

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE
W/S Rolling Rod, 747' from c/l * ZONING COMMISSIONER
Rolling Road, along private road
2914 N. Rolling Road * OF BALTIMORE COUNTY
2nd Election District
1st Councilmanic District * Case No. 98-78-XA
Evangeline Richardson, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Variance for the property located at 2914 N. Rolling Road in the Hebbville community of Baltimore County. The Petitions were filed by Evangeline Richardson, property owner. Special exception relief is requested to allow a Class B Group Child Care Center on the subject site pursuant to Section 1B01.1.B.1.g.10a. of the Baltimore County Zoning Regulations (BCZR). A series of variances are requested from Sections 424.1.B and 424.7B of the BCZR; to allow a 5 ft. chain link fence in lieu of the solid wood stockade or panel fence and to allow a 45 ft. side yard setback, in lieu of the required 50 ft. Other variance relief, pursuant to those sections, is to allow a 5 ft. vegetative buffer on the side yard, and a 15 ft. vegetative buffer on the opposite side yard, and a 10 ft. vegetative buffer in the rear yard, all in lieu of the required 20 ft., respectively. The subject property and all of the requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petitions for Special Exception and Variance.

Appearing at the public hearing held for this case was Evangeline Richardson, property owner/Petitioner. Also present was Donn Waddy, a Senior Consultant with DEW Design, Architects. Mr. Waddy's firm prepared the site plan. Appearing as interested persons were John W. Klaus and Thomas E. Klaus, adjacent property owners.

ORDER RECEIVED BY THE CLERK

Date

By

11/17/97
M. M. Waddy

Ms. Richardson testified and presented the site plan. The subject property is approximately 1.8 acres in area, zoned D.R.5.5. The property is located in the Hebbville community of Baltimore County and vehicular access to same is by way of Rolling Road. This rectangularly shaped lot is located at the end of a long driveway situated within a narrow strip which is also owned by the Petitioner. The driveway serves not only the subject property, but also the property owned by Messrs. Klaus. The location of the driveway and the means of access are more particularly shown on the site plan. The driveway is approximately 1/8th of a mile in length.

Ms. Richardson purchased the property in December of 1996. Presently, the property is improved with a two story colonial dwelling type structure, which is vacant. The property also features a detached garage and existing in-ground swimming pool. The Petitioner proposes to operate a Class B child day care center on the premises. A Class B child care center is defined within the BCZR (Section 101) as, "A Group child care center wherein group child care is provided for more than 12 children." A Group Child Care Center is defined as "A building or structure wherein care, protection and supervision is provided for part or all of the day, on a regular schedule, at least twice a week to at least 9 children, including children of the adult provider." Child Care Centers are regulated within Section 424 of the BCZR.

Ms. Richardson indicated that the facility would house a maximum of 42 children. The ages would range from infants to 5 year olds. There will be no kindergarten operated from this site, nor will there be any before or after school care. Rather, it is envisioned that the parents will drop their children off at the site no earlier than 6:30 A.M., and after the conclusion of the work day, the children will be picked up by 6:00 P.M. The facility will operate Monday through Friday, but not during weekends.

ORDER: THE EVIDENCE IS SUFFICIENT TO FIND THAT THE PETITIONER HAS MET THE BURDEN OF PROOF.
Date: 11/17/97
By: [Signature]

It is envisioned that there will be up to a 12 person staff to operate the facility, depending on the amount of children enrolled. Offices for the operation will be on the second floor of the structure. An outdoor play area is also shown on the site plan. Additionally, there will be three different parking areas. Employee parking will be to the rear of the dwelling, near the detached garage. It is envisioned that parents will temporarily park adjacent to the front of the structure, in order to drop off and pick up children.

Mr. Waddy also offered testimony regarding the relief requested. He described the improvements on the property and the site plan. His complete testimony is contained within the record of the case.

Testimony was also received from John and Thomas Klaus, who reside immediately adjacent to the property. They did not object to the proposed use. Their major concerns surround the use of the driveway by parents of the children and also their potential ability to tie into a sewer line which is being extended to accommodate the proposed use. In addition to the testimony and evidence offered during the hearing, a rather lengthy comment from received from the Office of Planning.

As to the Petition for Special Exception, the Office of Planning opines that the subject property is ". . . an appropriate use at this location." I agree. In my judgment, the Petition for Special Exception should be granted for this use. I believe that the proposed use will not be detrimental to the health, safety or general welfare of the locale and, otherwise, complies with the standards set forth in Section 502.1 of the BCZR for special exception relief. The property is of an appropriate size to handle the proposed use. Moreover, the use appears to be compatible with the neighborhood. However, the center will be restricted to 42 chil-

ORIGINAL FILED FOR PLANNING
DATE 11/17/97
BY M. Waddy

dren maximum. This number is in compliance with the bulk standards for group child care centers in D.R. zones, pursuant to Section 424.7.

As to the variances, they will also be granted. However, relief will be conditioned to ensure that there is no adverse impact on the surrounding properties. A 15 ft. vegetative buffer is requested for the side property line, which bounds the subject property to the Trinity Geriatric Nursing Home. This 15 ft. buffer is sufficient, in view of the location of the existing improvements on the site and the adjacent nursing home use.

As to the 10 ft. proposed vegetative buffer in the rear yard, same also appears to be appropriate. In this regard, the building to be used for the child care use is setback 133 ft. from the rear property line, a distance which appears sufficient so that the impacts of the proposed use will not be felt on that adjacent property owner.

As to the 5 ft. vegetative buffer on the other side yard, same is warranted due to the location of the existing driveway and the 237 ft. distance between that property line and the Klaus dwelling. Thus, these reduced setbacks for the side and rear yards to the vegetative buffer requirements shall be approved.

Side yard setback relief is also requested to allow a setback of 45 ft. for a building, in lieu of the required 50 ft. This is an existing condition and not the result of any proposed construction or improvements. The deficient setback is from the side of the house to the Klaus property line. Again, it is to be noted that the Klaus dwelling sits 237 ft. from this property line. For this reason, this variance shall be granted.

The final variance requested relates to the proposed fencing, which will surround the perimeter of the play area. The play area occupies the side and rear yards immediately next to the existing building. Ms. Richardson testified that she proposed a chain link fence to increase visibility

ORDERED FOR FILING
11/7/97
Date
By: M. Hark

from the house so that better security can be maintained over the children. She indicated that the perimeter of the playground was entirely within the confines of the lot; that is, the chain link fence will not be located on any property line but within the confines of the property. She believes that the need to be able to keep visual contact with the children from inside the structure is more of an appropriate concern than the need for privacy, which would be accomplished by the solid wood or stockade panel. I agree. Thus, the variance to allow the chain link fence shall be approved.

