

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE – NE/Corner Liberty Road
And Washington Avenue * ZONING COMMISSIONER
(7818 Liberty Road)
2nd Election District * OF BALTIMORE COUNTY
2nd Council District *
Eugene H. Newman, et ux * Case No. 02-054-XA
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Eugene H. and Paul J. Newman, and the Contract Lessee, Stacey Carter. The Petitioners request a special exception to operate a Class B Day Care Center on the subject property. In addition, variance relief is requested from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing 6-foot high wooden fence within 10 feet and 14 feet of the property lines, in lieu of the required 20-foot setback, and from Section 1B01.1.B.1 of the B.C.Z.R. to permit encroachment into the Residential Transition Area (RTA) to the extent shown on the site plan for the existing play area, parking lot and garage. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Stacey Carter, Contract Lessee of the subject property, and Patrick C. Richardson, Jr., Professional Engineer who prepared the site plan. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the northeast corner of Liberty Road and Washington Avenue in Randallstown. The property contains a gross area of 0.62 acres, more or less, split zoned R.O. and D.R.5.5., and is improved with a three-story office building, two-car garage, and playground. The

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Date 9/26/01
By [Signature]

R.O. zoned portion of the site encompasses the front of the parcel closest to Liberty Road and contains the three-story office building, which was previously used as a residence. Apparently, that building was converted to office use in 1964 and has been used in that fashion since that time. The property also features a 10-space parking lot, a two-car garage, and a fenced playground area to the rear. Half of the parking lot, the garage and playground area are located in the D.R.5.5 zoned portion of the property.

Ms. Carter has entered into a lease agreement for a portion of the building and playground area to operate a Child Care Day Care Center for up to 20 children. Her operation will not occupy the entire building. In this regard, she indicated that there are two other part-time tenants. Specifically, a dental office operates out of the building two days a week, and an employment agency operates from the premises three days a week. Further testimony indicated that a day care center previously existed at this location; however, that business, which was operated by another individual, closed in March 2000.

Special exception relief is necessary to operate a day care center on the subject site. Ms. Carter indicated that there is a significant need for a day care facility in this community and that the subject site is an appropriate location, given its historic use. Also, the fact that the property is located on a major corridor (Liberty Road), near the Baltimore Beltway, is significant. This location makes it convenient for parents to drop-off and pick-up their children on their way to and from work. In this regard, Ms. Carter indicated that the children who will be cared for at this location will be between 2 and 5 years of age and the hours of operation will be from 6:00 AM to 6:00 PM, Monday through Friday.

Variance relief is requested to legitimize the location of existing improvements on the property. In this regard, the site plan shows that a portion of the parking lot, the two-car garage, and the fenced playground area are within the RTA buffer. Ms. Carter indicated that no external improvements to the site will be required for this business to begin operation. The parking lot has already been constructed, as has the play area, which is surrounded by a 6-foot privacy fence. On-site parking is available for up to 10 vehicles, not including the two-car garage. Access to the site

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Date 9/21/11
By [Signature]

is by way of a curb cut on Washington Avenue. This appears appropriate in view of the fact that there will be less congestion on that street than on Liberty Road. It is envisioned that parents will pull into the site from Washington Avenue and park on the lot to drop off/pick up their children.

The lack of Protestants at the hearing is persuasive to a finding that a child day care center can be operated on the site without detrimental impact to the health, safety or general welfare of the locale. This is particularly the case in view of the historic use of the property. Moreover, the location of the property adjacent to a major corridor in northwest Baltimore and near the Beltway makes this an ideal location. For all of these reasons, I will grant the Petition for Special Exception. A grant of the Petition for Variance is also appropriate. The property is unique by virtue of its corner location and split zoning. Moreover, the relief sought is to legitimize existing improvements. Thus, I find that the Petitioner has met the requirements of Section 307 of the B.C.Z.R. for variance relief to be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of September, 2001 that the Petition for Special Exception for a Class B Day Care Center on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 424.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 6-foot high wooden fence within 10 feet and 14 feet of the property lines in lieu of the required 20 feet for an existing playground area, and, from Section 1B01.1.B.1 of the B.C.Z.R. to permit encroachment into the Residential Transition Area (RTA) to the extent shown on the site plan for the existing play area, parking lot and garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware

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Date 9/20/01
By [Signature]

