

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 E/S Rolling Road, 1189' N of Tudsbury Lane * ZONING COMMISSIONER
 (2601 Rolling Road) * OF BALTIMORE COUNTY
 2nd Election District *
 2nd Council District *
 Merritt 002, LLC, Owners; * Case No. 02-369-SPH
 Gertrude J. Edwards, Lessee *
 *

* * * * *

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 owners of the subject property, Merritt 002, LLC, and the Contract Lessee, Gertrude J. Edwards, through their attorney, Richard E. Lee, Esquire. The Petitioners request a special hearing to approve “development of an elementary school” on the subject property, as more particularly described on the site plan submitted and marked into evidence as Petitioner’s Exhibit 4.

Appearing at the requisite public hearing in support of the request were Gertrude Edwards, Contract Lessee of the subject property, and Richard E. Lee, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

The Petition under consideration relates to the proposed use of a portion of the subject property for an elementary school. The property is an irregular shaped parcel located with frontage on the east side of Rolling Road, just north of Tudsbury Lane in western Baltimore County. The property contains a gross area of 13.24 acres, more or less, zoned M.L.-I.M. and is improved with four warehouse/office buildings known as the Rutherford Business Park. The Petitioners propose leasing a portion (9,450 sq.ft.) of Building No. 3 for an elementary school, to be known as Deer Park Children’s School. That area of the building proposed for use by the school and related parking is shown on Petitioner’s Exhibit 4.

ORDER RECEIVED FOR FILING
 Date 5/29/02
 By [Signature]

Ms. Edwards, the proprietor of the school, testified at the hearing and described the existing and proposed use of the subject property. She indicated that her business began in 1986 and formerly operated at a church. Ultimately, however, the operation outgrew those quarters and she relocated to the subject site in September 2001.

The nature of the operation features a mix of uses. First, the Petitioner operates a day care center for pre-school age children. Interestingly, the hours of operation are from 6:00 AM to midnight. These extended hours are to accommodate individuals who work during the evening. Additionally, the day care operation is open six days a week, Monday through Saturday. It was indicated that approximately 34 children are enrolled in this day care program.

Secondly, the Petitioner operates an after school program. There are approximately 13 children enrolled in this program, between the age of 6 and 13 years. The hours of operation for this program are generally from 3:00 PM to 8:00 PM.

The third component of services offered is a provisionally accredited elementary school. Presently, the school provides educational instruction to children in Kindergarten through the second grade; however, it is envisioned that ultimately the school will provide classes for children through sixth grade. There are currently 68 children enrolled in this program.

The Petitioners seek relief, through the Petition for Special Hearing, to approve the elementary school use on the subject property and to allow its expansion as described above. In this regard, it was indicated that approval of the school by Baltimore County from a zoning standpoint is a necessary prerequisite to obtaining accreditation from the Maryland State Department of Education. Prior to relocating to the subject site, Ms. Edwards had apparently obtained accreditation to operate the school at the church. However, copies of letters from the Department of Education relative to the Petitioner's current application were submitted at the hearing which show that zoning approval to continue the school at the subject location is required in order to renew her accreditation.

Ms. Edwards testified at length regarding her school and opined that the proposal does not detrimentally impact the health, safety and general welfare of the surrounding locale. She stated

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By [Signature]

that the operation does not cause traffic congestion in the area and is not an inappropriate use at this location. She also indicated that the school provides needed support for many of the working families in the area. Moreover, it is to be noted that there were no Protestants or other interested persons present at the hearing in opposition to the request. Nonetheless, a written Zoning Advisory Committee (ZAC) comment was received from the Office of Economic Development. That comment infers that the M.L.-I.M. zone is considered the most versatile zone for employment generation in Baltimore County and that the school might be inconsistent with the purposes of this manufacturing zone. However, the comment reserves the ultimate decision in this case to the discretion of the Zoning Commissioner.

The Zoning Commissioner is obliged to consider the request in accordance with the provisions of the Baltimore County Zoning Regulations (B.C.Z.R.). As has been frequently stated, the zoning regulations are written in the inclusive. That is, for any particular zone, only uses specifically identified as permitted by right or by special exception may be allowed. (See Kowalski v. Lamar, 25, Md. App. 493 (1975). The uses permitted in the M.L. zone are set out in Section 253 of the B.C.Z.R. Section 253.1 thereof sets out those uses which are permitted by right. The introductory language of that Section states, "The uses listed in this section, only, shall be permitted as of right in the M.L. zones..." (emphasis added). Special exception uses are identified in Section 253.2. Again, the introductory language of that Section states, "The uses listed in this subsection are permitted by special exception only." (Emphasis added) The uses permitted by right are numerous and varied. They include, for example, automobile assembly, food products manufacture, laboratories, transit facilities, paint shops, etc. Among the special exception uses identified are truck stops, airports, etc.

It is to be noted that neither day care centers, nursery schools or primary schools are listed among any of the uses identified in Section 253 of the B.C.Z.R. Although the absence of these uses from Section 253 would infer a conclusion that the uses are not allowed in the M.L. zones, an examination of other Sections of the B.C.Z.R. is warranted. Specifically, Section 424 of the B.C.Z.R. establishes specific regulations for family child care homes, group child care centers,

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Date: 5/29/12
By: [Signature]

and nursery schools. A group child care center is defined in Section 101 of the B.C.Z.R. as “A building or structure wherein care, protection and supervision is provided for part or all of the day, on a regular schedule at least twice a week to at least nine children, including children of the adult provider.” A Class A group child care center is defined as “A group child care center wherein group child care is provided to no more than 12 children at one time.” A Class B group child care center is defined as “A group child care center wherein group child care is provided for more than 12 children.” Nursery schools are defined as “A school or a level within a school providing educational instruction for children between two and four years old.”

Section 424.5B of the B.C.Z.R. provides that both Class A and Class B group child care centers and nursery schools are permitted by right in the M.L. zone. Thus, notwithstanding both the comment from the Office of Economic Development and the absence of designation in Section 253, it is clear that the County Council has seen fit to permit, by right, group child care centers and nursery schools in the M.L. zone. Thus, Ms. Edwards may continue the day care and nursery school operations at the subject site. These uses are clearly allowed on the subject property.

However, the proposed private school for children in Kindergarten through sixth grade is another matter. A review of each and all of the uses set out in Section 253.1 of the B.C.Z.R. shows that a private elementary school is no where listed. Beauty shops and business and trade schools are permitted by right (see Section 253.1.C.5 and Section 253.1.C.6); however, a private school is not a listed use. Additionally, unlike Section 424, which provides special regulations for child care centers and nursery schools, there is no special regulation related to private schools.

It is also to be noted that Baltimore County, by law, is exempt from its own zoning regulations. (See Glascok v. Balto. Co., 321, Md. 118 (1990)). Thus, a public school would be exempt from the requirements of the B.C.Z.R.; however, the case law is clear that this exemption does not extend to a private operation, even though the nature of the land use might be the same. (See Board of Child Care of Balto. Annual Conference of the Methodist Church v. Harker, 316 Md. 683 (1989)).

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Date 5/29/12
By [Signature]

For all of these reasons, it is clear that Ms. Edwards' proposed elementary school use is not permitted in the subject zone as a principal use. However, Section 101 of the B.C.Z.R. does define accessory uses. Essentially, an accessory use is a use which is customarily incidental and subordinate to the principal/primary use and is subordinate in area to the principal use or structure. Moreover, accessory uses must be located on the same lot as the principal use and must contribute to the comfort, convenience or necessity of the principal use. Arguably, Ms. Edwards' elementary school might be considered an accessory use to the primary use of the property, (i.e., nursery school and child care center). Under those circumstances, the school could continue for so long as same was subordinate to the child care/nursery school operation, both in scope, area occupied, number of children, etc.

The testimony and evidence presented in the instant case was not sufficient to address this issue. The Petitioner did not request a finding that the use might be permitted as an accessory use, and I therefore make no specific finding thereon. However, upon a Motion for Reconsideration, the Zoning Commissioner could reconvene the hearing to consider this issue. Preliminarily, it appears that the current operation might be considered accessory; however, a significant expansion would probably not.

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 must be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of May, 2002 that the Petition for Special Hearing to approve "development of an elementary school" on the subject property, in accordance with Petitioner's Exhibit 4, be and is hereby DENIED.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

OFFICE RECEIVED FOR CLERK
Date: 5/29/02
By: [Signature]



Baltimore County
Zoning Commissioner

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

May 29, 2002

Richard E. Lee, Esquire
2449 Maryland Avenue
Baltimore, Maryland 21218

RE: PETITION FOR SPECIAL HEARING
E/S Rolling Road, 1189' N of Tudsbury Lane
(2602 Rolling Road)
2nd Election District – 2nd Council District
Merritt 002, LLC, Owners; Gertrude J. Edwards, Lessee - Petitioners
Case No. 02-369-SPH

Dear Mr. Lee:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, 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: Mr. Robb Merritt, Merritt 002, LLC
2066 Lord Baltimore Drive, Baltimore, Md. 21244
Ms. Gertrude J. Edwards, 2601 Rolling Road, Baltimore, Md. 21244
Office of Economic Development; People's Counsel; Case File

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 2601 Rolling Road
 which is presently zoned ML1M

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 THE DEVELOPMENT OF AN ELEMENTARY SCHOOL.

