

IN RE: PETITION FOR SPECIAL HEARING
SW/S Trumps Mill Road, 120' SE of the c/l
Bensel Avenue
(8705 Trumps Mill Road)
14th Election District
6th Council District

Melania Morton, et al
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 05-344-SPH

*

* * * * *

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, Melania M. Morton, Cheryl B. Poletynski, and her husband, Dale A. Poletynski, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners request a special hearing to approve an assisted living facility on the subject property for three persons, as a use by right, pursuant to Section 432A of the Baltimore County Zoning Regulations (B.C.Z.R.) (prior to May 29, 2004, now repealed). In the alternative, the Petitioners request approval of the use of the subject property for a Class I Assisted Living Facility. 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 4.

Appearing at the requisite public hearing in support of the request were Cheryl Poletynski and her daughter Melania Morton, co-owners of the subject property, and their attorney, Francis X. Borgerding, Jr., Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, approximately 100 feet wide and 121 feet deep, located on the west side of Trumps Mill Road, just south of Bensel Avenue in Rosedale. The property contains a gross area of 11,848 sq.ft., or .272 acres, more or less, zoned D.R.3.5 and is improved with a 1½-story single family dwelling and a newly constructed 2-story addition. A macadam driveway leads into the property from Trumps Mill Road and extends along its northern boundary to the rear of the lot.

ORDER RECEIVED FOR FILING

Date

By

3/23/15

[Signature]

The Petitioners seek approval to utilize the subject property for an assisted living facility for three persons. In support of the request, Cheryl Poletynski testified about her extensive experience and training over the last 14 years in the area of assisted living and elder care. She testified that she currently resides to the rear of the subject property at 8707 Trumps Mill Road, and has operated an assisted living facility for three persons at that location for many years. Ms. Poletynski testified that there is a great need for such facilities in Baltimore County and indicated that the majority of the patrons of her business do not have living family members and would therefore be homeless or institutionalized but for the availability of an assisted living facility.

Ms. Poletynski testified that she and her daughter, Melania Morton, who assists her in this endeavor, recently acquired the subject property with the intention of operating a similar assisted living facility and proceeded to obtain the necessary licenses and permits to expand the existing dwelling to accommodate that use. Ms. Poletynski testified that she always handled the licensing and permitting requirements for her elder care facility and followed the same procedure in this case. She introduced into evidence as Petitioner's Exhibit 2, a copy of the application form which reflects the license she obtained from the Maryland Department of Health and Mental Hygiene to operate the facility, dated August 19, 2003. Ms. Poletynski testified about her efforts to provide compassionate care for the elderly and that she has always attempted to operate her facility at the highest standards of care and compliance. She introduced as Petitioner's Exhibit 3 a copy of correspondence she received from Baltimore County's Department of Social Services attesting to the quality of care she has provided. Ms. Poletynski further testified that when she became interested in obtaining approval for such use of the subject property, she proceeded to meet with architects and builders to prepare for construction of the subject addition and acquired the building permit for same on March 13, 2003 (see Petitioner's Exhibit 1). It was during the course of this construction, which was nearing completion in November 2003, that a representative of the Maryland Department of Health and Human Services advised her that the law with regard to assisted living facilities in Baltimore County had changed. Ms. Poletynski then followed up with representatives in the Department of Permits and Development Management, who confirmed that

3/23/05
Rp

Section 432 of the B.C.Z.R. had, in fact, been amended. Specifically, prior to the new legislation enacted on May 29, 2004 an Assisted Living Facility of three or fewer residents was a use permitted as of right in a D.R. zone. However, pursuant to Council Bill No. 19-04, that Section was amended to require that such facilities be, "1) located in a structure which was built at least five years before the date of application; 2) was not enlarged by 25% or more of ground floor area within the five years before the date of application; and 3) which accommodates fewer than 8 resident clients." Thus, in that the Petitioners have not owned the subject property for at least 5 years and the expansion that was undertaken is greater than 25% of the ground floor area of the existing dwelling, the Petitioners were advised to file the instant Petition to resolve the matter.

