

IN THE MATTER OF
THE APPLICATION OF
EVELYN SIMS -PETITIONER
FOR VARIANCES ON PROPERTY LOCATED
ON THE SOUTHEAST CORNER SOUTH LANE
AND PITTSBURGH AVE (ONE SOUTH LANE)
12TH ELECTION DISTRICT
7TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 98-235-A

* * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on appeal filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from the February 23, 1998 Order of the Zoning Commissioner in which the subject Petition for Variance was granted with restrictions.

The Board convened for hearing on April 8, 1999 as scheduled. Present at that hearing were Petitioner Evelyn Sims and her husband; Carole S. Demilio, Deputy People's Counsel; and interested citizens. Mrs. Sims was not represented by counsel. Petitioner indicated that she did not wish to proceed with the hearing at that time. After meeting with the Board and the Deputy People's Counsel, Petitioner, on the record, agreed to notify the Board by April 30, 1999, of her decision to either withdraw her Petition or proceed with the hearing in this matter.

WHEREAS the Board has received no further communication from Petitioner, either by telephone or in writing, to either dismiss her Petition or to schedule a hearing in this matter as of the date of this Order,

IT IS THEREFORE this 13th day of October, 1999, by the

County Board of Appeals of Baltimore County

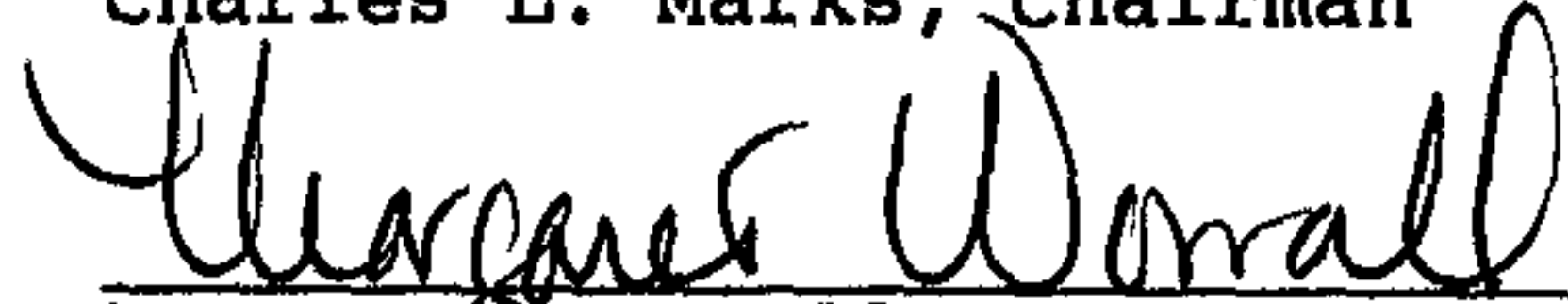
ORDERED that the Petition for Variance filed in Case No. 98-235-A be and the same is WITHDRAWN AND DISMISSED without prejudice, and it is further

ORDERED that the Zoning Commissioner's Order of February 23, 1998, is hereby VACATED; and that Order, including the relief granted therein, rendered null and void.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



Charles L. Marks, Chairman



Margaret Worrall



Lynn Barranger



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

October 13, 1999

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case No. 98-325-A /In the Matter of
Evelyn Sims -Petitioner

Dear Mr. Zimmerman:

Enclosed please find a copy of the Board's Order of Dismissal of Petition issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Charlotte E. Radtke for
Kathleen C. Bianco
Administrator

encl.

cc: Mrs. Evelyn Sims
Mrs. Elizabeth S. Day
Mrs. Gwendolyn Evans
Ms. Karen Chambers
Alice R. Mason, President
Carver Manor Association
Mr. Louis W. Miller
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 SEC South Lane & Pittsburgh * ZONING COMMISSIONER
 Avenue *
 1 South Lane *
 12th Election District * OF BALTIMORE COUNTY
 7th Councilmanic District *
 Evelyn Sims, Petitioner * Case No. 98-235-A
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 1 South Lane in the Turner's Station community of eastern Baltimore County. The Petition was filed by Evelyn Sims, property owner. Variance relief is requested, as follows:

1. From Section 424.7.A of the Baltimore County Zoning Regulations (BCZR) to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum;
2. From Section 424.7.B of the BCZR to allow for side and rear setbacks of 21 ft., 20 ft. and 13 ft. respectively, in lieu of the required 50 ft. and also to allow for a 5 ft. vegetative buffer in the side yards and rear yard in lieu of the required 20 ft. vegetative buffer;
3. From Section 424.7.C to variance the requirement for a drop off and delivery area;
4. From Section 424.7.E to allow for an impervious area of 33% in lieu of the 25% maximum;
5. From Section 424.1.B to allow for the required solid wood stockade fence to be setback "0" ft. to the property lines in lieu of the 20 ft. setback required; and,
6. From Section 409.12.B to allow for a modified parking plan where the requirements of Section 409.4, 409.6 (for 2 off-street spaces in lieu of 6) and 409.8.A cannot be met. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

DATE FILED 2/23/98
 BY *[Signature]*

Appearing at the requisite public hearing held for this case was Evelyn Sims, property owner/Petitioner. Also present was Vernell Chapman, the co-proprietor of the proposed day care center which will operate on this site. Also present and testifying in support of the request was Joseph L. Larson, a consultant with Spellman, Larson & Associates, Inc., the civil engineers and land surveyors who prepared the site plan. Also testifying in support of the Petition was Norman Gerber, the former director of the Office of Planning for Baltimore County, and an expert land planner. A number of individuals from the surrounding neighborhood appeared in support of the Petition. The Petitioner was represented by Charles E. Brooks, Esquire. Appearing as interested persons were two neighbors. They do not oppose the proposed use, per se, but had questions about the proposed use. These persons were Elizabeth S. Day and Gwendolyn Evans.

Mr. Larson testified and presented the site plan. The subject property is approximately 6,975 sq. ft. in area (.16 acres), zoned D.R.16. The property is roughly rectangular in shape and is a corner lot, located adjacent to the intersection of Pittsburgh Avenue and South Lane in the Turner's Station community of eastern Baltimore County. The property is improved with an existing one story brick structure which was formerly used as a dwelling. The structure also features a small one story frame addition to the side and a partially covered driveway. The perimeter of the property is fenced with a chain link fence.

Mr. Larson also described the locale. The neighborhood, itself, is residential, however, the property is located approximately 1/4 mile from the Baltimore Beltway. Mr. Larson characterized the community as an older established neighborhood which has been here for many years. Mr. Larson also described each of the variances requested which are more fully set

Case No. 723/98
Date
By

forth above. Essentially, the variances are needed to accommodate a proposed day care center on the subject site. In this regard, the existing one story dwelling will be converted to support the day care use.

Also testifying was Evelyn Sims, property owner/Petitioner. She testified that she has lived in Turner's Station for her entire life and grew up on this property. She now lives elsewhere in the neighborhood, however, continues to own the subject property. She plans to open a day care center for up to 38 children on the site. The day care center will accommodate children aged from infants to 7 years. She testified that the community is in desperate need of day care facilities. She produced a series of letters in support of the proposed use, which have been marked and are contained within the case file. She indicated that many of the adults in the community receive public assistance and are attending school or job training. For these individuals, as well as those who are employed, day care facilities are needed.

Ms. Sims also indicated that Vernell Chapman has been retained to actually run the operation and the property was sufficiently sized, under State standards, to accommodate 38 children. She also indicated that there would be no external improvements to the structure and no additional building. Although there will be renovations to the interior of the site to accommodate the use, the property's external appearance will basically remain unchanged.

Vernell Chapman also testified. Ms. Chapman currently operates the Charlie Brown Day Care Center, a facility nearby. Ms. Chapman testified at length about her qualifications and experience as a day care operator. She indicated that the Charlie Brown Day Care Center was operating at capacity and there was need for additional services in the Turner's Station community. She also described the proposed operation, indicating

CREATED BY [Signature]
Date [Signature]
By [Signature]

that same would provide learning opportunities to the children. The hours of operation for the proposed center will be from 6:30 A.M. to 6:00 P.M., Monday thru Friday. Moreover, it is anticipated that most of the children will be brought to the facility by parents, on foot.

Also testifying was Norman E. Gerber. He described the neighborhood, characterizing same as a very high density area. He indicated that there were many apartments and multi-family dwelling units nearby. He has visited the site and believes that the proposed variances should be granted. In his judgment, there is a desperate need for such a facility in this neighborhood. He also believes that the proposed use is consistent with the spirit and intent of the BCZR and that strict compliance with the zoning requirements would be impossible. In this regard, Mr. Gerber testified that there are no large one acre lots in the Turner's Station area, thus, the area requirement cannot be met. He also noted that there would be no new construction and that the requested variances were necessary to convert the structure from the existing dwelling use to a day care center.

Testimony was also received from the interested persons who appeared. Ms. Day, in particular, does not object to the day care facility but questions whether the proposed use might cause an increase in her property taxes. As was indicated at the hearing, a change in the use of the subject property should not affect other properties in the neighborhood.

As noted above, there were no Protestants at the hearing who testified in opposition to the Petition or proposed use. However, a Zoning Plans Advisory Committee (ZAC) comment in opposition to the request was received from the Office of Planning. That recommendation states opposition to the Petition, ". . . because the site is too small to accommodate

DATE 2/23/98
BY [Signature]

the number of children requested." Additionally, the comment states that there are other day care options in the area, including the nearby Fleming Center. The comment indicates that the Fleming Center has a day care facility and several churches in the area also offer day care services.

To rebut this comment, the Petitioner has offered certain documents. A letter was received from the Fleming Center (Petitioner's Exhibit No. 2) indicating that although that facility has a Head Start Program, its day care operation was terminated two years ago. Carnell Fowlkes and Helen James, Directors of the Fleming Center opine in this letter that the proposed use, ". . . would be an asset to have another day care in this area for the working parents." Additionally, a Petition signed by numerous residents of the community in support of the proposed center was also offered as was a list of churches in the area that do not offer day care facilities. (Petitioner's Exhibit No. 5)

This information contradicts the ZAC comment authored by the Office of Planning. Nonetheless, that comment does have some validity. The site is, indeed, very small and I have serious reservations whether the building can be converted to provide sufficient area for 38 children. Despite the testimony of the Petitioner that the property and building comply with State standards, accommodating 38 children at this location could be difficult.

