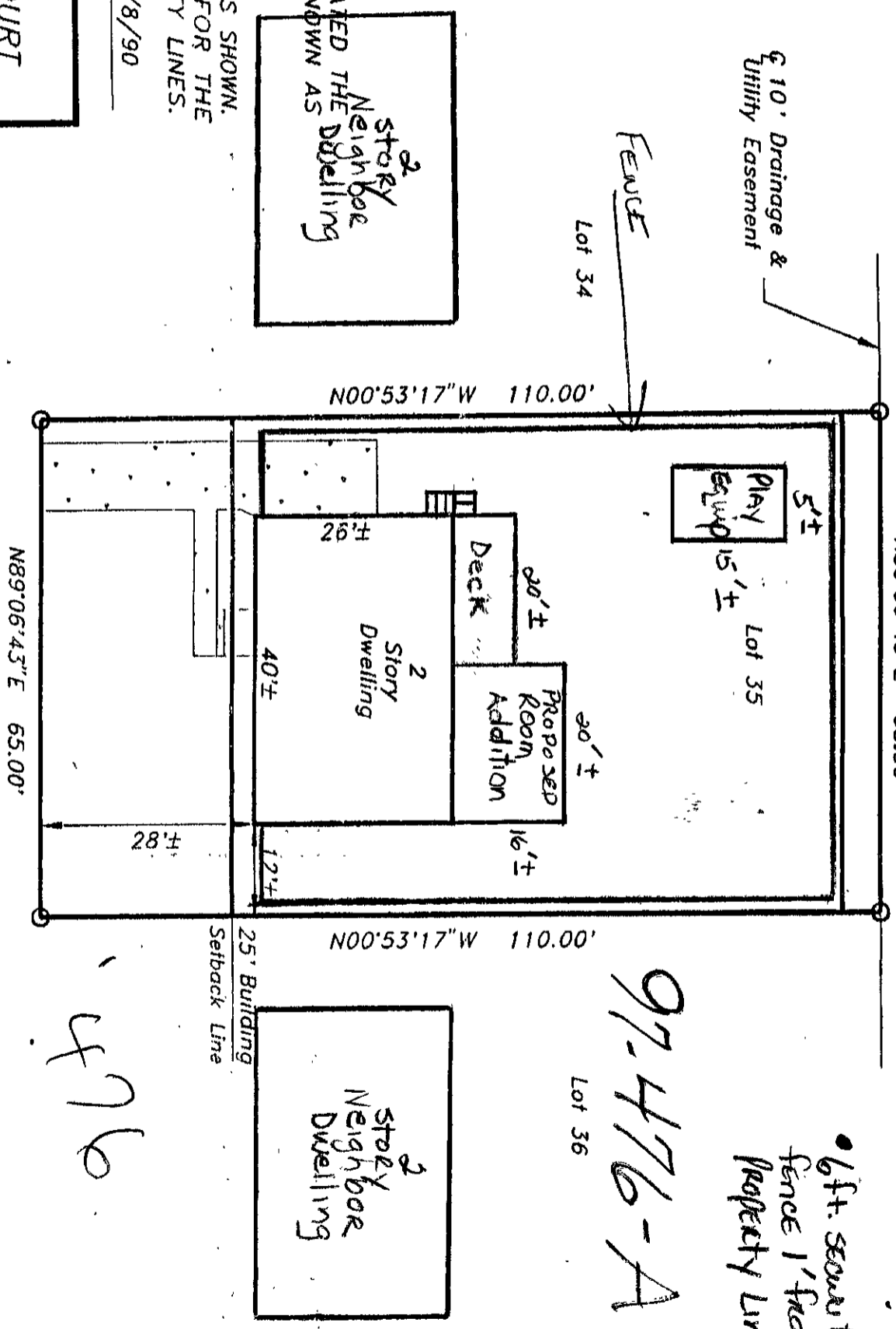


I HEREBY CERTIFY THAT I HAVE LOCATED THE NEIGHBORHOOD IMPROVEMENTS ON THE PROPERTY KNOWN AS 8312 STREAMWOOD DRIVE BALTIMORE COUNTY, MARYLAND AND THE IMPROVEMENTS ARE LOCATED AS SHOWN. THIS PLAT IS NOT TO BE USED FOR THE PURPOSE OF ESTABLISHING PROPERTY LINES.

Russell R. Klages 9/8/90

TEMPLAR ENGINEERING
 8235 RUXTON CROSSING COURT
 RUXTON, MARYLAND 21204
 (301) 823-3567
 SCALE: 1" = 20'

STREAMWOOD DRIVE
 (15' PAVING, 30' R/W)



97-476-A

• 6ft. security fence 1' from Property Line

476

Property Lies in Flood Zone C

LOCATION INFORMATION

Councilmanic District: 3

Election District: 2

1" - 200' Scale map# : ~~108~~ NW 8-4

Zoning: DR3.5

Lot Size: 0.25 _____
 acreage square feet

Public Private

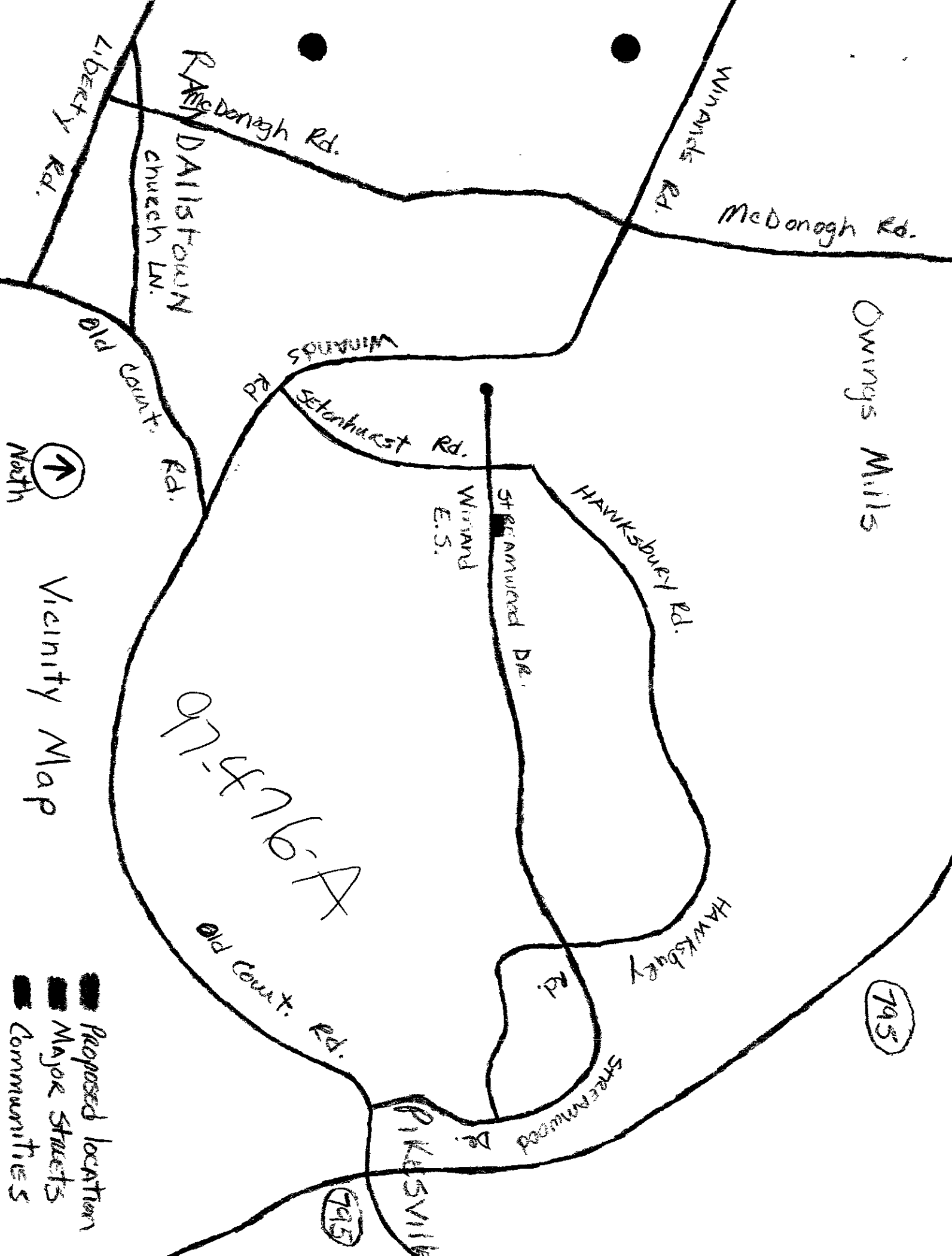
SEWER:

WATER:




Chesapeake Bay Critical Area: YES NO

Prior Zoning Hearings: None

07-476-A



Vicinity Map

-  Proposed location
-  Major Streets
-  Communities

Petition for Day-care Variance

97-476-A

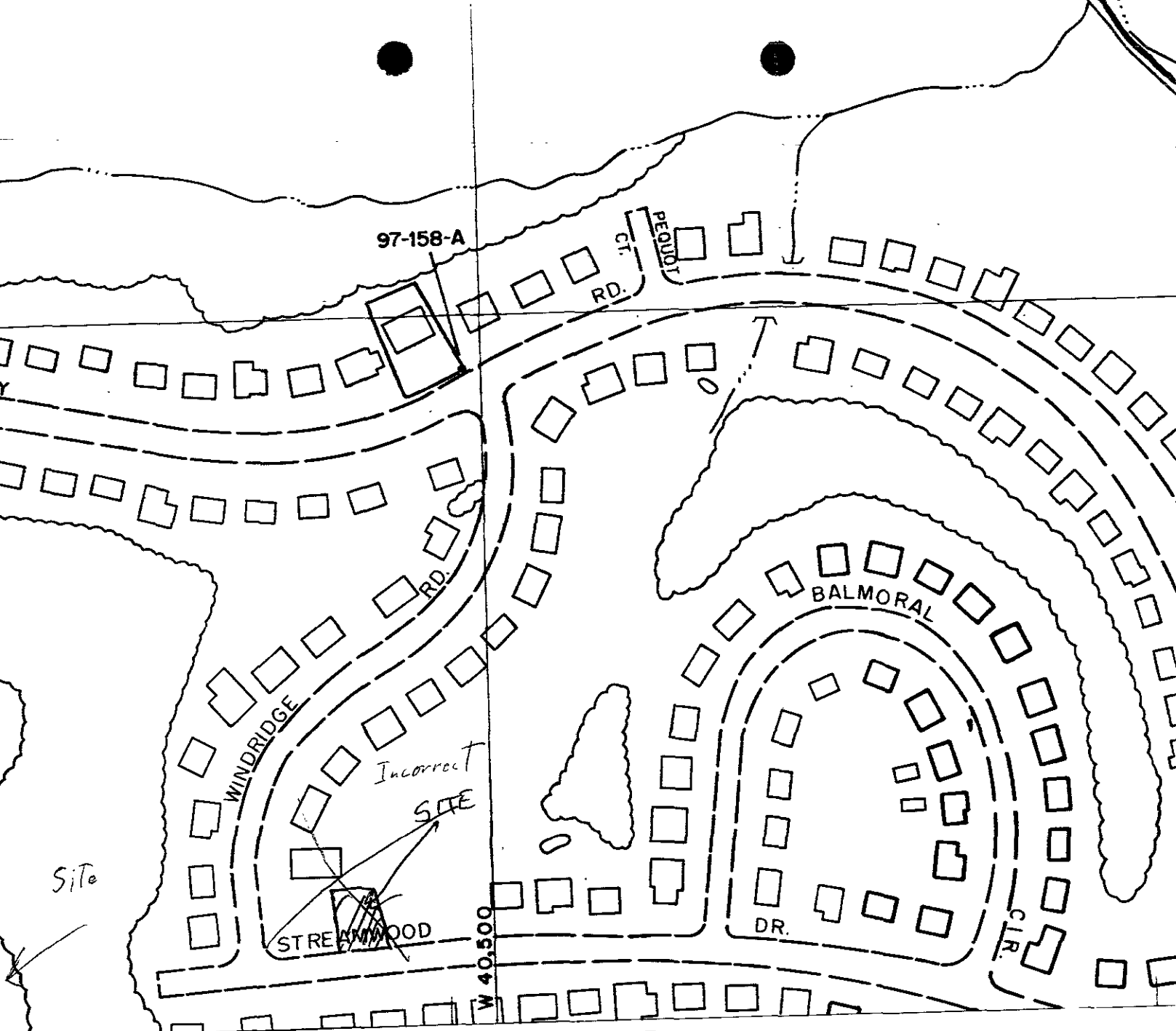
We, the undersigned neighbors of 8312 Streamwood Drive do hereby agree that the construction and maintenance of a small Day-care Center at the above address will not detrimentally increase the traffic, congestion, or effect the public health, safety, and general welfare of this community.

