

IN RE: PETITION FOR SPECIAL HEARING
NW/Corner Oakleigh Road and
Wentworth Avenue
(7700 Oakleigh Road)
9th Election District
4th Councilmanic District

Allen K. Kelley and
A Caring Place, Inc. - Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-193-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Allen K. Kelley, President of A Caring Place, Inc., through his attorney, Francis X. Borgerding, Jr., Esquire. The Petitioner seeks approval that the gross lot area of the subject property meets the requirements of Section 432.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) for a Class "A" Assisted Living Facility. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Allen K. Kelley, property owner, his attorney, Francis X. Borgerding, Jr., Esquire, and Paula Warrenfeltz, a representative of the Northbrook Community Association. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 15,950 sq.ft., zoned D.R. 5.5, and is improved with a two-story dwelling and accessory parking area. Currently the property is utilized as an Assisted Living Facility for eight residents. The Petitioner is desirous of increasing the number of residents to ten and Mr. Kelley has verified that the square footage of the property (15,950 sq.ft.) would permit ten residents. However, Section 432.5 of the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date 2/11/98

By [Signature]

does not specify the required lot size as either gross or net square foot area. Thus, the Petitioner seeks approval that the gross area of his property is sufficient to allow 10 residents to reside thereon.

After reviewing Section 432.5 of the B.C.Z.R., and considering the arguments of Mr. Kelley and his attorney, I find that the gross area of the subject property should be utilized to calculate the number of residents who can reside thereon. The minimum lot size for a Class A Assisted Living Facility in the D.R. 5.5 zone is 10,000 sq.ft. for seven residents, and 1,500 sq.ft. for each additional resident. Inasmuch as the gross area of the subject property is 15,950 sq.ft., it appears that sufficient lot area exists for the Petitioner to increase the number of residents at his assisted living facility to ten.

As noted above, Ms. Paula Warrenfeltz, a representative of the Northbrook Community Association, appeared in support of the Petition. Ms. Warrenfeltz testified that the subject assisted living facility is well-run and that the property is neatly maintained. She noted that there is sufficient on-site parking and that there have never been any parking problems as a result of the use of the property. Ms. Warrenfeltz testified that the assisted living facility is a welcome addition to the Northbrook Community and that they have no objections to the Petitioner's request.

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

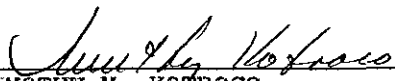
ORDER RECEIVED FOR FILING
Date 2/11/95
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of February, 1998 that the gross lot area of the subject property meets the requirements of Section 432.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) for a Class "A" Assisted Living Facility, in accordance with Petitioner's Exhibit 1, and as such, the Petition for Special Hearing is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 2/11/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

February 11, 1998

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NW/Corner Oakleigh Road and Wentworth Avenue
(7700 Oakleigh Road)
9th Election District - 4th Councilmanic District
Allen K. Kelley and A Caring Place, Inc. - Petitioners
Case No. 98-193-SPH

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Allen K. Kelley
5323 Sweet Air Road, Baldwin, Md. 21013

People's Counsel; Case Files





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7700 Oakleigh Rd., Parkville, MD 21234

which is presently zoned D.R. 5.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To approve gross lot area for lot size as required under Section 432.5
B.C.Z.R., for a Class "A" assisted living facility

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

I, or we, agree to pay expenses of above Special Hearing 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:

Francis X. Borgerding, Jr.
(Type or Print Name)

Signature

409 Washington Ave., Ste. 600
Address Phone No.

Towson, MD 21204 410-296-6820
City State Zipcode

Legal Owner(s):

Allen K. Kelley
(Type or Print Name)

Signature

A Caring Place, Inc.
(Type or Print Name)

By: Allen K. Kelley
Signature President

410-592-2711 (H)

5323 Sweet Air Rd. 410-780-6708 (W)
Address Phone No.

Baldwin MD 21013
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Allen K. Kelley
Name
5323 Sweet Air Rd.
Baldwin, MD 21013 410-592-2711
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED FOR FILING

Date

By

REVISED 12/19/97

DROP-OFF
NO REVIEW
WCR



98-193-SPH



93 KEEP THIS ORIGINAL FOR Z. FILE

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7700 Oakleigh Rd. 21234
which is presently zoned DR 5.5

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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To approve gross lot area for lot
size as required under section 432.5 BCZR,
For a class "A" Assisted Living Facility.