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:

Gertrude J. Edwards
 Name - Type or Print
Gertrude J. Edwards
 Signature
2601 Rolling Road 410-298-3232
 Address Telephone No.
Baltimore, Maryland 21244
 City State Zip Code

Legal Owner(s):

Robb Merritt
 Name - Type or Print
[Signature]
 Signature
 Name - Type or Print
 Signature

2066 Lord Baltimore Drive 410298-2600
 Address Telephone No.
Baltimore, Maryland 21244
 City State Zip Code

Representative to be Contacted:

Richard Lee, Attorney
 Name
2449 Maryland Avenue 410-338-1818
 Address Telephone No.
Baltimore, Maryland 21218
 City State Zip Code

Attorney For Petitioner:

Richard E. Lee
 Name - Type or Print
[Signature]
 Signature
Richard E. Lee, P.A.
 Company
2449 Maryland Avenue 410-338-1818
 Address Telephone No.
Baltimore, Maryland 21218
 City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING April 19 - 26

Reviewed By [Signature] Date 03-06-02

ORDER RECEIVED FOR FILING
 Date 5/09/02
 BY [Signature]
 200415198

Case No. 02-369-SPH

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • FOWSON, MARYLAND 21286-3396

Description for a Special Hearing

For an Elementary School

2601 Rolling Road

Beginning for the same at a point north $35^{\circ} 17' 25''$ east 1 189 feet \pm from the intersection of Rolling Road (70' R.O.W.) and Tudsbury Lane (70' R.O.W.) Running thence the ten following courses, (1) north $10^{\circ} 47' 10''$ east, 117.89 feet (2) south $76^{\circ} 39' 06''$ east 153.91 feet, (3) south $02^{\circ} 36' 15''$ west, 170.00 feet, (4) north $87^{\circ} 23' 45''$ west 30.00 feet, (5) north $02^{\circ} 36' 15''$ east 60.00 feet, (6) north $87^{\circ} 23' 45''$ west 30.00 feet (7) south $02^{\circ} 36' 15''$ west 60.00 feet, (8) north $87^{\circ} 23' 45''$ west 30.00 feet, (9) north $02^{\circ} 36' 15''$ east 70.00 feet, (10) north $78^{\circ} 40' 48''$ west 79.39 feet to the place of beginning

Containing 0.52 Acres \pm or 22,502.85 square feet \pm



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 11261

DATE 3/1/02 ACCOUNT DD. 806-6150

AMOUNT \$ 44.00

RECEIVED FROM: Johnnie R. Thomas

FOR: 8415 Baltimore Ave.

Bookstore

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT AMOUNT TIME
BAL 2002 3/1/2002 15:05:56
RECEIVED CASHIER DDOL OK DRGAL
DATE 3 5 529 ZONING DEPARTMENT
OR NO. 011261

Receipt Tot 40.00
40.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF PUBLICATION

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: #02-369-SPH
2601 Rolling Road
E/S of Rolling Road, 1189
N of Tuosbury Lane
2nd Elecaon District
2nd Councilmanic District
Legal Owner(s): Robb Merritt
Contract Purchaser:
Gertrude J. Edwards

Special Hearing: to approve development of a private elementary school in a ML-IM zone.

Hearing: Tuesday, May 14, 2002 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.

JT4/799 Apr 30 C535542

5/3/2002

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 4/30/2002.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. 02-369-SPH
Petitioner/Developer:
Gertrude J. Edwards
Hearing Date: **05/14/02**

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

Attention: Mr. George Zahner

Ladies and Gentlemen:

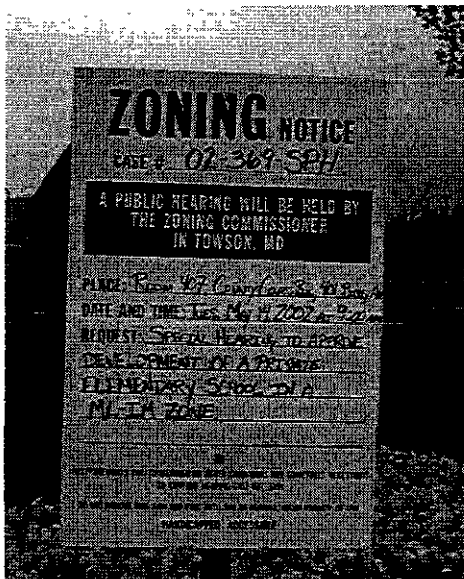
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at **2601 Rolling Rd.**

The sign(s) were posted on **04/28/02.**

Sincerely,



Thomas J. Hoff
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668



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: 02 369 SPH
Petitioner: Deer Park Christian school
Address or Location: 2601 Rolling Rd, Baltimore, md 21244

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gertrude Edwards
Address: 2601 Rolling Rd
Baltimore, md 21244
Telephone Number: 410-298-3232

Revised 2/20/98 - SCJ

⁻⁹⁻
02-369-SPH

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 30, 2002 Issue – Jeffersonian

Please forward billing to:
Gertrude J Edwards
2601 Rolling Road
Baltimore MD 21244

410 298-3232

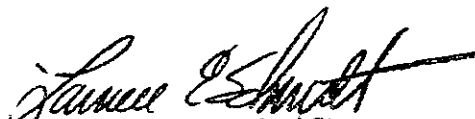
NOTICE OF ZONING HEARING

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: 02-369-SPH
2601 Rolling Road
E/S of Rolling Road, 1189' N of Tudsbury Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Robb Merritt
Contract Purchaser: Gertrude J Edwards

Special Hearing to approve development of a private elementary school in a ML-IM zone.

HEARING: Tuesday, May 14, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 602
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

March 27, 2002

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: 02-369-SPH
2601 Rolling Road
E/S of Rolling Road, 1189' N of Tudsbury Lane
2nd Election District – 2nd Councilmanic District
Legal Owner: Robb Merritt
Contract Purchaser: Gertrude J Edwards

Special Hearing to approve development of a private elementary school in a ML-IM zone.

HEARING: Tuesday, May 14, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: Richard E. Lee, 2449 Maryland Avenue, Baltimore 21218
Robb Merritt, 2066 Lord Baltimore Drive, Baltimore 21244
Gertrude J Edwards, 2601 Rolling Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 29, 2002.**
- (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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 10, 2002

Richard E Lee
2449 Maryland Avenue
Baltimore MD 21218

Dear Mr. Lee:

RE: Case Number: 02-369-SPH, 2601 Rolling Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 6, 2002..

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. 672
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Robb Merritt, 2066 Lord Baltimore Drive, Baltimore 21244
Gertrude J Edwards, 2601 Rolling Road, Baltimore 21244
People's Counsel

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 17, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for *March 25, 2002*
Item Nos. 360, 361, 362, 363, 364, 365,
366, 367, 368, 369, 370, 371, 372, 373,
375, 376 and 377

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

RWB:CEN:cab

cc. File



Baltimore County
Fire Department

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

March 18, 2002

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

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 18, 2002

Item No.: 367 & 369

Dear Ms. Zahner:

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.

REVIEWER: LIEUTENANT JIM MEZICK, 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 *RBS KBT*

DATE: April 25, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 372, 373, 375, 377

No AG Comments for #364, 368

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS/TGT*
DATE: April 16, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 372, 373, 375, 377

Waiting on AG Comments for #364, 368

419
5/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 22, 2002

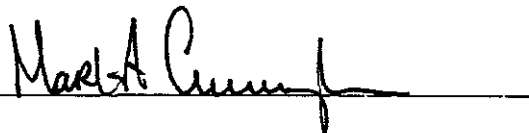
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

MAR 22

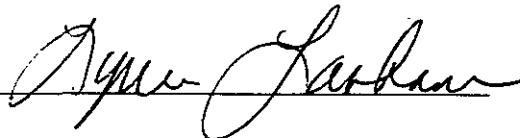
SUBJECT: Zoning Advisory Petition(s): Case(s) 02-361 & 02-369

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:



Section Chief:



AFK/LL:MAC



Maryland Department of Transportation
State Highway Administration

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

Date: 3.19.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 369 JRA

Dear Mr. Zahner:

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,

A handwritten signature in black ink, appearing to read 'K. A. McDonald Jr.', written in a cursive style.

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 HEARING
2601 Rolling Road, E/S Rolling Rd,
1189' N of Tudsbury Ln
2nd Election District, 2nd Councilmanic

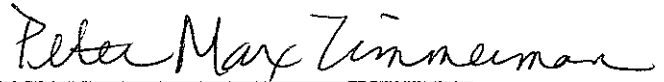
Legal Owner: Robb Merritt
Contract Purchaser: Gertrude J. Edwards
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-369-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 27th day of March, 2002 a copy of the foregoing Entry of Appearance was mailed to Richard E. Lee, Esq., 2449 Maryland Avenue, Baltimore, MD 21218, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

Baltimore County Government
Department of Economic Development



400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

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

From: Robert L. Hannon *R/LH*
Director, Department of Economic Development

Date: May 1, 2002

Subject: 2601 Rolling Road

Information:

Item number: 369

Case number: 02-369-SPH

Existing zoning: ML-IM

As you know the ML-IM zone is considered the most versatile zone for employment generation in Baltimore County. While this office will continue to be reasonable in the assessment of service businesses in support of primary uses, it is requested that the hearing officer assess the proposed use in conformance with the zone's primary purpose and intent.

ADRIENNE A. JONES
10th Legislative District
Baltimore County and City

Committee
Appropriations

Subcommittee on Public
Safety and Administration

Vice-Chair
Oversight Committee on Personnel

Oversight Committee on
Program Open Space and Agricultural
Land Preservation

House Co-Chairman
Joint Committee on Fair Practices



The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401-1991

5/11/02
Annapolis Office
309 Lowe House Office Building
Annapolis, Maryland 21401-1991
410-841-3350
Fax 410-841-3422

District Office
3100 Timanus Lane, Suite 101
Baltimore, Maryland 21244
410-265-5700
Fax 410-298-2856

May 7, 2002

MAY 9 2002

Mr. Lawrence Schmidt
Zoning Commissioner of Baltimore County
County Office Building
111 W. Chesapeake Ave.
Towson, MD 21204

Re: **Case Number: 02-369-SPH**

Dear Ms. Schmidt:

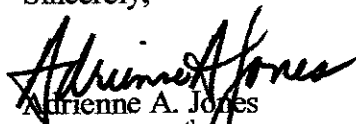
I am writing in support of **Deer Park Children's School**, which is located in my District, on their request to have a special exception for the approval of the development of a private elementary school in a ML-IM zone.

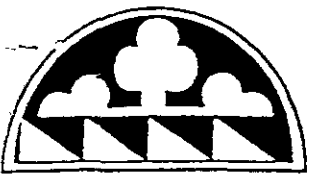
I am quite familiar with the Deer Park Children's School and the excellent program it provides to the students in the area. Prior to the school moving to the Industrial Park, it was accredited providing service to families from 6:00 am until 12:00 noon.