Name

Address

1. Mr & Mrs. Adunk Russell 8304 Streamwood Dr.
2. Phangak Beomin. 8314 Streamwood Dr.
3. S. Harley 8309 Streamwood Dr
4. Monique Howard 8316 Streamwood Drive
5. Karen Elder 8311 Streamwood DR.
6. Ann Moulty 8310 Streamwood Dr.
7. Carol by phone 9205 Lowell Dr Apt 21208
8. Bangmond B. Banton 8261 Streamwood Dr 21208
9. Yuh P. Lee 4614 Old Court Rd.
10. Earl Swell 4002 Balmoral Rd, 21208
11. Mwana Perry 4506 Hawksbury Rd 21208
12. April L. Davis 2210 Rutherford Green 21204
13. Jana Sillars 4712 Bonnie Brae Rd 21208
14. Jane Loh 8323 Streamwood Dr. 21208
15. Ngoni Nwana 8268 Streamwood Dr 21208
16. Harmon M. Edmund 8307 Streamwood Dr 21208
17. Adriene Burtum 4110 Balmoral Circle
18. Gertrude Steiner 8257 Brattle Road 21208
19. Jenny & Linda Cristo 5 Jameson Lane
20. Roderick & Michelle Horried 1 Jameson Lane 21208

Thank you,
4/20/97



1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996

Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenev
Chairman, County Council

B
OFFICE
OFFI

HODS

97-476-A NW-8G



Pt 1 A



PB



1C

LOCATION INFORMATION

Councilmanic District: 3

Election District: 1

1" - 200' Scale map# : NW 8-B

Zoning: DR 3.5

Lot Size: 0.25
 acreage square feet

Public PRIVATE

SEWER:

WATER:

YES NO

Chesapeake Bay Critical Area:

Prior Zoning Hearings: None

97-426-A

1D

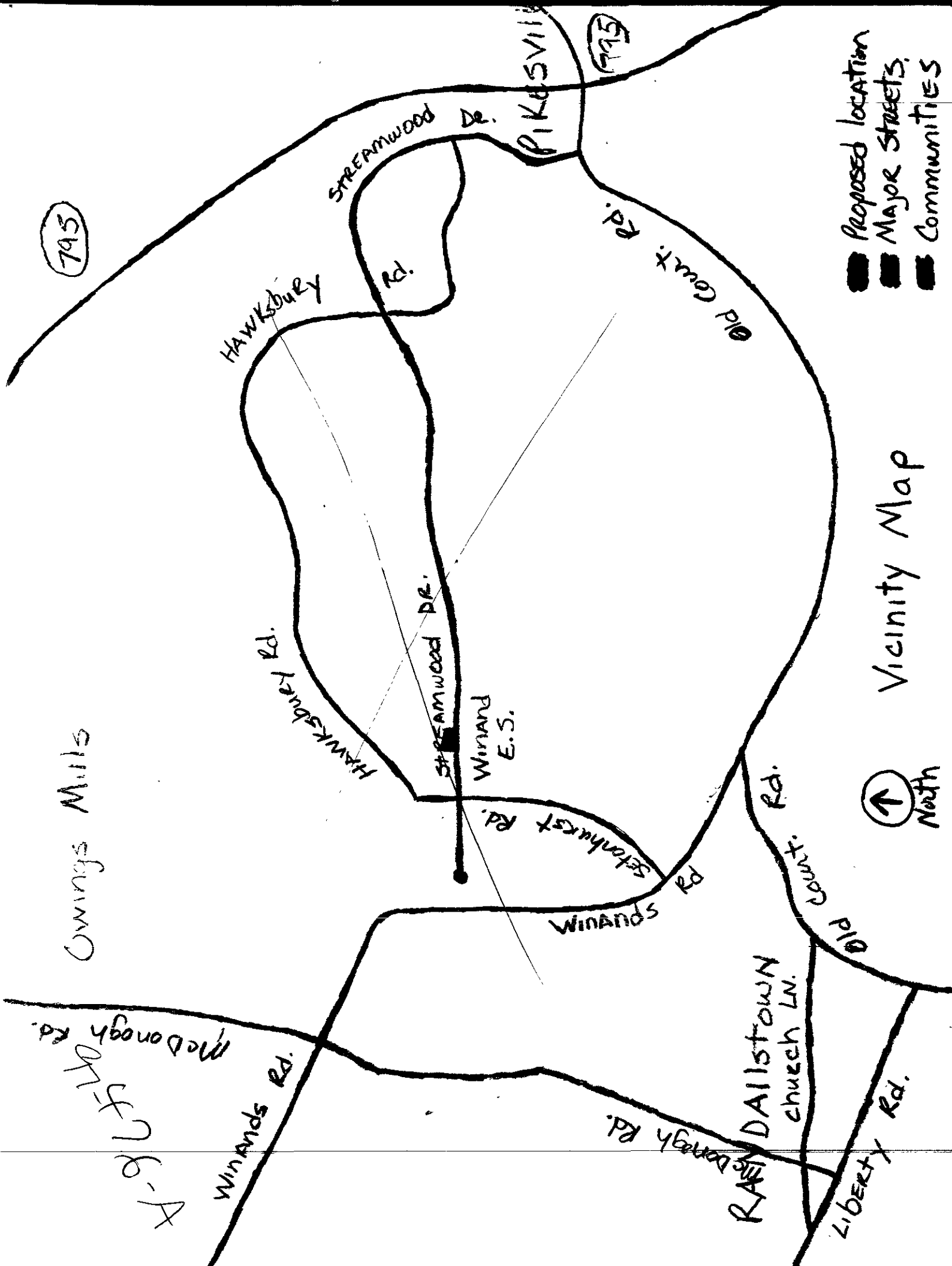


1E

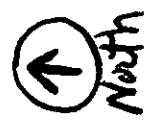


1F





Vicinity Map



1G



1H



LOCATION INFORMATION

Councilmanic District: 3

Election District: 1

1" - 200' Scale map# : NW8-6

Zoning: DR 3.5

Lot Size: 0.25
acreaage square feet

Public PRIVATE

SEWER:

WATER:

Chesapeake Bay Critical Area: YES NO

Prior Zoning Hearings: None

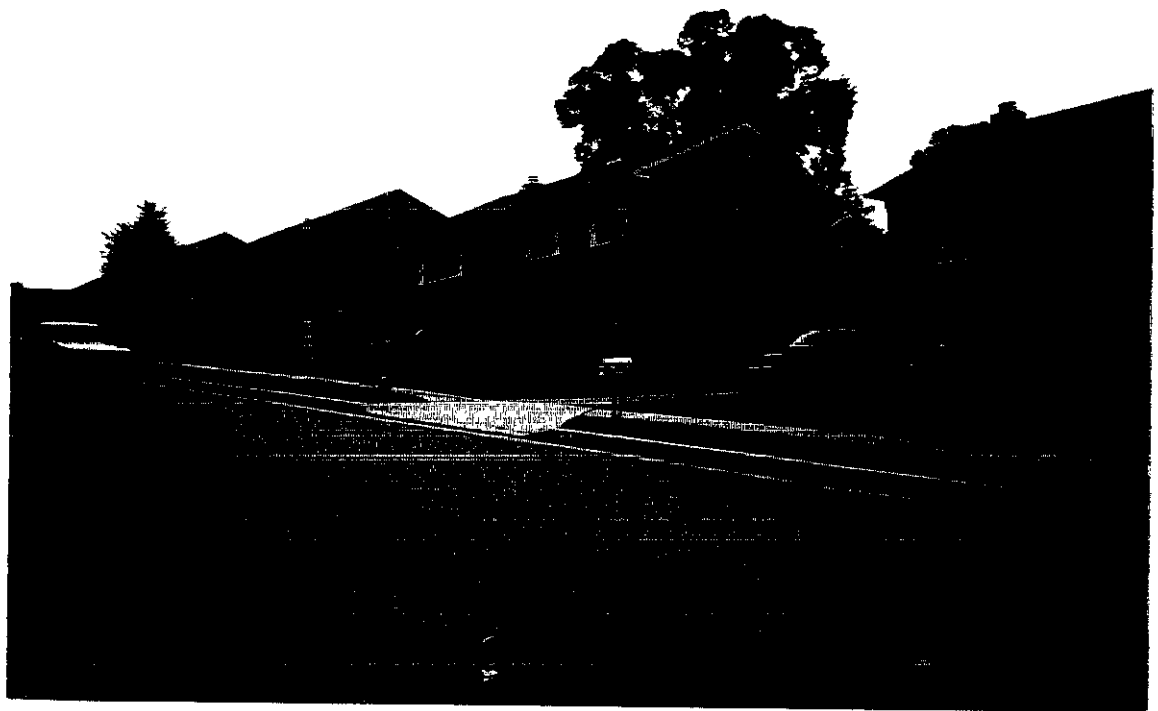
476

97-476-A

11



1J



795

Owings Mills

97-476-A

975

McDonough Rd.

Winands Rd.

Hawksbury Rd.

Hawksbury Rd.

Streamwood Dr.

Streamwood Dr.

Winand E.S.

Setonhurst Rd.

Winands Rd.

McDonough Rd.

Rain Dailstown chuech Ln.

Liberty Rd.

795

Pikesville

Old Court Rd.

Rd.

Old Court Rd.

Old Court Rd.

- Proposed location
- Major Streets
- Communities

North

Vicinity Map

Pet Exhibit

3

8310 Streamwood Dr.
Baltimore, MD. 21208
July 1, 1997

To whom it may concern,

I live next door to Mrs. Phyllis Jackson. In the five years that she has done daycare at her home, I have had no problems. In fact, I have been moved to enter the daycare field myself. There is a great need for Mrs. Jackson's services in our community and her expansion would better serve to fill that need. I have no problem with her future plans as her next door neighbor.

Sincerely,

Favia W. Maultsby

Favia W. Maultsby

Sandra L. Harley

July 1, 1997

TO WHOM IT MAY CONCERN:

RE: Residential Small Group DayCare @ 8312 Streamwood Drive

This letter is in support of a Residential Small Group Day Care of 12 children to be operated by John and Phyllis Jackson. As the owner of 8309 Streamwood Drive, the Jacksons' residence is directly across the street from my home. I can vouch for the fact that there has been no interruption in my daily lifestyle, traffic impediments, or disruptions of any kind associated with the Jacksons' Day Care program. Parents dropping off and picking up their kids from the Jacksons' residence have always been orderly and have never all come at once to impede traffic. The kids are so well-kept and orderly that one would hardly know that a Day Care existed in our community.