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

I, or we, agree to pay expenses of above Special Hearing 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):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

7700 Oakleigh Rd. W-410-780-6708

Address

Phone No

Parkville, Md. 21234

City

State

Zipcode

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

Same: Allen K Kelley

Name

5323 Stuart Air Rd.

Address

Baldwin, Md. 21013

410-592-2711

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

11/19/97

98-193-SPH

193

ZONING DESCRIPTION

ZONING DESCRIPTION FOR: 7700 Oakleigh Rd.
Parkville, Md. 21234.

Beginning at a point on the N.W. corner
of Oakleigh Rd. 40' R/W and
Wentworth Ave 40' R/W intersection.

Being lots 255-259 in the subdivision of
Hillendale Park, as recorded in Baltimore
County Plat book WBJ 12, Folio 12, containing
15,950 sq. ft gross.

Also known as 7700 Oakleigh Rd., Parkville, Md.
21234.

And located in the 9th election district and 4th
Councilmatic District.

98-193-SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 044527

DATE 12/19/97 ACCOUNT 001-6150

AMOUNT \$ 50.00 (WCR)

RECEIVED FROM: A Caring Place Inc

FOR: #100 - REVISIONS

Case #98-193-SPH

Revised Petition Forms - Ben

DROP-OFF -- NO REVIEW

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

12/22/1997 12/22/1997 09:39:49

REC 0501 CASHIER SLIM DAL HANDED

5 MISCELLANEOUS CASH RECEIPT

Receipt # 032132

CR NO. 044529

50.00 CASH

Baltimore County, Maryland

98-193-SPH

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046745

DATE 11/19/97 ACCOUNT 001-6150

AMOUNT \$ 50.00

RECEIVED FROM: KELLEY

FOR: REC SPH FILING

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

11/20/1997 11/19/1997 15:12:11

REC 0503 CASHIER UNIT U.P. DROMER

5 MISCELLANEOUS CASH RECEIPT

Receipt # 025136

CR NO. 046745

50.00 CASH

Baltimore County, Maryland

CASHIER'S VALIDATION

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: #98-193-SPH
7700 Oakleigh Road
NW, Oakleigh Road, and
Wentworth Avenue
9th Election District
4th Councilmanic District

Legal Owners:

Alan K. Kelley

Special Hearing, to approve gross lot area for lot size for Class "A" Assisted Living Facility.

Hearing: Monday, December 29, 1997 at 10:00 a.m.;
Room 407, County 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 concerning the File and/or Hearing, Please Call (410) 887-3391.

12/059 Dec. 11 C194669

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/11, 1997

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 12/11, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-22-, 1998

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 1-22-, 1998

THE JEFFERSONIAN,

A. Hemickson
LEGAL AD. - TOWSON

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: #98-193-SPH
7700 Oakleigh Road (21234)
NWC Oakleigh Road
and Wentworth Avenue
9th Election District
4th Councilmanic District
Legal Owner(s):

Allen K. Kelley &
A Canning Place, Inc

Special Hearing: to approve gross lot area for lot size for a Class "A" assisted living facility.

Hearing: Friday, February 6, 1998 at 9:00 a.m., in Room 407 County 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 concerning the File and/or Hearing, Please Call (410) 887-3391.

