RE: PETITION FOR VARIANCE

7623 Perring Terrace; SE/side Perring Terrace

464' SW of Wycliffe Road

9th Election & 5th Councilmanic Districts

Legal Owner(s): Dr. Ajibike Salako-Akande *

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

05-163-A

ENTRY OF APPEARANCE

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

RECEIVED

OCT 10 2004

Per Kin-

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 19th day of October, 2004, a copy of the foregoing Entry of Appearance was mailed to, Site Rite Surveying, Inc, 200 E Joppa Road, Suite 101, Towson, MD 21286, Representative for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. 05-163-A

<u>Date Completed/Initials</u>	
	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
·	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make: copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



Patition for Variance

to the Zoning Commissioner of Baltimore County for the property located at # 7623 Pevring Towace

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal

owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto, and made a part hereof, hereby petition for a Variance from Section(s) 432, A, C, I & 432A, C, 2 to permit a partiting and delivery area to be located in the front yard with a 17 feet property line setback in lieu of the required side or near yard only, with a 10 feet property line setback. (Assisted Living Facility I being reviewed separately by Office of Planning for the Permit).

of the Zaning Regulations of Baltimore County! to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Su attached

REV 9/15/98

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

> I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:				Legal Owner(s):
				Dr. Ajibike Salako- Akande
Name - Type or Print			Name -	Type or Print & July all all all all all all all all all a
Signature	······································	<u></u>	•	Signature
Address		Telephone No.	•	Name - Type or Print
City	State	Zip Code	-	Signature
Attorney For Petitione	<u>*:</u>			7623 Perving Terrace 443-384-2023 Address Baltimore, MP 21234 Telephone No.
Name - Type or Print		\ <u></u>	City	State Zip Code
Signature		······································	•	Representative to be Contacted: Safe Rife Surveying Inc.
Company			•	Name 200 E. Joppa Road Rw 101 410 828-9067
Address	 	Telephone No.	•	Address Telephone No.
City	State	Zip Code	•	City Z1286 State Zip Code;
•				OFFICE USE ONLY
Case No. 05-163	-A			ESTIMATED LENGTH OF HEARING
		Reviewed	Ву .	UNAVAILABLE FOR HEARING / Date 9/28/09



REASONS TO ACCOMPANY PETITION FOR VARIANCE #7623 PERRING TERRACE (PARKING VARIANCE FOR ASSISTED LIVING FACILITY):

- 1. PROPERTY IS A LOT ON A PLAT RECORDED IN 1956. THE OWNER PURCHASED THE SUBJECT PROPERTY IN 1997 AND DOES NOT OWN ANY ADJACENT LAND TO ACCOMMODATED THE REQUIRED PARKING. DUE TO THE CONFIGURATION OF THE LOT AND THE PLACEMENT OF THE EXISTING DWELLING, ADDITIONAL PAVING IS RESTRICTED.
- 2. STRICT COMPLIANCE WITH THE PARKING REQUIREMENTS WILL FINANCIALLY STRAIN THE OWNER. (THIS APPEARS TO BE THE ONLY ISSUE PREVENTING A USE PERMIT APPROVAL)
- 3. GRANTING RELIEF FROM THE REQUIRED PARKING WILL NOT JEOPARDIZE THE HEALTH OR SAFETY OF THE COMMUNITY AND THE REQUEST IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R.

05-163A

ZONING DESCRIPTION #7623 PERRING TERRACE

Beginning at a point on the southeast side of Perring Terrace which is 32 feet wide at the distance of 464 feet southwest of the centerline of Wycliffe Road which is 50 feet wide. Being Lot #9, Block A, in the subdivision of "Harford Park" as recorded in Baltimore County Plat Book #23, Folio #65, containing 7,590 S.F. Also known as #7623 Perring Terrace and located in the 9th Election District, 5th Councilmanic District.