I have been made aware of the resistance by the Old Court Estates Improvement Association to the Jacksons' Day Care, as well as to their request to erect a 6 foot privacy fence. The Associations concerns, while understandable, are ill-founded. Here are the reasons why:

- The Jacksons have been operating a private, licensed home-based Day Care program for the past 5 years. The fact that their home-based business has existed for five years without cause for concerns from the Old Courts Estates Improvement Association speaks volumes for its continuancy.
- A special hearing noticed was placed in the Old Court Estates Improvement Association 1997 newsletter, *The Estater*, concerning the Jacksons' request for the erection of a 6" privacy fence and expansion to their home, which are needed to accommodate four more children. According to the newsletter, the Association says that "Our neighborhood covenant is a set of easy-to-live by rules within the Old Court Estates development." This statement in and of itself is not applicable to our development, for according to the Land Records of Baltimore County, the legal description of our development is known as Julianwood and is not a part of the Old Courts Estates development. While the Julianwood community is an extension of Streamwood Drive, it is not an extension of Old Court Estates. The two are not inextricably linked. Evidence of the distinction and separation of the Julianwood development from that of Old Court Estates can be seen in the architectural design of our homes, which are drastically different. The Old Court Estates Association does not have jurisdiction over residents of Julian Wood.
- Most residents of the 8-year-old Julianwood development are not aware of either the Old Court Estates Association or its covenant.

Page 2

RE: Residential Small Group DayCare @ 8312 Streamwood Drive

- I have lived in the community for four years and have never once received information or communications from the Old Courts Association, about its officers, scheduled meetings, or bylaws. If this is the prevailing "modus operandi" of the Association, then it has been quite ineffectual. As far as residents of the Julianwood development are concerned, the Old Court Estate Association has neither bark nor bite.
- I have grave concerns that an Association which purports having a covenant agreement is trying to exert authority over a development that is separate and apart from itself.
- I am also concerned that within the Association's own development, I have witnessed numerous yard sale signs, as well yard sales on Streamwood Drive. Either these residents didn't know about the Association's covenant or violated the covenant. My surmise is that it is the former instead of the latter, and at any rate, speaks to the fact that the Association is ineffective. What gives any law its teeth are those who enforce the law, and what gives laws fruitful results are those who digest and follow them.
- Based upon the Old Court Association's assumption that its covenant agreements were given to homeowners in the Julian Wood development, I have posed the following questions:
 - 1) How did the Old Court Estate Association ensure that home owners in the Julianwood development receive a copy of its covenant?
 - 2) How does the Old Court Association account for the fact that most residents of Julianwood have never even heard of its existence, let alone its covenant agreement?
 - 3) This being the case, how can the association criticize homeowners who have put up wooden 6-foot privacy fences and held yard sales when they were never informed that laws existed against such practices? (By the way, these privacy fences have not detracted from the beauty of our community, as it may be believed).
 - 4) What efforts are currently underway by the old Court Estates Association to curtail speeders, cut down on motorists coming through the community with loud radios, and vagrants/ panhandlers who have spotted in the community? These are more pertinent issues to rally about.

I opine that the Old Court Association is operating outside of its jurisdiction and, therefore, should not have any say over the Jacksons' request for home expansion.

Sincerely,


Sandra L. Harley

Petition for Day-care Variance

We, the undersigned neighbors of 8312 Streamwood Drive do hereby agree that the construction and maintenance of a small Day-care Center at the above address will not detrimentally increase the traffic, congestion, or effect the public health, safety, and general welfare of this community.

Name	Address
1. Mr & Mrs. Edmund Russell	8304 Streamwood Dr.
2. Phangak Boonni	8314 Streamwood Dr.
3. S. Harky	8309 Streamwood Dr.
4. Margie Howard	8316 Streamwood Drive
5. Karen Elder	8311 Streamwood Dr.
6. Lavinia Maultby	8310 Streamwood Dr.
7. Carol Byrnes	9205 Lowell Dr Apt 21208
8. Raymond D. Dwyer	8301 Streamwood Dr.
9. Ruth P. Udy	4614 Old Curt Rd.
10. Earl Swell	4002 Balmoral Rd, 21208
11. Awana Perry	4506 Hawksbury Rd 21208
12. April D. Dwyer	7210 Rutherford Green 21204
13. Anna Sillars	4712 Bonnie Brae Rd 21208
14. Janice Loh	8323 Streamwood Dr. 21208
15. Ngosi Nwanna	8268 Streamwood Dr 21208
16. Harmon M. Edmund	8307 Streamwood Dr 21208
17. Adrienne Barton	4110 Balmoral Circle
18. Gertrude Steiner	8257 Brattle Road 21208
19. Jerry + Linda Cusick	1 Jameson Lane
20. Frederick + Michelle Harried	1 Jameson Lane 21208

Thank you,
4/20/97

Petition for Day-care Variance

We, the undersigned neighbors of 8312 Streamwood Drive do hereby agree that the construction and maintenance of a small Day-care Center at the above address will not detrimentally increase the traffic, congestion, or effect the public health, safety, and general welfare of this community.

Name	Address
21. <u>Rona Bannister</u>	<u>8279 Streamwood Dr.</u>
22. <u>John Bates</u>	<u>8375 Streamwood Dr.</u>
23. <u>Jeanette Collins</u>	<u>8315 Streamwood Dr.</u>
24. <u>Kim Johnson</u>	<u>8305 STREAMWOOD Dr.</u>
25. <u>Bob Jones</u>	<u>2224 Streamwood Dr.</u>
26. <u>Tanya Jones</u>	<u>1361 Streamwood Dr.</u>
27. <u>William (Bill) Jones</u>	<u>4111 Streamwood Dr.</u>
28. <u>Walt & Vicki</u>	<u>8331 Streamwood Dr.</u>
29. <u>Jim & Joyce</u>	<u>4738 Hawksbury Rd</u>
30. <u>John Bond</u>	<u>3257 Streamwood Dr.</u>
31. <u>Willa Pearson</u>	<u>8255 Streamwood Dr.</u>
32. <u>Jim & Nancy</u>	<u>8253 Streamwood Dr.</u>
33. <u>Virginia Smith</u>	<u>8412 Tullam Rd 21208</u>
34. <u>Barbara Summer</u>	<u>5 Appleton Ct. 21208.</u>
35. <u>Becky Hart</u>	<u>5203 Battle Road</u>
36. <u>Charles E. Brown</u>	<u>4524 Hawksbury Rd 21208</u>
37. <u>Sharon Bell</u>	<u>4624 Hawksbury Rd 21208</u>
38. <u>Scott Hunt</u>	<u>3927 Satehurst Rd 21208</u>
39. <u>Tommy Aieder</u>	<u>4826 Hawksbury Rd 21208</u>
40. <u>Sharon Adams</u>	<u>PO Box 32035 21282</u>

Thank you,
4/20/97

Petition for Day-care Variance

We, the undersigned neighbors of 8312 Streamwood Drive do hereby agree that the construction and maintenance of a small Day-care Center at the above address will not detrimentally increase the traffic, congestion, or effect the public health, safety, and general welfare of this community.

Name	Address
41. Michelle Hicks	8 Lamona Ct. 21208
42. Jerry St. Laurent	8408 Winmonds Rd 21208
43. Sami Helmi Saundus	3103 Schoburst Rd 31308
44. Fred Saunders	3703 STONHURST RD 21208
45. Shelby Edmond	8307 Streamwood Dr. 21208
46. Carnice Z. Sellers	4702 Bonnie Ave #1208
47. Delores Mills	4506 Hawksbury Rd.
48. Tracy	4516 Hawksbury Rd.
49. Lora Blair	4719 Hawksbury Rd
50. Burette Wallace	3648 Hilmar Rd.
51. Tracy Johnson	8344 Montgomery Dr. 21244
52. Jacqueline Anderson	12 Lynesley C 21117
53. Dean Smith	4836 Hawksbury Rd 21208
54. Kimberly P Carter	3430 Vargus Crick
55. Darlene Brooks	3111 Woodford Pl. Apt D
56. John	8819 Falcon Ridge Dr.
57. John	4606 Talman Rd. 21208
58. John	8817 Falcon Ridge Dr
59. Carla Pucci	103 Long Pine Pl. 21244
60. Nasha A. Mautz	8310 Streamwood Dr.

Thank you,
4/20/97

Petition for Day-care Variance

We, the undersigned neighbors of 8312 Streamwood Drive do hereby agree that the construction and maintenance of a small Day-care Center at the above address will not detrimentally increase the traffic, congestion, or effect the public health, safety, and general welfare of this community.

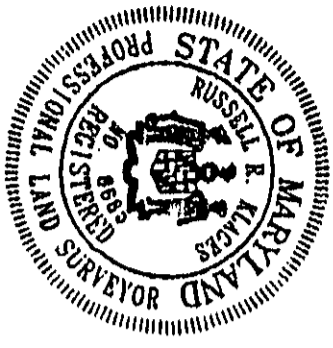
Name	Address
61. <u>Mr & Mrs Mike Brown</u>	<u>4534 Oak Ct. Rd #08</u>
62. <u>Mr & Mrs. Anthony R. Singleton</u>	<u>4505 Kottke Level Ct. #08</u>
63. <u>Dynna Drummond</u>	<u>8216 Brattle Rd. 21208</u>
64. <u>Taliesin J. Daniels</u>	<u>4729 Belle Forte Rd. 21008-3009</u>
65. <u>Mrs. Deborah Daniels</u>	<u>4729 Belle Forte Rd. 21208</u>
66. <u>Rita Dalton</u>	<u>_____</u>
67. <u>Margaret Robinson</u>	<u>4731 Belleforte Rd 21208</u>
68. <u>Rogin Harris</u>	<u>8324 Streamwood DR</u>
69. <u>Thomas Bucher</u>	<u>8324 Streamwood DR</u>
70. <u>G. He...</u>	<u>4714 Hawksbury Rd</u>
71. <u>Malvin Hassay J.</u>	<u>4700 Hawksbury Rd</u>
72. <u>Minnie Smith</u>	<u>4113 Windridge Rd</u>
73. <u>Karen Daughay</u>	<u>4802 Hawksbury Rd</u>
74. <u>Rocky Larson</u>	<u>4804 Hawksbury Rd.</u>
75. <u>Wm Britcher</u>	<u>4744 of Hawksbury rd</u>
76. <u>L. de Coy</u>	<u>4616 Hawksbury Rd</u>
77. _____	_____
78. _____	_____
79. _____	_____
80. _____	_____

Thank you,
4/20/97

Plat to accompany Petition for Zoning Variance Variance Special Hearing

Property Address: 8312 Streamwood Drive
Subdivision name: Julian Woods
Owner: John & Phyllis Jackson

Lot Number : 35
Block/Section : B
Book : 55 Page : 123
Plat Reference : Amended Plat, Julian Woods
Title of Plat :

