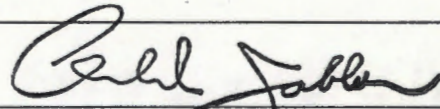


# USE PERMIT



IT IS ORDERED by the Director of the Baltimore County Department of Permits and Development Management, this 18<sup>th</sup> of July, 2001, that 5411 OLD FREDERICK RA. (street address) should be and the same is hereby granted permission to operate a CLASS "A" CHILD CARE CENTER FOR 12 CHILDREN.

Permit No. \_\_\_\_\_

  
Director

Planner's Initials JCM

APPLICATION FOR CHILD CARE CENTER

USE PERMIT

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

Proposed Child Care Center Location:

Election District # 1  
 Subdivision MERIDAL FARM  
 Street Address 5411 Old Frederick Rd  
 Lot Number \_\_\_\_\_ Block Number \_\_\_\_\_  
 \*If no lot or block number, give distance to nearest intersecting street 24' 10" feet, north / south / east / west of Old Frederick Rd Street / Road / Avenue  
 Lot Size \_\_\_\_\_ x \_\_\_\_\_  
1.7 ACRES

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

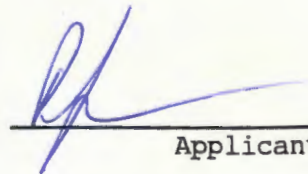
St. Agnes Elementary School  
5422 Old Frederick Rd

Type of structure - single story masonry walls, wood roof

General Information:

- A. Name and Address of Applicant/Operator  
Phyllis M. BELT-Jackson  
8312 Streamwood Dr.  
Pikesville, MD. 2108 Telephone Number 410-521-0774
- B. Number of Employees 3 Hours of Operation 7:00 AM to 6:00 PM  
 Days of Week Monday - Friday
- C. Number of Children Enrolled 12
- D. Estimated Amount of Traffic Generated:  
 Morning 15 CARS Afternoon 15 CARS
- E. Site Plan, drawn to scale, indicating location and type of structure on lot in question, location and dimensions of play parking area(s) arrangement, and proximity of dwellings on adjacent lots must accompany this Use Permit
- F. Snapshot of the Structure

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

  
 \_\_\_\_\_  
 Applicant's Signature

424.4--A. Group child care centers, Class A are permitted as an accessory use within single-family detached dwellings in all residential zones except R.C.4, in all industrial zones, and in R.O. and O.T. Zones if the Zoning Commissioner grants a use permit under the following procedure:

1. Upon application for a use permit, the owner or agent shall provide the following information:
    - a. number of employees;
    - b. number of children to be enrolled;
    - c. Hours of operation;
    - d. Estimated amount of traffic generated;
    - e. A site plan indicating location and type of structure on the lot in question, location and dimensions of play area(s), parking arrangement, and proximity of dwellings on adjacent lots;
    - f. A snapshot of the structure. [Bill No. 47, 1985.]
  2. On the property in question, notice of the application for the use permit shall be conspicuously posted for a period of thirty days following the filing of the application. [Bill No. 47, 1985.]
  3. Within the thirty day posting period, any occupant or owner within 1,000 feet of the lot in question may file a formal request for a public hearing with the Zoning Commissioner in accordance with Section 500.7. [Bill No. 47, 1985.]
  4. If a formal request for a public hearing is not filed, the Zoning Commissioner, without a public hearing, may grant a use permit for a child care center if the proposed use meets all the requirements of this subsection and any other applicable requirements. Such use permit may be issued with such conditions or restrictions as determined appropriate by the Zoning Commissioner to satisfy the provisions of 424.4.A.6.c below and to ensure that the child care center will not be detrimental to the health, safety or general welfare of the surrounding community. [Bill No. 47, 1985.]
  5. If a formal request for a public hearing is filed, the Zoning Commissioner shall schedule a date for the public hearing, such hearing to be held not less than 15 days following public notice of such hearing in two newspapers of general circulation and not more than 60 days from the date of filing of the requests for public hearing. [Bill No. 47, 1985.]
  6. Following the public hearing, the Zoning Commissioner may either deny or grant a use permit conditioned upon:
    - a. his findings following the public hearing;
    - b. the character of the surrounding community and the anticipated impact of the proposed use on that community;
    - c. the manner in which the requirements of subsection 424.1 and other applicable requirements are met; and any additional requirements as deemed necessary by the Zoning Commissioner in order to ensure that the child care center will not be detrimental to the health, safety or general welfare of the surrounding community and as are deemed necessary to satisfy the objectives of Section 502.1 of these regulations. [Bill No. 47, 1985.]
    - d. Section 1B01.1.B notwithstanding, the Zoning Commissioner may modify 1B01.1.B.1.b.3 as it pertains to such use in D.R. Zones. [Bill No. 47, 1985.]
- B. Group child care centers, Class A are permitted as an accessory use within single-family detached dwellings in O-1 and O-2 Zones and in all business zones, by right. [Bill No. 47, 1985.]

