

IN RE: PETITION FOR SPECIAL HEARING
E/S Courtleigh Drive, 150' N of the c/l
Church Lane
(3737 Courtleigh Drive)
2nd Election District
5th Council District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 01-063-SPH

Keith R. Millard, Owner;
Bruce and Caroline Owens, Contract Purchasers

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Keith R. Millard, and the Contract Purchasers, Bruce and Caroline Owens. The Petitioners request approval, pursuant to the Petition for Special Hearing, of an amendment to the previously approved site plan in Case No. 88-68-SPH to permit seven (7) senior citizens in lieu of the permitted five (5), per Restriction No. 1 of that Order. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted and marked into evidence as Petitioner's Exhibit 1.

This matter was originally scheduled for a public hearing on September 25, 2000. Bruce Owens, co-Petitioner, appeared at that time; however, it was determined that the property was not properly posted giving public notice of the hearing and relief being requested. Thus, the hearing was continued, the site re-posted, and the matter reconvened on October 20, 2000. On that date, Mr. Owens again appeared. There were no Protestants or other interested persons present.

Testimony and evidence presented revealed that the subject property is an irregularly shaped parcel, located with frontage on Courtleigh Drive, not far from Old Court Road and Church Lane in Randallstown. The property contains a gross area of 6,316 sq.ft., more or less, zoned D.R.5.5, and is improved with a two-story dwelling, which has been used as a senior housing facility since 1988, pursuant to the relief granted in prior Case No. 88-68-SPH. In addition to the dwelling, the property features a concrete driveway which provides three off-street parking spaces. Apparently, Mr. Millard obtained the relief granted in the prior case, which was limited to no more

ORDER RECEIVED FOR FILING

Date 11/13/01

By [Signature]

than five (5) senior residents, and has operated such a facility on the premises since 1988. In 1997, Mr. & Mrs. Owens took over the operation of the business, and have recently contracted to purchase same. Mr. Owens indicated that seven (7) seniors have resided on the property since he and his wife took over the business. In fact, there were seven (7) seniors living in the dwelling when they took over the business and apparently, that had been the arrangement for many years. To the best of Mr. Owens' knowledge, seven senior citizens have resided on the property for many years. It is unclear when the increase from five to seven individuals occurred, other than to conclude that it has been for some time.

Mr. Owens testified that the individuals residing in the house are 62 years of age and older. There are seven bedrooms so that each resident has a separate bedroom. There are also two kitchens, one on each floor. Mr. Owens indicated that one caregiver is on the property 24-hours a day and that a second caregiver is present during the day. Mr. Owens also indicated that his facility is licensed by the State, and has repeatedly passed and met all standards for senior housing promulgated and enforced by the State of Maryland. He indicated that the State license allows for up to seven (7) seniors to reside on the property. However, the relief requested is necessary in order to legitimize existing conditions and allow for the transfer of title to the Owens.

Based on the testimony and evidence presented, I am persuaded to grant the special hearing. Although the grant of this relief should not be considered as a reward for the long-standing non-compliance with the original order, the testimony and evidence presented in this case was that seven seniors can be reasonably housed on this property. There were no Protestants present, and clearly the use of the property as an assisted living facility has not been problematic for the area or neighborhood. Additionally, the State has licensed the facility for seven seniors and apparently finds that adequate rooms and space are available on the premises. For these reasons, I am persuaded to grant the requested relief.

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

ORDER RECEIVED FOR FILING
Date 11/13/11
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of November, 2000 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 88-68-SPH to permit seven (7) senior citizens in lieu of the permitted five (5), pursuant to Restriction No. 1 of that Order, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their use 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.
- 2) The Petitioners shall continue to abide by all licensing requirements of the State of Maryland relative to operating the subject assisted living facility for senior citizens.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 11/13/11

By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

November 8, 2000

Mr. & Mrs. Bruce Owens
3739 Courtleigh Drive
Randallstown, Maryland 21133

RE: PETITION FOR SPECIAL HEARING
E/S Courtleigh Drive, 150' N of the c/l Church Lane
(3737 Courtleigh Drive)
2nd Election District - 5th Council District
Keith R. Millard, Owner; Bruce & Caroline Owens, Contract Purchasers - Petitioners
Case No. 01-063-SPH

Dear Mr. & Mrs. Owens:

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 Department of Permits and Development
Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Keith R. Millard
2211 N. Charles Street, Baltimore, Md. 21133
People's Counsel; Case File



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3737 CUNTLIGH DRIVE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and 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 AN AMENDMENT TO

Zoning CASE 88-68 SPH TO PERMIT SEVEN SENIOR CITIZENS
IN LIEU of THE PERMITTED five PER RESTRICTION NUMBER
ONE of SAID ORDER.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

BRUCE AND CAROLINE OWENS
Name - Type or Print
Bruce Owens Caroline Owens
Signature
3739 CUNTLIGH DR 410-655-3017
Address Telephone No.
RANDALLSTOWN MD 21133
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

KEITH R. MILLARD
Name - Type or Print
Keith Millard
Signature

Name - Type or Print

Signature
2211 N. CHARLES ST. 410-
Address Telephone No.
BALTIMORE MD 21133
City State Zip Code

Representative to be Contacted:

CONTRACT PURCHASER
Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JUM Date 8-9-00

ORDER RECEIVED FOR FILING
Case No. 01-063 SPH.
Date 11/13/00
By [Signature]

ZONING DESCRIPTION FOR 3737 COURTLEIGH DR.

BEGINNING AT A POINT ON THE ~~NORTH~~ ^{EAST} SIDE OF
COURTLEIGH DR.

~~OLD COURT DR.~~ WHICH IS 50 ~~95~~ FEET WIDE
200 FT. SOUTH

AT THE DISTANCE OF ~~200 FT.~~ OF THE

CENTER LINE OF THE NEAREST IMPROVED

INTERSECTING STREET OLD COURT DR WHICH
IS 50 FT. WIDE. BEING LOT # 3 BLOCK

IS SECTION # N/A IN THE SUBDIVISION

OF COURTLEIGH DRIVE. AS RECORDED

IN BALTIMORE COUNTY PLAT BOOK #48, Folio #51

 CONTAINING 6,316 $\pm$ SQ. FT. ALSO

KNOWN AS 3737 COURTLEIGH DRIVE AND

LOCATED IN THE 2ND ELECTION DISTRICT

5TH COUNCILMANIC DISTRICT.

01-063-SPH ⁰⁶³

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION

3737 COURTLEIGH DRIVE

Beginning at a point on the east side Courtleigh Drive (60' right-of-way) which is approximately 150' north of the intersection with Church Lane (60' right-of-way). Thence the following courses and distances: 1) North 01 degrees 44 minutes 50 seconds East 55.00 feet, 2) South 88 degrees 15 minutes 10 seconds East 95.91 feet, 3) South 32 degrees 50 minutes 45 seconds East 66.81 feet, 4) North 88 degrees 15 minutes 10 seconds West 133.84 feet, to the place of beginning as recorded in Deed Liber 8330, Folio 384.

