ORDER RECEIVED FOR FILING
Date
By

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE

AND VARIANCE - SW/S Lencrest Road,

280' NW of Tulsemere Road * ZONING COMMISSIONER

(9707 Lencrest Road)

2nd Election District

* OF BALTIMORE C

2th Election District * OF BALTIMORE COUNTY 4th Council District

* Case No. 02-570-XA

Clifford J. Collins, et ux, Owners; Successful Children, LLC, Lessees

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, Clifford J. and Electra B. Collins, and Successful Children, LLC, Lessee, through their attorney, Deborah C. Dopkin, Esquire. The Petitioners request a special exception for a Class B Group Child Care Center for up to 40 children as a principal use in a D.R. zone, pursuant to Section 424 of the Baltimore County Zoning Regulations (B.C.Z.R.), and a waiver of the requirements of Section 1B01.1 thereof, pursuant to Section 1B01.1.B.g(11) of the B.C.Z.R. In addition to the special exception relief, the Petitioners request variance relief from the B.C.Z.R. as follows: From Section 424.1.B and 424.7.B to allow a chain link or similar fence, 42" in height, with a setback of 0 feet in lieu of the required minimum 60" height and 20-foot setback; from Section 424.7.B to permit a side setback of 41 feet in lieu of the required 50 feet for an existing garage, and side and rear buffers of 0 feet in lieu of the required 20 feet; from Section 424.7.C to permit parking in front in lieu of the required side and rear parking areas; and, from Section 409.4.A to permit a 15-foot wide driveway in lieu of the required 20 feet. 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 Electra B. Collins, co-owner of the subject property and principal member of Successful Children, LLC, Lessee. Also appearing were Ronald E. Smith, who provided assistance in the preparation of the

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site plan for this property, and Deborah C. Dopkin, Esquire, attorney for the Petitioners. Numerous residents from the surrounding locale appeared as Protestants in the matter, all of who signed the Protestants Sign In Sheet circulated at the hearing. Serving as spokespersons for the group were James and Pearlie Boozer, who reside adjacent to the subject property, and Florine Bryan and Melvin Jackson.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel, located on the south side of Lencrest Road, not far from Tulsemere Road and Wildwood Park in Randallstown. The property is essentially rectangular in shape; however, has a long narrow tail, approximately 15 feet wide, that extends out from the eastern corner of the site to Lencrest Road. The property contains a gross area of approximately 1.56 acres, zoned D.R.3.5, and is improved with a two-story dwelling and detached one-story block garage. Testimony indicated that the existing dwelling is quite old and has been vacant for some time. It appears that this dwelling was most likely the estate house for a larger tract; however, the property was subdivided for residential development many years ago. As shown on the site plan, the property is bordered on three sides by dwellings that front on Lencrest Road, Tulsemere Road and Edway Court. To the rear of the site (west), is Wildwood Park. As indicated above, the property is accessed via a 15-foot wide driveway located between the properties known as 9409 and 9406 Lencrest Road, which leads from the eastern portion of the site out to the main road.

Mrs. Collins testified that she and her husband have owned the property for the past seven years. Although at one time used as a single family dwelling, the property was more recently used as a group home. Apparently, the neighbors complained over that use and it was subsequently discontinued. The Petitioners now propose a redevelopment of the site for use as a Class B Group Child Care Center for up to 40 children. In this regard, Mrs. Collins testified that she presently works for the Department of Human Resources and has a Bachelor's Degree in Early Childhood Education. Her child care center will provide services for not only pre-school children, but also after-school care. The hours of operation are anticipated to be from 6:00 AM to 6:00 PM, Monday through Friday.

A group child care center is defined under the B.C.Z.R. as "A building or structure wherein care, protection and supervision is provided for all or part of the day, on a regular schedule, at least twice a week, for at least nine (9) children, including children of the adult provider." A Class B Group Child Care Center is "A group child care center wherein child care is provided for more than 12 children." Group child care centers are regulated by Section 424 of the B.C.Z.R. Class B group child care centers are permitted in the D.R.3.5 zone only by special exception.

Testimony in support of the request was received from not only Mrs. Collins, but also Ronald E. Smith who assisted in the preparation of the site plan. Collectively, these witnesses described the neighborhood, subject property and proposed use. Photographs were also introduced at the hearing which depict the site and its environs. Mr. Smith also discussed the several variances that are being requested as part of the proposed use.

Through cross-examination of the Petitioners' witnesses, the Protestants raised significant objections. Their primary concerns relate to traffic; however, other concerns were voiced regarding a feared commercial intrusion into their residential community and the noise that might be generated by the proposed use.

In the judgment of the undersigned Zoning Commissioner, traffic is the single most important issue in this case. There are actually two traffic concerns; access to the site and the location of the property within the interior of a residential neighborhood. As to access, the property has limited fee-simple access to a public street. Specifically, a narrow, 15-foot wide driveway connects the property to Lencrest Road. Obviously, patrons of the child care center would have to navigate this narrow driveway to the drop-off area onsite. Moreover, the driveway is located between two residential properties owned by Mr. & Mrs. Boozer and Mr. & Mrs. Rideout, respectively. Significant concerns were raised regarding whether this driveway is wide enough to accommodate anticipated traffic and if the use of the property as proposed would create adverse impacts on adjacent properties.

The second traffic issue relates to the location of the property. As noted above, the property has limited access to Lencrest Road, a dead-end, purely residential street. Lencrest Road intersects Tulsemere Road to the east which is also a residential road. Moreover, the property is nearly landlocked by Wildwood Park to the rear and on the three remaining sides by dwellings that front on Lencrest Road, Tulsemere Road and Edway Court. It is clear that patrons of the child care center would have to drive through the residential neighborhood to access the site.

Based upon these factors, I am persuaded that the Petition for Special Exception should be denied. Although all of the Protestants' concerns have merit, this site is simply not workable due to the traffic/transportation issues cited above. Simply stated, the narrow driveway is unacceptable to handle potential volumes of traffic. Moreover, the fact that the property is nestled within a residential neighborhood is persuasive to a finding that the proposed use would cause a detrimental impact upon the health, safety and general welfare of the locale. In my judgment, the Petitioners have not met the requirements of Section 502.1 for special exception relief to be granted. Thus, the Petition for Special Exception shall be denied. Having determined that the proposed use is unacceptable, the Petition for Variance is therefore rendered moot.