There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency, and no one appeared in opposition to the proposal. In fact, correspondence contained within the case file from the Zoning Review Division of the Department of Permits and Development Management indicates that the Petitioner was proceeding through the necessary approval processes with the various local agencies, as required, prior to the effective date of the new legislation. As such, the relief requested deserves consideration.

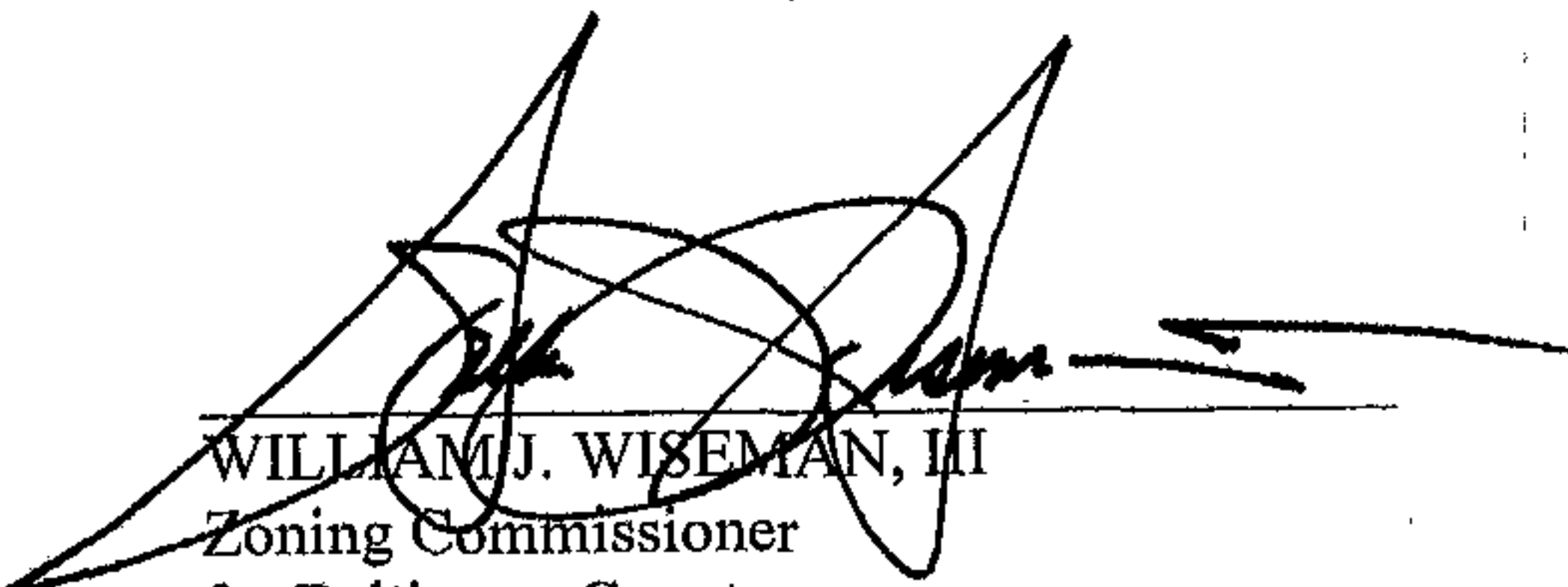
Based upon all of the testimony and evidence presented, I am persuaded to grant special hearing relief to allow the proposed assisted living facility for three persons as a use permitted as of right. I further find that the Petitioners' subsequent expansion of the existing structure by more than 25% should be granted. As noted above, the Petitioner purchased the subject property and obtained the requisite license to operate such facility from the Maryland Department of Health and Human Resources prior to the effective date of Bill No. 19-04. Moreover, the Petitioner obtained the requisite building permit and proceeded with the expansion of the existing dwelling to accommodate its elderly residents, prior to the enactment of the new legislation. In fact, construction of the addition was near completion at the time the new legislation went into effect. Finally, I find that the relief requested is appropriate in this instance meets the requirements of Section 432A.