Consisting of 6,316 square feet, or 0.145 acres of land more or less.

00-128

08/16/00



**BALTIMORE COUNTY, MAF
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

AND

No.

8523

063

DATE 1-9-00

ACCOUNT F001-6150

AMOUNT \$ 250.00

RECEIVED

B. EVANS

3737

FOR:

(041) SPH.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

1000

PAID RECEIPT

PAYMENT METHOD THE

8/09/2000 8/09/2000 10:37:46

8/09/2000 CASHIER LAM LAM DOWNEY

8/09/2000 5 528 ZIMMER RECEPTION

8/09/2000 1327/3

8/09/2000 0822/7

8/09/2000

250.00 OK

Baltimore County, Maryland

CASHIER'S VALIDATION

01-063-SPH

CERTIFICATE OF POSTING

RE: Case No.: 01-063-SPH

Petitioner/Developer: _____

BRUCE & CAROLINE OWENS

Date of Hearing/Closing: 10/20/00

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

Attention: Ms. Gwendolyn Stephens

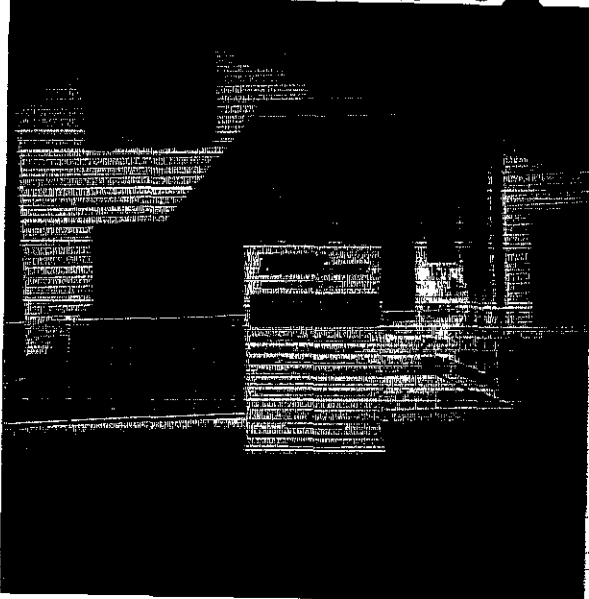
Ladies and Gentlemen:

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 _____

3737 COURTLEIGH DR.

The sign(s) were posted on 10 / 4 / 2000
(Month, Day, Year)

CASE # 01-063-SPH



Sincerely,

Richard E. Hoffman
(Signature of Sign Poster and Date)

RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

3737 COURTLEIGH DR.

POSTED 10/4/2000

Richard E. Hoffman 10/4/2000

NOTICE OF ZONING HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #01-063-SPH

3737 Courthouse Drive, 200 feet +/- of centerline Old Court Road
EIS Courthouse Drive, 200 feet +/- of centerline Old Court Road
2nd Election District - 5th Councilmanic District

Legal Owner(s): Keith R. Millard

Contract Purchaser: Carolina & Bruce Owens

Special Hearing: to approve an amendment to restrict number one of Zoning Case 88-66-SPH to permit 7 senior citizens in lieu of the permitted 6.

Hearing: Monday, September 25, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bessey Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3381. CA17322
8/017 September 7

CERTIFICATE OF PUBLICATION

TOWSON, MD, 9/7/, 2000

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 9/7/, 2000.

S. Jeffersonian
THE JEFFERSONIAN,

LEGAL ADVERTISING

RE: PETITION FOR SPECIAL HEARING
3737 Courtleigh Drive, E/S Courtleigh Dr,
200' S of c/I Old Court Rd
2nd Election District, 5th Councilmanic

Legal Owner: Keith R. Millard
Contract Purchaser: Bruce & Caroline Owens
Petitioner(s)

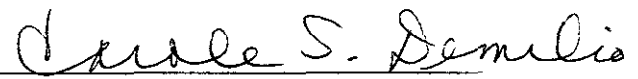
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-63-SPH

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of September, 2000 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Keith R. Millard, 2211 N. Charles Street, Baltimore, MD 21218, and to Contract Purchaser Bruce & Caroline Owens, 3739 Courtleigh Drive, Randallstown, MD 21133, Petitioners.


PETER MAX ZIMMERMAN.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 17, 2000

NOTICE OF ZONING 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: 01-063-SPH
3737 Courtleigh Drive
E/S Courtleigh Drive, 200 feet +/- of centerline Old Court Road
2nd Election District – 5th Councilmanic District
Legal Owner: Keith R. Millard
Contract Purchaser: Caroline & Bruce Owens

Special Hearing to approve an amendment to restrict number one of zoning case 88-68-SPH to permit seven senior citizens in lieu of the permitted five.

HEARING: Friday, October 20, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

C: Keith R. Millard, 2211 N. Charles Street, Baltimore 21133
Bruce & Caroline Owens, 3739 Courtleigh Dr, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY .OCTOBER 4, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Friday, September 8, 2000 Issue – Jeffersonian

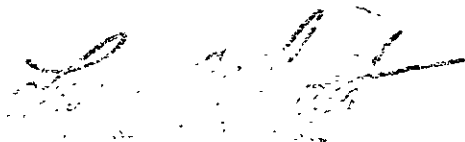
Please forward billing to:
Bruce & Caroline Owens
5992 Cecil Way
Eldersburg, MD 21784

NOTICE OF ZONING 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: 01-063-SPH
3737 Courtleigh Drive
E/S Courtleigh Drive, 200 feet +/- of centerline Old Court Road
2nd Election District – 5th Councilmanic District
Legal Owner: Keith R. Millard
Contract Purchaser: Caroline & Bruce Owens

HEARING: Monday, September 25, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.



612

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 063
Petitioner: Bruce & Caroline Owens
Address or Location: 3737 Courtleigh Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: BRUCE & CAROLINE OWENS
Address: 5992 Cecil Way
Eldersburg MD 21784
Telephone Number: 410-549-0255

Revised 2/20/98 - SCJ

01-063-SPH



Baltimore County
Department of Permits and
Development Management

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

September 22, 2000

Keith R. Millard
2211 N. Charles Street
Baltimore, MD 21133

Dear Mr. Millard:

RE: Case Number: 01-063-SPH, 3737 Courtleigh Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 9, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
GDZ

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Bruce & Caroline Owens, 3739 Courtleigh Drive, Randallstown 21133
People's Counsel





Baltimore County
Department of Permits and
Development Management

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

October 13, 2000

Keith R. Millard
2211 N. Charles Street
Baltimore, MD 21133

Dear Mr. Millard:

RE: Case Number: 01-063-SPH, 3737 Courtleigh Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 9, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Bruce & Caroline Owens, 3739 Courtleigh Drive, Randallstown 21133
People's Counsel



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 30, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 28, 2000
Item Nos. 058, 059, 060, 061, 062, 063,
064, 065, 066, 067, 068, 069,

and

Item No. 551 (Zoning Case 00-551-A)
318 Wye Road by TAG

and

Item No. 057 (2601 Old Court Road)