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 denied.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 424.1.B and 424.7.B to allow a chain link or similar fence, 42" in height, with a setback of 0 feet in lieu of the required minimum 60" height and 20-foot setback; from Section 424.7.B to permit a side setback of 41 feet in lieu of the required 50 feet for an

ORDER PEC/INVIO FCH FILING

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By

existing garage, and side and rear buffers of 0 feet in lieu of the required 20 feet; from Section 424.7.C to permit parking in front in lieu of the required side and rear parking areas; and, from Section 409.4.A to permit a 15-foot wide driveway in lieu of the required 20 feet, be and is hereby DISMISSED AS MOOT.

Any appeal of this decision must be filed within thirty (30) days of the date of this

Order.

LAWRENCE É. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

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IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE

AND VARIANCE - SW/S Lencrest Road,

280' NW of Tulsemere Road * ZONING COMMISSIONER

(9707 Lencrest Road)

2nd Election District * OF BALTIMORE COUNTY

4th Council District

* Case No. 02-570-XA

Clifford J. Collins, et ux, Owners; Successful Children, LLC, Lessees

* * * * * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

This matter comes before the Zoning Commissioner on a Motion for Reconsideration filed by the owners of the subject property, Clifford J. and Electra B. Collins, and Successful Children, LLC, Lessee, through their attorney, Deborah C. Dopkin, Esquire, on August 19, 2002. By my Findings of Facts and Conclusions of Law and Order issued August 15, 2002, the Petitions for Special Exception and Variance relief for a proposed Class B Group Child Care Center for up to 40 children on the subject property, zoned D.R., were denied.

Within the Motion for Reconsideration, the Petitioner has offered to limit the number and ages of children, the mode of transportation, and the hours of their arrival and departure. The Petitioner avers that the effect of these limitations would reduce the number of vehicles visiting the site. The limitations and restrictions proposed are more fully set forth in their Motion, a copy of which was sent to adjacent property owners who appeared at the hearing in opposition to the request. To date, there has been no response from those property owners.

Although appreciative of the Petitioners' efforts in this regard, I remain unconvinced that the Petition for Special Exception should be granted in any form. The limitation on the number of children and transportation of same to the site would be difficult, both to administer and enforce. In my judgment, the particular circumstances and constraints associated with the subject site as described in my prior Order are persuasive to a finding that a Day Care Center, however restricted, is not an appropriate use for this site.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 2002 that the Motion for Reconsideration filed in the above-captioned matter be and the same is hereby DENIED; and,

IT IS FURTHER ORDERED that the terms and conditions of the Order dated August 15,

2002 shall remain in full force and effect.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Deborah C. Dopkin, Esquire

409 Washington Avenue, Suite 1000, Towson, Md. 21204

Mr. & Mrs. Clifford Collins, 8917 Greens Lane, Randallstown, Md. 21133

Mr. & Mrs. James Boozer, 9409 Lencrest Road, Randallstown, Md. 21133

Ms. Venise Rideout, 9405 Lencrest Road, Randallstown, Md. 21133

Mr. & Mrs. Al Bundy, 9332 Tulsemere Road, Randallstown, Md. 21133

Ms. Florine Bryan, 9406 Lencrest Road, Randallstown, Md. 21133

Mr. Melvin Jackson, 9400 Lencrest Road, Randallstown, Md. 21133

People's Counsel; Case File

ORDER REGEIVED FOR FILING
By

IN RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE

9407 Lencrest Road 2nd Election District 4th Councilmanic District

> Electra Collins Petitioner

BEFORE THE

* ZONING COMMISSIONER

* FOR

*

BALTIMORE COUNTY

AUG 1 9 2002

CASE NO.02-570-XA

MOTION FOR RECONSIDERATION

Deborah C. Dopkin, and Deborah C. Dopkin, P.A., attorney for Petitioner, Electra Collins, files this Motion for Reconsideration of the Findings of Facts and Conclusions of Law rendered by the Zoning Commissioner of Baltimore County dated August 15, 2002, denying the Petition for Special Exception and Petition for Variance in the above captioned case. The grounds for the Motion are as follows:

The Petitioner, in an effort to ameliorate traffic impacts at the property proposes to reduce the size and impact of the day care center by limiting the number and ages of children, the mode of transportation, and the hours of their arrival and departure in the following manner.

- 1. The number of children to be served would be limited to twenty (20).
- 2. Six of the children would be infants between the ages of six weeks and eighteen months, whose parents would transport them to and from the center.
- 3. A van would pick up the fourteen other children from their homes and deliver them to the center in the morning; in the evening the van would transport the same children back to

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their homes. Pick up and drop-off child care would be conducted in accordance with regulations of the Maryland Child Care Administration.

- 4. The number of instructors/staff would be reduced to a total of six.
- 5. The effect of these measures would reduce the number of vehicles frequenting the day care center to a total of ten.

WHEREFORE, Petitioner Electra Collins prays that the Zoning Commissioner for Baltimore County reconsider his earlier decision and grant the Petitions for Special Exception and Variance.

Deborah C. Dopkin

DEBORAH C. DOPKIN, P.A.

409 Washington Avenue, Suite 1000

Towson, Maryland 21204

(410) 821-0200

Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 19th day of August, 2002, a copy of the aforegoing Motion to Reconsider was mailed, postage prepaid to People's Counsel for Baltimore County, Old Courthouse, room 47, 400 Washington Avenue, Towson, Maryland 21204.

Deborah C. Dopkin

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IN RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE

9407 Lencrest Road 2nd Election District 4th Councilmanic District

> Electra Collins Petitioner

* BEFORE THE

* ZONING COMMISSIONER

FOR

* BALTIMORE COUNTY

CASE NO.02-570-XA

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this 27th day of August, 2002, a copy of the Motion to Reconsider filed August 19, 2002 was mailed, postage prepaid to:

- 1. Mr. and Mrs. Clifford Collins, 8917 Greens Lane, Randallstown, Maryland 21133;
- 2. Mr. and Mrs. James Boozer, 9409 Lencrest Road, Randallstown, Maryland 21133;
- 3. Ms. Venise Rideout, 9405 Lencrest Road, Randallstown, Maryland 21133;
- 4. Mr. and Mrs. Al Bundy, 9332 Tulsemere Road, Randallstown, Maryland 21133;
- 5. Ms. Florine Bryan, 9406 Lencrest Road, Randallstown, Maryland 21133; and to
- 6. Mr. Melvin Jackson, 9400 Lencrest Road, Randallstown, Maryland 21133

1116 2 9 cm

Deborah C. Dopkin DEBORAH C. DOPKIN, P.A.