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 special exception relief granted is limited to a Class B Day Care Center for no more than 20 children.
- 3) When applying for a building permit, 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 9/28/11
By [Signature]



Baltimore County
Zoning Commissioner

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

September 20, 2001

Mr. & Mrs. Eugene H. Newman
1532 Havenwood Road
Baltimore, Maryland 21218

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
NE/Corner Liberty Road and Washington Avenue
(7818 Liberty Road)
2nd Election District – 2nd Council District
Eugene H. Newman, et ux - Petitioners
Case No. 02-054-XA

Dear Mr. & Mrs. Newman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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,

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

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Stacey Carter
4503 Brightwater Court, Owings Mills, Md. 21117
Mr. Patrick Richardson, Richardson Engineering, LLC
730 W. Padonia Road, Suite 101, Cockeysville, Md. 21030
People's Counsel; Case File

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



Printed with Soybean Ink
on Recycled Paper



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7818 Liberty Rd
which is presently zoned RO/DPS.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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for A CLASS "B" DAYCARE CENTER.

~~Daycare Center to accommodate the needs~~
~~of working parents and for guardians~~

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

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

STACEY CARTER
Name - Type or Print
Stacey Carter
Signature
7818 Liberty Rd. 443-742-5817
Address Telephone No.
Randallstown, MD. 21244
City State Zip Code

Legal Owner(s):

EUGENE H. NEWMAN
Name - Type or Print
Eugene H. Newman
Signature
Name - Type or Print
Signature
7818 Liberty Rd
Address
Bethesda MD 21244
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Representative to be Contacted:

STACEY CARTER
Name
4503 Brightwater Ct. Apt. T1 443-742-5817
Address Telephone No.
Owings Mills MD. 21117
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 8.1.01

ORDER RECEIVED FOR FILING

Date 8/15/01
By [Signature]

02-054XA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7818 Liberty Rd.
which is presently zoned RO/D255

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 Variance from Section(s) 424.1.B. BCZR, to permit a 6 ft. High wooden fence within 10 ft. + 14 ft. from property lines in lieu of the required 20 ft. for playground, and from 1801.1.B.1) to permit ENCROACHMENT INTO THE RESIDENTIAL TRANSITION AREA TO THE EXTENT of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) SHOW ON THE PLAN FOR THE EXISTING, PLM AREA, PARKING LOT AND GARAGE.

to be presented at hearing

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

I, or we, agree to pay expenses of above Variance, 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:

Stacey Carter
Name - Type or Print

Stacey Carter
Signature

7818 Liberty Rd.
Address

Randalls town MD. 21244
City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

State

Zip Code

Case No. 02-054XA

By REV 9/15/98

Legal Owner(s):

EUGENE H. DEWMAR
Name - Type or Print

Eugene D. Dewmar
Signature

Name - Type or Print

Signature

7818 Liberty Road
Address

Balti MD 21244
City State Zip Code

Representative to be Contacted:

Stacey Carter
Name

4503 Brightwater Ct. 443-742-5817
Address Telephone No.

Owings Mills MD. 21117
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By SCM Date 8-1-01

FAX 410-737-8688

ORDER RECEIVED FOR FILING
Date 8/21/01
By [Signature]

**ZONING DESCRIPTION
7818 LIBERTY ROAD
2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the East side of Washington Avenue at the intersection of Liberty Road; binding on Washington Avenue for the following course and distance: (1) North 30 degrees 32 minutes East 190.38 feet, (2) thence leaving Washington Avenue, South 59 degrees 28 minutes East 140 feet, (3) South 30 degrees 32 minutes West 50 feet, (4) North 59 degrees 28 minutes West 53.33 feet, (5) South 30 degrees 32 minutes West 140.91 feet to Liberty Road, (6) thence binding on the northern side of Liberty Road as shown on SHA Plat 48766 for the following courses and distances; North 62 degrees 54 minutes 01 seconds West 35.06 feet, (7) North 55 degrees 27 minutes 45 seconds 51.81 feet, to the place of beginning. Being lots 14A, and part of lots 15 and 16 of the Amended Plat of Richland recorded in plat book 8 folio 88 in the land records of Baltimore County.

Containing a net area of 0.45 acres of land or a gross area of 0.62 acres, more or less.



054

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

4018

DATE 8-1-01 ACCOUNT 01-16-6150

AMOUNT \$ 550.00

RECEIVED
FROM:

S. CARTER 7818 LIBERTY RD.

FOR:

SPEZ. X-300.