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

August 22, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: BRANCHWATER FARMS, INC. - 062
KEITH R. MILLARD - 063

Location: DISTRIBUTION MEETING OF AUGUST 21, 2000

Item No.: 062 AND 063

Dear Ms. Stephens:

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *mc/RBS*

DATE: September 11, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of August 21, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
057	2601 Old Court Road
058	4 Jacob Lee Court
059	Priceville Road/Hunt Farms Court
061	Tartan Hill Road
063	3737 Courtleigh Drive
064	7820 Ellenham Avenue
065	4 Silver Maple Court
066	5533 Emory Road
067	1007 Chesaco Avenue
068	6715 Ransome Drive

AS
9/25

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 28, 2000

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

AUG 29

SUBJECT: 3737 Courtleigh Drive

INFORMATION:

Item Number: 01-063

Petitioner: Keith R. Millard

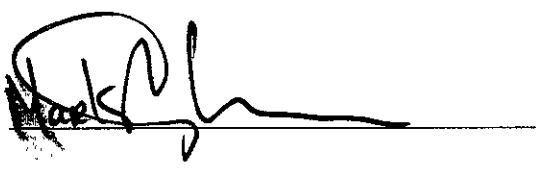
Zoning: DR 5.5

Requested Action: Special Hearing

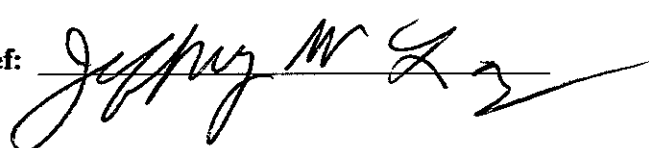
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not support the request to approve an amendment to restriction number one of zoning case 88-68SPH to permit seven senior citizens in lieu of the permitted five.

Prepared by:



Section Chief:



AFK:MAC:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: **8-21-00**

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

RE: Baltimore County
Item No. **063 JCM**

Dear Ms. Jackson:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

**/s/ Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division**

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
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

September 25, 2000

Bruce & Caroline Owens
3739 Courtleigh Drive
Randallstown, MD 21133

Dear Mr. & Mrs. Owens:

RE: Case Number 01-063523-SPH, 3739 Courtleigh Drive

The above matter, previously assigned to be heard on August 25, 2000 has been **rescheduled for Friday, October 20, 2000 at 2:00 p.m. in Room 407.** You must have the Zoning Notice Sign posted on the property by October 4, 2000.

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible. 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 you need further information or have any questions, please do not hesitate to contact George Zahner at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arnold Jablon", with the initials "GDZ" written below it.

Arnold Jablon
Director

AJ: gdz

C: Keith R. Millard, 2211 N. Charles Street, Baltimore 21133

APPLICANT SUBMITTED

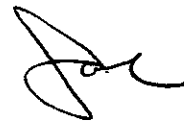
REVISED PLANS ON

8-24-00.

NOTE TO FILE -

8-10-00

MR. OWEN ADVISED TODAY
THAT HE ~~W~~ IS CONTACTING
SOMEONE TO RE-DRAW HIS
PLAN. HE WILL BE SUBMITTING
W/IN THE NEXT SEVERAL DAYS.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 23, 1994

Rose Marie Millard Pineda
President
Bon Vie, Inc.
3739 Courtleigh Drive
Randallstown, MD 21133

RE: Revised Zoning Determination of
Compatibility with Zoning Case
#88-68-SPH AND New Elderly Housing
Class "A" Regulations
Bon Vie, Inc.
3737 Courtleigh Drive
2nd Election District

Dear Ms. Pineda:

This letter responds to your correspondence requesting "a determination for the sake of the Department of Aging approval that my shelter care use as approved for five senior citizens and two care givers, and in compliance with all other zoning restrictions, is the equivalent of an elderly housing facility as defined under the current Zoning Regulations Sec. "432" and therefore for the sake of reducing confusion caused by the difference in the old vs. the new terminology, be approved as a current assisted living facility, subject to my continued compliance with the approved Site Plan, Order and Restrictions". You also requested that an earlier letter from Mr. John Sullivan of this office (dated August 5, 1994) be revised accordingly.

Based on the provided information, the zoning staff has determined that, "though the above referenced uses are not identical, there is no conflict with the approved shelter care use in case #88-68-SPH and Class "A" elderly housing. Therefore, the site is approved for zoning for the care of 5 senior citizens and 2 care givers in compliance with the approved site plan and restrictions in zoning case #88-68-SPH. A copy of the order and restrictions, as well as a partial copy of the approved site plan, are being forwarded with this letter.

063

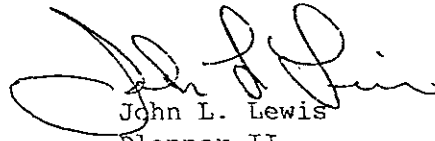
01-063-SPH



Rose Marie Millard Pineda
August 22, 1994
Page 2

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John L. Lewis
Planner II

JLL:scj

Enclosures

cc: Michael Cook, Balto. Co. Dept. of Aging
Zoning Case #87-208-SPH
Zoning Case #88-68-SPH

Pursuant to the advertisement, posting of the property, and public hearing on the Petition, it appears that to amend the site plan filed in Case No. 87-208-SPH and the Order rendered therein in order to reduce the size of the proposed building and to relocate it onto Lot 3 would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations and will not be detrimental to the health, safety, and general welfare of the community.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of August, 1987, that to amend the site plan filed in Case No. 87-208-SPH and the Order rendered therein in order to reduce the size of the proposed building and to relocate it onto Lot 3 be approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. There shall be no more than five senior citizens and two caregivers.
2. If a dumpster is used, it must be appropriately screened.
3. The site plan, Petitioner's Exhibit 1, shall be adopted in its entirety and made a part of this Order.
4. The landscaping in the rear of Lot 3 adjoining Lot 1 shall be dense enough to prevent access between the two lots.

Amelia Jellon
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Carol Ann Wildesen, Esquire

Ms. Emily Wolfson

Ms. Florenda Dodson

People's Counsel

ON FILING

2/19/87
[Signature]

Carol Ann Wildesen, Esquire
Suite 500 Chesapeake Building
305 West Chesapeake Avenue
Towson, Maryland 21204

October 17, 1986

NOTICE OF HEARING

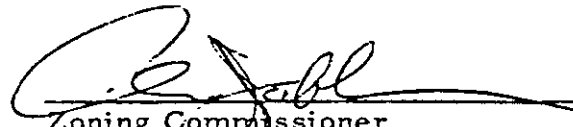
RE: PETITION FOR SPECIAL HEARING
E/S of Courtleigh Dr., 118.19' S of the
c/1 of Old Court Rd. (3735 and 3737
Courtleigh Dr.)
2nd Election District
Bon Vie, Inc. - Petitioner
Case No. 87-208-SPH

TIME: 10:00 a.m.