With the expansion of the school and the need to move to a larger facility, the school moved into the Industrial Park. Since private schools cannot be in an industrial park, the State accreditation was removed. Due to the unique service that the school provides, I am in support of the school's request to have a special exception to allow them to regain their accreditation.

Thank you, for your consideration of this matter.

Sincerely,


Adrienne A. Jones
Delegate, 10th Legislative District



Maryland State Department of
EDUCATION

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

August 31, 2001

Ms. Gertrude Edwards
President
Deer Park Children's Center, Inc.
3827 Rayton Road
Randallstown, MD 21133

FAX without Enclosure & Mail
410-298-4092

Re: Deer Park Children's School
3317 St. Luke's Lane
Baltimore, MD 21207

#02-369-5PN

Dear Ms. Edwards:

You have communicated to this Department that you plan to change the location of the above referenced school for the 2001-2002 school year. To date, all of the documentation required for Maryland State Board of Education approval of a new location for the operation of the school has not been received.

Regulation .03D. of COMAR 13A.09.09 Educational Programs in Nonpublic Schools and Child Care Centers (enclosed) requires that "A school shall operate in a manner which is consistent with the specifications as recorded on the certificate of approval." One of the specifications on the Certificate of Approval of the school is the approved location for the operation of the school.

Regulation .03F. of those regulations requires that "When a school is planning a change to the specifications recorded on its certificate of approval, the school shall: (1) Notify the Department in writing at least 60 days before the occurrence of any change; (2) Furnish such information as the State Board considers necessary to approve the change planned by the school; and (3) Certify compliance with these regulations on forms provided by the Department."

Regulation .03G. of COMAR 13A.09.09 requires that "A school may not implement a change under §F of this regulation until a certificate of approval reflecting the change has been issued by the State Board."

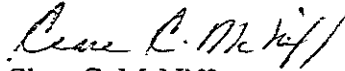
Accordingly, the school referenced above may not move its operation to a location other than that specified on its current Certificate of Approval as referenced above without prior

Gertrude Edwards
August 31, 2001
Page 2

approval from the State Board of Education. Operation of the school at a location other than the location that appears on the Certificate of Approval of the school is illegal.

Be assured that I will review any documentation submitted promptly upon receipt by this Department in an effort to expedite the approval of the school to operate in a location other than that appearing on the current Certificate of Approval.

Sincerely,

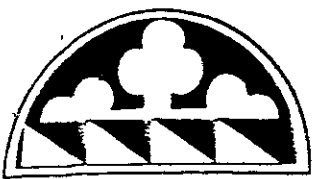


Clare C. McNiff
Specialist in Accreditation

Enclosure:

COMAR 13A.09.09 Educational Programs in Nonpublic Schools and Child Care Centers

c: Virginia Cieslicki, Chief, Nonpublic School Approval Branch
Lawrence E. Leak, PhD, Assistant State Superintendent, Maryland State Department of
Education



Maryland State Department of EDUCATION

Schools for Success

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

September 14, 2001

Mr. Arnold Jablon
Director
Office of Zoning Administration and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

Nonpublic school approval regulations COMAR 13A.09.09 and COMAR 13A.09.10 require a nonpublic school to be in compliance with applicable State and local regulations, or both, governing health, fire safety, and zoning prior to the issuance of a Certificate of Approval by the State Board of Education.

Please notify us in writing regarding compliance of the school referenced below with applicable Zoning regulations or check appropriate box and return entire form to my attention at the above address.

Name of School Deer Park Children's School Phone # 410-298-3232

Street 2601 North Rolling Road

City Baltimore State MD County Baltimore Zip Code 21244

Chief Administrative Officer Ms. Gertrude Edwards

Type of Educational Program Nursery School (Age 2, 3 and 4), Kindergarten and Elementary School (Grade 1 and 2)

Special Instructions (if any) Please indicate to me if the educational facility at this site meets applicable regulations use as a nonpublic school. You may fax your response to me at 410-333-8963.

Thank you for your continued cooperation.

Sincerely,

Handwritten signature of Clare C. McNiff

Clare C. McNiff
Specialist in Accreditation
Nonpublic School Approval Branch

c: Ms. Gertrude Edwards, Administrative Head, Deer Park Children's School

Meets Applicable Regulations Does Not Meet Applicable Regulations No Applicable Regulation



Maryland State Department of EDUCATION

Schools for Success

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

September 14, 2001

Mr. David A. C. Carroll
Baltimore Co. Dept. of Environmental Protection
New Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Dear Mr. Carroll:

Nonpublic school approval regulations COMAR 13A.09.09 and COMAR 13A.09.10 require a nonpublic school to be in compliance with applicable State and local regulations, or both, governing health, fire safety, and zoning prior to the issuance of a Certificate of Approval by the State Board of Education.

Please notify us in writing regarding compliance of the school referenced below with applicable Health regulations or check appropriate box and return entire form to my attention at the above address.

Name of School Deer Park Children's School Phone # 410-298-3232

Street 2601 North Rolling Road

City Baltimore State Maryland County Baltimore Zip Code 21244

Chief Administrative Officer Ms. Gertrude Edwards

Type of Educational Program Nursery School (Ages 2, 3, and 4), Kindergarten and Elementary School (Grades 1 and 2)

Special Instructions (if any) Please indicate to me if the educational facility at this site meets applicable regulations for use as a nonpublic school. You may fax your response to me at 410-333-8963.

Thank you for your continued cooperation.

Sincerely,

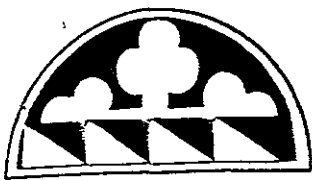
Toni M. Savoy (handwritten signature)

Toni M. Savoy
Administrative Specialist
Nonpublic School Approval Branch

c: Ms. Gertrude Edwards, Administrative Head

Meets Applicable Regulations Does Not Meet Applicable Regulations No Applicable Regulation

Signature Title Date



Maryland State Department of EDUCATION

Schools for Success

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

September 14, 2001

Battalion Chief Mark E. Weir, Sr.
Baltimore County Fire Department
700 East Joppa Road 2nd Floor
Towson, Maryland 21286

Dear Chief Weir:

Nonpublic school approval regulations COMAR 13A.09.09 and COMAR 13A.09.10 require a nonpublic school to be in compliance with applicable State and local regulations, or both, governing health, fire safety, and zoning prior to the issuance of a Certificate of Approval by the State Board of Education.

Please notify us in writing regarding compliance of the school referenced below with applicable Fire Safety regulations or check appropriate box and return entire form to my attention at the above address.

Name of School Deer Park Children's School Phone # 410-298-3232

Street 2601 North Rolling Road

City Baltimore State Maryland County Baltimore Zip Code 21244

Chief Administrative Officer Ms. Gertrude Edwards

Type of Educational Program Nursery School (Ages 2, 3, and 4), Kindergarten and Elementary School (Grades 1 & 2)

Special Instructions (if any) Please indicate to me if the educational facility at this site meets applicable regulations for use as a nonpublic school. You may fax your response to me at 410-333-8963,

Thank you for your continued cooperation.

Sincerely,

[Handwritten signature of Toni M. Savoy]

Toni M. Savoy
Administrative Specialist
Nonpublic School Approval Branch

c: Ms. Gertrude Edwards, Administrative Head

[] Meets Applicable Regulations [] Does Not Meet Applicable Regulations [] No Applicable Regulation

Signature Title Date





Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

September 14, 2001

Ms. Gertrude J. Edwards, President
Deer Park Children's Center, Inc.
3827 Rayton Road
Randallstown, Maryland 21133

**Fax (410-298-4092) without Enclosures
and Mail**

Re: Request for Amendment to Certificate of Approval for Deer Park Children's School

Change in location

from: 3317 St. Luke's Lane, Baltimore, Maryland 21207

to: 2601 North Rolling Road, Baltimore, Maryland 21244

Dear Ms. Edwards:

The Department understands that Deer Park Children's School is currently operating at 2601 North Rolling Road, Baltimore, Maryland 21244. If this understanding is correct, Deer Park Children's School is operating at that location without the approval of the Maryland State Board of Education. Therefore, pursuant to Annotated Code of Maryland, Education Article, §2-206(e) (enclosed), Deer Park Children's Center, Inc. is operating Deer Park Children's School illegally and must cease operation immediately.

On August 16, 2001, the Department of Education received a fax notification from you indicating your intention to change the location for Deer Park Children's School from 3317 St. Luke's Lane, Baltimore, Maryland 21207 to 2601 Rolling Road, Baltimore, Maryland 21244 for the 2001-2002 school year beginning September 2001. COMAR 13A.09.09 Educational Programs in Nonpublic Schools and Child Care Centers (enclosed) states in Regulation .03 F (1)-(3) the following:

F. When a school is planning a change to the specifications recorded on its certificate of approval, the school shall:

- (1) Notify the Department in writing at least 60 days before the occurrence of any change;
- (2) Furnish such information as the State Board considers necessary to approve the change planned by the school; and
- (3) Certify compliance with these regulations on forms provided by the Department

Deer Park Children's Center, Inc. is not in compliance with these requirements.

Ms. Gertrude J. Edwards, President
Deer Park Children's Center, Inc.
September 14, 2001
Page Two

The Provisional Approval of the Baltimore County Office of Permits and Development Management pertains to **2601 North Rolling Road**, Baltimore 21244 as distinguished from **2601 Rolling Road**. I understand from your discussion yesterday with Ms. Virginia Cieslicki, Chief, Nonpublic School Approval Branch, that the address is 2601 North Rolling Road, Baltimore, Maryland 21244. Letters to Baltimore County Health, Fire Safety and Zoning officials were mailed from this office requesting notification in writing regarding compliance with applicable regulations for the operation of the nonpublic school at 2601 Rolling Road, Baltimore, Maryland 21244. The same letters were faxed to Baltimore County officials on September 14, 2001. Copies of these revised letters with the corrected street are enclosed.

The Department received Baltimore County Application for Permit #B461701 for the location of Deer Park Children's School at 2601 North Rolling Road, Baltimore, Maryland 21244. You hand delivered the Application for Permit to this office on Monday, September 10, 2001. You also delivered a Provisional Approval #B461701C from the Baltimore County Government, Office of Permits and Development Management on September 10, 2001.