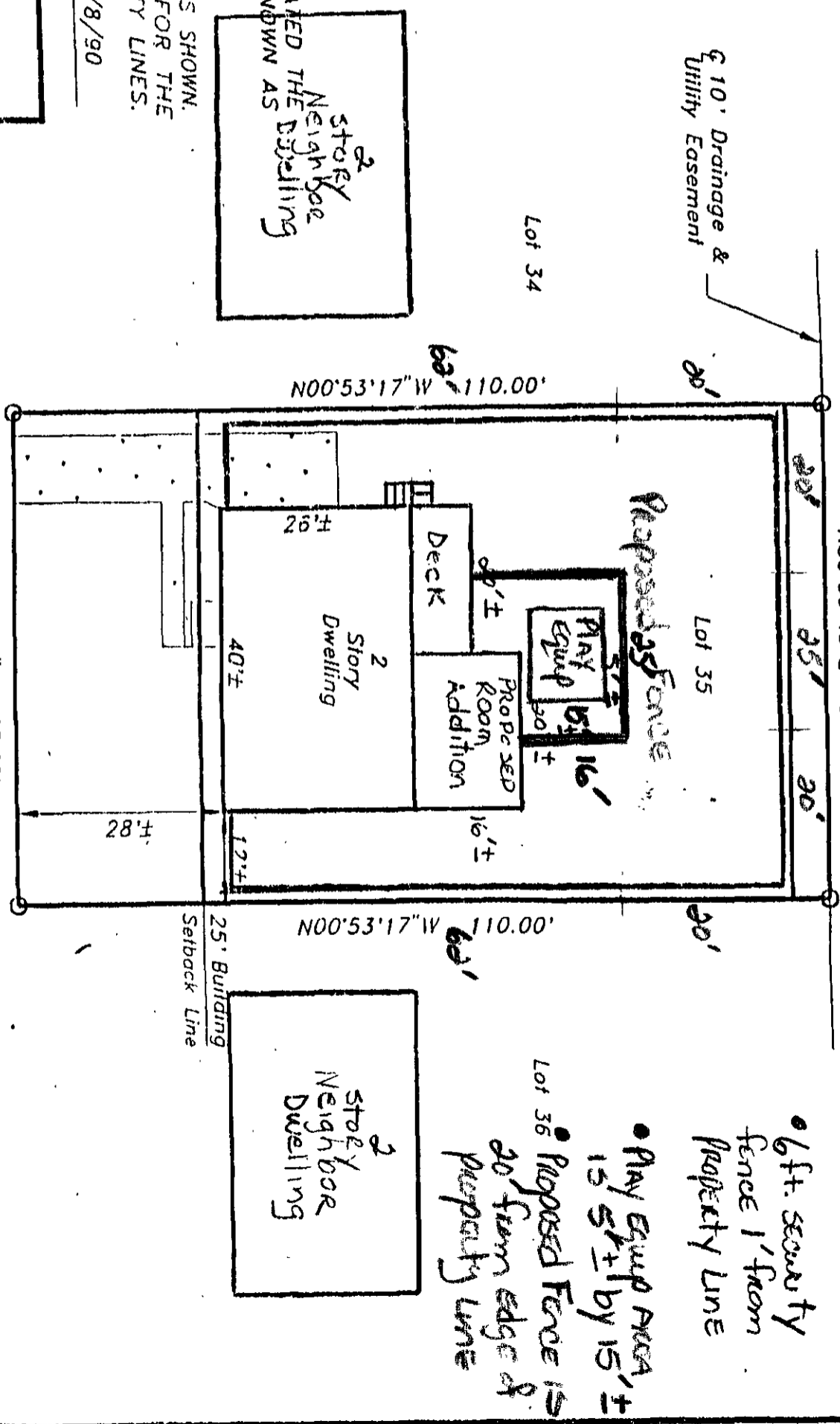


TEMPLAR ENGINEERING
8235 RUXTON CROSSING COURT
RUXTON, MARYLAND 21204
(301) 823-3567
SCALE: 1" = 20'

HEREBY CERTIFY THAT I HAVE LOCATED THE IMPROVEMENTS ON THE PROPERTY KNOWN AS 8312 STREAMWOOD DRIVE BALTIMORE COUNTY, MARYLAND AND THE IMPROVEMENTS ARE LOCATED AS SHOWN. THIS PLAT IS NOT TO BE USED FOR THE PURPOSE OF ESTABLISHING PROPERTY LINES.

Michael J. [Signature] 9/8/90

STREAMWOOD DRIVE
25' Building Setback Line
Property Lies in Flood Zone C



Ret ~~8. 9~~
Exhibit 9

July 27, 1997

To whom it may concern:

I am writing this letter regarding Ms. Jackson expanding her daycare facility. My 8 yr. old son has been attending before & after daycare as well as the summer camp since 6/95. This daycare is greatly needed in the community to assist myself as a working mother, and it's conveniently located within walking distance of my son's school. Ms. Jackson encourages the children and stresses the importance of education. She gives my son recognition for setting and meeting his goals. There are creative activities that are completed at this daycare site to broadens my sons imagination. My son enjoys the variety of well balanced meals and he also is able to help prepare some dishes. Ms. Jackson makes me as parent secure with knowing my child is in a safe environment. She is a great dedicated provider always looking out for the best interest of my child. I feel that enlarging Ms. Jackson's daycare facility will provide opportunities for more parents to take advantage of the caring atmosphere and having the convenience of daycare located in the neighborhood.

Sincerely,

April Davis

April Davis

Pct Fylyt 10

June 29, 1997

Dear Ladies and Gentlemen,

We are a family truly indebted to the excellent day care provided by Mrs. Phyllis Jackson and we are pleased to have this opportunity to write on her behalf.

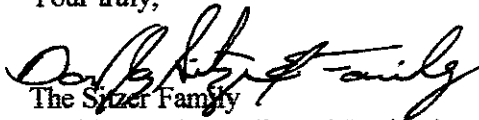
Mrs. Jackson has been providing services to our family for over three years, first for our daughter and now for our son. When choosing to begin our family we were greatly concerned, as are most parents, that we were not able to stay home full time with our children. After a difficult search, we observed Mrs. Jackson's in-home day care service offered a loving, learning, environment that fit into our family budget. Communities need the reassurance that their children are being well cared for by members within the community that we trust.

Our daughter, Molly Rose, thrived under Mrs. Jackson's care. While she is now over three and enrolled in a more formal pre-school environment, Molly was excellently prepared for her current schooling. Mrs. Jackson was able to give Molly one-on-one attention that many formal settings cannot—and that, frankly, she misses now. Mrs. Jackson taught Molly how to write her name and Molly would proudly show us her daily work.

When we planned for the arrival of our second child, we never thought twice about who would help us care for him. Benjamin enjoys his days with Mrs. Jackson, as is evident by his bond with her and the way he reacts to seeing the other children at the day care. During the day, Benjamin receives the same kind of one-on-one attention that Molly received, even though he's just nine months old. During early mornings and late afternoons, Benjamin has the opportunity to meet the children of other community members before and after their school days. Essentially, Mrs. Jackson is an extended family to our families.

Phyllis Jackson is an invaluable resource to the community, and we should encourage her to continue fulfilling one of the most important roles in our neighborhoods.

Your truly,


The Sitzer Family
David, Wanda, Molly and Benjamin

Ref E.L.H. / /

July 1, 1997

To whom it may concern:

I have lived in the Old Court Estates community for the past four years. It's a wonderful community. There are many families here and quite a few of them have small children. I have two children of my own and both of them will be attending Winand Elementary school, this is our neighborhood school. In our school there is a before and after school care program for children called "Playkeepers". This is an excellent program however, there are times when space is not available. When there is limited space available in our schools for care it's comforting to know someone in the community, who is dedicated, caring and reliable is available.

Phyllis Jackson has been providing care in our community since I've known her. I met her while walking to and from our neighborhood school. I've seen Phyllis provide the type of care for her children that any parent would desire from a caretaker. I think our community is fortunate to have Phyllis provide care for our children and I hope she continues to provide that care.

Thank You

Adrienne Bantum

Adrienne Bantum
4110 Balmoral Circle
Pikesville, Md. 21208

July 1, 1997

To Whom It May Concern:

I have two children (2 yrs old & 10 yrs old) in the care of Mrs. Phyllis Jackson. My 2 yr old has been in her care since she was 4 mos. old and my 10 yr. old has been in her care since he was 6 yrs old. Mrs. Jackson is a wonderful day care provider.

I think Mrs. Jackson should be given the opportunity to open a Day Care Center out of her home. Due to the overwhelming amount of school age children in the neighborhood and the overcrowded day care centers in the immediate neighborhood, there is a need for more centers in this neighborhood.

Sincerely,
Jeward Perry

Sara Feldman-Saunders
3903 Setonhurst Road
Baltimore, Maryland 21208

Old Court Estates Improvement Association
c/o Helen Aiken
4502 Dresden Road
Baltimore, Maryland 21208

Dear Mrs. Aiken:

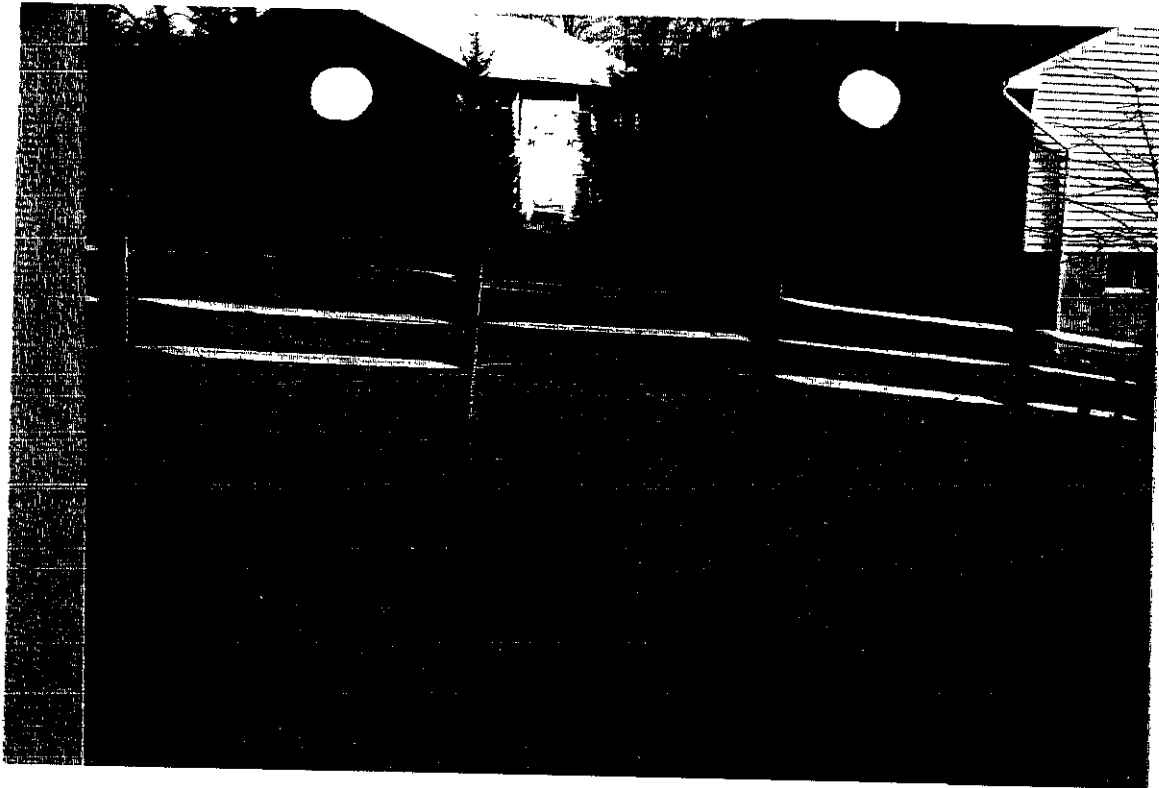
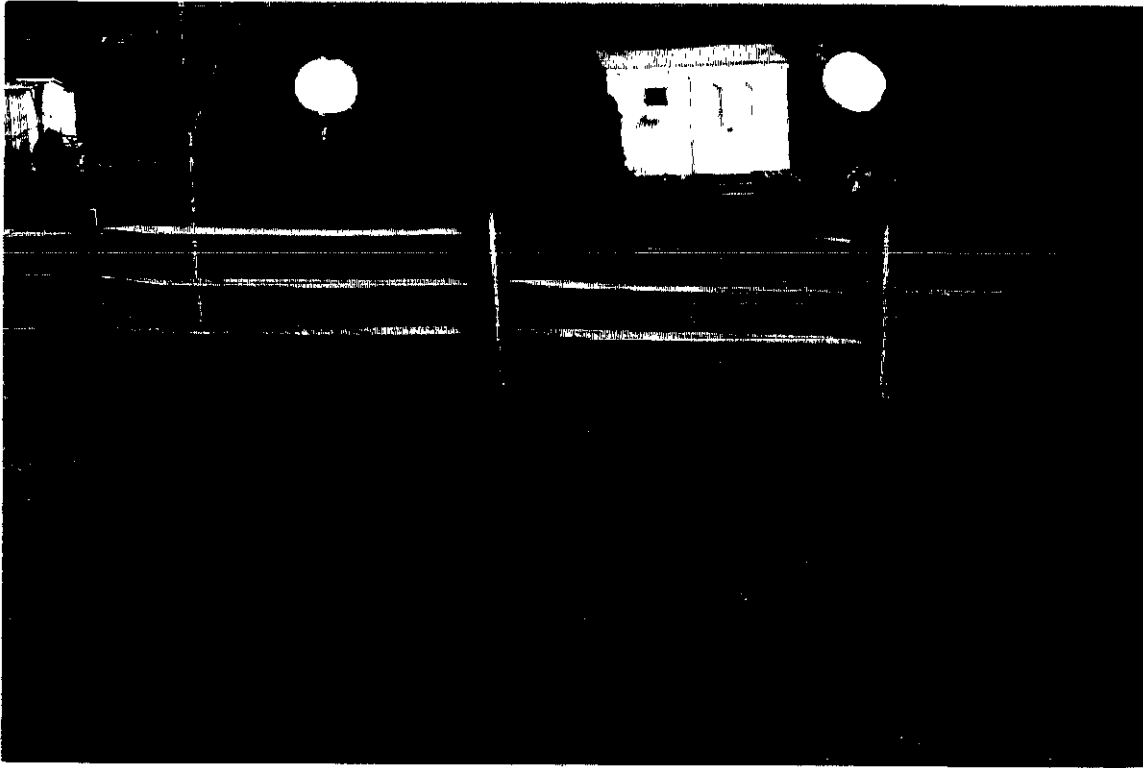
It has come to my attention that our neighborhood association is opposed to the operation of a 12-child family day care facility at 8312 Streamwood Drive. I urge this association to reconsider. Mrs. Jackson, the occupant at this address, has provided day care in her home for the past five years. When my son was a baby, Mrs. Jackson cared for him while I was teaching. My husband and I were pleased at the care and supervision Mrs. Jackson provided. Our son was in Mrs. Jackson's home day care for a little over a year. During that time I had opportunities to watch Mrs. Jackson interact with children of all ages. It is my professional opinion as an educator that Mrs. Jackson possesses excellent qualifications as a day care provider.