Upon due consideration of all of these factors, I am persuaded to grant the variances requested, however, impose certain conditions and restrictions upon that relief. Specifically, I will limit the hours of operation from 6:30 A.M. to 6:00 P.M. and, more importantly, limit the number of children which will be permitted on site at anyone time to no more than 18 in number. This number is not arbitrarily chosen, but based upon the square footage of the building and the lot. In the event that

OFFICE OF PLANNING
DATE
BY

the facility becomes successful and the Petitioner wishes to amend or delete this restriction in the future, she may do so by way of a Petition for Special Hearing. However, for the present, no more than 18 children will be permitted. This number appears to be consistent with the area of the property while nonetheless offering a needed and necessary service to the community.

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 granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of February 1998, that a variance from Section 424.7.A of the BCZR to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 424.7.B of the BCZR to allow for side and rear setbacks of 21 ft., 20 ft. and 13 ft., respectively, in lieu of the required 50 ft., and also to allow for a 5 ft. vegetative buffer in the side yards and rear yard, in lieu of the required 20 ft. vegetative buffer, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 424.7.C to variance the requirement for a drop off and delivery area, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 424.7.E to allow for an impervious area of 33% in lieu of the 25% maximum, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 424.1.B to allow for the required solid wood stockade fence to be setback "0" ft. to the property lines in lieu of the 20 ft. setback required, be and is hereby GRANTED; and,

7/33/98
[Handwritten signature and notes]

IT IS FURTHER ORDERED that a variance from Section 409.12.B to allow for a modified parking plan where the requirements of Section 409.4, 409.6 (for 2 off-street spaces in lieu of 6) and 409.8.A cannot be met, 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 hours of operation for the day care center will be from 6:30 A.M. to 6:00 P.M., Monday thru Friday, and no more than 18 children to be present on the property at any one time.

3. The Petitioner shall comply with the ZAC comment from the Office of Environmental Protection and Resource Management dated January 13, 1998 regarding the Chesapeake Bay Critical Area Regulations.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmnn

ORDERED
Date 2/23/98
By [Signature]

235 CBCA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

ONE SOUTH LANE

which is presently zoned

DR 16

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)

SEE ATTACHED SHEET

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

THE REASONS WILL BE IDENTIFIED AND FULLY EXPLAINED AT THE ZONING HEARING.

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

NA

(Type or Print Name)

NA

Signature

NA

Address

NA

City

State

Zipcode

Attorney for Petitioner

Charles E. Brooks, Esq.

(Type or Print Name)

Charles E. Brooks
Signature

610 Bosley Avenue

Address

296-2600

Phone No.

Towson, Maryland

City

State

21204

Zipcode

Legal Owner(s)

Evelyn Sims

(Type or Print Name)

Evelyn Sims
Signature

(Type or Print Name)

Signature

114 Carver Rd. (410) 282-3114

Address

Phone No

Baltimore MD 21222-6201

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Spellman, Larson & Assoc. Inc.

Joseph L Larson

Name

105 W Chesapeake Ave. (410) 823-3535

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 HRS

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *[Signature]*

DATE

12/18/97



Printed with Soybean Ink on Recycled Paper

98-235-A

Zoning Administration

Development Management

SIMS PROPERTY
ONE SOUTH LANE

THIS ZONING PETITION IS FOR VARIANCES FROM THE FOLLOWING SECTIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS:

1. Section 424.7 A. to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum.
2. Section 424.7 B. to allow for side and rear setbacks of 21', 20' and 13' respectively in lieu of the required 50' and also to allow for a 5' vegetative buffer in the side yards and rear yard in lieu of the required 20' vegetative buffer.
3. Section 424.7 C. to variance the requirement for a drop off and delivery area.
4. Section 424.7 E. to allow for an impervious area of 33% in lieu of the 25% maximum.
5. Section 424.1 B. to allow for the required solid wood stockade fence to be set back "0" ft. to the property lines in lieu of the 20' set back required.
6. Section 409.12 B. to allow for a modified parking plan where the requirements of Section 409.4, 409.6 (for 2 off street spaces in lieu of 6) and 409.8 A. cannot be met.



235

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

SUITE 109 — JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

DESCRIPTION FOR ZONING NO. 1 SOUTH LANE, 12TH DISTRICT,
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the south side of New Pittsburgh Avenue, 40 feet wide, at the end of the fillet curve connecting the south side of New Pittsburgh Avenue and the east side of South Lane, 35 feet wide, and running thence and binding on the south side of New Pittsburgh Avenue easterly by a curve to the left with a radius of 820.00 feet the distance of 76.75 feet thence leaving the south side of New Pittsburgh Avenue and running south 10 Degrees 12 Minutes east 80.45 feet and south 87 Degrees 00 Minutes west 96.09 feet to the east side of South Lane herein referred to and running thence and binding on the east side of South Lane north 03 Degrees 00 Minutes west 63.21 feet to the beginning of the fillet curve herein referred to and running thence and binding on said fillet curve northeasterly by curve to the right with a radius of 10.00 feet the distance of 15.39 feet to the place of beginning.

Containing 0.16 acres of land, more or less.

09/22/97

98-235-A



CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-8-, 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 1-8, 1998.

THE JEFFERSONIAN,

A. Henrickson

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: #98-235-A *
One South Lane -
SEC South Lane and
Pittsburgh Avenue
12th Election District
7th Councilmanic District
Legal Owner(s):
Evelyn Sims

Variance: to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum; side and rear setbacks of 21 feet, 20 feet, and 13 feet respectively in lieu of the required 50 feet and a 50-foot vegetative buffer in the side yards and rear yard in lieu of the required 20 feet; the requirement for a drop off and delivery area; an impervious area of 33% in lieu of the 25% maximum; for the required solid wood stockade fence to be set back zero feet to the property lines in lieu of the 20-foot setback required; and to allow for a modified parking plan (for 2 off-street spaces in lieu of 6) and 409 B.A cannot be met.

Hearing: Wednesday, January 21, 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.

1/177 Jan. 8 C198956

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046963

235 JLL

DATE 12/10/97

ACCOUNT R0016150

AMOUNT \$ 250.00

RECEIVED FROM: ~~STATE~~ COX

FOR: CV FILING

98-235-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
2/19/1997 12/18/1997 15:15:15
RECEIVED BY: CASHIER MARY DIX DROWER
5 MISCELLANEOUS CASH RECEIPT
Receipt # 046729 06/71
OR NO. 046963
250.00 DOLLARS
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 98-235-A

Petitioner/Developer: E. SIMS, ETAL
% CHARLES E. BROOKS, ESQ

Date of Hearing/Closing: 1/21/98
@ 9:00 A.M.

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 ONE SOUTH LANE

The sign(s) were posted on 1/6/98
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/10/98
(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 ; CELL 410-905-8571
(Telephone Number)

ZONING NOTICE

Case #: 98-235-A

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

401-BOSLEY AVENUE
ROOM-407, COUNTY COURTS BUILDING

PLACE | ROOM-407, COUNTY COURTS BUILDING
TIME & DATE | WEDNESDAY, JANUARY 21, 1998 AT 9:00AM.

VARIANCE TO ALLOW FOR A LOT SIZE
OF 0.16 ACRES IN LIEU OF THE REQUIRED 1 ACRE
MINIMUM; SIDE AND REAR SETBACKS OF 21 FEET AND 10 FEET
AND 13 FEET RESPECTIVELY IN LIEU OF THE REQUIRED 60 FEET
AND A 50 FOOT VEGETATIVE BUFFER IN THE SIDE YARDS AND
REAR YARD IN LIEU OF THE REQUIRED 20 FEET, THE
REQUIREMENT FOR A DROP OFF AND DELIVERY AREA, AN
INTERVIOUS AREA OF 33% IN LIEU OF THE 25% MAXIMUM, THE
REQUIRED SOLID WOOD STOCKADE FENCE TO BE SET BACK 10
FEET TO THE PROPERTY LINES IN LIEU OF THE 20 FOOT SETBACK
REQUIRED; AND TO ALLOW FOR A MODIFIED PARKING PLAN, THE
OFF STREET SPACES IN LIEU OF 6) AND 403.8.A. CANNOT BE
(ONE SOUTH LANE, SEC. 3 PITTSBURGH AVE)

6-1-98

Neighbor called and
said she saw NO
sign - only "an orange
sticker on a pole that
says - REZONING NOTICE"

Car will call
inspector.