Notwithstanding the grant of these variances, however, the following restrictions shall be imposed. First, it is to be noted that a new housing development is under construction within an adjacent property, along a proposed road known as Haystack Drive. As shown on the site plan, there will be single family dwellings with their back yards adjacent to the front yard of the proposed day care facility. In order to protect the privacy of these neighbors, I shall require a sufficiently dense landscape screen along the front portion of the subject property. In this regard, the Petitioner shall be required to submit a plan to the County's Landscape Architect, Avery Harden, for review and approval. Mr. Harden shall not be obligated to strictly adhere to the requirements of the Landscape Manual but shall substitute his judgment to ensure that a sufficient amount of landscaping shall be installed to screen the houses in this new development from the proposed use. Second, attention should be given to the side property line abutting the Klaus property. Although variances are granted from the vegetative buffer and setback requirements, there should be additional screening within that area to buffer the proposed use from not only the Klaus residence but the houses further down Haystack Drive towards Rolling Road.

ORIGINAL FILED FOR FILING
DATE 11/17/97
BY M. G. GORDON

Lastly, a restriction shall be added to permit Messrs. Klaus to access, at their expense, the proposed new sewer line, if they desire to do so. In this regard, the plan shows the new line to be constructed in the bed of the existing driveway. To the extent that the Petitioner's permission would be required to allow a connection to the Klaus property, same shall be considered given as a condition precedent to the grant of the relief herein.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 7th day of November 1997 that, pursuant to the Petition for Special Exception, approval for a Class B Group Child Care Center on the subject site pursuant to Section 1B01.1.B.1.g.10a. of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Sections 424.1.B and 424.7B of the BCZR to allow a 5 ft. chain link fence in lieu of the solid wood

11/7/97
M. York
CONFIDENTIAL

stockade or panel fence and to allow a 45 ft. side yard setback, in lieu of the required 50 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to allow a 5 ft. vegetative buffer on the side yard, and a 15 ft. vegetative buffer on the opposite side yard, and a 10 ft. vegetative buffer in the rear yard, all in lieu of the required 20 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall be required to submit a plan to the County's Landscape Architect, Avery Harden, for review and approval, consistent with the comments hereinabove.

3. The Petitioner shall submit an amended plan to the Development Plans Review Division (Robert Bowling) to ensure that adequate means of vehicular access is provided for pull off areas, as provided hereinabove.

4. The adjacent property owners shall be allowed to access, at their expense, the proposed new sewer line, if they desire to do so, consistent with the comments hereinabove.

5. The child care center shall be limited to a maximum enrollment of 42 children.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER OF THE ZONING COMMISSION
DATE 11/17/99
BY M. G. G. G.

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning

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

November 6, 1997

Ms. Evangeline Richardson
4131 Mary Ridge Drive
Randallstown, Maryland 21133

RE: Petitions for Special Exception and Variance
Case No. 98-78-XA
Location of Property: 2914 N. Rolling Road

Dear Ms. Richardson:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Variance have been granted, with restrictions, 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,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Messrs. John W. Klaus and Thomas E. Klaus
2912 N. Rolling Road
Baltimore, Md. 21228





Petition for Special Exception

98-78-XA

to the Zoning Commissioner of Baltimore County

for the property located at

2914 N. Rolling Rd

which is presently zoned

DRS-5

This Petition shall be filed with the Department of Permits & 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

SPECIAL EXCEPTION TO ALLOW A CLASS "B" GROUP CHILD CARE CENTER. (SECTION 1B 01.1 B.1.9 10a)

Property is to be posted and advertised as prescribed by Zoning Regulations.

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

EVANGELINE RICHARDSON

(Type or Print Name)

Evangeline Richardson

Signature

(Type or Print Name)

Signature

4131 Mary Ridge DR 410 922-0402

Address

Phone No

LAND, Md 21133

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Evangeline Richardson

Name

4131 Mary Ridge DR 410 922-0402

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JRF

DATE

8/25/97



Revised 9/5/95

#78



Petition for Variance

98-78-XA

to the Zoning Commissioner of Baltimore County

for the property located at 2914 N. ROLLING Rd.

which is presently zoned DR5.5

This Petition shall be filed with the Department of Permits & 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 & 424.7 B; TO ALLOW 5 FT. CHAIN LINK FENCE, IN LIEU OF SOLID WOOD STOCKADE OR PANEL, & TO ALLOW A 45' SIDE YARD SETBACK IN LIEU OF THE REQUIRED 50'. TO ALLOW A 5' VEGETATIVE BUFFER ON RIGHT SIDE YARD, 15' VEGETATIVE BUFFER LEFT SIDE YARD, AND A 10' VEGETATIVE BUFFER REAR YARD IN LIEU OF THE REQUIRED 20', RESPECTIVELY

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

FENCE - THE CHAIN LINK ALLOWS VISUAL SECURITY OF PROPERTY AND CHILDREN. PROPERTY SITUATED FAR FROM MAIN ROAD AND IS SURROUNDED BY EXISTING TREES AND WOODS. WHICH FURTHER ADDS TO THE SECULSION OF THE PROPOSED CENTER. SAFETY OF CHILDREN & PERSONNEL IS PARAMOUNT. VEGETATIVE BUFFER IS ALREADY EXISTING, PROVIDING PRIVACY AND PROTECTION FROM NOISE FOR ALL SURROUNDING PROPERTY OWNERS. ADDITIONAL PLANTINGS WOULD DECREASE REQUIRED PARKING SPACE. 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:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

EVANGELINE RICHARDSON

(Type or Print Name)

Evangeline Richardson

Signature

(Type or Print Name)

Signature

4131 MARY RIDGE DR 410922-0402

Address

Phone No.

RAND., Md. 21133

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Evangeline Richardson

Name

4131 Mary Ridge Dr 410922-0402

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JRF

DATE 8/25/97



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

#78

DESCRIPTION

Typical metes and bounds: S. 57° 41' E. 305.21 ft., N. 32° 16' E. 256.6 ft., N. 57° 44' W. 307.3 ft., S. 31° 45' W. 256.6 ft. the place of beginning as recorded Deed Liber G.L.B. No. 2139, Folio 143.