Mrs. Jackson has informed me that she would like to expand her day care to service 12 children. Most of the slots for day care will be filled by children who attend Winands Elementary. She would provide before and after care for those families whose working hours extend beyond the school day. The elementary school does have an existing program called Playkeepers. Playkeepers offer before and after care to many students. The program fills quickly and often parents are placed on a waiting list. There is a great need for before and after care for elementary students and Mrs. Jackson can fill that need. She provides the school age children with quiet time to complete their homework, a nutritious snack, and supervised playtime. We need this in our neighborhood. This kind of operation will not affect our residential status. Accepting this family day care into our neighborhood can only strengthen our commitment to quality care for our children by providing them with a safe place to go to after school. I do not think anyone would want to see children go home to an empty house. In many families both parents must work and good quality child care is a must, please do not limit our fellow neighbors' choices. Say yes to the expansion at 8312 Streamwood Drive.

Sincerely,

Sara Feldman-Saunders

Sara Feldman-Saunders









BOUNDARIES OF THE COMMUNITY

NORTH ----- **FOREST**
SOUTH ----- **OLD COURT ROAD**
EAST ----- **RT 795**
WEST ----- **RANDALLSTOWN**

SECTIONS WITH IN THE COMMUNITY

- 1. JULIAN WOODS**
- 2. OLD COURT ESTATES**
- 3. BELLEFARM ESTATES**

PETITIONER'S EXHIBIT # 1

KEY

97-476-A



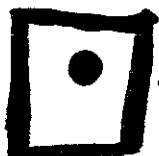
----- **8312 STREAMWOOD DRIVE**
(Phyllis Jackson)



----- **WINAND ELEMENTARY**



----- **PERSONS SIGNING PETITION**



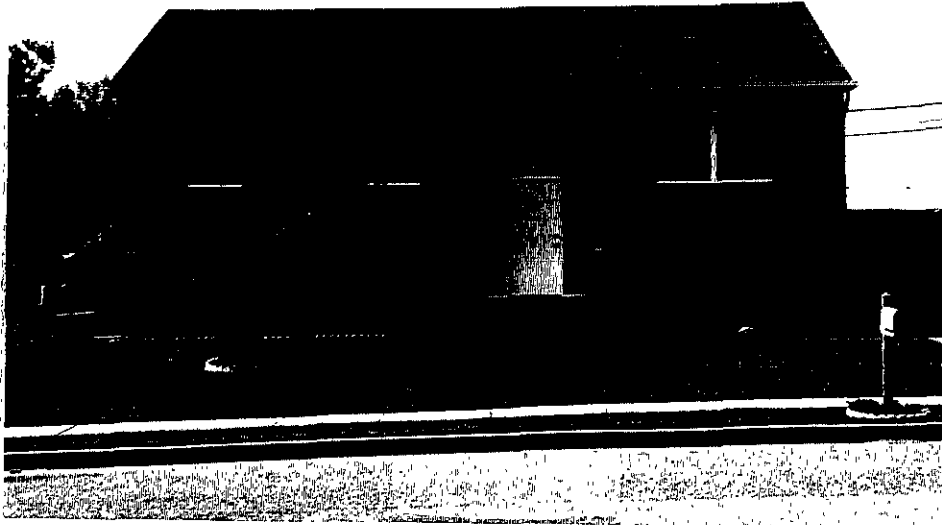
----- **4502 DRESDEN DRIVE**
(Helen Aiken)



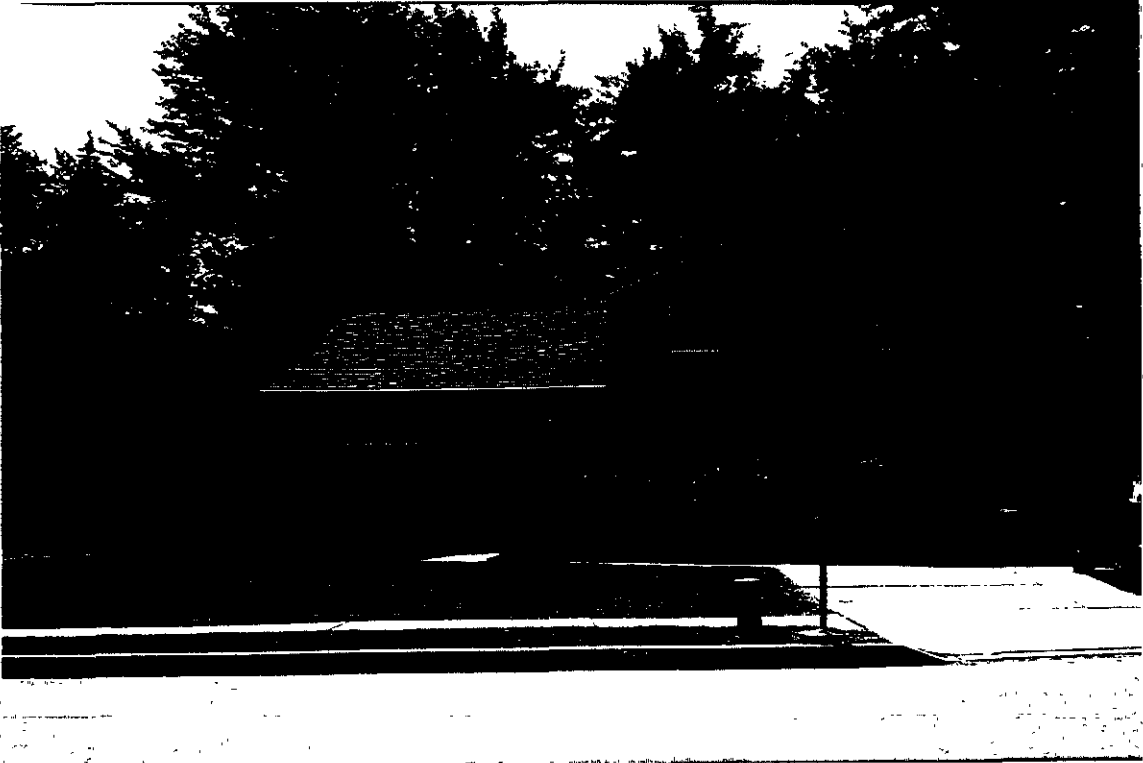
----- **8223 STREAMWOOD DRIVE**
(Martin Karharin)

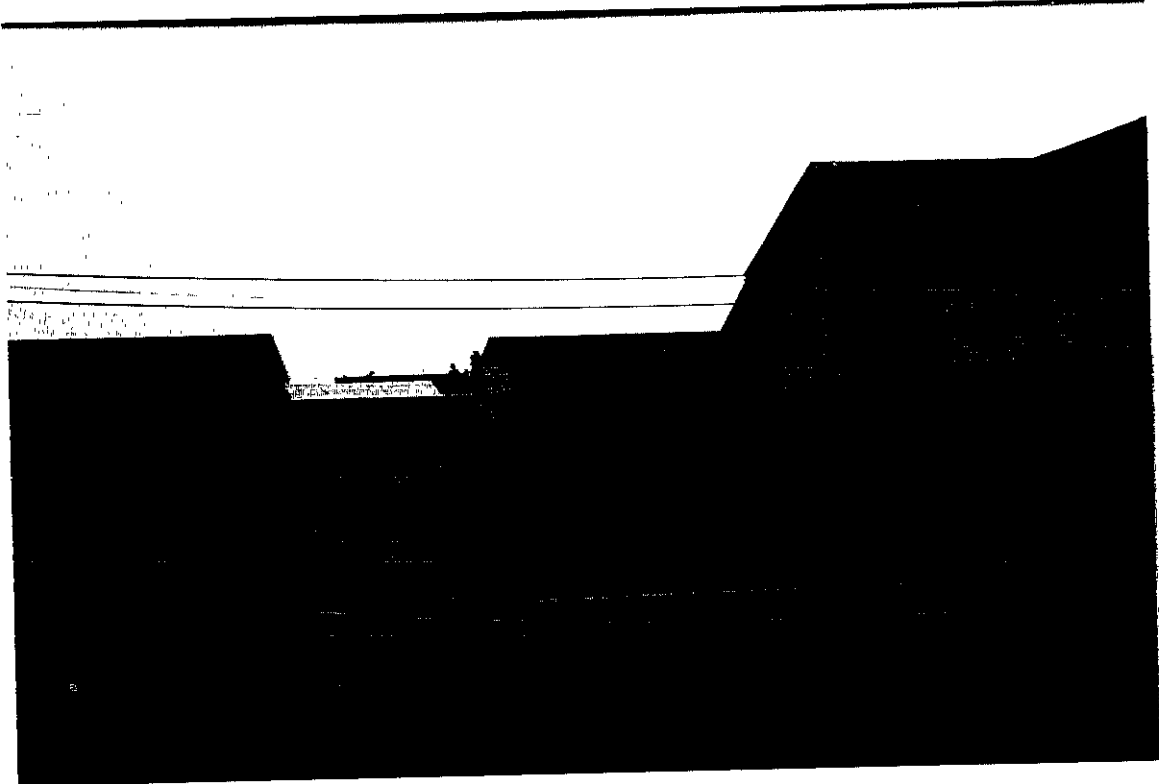
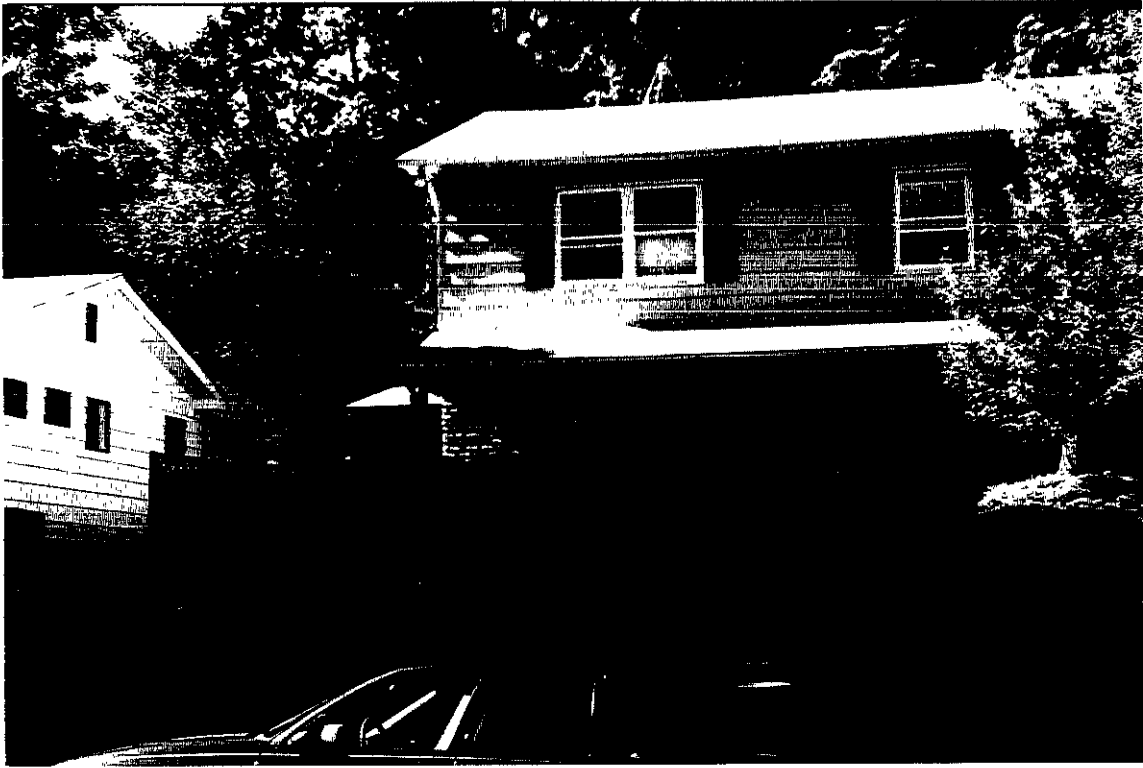
----- **8245 STREAMWOOD DRIVE**
(Barbara Milsten)