VAR. 250.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
8/01/2001 8/01/2001 11:54:39

W306 CASHIER KMCN KXM DRAWER 4

RECEIPT # 040076

OFLN

DEPT 5 528 ZONING VERIFICATION

REQ NO. 004018

Receipt Tot. 550.00

550.00 CK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

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: #02-054-XA

7818 Liberty Road

NE/Cor. of the Intersection Liberty Road & Washington Avenue

2nd Election District - 2nd Councilmanic District

Legal Owner(s): Eugene H. Newman

Contract Purchaser: Stacey Carter

Variance: to permit a 6-foot high wooden fence with 10 feet and 14 feet from property lines in lieu of the required 20 feet for playground and to permit encroachment into the resident transition area to the extent shown on the plan for the existing play area, to be presented at hearing.

Special Exception: to allow a Class "B" child daycare center.

Hearing: Friday, September 14, 2001 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 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.

8/318 Aug. 30

C490767

CERTIFICATE OF PUBLICATION

8/30/2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/30/2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE POSTING

RE: Case No.: 02-054 XA

Petitioner/Developer: _____

STACEY CARTER

Date of Hearing/Closing: 9/14/01

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 _____

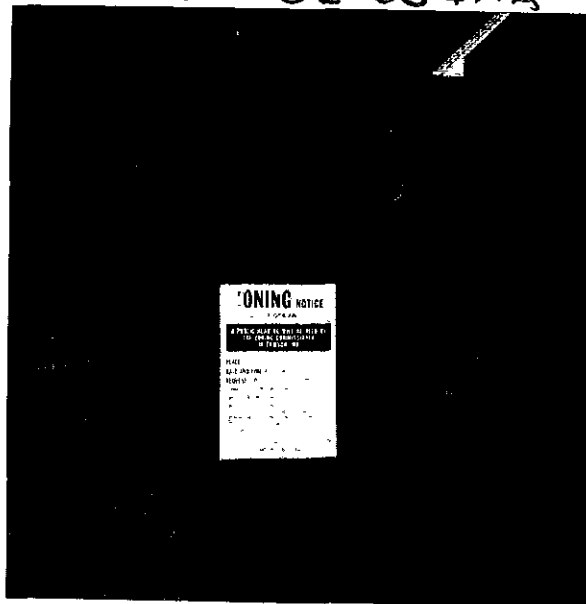
7818 LIBERTY RD.

The sign(s) were posted on _____

8/30/01

(Month, Day, Year)

CASE # 02-054 XA



7818 LIBERTY RD.

POSTED 8/30/01

Richard E. Hoffman 8/30/01

Sincerely,

Richard E. Hoffman 8/30/01
(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)

CERTIFICATE POSTING

RE: Case No.: 02-054XA

Petitioner/Developer: _____

STACEY CARTER

Date of Hearing/Closing: 9/14/01

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 _____

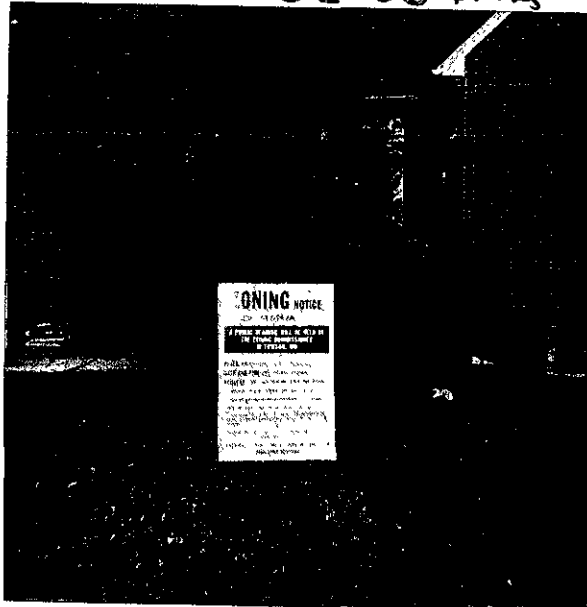
7818 LIBERTY RD.