ORDER RECEIVED FOR FILING
Date 3/23/15
By [Signature]

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of March 2005 that the Petition for Special Hearing to approve an assisted living facility on the subject property for three persons, as a use by right, pursuant to Section 432A of the Baltimore County Zoning Regulations (B.C.Z.R.) (prior to May 29, 2004, now repealed), be and is hereby GRANTED.

Any appeal of this decision must be undertaken within thirty (30) days of the date hereof.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 3/23/05
By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

March 23, 2005

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, #600
Towson, Maryland 21204

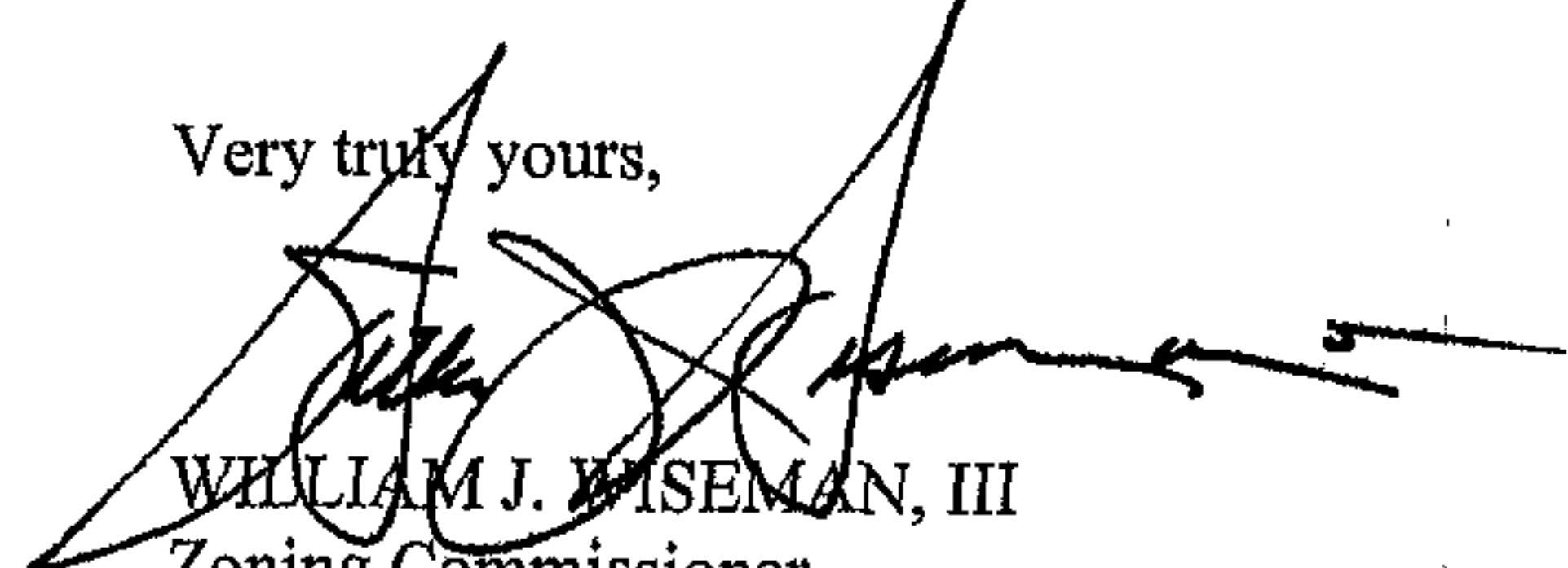
RE: PETITION FOR SPECIAL HEARING
SW/S Trumps Mill Road, 120' SE of the c/l Bensel Avenue
(8705 Trumps Mill Road)
14th Election District – 6th Council District
Melania Morton, et al - Petitioners
Case No. 05-344-SPH

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

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

Very truly yours,


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Ms. Cheryl B. Poletynski & Ms. Melania Morton
8707 Trumps Mill Road, Baltimore, Md. 21237
People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

21237

for the property located at 8705 Trumps Mill Rd., Balto., MD
which is presently zoned D.R. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an assisted living facility for three persons as a use by right, pursuant to Section 432A (pre May 29, 2004) now repealed or in the alternative as an assisted living facility **I**

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Francis X. Borgerding, Jr.