98-78-XA

SURVEYOR'S CERTIFICATE:

1. This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing.
2. This plat is NOT to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plat does NOT provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
4. This is to certify that we have surveyed this property for the purpose of locating the improvements and that they are located as shown hereon within the tolerances specified below. This survey did NOT include the marking of property corners with permanent markers.
5. This plat is for title purposes only. No title report is being furnished.
6. FLOOD DESIGNATION BY FEDERAL FLOOD INSURANCE RATE MAP PANEL 460 OF 515

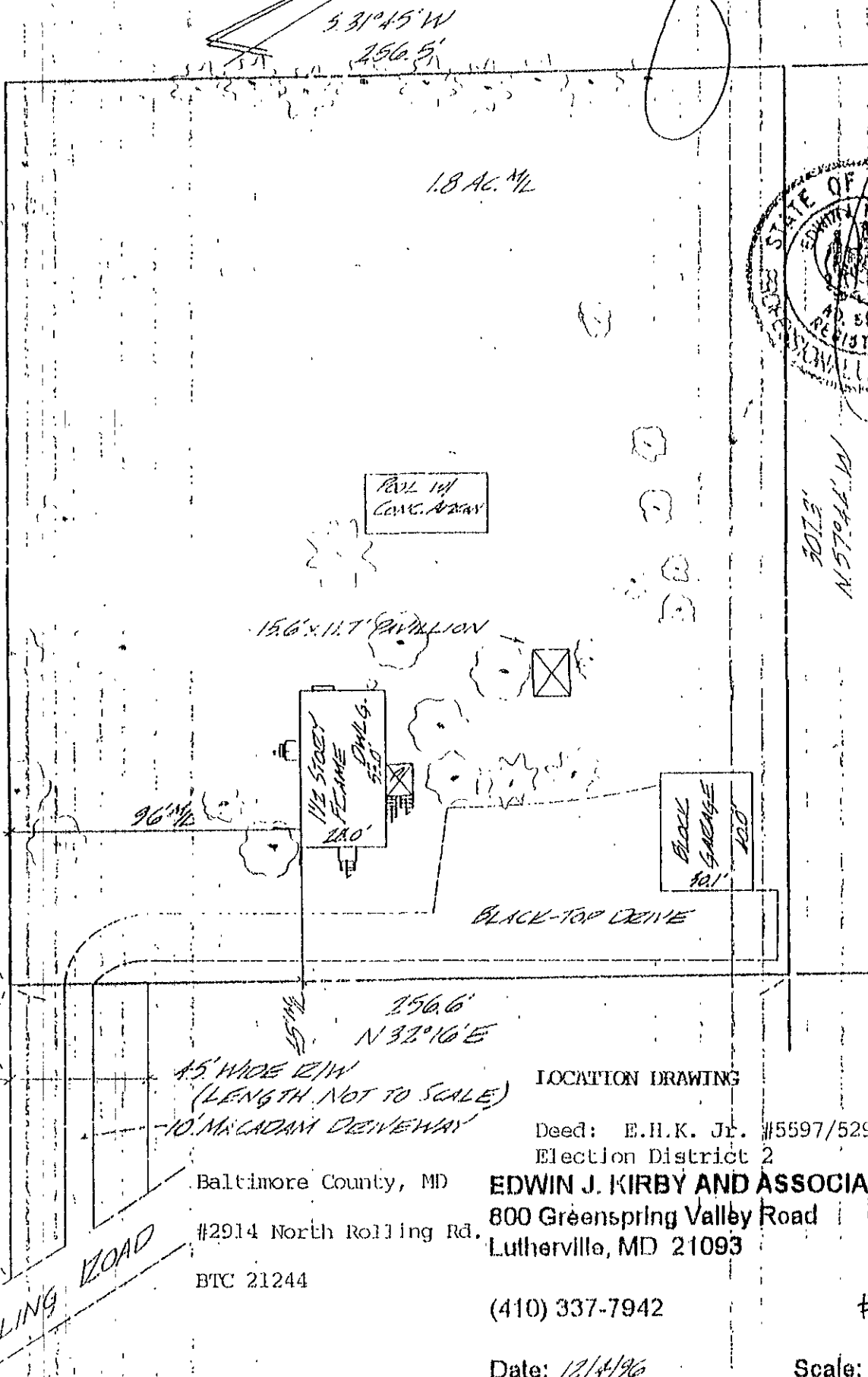
COMMUNITY PANEL NUMBER 240010-03608, DATED 3/2/81, IS ZONED C

TOLERANCES:

Structure dimensions have been shown to +/- 0.1 feet.

Setback distances have been shown to +/- 1.0 feet.

EDWIN J. KIRBY PROJ. L.S. Reg. No. 5481



LOCATION DRAWING

Deed: E.H.K. Jr. #5597/529
Election District 2

EDWIN J. KIRBY AND ASSOCIATES
800 Greenspring Valley Road
Lutherville, MD 21093

(410) 337-7942

Date: 12/4/96

Scale: 1"=50'

#78

NOTICE OF HEARING

The Zoning Commission 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: 10-0000
2nd Election District

WCS: 10-0000, 747' from
on Highway 102, along private road

2nd Election District
1st Councilmanic

Legal Owner(s):

Evangeline Richardson

Special Exception: to allow a

Class "B" group child center.

Variance: to allow 5 foot chain

link fence in lieu of solid wood

stockade or panel; to allow a

45' foot side yard setback in

lieu of the required 50 feet;

and to allow a 5 foot vegetative

buffer on right side yard, 15

foot vegetative buffer left side

yard, and a 10 foot vegetative

buffer rear yard in lieu of the

required 20 feet, respectively

Hearing: Tuesday, October

7, 1997 at 9:00 a.m., Room

407 Courts Bldg., 401 Bosley

Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Call (410) 887-3353.

(2) For information concern-

ing the file and/or hearing,

Please Call (410) 887-3391.

9/25/96 Sept. 18 C174560

CERTIFICATE OF PUBLICATION

TOWSON, MD., Sept. 18, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 18, 19 97.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

043335

DATE 8-25-97

ACCOUNT F-001-C15-000

AMOUNT \$ 550.00

RECEIVED FROM: RICHARDSON

020 - Variance

Item # 78

050 - Special Exception Taken by: JRE

FOR:

2014 N. RELLING RD

RECEIPT BY: WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROD:SS ACTUAL

8/26/1997 8/25/1997

REG:W501 CASHIER CLIM CML

MISCELLANEOUS CASH RECEIPT

Receipt # 019792

CR NO. 043335

550.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-78-XA

Petitioner/Developer: Evangeline Richardson

Date of Hearing/Closing: October 7, 1997

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 2914 N. Rolling Road
Baltimore, MD 21228

The sign(s) were posted on September 22, 1997
(Month, Day, Year)

Sincerely,

Glen Burdette 9-22-97

(Signature of Sign Poster and Date)

Glen Burdette

(Printed Name)

SHANNON-BAUM SIGNS INC.
105 COMPETITIVE GOALS DR.
ELDERSBURG, MD. 21784

(Address)

(City, State, Zip Code)

410-781-4000

(Telephone Number)





Informational/Pre-Concept Plan Conference

Project Name	2914 N. Rolling Rd	DATE	3-4-97
Owner	IC1	FEES:	
Developer	Van Richardson - 922-0402	Concept Plan	
# of Units (Residential)	1.78	Development Plan	
		PWA	
		Title	
		Forest Buffer	

For discussion of the following items, please see the Department of Public Works, Room 307, County Office Building.