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Michael V. Moskunas Reg. No. 21175

Site Rite Surveying, Inc. 200 E. Joppa Road Suite 101 Towson MD 21286 (410) 828-9060

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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: 05-163-A
Petitioner: Dr. Ajibike Salako-Akande
Address or Location: #7623 Pevring Tavace
PLEASE FORWARD ADVERTISING BILL TO: Name: DV. Ajibike SMako-Akande
Address: 1623 Pervina Tavacc
Bathmore, MD 21234
Telephone Number: 443 - 384 - 2023

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: November 3, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 18, 2004

Item No. 163)

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

A minimum 40-foot right-of-way for Perring Terrace shall be shown, and variances need to be modified.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr Joo

DATE:

October 27, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of October 11, 2004.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-158

04-160

04-161

04-162

177.164

04-166

04-168

04-169

Reviewers:

Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

RECEIVED

DATE: October 19, 2004

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

OCT 2 1 2004

ZONING COMMISSIONER

SUBJECT:

7623 Perring Terrace

INFORMATION:

Item Number:

5-163

Petitioner:

Dr. Ajibike Salako-Akande

Zoning:

DR 5.5

Requested Action:

Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning cannot provide comments in support/opposition of the petitioner's request due to inadequate information.

The site plan must be revised to indicate the precise location of the proposed parking and delivery area, as well as the number of parking spaces being provided. These details should be shown relative to current front and side setback boundaries. In addition, the petitioner's request does not address the parking deficit. The proposed uses will require 4 parking spaces, however, only 2 are proposed.

Prepared by:

Division Chief:

AFK/LL:MAC:



INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

(Parting Univiane)
ZADM ALF # 05-163-A

Permit No. (If required) B

TO:

Director, Office of Plenning and Zoning

Attention ALF REVIEWER

County Courts Building, Room 408

401 Booley Avenue Towern, MD 21204 MIS: 3402

FROM: Amold Jablon, Director, Zoning Administration & Development Management Assisted Living Facility (Claus 中部 工 か工 RE: Pursuant to Section 432.5.15 (Beltimore County Zoning Regulations) effective February 25, 1994, this office is requesting recommendations and comments from the Office of Plenning and Zoning prior to this office's approval of a building/use permit. 443.384-2023 MINIMUM APPLICANT SUPPLIED INFORMATION: Dr. Ajibike Salako-Akande 7623 Penning Twace Baltimor, MD 21234 Election Dietrict Councilmenic Dietrict 5 Square Feet 7590 Lot Address 7623 Perring Towall , feet from NE & Woomer of Wychiffe Poad LOI Location: NES Weldercomer of Perfing Terrace Tax Account Number 0904503550 Telephone Number 443, 384-2023 CHECKLIST OF MATERIALS., (to be submitted by applicant for required competibility and/or appearance review by the Office of Planning and Zoning) TO BE FILLED IN BY THE OFFICE OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT ONLY! PROVIDED? NO 1. This Recommendation Form (3 copies) 2. Permit Application (If available) 3. Site Plan Property (3 cityles): including fot size and square feet of buildings, parking and open space - minimum 500 square -Tupe Map (2 coptus); available in Room 206, County Office Building - (please label site charly) Statement as to whether or not building has been enlarged by 25% or more in the last five (5) years to furnists. 4. Building Elevation Drawings 6. Photographs (please label all photos clearly) Adjoining Buildings **Surrounding Neighborhood** 6. Current Zoning Classification TO BE FILLED IN BY THE OFFICE OF PLANHING AND ZOHING ONLY! RECOMMENDATIONS / COMMENTS: Approval conditioned on required modifications of the application to conform with the following recommendations

for the Director, Office of Planning and Zoning

SARAT HOMES, LLC 7623 PERRING TERRACE PARKVILLE MD 21234 TEL: 443-384-2023

10/08/04

Jeff Perlow
Baltimore County Zoning Department
Development Processing County Office Building
111, West Chesapeake Avenue
Towson MD 21204

Re: Withdrawal of Variance Application for Sarat Homes, LLC <u>Case Number 05-163-A</u>