409 Washington Avenue, Suite 1000

Towson, Maryland 21204

(410) 821-0200

Attorney for Petitioner

C:\docs\DCD\ZONING\collins\2ndcertificate of service motion for reconsideration.wpd

IN RE: PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE

9407 Lencrest Road 2nd Election District 4th Councilmanic District

> Electra Collins Petitioner

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

CASE NO.02-570-XA

MOTION FOR RECONSIDERATION

Deborah C. Dopkin, and Deborah C. Dopkin, P.A., attorney for Petitioner, Electra Collins, files this Motion for Reconsideration of the Findings of Facts and Conclusions of Law rendered by the Zoning Commissioner of Baltimore County dated August 15, 2002, denying the Petition for Special Exception and Petition for Variance in the above captioned case. The grounds for the Motion are as follows:

The Petitioner, in an effort to ameliorate traffic impacts at the property proposes to reduce the size and impact of the day care center by limiting the number and ages of children, the mode of transportation, and the hours of their arrival and departure in the following manner.

- 1. The number of children to be served would be limited to twenty (20).
- 2. Six of the children would be infants between the ages of six weeks and eighteen months, whose parents would transport them to and from the center.
- A van would pick up the fourteen other children from their homes and deliver them to the center in the morning; in the evening the van would transport the same children back to

their homes. Pick up and drop-off child care would be conducted in accordance with regulations of the Maryland Child Care Administration.

- 4. The number of instructors/staff would be reduced to a total of six.
- 5. The effect of these measures would reduce the number of vehicles frequenting the day care center to a total of ten.

WHEREFORE, Petitioner Electra Collins prays that the Zoning Commissioner for Baltimore County reconsider his earlier decision and grant the Petitions for Special Exception and Variance.

Deborah C. popkin

DEBORAH C. DOPKIN, P.A.

409 Washington Avenue, Suite 1000

Towson, Maryland 21204

(410) 821-0200

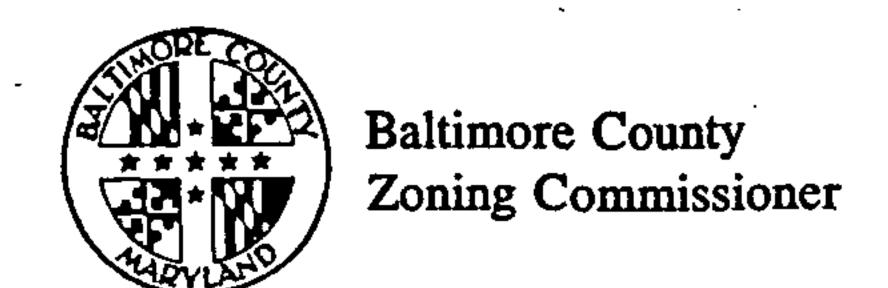
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 19th day of August, 2002, a copy of the aforegoing Motion to Reconsider was mailed, postage prepaid to People's Counsel for Baltimore County, Old Courthouse, room 47, 400 Washington Avenue, Towson, Maryland 21204.

Deborah C. Dopkin

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

August 15, 2002

Fax: 410-887-3468

Deborah C. Dopkin, Esquire 409 Washington Avenue, Suite 920 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION and VARIANCE SW/S Lencrest Road, 280' NW of Tulsemere Road (9407 Lencrest Road)

2nd Election District – 3rd Council District Clifford J. Collins, et ux - Petitioners Case No. 02-570-XA

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been denied and the Petition for Variance dismissed, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

cc: Mr. & Mrs. Clifford Collins, 8917 Greens Lane, Randallstown, Md. 21133

Mr. & Mrs. James Boozer, 9409 Lencrest Road, Randallstown, Md. 21133

Ms. Venise Rideout, 9405 Lencrest Road, Randallstown, Md. 21133

Mr. & Mrs. Al Bundy, 9332 Tulsemere Road, Randallstown, Md. 21133

Ms. Florine Bryan, 9406 Lencrest Road, Randallstown, Md. 21133

Mr. Melvin Jackson, 9400 Lencrest Road, Randallstown, Md. 21133

People's Counsel; Case/File



R FILING

ORDER

REV 09/15/98

Petition for Special Exception

to the Zoning Commissioner of 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

for the property located at 9407 Lencrest Road

is the subject of this Petition.

Which is presently zoned <u>DR 3.5</u>

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 group child care center for up to forty children as a principal use im a DR zone pursuant to BCZR Section 424; and an exception to the requirements of Section 1B01.1 pursuant to section 1B01.1.B.g(11).

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.

Contract Runchaser/Lessee: Legal Owner(s): Successful Children, LLC <u>Electra B. Collins</u> Name - Type or Ptint Name - Type or Print BvSignature Electra B. Collins, Member Signature 8917 Greens Lane <u>410-655-5233</u> Collins Address Telephone No. Name - Type (a) Randallstown, Maryland 21133 City State Zip Code Signature [Attorney For Petitioner: Greens Lane 410-655-5233 Address Telephone No. Deborah C Dopkin Randallstown, Maryland 21133 Name-Type or Print City State Zip Code Representative to be Contacted: Signature DEBORAH C. DOPKIN. Deborah C. Dopkin Company Name 410-296-5120 409 Washington Ave. Suite 920 410-296-5120 409 Washington Ave. Suite 920 Address Telephone No. Address Telephone No. Maryland Towson. 21204 Towson, Maryland 21204 State Zip Code City Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING No. 02 570 XA UNAVAILABLE FOR HEARING Reviewed By Date _



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9407 Lencrest Road which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, lec owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto as made a part hereof, hereby petition for a Variance from Section(s) 424.1.B, and 424.7.B to allow a chain link or similar fence 42 with a 0 Ft. setback in lieu of a 5 Ft. high stockade with 20 Ft. setback; 424.7.B to permit 41 ftside setback for garage in lieu of 50 ft.; 424.7.C parking in front in lieu of side and rear: 409.4.A for 15 Ft. driveway in lieu of 20 Ft. required.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indical hardship or practical difficulty)

and to permit of the side and rear buflers in lieu of the TO BE PRESENTED AT HEARING required 20 ft.