The Provisional Approval specifically states that the issuance of the provisional approval in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations. It states further that "Owner must file for a public hearing within 90 days before the Zoning Commissioner requesting relief from all conflicts with the Baltimore County Zoning Regulations."

During Ms. McNiff's telephone discussion with Mr. Carl Richards, Supervisor, Baltimore County Government, Office of Permits and Development Management, on September 12, 2001, Mr. Richards stated that while it may be likely that a public hearing will result in approval for use of the 2601 North Rolling Road site for a nonpublic school, the outcome of a public hearing cannot be guaranteed; and, therefore, his office could not provide zoning approval for use as a nonpublic school at 2601 North Rolling Road, Baltimore, Maryland 21244.

After 4:30 p.m. on September 13, 2001, this Department received a signed, conditional zoning approval from Mr. Arnold Jablon, Director, Office of Zoning Administration and Development Management stating that "The Nursery School (Ages 2, 3, and 4) and Kindergarten meet Baltimore County zoning regulations, as class B Child Care Facility, and have approval. The Elementary School does not meet the regulations but conditional approval has been granted for 90 days pending the outcome of a required special hearing to approve the use."

Therefore, provided full, nonconditional and nonprovisional fire safety and health approvals are received on a timely basis for 2601 North Rolling Road, Baltimore, Maryland 21244, this Department can recommend approval for the operation of a Nursery School (Ages 2, 3, and 4) and Kindergarten at that location. This Department can not recommend approval for Elementary School (Grades 1 and 2) for the 2001-2002 school year because zoning approval has not been granted for those grades at 2601 North Rolling Road.

Ms. Gertrude J. Edwards, President
Deer Park Children's Center, Inc.
September 14, 2001
Page Three

This Department has provided you with various forms of written notification of the legal requirements pertaining to the change of location of a school. These forms of written notification include multiple mailings of COMAR 13A.09.09, a manual entitled Everything You Need to Know About Legal Requirements for Operating a Nonpublic School in Maryland, the letter that accompanied the Certificate of Approval amendment materials, and Ms. McNiff's letter to you of August 31, 2001. Ms. Jestine Smith and Ms. Clare McNiff, Specialists in Accreditation, advised you again verbally of the legal requirements pertaining to a change in the location of the school during your September 10, 2001 visit to this office. I also reiterated this legal requirement during your September 13, 2001 call to the Department.

You may contact me at 410-767-0409 for any further guidance you may need.

Sincerely,



Virginia Cieslicki
Chief
Nonpublic School Approval Branch

Enclosures: • Annotated Code of Maryland, Education Article, §2-206
 COMAR 13A.09.09 Educational Programs in Nonpublic Schools and
 Child Care Centers
 Copies of Fire Safety, Health and Zoning requests
 August 31, 2001 letter from Ms. Clare McNiff to Ms. Gertrude J. Edwards

C: David A. C. Carroll, Baltimore County Department of Environmental Protection
 Virginia Cieslicki, Chief, Nonpublic School Approval Branch
 Lawrence E. Leak, PhD., Assistant State Superintendent, Division of Certification
 and Accreditation
 Rose Marie Hayes, Acting Regional Manager, Child Care Administration,
 Baltimore County
 Arnold Jablon, Director, Baltimore County Government, Office of Zoning
 Administration and Development Management
 Clare McNiff, Accreditation Specialist, Nonpublic School Approval Branch
 Carl Richards, Supervisor, Baltimore County Government, Office of Permits and
 Development Management
 Mark E. Weir, Sr., Baltimore County Fire Department

Office: 410-298-3232

Fax: 410-298-4092

Deer Park Children's School
2601 North Rolling Road, Suite 101
Baltimore, Maryland 21244

April 17, 2002

Dear Neighbor:

Deer Park Children's School has provided Early childhood education and childcare for children age's 2 years through thirteen, for fifteen years. In September 2001, we relocated here as the request for our services increased.

The purpose of this letter is to inform you of a special zoning hearing May 14, 2002 at 9:00 a.m. in Rm. 407, County Courts Building, 401 Bosley Avenue. The purpose of the hearing is to expand from kindergarten to second grade, to kindergarten to sixth grade. As always it is important that Deer Park work as a team within our community. Enclosed is a form, I am asking if you would kindly take a few minutes to complete. It is important that our expansion not interrupt your business operations.

We have open door policy; we invite you and your staff to visit us. Our hours of operation are, Monday through Friday 6 am until 12am, Saturday 6 am until 4pm. We look forward to meeting you.

Sincerely,
Gertrude Edwards
Gertrude J. Edwards
Principal

*Petitioner
No 1*

The expansion of Deer Park Children's School, from Kindergarten to 2nd grade to kindergarten to 6th grade will _____ will not interfere With my business operation.

Name of Company Jet-Cap Vending
Date 5/1/02
Signature [Signature]
Position President

If our expansion interferes with the operation of your business please state why.

Office: 410-298-3232

Fax: 410-298-4092

Deer Park Children's School
2601 North Rolling Road, Suite 101
Baltimore, Maryland 21244

April 17, 2002

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Sincerely,
Gertrude Edwards
Gertrude J. Edwards
Principal

The expansion of Deer Park Children's School, from Kindergarten to 2nd grade to kindergarten to 6th grade will _____ will not interfere With my business operation.

Name of Company CMC
Date 4-30-02
Signature Angela F. Dalton
Position Customer Service

If our expansion interferes with the operation of your business please state why.

Office: 410-298-3232

Fax: 410-298-4092

Deer Park Children's School
2601 North Rolling Road, Suite 101
Baltimore, Maryland 21244

April 17, 2002

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Sincerely,
Gertrude Edwards
Gertrude J. Edwards
Principal

The expansion of Deer Park Children's School, from Kindergarten to 2nd grade to kindergarten to 6th grade will _____ will not interfere With my business operation.

Name of Company PRECISION CERTIPRO
Date 4-30-02
Signature Craig M. Lohr
Position OPS MANAGER

If our expansion interferes with the operation of your business please state why.

Office: 410-298-3232

Fax: 410-298-4092

Deer Park Children's School
2601 North Rolling Road, Suite 101
Baltimore, Maryland 21244

April 17, 2002

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Sincerely,
Gertrude Edwards
Gertrude J. Edwards
Principal

The expansion of Deer Park Children's School, from Kindergarten to 2nd grade to kindergarten to 6th grade will _____ will not interfere With my business operation.

Name of Company Spectrum Support
Date 4/30/02
Signature Perich Bapl
Position Program Director

If our expansion interferes with the operation of your business please state why.

Office: 410-298-3232

Fax: 410-298-4092

Deer Park Children's School
2601 North Rolling Road, Suite 101
Baltimore, Maryland 21244

April 17, 2002

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Sincerely,
Gertrude Edwards
Gertrude J. Edwards
Principal

The expansion of Deer Park Children's School, from Kindergarten to 2nd grade to kindergarten to 6th grade will _____ will not ~~_____~~ interfere With my business operation.

Name of Company Fresh Dough Company
Date 4-30-02
Signature Kinda Pasini
Position Customer Service

If our expansion interferes with the operation of your business please state why.

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

DATE: 8/3/01 02-369-501
OEA: LM

PERMIT # B458604
RECEIPT # A434437
CONTROL # 6
XREF #:

PROPERTY ADDRESS 2601 Bowling Rd. YES NO
SUITE/SPACE/FLOOR 101-102(f) DO NOT KNOW
SUBDIV:
TAX ACCOUNT #: 0207580050 DISTRICT/PRECINCT 02 02

FEE: 1007.5712 + 117.00
PAID: 11/10
PAID BY: Apple
INSPECTOR:

OWNER'S INFORMATION (LAST, FIRST)
NAME: Mannett 02, LLC.
ADDR: 2006 Long Bavaria Dr. Bowie, Md. 21244

DOES THIS BLDG. HAVE SPRINKLERS
YES NO

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION

NAME: A. Skip Miller
COMPANY: Mannett Properties, LLC.
STREET: 2006 Long Bavaria Dr.
CITY, ST, ZIP: Bowie, Md. 21204
PHONE #: 410-298-2600 MHIC LICENSE #:
APPLICANT SIGNATURE: [Signature] DRC#
PLANS: CONST PLOT PLAT DATA EL PL
TENANT: OWNER VALEANT
CONTR: OWNER
ENGR: Carroll Penge
SELLR: N/A

BUILDING 1 or 2 FAM. CODE CODE
BOCA CODE

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

DESCRIBE PROPOSED WORK: Interior alteration of existing bathroom, metal stud, 1/2" drywall + finishes

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY (ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT SPECIFY TYPE
20. SWIMMING POOL SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE FOUNDATION

- | | |
|-------------|------------|
| 1. SLAB | 1. FULL |
| 2. BLOCK | 2. PARTIAL |
| 3. CONCRETE | 3. NONE |

TYPE OF CONSTRUCTION

1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS
2. OIL
3. ELECTRICITY
4. COAL

TYPE OF SEWAGE DISPOSAL

- | | | |
|---|--|-----------------------------------|
| 1. <input checked="" type="checkbox"/> PUBLIC SEWER | <input checked="" type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| 2. PRIVATE SYSTEM | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| SEPTIC | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| PRIVY | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |

CENTRAL AIR: 1. 2.