1/326 Jan.22 C201748

CERTIFICATE OF POSTING

RE: Case No. 98-193-SPH
Petitioner/Developer:
(Allen K. Kelley)
Date of Hearing/Closing:
(Feb 6, 1998)

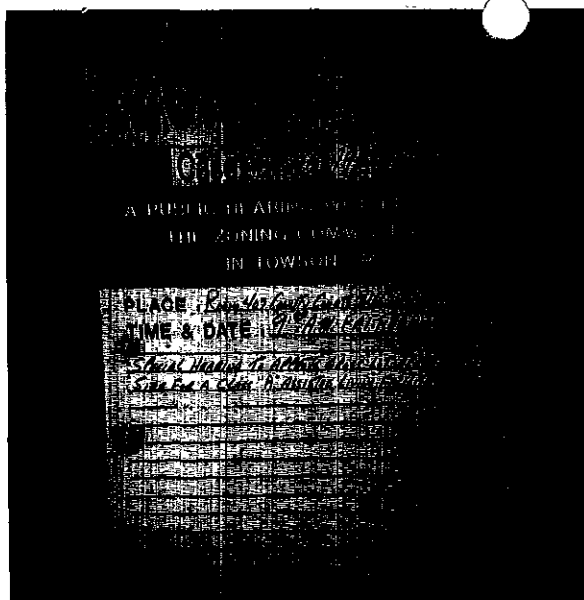
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

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 _____
7700 Oakleigh Road Baltimore, Maryland 21234 _____

The sign(s) were posted on _____ Jan 21, 1998 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr. 1/21/98
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

98-193-SPH

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.: 98-193-SPH

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

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL HEARING TO APPROVE THE GROSS LOT AREA
FOR THE LOT SIZE AS REQUIRED UNDER SECTION 432.5
BCZR, FOR A CLASS "A" SENIOR ASSISTED LIVING
FACILITIES.

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



Baltimore County
Department of Permits and
Development Management

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

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.: 193

Petitioner: Allen K Kelley

Location: 7700 Oakleigh Rd. 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Allen K Kelley

ADDRESS: 5323 Sweet Air Rd.
Baldwin, Md. 21013

PHONE NUMBER: 410-592-2711

AJ:ggg

(Revised 09/24/96)



Baltimore County
Department of Permits and
Development Management

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

November 26, 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: 98-193-SPH
7700 Oakleigh Road
NWC Oakleigh Road and Wentworth Avenue
9th Election District - 4th Councilmanic District
Legal Owner: Allen K. Kelley

Special Hearing to approve gross lot area for lot size for Class "A" Assisted Living Facility.

HEARING: Monday, December 29, 1997 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.

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

Arnold Jablon
Director

c: Allen K. Kelley

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 14, 1997.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
December 11, 1997 Issue - Jeffersonian

Please forward billing to:

Allen K. Kelley 410-592-2711
5323 Sweet Air Road
Baldwin MD 21013

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: 98-193-SPH
7700 Oakleigh Road
NWC Oakleigh Road and Wentworth Avenue
9th Election District - 4th Councilmanic District
Legal Owner: Allen K. Kelley

Special Hearing to approve gross lot area for lot size for Class "A" Assisted Living Facility.

HEARING: Monday, December 29, 1997 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Lawrence E. Schmidt

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 CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.

FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600

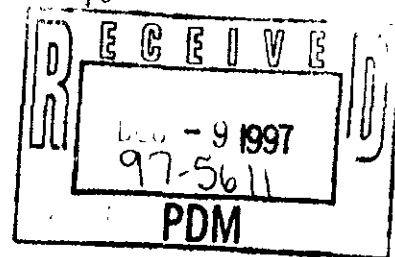
409 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

(410) 296-6820

FAX (410) 296-6884

Member of Maryland and
District of Columbia Bar



December 8, 1997

Arnold Jablon, Esquire
County Development Review and
Permit Department
Room 111, 111 Chesapeake Avenue
Towson, Maryland 21204

RE: Case No.: 98-193
Owner: Allen K. Kelley

Dear Mr. Jablon:

Please be advised that I represent A Caring Place, Inc. and Allen K. Kelley, Petitioners, in relation to the above-referenced Zoning Petition. It is my understanding that the above-referenced case has been set for December 29, 1997. The purpose of this correspondence is to request a postponement of the December 29, 1997 scheduled hearing date. The reason for this request for postponement is that I will be out of town visiting family for the holidays on December 29th.