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 zonin regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

&BHHAZKRAKKABBALessee:

Successful Children, LLC

Name Type or Brint
By
Signature Electra B. Collins, Member
8917 Greens Lane 410-655-5233
Address Telephone No.
Randallstown, Maryland 21133
City State Zip Code

Attorney For Petitioner:

Deborah C. Dopkin

Name - Type or Print		
(Debroh)	1 Donke	<u>~</u>
Signature		
DEBORAH C. DOPKIN	P.A.	
Company 409 Washington Av	410-296	
Address		Telephone No.
Towson, Maryland	21133	
Gity	State	Zip Code

Case No. 02 570 XA

REU 9115198

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ORDER REC

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.

Legal Owner(s):

Electra B. Collins

TIECCIA D. COLLINS
Name Type or Print
Zlut all
Signature
Clifford / Collins
Name Type of Frish
(Kester X Chilleman
Signature //
8917 Greens Lane 410-655-5233
Address Telephone No.
Randallstown, Maryland 21133
City State Zip Code
Representative to be Contacted:
Deborah C. Dopkin

Name
410-296-5120
409 Washington Ave. Suite 920

Address Telephone No.

Towson, Maryland 21204
City
State

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING Date 6/19/02

ZONING DESCRIPTION

Beginning at a point on the west side of Lencrest Rd. which is 50 feet wide at the distance of +/-280 feet north of the centerline of the nearest improved intersecting road Tulsemere which is 50 feet wide. Thence the following courses and distances:

Typical metes and bounds: S 19 5' 30" W 134.96 ft. S 70 54' 30" E 72.5 ft., S 30 54' 07" W 194.10 ft. N 70 54' 30 W 46.18 ft., S 64 30' E 279.40 ft., S 25 0.7' W 190 ft., N 64 30' W 252.91 ft, S 70 54' 30" E 28.22 ft., N 19 5' 30" E 134.96 ft. S 70 54' 30" E 15.00 ft. to the place of beginning as Recorded in Deed Liber 7030, Folio 671



510

OFFICE OF BUDGET & FINAL MISCELLANEOUS RECE DISTRIBUTION BALTIMORE COUNTY, THECEWED THE FOR FROM DATE

NOTICE OF ZOMING HEARING

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

Case: #02-570-XA

9407 Lencrest Road, 280' NW of Tulsmere
2N/S of Lencrest Road, 280' NW of Tulsmere
2nd Election District — 4th Councilmanic District
Legal Owner(s): Electra B. & Clifford J. Collins
Comract Purchaser: Successful Children LLC, Electra B. Collins
Comract Purchaser: Successful Children LLC, Electra B. Collins
Special Hearing: to permit a child care center for up to
(40) children as a principal use in a DR zone, and an excaption to the requirements. Variance: to allow a chain
link or similar fence 42 inches high with a 0 foot setback in lieu of a 5 foot high stockade with 20 foot setback in lieu of a 5 foot high stockade with 20 foot setback, to
permit 41 foot side setback for garage in lieu of 50 foot and to permit 0 feet side and rear buffers in lieu of 50 foot duired 20 feet parking in front in lieu of side and rear for 15 foot driveway in lieu of 20 feet required.

Hearing: Friday, August 2, 2002 at 2:00 p.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.
Z/150 July 18
Contact the Zoning Review Office at (410) 887-3391.

OF PUBLICATION

, 2002

hat the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., Ŧ THIS IS TO CERTIFY once in each of

The Jeffersonian

Arbutus Times

Catonsville Times

Owings Mills Times

Towson Times

NE Booster/Reporter

North County News

Mulingr

LEGAL ADVERTISING

RE:	Case No.: _		570		
	Petitioner/L	eveloper:	VAUR	ALE, E	JAL
		ELECT	•		_
	Date of He	aring/Closi	ng: 8/	402	_
			f	8/2/6	2.2.C
				ZP	
					•
		•			

767 Fax Note euot euot Attention:

Towson, MD 21204

Gentlemen:

Baltimore County Department of

County Office Building, Room.

111 West Chesapeake Avenue

Permits and Development Management

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 47407- LEN

The sign(s) were posted on (Month, Day, Year)

> Sincerely, (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

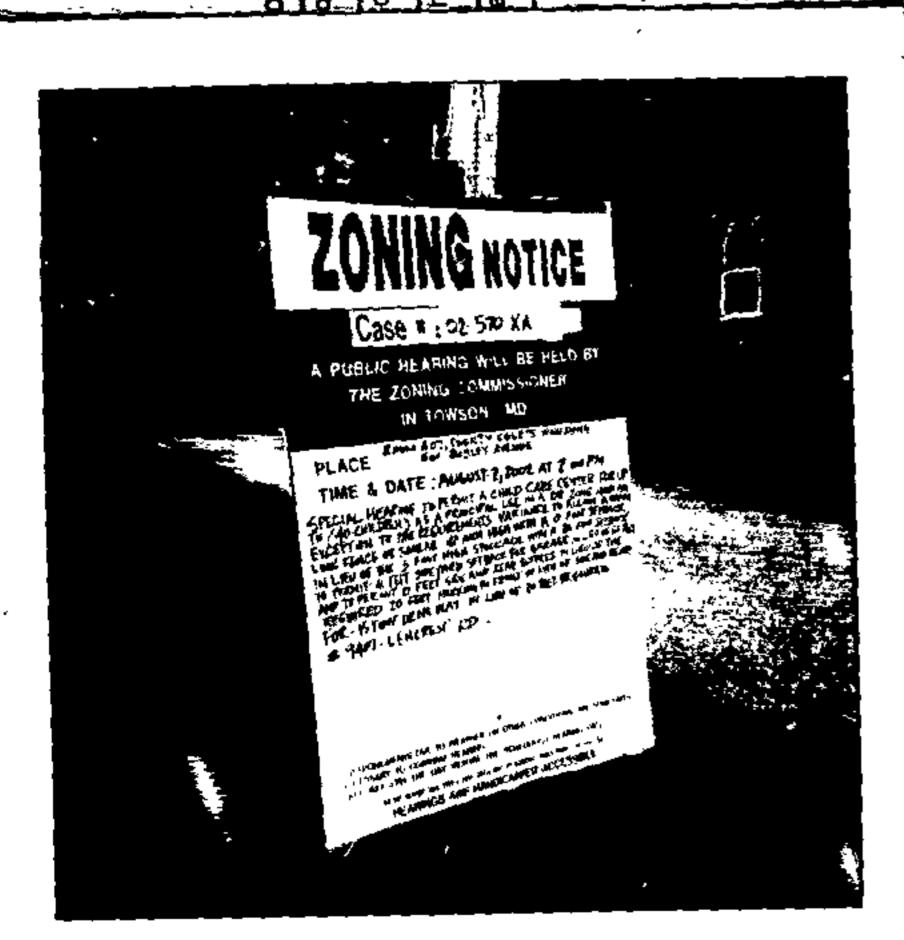
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571