Name - Type or Print

Signature

Company

409 Washington Ave., Ste. 600

410-296-6820

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Melania M. Morton

Name - Type or Print

Signature

Cheryl B. Poletynski + Dale A Poletynski

Name - Type or Print

Signature

8707 Trumps Mill Road

Address

Baltimore

MD

Telephone No.

21237

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS

UNAVAILABLE FOR HEARING

Reviewed By JL Date 1/07/05

Case No. 05 344 SPH

REV 9/15/98

ORDER RECEIVED FOR FILING
Date 3/23/05
By [Signature]

**Zoning Description for
8705 Trumps Mill Rd.
Balto. Md. 21237**

Beginning at a point on the South west side of Trumps Mill Rd. at a distance of 120 feet South East of Bense Ave. Being Lot # 1 in the minor subdivision of the Poletynski Minor Subdivision #94-008-MP Being .272 acres+ in the 14th Electric District and the 6th Councilmatic District

3AA

**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: #05-344-SPH
8705 Trumps Mill Road
S/west side of Trumps Mill Road, 120 ft. s/east of Bensei Avenue
14th Election District
6th Councilmanic District
Legal Owner(s):
Melahla M. Morton &
Cheryl B. Poletynski
Special Hearing: to approve an assisted living facility for three persons.
Hearing: Weds., February 23, 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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.
JT/2/638 Feb. 8 38668

CERTIFICATE OF PUBLICATION

2/9/, 2005

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 2/8/, 2005.

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



LEGAL ADVERTISING

BALTIMORE COUNTY MARYLAND

OFFICE OF BUDGET & FINANCE

MISCELLANEOUS RECEIPT

No. 42684

DATE

1/07/05

ACCOUNT

001 006 6150

AMOUNT \$

65.00

RECEIVED FROM

Carol Politynsky

FOR

Re: SP# 0705 Running Mill RD

DISBURSION WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

RECEIVED FROM

1/07/05 1/07/05 11:37 AM

001 006 6150

AMOUNT \$ 65.00

001 006 6150

001 006 6150

001 006 6150

001 006 6150

001 006 6150

CERTIFICATE OF POSTING

RE: Case No. : 05-344 SPH

Petitioner/Developer: MELANIA

MORTON : CHERYL POLETYNSKI

Date of Hearing/Closing: 2/23/05

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

Attention:

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
at 8705 TRUMPS MILL ROAD

This sign(s) were posted on FEBRUARY 7, 2005
(Month, Day Year)

Sincerely,

Martin Ogle 2/7/05
(Signature of Sign Poster and Date)

Martin Ogle

Sign Poster

5016 Castlestone Drive

Address

Balto. Md 21237

(443-629-3411)

im000211 (1152x864x24b jpeg)



Master 2/7/05

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 8, 2005 Issue - Jeffersonian

Please forward billing to:
Melania Morton
8705 Trumps Mills Rd.
Baltimore, MD 21237