I apologize for any inconvenience this request may cause. Thank you very much for your cooperation with regard to this matter.

Very truly yours,

FRANCIS X. BORGERDING, JR.

FXBJr:bjk

cc: Mr. Allen K. Kelley



Baltimore County
Department of Permits and
Development Management

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

December 10, 1997

Francis X. Borgerding, Jr.
Mercantile Building - Suite 600
409 Washington Avenue
Towson, MD 21204

RE: Case Number 98-193-SPH
Petitioner: Allen K. Kelley
Location: 7700 Oakleigh Road

Dear Mr. Borgerding:

The above matter, previously assigned to be heard on December 29, 1997 has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

AJ:scj

c: Allen K. Kelley



Soph

10:01

12/16/97

98-193-SPH

Frank Borgerding

410-296-6820

Owner is individual & corp.
Will submit new forms
with revision fee.

Do Not Reset until revised
forms are received.



Baltimore County
Department of Permits and
Development Management

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

January 6, 1998

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: 98-193-SPH
7700 Oakleigh Road (21234)
NWC Oakleigh Road and Wentworth Avenue
9th Election District - 4th Councilmanic District
Legal Owner: Allen K. Kelley & A Caring Place, Inc.

Special Hearing to approve gross lot area for lot size for a Class "A" assisted living facility.

HEARING: Friday, February 6, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401
Bosley Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: Allen K. Kelley
Francis Borgerding, Jr., Esquire

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 22, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
January 22, 1998 Issue - Jeffersonian

Please forward billing to:

Allen K. Kelley 410-592-2711
5323 Sweet Air Road
Baldwin MD 21013

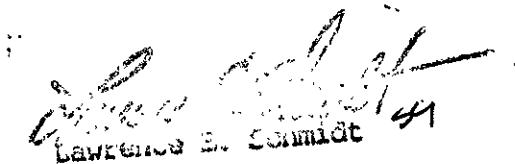
NOTICE OF HEARING

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: 98-193-SPH
7700 Oakleigh Road (21234)
NWC Oakleigh Road and Wentworth Avenue
9th Election District - 4th Councilmanic District
Legal Owner: Allen K. Kelley & A Caring Place, Inc.

Special Hearing to approve gross lot area for lot size for a Class "A" assisted living facility.

HEARING: Friday, February 6, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

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 CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

December 17, 1997

Mr. Allen K. Kelley
7700 Oakleigh Road
Parkville, MD 21234

RE: Item No.: 193
Case No.: 98-193-SPH
Petitioner: Allen Kelley

Dear Mr. Kelley:

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 November 19, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: December 8, 1997

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

SUBJECT: 7700 Oakleigh Road

INFORMATION

Item Number: 193

Petitioner: Allen K. Kelley

Zoning: DR 5.5

Requested Action: Special Hearing

Summary of Recommendations:

Staff does not oppose the applicant's request; however, it is recommended that the plan accompanying the request be modified to indicate the specific location of the required parking spaces.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kern

AFK/JL

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: December 5, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for December 8, 1997
 Item No. 193

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Wentworth Avenue is an existing road which shall ultimately be improved as a 30-foot street cross section on a 50-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE1208.193

Baltimore County Government
Fire Department



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

(410) 887-4500

December 10, 1997

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

RE: Property Owner: ~~Michael Zullo & Carole T. Zullo~~ *See Below*

Location: DISTRIBUTION MEETING OF December 1, 1997

Item No.: 191, 192, 193, and 199

Zoning Agenda:

Gentlemen:

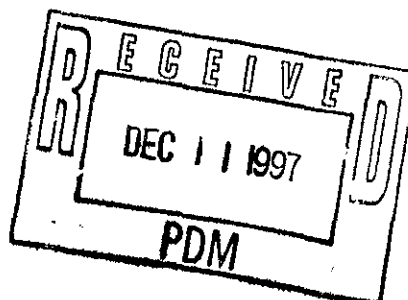
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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