3. the arcade is clearly subordinate in area, extent, and purpose to the principal use;
4. the zoning commissioner specifies the maximum number of amusement devices to be maintained in the arcade; and
5. in the resource conservation, density residential, elevator-apartment residence, residential-office, and office zones, the principal use is operated as a private club for the benefit of persons who are bona fide members paying dues for the principal use and the use of the arcade is restricted to such members and their guests and is not open to the general public or to lessees of said private club. [Bill No. 66, 1983.]

Section 424--FAMILY CHILD CARE HOMES, GROUP CHILD CARE CENTERS,  
AND NURSERY SCHOOLS [Bills No. 47, 1985; No. 66, 1985;  
No. 300-90.]

Policy A-B

Family child care homes, group child care centers, and nursery schools are permitted in all zones in accordance with this section. If a conflict arises between this section and other specific provisions of these zoning regulations, this section shall govern. [Bill No. 47, 1985.]

424.1--General. Family child care homes, group child care centers, and nursery schools shall meet the following requirements:

- A. Any such use shall be registered, licensed, or certified as required by the applicable state or local agency. [Bill No. 47, 1985.]
- B. In addition, with respect to group child care centers and nursery schools, outdoor play space abutting residential property shall be fenced. Fences shall be solid wood stockade or panel, a minimum height of five (5) feet, and no closer to the property line than twenty (20) feet. [Bills No. 47, 1985; No. 26, 1988, No. 200, 1990.]
- C. On or after April 15, 1985, no family child care home, group child care center or nursery school shall be permitted adjoining a residentially used property or dwelling unit in a D.R. or R.C. zone that has an existing family child care home or group-child care center or nursery school adjoining such residentially used property or dwelling unit. [Bills No. 47, 1985; No. 66, 1985.]

Application for your proposed Class A Child Care Center has been reviewed and is accepted for filing by JOE MERRE on 6-7-01 DATE (A)

A sign indicating the proposed use must be posted on the property for thirty (30) days during the 30-day posting period, a decision must be rendered. ~~Cost of sign includes~~

In the event a decision is not rendered during the 30-day posting period, a decision must be rendered within 30 days of the expiration of the posting period.



6/8/01  
POSTING DATE 6/11/01  
B (A + 7 DAYS OR NEXT FRIDAY)  
POSTED C (CERTIFIED BELOW)  
DATE \_\_\_\_\_  
TESTS \_\_\_\_\_  
D (C + 30 DAYS)  
DECISION DATE 7/16/01  
E (A + 45 DAYS OR D + 5 WORK DAYS)

\*Within 14 days of

CERTIFICATE OF POSTING

District \_\_\_\_\_

Location of Property: 5411 OLD FREDERICK ROAD

Number of Signs: 1

Date of Posting: 6/6/2001

Posted by: Richard E. Hoffman 6/6/01  
(410) 877-3122

USE/CHLD (TXTSOPH)  
Revised 7/28/93

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 93871

DATE 6/5/01 ACCOUNT 001-006-6150

AMOUNT \$ 50.00

RECEIVED FROM: Phyllis Belt-Jackson

FOR: USE: Permit Application

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

PAID RECEIPT  
PAYMENT      ACTUAL      TIME  
6/06/2001      6/04/2001      11:41:09  
REG MGR: CASHIER DOL DRD DRYER  
>> RECEIPT # 143657  
Dept 5 528 ZONING VERIFICATION  
CR. NO. 093871  
Recpt Tot: 50.00  
50.00 CK      .00 CF  
Baltimore County, Maryland

CASHIER'S VALIDATION

7064 207717

DEED

THIS DEED, dated the 31 day of December,  
1985, from JACK TUCKER, Grantor, to JEAN GOLDMAN, Grantee.