410-365-1633

NOTICE OF ZONING HEARING

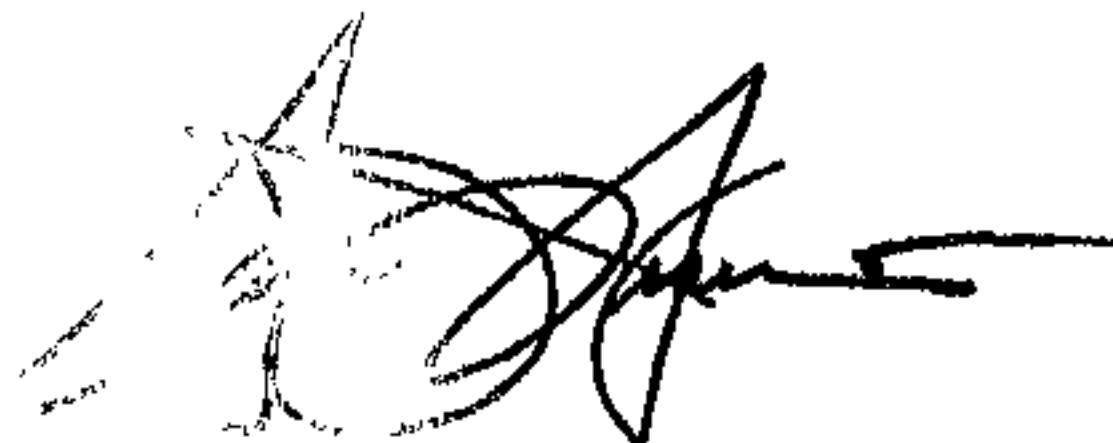
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-344-SPH

8705 Trumps Mill Road
S/west side of Trumps Mill Road, 120 ft. s/east of Bensel Avenue
14th Election District – 6th Councilmanic District
Legal Owners: Melania M. Morton & Cheryl B. Poletynski

Special Hearing to approve an assisted living facility for three persons.

Hearing: Wednesday, February 23, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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.



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

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

January 19, 2005

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: 05-344-SPH

8705 Trumps Mill Road
S/west side of Trumps Mill Road, 120 ft. s/east of Bensel Avenue
14th Election District – 6th Councilmanic District
Legal Owners: Melania M. Morton & Cheryl B. Poletynski

Special Hearing to approve an assisted living facility for three persons.

Hearing: Wednesday, February 23, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Ave., Ste. 600, Towson 21204
Melania Morton/Cheryl B. Poletynski, 8707 Trumps Mill Rd., Baltimore 21237

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 8, 2005.**
- (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.

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: 05 344 SPH
Petitioner: MORTON ET AL.
Address or Location: * 8705 Trumps Mill Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name: MELANIA MORTON
Address: * 8705 Trumps Mill Rd.
* Balto. MD. 21237
Telephone Number: * 410-365-1633

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

February 15, 2005

Francis X. Borgerding, Jr.
409 Washington Avenue, Ste. 600
Towson, Maryland 21204

Dear Mr. Borgerding:

RE: Case Number: 05-344-SPH, 8705 Trumps Mill Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 7, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Melania M. Morton and Mr. & Mrs. Poletynski 8707 Trumps Mill Road Baltimore 21237

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

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



Baltimore County

• James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

January 16, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 24, 2005

Item No.: 334-336, 338-344, 346

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 24, 2005
Item Nos. 336, 337, 338, 339, 344,
346, and 347

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. *jdo*
DEPRM

DATE: February 3, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 18, 2005.

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

05-335

05-336

05-338

05-339

05-344

05-345

05-347

Reviewers: Sue Farinetti, Dave Lykens

BW
2/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: January 27, 2005

JAN 27 2005

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

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-261, 5-344, and 5-350

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Mark A Cunningham

Division Chief:

John J. Keller

MAC/LL

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 1.19.05

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

RE: Baltimore County
Item No. 344 JLL

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
8705 Trumps Mill Road; SW/side Trumps *
Mill Rd, 120' SE Bense Avenue * ZONING COMMISSIONER
14th Election & 6th Councilmanic Districts *
Legal Owner(s): Melania M. Morton * FOR
Petitioner(s) * BALTIMORE COUNTY
* 05-344-SPH

* * * * *

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 and documentation filed in the case.