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 11/28/97
Item No. 193 JLL

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: Dec 9, 1997

FROM: R. Bruce Seeley *RBS/90*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Dec 1, 1997

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

Item #'s:	191	198
	192	199
	193	200
	194	

RBS:sp

BRUCE2/DEPRM/TXTSBP

RE: PETITION FOR SPECIAL HEARING
7700 Oakleigh Road, NWC Oakleigh Rd
and Wentworth Avenue
9th Election District, 4th Councilmanic

Allen K. Kelley
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-193-SPH

* * * * *

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

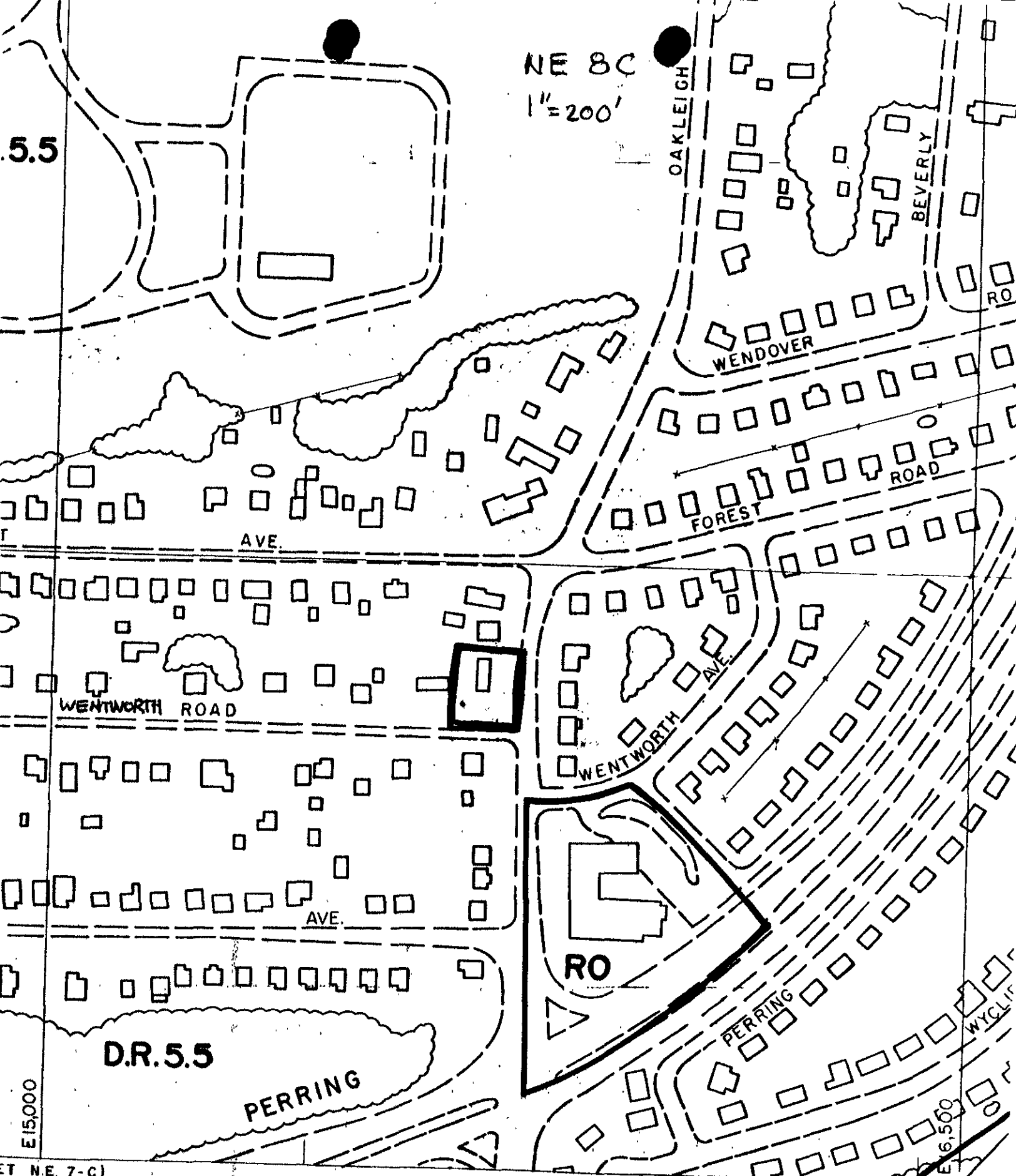
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of December, 1997, a copy of the foregoing Entry of Appearance was mailed to Allen K. Kelley, 5323 Sweet Air Road, Baldwin, MD 21013, Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