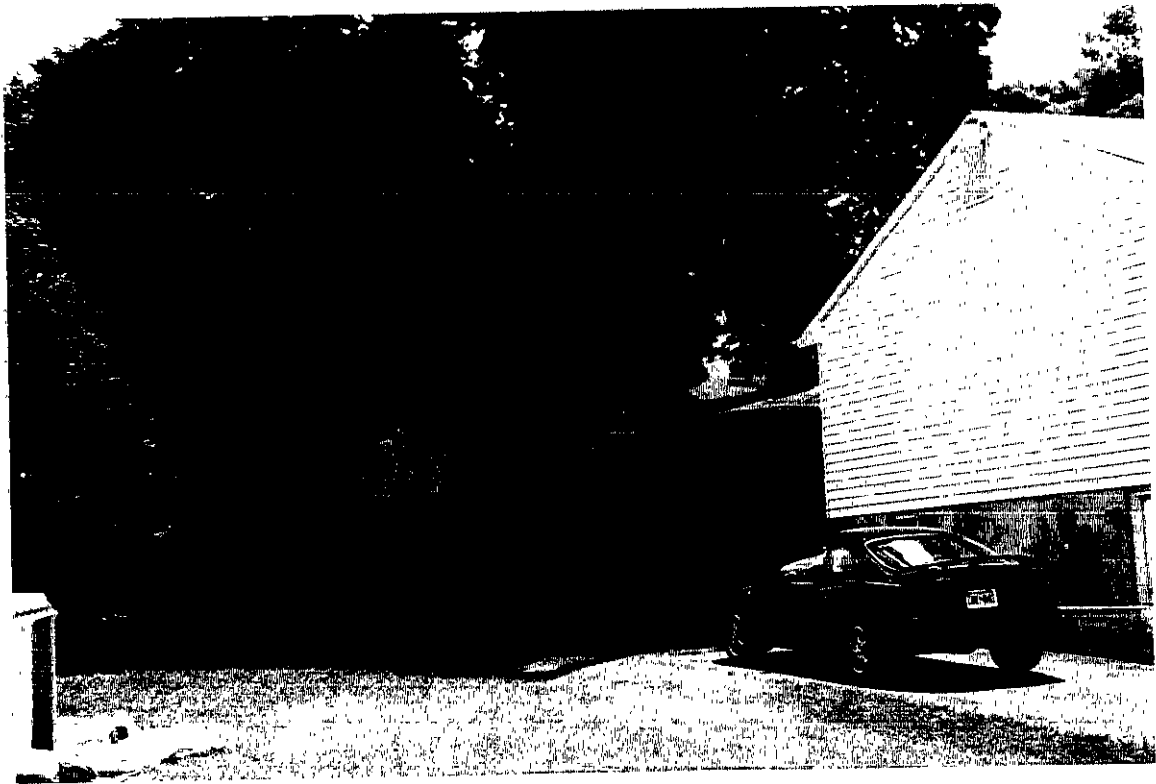


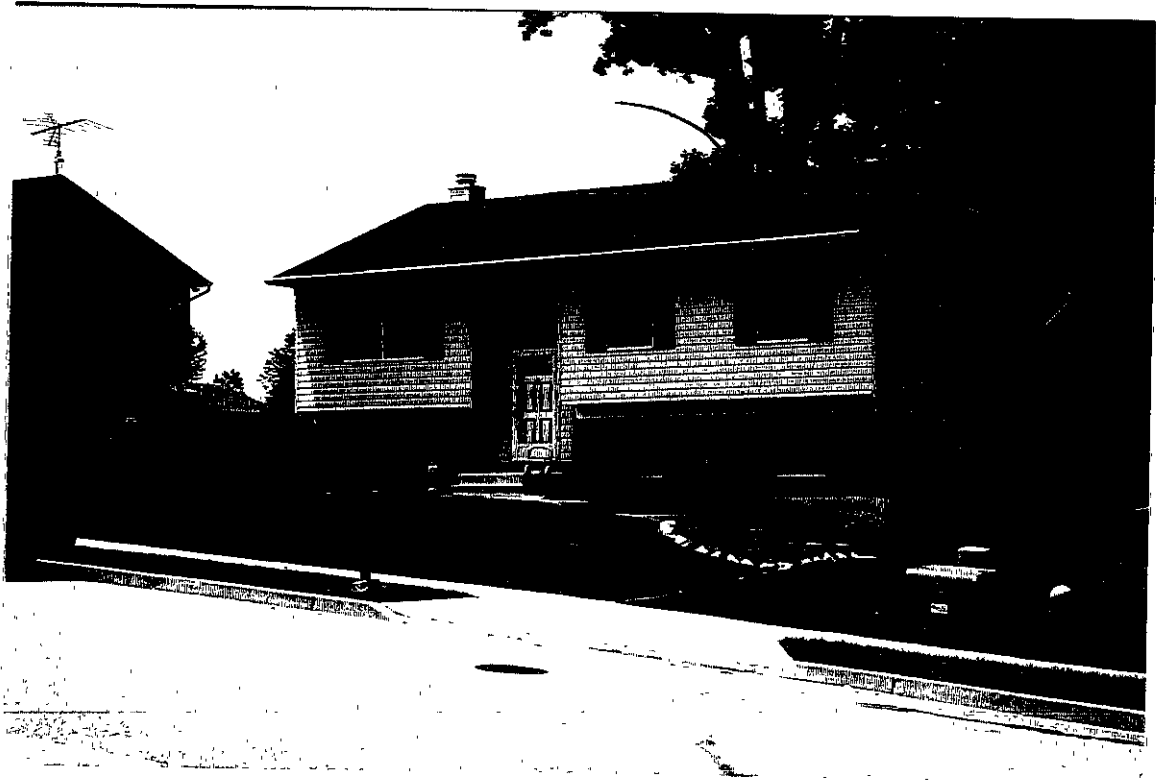


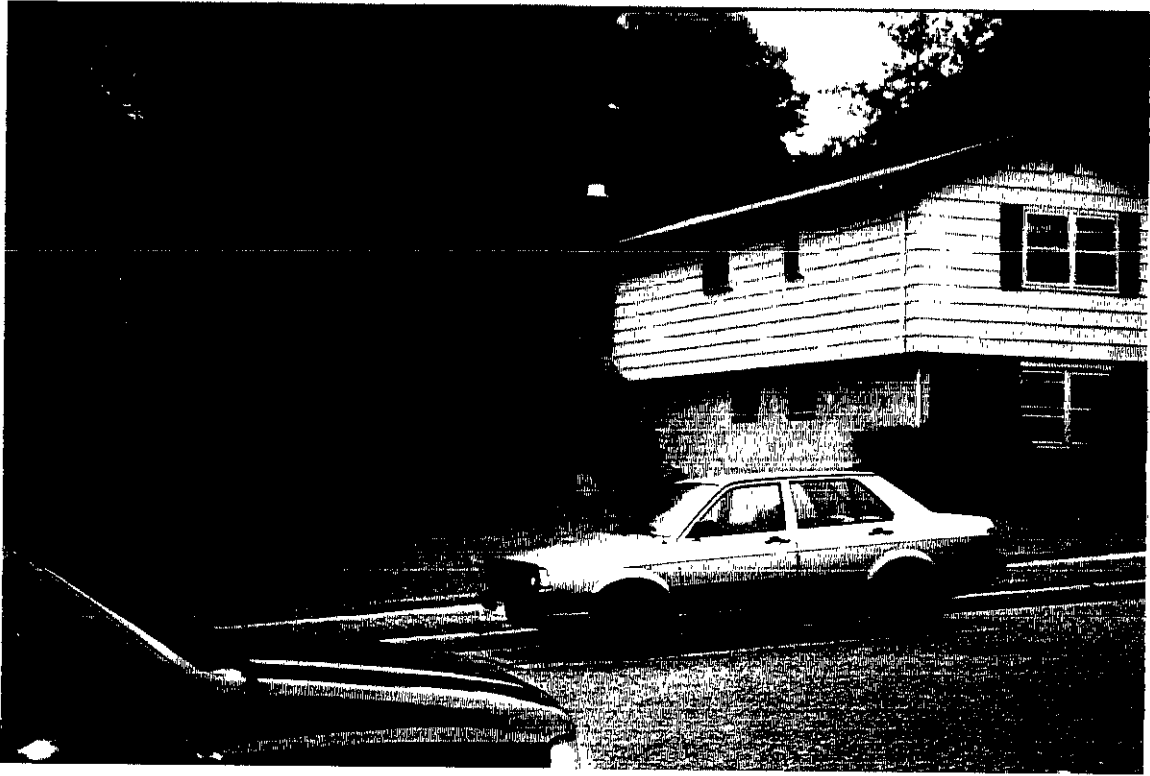


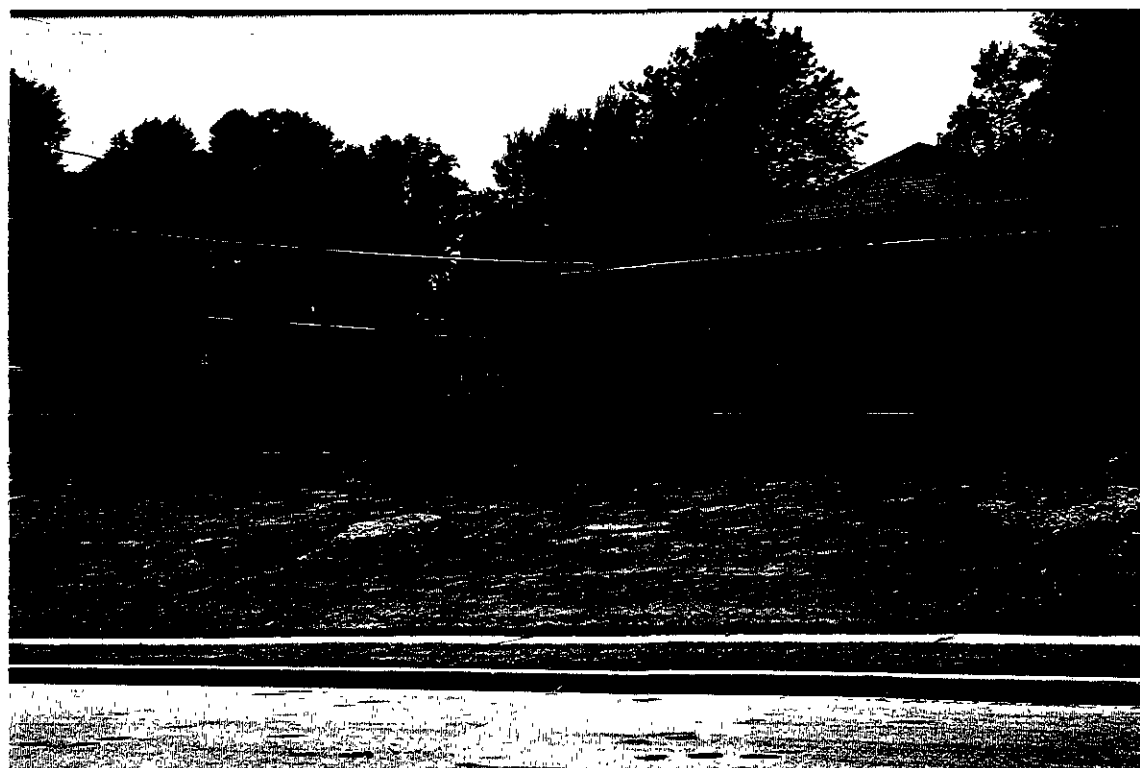