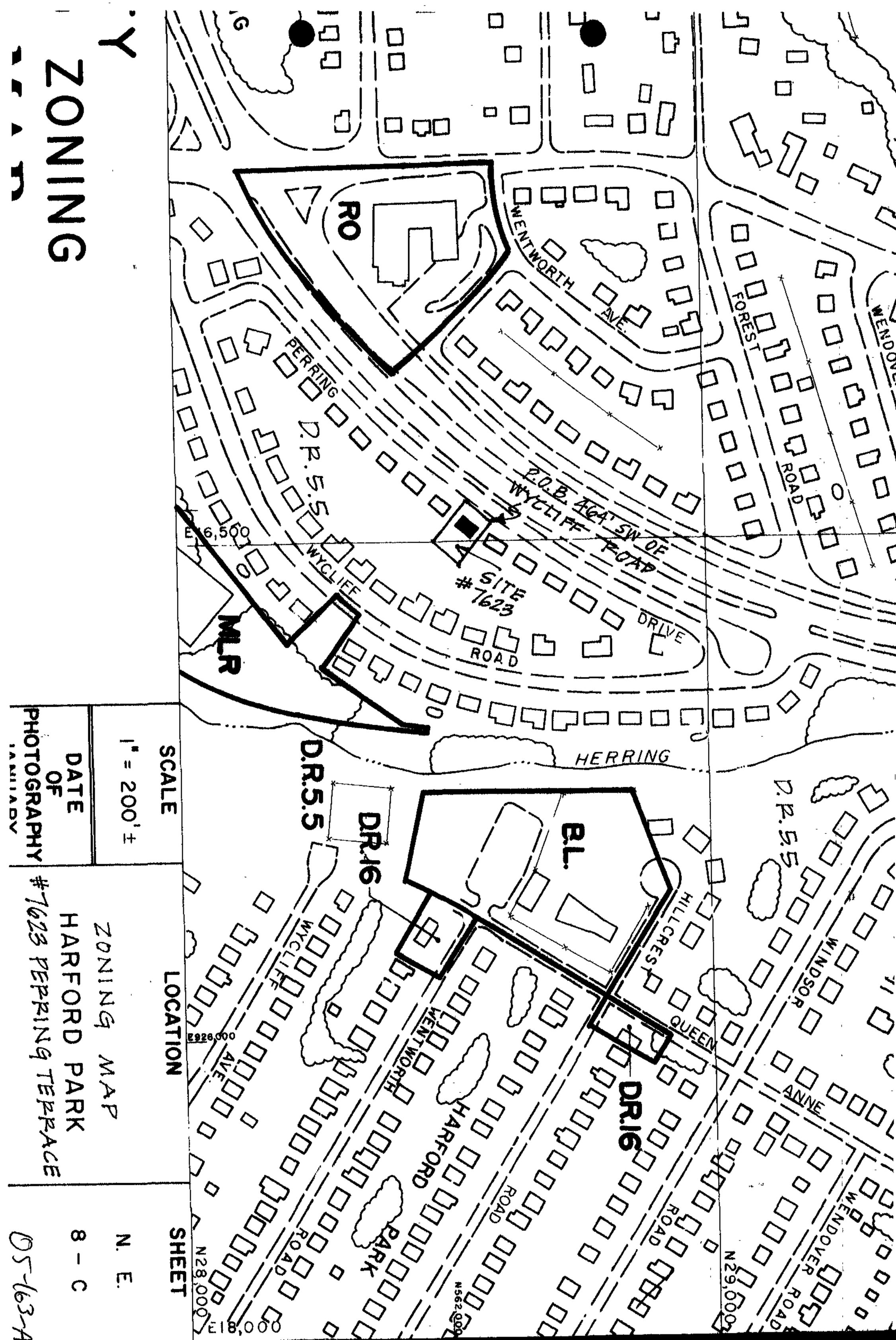
This is to inform you of my interest in withdrawing from applying for variance on the number of parking space for the above Assisted Living Home. This is because we would like to go ahead and request for Use and Occupancy Permit for only three residents.