RECITAL

Grantor and Grantee have entered into an exchange agreement (the "Agreement") wherein Grantor shall exchange the hereinafter described property for the property of the Grantee described on Exhibit 1 attached hereto, which property of the Grantee shall be contemporaneously transferred to the Grantor by separate Deed.

The Grantor for and in consideration of the exchange of the property as set forth above, grants, conveys and assigns all his right, title and interest to the Grantee, her personal representatives and assigns, in fee simple, the real property located in Baltimore County, Maryland, and described as follows:

BEGINNING for the same at an iron pipe on the northwest side of the property now being described at the end of the South 64° 35' 50" East 14.85 foot line from a fence post as described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, Co-partners, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42,

Thence North 25° 24' 10" East 248.95 feet to the southwestmost corner of a highway widening strip along Old Frederick Road as recorded in the Land Records of Baltimore County in Liber 5535, Folio 444 in a deed from Isaac Goldman and Jack Tucker to Baltimore County and as shown on the Right of Way Acquisition Plat No. 75-088-2 recorded in the last mentioned deed.

Thence with the southmost right of way line of Old Frederick Road,

South 81° 54' 50" East 14.61 feet

Thence by a curve to the left with a radius of 530 feet an arc length of 171.72 feet as defined by a chord with a bearing of South 88° 48' 15" West and a length of 170.97 feet to a point 177.20 feet from the beginning of the fourth line of the deed recorded in Liber O.T.G. 5366, Folio 42.

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION

dt 1/2/86  
CLERK DATE

B 003\*\*\*\*448491a 5028A

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE

SIGNATURE [Signature] DATE 1/2/86

DEED  
CHK TR T 2822.03  
70520X 1002 R02 10248  
01/02/86

1402.50  
1401.53  
17

JD-200-0001-200

7060 1718

Thence continuing said fourth line as now surveyed,

South 84° 07' 53" East 5.72 feet to the end of the said line,

Thence leaving Old Frederick Road,

South 29° 09' 55" West 507.46 feet to a point,

Thence at right angles to the last line, for a new line of division,

North 60° 50' 05" West 235.09 feet to a point on the northwest outline of the entire tract described in Liber O.T.G. 5366, Folio 42, thence running on part of the said outline,

North 60° 41' 43" East 49.40 feet to the end of said line, thence along the following three courses in the last mentioned deed:

South 84° 30' 10" East	57.56 feet
North 24° 52' 40" East	97.40 feet
South 64° 35' 50" East	14.85 feet

to the point of beginning.

Containing 1.7 acres more or less.

Being part of the entire tract of land described in a deed from RAD, Inc. to Isaac Goldman and Jack Tucker, trading as Frederick Villa Nursing Center and as recorded in the Land Records of Baltimore County in Liber O.T.G. 5366, Folio 42.

Being the same lot of ground which by Deed dated July 2, 1976, and recorded among the Land Records of Baltimore County in Liber e.h.k., Jr. 5652, folio 301, was granted and conveyed to Frederick Villa Professional Center, a Maryland general partnership.

Pursuant to Articles of Dissolution of Frederick Villa Professional Center, a Maryland partnership, title to the above described property vested in Jack Tucker as to a 1/3 interest and in the Estate of Isaac Goldman as to a 2/3 interest.