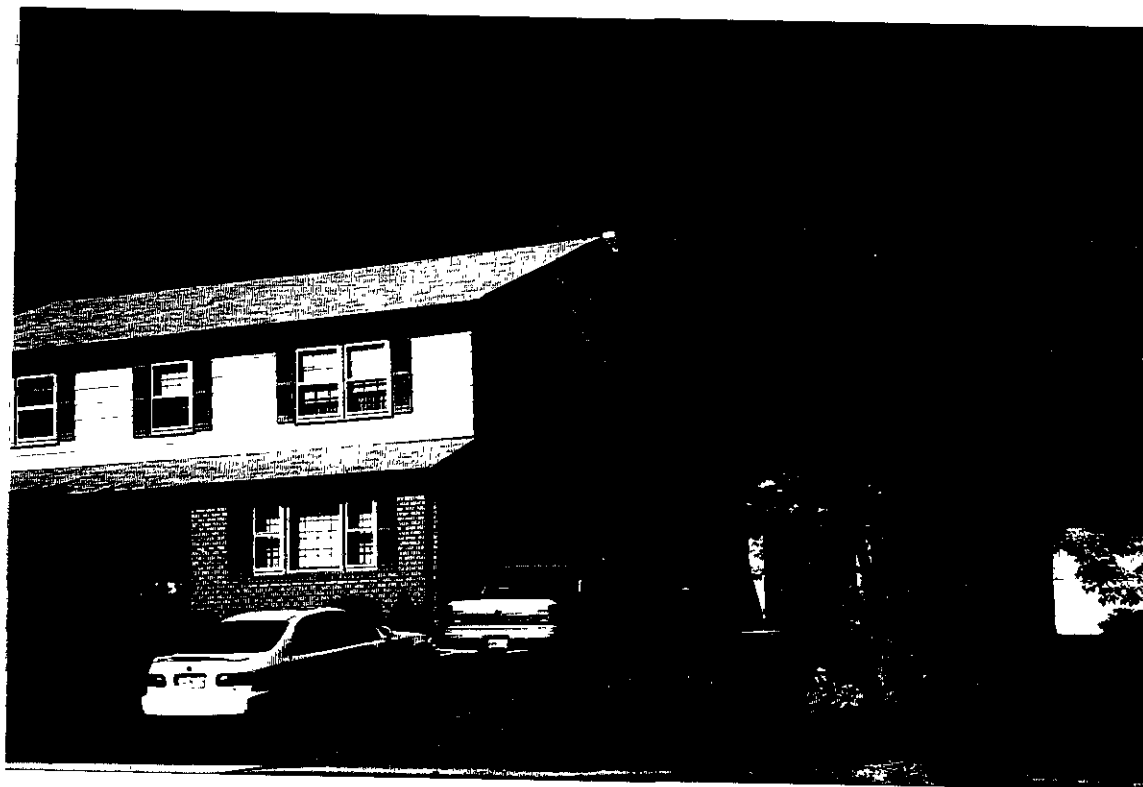


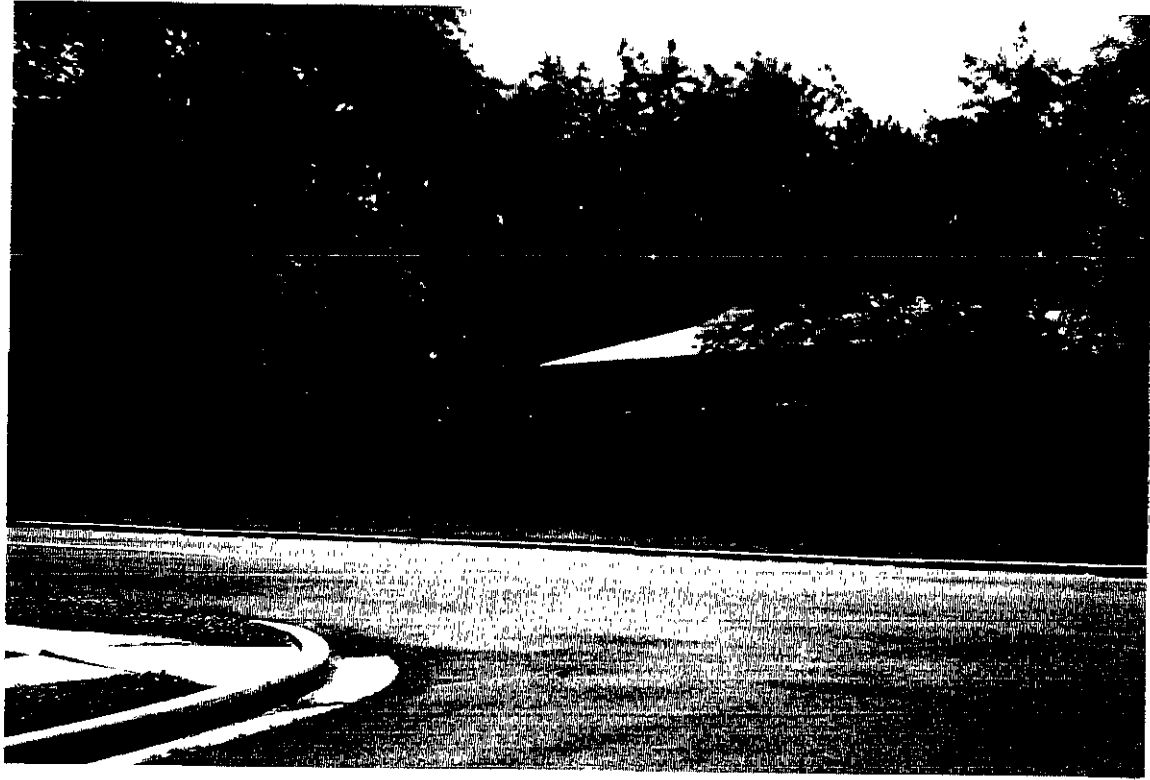


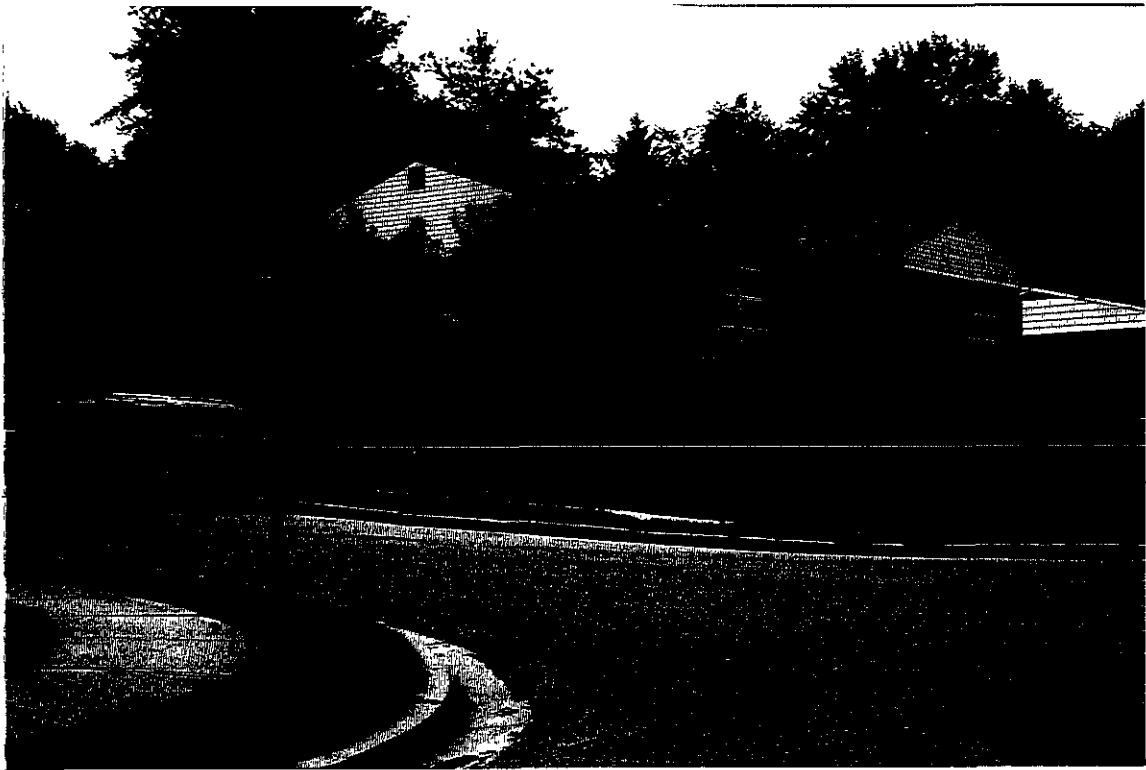
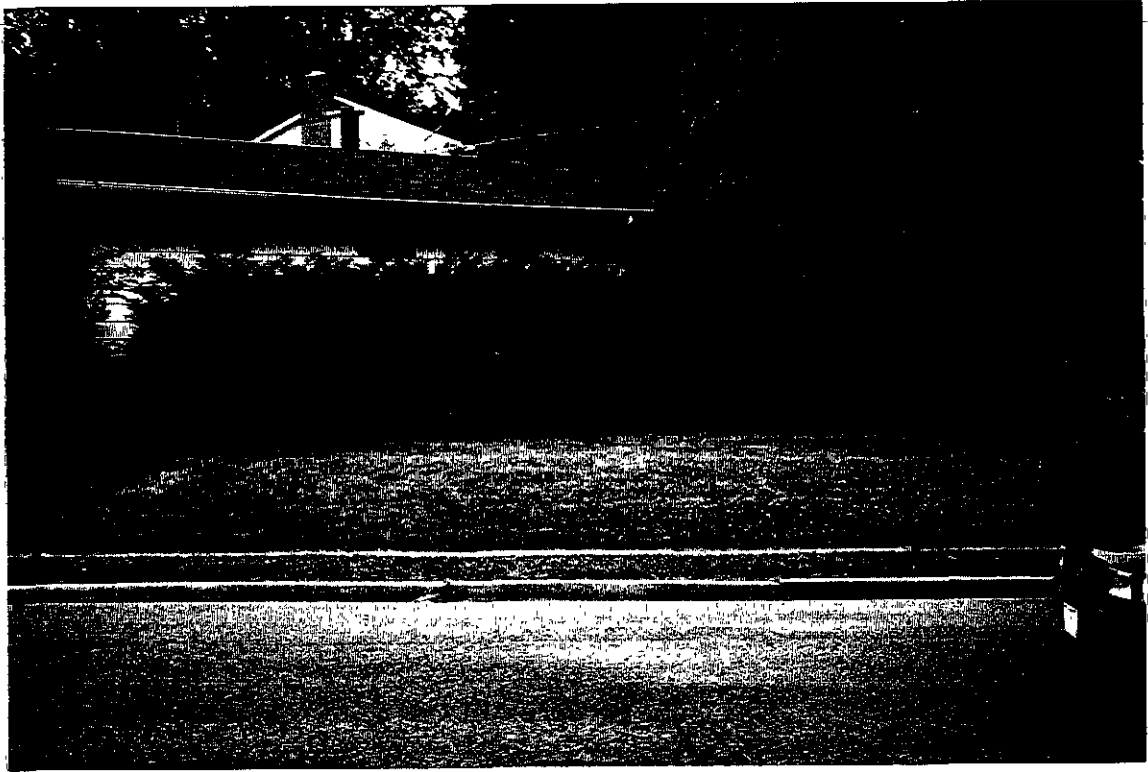