ESTIMATED COST: \$10,000.00
OF MATERIALS AND LABOR

- | | | |
|--|--|-----------------------------------|
| 1. <input checked="" type="checkbox"/> PUBLIC SYSTEM | <input checked="" type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |
| 2. PRIVATE SYSTEM | <input type="checkbox"/> EXISTS | <input type="checkbox"/> PROPOSED |

PROPOSED USE: Same as Alteration

EXISTING USE: Warehouse / Office

OWNERSHIP

1. PRIVATELY OWNED
2. PUBLICLY OWNED
3. SALE
4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE

1 FAMILY BEDROOMS

GARBAGE DISPOSAL 1. Y 2. N BATHROOMS CLASS 07
POWDER ROOMS KITCHENS LIBER FOLIO

BUILDING SIZE LOT SIZE AND SETBACKS
FLOOR 340 SIZE 11,930 AC
WIDTH FRONT STREET
DEPTH SIDE STREET
HEIGHT FRONT SETBK
STORIES SIDE SETBK
LOT #'S SIDE STR SETBK
CORNER LOT REAR SETBK
1. Y 2. N ZONING

APPROVAL SIGNATURES

BLD INSP:	:	DATE:
BLD PLAN: <u>[Signature]</u>	:	<u>8-1-01</u>
FIRE: <u>[Signature]</u>	:	<u>8-1-01</u>
SEDI CTL:	:	
ZONING: <u>[Signature]</u>	:	<u>8-3-01</u>
PUB SERV:	:	
ENVRMNT:	:	
PERMITS: <u>[Signature]</u>	:	<u>8-1-01</u>

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

OEA: KRA/15
HISTORIC DISTRICT/BLDG.

PERMIT #: PH101701
RECEIPT #: R4560158
CONTROL #: 10
XREF #:

PROPERTY ADDRESS: 2601 N. Rolling Rd
SUITE/STAGE/FLOOR: 101-102
SUBDIV: _____
TAX ACCOUNT #: 02075 81057
OWNER'S INFORMATION (LAST, FIRST): _____
NAME: EDWARDS, Gertrude
ADDR: _____

FEE: _____
PAID: _____
PAID BY: APJ
INSPECTOR: _____

DOES THIS BLDG. HAVE SPRINKLERS
YES NO

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION
NAME: Gertrude Edwards
COMPANY: Deer Park Children's Center
STREET: 2601 N. Rolling Rd
CITY, ST, ZIP: Baltimore, Md 21294
PHONE #: 410-298-3232 MHC LICENSE #: _____
APPLICANT SIGNATURE: Gertrude Edwards DR# _____
PLANS: CONST 2 PLOT _____ PLAT _____ DATA 0 EL. 2 PL. 2
TENANT: Deer Park Children's Center STE 101-102
CONTR: OWNER
ENGR: Assault Eng
SELLR: _____

BUILDING 1 or 2 FAM.
CODE CODE _____
BOCA CODE

- TYPE OF IMPROVEMENT
- 1. NEW BLDG CONST
 - 2. ADDITION
 - 3. ALTERATION
 - 4. REPAIR
 - 5. WRECKING
 - 6. MOVING
 - 7. OTHER Ch of Occ

DESCRIBE PROPOSED WORK: Interior Alteration of Existing Building for use as a Change of Occupancy From Office to Juvenile Daycare/School

TYPE OF USE

- RESIDENTIAL
- 01. ONE FAMILY
 - 02. TWO FAMILY
 - 03. THREE AND FOUR FAMILY
 - 04. FIVE OR MORE FAMILY (ENTER NO UNITS)
 - 05. SWIMMING POOL
 - 06. GARAGE
 - 07. OTHER
- NON-RESIDENTIAL
- 08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
 - 09. CHURCH, OTHER RELIGIOUS BUILDING
 - 10. FENCE (LENGTH HEIGHT) Separate Permit Required For Any Additional Work.
 - 11. INDUSTRIAL, STORAGE BUILDING
 - 12. PARKING GARAGE
 - 13. SERVICE STATION, REPAIR GARAGE
 - 14. HOSPITAL, INSTITUTIONAL, NURSING HOME
 - 15. OFFICE, BANK, PROFESSIONAL
 - 16. PUBLIC UTILITY
 - 17. SCHOOL, COLLEGE, OTHER EDUCATIONAL 3400\$ Fee B458604 for alt work
 - 18. SIGN
 - 19. STORE MERCANTILE RESTAURANT SPECIFY TYPE _____
 - 20. SWIMMING POOL SPECIFY TYPE _____
 - 21. TANK, TOWER
 - 22. TRANSIENT HOTEL, MOTEL (NO. UNITS _____)
 - 23. OTHER

TYPE FOUNDATION

- 1. SLAB
- 2. BLOCK
- 3. CONCRETE

BASEMENT

- 1. FULL
- 2. PARTIAL
- 3. NONE

TYPE OF CONSTRUCTION

- 1. MASONRY
- 2. WOOD FRAME
- 3. STRUCTURE STEEL
- 4. REINF. CONCRETE

TYPE OF HEATING FUEL

- 1. GAS
- 2. OIL
- 3. ELECTRICITY
- 4. COAL

TYPE OF SEWAGE DISPOSAL

- 1. PUBLIC SEWER EXISTS PROPOSED
- 2. PRIVATE SYSTEM SEPTIC EXISTS PROPOSED
- 3. PRIVY EXISTS PROPOSED

CENTRAL AIR: 1. 2. _____
ESTIMATED COST: \$24,000
OF MATERIALS AND LABOR

PROPOSED USE: Day Care Center and school
EXISTING USE: office
OWNERSHIP

- 1. PRIVATELY OWNED
- 2. PUBLICLY OWNED
- 3. SALE
- 4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: _____ #2BED: _____ #3BED: _____ TOT BED: _____ TOT APTS/CONDOS: _____ 6. HIRISE
1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. Y 2. N BATHROOMS _____ CLASS 07
POWDER ROOMS _____ KITCHENS _____ LIBER _____ FOLIO _____

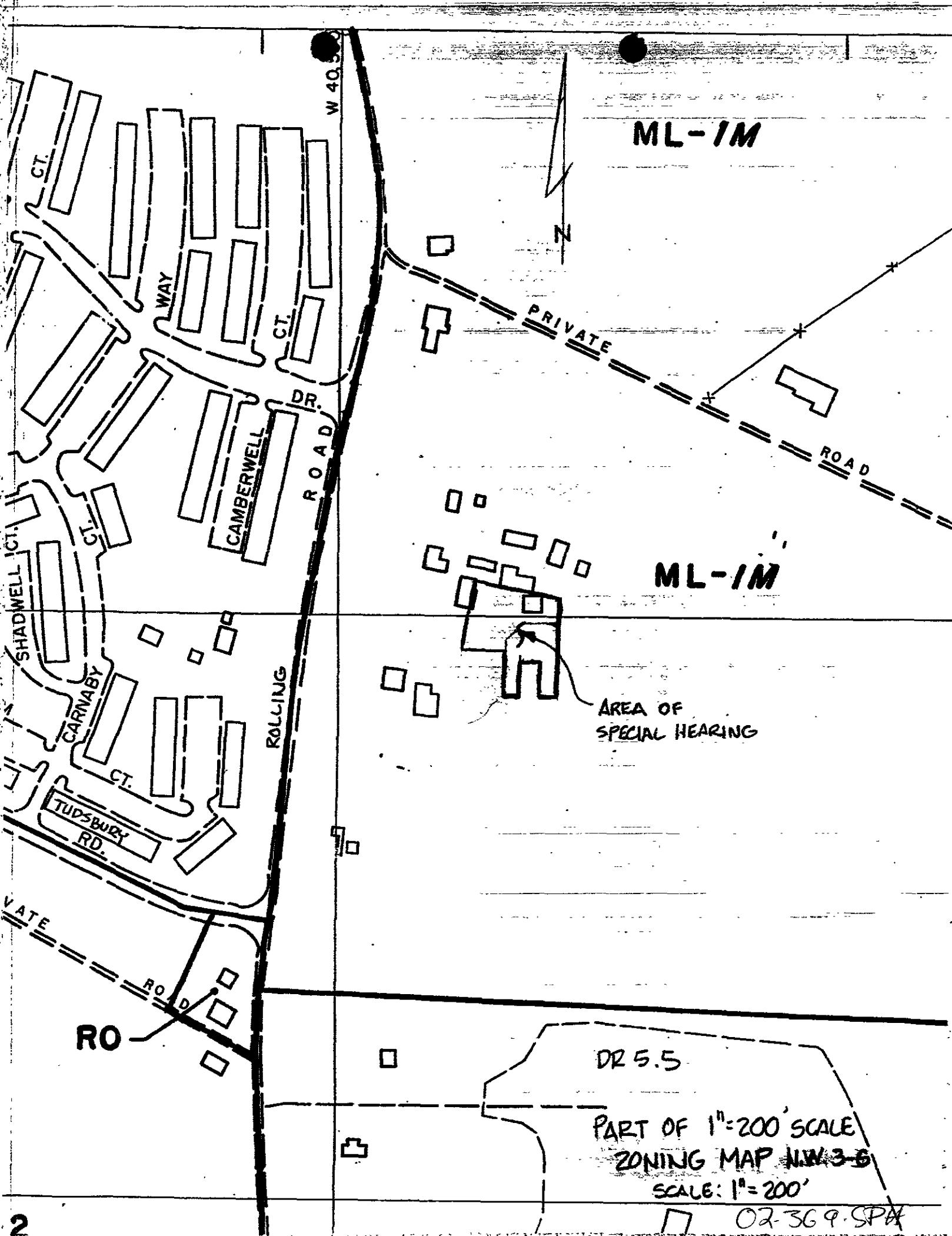
BUILDING SIZE
FLOOR 2
WIDTH _____
DEPTH _____
HEIGHT _____
STORIES _____
LOT #'S _____
CORNER LOT _____
1. Y 2. N ZONING _____

LOT SIZE AND SETBACKS
SIZE 11.93040
FRONT STREET _____
SIDE STREET _____
FRONT SETBK _____
SIDE SETBK N/A
SIDE STR SETBK _____
REAR SETBK _____

APPROVAL SIGNATURES		DATE
BLD INSP	:	:
BLD PLAN	: <u>12052 (Final)</u>	: <u>9-10-01</u>
PIRE	: <u>12052 (Final)</u>	: <u>9-10-01</u>
SEDI CTL	:	:
ZONING	: <u>APJ</u>	: <u>9-10-01</u>
PUB SERV	:	:
ENVRMNT	: <u>APJ</u>	: <u>9-10-01</u>
PERMITS	:	:

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

See B.458604 For Alt Work
Wants To Waive Plans per CONST'L APPROVAL BY APJ.