Scope of obligations for improvements under Section 26-236 BCC	
☒ Streets and necessary Rights of Way	☒ Sewer Lines
☒ Drains, Bridges, and Culverts	☒ Water Lines
☒ Curb and Gutter	☐ Open Space
☐ Sidewalks/Paths	☒ Landscape Plan
☐ Traffic Control Devices	☐ Street Lights

To obtain information on the following items, please see the indicated location:

☐ Master Plan Intent and/or conflicts (Highways)	Room #	Room Ext
☐ Basic Services Map	Room #	Room Ext
☐ Tidal and/or Riverine Flooding, Water Courses	Room #	Room Ext
☐ Proximity to water and sewer (incl. sewer & water plan)	Room #	Room Ext
☐ State and/or Federal permits may be required		

Room Ext 36' wide
CRB & Gutter not extensive to Property Line

For discussion of the following items, please see the Office of PDM Counter, Room 109, County Office Building or call 887-3391 for an appointment.

DRS.5 Zoning Classification	Sec 424.7 Bulk & Parking Requirements	SPX and showwalkers Anticipated Hearing Requests	Also must show conflict with 424.1.1.A.B
must meet or variance RTA requirements	show this to sewer Tax Account numbers	List all Prior Hearings with Case numbers	
1B01.1.B (all)		Commercial Checklist for Change Occupancy	

For discussion of the following items, please see the Office of Planning, Room 406, County Courts Building.

☐ Master Plan Intent and/or conflicts	☐ Capital Improvement Program	☐ Building elevation drawings
☐ Community Issues	☐ Park sites	☐ Sign elevation drawings
☐ Planning Board Referral	☐ Local master plans	☐ RC 4 Requirements
☐ Conceptual Landscape Plan (site layout)	☐ Areas of Study	☐ Compatibility required
☐ Historical and/or Archeological sites	☐ Microwave Path (bldgs > 60')	☐ Agricultural sites
☐ Open Space System (Rec & Parks)		☐ Greenways
☐ Anticipated Waiver requests (under Section 26-172)		☐ Scenic Route/View
☐ Vehicular and Pedestrian circulation (internal and external)		☐ Design Review
☐ Orientation of existing & proposed buildings both on-site and within 200 feet of the site		

EXISTING Building NO New Development SPX and Variance

For discussion of the following items, please see the Department of Environmental Protection and Resource Management, Room 416, County Courts Building.

887-3480	Storm Water Management, Water Quality	(887-3788) ① THE EXISTING WELL MUST BE BACKFILL BY A WELL DRILLER
Call 887-3745 FOR INFO.	Chesapeake Bay Critical Area	(887-3980) ② THE FACILITY MUST BE CONNECTED TO PUBLIC SEWER
	Wetlands, Streams, and Stream Buffers	(887-3980) PUMP & REMOVE OR BACKFILL THE EXISTING SEPTIC SYSTEM
	Forest Conservation	(887-2904) ③ VERIFY NO STREAMS OR WETLANDS
	Agricultural Preservation, Conservancy Areas	(887-3980) ④ MUST OBTAIN A FOODSERVICE FACILITY PER
	Hydrogeological Study, Environmental Effects Report	(887-2762) ⑤ NEED DAYCARE LICENSE
	Wells & Septic Systems	

⑥ TEST OR REMOVE THE UNDERGROUND OIL TANK

Next step is to submit two (2) check prints of both the site constraints & the site proposal plans or combined plan and this checklist to Room 123, County Office Building.

Applicant's Signature	<i>Caroline Richardson</i>	PDM Representative	<i>Donald T. Reese</i>
PO Representative	<i>Steven McDaniel</i>	DPW Representative	<i>Kristen T. Reese</i>
DEPRM Representative	<i>P. Bruce Feely</i>	Zoning Representative	<i>Kate Milton</i>

Environmental Protection & Resource Mgmt
County Courts Bldg
Rm 416

County Ofc Bldg
211 W Chesapeake Ave.
Rm 111



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.: 78

Petitioner: EVANGELINE RICHARDSON

Location: 2914 N. ROLLING Rd. 21228

PLEASE FORWARD ADVERTISING BILL TO:

NAME: EVANGELINE RICHARDSON

ADDRESS: ~~4131~~ 4131 MARY RIDGE DR
RAND. Md. 21202

PHONE NUMBER: 410-922-0402

AJ:ggg

(Revised 09/24/96)

Request for Zoning Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-78-XA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: SPECIAL EXCEPTION - To allow a Class B "group
child care center. VARIANCE - To allow 5' chain link fence in
lieu of solid wood stockade or panel; To allow a 45' side yard setback
in lieu of the required 50'; To allow a 5' vegetative buffer on right
side yard, 15' vegetative buffer on left side yard, and a
10' vegetative buffer on rear yard in lieu of the required 20'
respectively.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

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

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
September 18, 1997 Issue - Jeffersonian

Please forward billing to:

Evangeline Richardson
4131 Mary Ridge Drive
Randallstown, MD 21202
410-922-0402

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: 98-78-XA
2914 N. Rolling Road
W/S Rolling Road, 747' from c/l Rolling Road, along private road
2nd Election District - 1st Councilmanic
Legal Owner(s): Evangeline Richardson

Special Exception to allow a Class "B" group child center.
Variance to allow 5 foot chain link fence in lieu of solid wood stockade or panel; to allow a 45 foot side yard setback in lieu of the required 50 feet; and to allow a 5 foot vegetative buffer on right side yard, 15 foot vegetative buffer left side yard, and a 10 foot vegetative buffer rear yard in lieu of the required 20 feet, respectively.

HEARING: TUESDAY, OCTOBER 7, 1997 at 9:00 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

September 12, 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: 98-78-XA
2914 N. Rolling Road
W/S Rolling Road, 747' from c/l Rolling Road, along private road
2nd Election District - 1st Councilmanic
Legal Owner(s): Evangeline Richardson

Special Exception to allow a Class "B" group child center.