RECEIVED

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
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 21st day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

To: Zoning Commissioner

From: John L. Lewis

Subject: Case # 05-344-SPH

1/12/05

This note to file is intended to make you aware of recent changes to the BCZR involving small- scale elderly housing facilities. These changes have caused difficulties for the small ALF operators. We do not know if the County Council intended this, as no legislative intent is found in the Bill, nor was the Zoning Staff aware of impending changes to the BCZR.

Please refer to the attached ALF Checklist with particular attention to the first paragraph. The applicant for this hearing was caught in this legislative limbo and according to her statements to our staff and based on her 2002 application letter she was proceeding through the necessary approval processes with the different local agencies and was unaware of the new bill.

Though her avenue for our administrative approval has closed ,the staff believes that her request for hearing deserves consideration and any relief that you are able to provide has our support.

John L Lewis
Planner II

344
13COMPATIBILITY PACK SENT TO O.P.
1/7/04

(3)

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: ALF REVIEWER
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204
M.S. 3402

PDM ALF #

Permit No. (If required) B

512565

HEARING # 05 344-SPH

FROM: Timothy M. Kotroco
Department of Permits & Development Management

RE: Assisted Living Facility I or II

This office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a building/use permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant Melania M. Morton Address 8705 Trumps Mill Rd Telephone Number 410-365-1633
Lot Address 8705 Trumps Mill Rd Election District 14 Councilmanic District 6 Square Feet of Lot 12000
Lot Location: NE SW side/corner of Trumps Mill Rd 120' feet from NE SE corner of Bensei Ave
(street) (street)
Land Owner: Dale + Cheryl Poletynski Tax Account Number 2200020763
Address: 8707 Trumps Mill Rd Telephone Number 410, 410-391-1224

CHECKLIST OF MATERIALS- (to be submitted by applicant for required *compatibility* and/or *appearance* review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED?	
	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application (if available)	☒	☐
3. Site Plan: Property (3 copies): including lot size and square feet of buildings, parking and open space - 10% lot area	☒	☐
Statement as to whether or not building has been enlarged by 25% or more in the last five (5) years	☒	☐
4. Building Elevation Drawings (these may be waived if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans)	☒	☐
5. Photographs (please label all photos clearly) Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: <u>DR 3.5</u>		

Accepted for filing by JL
Date: 1/07/05

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

13

3

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: ALF REVIEWER
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204
M.S. 3402

PDM ALF #

Permit No. (if required) B ~~8512585~~

HEARING # 05-344-SPH

FROM: Timothy M. Kotroco
Department of Permits & Development Management

RE: Assisted Living Facility I or II

This office is requesting recommendations and comments from the Office of Planning and Community Conservation building/use permit.

Post-It® Fax Note	7671	Date	1-25-05	# of pages	1
To	J. Lewis	From	J. German		
Co./Dept.		Co.	Planning		
Phone #		Phone #	X 3495		
Fax #	X 2824	Fax #			

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant: Melania M. Morton Address: 8705 Trumps Mill Rd Telephone Number: 410-365-1633

Lot Address: 8705 Trumps Mill Rd Election District: 14 Councilmanic District: 6 Square Feet of Lot: 12000

Lot Location: NE SE side/corner of Trumps Mill Rd (street) 120' feet from NE SE corner of Bensei Ave. (street)

Land Owner: Dale + Cheryl Poleynski Tax Account Number: 2200020763

Address: 8707 Trumps Mill Rd Telephone Number: 410-410-391-1224

CHECKLIST OF MATERIALS- (to be submitted by applicant for required compatibility and/or appearance review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY

1. This Recommendation Form (3 copies)
2. Permit Application (if available)
3. Site Plan:
Property (3 copies): including lot size and square feet of buildings, parking and open space - 10% lot area
Statement as to whether or not building has been enlarged by 25% or more in the last five (5) years
4. Building Elevation Drawings (these may be waived if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans)
5. Photographs (please label all photos clearly)
Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood
6. Current Zoning Classification: DR 3.5

PROVIDED?