6-4-98

TLC to
INSPECTOR TO
REPORT 2ND TIME

CERTIFICATE OF POSTING

RE: Case No.: 98-235A

Petitioner /Developer: _____

EVELYN SIMS

Date of Hearing/Closing: _____

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 1 SOUTH LANE

The sign(s) were posted on 4/29/98
(Month, Day, Year)

Sincerely,

Gary C. Freund 4/29/98
Signature of Sign Poster and Date

GARY C. FREUND
Printed Name

Address

City, State, Zip Code

Telephone Number

*Repost
request BY owner
5-4-98
Gary Freund will repost
by 5-5-98*

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.: 98-235-A

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

PLACE: *

DATE AND TIME: *

REQUEST: VARIANCES TO ALLOW A .16 AC LOT SIZE IN LIEU OF 1 ACRE,
LESSER SIDE AND REAR BUFFERS AND SETBACKS THAN REQUIRED, A DROP OFF
AND DELIVERY AREA IN FRONT YARD, AN IMPERVIOUS AREA OF 33% IN LIEU OF 25%,
A 0" FT. FENCE SETBACK AND TO APPROVE A MODIFIED PARKING PLAN.
ALL FOR A PROPOSED CLASS "B" GROUP CHILD CARE

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.: 235

Petitioner: EVELYN SIMS

Location: ONE South Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Spellman, Larson & Assoc. Inc

ADDRESS: 105 W. Chesapeake Suite 406

Towson, MD 21204

PHONE NUMBER: 410-823-3535

AJ:ggs

98-235-A

(Revised 09/24/96)

TO: PATUXENT PUBLISHING COMPANY
December 31, 1997 Issue - Jeffersonian

Please forward billing to:

Spellman, Larson & Assoc. Inc. 410-823-3535
105 W. Chesapeake
Suite 406
Towson, MD 21204

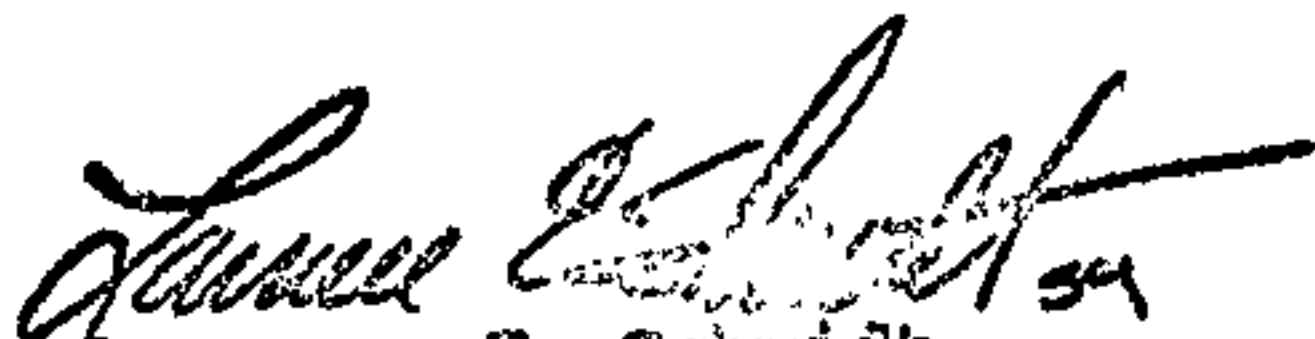
NOTICE OF HEARING

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: 98-235-A
One South Lane
SEC South Lane and Pittsburgh Avenue
12th Election District - 7th Councilmanic District
Legal Owner: Evelyn Sims

Variance to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum; side and rear setbacks of 21 feet, 20 feet, and 13 feet respectively in lieu of the required 50 feet and a 50-foot vegetative buffer in the side yards and rear yard in lieu of the required 20 feet; the requirement for a drop off and delivery area; an impervious area of 33% in lieu of the 25% maximum; for the required solid wood stockade fence to be set back zero feet to the property lines in lieu of the 20-foot setback required; and to allow for a modified parking plan (for 2 off-street spaces in lieu of 6) and 409.8.A cannot be met.

HEARING: Wednesday, January 21, 1998 at 9:00 a.m. in Room 407, County Courts Building
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.



Baltimore County
Department of Permits and
Development Management

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

December 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: 98-235-A
One South Lane
SEC South Lane and Pittsburgh Avenue
12th Election District - 7th Councilmanic District
Legal Owner: Evelyn Sims

Variance to allow for a lot size of 0.16 acres in lieu of the required 1 acre minimum; side and rear setbacks of 21 feet, 20 feet, and 13 feet respectively in lieu of the required 50 feet and a 50-foot vegetative buffer in the side yards and rear yard in lieu of the required 20 feet; the requirement for a drop off and delivery area; an impervious area of 33% in lieu of the 25% maximum; for the required solid wood stockade fence to be set back zero feet to the property lines in lieu of the 20-foot setback required; and to allow for a modified parking plan (for 2 off-street spaces in lieu of 6) and 409.8.A cannot be met.

HEARING: Wednesday, January 21, 1998 at 9:00 a.m. in Room 407, County Courts Building
401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon" with the initials "SJ" below it.

Arnold Jablon
Director

c: Charles E. Brooks, Esquire
Evelyn Sims
Spellman, Larson & Assoc. Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JANUARY 6, 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.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

August 7, 1998

NOTICE OF ASSIGNMENT

CASE #: 98-235-A

IN THE MATTER OF: EVELYN SIMS -Petitioner
One South Lane 12th Election District; 7th
Councilmanic District

(Petition for Variance GRANTED by Z.C.)

*PP'd 10/15/98
to 1/14/99 @
request of
Petitioner
months
reasons*

ASSIGNED FOR:

WEDNESDAY, OCTOBER 21, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman /People's
Counsel for Baltimore County
Carole S. Demilio /Deputy
People's Counsel

Counsel for Petitioner : Charles E. Brooks, Esquire
Petitioner : Evelyn Sims

Elizabeth S. Day
Gwendolyn Evans
Alice R. Mason, President
Carver Manor Association
Karen Chambers

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

October 15, 1998

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 98-235-A

IN THE MATTER OF: EVELYN SIMS -Petitioner
One South Lane 12th Election District; 7th
Councilmanic District

(Petition for Variance GRANTED by Z.C.)

which was scheduled to be heard on 10/21/98 has been POSTPONED at the request of Petitioner, and without objection by the Office of People's Counsel, Appellant; and has been

REASSIGNED FOR: THURSDAY, JANUARY 14, 1999 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

*PP'd @ mg
of Petitioner
to 4/08/99*

cc: Appellant

: Peter Max Zimmerman /People's
Counsel for Baltimore County
Carole S. Demilio /Deputy
People's Counsel

Petitioner : Evelyn Sims

Elizabeth S. Day
Gwendolyn Evans
Alice R. Mason, President
Carver Manor Association
Karen Chambers

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney



MEMO TO THE FILE /Case No. 98-235-A /Evelyn Sims -Petitioner

April 8, 1999

This appeal comes to the Board of Appeals for Baltimore County based on an appeal by the Office of People's Counsel in connection with a decision rendered by the Zoning Commissioner in which a Petition for Variance was granted by order dated February 23, 1998, subject to restrictions contained therein.

People's Counsel filed a timely appeal with the Board of Appeals on March 18, 1999.

A public hearing was scheduled for April 8, 1999. Immediately preceding the hearing, the Board met with Carole S. Demilio, Deputy People's Counsel, and Ms. Sims. Both parties discussed the possibility of requesting a postponement of the hearing.

The public hearing was convened immediately thereafter. Ms. Demilio represented the Office of People's Counsel; Ms. Sims acknowledged that she was representing herself on a pro se basis.

Essentially, Ms. Demilio related her discussion with Ms. Sims; and of a desire on the part of Ms. Sims to postpone the hearing for 3 weeks, since she was considering "withdrawing" her variance request approved by the Zoning Commissioner.

Ms. Sims understood the ramifications of her request, and that she would notify the Board in writing on or before April 30, 1999 concerning the postponement. She will request a dismissal "with prejudice" or a request for rescheduling of the case. If no response is received by April 30, 1999, the Board will dismiss the case, and order the Zoning Commissioner's Opinion and Order vacated.

Per: CLM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

January 7, 1999

SECOND NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 98-235-A

IN THE MATTER OF: EVELYN SIMS -Petitioner
One South Lane 12th Election District; 7th
Councilmanic District

(Petition for Variance GRANTED by Z.C.)

which was previously postponed at request of Petitioner has been POSTPONED,
at Petitioner's request, with no further postponements to be granted; and has
been

REASSIGNED FOR: THURSDAY, APRIL 8, 1999 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should
consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C,
Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons;
said requests must be in writing and in compliance with Rule 2(b) of
the Board's Rules. No postponements will be granted within 15 days of
scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman /People's
Counsel for Baltimore County
Carole S. Demilio /Deputy
People's Counsel

Petitioner : Evelyn Sims

Elizabeth S. Day
Gwendolyn Evans
Alice R. Mason, President
Carver Manor Association
Karen Chambers
Louis Miller
Christine Ader Soto, Vice President of
Child Care & Family Svcs /YMCA

Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney





Baltimore County
Department of Permits and
Development Management

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

January 14, 1998

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, MD 21204

RE: Item No.: 235
Case No.: 98-235-A
Petitioner: Evelyn Sims

Dear Mr. Brooks:

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 December 18, 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,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





**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 12.31.97
Item No. 235 (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,

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

10 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

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: January 6, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for January 5, 1998
 Item Nos. 229 (Agenda of 12/29/97),
 230, 231, 232, 233, 235, 236, 237,
 238, 239, 240, 241

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

Date: January 8, 1998

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

SUBJECT: One South Lane

INFORMATION

Item Number: 235

Petitioner: Evelyn Sims

Zoning: DR-16

Requested Action: Variance

Summary of Recommendations:

The Planning Office opposes the subject Petition for Variance because the site is too small to accommodate the number of children requested. The property is not even large enough for a small group of children to play outside. In addition, other day care options exist in the area. The nearby Fleming Center has a Head Start program and another day care center. Several churches in the area also offer child care services.

Prepared by: *Pat Keller*

Division Chief: *Carol L. Kerns*

Baltimore County Government
Fire Department



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

(410) 887-4500

January 9, 1998

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 29, 1997

Item No.: 230, 235, 242 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



AS
1/13

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

DATE: January 13, 1998

To: Arnold L. Jablon
From: Bruce Seeley *AMS*
Subject: Zoning Item #235

Sims Property, 1 South Lane

Zoning Advisory Committee Meeting of December 29, 1997

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
 - _____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code), if the property is being subdivided according to the Development Regulations.
 - X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

GP:sp

RE: PETITION FOR VARIANCE
1 South Lane, SEC South Ln & Pittsburgh Ave
12th Election Dist., 7th Councilmanic

Evelyn Sims
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 98-235-A

* * * * *

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 9th day of January, 1998, a copy of the foregoing Entry of Appearance was mailed to Charles E. Brooks, Esq., 610 Bosley Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

March 23, 1998

Charles E. Brooks, Esquire
610 Bosley Avenue
Towson, MD 21204

RE: Petition for Zoning Variance
Case No.: 98-235-A
One South Lane
12c7
Evelyn Sims - Petitioner

RECEIVED
COUNTY BOARD OF APPEALS
98 MAR 26 AM 11:23

Dear Mr. Brooks :

Please be advised that an appeal of the above referenced case was filed in this office on March 18, 1998 by Peter Max Zimmerman and Carole S. Demilio on behalf of People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call the Board of Appeals at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Arnold Jablon".