Variance to allow 5 foot chain link fence in lieu of solid wood stockade or panel; to allow a 45 foot side yard setback in lieu of the required 50 feet; and to allow a 5 foot vegetative buffer on right side yard, 15 foot vegetative buffer left side yard, and a 10 foot vegetative buffer rear yard in lieu of the required 20 feet, respectively.

HEARING: TUESDAY, OCTOBER 7, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Evangeline Richardson

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 22, 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.





Baltimore County
Department of Permits and
Development Management

copy

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

September 17, 1997

NOTICE OF CHANGE IN HEARING TIME AND/OR LOCATION

BE ADVISED THAT THE BELOW-NOTED CASE WILL TAKE PLACE
ON THE SAME DATE AS PREVIOUSLY NOTIFIED, HOWEVER THE
TIME AND/OR THE LOCATION OF THE HEARING HAS BEEN
CHANGED AS INDICATED BY UNDERSCORING.

CASE NUMBER: 98-78-XA
2914 N. Rolling Road
W/S Rolling Road, 747' from c/l Roling Roland, along private road
2nd Election District - 1st Councilmanic
Legal Owner(s): Evangeline Richardson

Special Exception to allow a Class "B" group child center.
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to allow a 45 foot side yard setback in lieu of the required 50 feet; and to allow a
5 foot vegetative buffer on right side yard, 15 foot vegetative buffer left side
yard, and a 10 foot vegetative buffer rear yard in lieu of the required 20 feet,
respectively.

HEARING: TUESDAY, OCTOBER 7, 1997 at 10:00 a.m., Room 407 Courts Building, 401
Bosley Avenue.

If you have any questions, please free to contact Gwen Stephens at 410-887-3391.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Evangeline Richardson

AJ:ggs





Baltimore County
Department of Permits and
Development Management

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

October 2, 1997

Ms. Evangeline Richardson
4131 Mary Ridge Drive
Rand, MD 21133

RE: Item No.: 78
Case No.: 97-78-XA
Petitioner: Evangeline Richardson

Dear Ms. Richardson:

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 August 25, 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: September 19, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for September 22, 1997
 Item No. 078

 The Bureau of Developer's Plans Review has reviewed the subject zoning item. The Developer shall dedicate the widening for the future Fairbrook Road along the west property line.

 Does the Developer have permission to use the private right-of-way as access for a Class "B" group child care center?

RWB:HJO:jrb

cc: File

ZONE922.078

10/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 30, 1997

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

SUBJECT: 2914 N Rolling Road

Item Number: 78

Petitioner: Richardson Property

Zoning: DR 5.5

SUMMARY OF RECOMMENDATIONS

This site is located within a Community Conservation area, as designated by the Baltimore County Master Plan 1989-2000. The property adjoins older single family homes to the east and north, a new single family development, Claybrooke II, which is under construction to the south and a nursing home to the west.

The petitioner has requested a Special Exception for a Class B Child Care Center on a 1.8 acre, DR 5.5 zoned lot. Variances have been requested from the vegetative buffer requirement of Section 424.1B and 424.7B of the BCZR. It should also be noted that as per Section 1B01.1B1.g. (10a) of the BCZR, the Zoning Commissioner should determine during the Special Exception hearing that proposed improvements are planned in such a way that compliance with bulk standards of Section 424.7 will be maintained and that the Special Exception can otherwise be expected to be compatible with the character of the surrounding neighborhood.

From a land use point of view, the Class B Child Care Center is an appropriate use at this location. The maximum capacity should be stated on the plan; lot area requirements should be shown in the general notes. However, the proposed parking lot in the front yard is intrusive for both the neighboring Klaus dwelling and the future dwellings on Haystack drive, which will abut the property. This 40' x 60' area should be removed and adequate parking and turnaround provided in the rear yard.

As for the Variances, an adequate buffer is needed along the perimeter of the property. A chain link fence is not an acceptable substitution for a stockade board-on-board wood fence.

Additionally, a 5' wide vegetative buffer is not adequate on the east side, a minimum of 10' wide buffer should be provided on both the east side and the south side along the Claybrooke edge. A landscape plan should be provided for review and approved by Avery Harden, County Landscape Architect, showing plant materials and fencing. While some vegetation is existing, it should be supplemented.

Another issue involves the existing pool. It may become an "attractive nuisance" and may be incompatible with the day care use. In that it could endanger the health, safety and welfare of the children, the plan should show adequate safety provisions for the pool.

Lastly, the property in question is served by a narrow 9-10' wide paved driveway within an existing 45' wide right of way, used in common with others. The plan shows widening to 12' of paving, this will be insufficient for 2 way traffic. A paved pull-off area is recommended.

Prepared by:

Jeffrey M. Low

Division Chief:

Gary L. Kerns

AFK/JL:lsn



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 9.16.97
Item No. 078 JRF

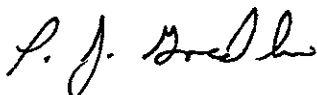
Dear Ms. Eubanks:

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,


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

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

TO: PDM

DATE:

9/15/97

FROM: R. Bruce Seeley.
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date:

Sep 15, 97

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

Item #'s:

78

81

82

85

RBS:sp

BRUCE2/DEPRM/TXTSBP



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

September 22, 1997

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

RE: Property Owner: EVANGELINE RICHARDSON

Location: DISTRIBUTION MEETING OF SEPTEMBER 15, 1997

Item No.: 078 Zoning Agenda:

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE *
2914 N. Rolling Road, W/S Rolling Road, * ZONING COMMISSIONER
747' from c/l Rolling Rd, along private road *
2nd Election District, 1st Councilmanic * OF BALTIMORE COUNTY

Evangeline Richardson * CASE NO. 98-78-XA
Petitioner *
* * * * *

ENTRY OF APPEARANCE

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

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of September, 1997, a
copy of the foregoing Entry of Appearance was mailed to Evangeline
Richardson, 4131 Mary Ridge Drive, Randallstown, MD 21133, Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

John W. Klaus
Thomas E. Klaus

2912 N. Rolling Road.
2912 N. Rolling Rd.



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Donna Waddy
EVANGELINE RICHARDSON
Paul Grunty