The sign(s) were posted on _____

8/30/01

(Month, Day, Year)

CASE # 02-054XA



7818 LIBERTY RD.

POSTED 8/30/01

Richard E. Hoffman 8/30/01

Sincerely,

Richard E. Hoffman 8/30/01

(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)

**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: 054

Petitioner: Stacey Carter

Address or Location: 7818 Liberty Rd, Randallstown,
MD. 21244

PLEASE FORWARD ADVERTISING BILL TO:

Name: Stacey Carter

Address: 4503 Brightwater Ct. Apt. T1
Owings Mills, MD. 21117

Telephone Number: 443-742-5817

TO: PATUXENT PUBLISHING COMPANY
Thursday, August 30, 2001 Issue – Jeffersonian

Please forward billing to:

Stacey Carter
4503 Brightwater Court, Apt T1
Owings Mills MD 21117

443 742-5817

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: 02-054XA

7818 Liberty Road

NE/Cor. Of the intersection Liberty Road & Washington Avenue

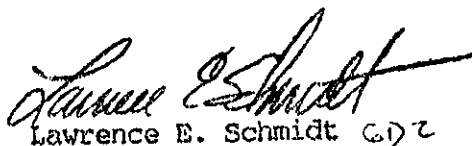
2nd Election District – 2nd Councilmanic District

Legal Owner: Eugene H Newman

Contract Purchaser: Stacey Carter

Variance to permit a 6 feet high wooden fence with 10 feet and 14 feet from property lines in lieu of the required 20 feet for playground and to permit encroachment into the resident transition area to the extent shown on the plan for the existing play area, to be presented at hearing. Special Exception to allow a Class "B" child daycare center.

HEARING: Friday, September 14, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt C.D.Z

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.



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 22, 2001

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: 02-054XA
7818 Liberty Road
NE/Cor. Of the intersection Liberty Road & Washington Avenue
2nd Election District – 2nd Councilmanic District
Legal Owner: Eugene H Newman
Contract Purchaser: Stacey Carter

Variance to permit a 6 feet high wooden fence with 10 feet and 14 feet from property lines in lieu of the required 20 feet for playground and to permit encroachment into the resident transition area to the extent shown on the plan for the existing play area, to be presented at hearing. Special Exception to allow a Class "B" child daycare center.

HEARING: Friday, September 14, 2001 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".

Arnold Jablon GDZ
Director

C: Eugene Newman, 7818 Liberty Road, Baltimore 21244
Stacey Carter, 7818 Liberty Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 30, 2001.**
(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.



County Board of Appeals of Baltimore County

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

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

January

THIRD NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 01-054-X

IN THE MATTER OF: AT&T Wireless Services –Contract Lessee;
Terry R. and Cheryl S. Dunkin – Legal Owners
801 Bacon Hall Road
7th Election District; 3rd Councilmanic District

11/28//2000 – Petition for Special Exception DENIED by Z.C.

which was reassigned to be heard on 5/02/02 has been POSTPONED at the request of Counsel for Protestant Ross Valley Farms due to schedule conflict and reassigned to a date verified with counsel; and has been

REASSIGNED FOR: TUESDAY, MAY 21, 2002 at 10:00 a.m.

IMPORTANT: NO FURTHER POSTPONEMENTS WILL BE GRANTED EXCEPT IN EXTRAORDINARY CIRCUMSTANCES.

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.

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco, Administrator

c: Counsel for Appellants /Petitioners : Paul A. Dorf, Esquire
Appellants /Petitioners : Russell G. Alion, Jr., Esquire
Mitchell Kellman and Michael McGarity /Daft McCune & Walker Inc. : AT&T Wireless Services, Inc. -CP
Cheryl and Terry Dunkin
Counsel for Protestant : K. Donald Proctor, Esquire
Protestant : Charles & Mary Ensor /Cold Bottom Farms
Counsel for Protestant : Richard Burch, Esquire
Protestant : Valleys Planning Council /Jack Dillon
Counsel for Protestant : Jeffrey J. Utermohle, Esquire
Protestant : Ross Valley Farms, LLC
Mr. & Mrs. Jim Werking
Paul Hupfer /Greater Sparks Glencoe Comm Assn
H. Barritt Peterson, Jr.
George B. McCeney
Herb Davis
James T. Wollon, Jr.

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM



Baltimore County
Department of Permits and
Development Management

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

September 7, 2001

Eugene H Newman
7818 Liberty Road
Baltimore MD 21244

Dear Mr. Newman:

RE: Case Number: 02-054-XA, 7818 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 1, 2001.