(Telephone Number)



9407-LENICREST.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 02-570-XA
Petitioner: COLUNG
Address or Location: 9407 LENCREST RP
PLEASE FORWARD ADVERTISING BILL TO:
Name: Electra 8. Collins
Address: 8917 Greens Lane
•
Randa 11staury MD 21133 Teiephone Number: 410-655-5233

TO: PATUXENT PUBLISHING COMPANY

Thursday, July 18, 2002 Issue - Jeffersonian

Please forward billing to:

Electra B Collins 8917 Greens Lane Randalistown MD 21133

410 655-5233

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: 02-570-XA

9407 Lencrest Road

SW/S of Lencrest Road, 280' NW of Tulsmere 2nd Election District – 4th Councilmanic District Legal Owner: Electra B & Clifford J Collins

Contract Purchaser: Successful Children LLC, Electra B Collins

Special Hearing to permit a child care center for up to (40) children as a principal use in a DR zone, and an exception to the requirements. <u>Variance</u> to allow a chain link or similar fence 42 inches high with a 0 foot setback in lieu of a 5 foot high stockade with 20 foot setback, to permit 41 foot side setback for garage in lieu of 50 foot and to permit 0 feet side and rear buffers in lieu of the required 20 feet parking in front in lieu of side and rear, to permit parking in front in lieu of side and rear for 15 foot driveway in lieu of 20 feet required.

HEARING: Friday, August 2, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Januar E. Schmidt
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT らうて 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

July 2, 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: 02-570-XA

9407 Lencrest Road

SW/S of Lencrest Road, 280' NW of Tulsmere 2nd Election District – 4th Councilmanic District Legal Owner: Electra B & Clifford J Collins

Contract Purchaser: Successful Children LLC, Electra B Collins

Special Hearing to permit a child care center for up to (40) children as a principal use in a DR zone, and an exception to the requirements. Variance to allow a chain link or similar fence 42 inches high with a 0 foot setback in lieu of a 5 foot high stockade with 20 foot setback, to permit 41 foot side setback for garage in lieu of 50 foot and to permit 0 feet side and rear buffers in lieu of the required 20 feet parking in front in lieu of side and rear, to permit parking in front in lieu of side and rear for 15 foot driveway in lieu of 20 feet required.

HEARING:

Friday, August 2, 2002 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon らうる

Director

C: Deborah C Dopkin, 409 Washington Avenue, Suite 920, Towson 21204 Electra B & Clifford J Collins, 8917 Greens Lane, Randallstown 21133 Successful Children LLC, Electra B Collins, 8917 Greens Lane, Randallstown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JULY 18, 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

July 26, 2002

Deborah C Dopkin Esquire 409 Washington Avenue Suite 920 Towson MD 21204

Dear Ms. Dopkin:

RE: Case Number: 02-570-XA, 940-7 Lencrest Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 19, 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. 602 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Mr. & Mrs. Clifford Collins, 8917 Greens Lane, Randallstown 21133 Successful Children LLC, Electra B Collins, 8917 Greens Lane, Randallstown 21133 People's Counsel

Printed with Soybean Ink on Recycled Paper



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

June 24,2002

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 June 24, 2002

Item No.: (570)

Dear Mr. 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.

. 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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director **DATE:** August 2, 2002

Department of Permits & Development Mgmt.

Robert W. Bowling, Supervisor FROM:

Bureau of Development Plans Review

Zoning Advisory Committee Meeting For July 2, 2002 **SUBJECT:**

Item No. 570

The Bureau of Development Plans Review has reviewed the subject zoning item.

It may be very difficult to build a 15-foot driveway in a 15-foot-wide strip.

RWB:CEN:jrb

cc: File

100 g/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: July 16, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

JUL 1 6 2532

SUBJECT: Zoning

Zoning Advisory Petition(s): Case(s) 02-570

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: John W.

AFK/LL:MAC



Maryland Department of Transportation State Highway Administration

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

Administrator

Date: 6.25.02

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

Baltimore County
Item No. 570

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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,

for

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
9407 Lencrest Road, S/West side of Lencrest Rd /
northwest of Tulsmere
2nd Election District, 4th Councilmanic

Legal Owner: Clifford & Electra Collins
Contract Purchaser: Electra B Collins, Member
Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-570-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

CARÔLE 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 1st day of July, 2002 a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 409 Washington Avenue, Suite 920, Towson, MD 21204, attorney for Petitioner(s).

PETER MAX ZIMMERMAN ()

EXHIBIT

June 18, 2002

To Whom It May Concern:

I am petitioning the Baltimore County Zoning Commissioner for a Special Exception for the property located at 9407 Lencrest Road, Randallstown, Maryland to be used as a Class B group child care center for up to forty children.

Simultaneously, I am requesting that the Baltimore County Department of Recreation and Parks grant me a trade-off of property thus allowing me egress through Wildwood Park. Should this request be granted, I would like to submit a modified site plan in lieu of having another zoning hearing. As soon as a decision is made, I will notify the zoning department so that the other proper departments can be apprised.

If you have any questions or desire additional information, please feel free to contact me at 410-655-5233.