4215 Colonial Rd. Pikeville 21208
4131 Mary Ridge Dr 21133
4237 Naden Drive Balto. 21215



● 98-78-XA ●



PRIVATE ROAD FROM PROPERTY TO
ROLLING ROAD



ROAD ACCESSING RIGHT SIDE
AND BACK OF BLDG

98-78-XA



REAR YARD INGROUND POOL
6 FT CHAIN LINK FENCE
WILL SURROUND THIS



FRONT RIGHT YARD

#78

● 98-78-XA ●

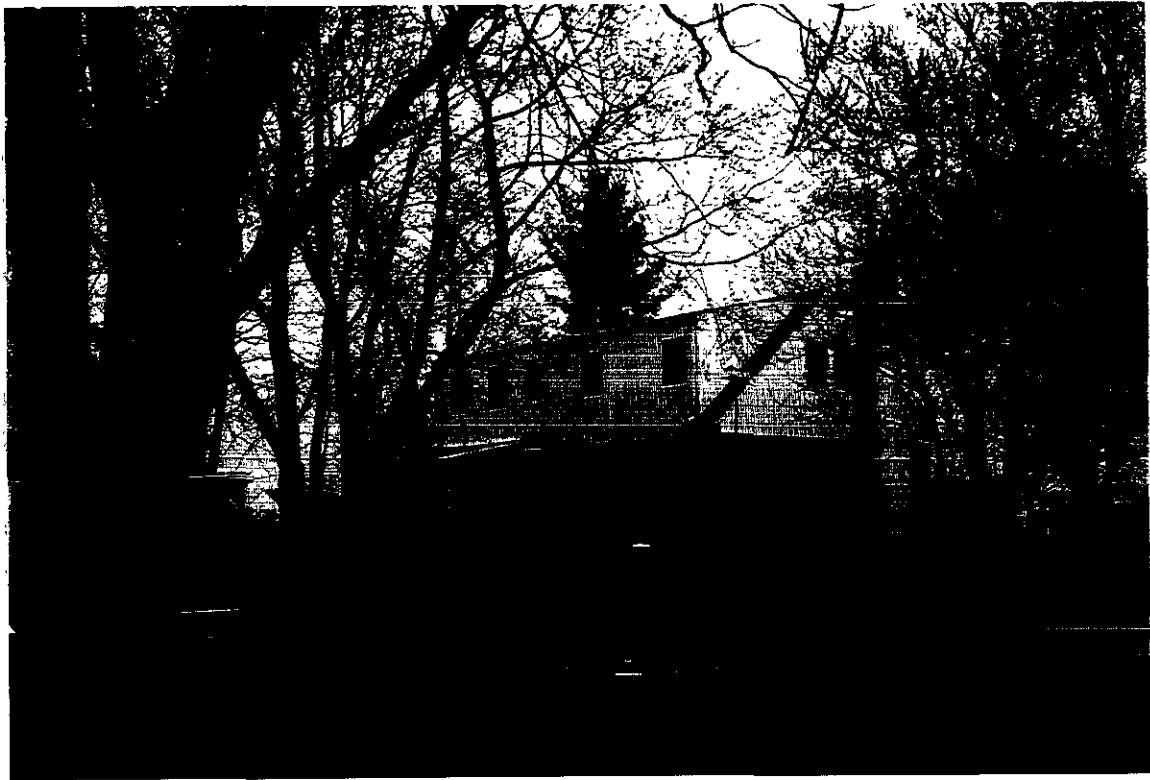