Arnold Jablon
Director

AJ:rye

c: Mrs. Elizabeth S. Day
Mrs. Gwendolyn Evans
People's Counsel



APPEAL

Petition for Zoning Variance
SEC South Land and Pittsburgh Avenue
(One South Lane)
12th Election District - 7th Councilmanic District
Evelyn Sims - Petitioner
Case Number: 98-235-A

RECEIVED
COUNTY BOARD OF APPEALS
98 MAR 26 AM 11:23

- Petition for Zoning Variance
- Description of Property
- Certificate of Posting
- Certificate of Publication
- Entry of Appearance of People's Counsel
- Zoning Advisory Committee Comments
- Petitioners and Protestants Sign-In Sheets

Petitioners' Exhibits:

- 1 - Plat to Accompany Petition for Variance
- 2 - Letter from Carnell Fowlkes and Helen James of YMCA of Greater Baltimore Head Start dated January 20, 1998
- 3 - Letter from Adlee McCullough to Zoning Department dated January 20, 1998
- 4 - Petition in Support of Petitioner
- 5 - List of Churches in Turnerstation, Maryland
- 6A-J - Ten Photographs
- 7 - License from State of Maryland Department of Human Resources Child Care Administration
- 8 - Letter from Dorothea Wainwright
- 9 - Non-School Vehicles Used by Child Care Center
- 10 - Charlie Brown Progressive Day Care Center, Inc. Waiting List
- 11 - One Photograph

*Change of Address
(returned 1/14/99)
Evelyn Sims
P.O. Box 9203
Baltimore, MD 21222-0203

10
282
3114 VE

- One Photograph not Marked as an Exhibit
- Petition in Support of Petitioner
- Zoning Commissioner's Order dated February 23, 1998 (Granted)

Notice of Appeal received on March 18, 1998 from Peter Max Zimmerman and Carole S. Demilio on behalf of People's Counsel

~~c: Charles E. Brooks, Esquire, 610 Bosley Avenue, Towson, MD 21204~~ *w/o appearance*
~~Mrs. Evelyn Sims, 114 Carver Road, Baltimore, MD 21222~~ *See above 10/13/98*
Mrs. Elizabeth S. Day, 14 South Lane, Baltimore, MD 21222
Mrs. Gwendolyn Evans, 15 South Lane, Baltimore, MD 21222

* People's Counsel of Baltimore County, MS #2010

Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

Louis W. Miller
44 E. Timonium Road
Timonium, MD 21093
(requests notification)

Send notices, etc. to:

Karen Chambers
3116 Tioga Parkway
Baltimore, MD 21215

Alice R. Mason, President
Carver Manor Association
124 Carver Road
Baltimore, MD 21222
(requested notification of hearing)

Case No. 98-235-A

VAR -To side and rear setbacks; vegetative buffer; drop off and delivery area; impervious area; solid wood stockade fence; modified parking plan.

2/23/98 -Z.C.'s Order in which Petition for Variance was GRANTED.

8/07/98 -Notice of Assignment for hearing scheduled for Wednesday, October 21, 1998 at 10:00 a.m. sent to following:

Peter Max Zimmerman /People's
Counsel for Baltimore County
Carole S. Demilio /Deputy
People's Counsel
Charles E. Brooks, Esquire
Evelyn Sims
Elizabeth S. Day
Gwendolyn Evans
Alice R. Mason, President
Carver Manor Association
Karen Chambers
Pat Keller, Director /Planning
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

10/13/98 -Letter from Charles E. Brooks, Esquire -- no longer represents Petitioner in this matter; will not attend hearing before the Board. File noted.

10/13/98 - Notification from Ms. Evans and Ms. Day - will not be able to attend hearing (only concern was stockade fence).

10/14/98 -T/C from Ms. Sims; advised of major surgery having taken place in September; now has been diagnosed with pneumonia and is under the care of physician and is unable to return to her surgeon for post-op exam. Requesting postponement of 10/21/98 hearing if possible. Letter in the mail requesting same. (Handwritten letter received 10/20/98 from Ms. Simms.)

- FAX from Dr. Chatham, Franklin Square Hospital Pulmonary and Critical Care -- that Ms. Sims had been seen there on 10/12/98 and also faxing copy of post-op surgical form.

- Conversation with C. Demilio and C. Fisher -- Case to be handled by P. Zimmerman (Appellant /People's Counsel). To check with PMZ as to any objections to this request.

10/15/98 -Discussion with C. Fisher; no objection by PMZ to PP request. Awaiting letter from People's Counsel indicating no objection; case to be postponed and reassigned to next available hearing date.

- T/C to Ms. Sims; confirmed granting of postponement; Notice of PP and Reassignment sent this date; reassigned to Thursday, January 14, 1999 at 10:00 a.m.

10/16/98 -Letter from P. Zimmerman; Office of People's Counsel has no objection to the granting of this postponement request.

VAR -To side and rear setbacks; vegetative buffer; drop off and delivery area; impervious area; solid wood stockade fence; modified parking plan.

1/05/99 -Letter from Ms. Sims requesting postponement; no objection by People's Counsel on condition that no further postponements be granted. Notice to be sent, so noted.

1/07/99 -Second Notice of PP and Reassignment sent to parties; rescheduled to Thursday, April 8, 1999 at 10:00 a.m., with no further postponements to be granted Petitioner in this matter. Added YMCA of Central Maryland /Christine Ader Soto to notice.

4/08/99 -Prior to hearing scheduled for this date, Board met with Petitioner and Deputy People's Counsel regarding postponement; Board convened for hearing; postponement granted on the record; Ms. Sims to withdraw petition or request hearing by April 30, 1999; if no such request received, Board will issue order whereby the relief granted by the Zoning Commissioner is vacated and the case dismissed. (See MEMO TO THE FILE as dictated by Chairman Marks.) (C.W.B.)

10/05/99 -Letter from P. Zimmerman -- as of this date, nothing has been heard from Ms. Sims regarding her intentions as to this case (to withdraw and dismiss her Petition or to proceed with the appeal hearing). Upon review of file in this matter, Order of Dismissal of Petition to be issued by the Board.



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

October 5, 1999

CAROLE S. DEMILIO
Deputy People's Counsel

Charles L. Marks, Chairman
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

Re: Petition for Variance
1 South Lane, SEC South Lane & Pittsburgh Ave.
12th Election District, 7th Councilmanic
EVELYN SIMS, Petitioner
Case No.: 98-235-A

RECEIVED
COUNTY BOARD OF APPEALS
99 OCT -5 PM 3:38

Dear Chairman Marks:

Mrs. Evelyn Sims petitioned for a day care center for 38 children on a .16-acre site in Turner's Station. She also sought relief for seven (7) variances. The Zoning Commissioner granted relief but limited the site to 18 children. An appeal was filed by People's Counsel from the decision of the Zoning Commissioner. The appeal hearing was scheduled for April 8, 1999. Petitioner Evelyn Sims and her husband, Mr. Sims, and the Deputy People's Counsel were present along with interested citizens. Mrs. Sims was not represented by counsel.

At that time Mrs. Sims indicated she did was reluctant to locate a day care center at the site, and did not want to proceed with the hearing. After meeting with the Board, the parties proceeded on the record.

Rather than dismissing the Petition at the April 8 hearing, the Deputy People's Counsel offered to give Mrs. Sims a few weeks to decide. On the record, Mrs. Sims agreed to notify the County Board of Appeals (CBA) by April 30 of her decision. Mrs. Sims also agreed that if she failed to notify the CBA by that date, her Petition would be withdrawn (without prejudice). The transcript of the proceeding is attached.

Charles L. Marks, Chairman
County Board of Appeals
October 5, 1999
Page Two

Some time between April 8 and well before April 30, the Deputy People's Counsel contacted Mrs. Sims to remind her of the April 30 deadline. Mrs. Sims was still undecided about whether to proceed with the day care center. The Deputy People's Counsel reminded her of the April 30 deadline for notification to the CBA.

Nothing has been heard from Mrs. Sims, either by telephone or in writing, since that time. We believe it is appropriate for the CBA to issue an Order in this matter dismissing the Petition for Variance, without prejudice. Thank you.

Very truly yours,



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel

CSD/caf
Enclosure

cc: Mrs. Evelyn Sims



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

October 16, 1998

Ms. Kathleen C. Bianco
Legal Administrator
County Board of Appeals
of Baltimore County
401 Washington Avenue, Room 49
Towson, MD 21204

Hand-delivered

RECEIVED
COUNTY BOARD OF APPEALS
98 OCT 16 PM 1:05

Re: **PETITION FOR VARIANCE**
1 South Lane, SEC South Ln & Pittsburgh Ave.
12th Election District, 7th Councilmanic
EVELYN SIMS, Petitioner
Case No. 98-235-A
Hearing Date: October 21, 1998

Dear Ms. Bianco:

Please be advised that our office does not object to Ms. Sims' request for postponement of the above hearing due to health reasons. Please notify us and the below-named Protestants when a new hearing date has been set.

Very truly yours,

Peter Max Zimmerman
People's Counsel for Baltimore County


PMZ/caf

- cc: Evelyn Sims, 114 Carver Road, Baltimore, MD 21222
- Teresa Allen, Turner Station Devel. Corp., 101 Carver Road, Baltimore, MD 21222
- Karen Chambers, 3116 Tioga Parkway, Baltimore, MD 21215
- Alice R. Mason, President, Carver Manor Assoc., 124 Carver Road, Baltimore, MD 21222

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: June 5, 2000

TO: Arnold Jablon, Director
Permits & Development Management

FROM: Charlotte E. Radcliffe 
Board of Appeals

SUBJECT: **CLOSED FILES:**
97-127-SPHX –Mt. Vista Golf Course, Ltd.
98-3-SPH –Robert Poleski & Michael Poleski
98-235-A –Evelyn Sims
98-471-A –Jean D. & Cermontine A. Webster

Since the above captioned cases have been finalized and no further appeals were taken, we are hereby closing the files and returning same to your office herewith.