7064-1720

EXHIBIT 1

BEGINNING for the first on the West side of Hickory Avenue at a distance of 35 feet Southerly from the South line of John Manns lot and running thence Southerly binding on the West side of Hickory Avenue 60 feet thence Westerly parallel with John Manns line about 129 feet 8 inches to a 10 foot alley laid out by John C. Armstrong for the use in common of the lots binding thereon thence Northerly binding on the East side of said alley 60 feet to a post thence running Easterly and parallel with Manns lot to the place of beginning. The improvements thereon being known as 3806 and 3808 Hickory Avenue. Excepting as much as was conveyed by Charles E. Griffith and wife to Charles M. Lindsay and wife by deed dated September 14, 1948 and recorded among the Land Records of Baltimore City in liber M.L.P. 7611 folio 234.

BEGINNING for the second thereof at a stone standing on the west side of Pimlico Road; north of Sumter Avenue at the end of the second line of the land described in a Deed from George Whitelock, Trustee to Giles O. Greswold bearing date of July 6, 1886, and recorded among the Land Records of Baltimore County in J.W.S. 153, Folio 116 and running thence binding on the third line thereof south 72 degrees west 478 feet, 10 1/2 inches to the east side of Park Heights Avenue and still continuing the same course south 72 degrees west 37 feet, 2 1/2 inches to the center thereof, thence binding on the center of Park Heights Avenue, south 30 degrees, 20 minutes east 87 feet, 4 inches thence parallel with the first line of this description north 72 degrees east 505 feet, 4 inches to the west side of Pimlico Road and thence binding on said Pimlico Road north 22 degrees, 52 minutes west 85 feet, 7 inches to the place of beginning. Saving and excepting therefrom that part of the above lot fronting on Old Pimlico Road which was conveyed unto the Surboran Construction Company by Joseph Loessel and Anna S. Loessel, his wife, by Deed dated April 18, 1925 and recorded among the Land Records of Baltimore City in Liber S.C.L. 4443, Folio 90. The improvements on lot now being conveyed being known as 4637 Park Heights Avenue.

BEGINNING for the third thereof at the second lot of ground described in a Deed from William Penrose to Frank O. Singer, Jr. dated May 30, 1911 and recorded among the Land Records of Baltimore County in Liber W.P.C. 378, Folio 333 and running thence in a southeasterly direction 199 feet, 9 1/2 inches more or less to the end of the third line of the aforesaid deed thence easterly 114 feet, 10 1/2 inches to the southwest side of a 10 foot alley thence on the southwest side of said 10 foot alley with the use of the same in common northwesterly 197 feet more or less to a point 110 feet southwest from the end of the first line in the aforesaid deed which point is also 110 feet southwest from the southwest side of Pimlico Road; thence southwest 140 feet, 10 inches more or less to the beginning. Being in the rear of 4626 - 4652 Pimlico Road.

4925A/1

Mail to Frederic Friedman  
Address Light Redwood St  
21202

70641719

Together with all improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages belonging or appertaining thereto.

To have and to hold the property hereby conveyed unto the Grantee, her successors and assigns, in fee simple, forever,

The Grantor covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN TESTIMONY WHEREOF, the Grantor has caused this Deed to be duly executed.

WITNESS:

Beverly Eisberg

Jack Tucker (SEAL)  
Grantor

STATE OF MARYLAND to wit:  
~~CITY~~/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 31 day of December, 1985, before me, the subscriber, a Notary Public in and for the ~~City~~/County and State aforesaid, personally appeared JACK TUCKER, the within Grantor, and made oath in due form of law that he executed the foregoing Deed for the purposes therein contained.

WITNESS my hand and Notarial Seal.