RE COUNTY
PLANNING AND ZONING

98-193-SP14

PROPERTY address: 7700 Oakleigh Rd, Parkville 21234.

Owner:
A Caring Place Inc.
T/A Oakleigh House

Site

Wentworth Ave

Wycliff Ave

Perrine

Wentworth Ave

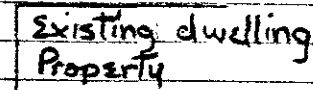
Parkway

N

98-193-SH

98-193-SH

Vicinity Map Scale 1"=100'



Joseph
Creager

Front:

28

Note:

LOCATION INFORMATION

Councilmatic District: 9th

Election District: 4th

1" = 200' Scale map # NE-8C

DR 5.5

Lot size 15,950 sq. ft. gross

sewer - public
water - public

Chesapeake Bay critical area

Prior Zoning Hearings: None

Zoning Office Use Only
reviewed by | Item# | Case#

JL 193

Scale = 1" = 20'

REVISED ZONING USE PERMIT PLAN FOR CLASS "A"

ASSISTED LIVING FACILITY SEE NOTE *

located at:

7700 Oakleigh Rd.
Baltimore County, Md.
21234
9th Election Dist.

Property owner:
Allen K Kelley
5323 Sweet Air Rd.
Baldwin, Md. 21013.

Phone: (410) 592-2711.

Plan date: 6/30/96.

Lot size:
11,250 sq. ft.

Zoning map:
Lot no. 204,
Plat book W.P.C.
No. 5 Folio 42.