Attachments: Case File Nos.: 97-127-SPHX; 98-3-SPH; 98-235-A; & 98-471-A;

ATTN CATHLEEN DIANCO

RETURN TO WORK/SCHOOL CERTIFICATE

PULMONARY AND CRITICAL CARE

Marie D. Chatham, M.D.

Stephen Selinger, M.D.

Stuart Willes, M.D.

8114 Sandpiper Circle, Suite 212

Baltimore, MD 21236

410-931-3117

Fax: 410-931-3464

RECEIVED
COUNTY BOARD OF APPEALS
98 OCT 14 PM 5:32

To Whom It May Concern:

Evelyn Sims was seen in my office on 10/12/98

Was injury/illness due to auto accident? Yes No

Was injury/illness due to employment? Yes No

May/May not return to work/school on Gyn decision

M Chatham
Marie D. Chatham, M.D.

10/14/98
Date

Stephen Selinger, M.D.

Date

Stuart Willes, M.D.

Date

CARVER MANOR ASSOCIATION

124 Carver Road • Baltimore, MD 21222 • c/o Alice Mason • Phone: 410-288-9453

June 4, 1998

Board of Appeals
Room 49
400 Washington Avenue
Towson, Maryland 21204

Dear Sir or Madam:

Please notify the Carver Manor Association, at the above printed address, of the Rezoning Hearing regarding Simms and Vernell Brown (98235A). If possible, we would also appreciate receiving a copy of the related Application for Rezoning. *

Your assistance will be greatly appreciated.

Sincerely,



Alice R. Mason
President

cc: People's Council
400 Washington Street, Rm 47
Towson, MD 21204

✓ *can* 6.10.98

* ZC OPINION SENT -
indicating request
and decision.

RECEIVED
COUNTY BOARD OF APPEALS
98 JUN -5 PM 3:00

• WORKING FOR A BETTER COMMUNITY •

98-235-A

Mrs Cathy Bianchi

This is my letter explaining why I am not able to attend the Oct. 26, 1998. I had surgery in Sept 2, 1998 while recovering from my surgery I had Bronchial Asthma, and pneumonia.

Thank
you
Cathy
Bianchi

RECEIVED
COUNTY BOARD OF APPEALS

98 OCT 20 PM 1:48

ATT Mrs
Bianca

1/5/99

Mrs Bianca,

I would like to postpone
my hearing date from 14th 1999.
I am just returning to work
and need more time as it's
very hard for me so soon
after the holidays.

Thank you
Cynthia Lewis

FAX NO:

410-887-3182

RECEIVED
COUNTY CLERK
99 JAN -5 PM 3:46

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Evelyn Sims
Alvin Cox

114 CARVER Road
BATH, Md 21225

Verrell Chapman
Rev Eddie P Brown

4518 Wakefield RD MD 21216
530 S. 46th St

Ruth Chambers
Delia M Wright

Batho, Md 21224

113 Chesnut
157 Chesnut St

THEODORA SIMS

108 Carver Road
114 CARVER Rd





We Need Help!

Charlie Brown Progressive Day Care Center, Inc.

530 S. 46th Street, Baltimore, Maryland 21224
Phone (410)258-3780 ~ Home Phone (410)764-8304

A new Center is in the making
Little Village Progressive Day Care.
1 South La Balto Md. 21222
If you want to see this center open
please sign below. Thanks you.

- | | |
|--------------------------|----------------------|
| 1. JACK TOWNES | 14 Doris G. Bagley |
| 2. Reginald Chambers Jr. | 15 Robert N. Bagley |
| 3. Dorothea Wainwright | 16 ORRICK |
| 4. Ulfred Chapman | 17 Karin S. McCall |
| 5. Mrs. Williamson | 18 Sylvia Cook |
| 6. Cynthia Taylor | 19 Luette Anderson |
| 7. Alice Smith | 20 Sheila Brown |
| 8. MARY SACKS | 21 Patricia Fayor |
| 9. Joyce Jones | 22 Sherman P. France |
| 10. John Oliver | 23 Chante K. Brown |
| 11. Thomas H. Spencer | 24 Barbara Brown |
| 12. Odell Graves | 25 Judy S. Koberer |
| 13. Lewis Robinson | 26 Gloria R. McCann |
| | 27 April C. Wilms |
| | 28 Jennifer Maxon |
| | 29 |
| | 30 |
| | 31 |
| | 32 |



33 _____

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43 _____

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45 _____

Y M C A
OF GREATER BALTIMORE
HEAD ■ START



January 20, 1998

YMCA BALTIMORE CO. HEAD START
FLEMING CENTER
641 Main Street
Baltimore, MD 21222

To Whom It May Concern:

The Fleming Head Start located in the Fleming Building is presently serving sixty-six children, in the Dundalk and Turner Station Area. We lost our day care 2 years ago in this area and it proposed a Financial hardship on the parents. However, it would be an asset to have another day care in this area for the working parents. So we feel that it would be more than beneficial and profitable for a day care to be placed in this area.

Sincerely yours,

Helen M. James
Carnell Fowlkes, Head Teacher *Carnell Fowlkes*
Helen James, Family Service Worker

Ref. No 2



YMCA

We build strong kids,
strong families, strong communities.

*Note: Referenced letter
entered as Petitioner's # 2
before Zoning Commission's # 2
came up to Board with
Zoning Commissioner's
file.*

98 JUN -2 PM 1:09

RECEIVED
COUNTY BOARD OF APPEALS

June 1, 1998

Ms. Kristine Hwanski
Chair/County Board of Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21206

Dear Ms. Hwanski:

I am writing this letter in reference to the Simms Case: Reference 98-235-A.

Two members of the YMCA Head Start Program in Baltimore County wrote a letter of support regarding the need for child care in Turner Station. These staff members are not authorized to speak on behalf of the YMCA and should not have used YMCA/Head Start letterhead in their communication.

The YMCA of Central Maryland is committed to providing quality child care in healthy, safe environments. We do not support a project that requires numerous variances or exemptions that jeopardize or compromise the health and safety of young children.

Sincerely,

Christine Ader Soto
Vice President of Child Care & Family Services
YMCA of Central Maryland



Jan 20, 1998

To the zoning department,

To whom it may concern,
As a home owner, I have no
objection of the property at one
South Lane becoming a day
Care Center,

Adlee McCullough
708 New Pittsburgh One

Petitioner No 3

Ret 4

A

EVELYN A. SIMS
&
VERNELL C. CHAPMAN
1 SOUTH LANE
BALTIMORE COUNTY, MARYLAND

WE, the undersigned, neighbors, friends and clients of Evelyn A. Sims and Vernell C. Chapman do herewith support the request of Evelyn A. Sims and Vernell C. Chapman for numerous variances required to establish a day care center at the above location.

NAME	ADDRESS & PHONE #
<i>Lothar Winright</i>	360 Shagbark Road 410-687-3187
<i>Reginald Chambers</i>	114 Carver Rd. 410 282-3114
<i>Barbara Brown</i>	557 New Pittsburgh 285-0159
<i>Kenneth M.</i>	2715 Sparrows Pk. 477-5024
<i>Joyce Chapman</i>	830 S. 46. Street 285-7208
<i>Gene Harris</i>	3725 Belle Ave 1st fl 21222
<i>Barbara Jacobs</i>	111 Oak St 21222
<i>Catal Hill Young</i>	101 main st Balto MD 21222
<i>Shandra Taylor</i>	101 main St Balto, MD 21222
<i>Rita Williams</i>	161 main St 1A Balto 21222
<i>Michael A.</i>	541 Avondale Road
<i>Andy Hur</i>	123 Willow Ct
<i>Queen Gardner</i>	51 Avondale Rd 21222
<i>Ronald Parvett</i>	150 Carver Rd 21222
<i>Kenneth J. Haggerty</i>	109 Avondale Rd 21222
<i>Mike Smith</i>	108 Cherry Lane West 21222
<i>John W. Jam, Jr.</i>	170 Juniper Ln 282-4860
<i>James Robinson</i>	717 South Avondale Rd -288-16
	717 S. Avondale Rd. 212

EVELYN A. SIMS
 &
 VERNELL C. CHAPMAN
 1 SOUTH LANE
 BALTIMORE COUNTY, MARYLAND

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NAME	ADDRESS & PHONE #
<i>Shirley P. Jones</i>	<i>719 S. Arundale Rd 410 2 995357</i>
<i>Alma H. Jones</i>	<i>1314 N. Ellwood Ave</i>
<i>William Jones</i>	<i>207 New Pittsburg Ave</i>
<i>Helen Jones</i>	<i>102 Fox Road Road 21222</i>
<i>Carnell Faulkner</i>	<i>549 New Pittsburg Ave</i>
<i>Rev. Eddie Brown Jr.</i>	<i>113 Chestnut St. 21222</i>
<i>Robin May</i>	<i>2627 Yorkway #A 410 284</i>
<i>Margaret Jones</i>	<i>2625 Yorkway A 8559</i>
<i>Virginia Cheeks</i>	<i>211 Main St. 21222</i>
<i>Jean Weezyan</i>	<i>211 Main St 21222</i>
<i>Karen Fortin</i>	<i>538 New Pittsburg 21222</i>
<i>Daphney K. Horton</i>	<i>543 New Pittsburg Ave. 21222</i>
<i>Maury Young</i>	<i>547 New Pittsburg 21222</i>
<i>Christy Thompson</i>	<i>724 Beach Orchard Ln</i>
<i>Deborah Smith</i>	<i>735 S. Arundale Rd. 21222</i>
<i>Stephanie Smith</i>	<i>619 N. Arundale Rd. 21222</i>
<i>Walter O'Brien</i>	<i>133 Fleming Dr 21222</i>
<i>James O'Brien</i>	<i>8 Fleming Dr 21222</i>
<i>John Marts</i>	<i>615 Main St 21222</i>

EVELYN A. SIMS
 &
 VERNELL C. CHAPMAN
 1 SOUTH LANE
 BALTIMORE COUNTY, MARYLAND

WE, the undersigned, neighbors, friends and clients of Evelyn A. Sims and Vernell C. Chapman do herewith support the request of Evelyn A. Sims and Vernell C. Chapman for numerous variances required to establish a day care center at the above location.