DATE: Monday, November 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

OCT 23 1986


Zoning Commissioner
of Baltimore County

AJ:med

ccs: Mr. Jack J. Millard
Mrs. Rose Marie Millard
Bon Vie, Inc.
7521 Gaither Road
Sykesville, Maryland 21784

Ms. Kim Dixon
138 North Marshall Street
York, Pennsylvania 17402

P.S. TO MS. WILDESEN: Please come in and sign in triplicate
the Petition for Special Hearing before the date of the hearing.
You are indicated as being the attorney for the Petitioner in this
matter. Thank you. BALTIMORE COUNTY ZONING OFFICE

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve on rehearing the proposed site plan, as amended and shown on Exhibit A attached hereto and made a part hereof, for the construction of a single family dwelling for use as sheltered housing for the elderly. (A copy of the Findings of Fact And Conclusions of Law dated December 12, 1986 is attached hereto as Exhibit B wherein the use was determined to be a permitted use within the D.R. 5.5. Zone Classification).
Prior Case No. 87-208 SPH

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

I, or we, agree to pay expenses of the 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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Carol Ann Wildesen

(Type or Print Name)

Signature

202 The Adams Building
600 Baltimore Avenue

Address Towson, Maryland 21204

City and State

Attorney's Telephone No.: 825-7600

Legal Owner(s):

Bon Vie, Inc.

(Type or Print Name)

By:

Signature Jack J. Millard, Pres.

(Type or Print Name)

Signature

Address

Phone No.

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Bon Vie, Inc.

c/o Jack J. Millard, Pres.

Name 7521 Gaither Road

Sykesville, Maryland 21784

Address

Phone No.

795-5800

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

ZONING USE PERMIT PLAN FOR CLASS A

ASSISTED LIVING FACILITY
LOCATED AT

3737 COURTLEIGH DR

BAITIMORE MD 21133

PROPERTY OWNER: KEITH R. MILLARD

DATE: 5-21-99 (PLAN DATE)

2506 N CHARLES ST

BAITIMORE MD 21218-4603

PHONE 410-235-5242

LOT SIZE: 6,316.00 SF

OR 0.145 AC

ZONING MAP NW 7-H

ZONE DR S.5

AREA REQUIRED FOR

6 BED: 1,110 SF * SEE

PARKING: 1 SPACE FOR EACH

3 BED: 2 PARKING SPACE

REQUIRED

1ST FLOOR ROOM 575 SF

2ND FLOOR ROOM 535 SF

2ND ELECTION DISTRICT

1000 SF PLUS
OPEN SPACE

40'

0.145 AC.±

BLOCK
FOUNDATION

2 STY

FRAME

DWLG

3737

30.7'

37.3'

10'±

25' B.R.L.

S88°15'10"E

CONCRETE

ALL EXISTING

N01°44'50"E

55.00'

29'±

133.84'

66.81'

* DENSITY CALCULATIONS
FOR 7 BEDS DR S.5
1110 SF FOR 6 BED

LIBERTY RD

DOWNNEY

CHURCH RD

SITE

OLD COURT RD

COURTLEIGH ROAD

TIN-20-00-013056

KEITH R. MILLARD

7/12/00

JACK A. MILLARD

7/12/00



Note on the plan: "This building has not been originally constructed to accommodate elderly housing or an assisted living facility. No reconstruction, relocation, (exterior) changes or additions (of 25% or more in 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 permit application" (per Sections 101 - definition of Assisted Living Facility, Class A, 432.5.B.1.c(1), and 432.5.B.2, BCZR).

NOTE: No title report furnished.

CERTIFICATION: This is to certify that the improvements indicated hereon are located as shown. This is not a property line survey and should not be used as such.

GRADEN A. ROGERS — PROF. L.S., MD. LIC. NO. 119

LIBER BOOK 48

FOLIO 31

LOT 3 BLOCK SECT. PLAT

FLAT ENTITLED RESUB. LOT 2 "RAYMOND S. BLAKE, JR. PROPERTY"

RECORDED IN BALTIMORE CO.

MD.

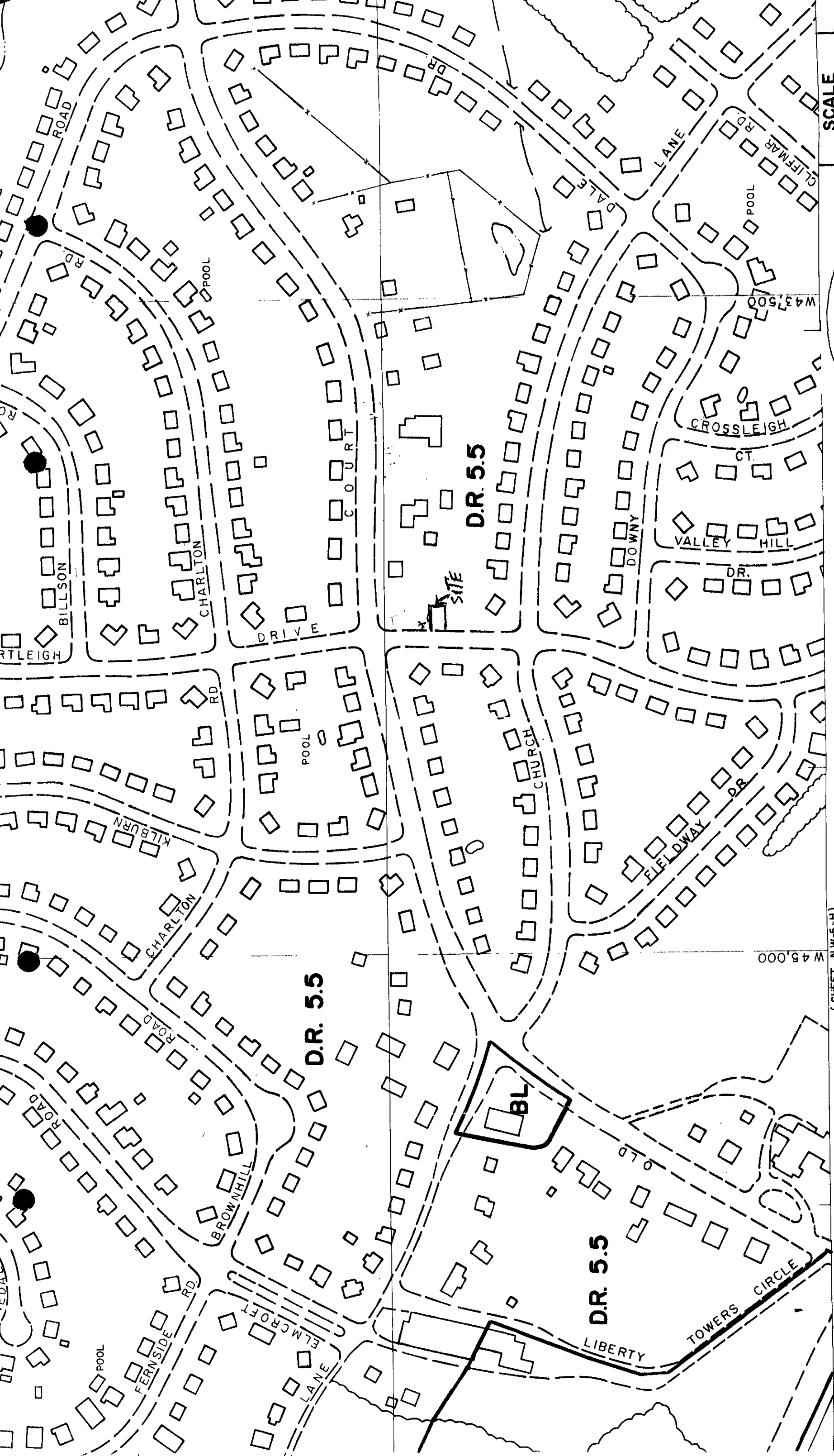
3737 COURTLEIGH ROAD

SCALE 1"=20'

CASE NO.