YES

NO

Accepted for filing by: JLDate: 1/07/05

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

✓

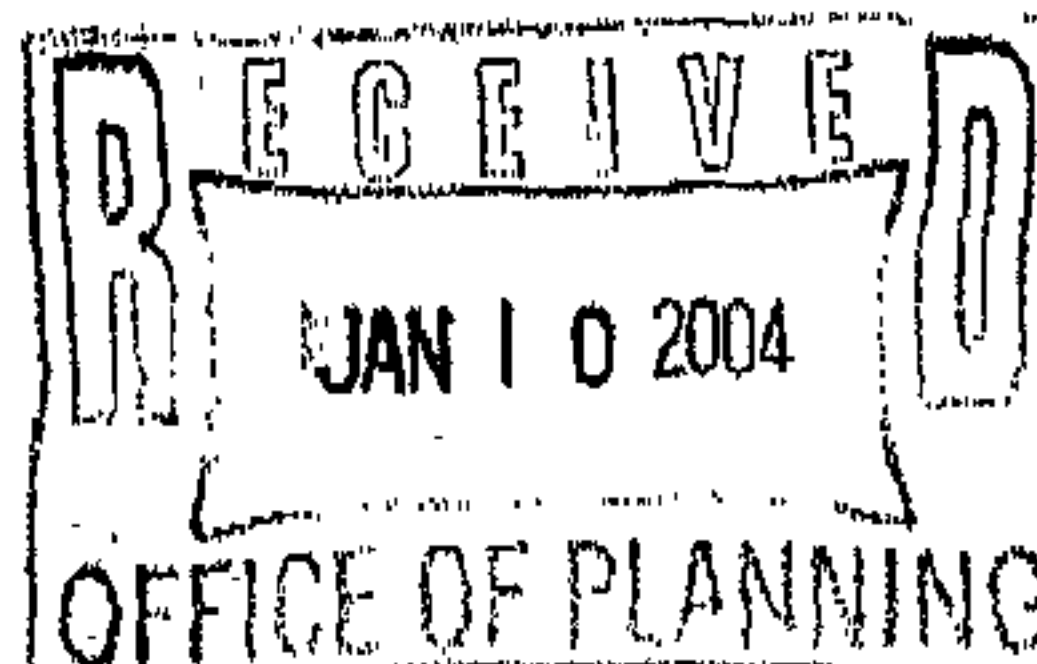
✓

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

- ☒ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: [Signature]
for the Director, Office of Planning and Community Conservation

Date: 1/25/05

Revised 9/29/2004

ZONING USE PERMIT CHECKLIST

ASSISTED LIVING FACILITY I (1 – 7 beds) or II (8-15 beds)

Pursuant to Bill 19-04

The zoning regulations regarding assisted living facilities (ALF's) were changed by the County Council in Bill No. 19-04, effective 5/29/04. This checklist is intended to inform the public of these standards. One of several changes is the new requirement for small scale ALF's for 1-3 residents which were formerly exempted, that now have to file for a zoning use permit as was previously required only for 4-15 resident facilities. **However, if you can clearly document to this office that your facility was licensed and legally operating for care of a certain set number of persons prior to the above referenced bill date, an ALF use permit may be issued at the discretion of the Zoning Review Office for continuance of your use for the previously licensed number of persons without a full use permit review as stipulated in this checklist.** This is done by an individual property use review for each site for which such documentation is presented. Prior to applying for this Use Permit, contact the Baltimore County Department of Aging for related information. Fees and Plan/Checklist changes are subject to change without advance notice. Sealed plans may be required.

Filing Requirements

Three (3) use permit plans, per this checklist and sample plan sheet; one planning office compatibility/appearance review package (see Recommendation Form), and \$50.00 are required for filing the application. Due to the necessity of a detailed review of the materials, you must contact 410-887-3391 for a filing appointment for this use permit.

Provide the following information on an (engineer) scaled drawing at a 1"=50' or larger scale.