NAME	ADDRESS & PHONE #
Robert L. Gray	110 Chestnut St 21222
James L. Burnett	729 New Potts Ave 21222
David R. Major ^{SK} ₃	176 Chestnut St. 21222
John Bee	9100 SWIEN PL # 2A 21237
David Nelson	7908 LYNCH RD 21222
James Johnson	203 Main St Balt MD 21222
Lyvester McCollip	175 CHESTNUT ST 21222
Lucy Long	2100 Longe Farm Rd. 21219
Timothy Douglas	132 WM Wade Ave 21
James Gardner	105 OAK ST 21222
Thomas Seward	213 Center St 21222
Charles Price	501 Main St
Kenneth King	4923 Coudrow 21206
THOMAS E BAGLEY	110 EAST AVE 21222
James Smith Spider	127. Main St 21222
Rudy Deas	201 NEW PITTSBURG AVE
Robert Thomas	118 Solter Pt Rd 21222
Harry Beasley	1109 FUSELAGE AVE / BALTO. MD.

Pet No 7

POST IN CONSPICUOUS PLACE



State of Maryland
Department of Human Resources
Child Care Administration

Region: III County: BALTIMORE
License Number: 03-65968
Revised Date: _____

CHARLIE BROWN PROGRESSIVE DAY CARE CENTER

(Name of Center)

530 S. 46th Street Baltimore, Maryland 21224

(Address/Location)

This certifies that the above Child Care Center operated by Charlie Brown Progressive Day Care, Inc.
(Licensee)

is in compliance with Family Law Article, Sections 5-570 through 5-585 and COMAR 07.04.02 (Child Care Center Licensing).

This license:
 Issued on: 4-1-97
 Renewed on: _____
 Expires on: 4-30-98

This center is approved to operate:

Months:	Jan - Dec
Days:	Mon - Fri
Hours:	6:00am - 6:00pm

Rooms Approved and Capacity			
CAP.		CAP.	
20	Rm. 1		

MSDE Approved Programs:

no Nursery school
 no Kindergarten

Type of Program:

yes Pre-school
 no School-Age
 no Infant/Toddler
 no _____

This center is approved for ages:

no 6 weeks through 17 months
 no 18 months through 23 months
 yes 2 years through 5 years
 no 5 years through 15 years
 no 16 years through 20 years

TOTAL Capacity: | 20

The Department of Human Resources issues this license on the condition that the licensee consents to permit inspections by the Child Care Administration for the purpose of determining licensee's compliance with Family Law Article, Title 5, Subtitle 5, Part VII, Sections 5-570- through 5-585 and COMAR 07.04.02; and for the purpose of evaluating any complaints relating to the facility. Parents must always have access without an appointment to their children, and during operating hours, have the right to see the areas of the facility used for child care. Failure to meet regulatory requirements may result in suspension or revocation of this license or denial of a new license. This license cannot transfer to another person, location, or address. The licensee must surrender this license to the Child Care Administration upon suspension, revocation, voluntary closure, or denial of a new license.

RESTRICTIONS/COMMENTS:

Alvin C. Collins
Secretary
Department of Human Resources

Linda Heisner
Executive Director
Child Care Administration

Penny L. Blatoni
Regional Manager
Child Care Administration

Pet No
8

To whom it may concern,

I Dorothea Wainwright Senior Staff Teacher at Charlie Brown Day Care Center Inc.. I am asking that you allow the other center to open for the sake of the other children that we cannot accept right now, Due to lack of space. We do not like to turn down children, So we put them on a waiting list for the other center. There are a lot of low-income families, and we want to provide care for as many as we can. When reviewing the procedures please take the low-income families into consideration.

I will be taking over the Directors duties of Charlie Brown if the center opens.

Sincerely yours,
Dorothea Wainwright

NON-SCHOOL VEHICLES
USED BY CHILD CARE CENTERS

Pl No 9

Name of Company Charlie Brown Daycare Center No. _____
Address 520 South 46th St
City Baltimore State MD County BA
Director of Transportation Verwell Chapman
Year/Make of Vehicle _____ New _____ Used _____
VIN No. 1B4GAY4Q5NX118922 Tag No. 842632M
Color of Vehicle Grey

Vehicle equipped with seat belts (Md Motor Vehicle Law §22-412.1) Yes No

Number of passengers - 15 or less (7 Pass) Yes No

Does vehicle stop on roadway to pickup or discharge children? Yes No

Speed limit on roadway where vehicle picks up or discharges children. 35 MPH or less n/A Above 35 MPH

Are children permitted to be picked up or discharged on parking lots where there is vehicular traffic? Yes No

Are children permitted to cross any roadway in order to board or exit the vehicle? Yes No

I have received and understand the Rules and Regulations COMAR 11.19.06.

Reynold Chambers
Signature of Director/Representative

10.22.97
Date

Approved Disapproved _____
In accordance with Maryland Motor Vehicle Law 11-154(2).

Sticker attached to Vehicle Administration Representative Piket Reed Date 10.22.97

This Administration's approval does not imply compliance with other applicable requirements.



Charlie Brown Progressive Day Care Center, Inc.

530 S. 46th Street, Baltimore, Maryland 21224
Phone (410)258-3780 ~ Home Phone (410)764-8304

Waiting List

Child	Mother	Phone #
1 Ryan Bell 5yr	Karla Lipscomb	410-284-6723
2 Olivia Rapp 5yr	Nebbie Pepp	410-485-4617
3 Carol Phillips 4yr	Rena Queen	410-288-2279
4 Aurdant 5yr	Layette	410-549-572
5 Karon Ammas 5yr	Kimberly Leonard	410-284-7280
6 Shannon Brown 5yr	Carla Brown	410-285-0159
7 Tyronne Harris 4yr	Cina Harris	410-284-1017
8 Keuron Mur 3yr	Tour Kim	410-282-2990
9 Leahy David 3	Teara Devy	410-284-3637
10 Calvin McDaniel 6	Sandetta McDaniel	410-282-4542
11 Surpin Taylor 18 months		

Feb No 16



County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

98-235-A

Pet. ExH. (PHOTOS)