FRONT OF BUILDING



REAR OF BUILDING

98-78-XA

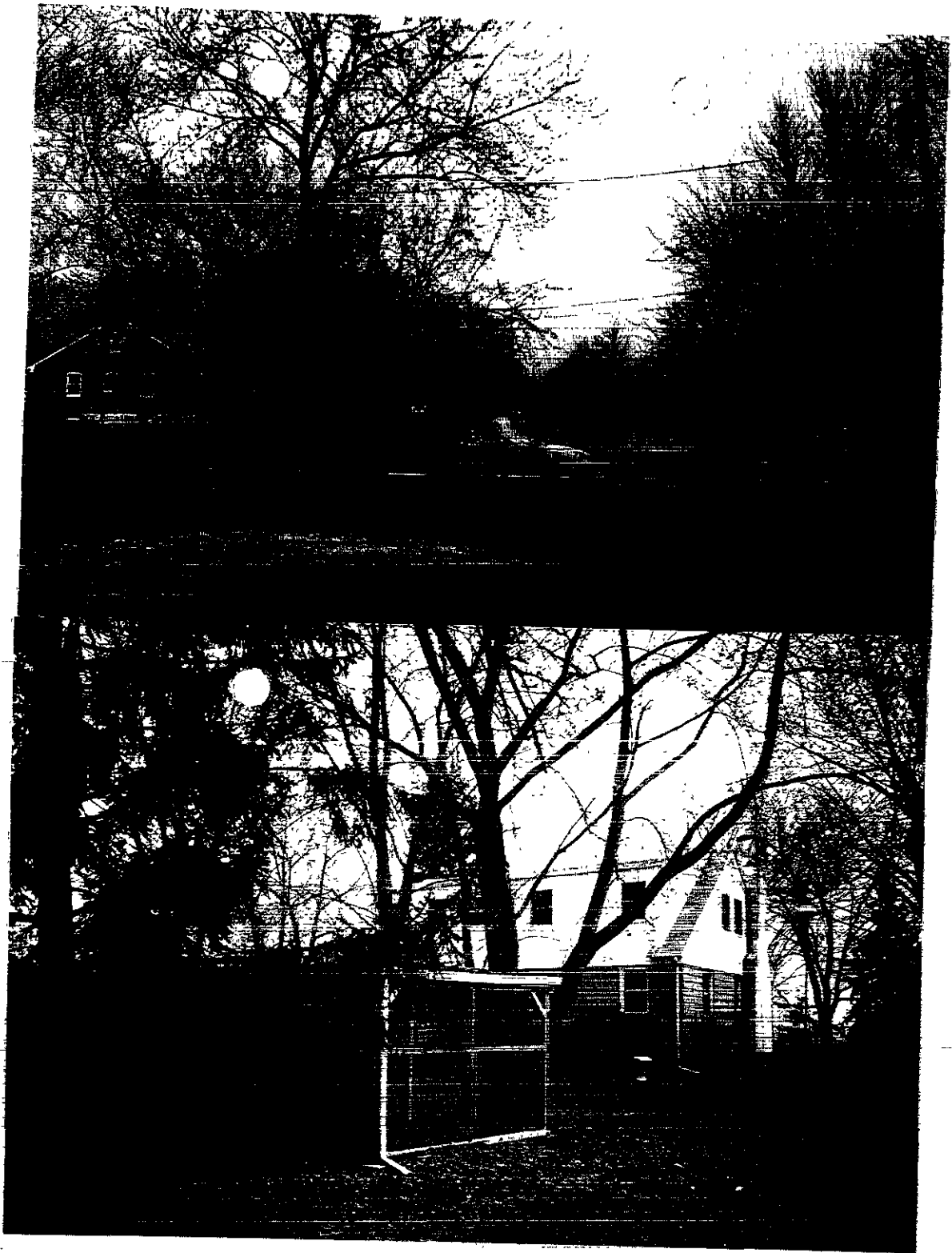


REAR AND ~~RIGHT~~ LEFT SIDE OF
BLDG



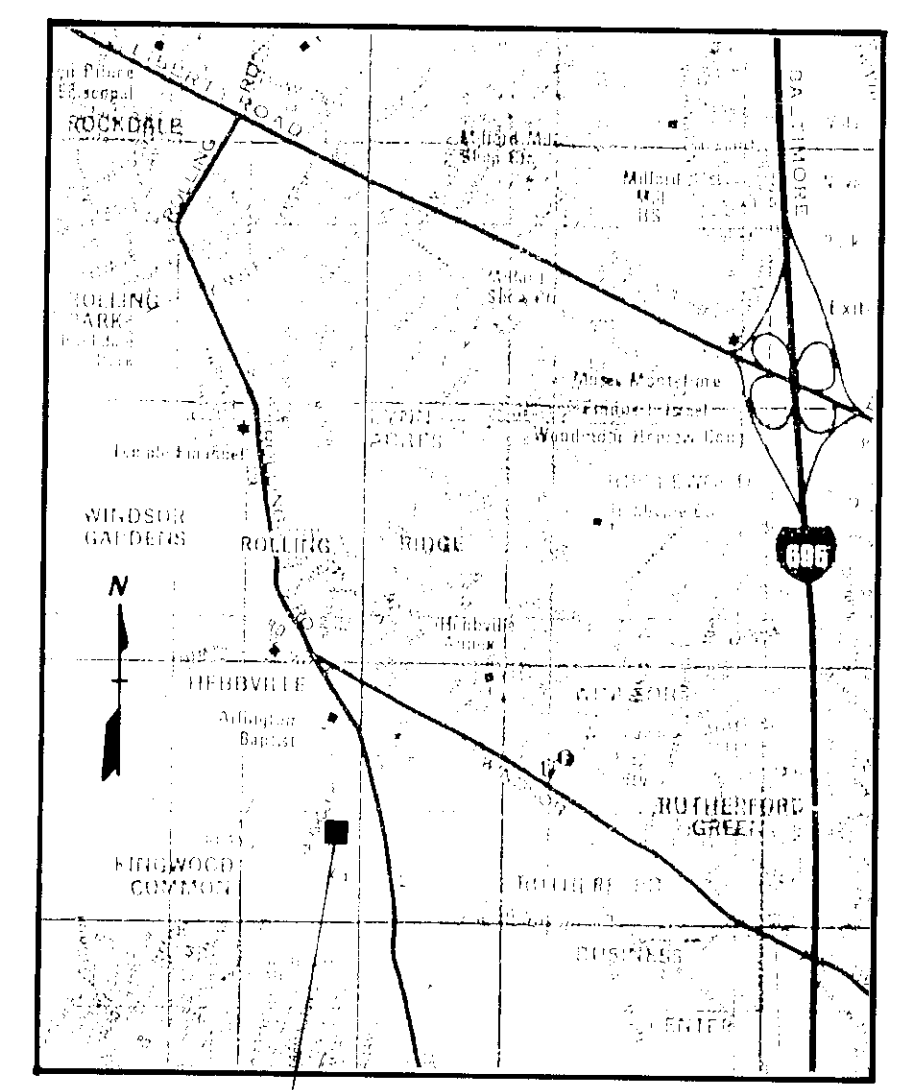
DETACHED GARAGE FRONT #78

78





REVISIONS			
NO.	DESCRIPTION	DATE	BY



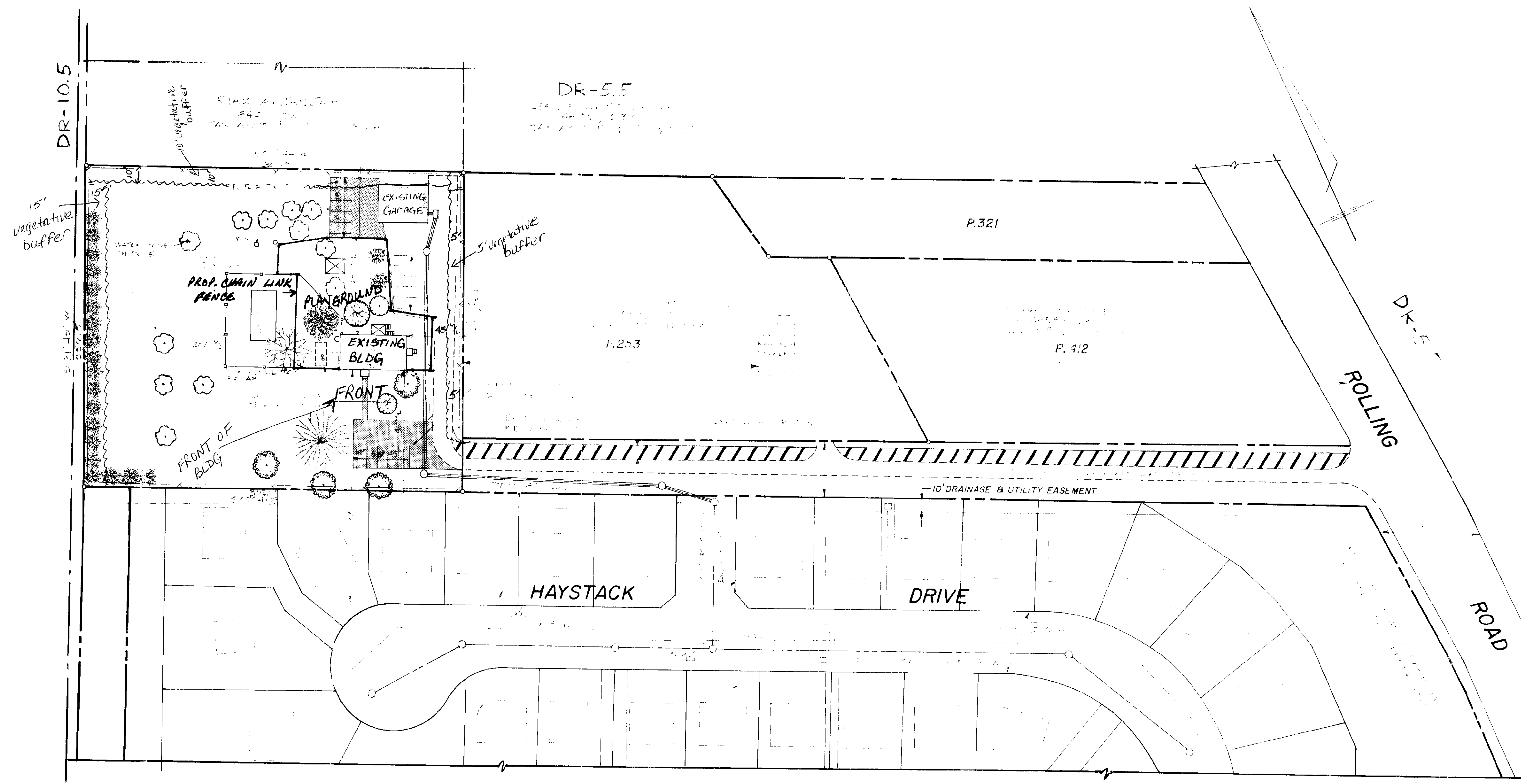
VICINITY MAP
Scale: 1" = 2000'