#15-063-SPH

063



SCALE	1" = 200' ±
DATE OF PHOTOGRAPHY	

NW 7-H

063

BALTIMORE COUNTY ZONING

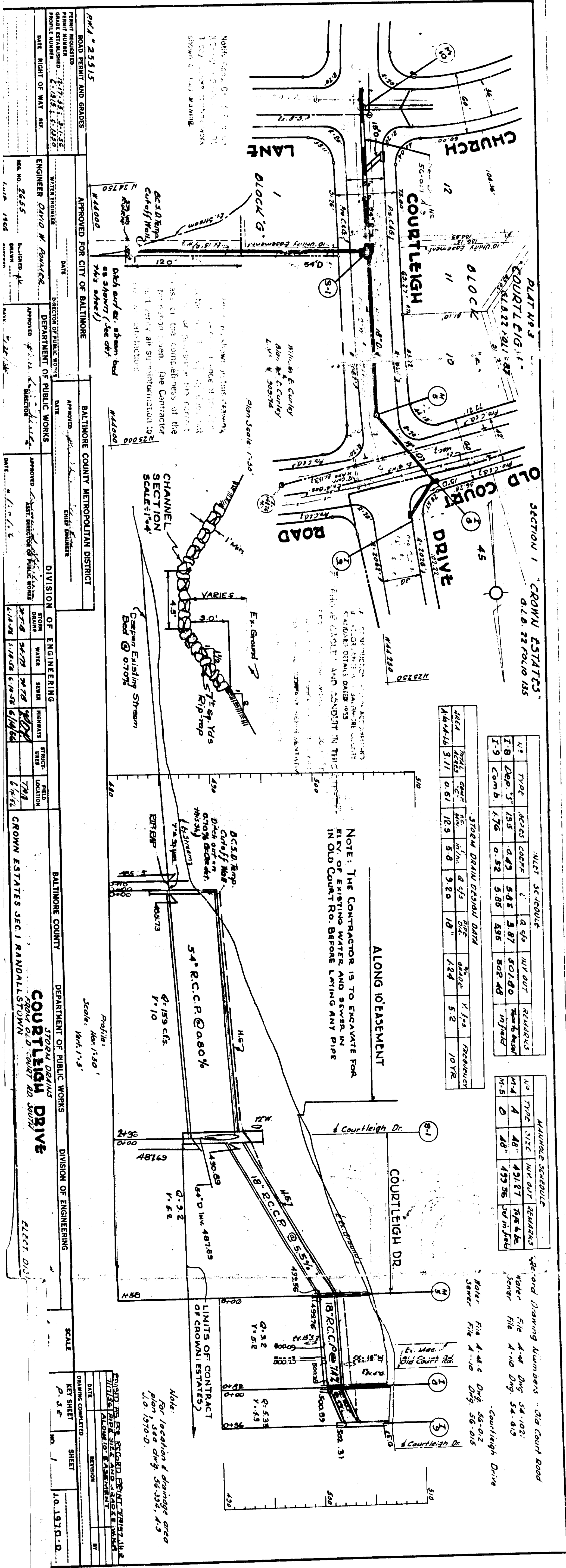
OFFICE OF PLANNING AND ZONING

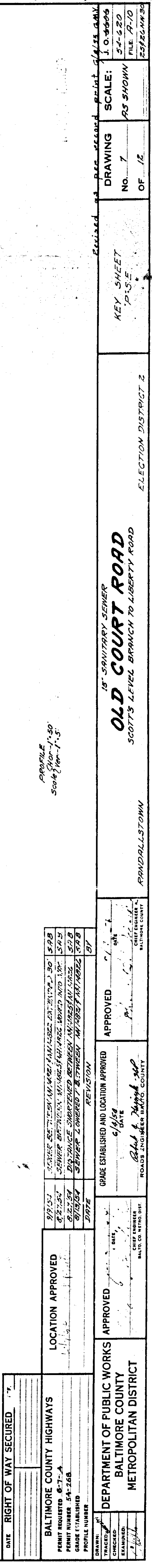
(SHEET N.W. 5-H)

W 45,000

W 43,500

4135-590-10
01-063-SPH





My House Connections

BEFORE STATING YOUR CASE, COLLECT
EVIDENCE THAT SUPPORTS YOUR CLAIM.
AT A MINIMUM, THIS LEADS TO EXTENSION OF
YOUR PROTECTIVE ORDER AND REPLEGEMENT.

24 VISIONS
Date: July 18, 1963
Revised as to printing length along
2/14.

PLAT No. 2
COUNTY OF
G. L. B. 22 folio 1

PLAN
scale: 1"=50'

PROFILE
scale: 1"=50' Horiz.
1"=5' Vert.

MAICROFILMED

[illegible]

SCALE	1000000
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DIVISION OF ENGINEERING

LOWLY DRIVE TO A POINT 301 NORTH STREET
DRIVE ELECTION DIST. NO. 2

UD. 7519 REVISED AS PER RECORD PRINTING
4-19-56, 2-18-57, C.M.
Y DEPARTMENT OF PUBLIC WORKS
DRIVE
8 SMITH ST
FIELD
FROM COUNCIL