6A-6J

11

(1) unmarked photo



10

7

OFFICE AREA

100 FT 60 IN

1 2 3 4 5 6

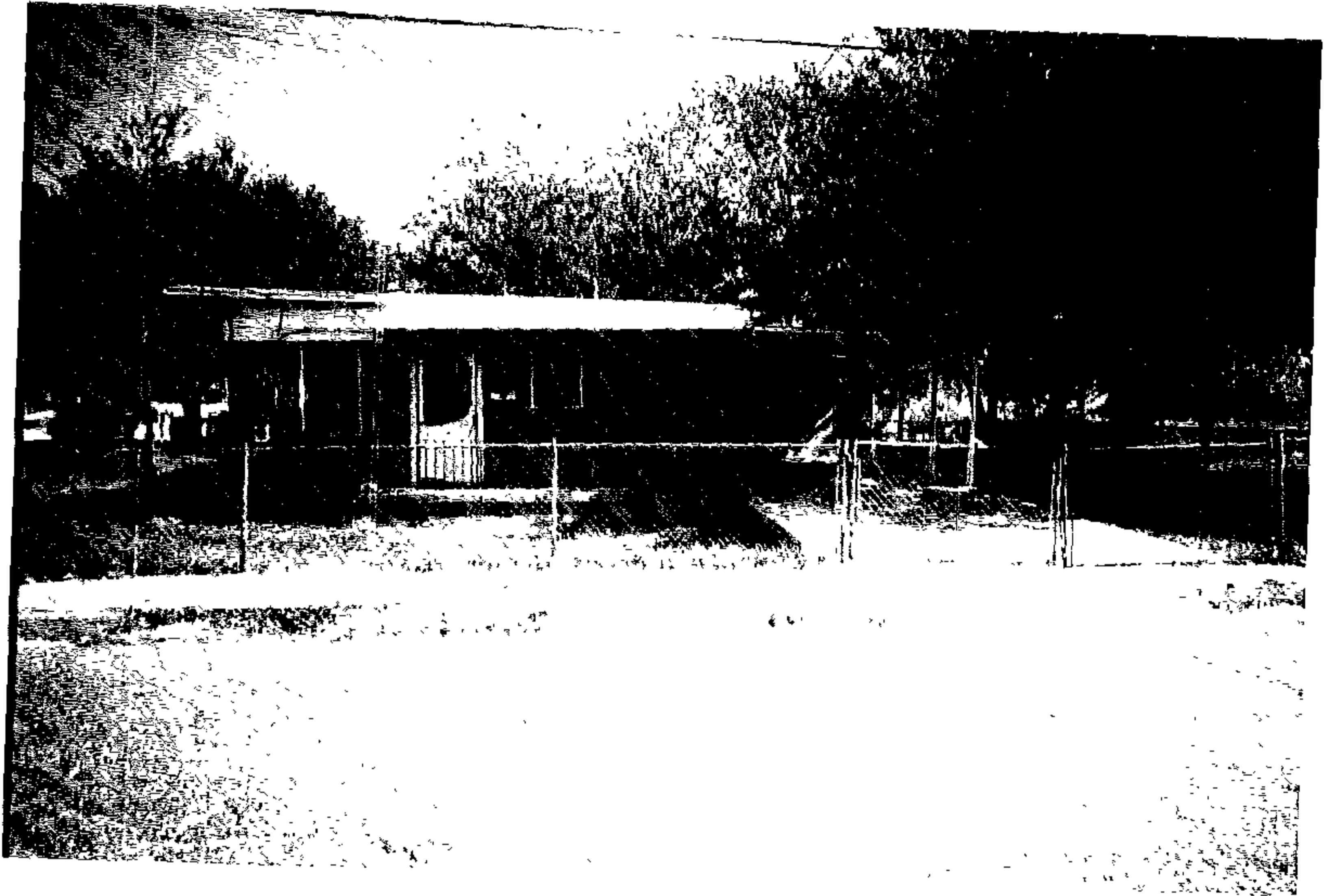
Let No 11

Charlie

Brown

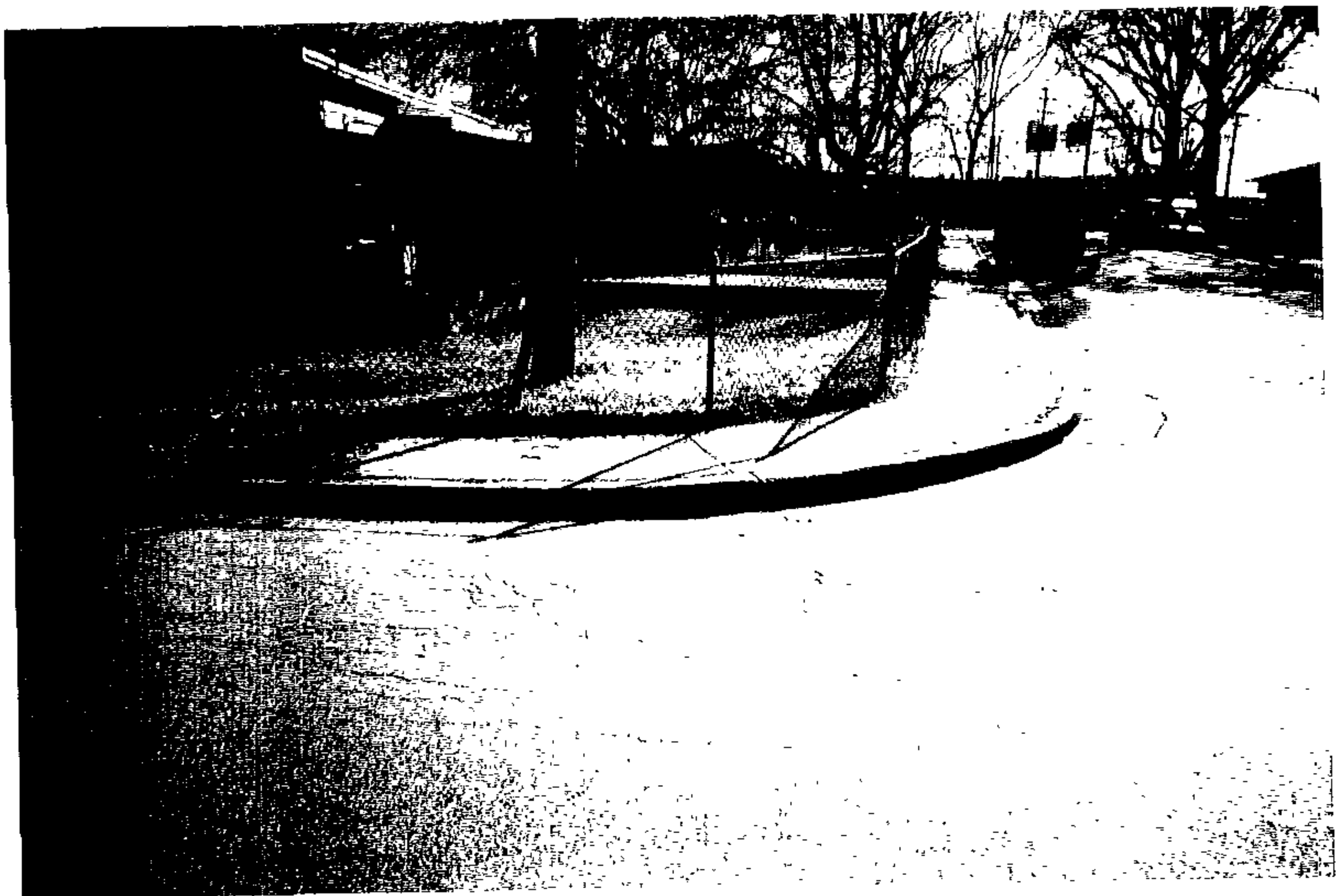
Society

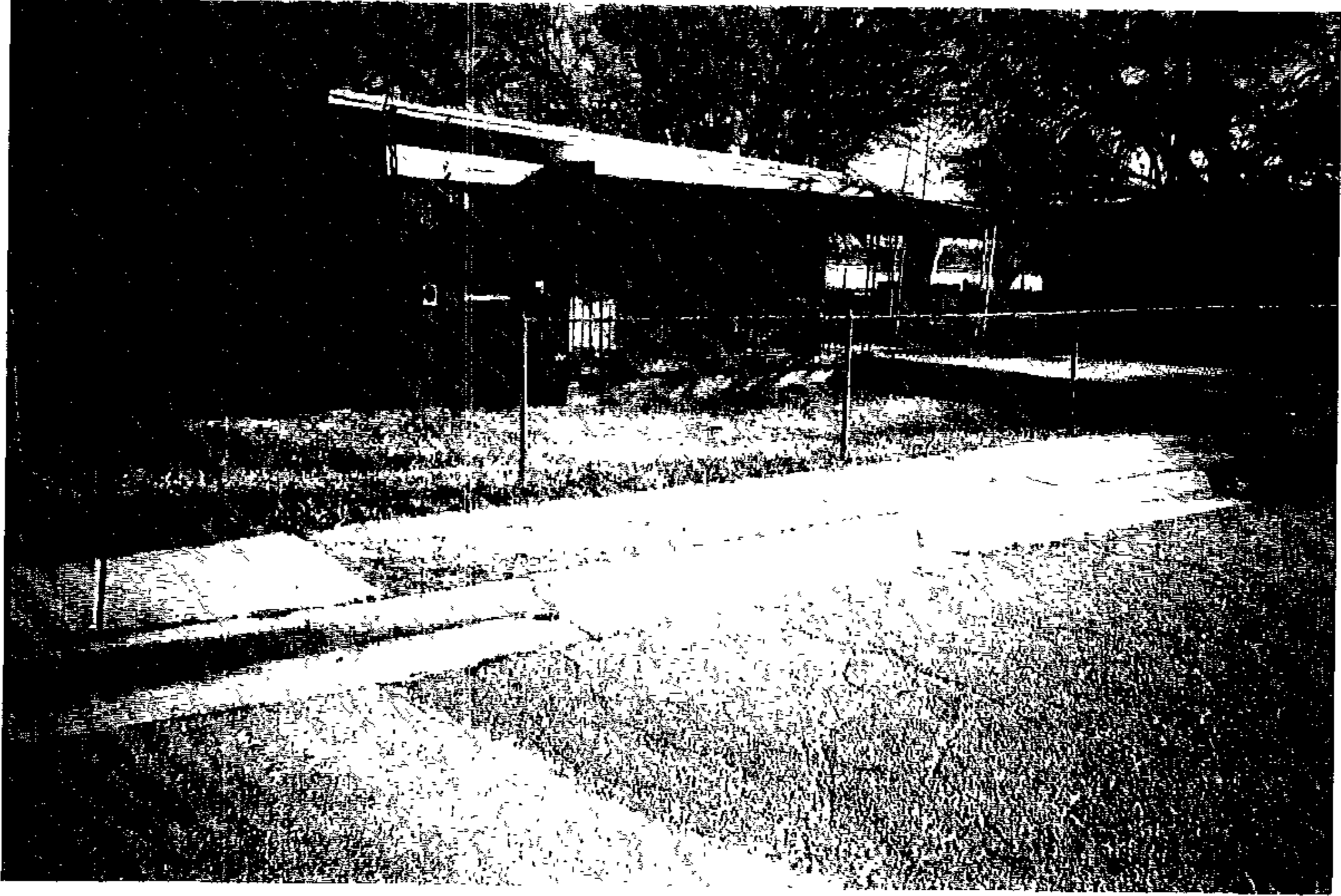


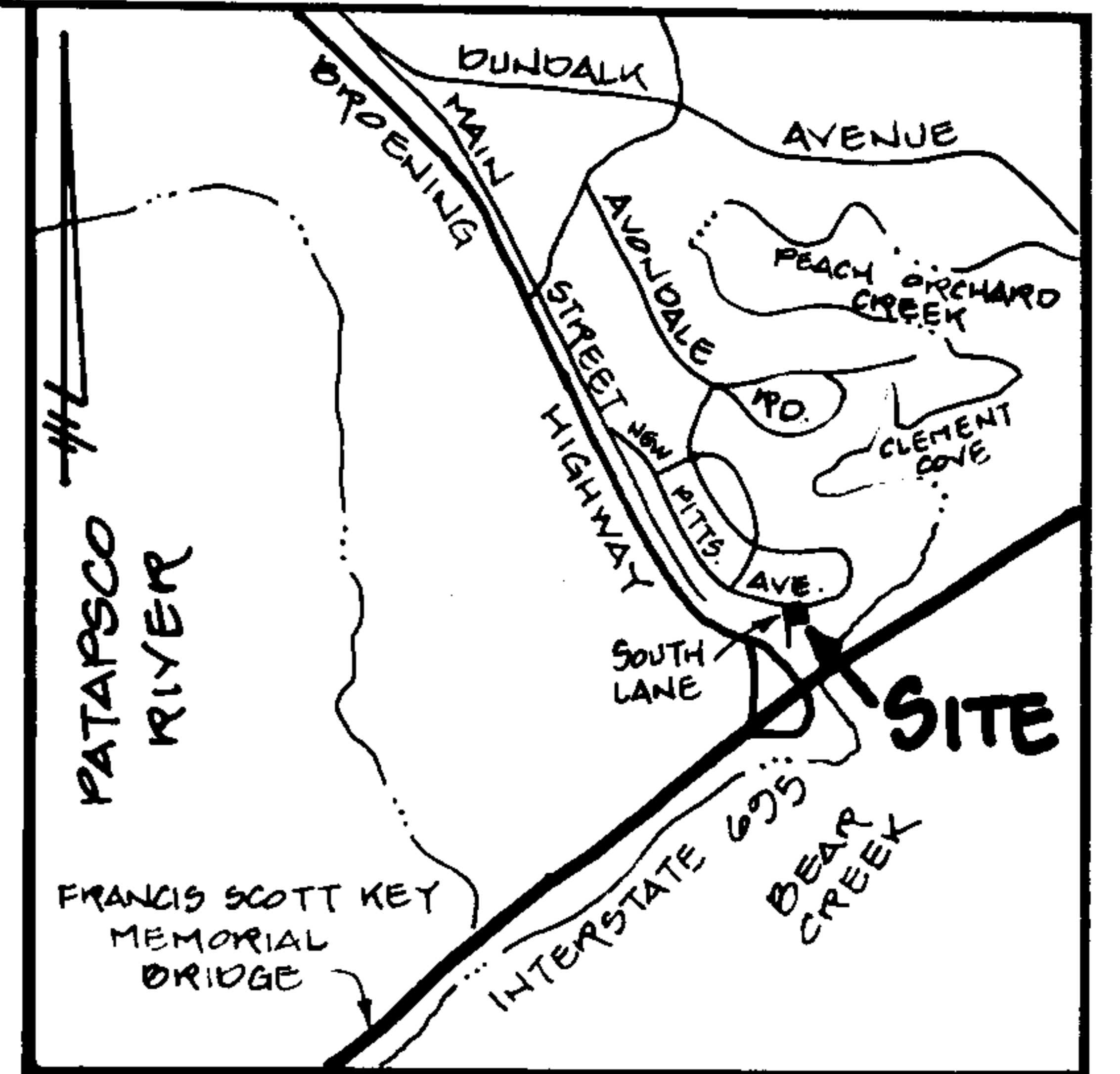












VICINITY MAP
SCALE: 1" = 2000'

SITA DATA

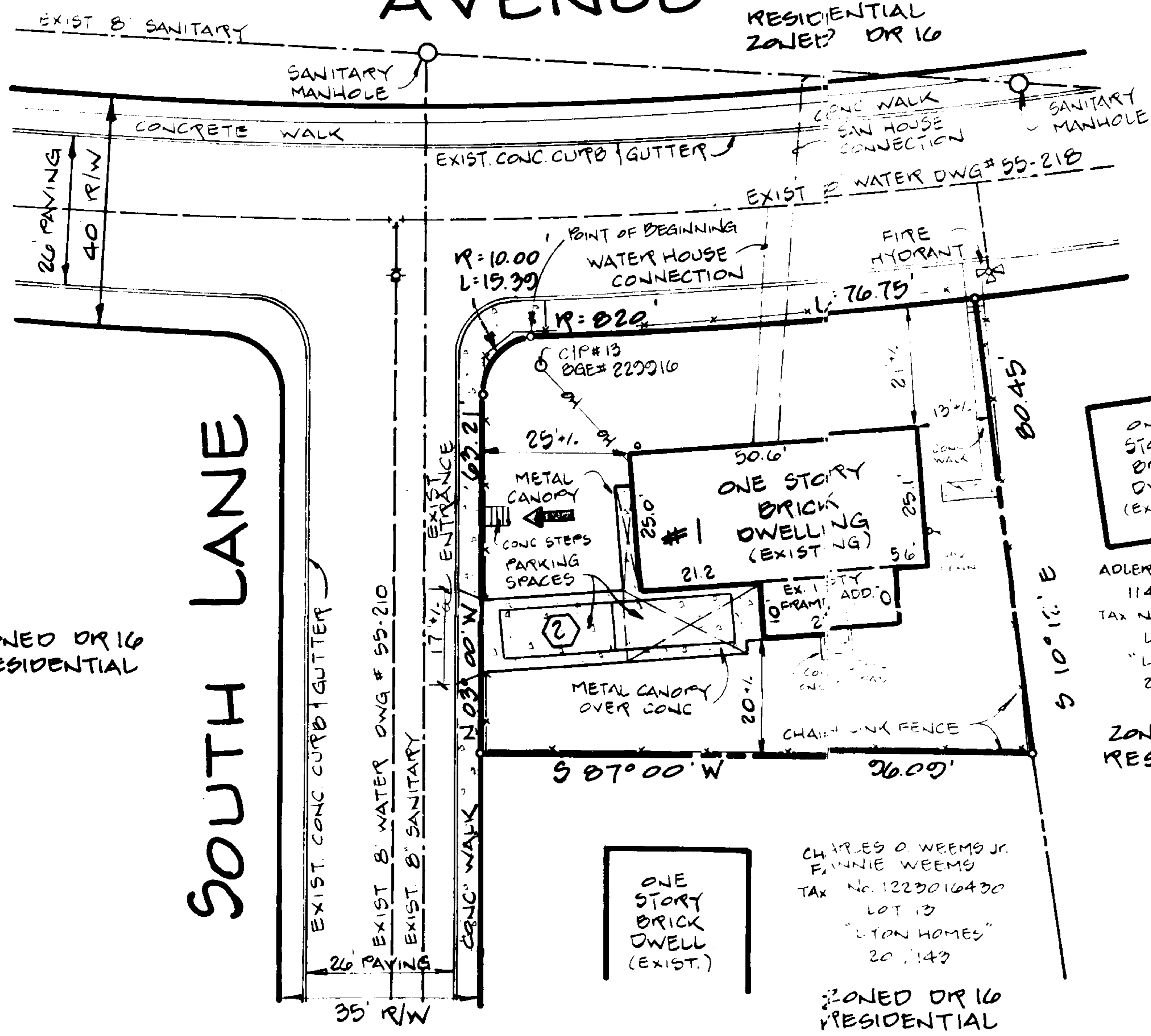
SITE AREA	6,975 SF or 0.16 Ac +/-
ELECTION DISTRICT	12
COUNCILMANIC DISTRICT	7
EXISTING ZONING	DR 16
DEED REFERENCE	12247/304
TAX MAP/PARCEL/ARID	110/11/50
TAX ACCOUNT No.	121001410
EXISTING USE	SINGLE FAMILY DWG.
PROPOSED USE	CLASS B GROUP CHILD CARE CENTER
FLOOR AREA RATIO	1500 SF (BUILDING) ÷ 6,975 SF = 0.22

PARKING CALCULATIONS

REQUIRED	
1 PER EMPLOYEE ON LARGEST SHIFT	
No. OF EMPLOYEES =	6
TOTAL REQUIRED =	6
PROVIDED	
TOTAL PROVIDED =	2

Ref. No 1

NEW PITTSBURGH AVENUE



ZONED DR 16 RESIDENTIAL

ONE STORY BRICK DWELL (EXIST.)

ADLER McCULLOUGH
11401 / 274
TAX No. 1213002040
LOT 15
"LYON HOMES"
20/143

ZONED DR 16 RESIDENTIAL

ONE STORY BRICK DWELL (EXIST.)

CHARLES O WEEMS JR.
FANNIE WEEMS
TAX No. 1223016430
LOT 13
"LYON HOMES"
20/143

ZONED DR 16 RESIDENTIAL

OWNER
EVELYN SIMS, TRUSTEE
114 CARVER ROAD
BALTIMORE, MD
21222-6201

235

GENERAL NOTES

1. THERE ARE NO PREVIOUS COMMERCIAL PERMITS FOR THE SUBJECT PROPERTY.
2. THERE ARE NO PREVIOUS ZONING HEARINGS, C.R.G., OR WAIVERS FOR THE SUBJECT PROPERTY.
3. THE PROPERTY LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA. (CDA)
4. THE PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
5. THE PROPERTY IS NOT LOCATED IN A RESIDENTIAL TRANSITION AREA.