ML-1M

ML-1M

AREA OF SPECIAL HEARING

RO

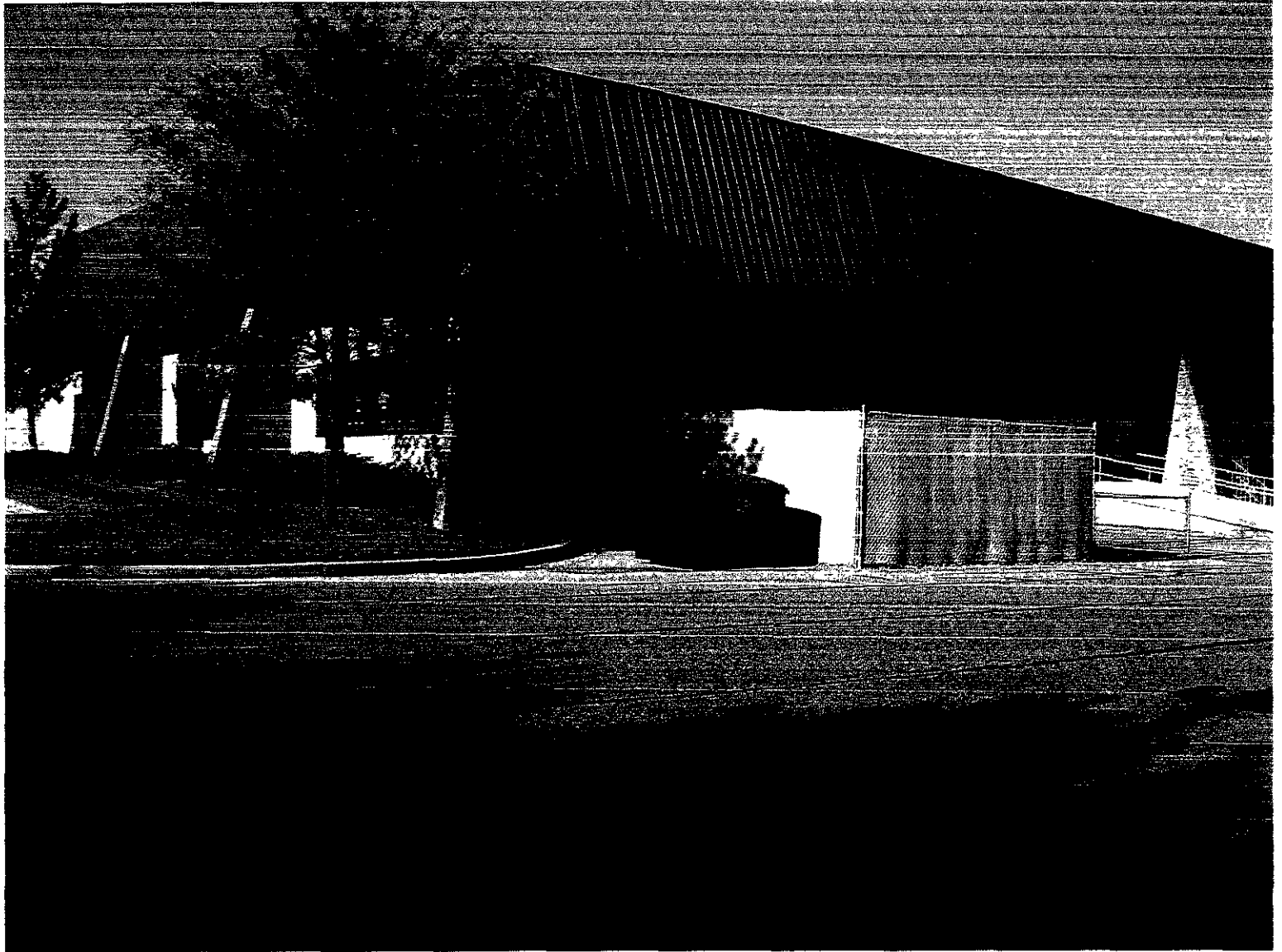
DR 5.5

PART OF 1"=200' SCALE
ZONING MAP NW 3-6
SCALE: 1"=200'