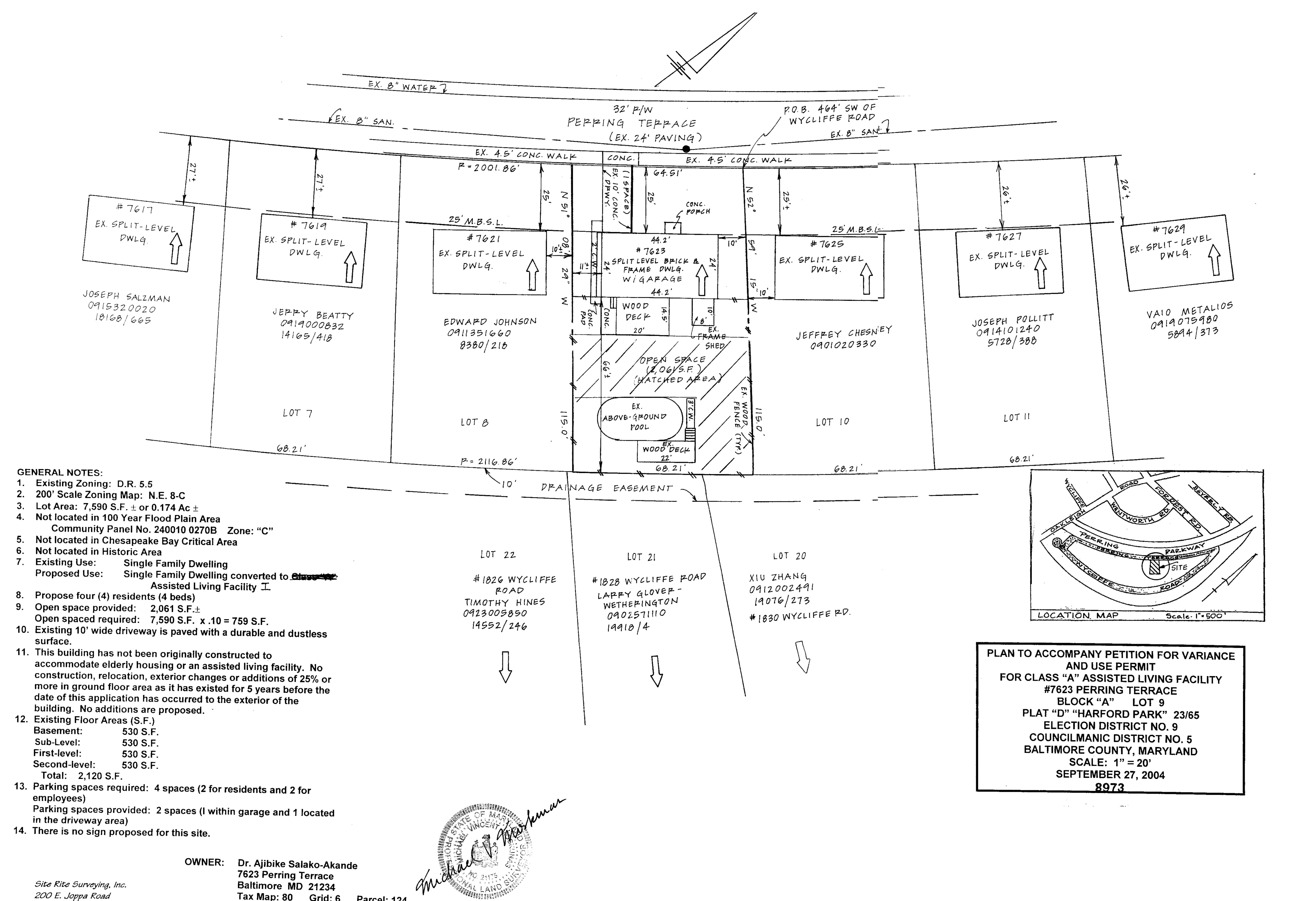
Thanking you for your understanding

Sincerely,

For:

Dr. Affile Salahw-Alean/C.
Sarat Homes, LLC





Tax Map: 80 Grid: 6

Deed Ref.: 12298/63

Shell Building, Room 101

Towson, MD 21286

(410)828-9060

Tax Acct. No. 0904503550

Parcel: 124