FIELD LOCATION	BALTIMORE COUNTY
COURTLEIGH	COURTLEIGH

	STORM DRAINS	WATER	SEWER	ALLEYSWAYS	STRUCTURES
OF ENGINEERING					

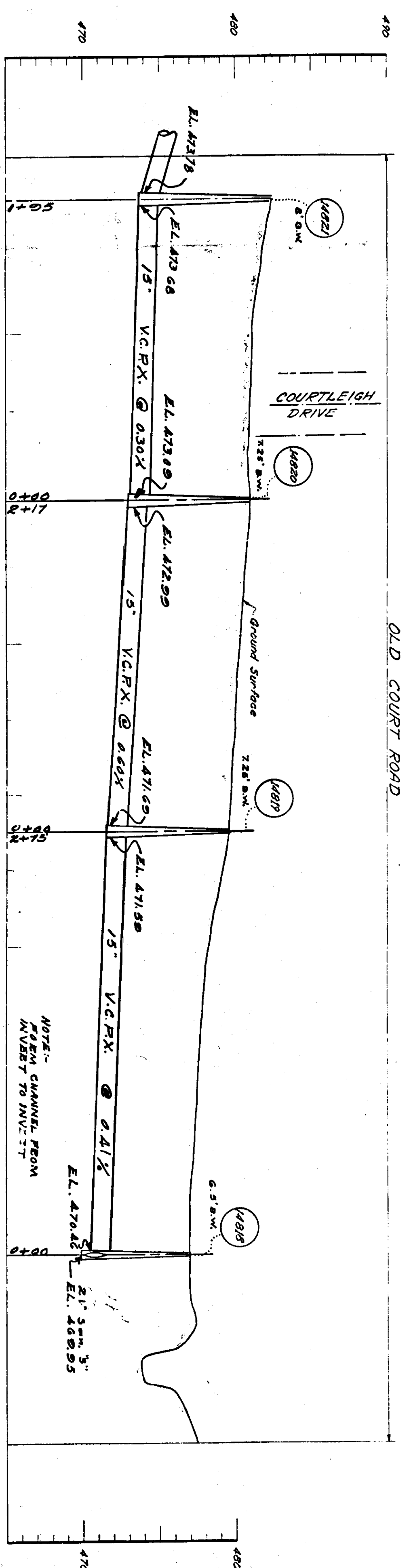
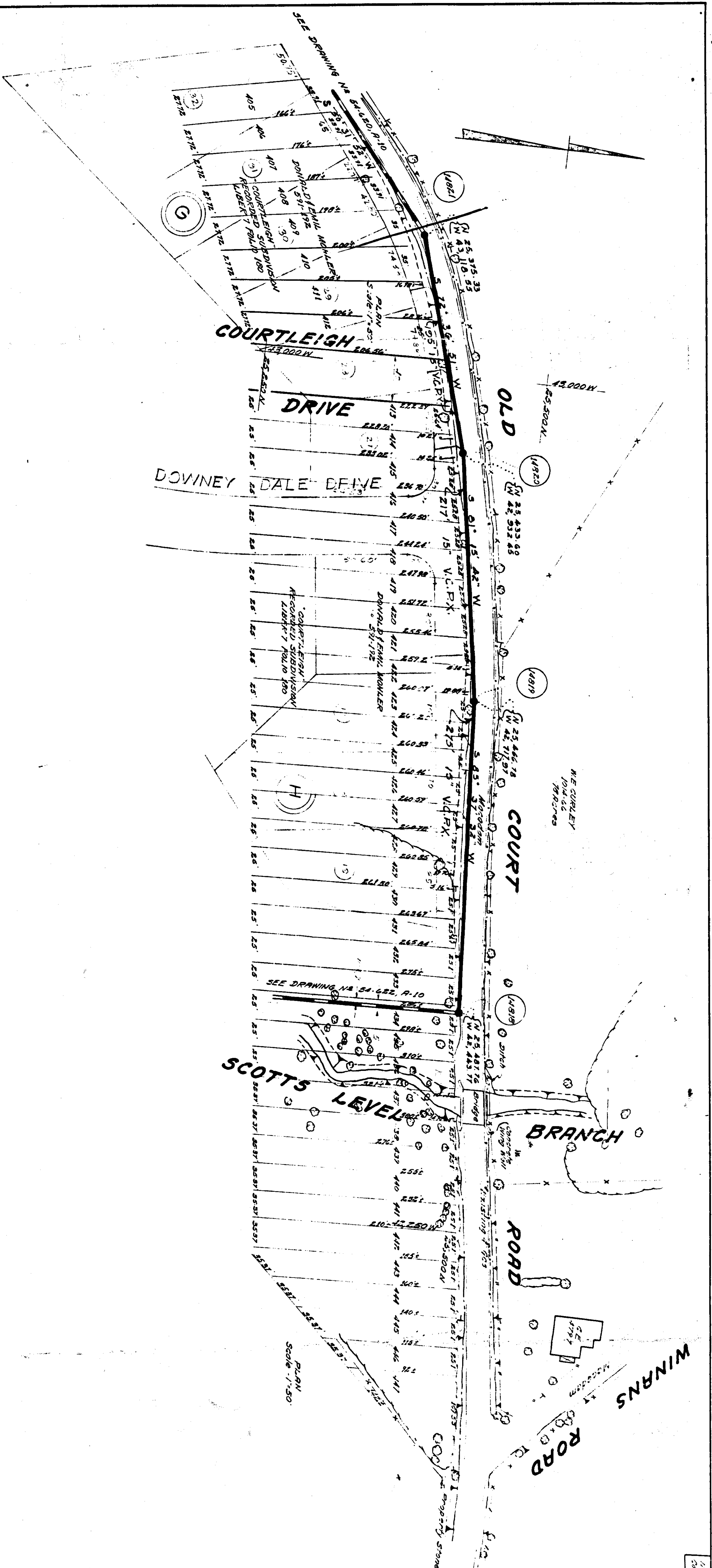
APPROVED
DIVISION

100-2	DEPARTMENT OF PUBLIC WORKS
CHIEF ENGINEER	
METROPOLITAN DISTRICT	

RADES	BALTIMORE COUNTY METRO
APPROVED	<i>Charles H. [Signature]</i>
DATE	6-24-55
ENGINEER	W.H.B.
REF.	