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: Stacy Carter, 4503 Brightwater Court, Owings Mills 21117
People's Counsel



des
9/14

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 11, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For August 27, 2001
Item Nos. 036, 039, 040, 041, 044, 045,
048, 049, 050, 051, 053, 054, and 055

SEP 20 11

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**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

~~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: SEE BELOW

Location: DISTRIBUTION MEETING OF

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

036, 039, 040, 041, 042, 043, 044, 045, 046, 047, 048, 049, 050,
051, 052, 053, 054, AND 055

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

cc: File



hp
9/1/4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 29, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-033, & 02-054

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC

AUG 29 2001



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: *8.24.01*

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

RE: Baltimore County
Item No. *054*

JCM

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/~~US~~ *26* are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

P. F. Williams
lr 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

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
7818 Liberty Road, NE Cor. Liberty Rd
and Washington Ave
2nd Election District, 2nd Councilmanic

Legal Owner: Eugene H. Newman
Contract Purchaser: Stacey Carter
Petitioner(s)

9/14

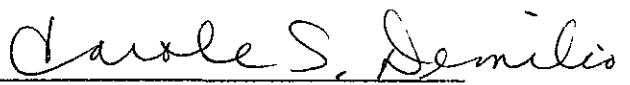
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-54-XA

* * * * *

ENTRY OF APPEARANCE

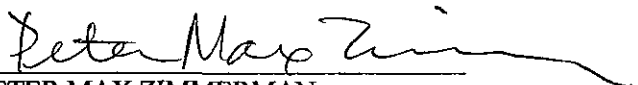
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**