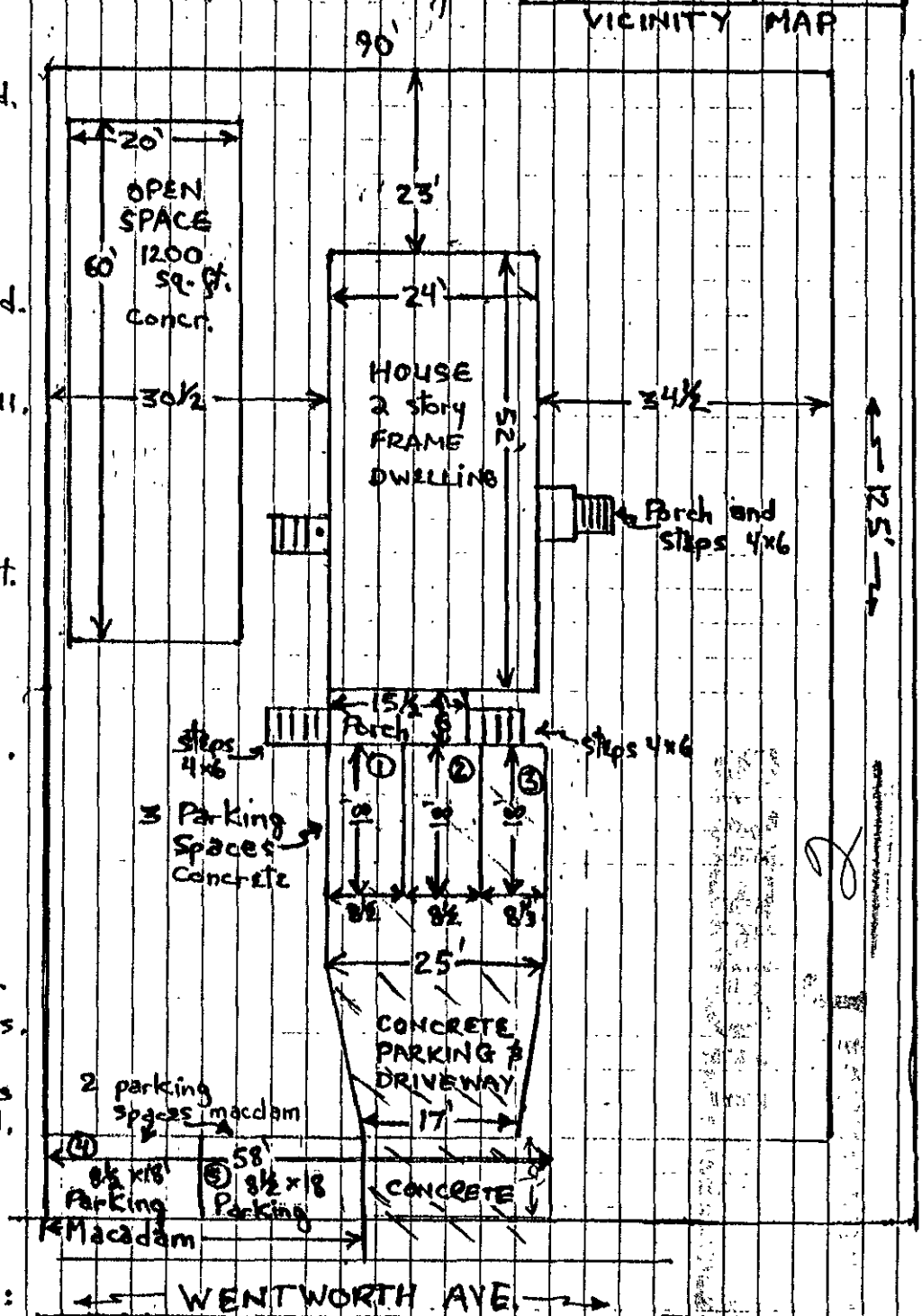
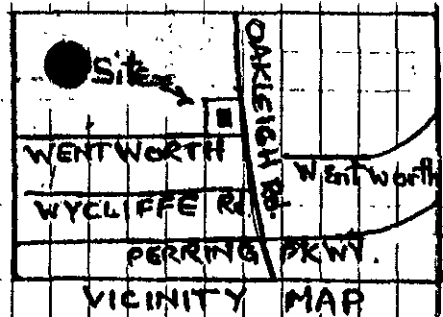
Parking:
Parking req'd.
for 8 A.L.F.
residents = 1
parking space per
3 residents = 3 p.s.
Provided: 5 p.s.
All parking spaces
existed to 2/25/94.
All P.S. will
be permanently
striped.

Existing Floor Area:
1st floor 1248 sq. ft.
2nd floor 1248 sq. ft.
basement 1248 sq. ft.
Total = 3744 sq. ft.

Density Calculations:
Lot size = 90' x 125'
Lot area = 11,250 sq. ft.
Zoning = D.R. S.5, requires 10,000 sq. ft.
for 7 residents.
Proposed no. of residents =
Gross area = 15,050 sq. ft.

This building has not been originally constructed to accommodate elderly housing or an assisted living facility. No reconstruction, relocation, (exterior) changes or additions (25% or more of ground floor area), to the exterior of the building (beyond the enclosure of a porch or the addition of an exterior stairway) have occurred within five years of the date of this application.

Scale = 1" = 20'-0"



Signs:

No signs are proposed
Any future signs comply w/ Sect. 413.1
BCZR and Zoning sign policies or will be
varianced.

NOTE * THE REASON FOR REVISION
IS TO ALLOW AN INCREASE OF 3
ALF RESIDENT FROM 7 TO 10

*The undersigned are
responsible for the accuracy
of the information on this plan.
- ALLEN K KELLEY - 6/30/96
- Allen K Kelley