Sincerely,

Electra B. Collins

5/0

70 Whom this May Concern:

I am writing this letter to you because I strongly disagree with the idea of opening a child care center alrectly behind my home on Lenciest Rd. To allow someone to run a child care center 11 this Location will totally interfere with my tamily and my life. I am a mother of a 3 year ald and I am expecting a new porn, this My 3 48ar 0/0/ My 500 /00-5 to ride his bike up and down our sidewalk day after day I have to temmed you that I wu at 9405 Lencrest red this menns he YINDS his bike across the I driveway that would now have two way traffic everyday.

Will change when you make then decision to change this reighbor hood.

> Thank you the Richarts 41049606876 9405 hencrest per

The Briscues 7-28-62

To the Zoning Commissioner of Batto. County, Zoning notice - Case # 02 - 570 - XA Clifford and Electra Collins * Please read on Friday-August 2 at 2:00 p.m. Being a homeowner in a residential neighborhood, we do not - encourage the addition of a child care center at 9407 hencrest Rd. - Randallstown. The house was not designed fir 40 or more children in the community. This sounds like a public school-that has before and after school hovers. I here are at least 10-15 child care centers in the areast Liberty Road. Mrs. Collins, would you want. ia child care facility literally in your sur backyard? Dur tamily does not. want the disruption of approximately 40 children, 1 cars for instructors, dozens of cars for parents , a bus. drup off point and also teenagers ... Walkings to pick up students. There will be too much traffic conjection on our small street during the hours of speration (6:30 a.m. - 6 p.m). Lastly, Safety Code Violations are questionsable. Is there

,
Sprinkling system? Are there enough - emergency exits and bathrooms? Are
there adequate electrical outlets and
heating and air conditioning systems?
In addition will the tall fence make
the place look like a jail? In
Condusion our neighborhood has enough
child care centers without the addition
of this one in a building that
was not designed for 40 students,
10 instructors, and 40 parents.
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Thank you.
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Carletta + George Briscoe
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Case Number	
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PLEASE <u>PRINT</u> LEGIBLY

PETITIONER'S SIGN-IN SHEET

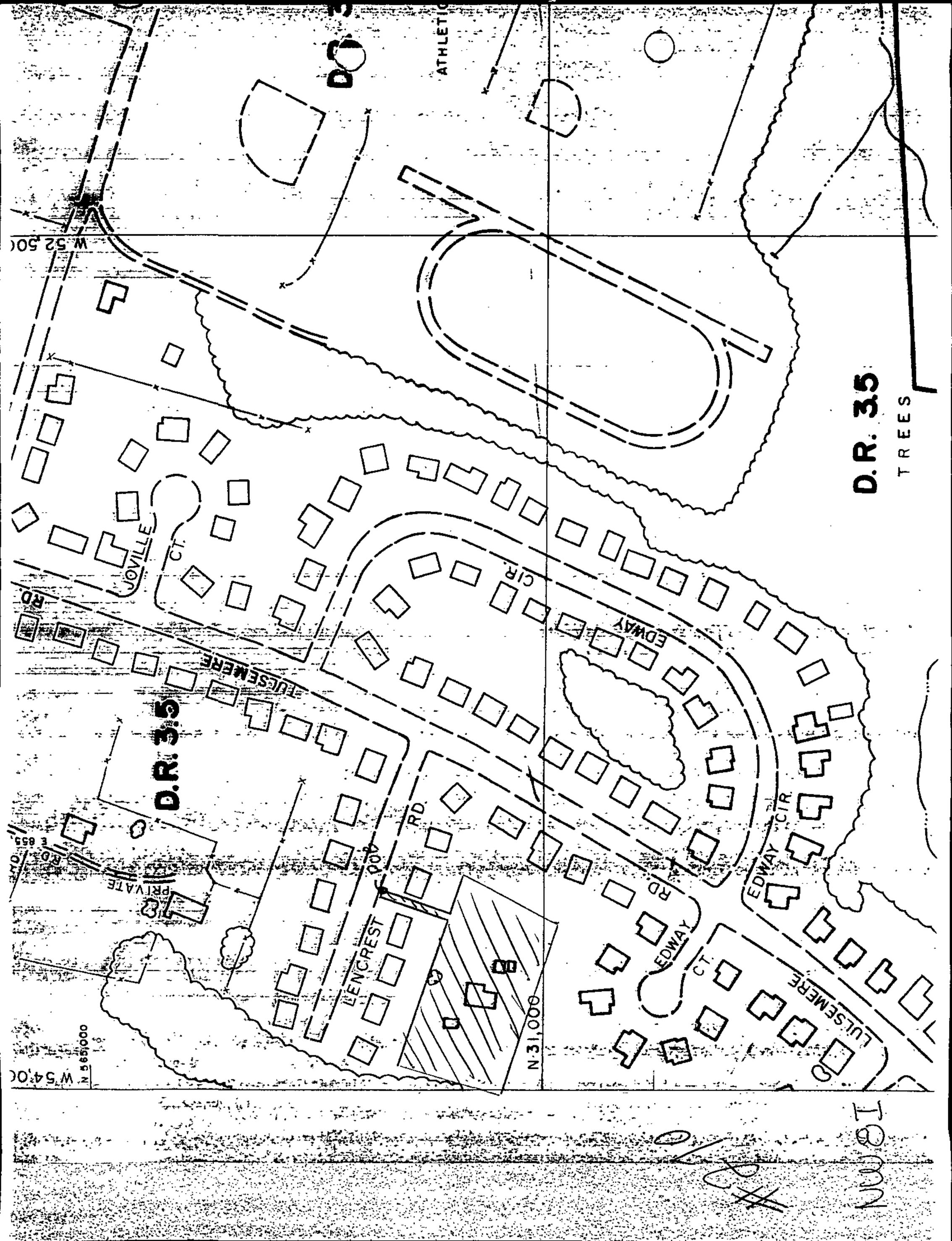
Name	Address	City, State	Zip Code
Electra B. Collins	8917 Greens Lane	Rondalls four MD	21135
Deborah Dopkin	409 Washington Are	21204	_ <u></u>
RONALD E. SMITH		BALTIMERS	21207
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Case Number	-
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PLEASE <u>PRINT</u> LEGIBLY