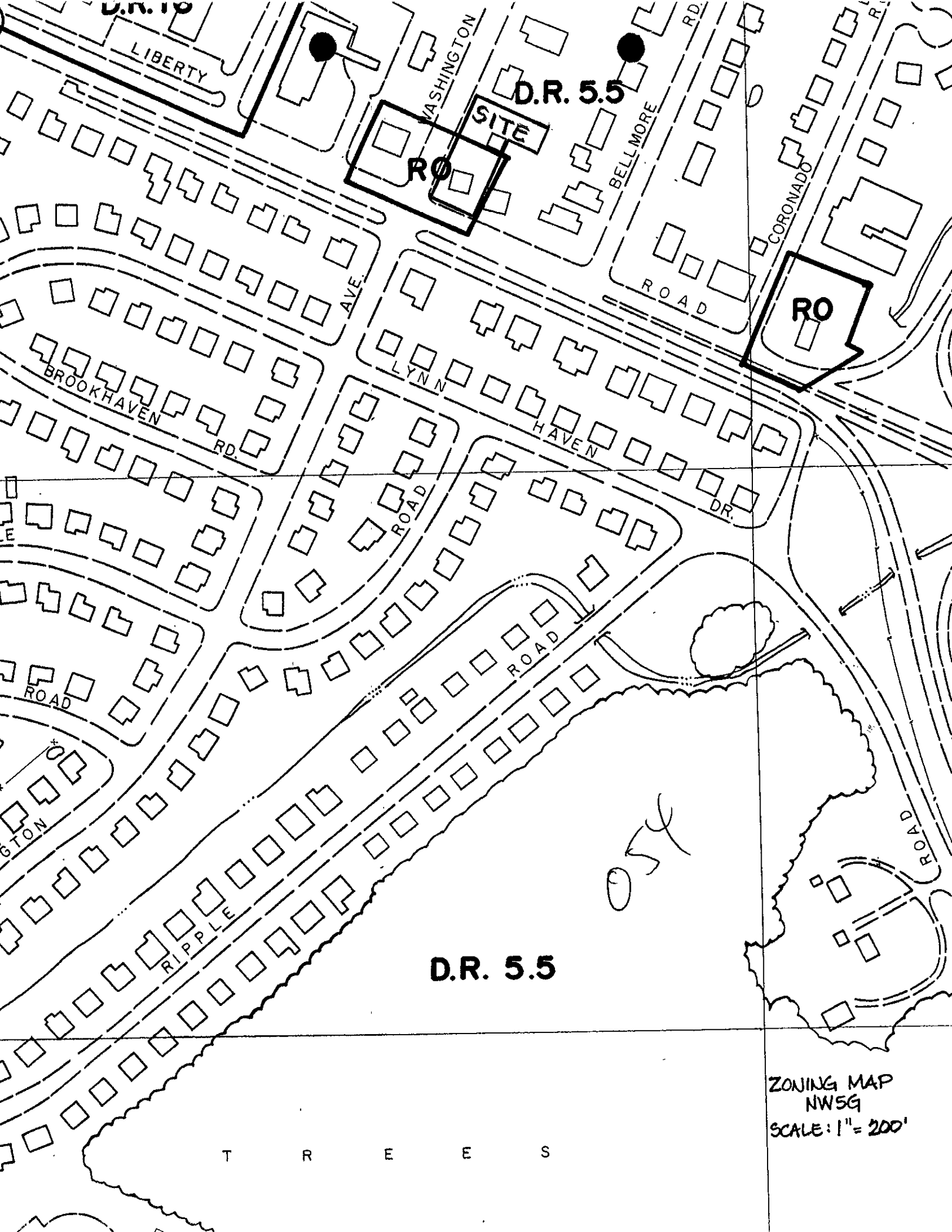

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 10th day of September, 2001 a copy of the foregoing Entry of Appearance was mailed to Legal Owner Eugene H. Newman, 7818 Liberty Road, Baltimore, MD 21244, and to Contract Purchaser Stacey Carter, 4503 Brightwater Court Apt. T-1, Owings Mills, MD 21117, Petitioners.


PETER MAX ZIMMERMAN



LIBERTY

WASHINGTON

D.R. 5.5

SITE

RO

BELLMORE

CORONADO

ROAD

RO

BROOKHAVEN

RD.

LYNN

HAVEN

DR.

ROAD

ROAD

ROAD

GTON

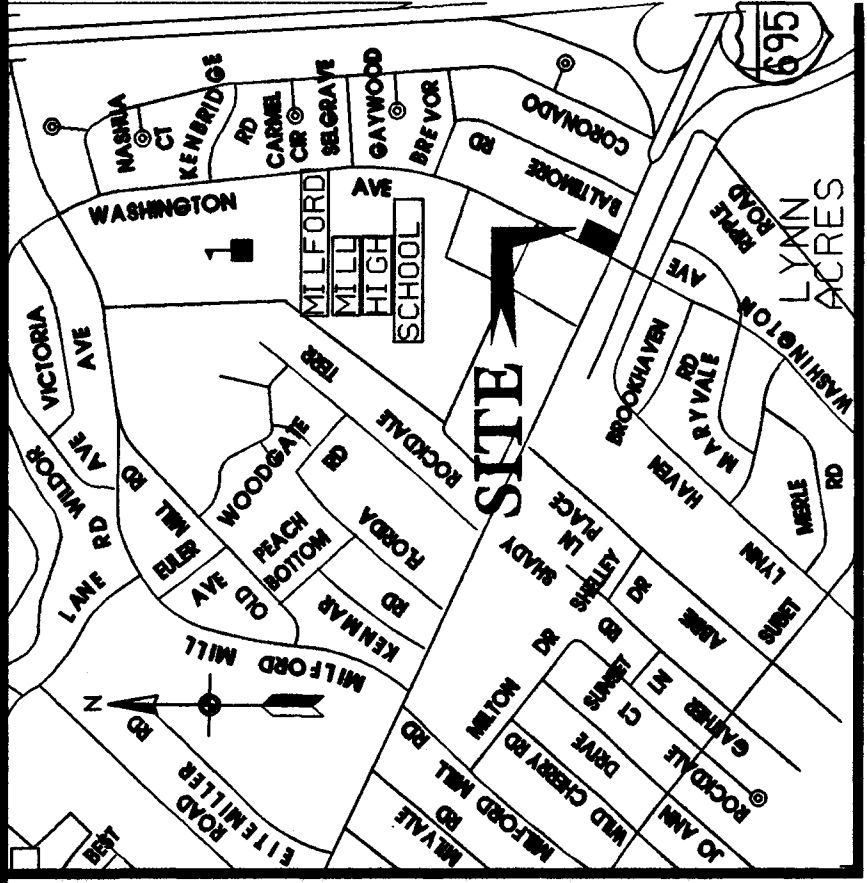
RIPPLE

D.R. 5.5

054

ZONING MAP
NW5G
SCALE: 1" = 200'