02-369-SPA

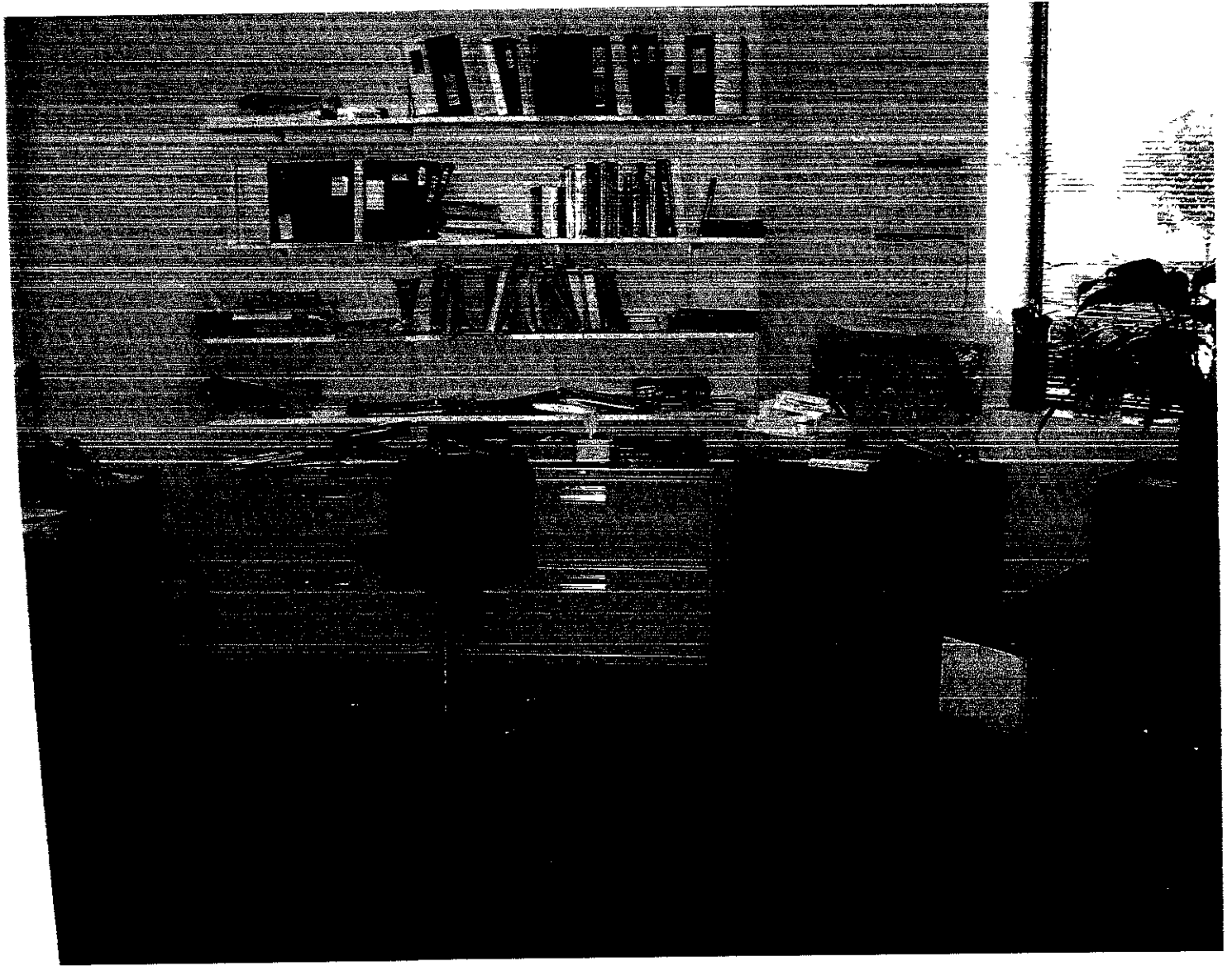


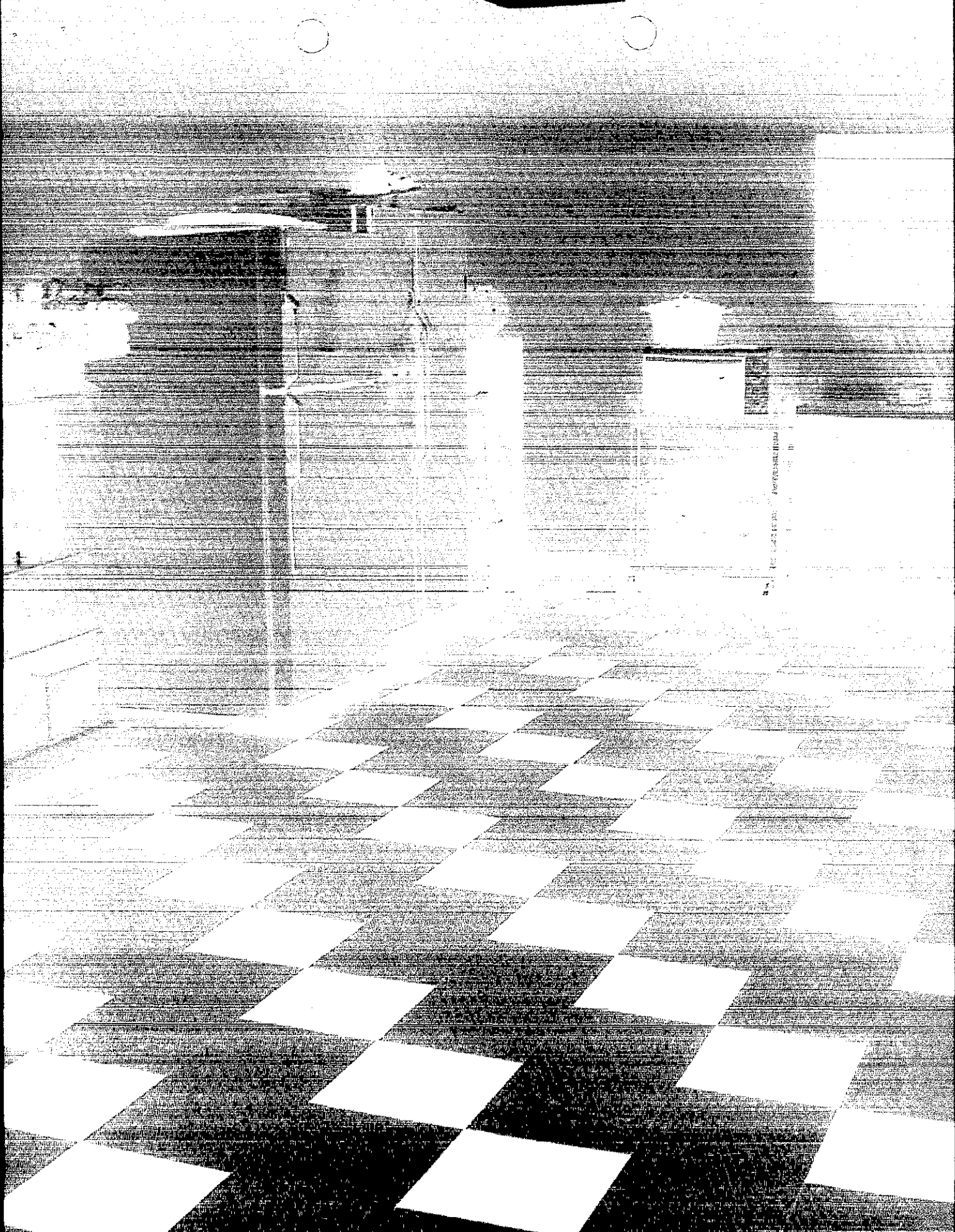


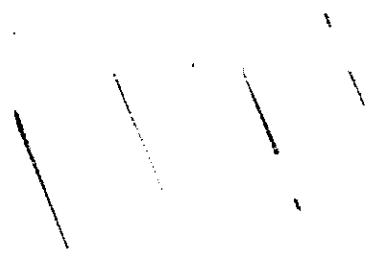
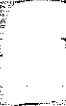


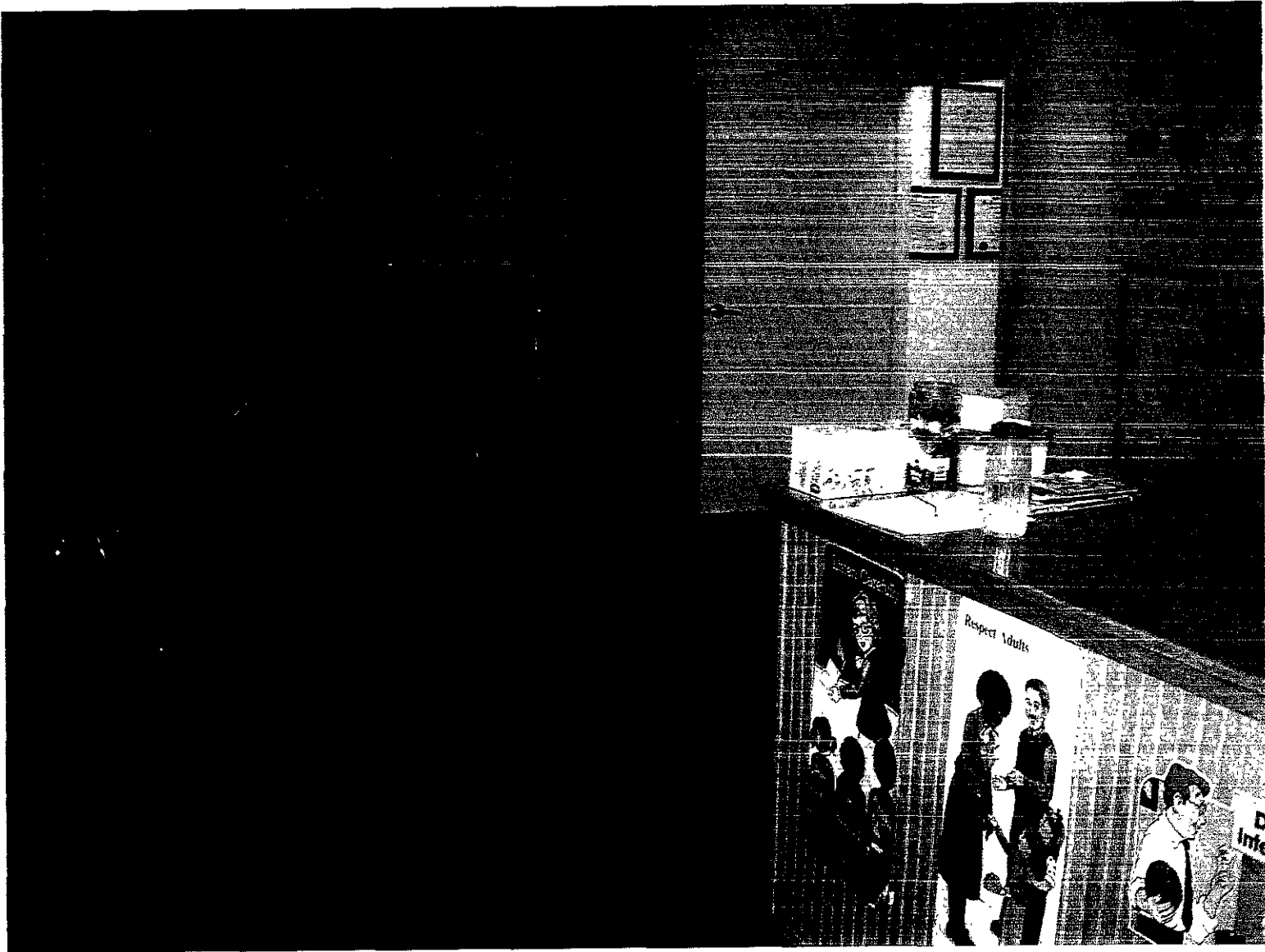


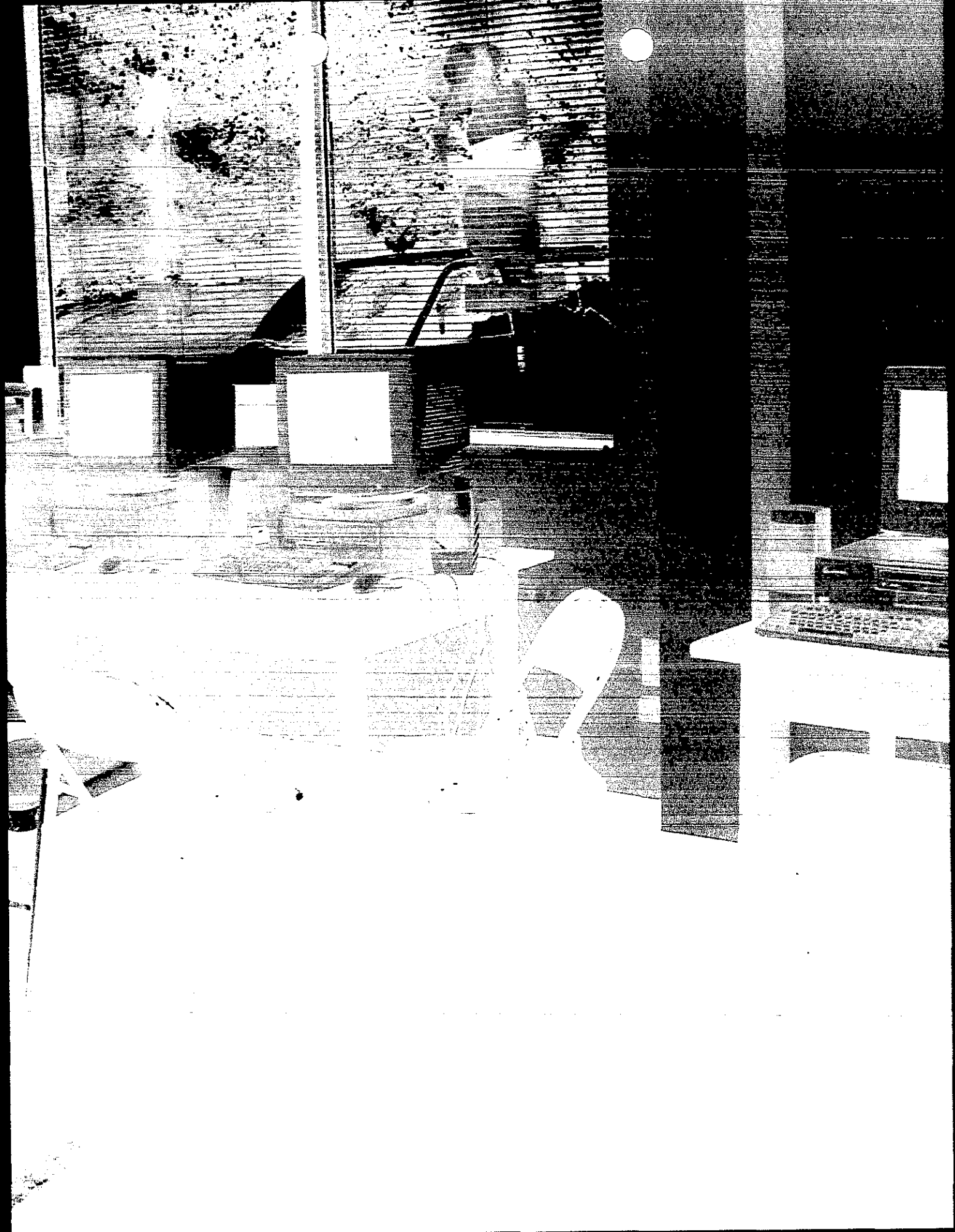














REFERENCE: Evidentiary Deed dated December 12, 1987, between Leroy M. Merritt and
Maryland Title & Trust Co., Inc., recorded among the Land Records of Baltimore County,
Maryland in Case No. 12587, 40116 127.