6. ALL CHILDREN ATTENDING THE DAY CARE FACILITY WILL ARRIVE BY BUS OR ON FOOT.
7. THE SUBJECT SITE IS NOT WITHIN THE 100 YEAR FLOOD PLAIN.
8. THE MAXIMUM NUMBER OF CHILDREN TO USE THE PROPOSED FACILITY AT ANYTIME IS 38.

THIS ZONING PETITION IS FOR VARIANCES FROM THE FOLLOWING SECTIONS OF THE BALTIMORE COUNTY ZONING REGULATIONS:

1. Section 424.7 A. to allow for a lot size of 0.16 acres in lieu of the required 1/4 acre minimum.
2. Section 424.7 B. to allow for side and rear setbacks of 21', 20' and 13' respectively in lieu of the required 50' and also to allow for a 5' vegetative buffer in the side yards and rear yard in lieu of the required 20' vegetative buffer.
3. Section 424.7 C. to vary the requirement for a drop off and delivery area.
4. Section 424.7 E. to allow for an impervious area of 33% in lieu of the 25% maximum.
5. Section 424.1 B. to allow for the required solid wood stockade fence to be set back 0' ft. to the property lines in lieu of the 20' set back required.
6. Section 409.12 B. to allow for a modified parking plan where the requirements of Section 409.4, 409.6 (for 2 off street spaces in lieu of 6) and 409.8 A. cannot be met.

NO	DATE	REVISIONS DESCRIPTION
1	10/1/97	REV. PER FILING CONFERENCE COMMENTS
2	12/18/97	REV. PER FILING CONFERENCE FINAL COMMENTS

SPELLMAN, LARSON & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21204
PHONE: 823-3535

PLAT TO ACCOMPANY PETITION FOR VARIANCE

1 SOUTH LANE
LOT 14
"LYON HOMES"
G.L.B. 20/143

ELECTION DISTRICT No. 12 BALTIMORE COUNTY, MD

98-235-A

SCALE: 1" = 20'	DES. BY:	SHT. 1 OF 1
DATE: 9/18/97	DRN. BY: P.M.N.	