PROTESTANT'S SIGN-IN SHEET

	Name	Address	City, State	Zip Code
	Stephen M. Pinkett	9402 Lencrest Rd	Randa / stown, ai	21/33
K	Penlie Bloger	9409 Leursent Rd	Loudallous	2/133
	James Salaza	9409 Lewell	Roudhelle	21133
ξ	Mone Druga	9406 Senerest Rd	Kandallstown	21133
	Bill Bralowe	4272 Mary Ridge Dr.	Pardallstown	21133
*	Melvin Jackson		Pardaltstro	21(33
ij	Though C. Bryanter	The Denoust Rd	,	
	Jense adant	9405 Lencrest Ra	angallstown	2//33
	Jestine Brown	· · · · · · · · · · · · · · · · · · ·	Randallstown	
q	Mrx AL, Bundy	9332 14 LSENere Ra	Randalestani	21133
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			Revised 4	/17/00



Photographs Case # 02-570-XA

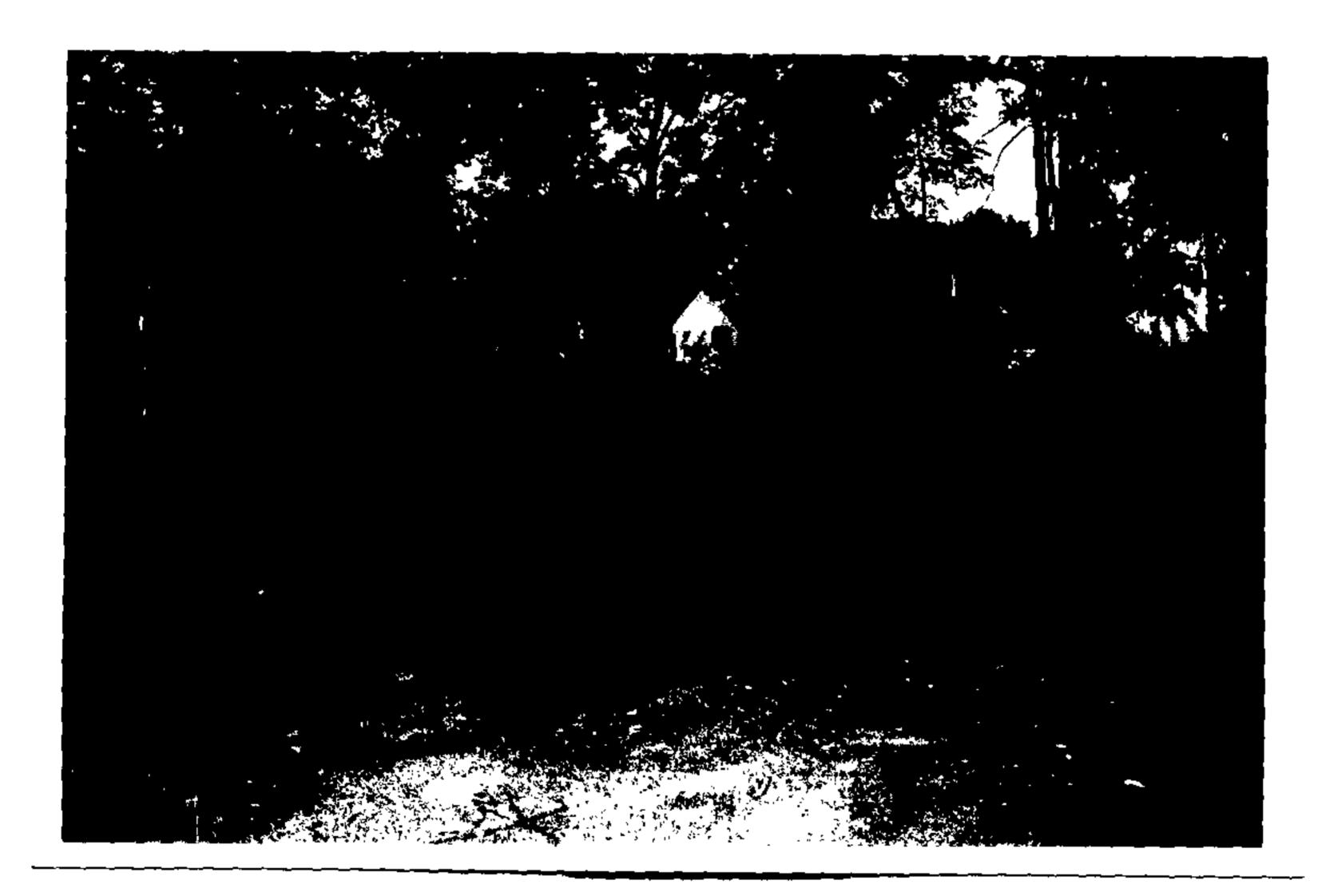
Q QUALITY PARK

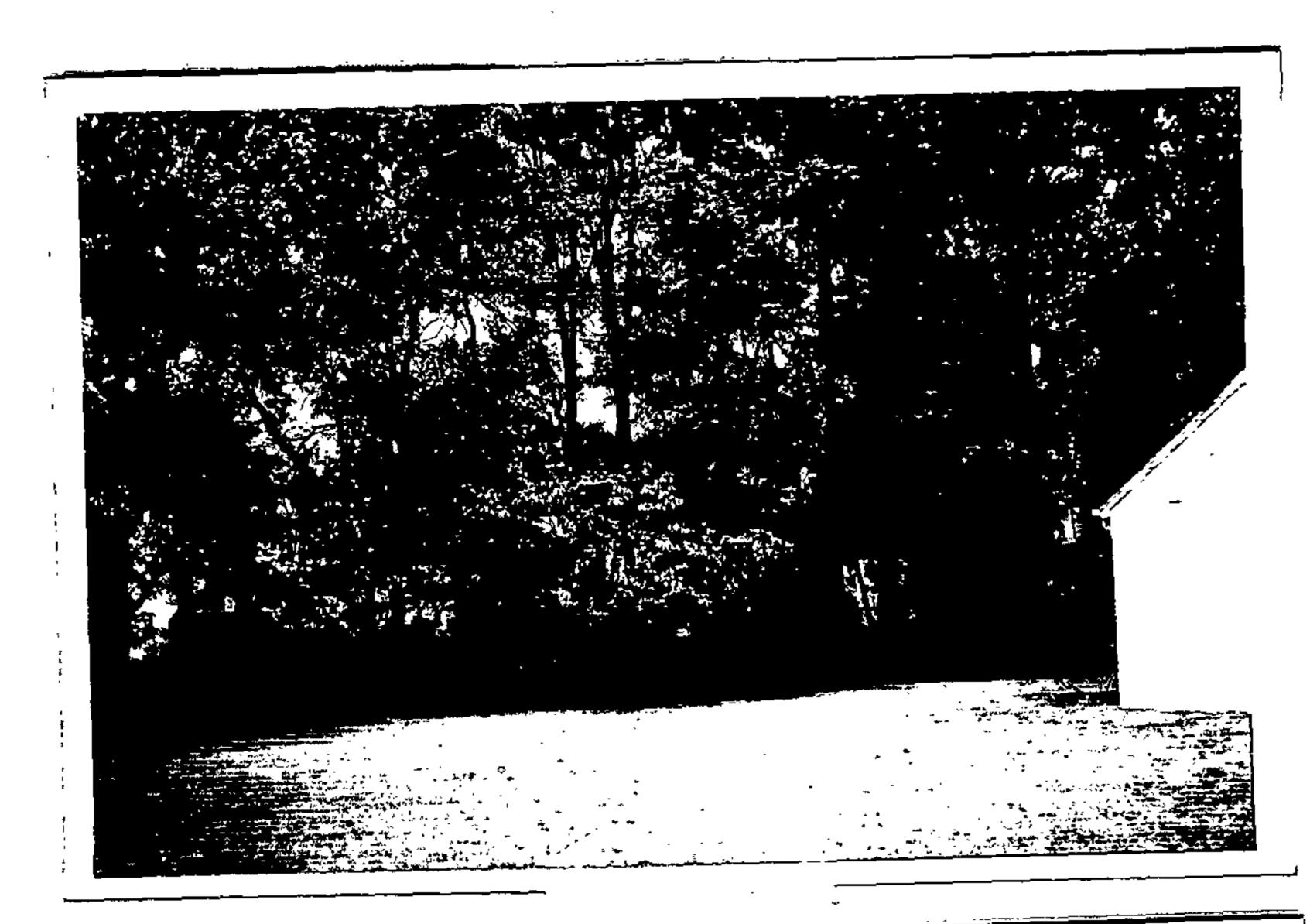


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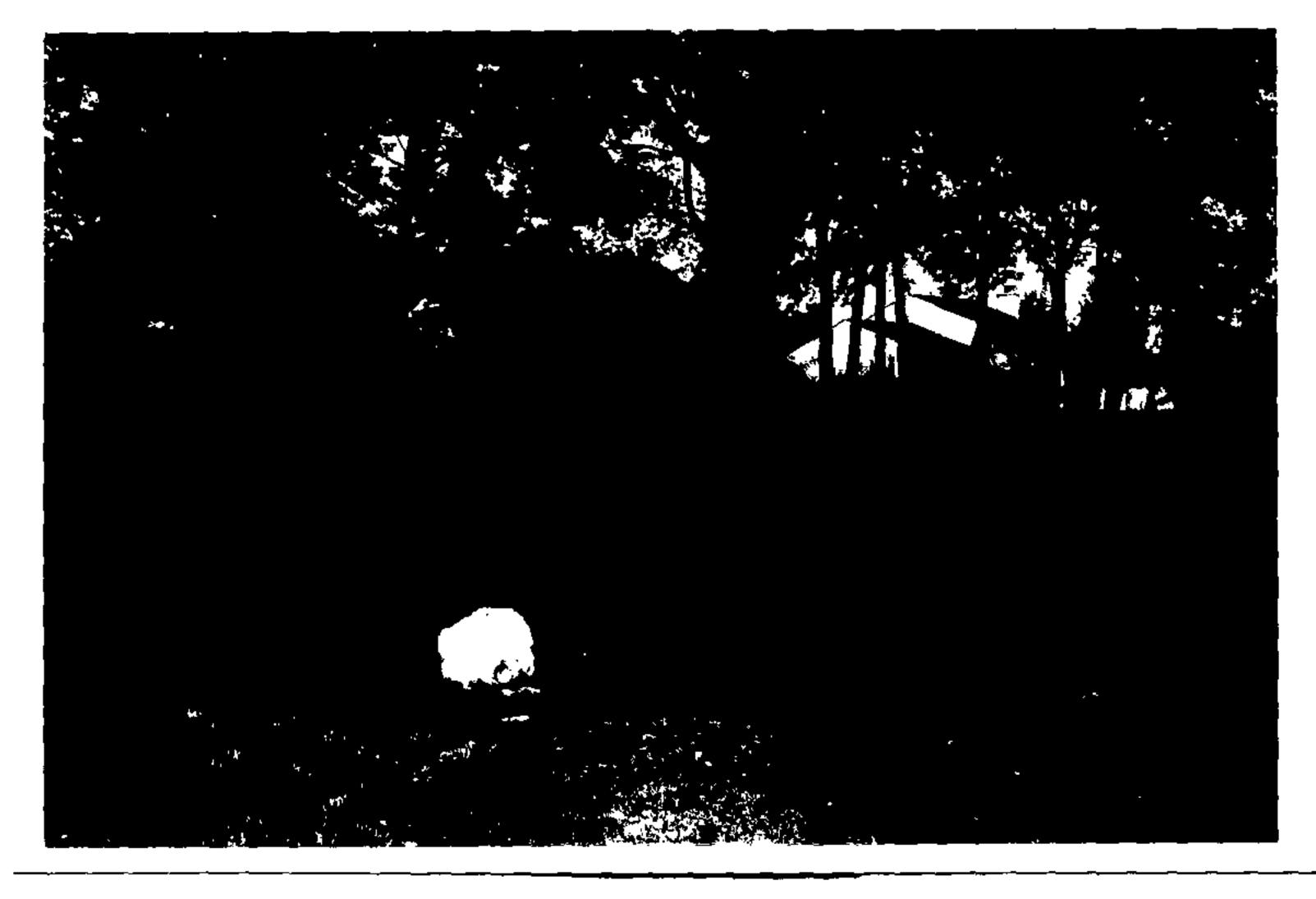
















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