Parcel "B"
S.M. 39/102
S.M. 595/856
S.M. 595/856
EXISTING ZONING ML-IM

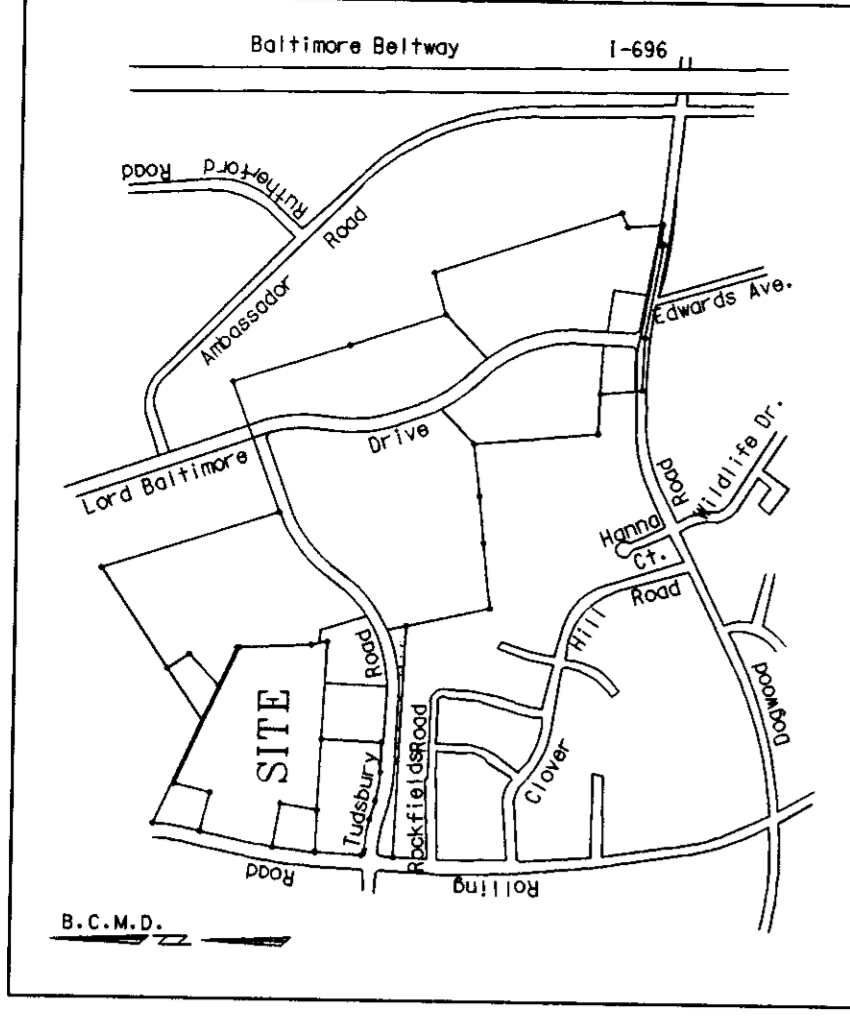
Young Ja Choi et ux
11948/513
EXISTING ZONING ML-IM

Christopher G. Newberger et ux
5722/476
EXISTING ZONING ML-IM

J & K Center, LLP
12562/403
Windsor Corporate Park
S.M. 70/83
LOT 4
EXISTING ZONING ML-IM

SITE DATA
TOTAL SITE AREA - 13.04 AC±
ELECTION DISTRICT - 2
CONGRESSIONAL DISTRICT - 2
CENSUS TRACT - 40241
WATERSHED - 26
SUBSEWER SHED - 70
CKG # 06149
DEED REF. 12567/127
AREA OF SPECIAL HEARING -
EXISTING ZONING - ML-IM
TOTAL FLOOR AREA - 134,000 SF.
FLOOR AREA RATIO - 0.25
THERE ARE NO FLOOD PLANS ONSITE

B.C.M.D.



VICINITY MAP
SCALE: 1" = 1000'

ROLLING ROAD (70'R/W)
CHD. = N 10° 31' 47" E 137.05'
R = 2256.83' L = 137.07'
Fee Simple - Highway Widening
Plot RW-05-321-20 & S.M. 7046/1957
N 12° 16' 11" E 251.14'
Rearranged Slope Easement
Plot RW-05-321-20 & S.M. 7046/1957
N 10° 47' 0" E 195.08'
N 80° 20' 20" W 231.95'
POINT OF BEGINNING
Alfred M. Reichart et al
8194/230
EXISTING ZONING ML-IM

PARKING TABULATION

TOTAL FLOOR AREA - 134,000 SF.
BUILDING #1 - 35,750 SF.
OFFICE - 10,850 SF @ 3.3 SF/1000 SF = 36 SPACES
WAREHOUSE - 24,900 SF @ 1 SF/EMPL = 9 SPACES
BUILDING #2 - 30,950 SF.
OFFICE - 8,600 SF @ 3.3 SF/1000 SF = 29 SPACES
WAREHOUSE - 22,350 SF @ 1 SF/EMPL = 8 SPACES
BUILDING #3 - 30,950 SF.
WAREHOUSE - 12,800 SF @ 1 SF/EMPL = 29 SPACES
PRIVATE ELEMENTARY SCHOOL - 9,450 SF - 20 STAFF P.S. + INVISTOR = 31 P.S.
BUILDING #4 - 36,350 SF.
OFFICE - 10,400 SF @ 3.3 SF/1000 SF = 36 SPACES
WAREHOUSE - 25,950 SF @ 1 P.S./EMPL = 9 SPACES
TOTAL REQUIRED - 191 SPACES
TOTAL PROVIDED - 357 SPACES

United States Postal Service
11912/366
EXISTING ZONING ML-IM

N 104° 23' 17"
E 40580.99'

TUDSBURY ROAD

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21284
(410) 825-8120



OWNER
MERRITT 002 LLC
2066 LORD BALTIMORE DRIVE
BALTIMORE, MD 21244 - 2501

PLAT TO ACCOMPANY SPECIAL HEARING
FOR A PRIVATE ELEMENTARY SCHOOL
ROLLING ROAD
2601 ROLLING ROAD, SUITES 101 & 102

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'

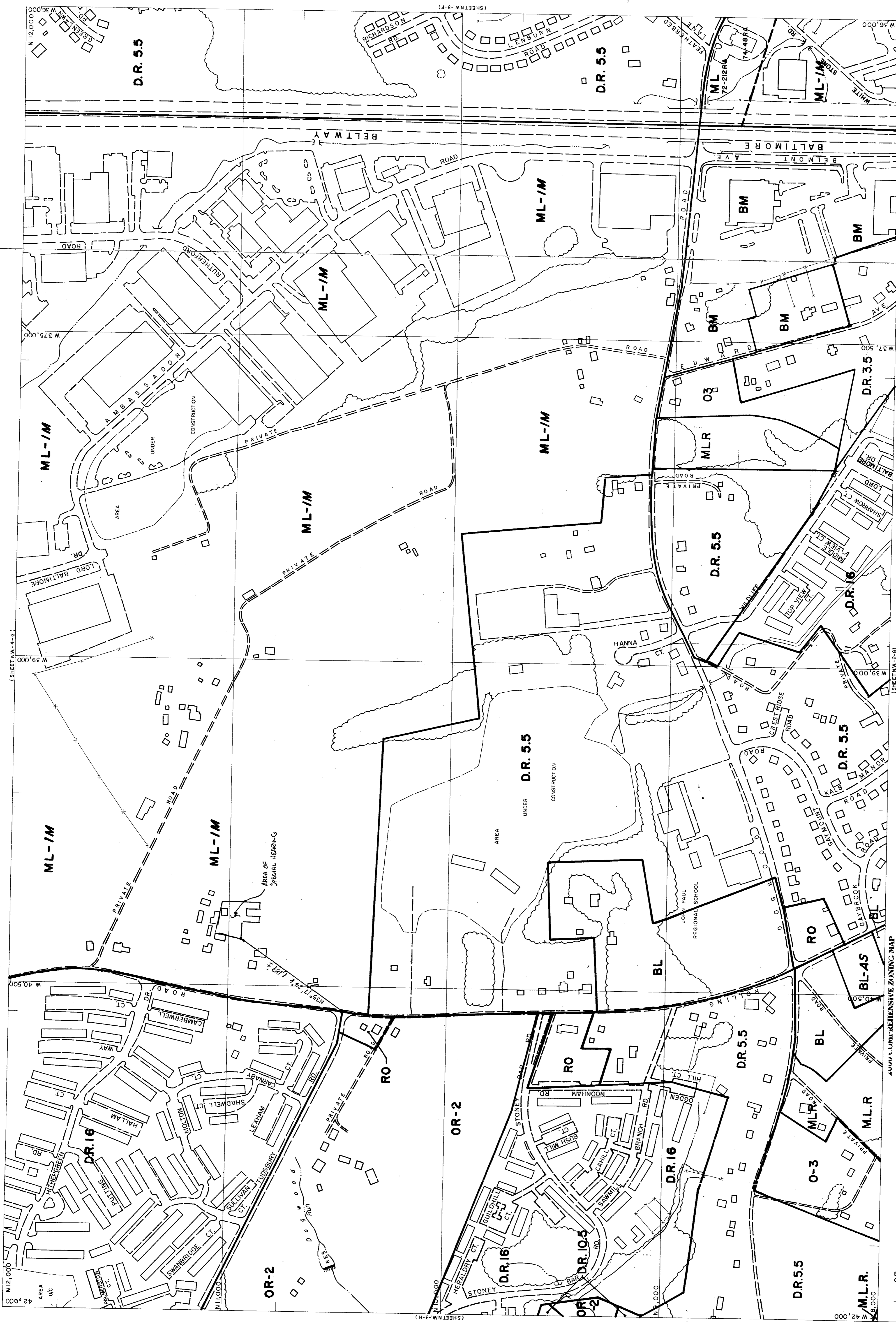
ELECT. DIST. 2
CELEC. DIST. 2
FEBRUARY 10, 2002

PH3344-05

C73-304-SVP11

NW 3 G

CA 304-SPH



**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

4000 LUMBER-REFINISHING ZONING MAP
 ADOPTED BY
 THE BALTIMORE COUNTY COUNCIL
 OCTOBER 10, 2000
 Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00.

Joseph B. Satterfield
 Chairman, County Council

SCALE 1" = 200' ±
 LOCATION BELMONT AREA
 SHEET N.W. 3-G

DATE OF PHOTOGRAPHY JANUARY 1986

L - SE
 L - NE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAPHIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210