Beverly Eisberg  
Notary Public

My Commission Expires: 12/31/88

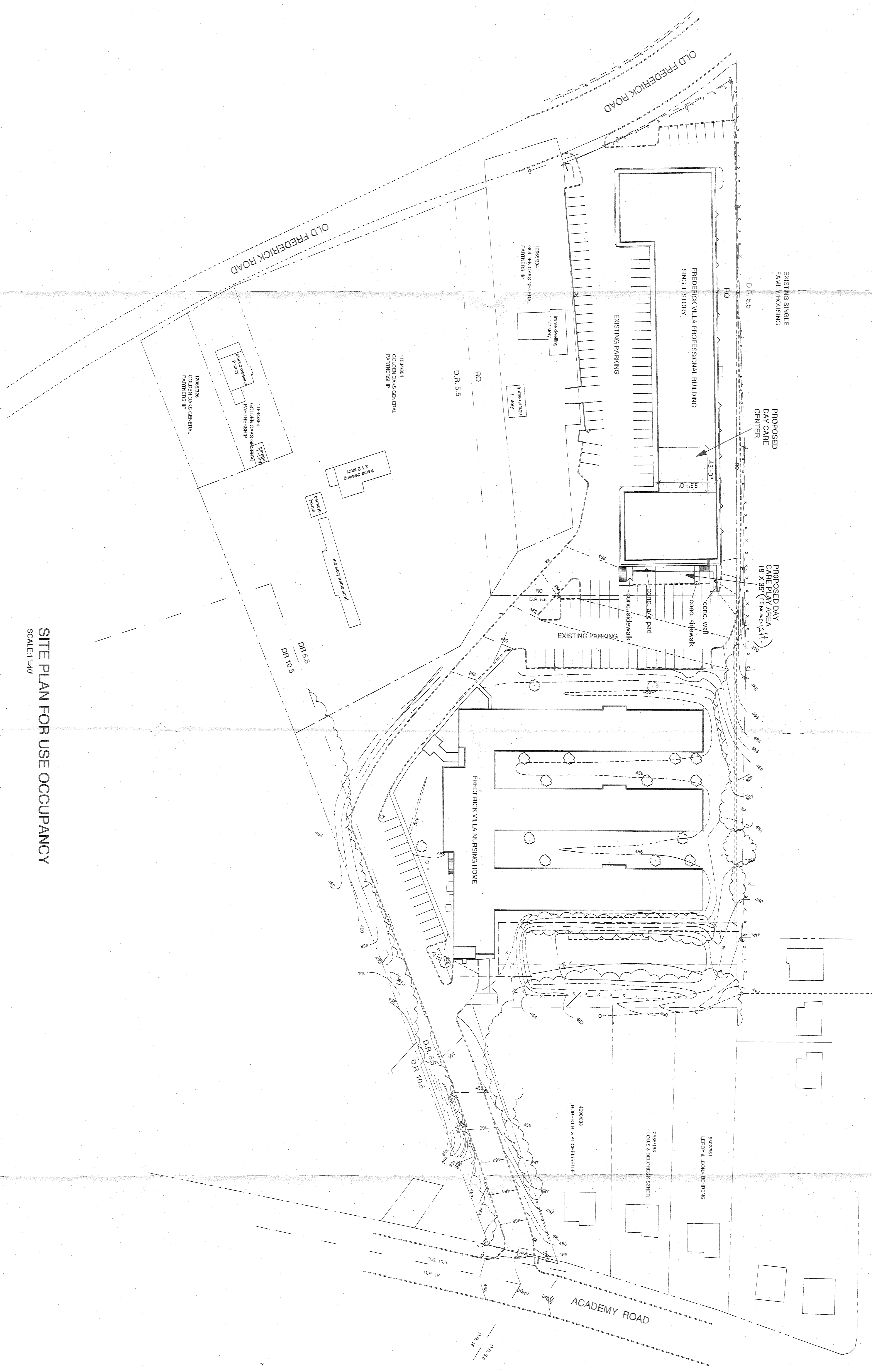




USE PERMIT APPLICATION



5411 Old Frederick Rd  
POSTED 6/6/01  
S. Schulz



SITE PLAN FOR USE OCCUPANCY  
SCALE: 1"=40'

Job No. 02201  
 Sheet No. S-1  
 Date 6/01/01

Sheet Title  
 SITE PLAN FOR USE OCCUPANCY

WE CARE FOR KIDS, INC  
 DAY CARE CENTER  
 OWNER: PHYLLIS JACKSON

© COPYRIGHT NELSON-SALABES INC.

**N** NELSON - SALABES, INC.  
 ARCHITECTS PLANNERS  
 1045 Taylor Avenue, Suite 208, Baltimore, Maryland 21286-6385  
 (410) 828 - 6636 FAX: (410) 828 - 4374

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