GENERAL NOTES

1. PROPERTY LOCATION:
Rolling Road between Wind or Mill Road to the north and Caves Lane to the south.
2. EXISTING STREET ADDRESS:
2914 North Rolling Road
Baltimore County, MD 21244
3. TAX MAP:
Community Parcel Number: 249010000000
Parcel Number: P. 352
4. DEED REFERENCES:
F.B.K. Inc. #5507-229
5. OWNERSHIP:
Evangeline Richardson
4131 Mary Ridge Drive
Randallstown, MD 21133
(410) 922-0402
6. CENSUS TRACT: 402401
7. ELECTION DISTRICT: 2
8. COUNCILMANIC DISTRICT: 1
9. ZONING: DR-5.5
10. AREA AND COVERAGE CRITERIA:
MAXIMUM LOT COVERAGE ALLOWED: N/A

Lot Area	Lot Coverage
Existing Lot	1.8 Ac.
Proposed Lot	2.84 Sq. Ft.
11. PARKING:
Child Care Center: 15 spaces
1 per employee on the largest shift with a minimum of 20

98-18-XA
75



TRINITY GERIATRICS
(NURSING HOME)
B936/112
TAX ACCT # 2190000173

DR-16



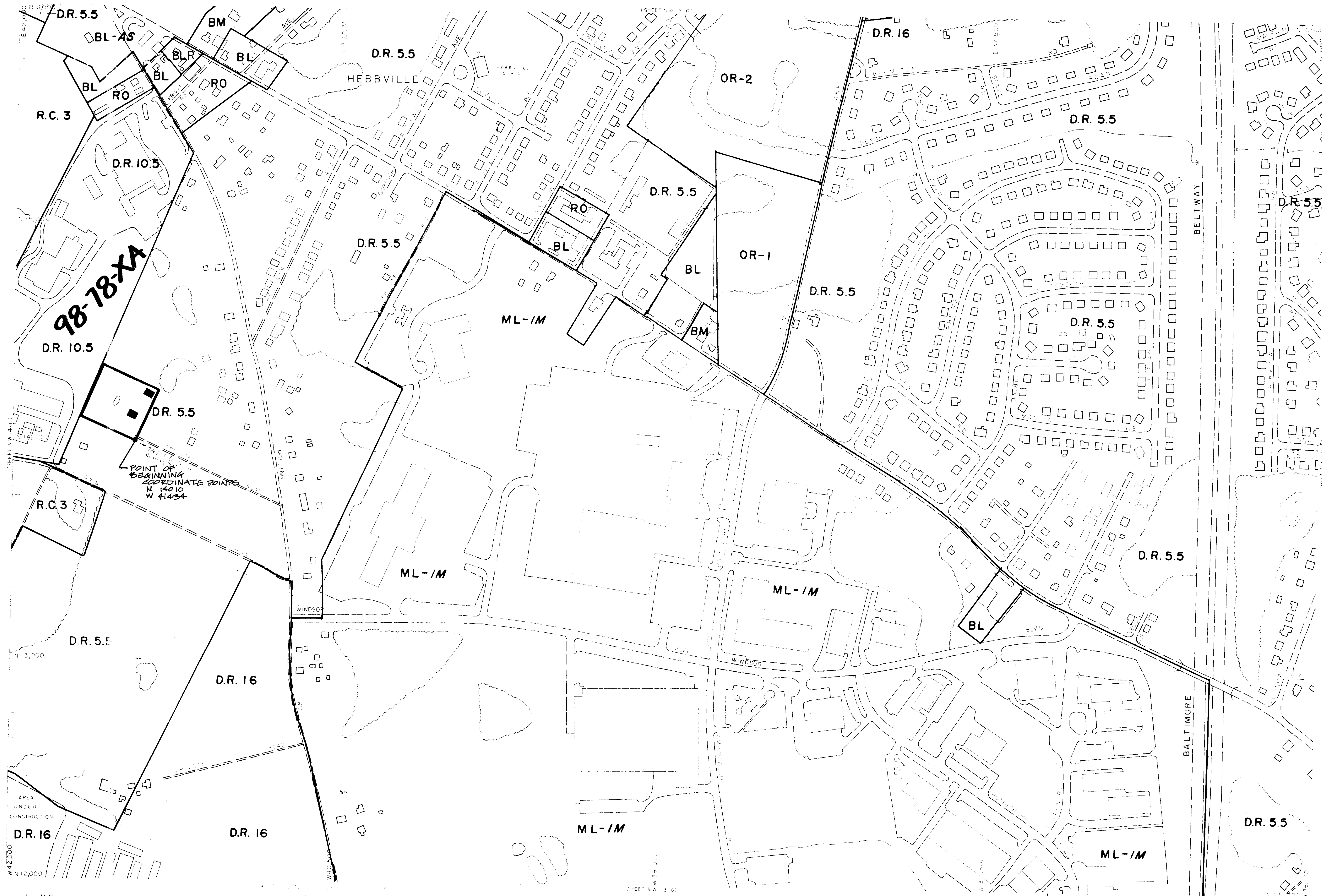
John J. Waide
Senior Architect

**THE BUILDING BLOCK ACADEMY
CHILD DEVELOPMENT CENTER
2914 N. ROLLING ROAD
SPECIAL EXCEPTION
CLASS "B" for a CHILD CARE CENTER**

SCALE: 1" = 50'

DATE: APRIL, 1997

SHEET OF



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
HEBBVILLE

SHEET
N. W
4-G