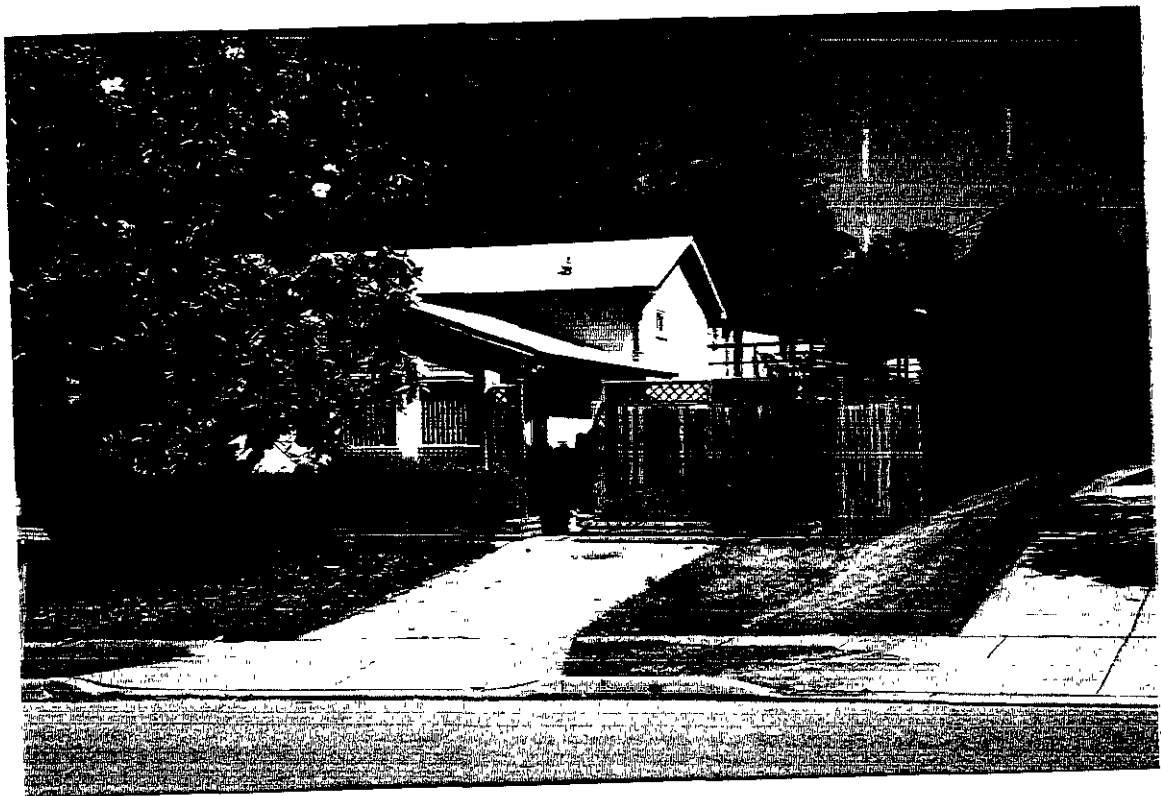




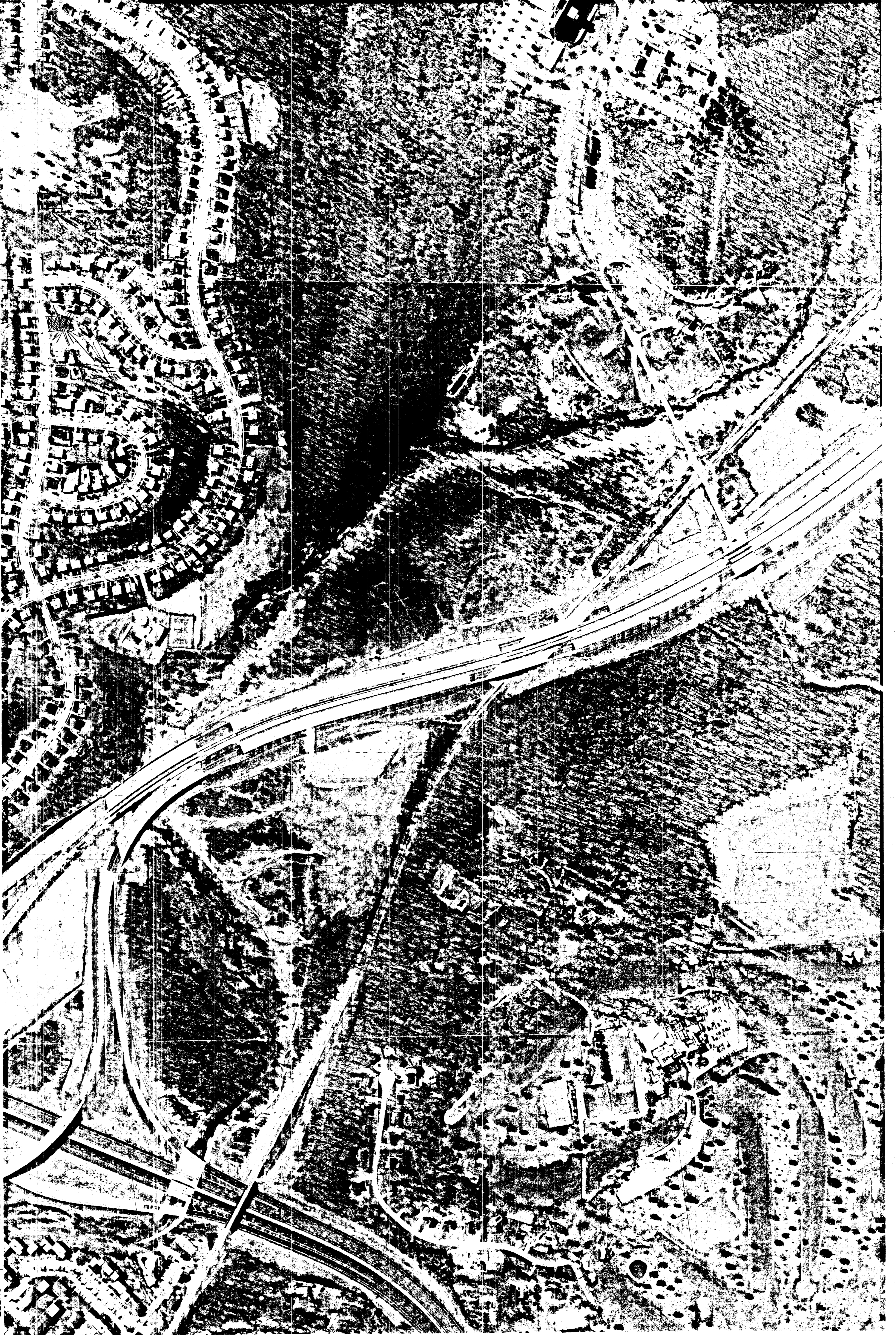








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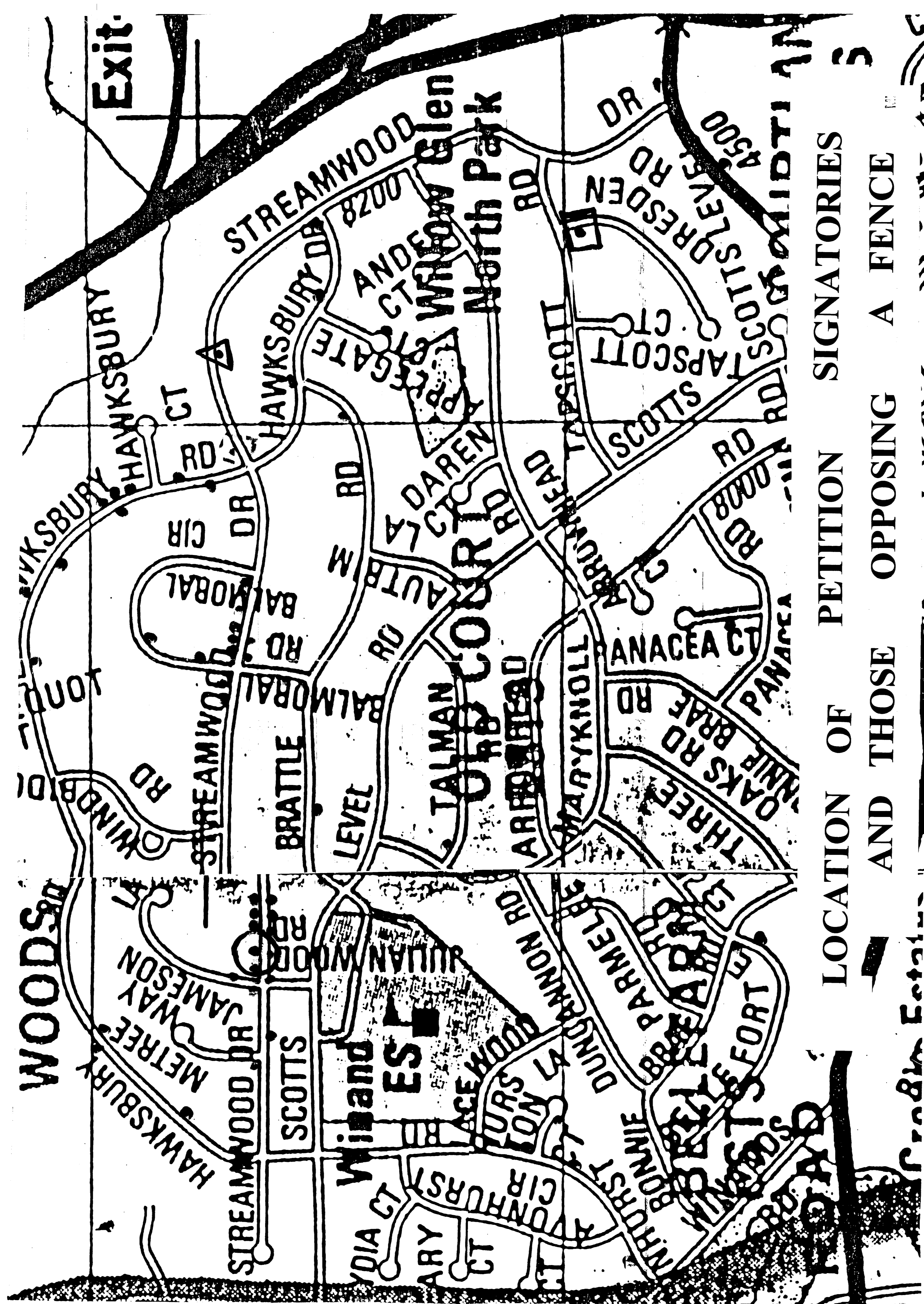


BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 PHOTOGRAPHIC MAP

SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	GARRISON AREA
SHEET	N.W. 8-6

PREPARED BY AIR PHOTOGRAPHICS, INC.
 MANTHUSBURG, W. V. 25801

MICROFILMED



LOCATION OF PETITION SIGNATORIES

AND THOSE OPPOSING A FENCE

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