PWA # 25503	ROAD PERMIT AND GR
PERMIT REQUESTED	
PERMIT NUMBER	
GRADE ESTABLISHED	
PROFILE NUMBER	
DATE	RIGHT OF WAY

DEC 02 1974

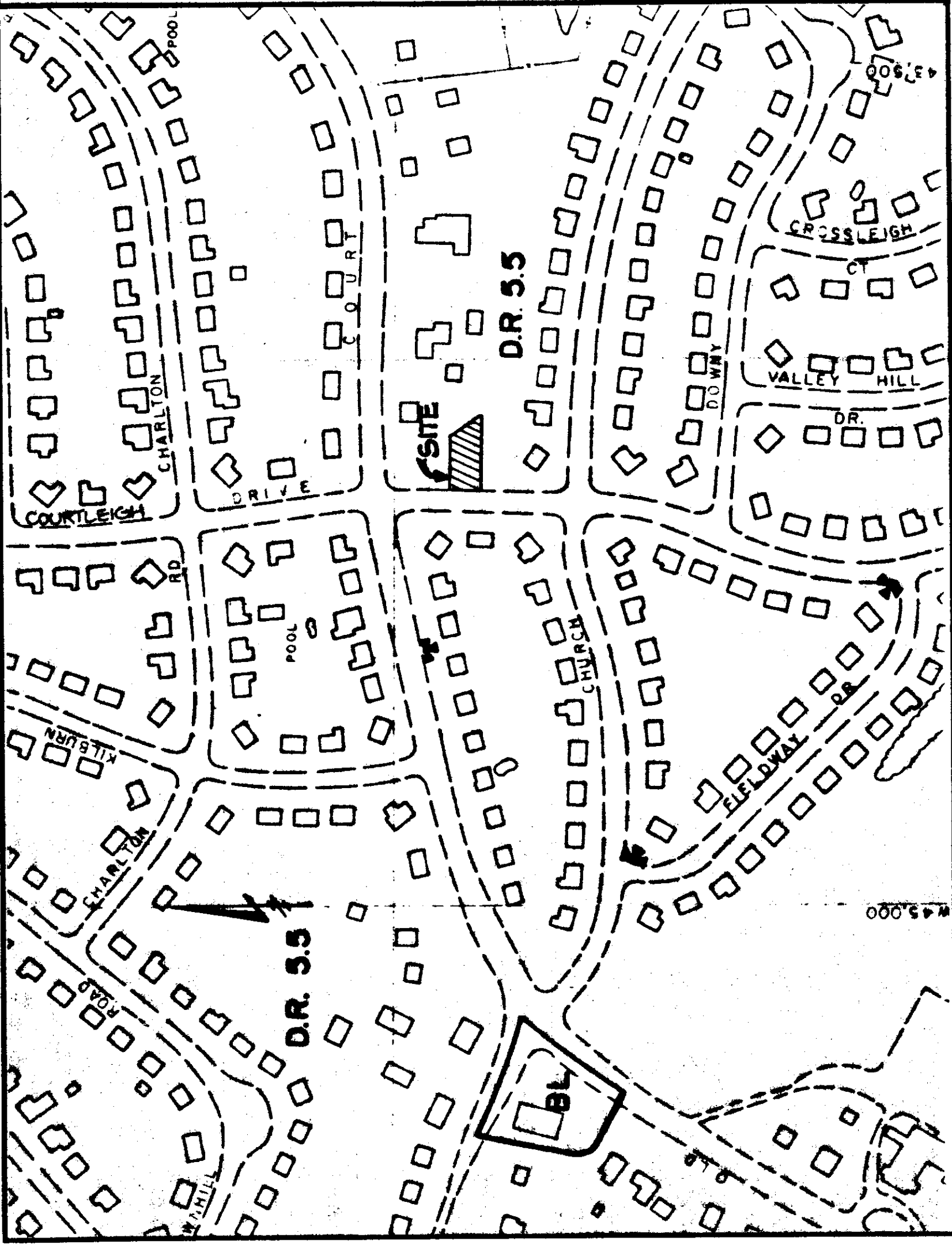
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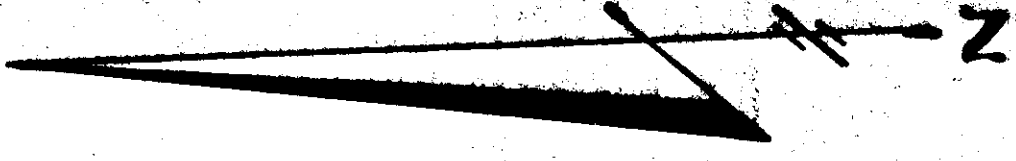
PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
01-063-SH

REVISIONS		SCALE		LOCATION		SHEET
BY	DATE	Map	DATE	OF	DATE	
Topographic	4-11-70	100'	3-30-84	PHOTOGRAPHY	APRIL 1953	N. W.
Topography Compiled By Photogrammetric Methods						7-H
AERO SERVICE CORPORATION - PHILADELPHIA, PA						

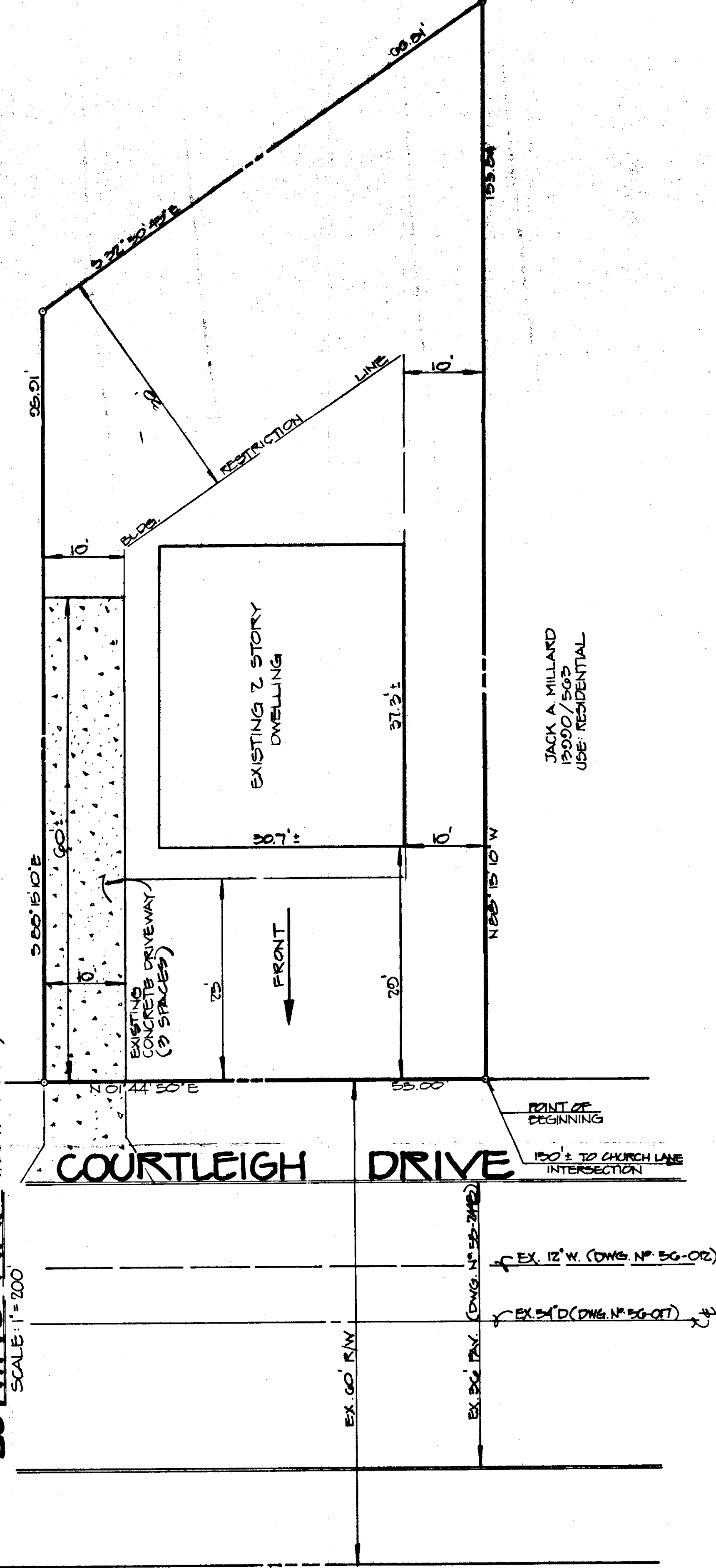
PLAT TO ACCOMPANY PETITION FOR ZONING
☐ VARIANCE ☐ SPECIAL EXCEPTION ☒ SPECIAL HEARING