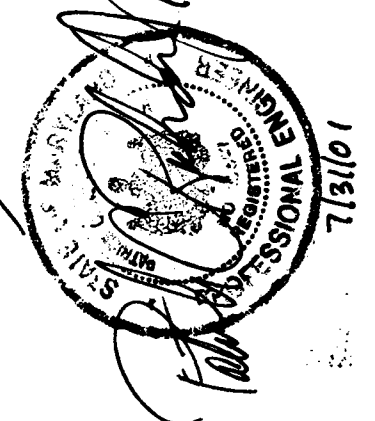
T R E E S



VICINITY MAP
1"=1000'

GENERAL NOTES:

1. OWNER : EUGENE H & PAULA J NEWMAN
1552 HAVENWOOD ROAD
BALTIMORE, MD 21218
2. APPLICANT : STACEY CARTER
4503 BRIGHTWATER COURT
APARTMENT T-1
OWINGS MILLS, MD 21117
3. SITE AREA : GROSS - 0.62 AC +/-
NET - 0.45 AC +/-
4. EXISTING ZONING : RO & D.R.55
5. PROPOSED ZONING : NO CHANGE
6. ADDRESS OF SITE : 7818 LIBERTY ROAD
7. TAX MAP 77, GRID 24, PARCEL 462
8. DEED REFERENCE : 7495/362
9. ELECTION DISTRICT : 2ND
10. COUNCILMANIC DISTRICT : 2ND
11. CENSUS TRACT : 4023.01
12. ZONING MAP : NA 5-G
13. AVENUE OPEN SPACE: REQ. 7% OF PARKING AREA OR 245 SF
PROVIDED: 425 SF
14. PROPERTY ACCOUNT No. : 0203370550
15. EXISTING USE : OFFICE BUILDING & CHILD CARE CENTER
16. PROPOSED USE : OFFICE BUILDING & CHILD CARE CENTER
17. EXISTING BUILDING AREA : 2547 S.F.
18. HEIGHT OF BUILDING : 20'
19. FLOOR AREA RATIO : 0.10
20. NO HAZARDOUS MATERIALS ARE KNOWN TO EXIST ON-SITE.
21. NO CRITICAL AREAS ARE ON SITE
22. OUTDOOR LIGHTING SHALL REMAIN AS IS.
23. ADTS: 2547 S.F. @ 17.7/1000 S.F. = 45 ADT
24. PARKING COMPUTATION :
REQUIRED - 2547 @ 93/1000 = 9 SPACES
PROVIDED - 10 SPACES
25. BUILDING SETBACK REQUIREMENTS : REQUIRED PROVIDED
FRONT : 25' N/A
SIDE : 30' 5'
REAR : 30' 10'
26. UTILITIES : SEWER : PUBLIC
WATER : PUBLIC
27. PREVIOUS BUILDING PERMITS : NONE ON FILE
28. PREVIOUS ZONING CASE : 65-28 RXA TO PERMIT THE EXISTING
STRUCTURE TO BE USED FOR BUSINESS AND OFFICE USE AND A
SIDE YARD SETBACK OF 17.5 FEET INSTEAD OF THE 25 FEET REQUIRED.
29. SPECIAL EXCEPTION TO PERMIT A CLASS B GROUP CHILD CARE
FACILITY IN AN RO ZONE IN AN EXISTING OFFICE BUILDING
PER SECTION 424.2.F.
30. VARIANCE REQUESTED TO SECTION 424.1.B TO ALLOW THE EXISTING
6' HIGH HOOD FENCE SURROUNDING THE OUTSIDE PLAY AREA THAT
ADJUTS RESIDENTIALLY ZONED PROPERTIES TO BE AS CLOSE AS 10 FEET
INSTEAD OF THE 25 FEET REQUIRED.
31. VARIANCE REQUESTED PER SECTION 1801.1.B.1.6 TO PERMIT THE
PLAY AREA AND PARKING LOT IN THE RTA WITH A SETBACK OF AT LEAST 75'
32. TO THE PARKING LOT IN LIEU OF THE REQUIRED 75'.



Richardson Engineering, LLC

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-560-1502 Fax: 410-560-0827

PLAN TO ACCOMPANY
SPECIAL EXCEPTION PETITION
AND VARIANCE PETITION
DAY CARE CENTER
7818 LIBERTY ROAD
2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS		DATE	JOB NO.	01042	SCALE	SHEET NO.
DRAWN BY:	PCR	7/30/01			1" = 20'	1 OF 1
DESIGNED BY:	PCR					