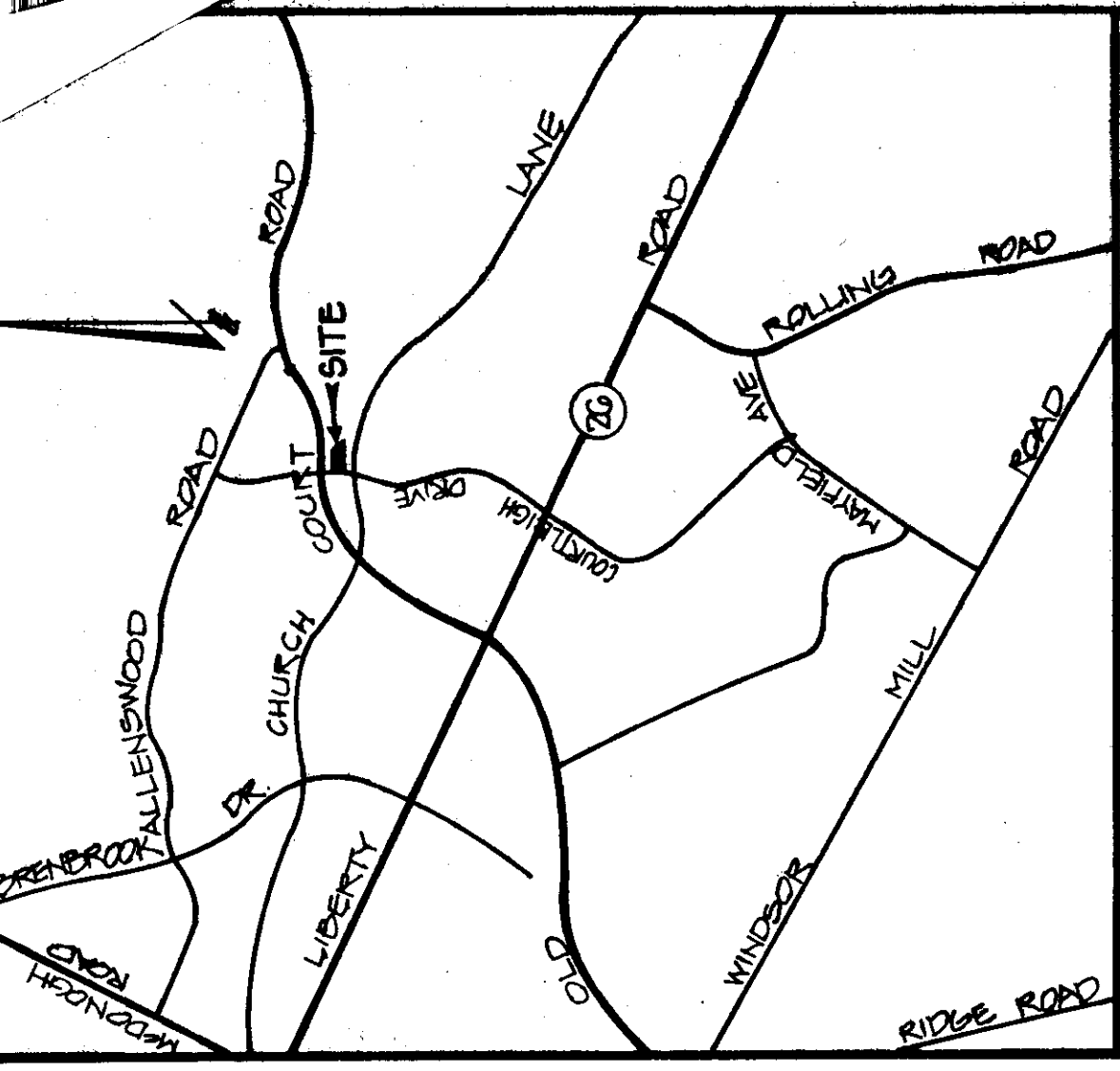
ZONING MAP
SCALE: 1" = 200'
(MAP NO. NY, TH)



BRUCE AND CAROLINE OWENS
19000/500
USE: RESIDENTIAL



JACK A MILLARD
19000/500
USE: RESIDENTIAL



LOCATION MAP
SCALE: 1" = 200'

LOCATION INFORMATION

ELECTION DISTRICT : 2

COUNCILMANIC DISTRICT : 2

1" = 200' SCALE MAP # : NW-7-H

DEED REF : 8950/304

ZONING : DR. 5.5

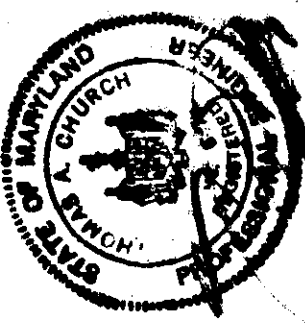
LOT SIZE : 0.316 SF ± = 0.145 Ac ±

SEWER : ☒ YES ☐ NO
WATER : ☒ YES ☐ NO
CHESAPEAKE BAY CRITICAL AREA : ☐ YES ☒ NO
PRIOR ZONING HEARINGS : 85-65 5TH

ZONING OFFICE USE ONLY
REVIEWED BY : JGM
ITEM # : 063
CASE # :

GENERAL NOTES:

- 1) EXISTING USE : ASSISTED LIVING FACILITY (5 BEDS)
- 2) PROPOSED USE : " " (7 BEDS)
- 3) SITE AREA : NET = 0.316 SF ± = 0.145 Ac ±
GROSS ± OF BOUNDARY STREET INCLUDED = 7,906 SF ± = 0.183 Ac ±
- 4) FLOOR AREA RATIO :
2,200 SF ± (GROSS FLOOR AREA) ÷ 7,906 SF ± (GROSS SITE AREA) = 0.287
- 5) PARKING TABULATION:
REQUIRED : (1 SPACE PER 5 BEDS)
7 (TOTAL BEDS PROP) ÷ 5 = 2.5 USE 3
PROPOSED : 3
- 6) NOTE: THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. NO RECONSTRUCTION, RELOCATION, EXTERIOR CHANGES OR ADDITIONS (OF 25% OR MORE IN 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 PERMIT APPLICATION. (PER SECTION 101 - DEFINITION OF ASSISTED LIVING FACILITY, CLASS A, 452.5.B1.C1) AND 452.5.B.2, B.C.2.R.



DATE 5/15/00	SHEET 1 OF 1	CONTRACT NUMBER 00-120
DATE 5/15/00 SCALE 1" = 10'		
PLAT TO ACCOMPANY ZONING PETITION		
3737 COURTLEIGH DRIVE		
ELECTION DISTRICT NO. 2		
BALTIMORE COUNTY, MARYLAND		
1920		

OWNER KEITH A. MILLARD 21212 YORK ROAD BALTIMORE, MD 21212	DEVELOPMENT ENGINEERING CONSULTANTS, INC. SITE ENGINEERS & SURVEYORS 6603 YORK ROAD BALTIMORE, MARYLAND 21212
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DATE	REVISIONS

Drawn: M.L.T.	Check: T.A.C.
Drawn: M.L.T.	Check: M.L.T.
Drawn: T.A.C.	Check: T.A.C.