1. Owner's name, and if the applicant is not the owner, the applicant's name, date, address, daytime telephone number, and the address of the property under this use permit review.
2. Title: Use permit plan for Assisted Living Facility (ALF I or II). Street vicinity map with site indicated, north arrow, scale of drawing (must be at an engineer's scale and legible), election district, property outline, and dimensions in feet, the square footage of the lot, and the current zoning of the property per the 1"=200' scale official zoning map.
3. Location on the property, use and the dimensioned footprint of the ground floor area and gross floor area (all floors) of each structure on the lot in square feet. Show and label a minimum of 10% of the lot as "open space". Show the method of calculation; Lot sq ft. x .10 = _____ sq ft open space.
4. A. Number of beds to be approved with parking calculations indicating 1 parking space for each 3 beds (round-up all numbers). Note that all parking and maneuvering will be paved with a durable, dustless surface (such as asphalt or concrete) and will be permanently striped. Indicate the location and dimension of all parking and maneuvering areas. Each parking space must be 8-1/2 feet x 18 feet, which must be shown and dimensioned.
B. Parking spaces must be shown to comply with the following: 10 feet from all lot lines other than an alley that does not abut the front or rear yard of a residentially used property. All parking and delivery areas in the side or rear yard only. A public hearing is required for noncompliance. Contact the zoning office for further information.
5. A. Note on the plan: "This building has not been originally constructed to accommodate elderly housing or an assisted living facility. No reconstruction, relocation, (exterior) changes or additions (of 25% or more based on the ground floor area as of 5 years before the date of this application) to the exterior of the building have occurred, no additions are proposed to exceed this limit.
B. Where compliance with note 5.A. cannot be stated, the use permit application may not be accepted for filing or a public hearing may be required. The zoning office should be contacted for further information.
6. For more than four beds density/area calculations must be shown on plan based on the zones minimum lot area requirements for each density or dwelling unit used. See chart at bottom of this page.
7. Class II ALF's must be shown to be located on a principal arterial street on the plan.
8. Note on the plan that any proposed signs will comply with Section 450 (BCZR) and all zoning sign policies or a zoning variance is required.
9. Include signatures, printed names (and dates) of those responsible for the accuracy of the information in this application.

Density	
1-4 beds	Not required
5-8 beds	2 density lots required
9-12 beds	3 density lots required
13-15 beds	4 density lots required

SAMPLE FORM, ADD YOUR INFORMATION ACCORDING TO THIS FORMAT.

**ZONING USE PERMIT
PLAN FOR A ASSISTED LIVING FACILITY I OR II**

#123 SMITH ROAD
BALTIMORE COUNTY MD 20204
3RD ELECTION DISTRICT
OWNER: JOHN & LINDA SMITH
ADD. #321 BROOK LA. TOWSON MD 21044
DATE 2/24/94 (PLAN DATE)
PHONE: 410-325-1799
APPLICANT: IF NOT OWNER ADD ABOVE INFO.

LOT SIZE: 6,000 SQ. FT.
ZONING MAP N.W. 5F
ZONE DR 3.5

PARKING: 1 SPACE FOR EACH 3 BEDS = 2 PARKING SPACES REQUIRED.

EXISTING FLOOR AREAS SQ. FT.
1ST FLOOR AND SUN ROOM = 1987 SQ. FT.
2ND FLOOR = 1811 SQ. FT.
TOTAL 3,798 SQ. FT.
BASEMENT FOR STORAGE AND
MECHANICAL EQUIPMENT = 1811 SQ. FT.
EXISTING GARAGE = 374 SQ. FT.

OPEN SPACE: .10 x LOT AREA (6,000 SQ. FT.) = 600 SQ. FT.

FOR MORE THAN 4 BEDS SEE THE DENSITY CHART AT THE BOTTOM OF
PAGE 1 OF THIS CHECKLIST. SHOW CALCULATIONS IN THIS AREA ON YOUR PLAN.

THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE
ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. NO CONSTRUCTION,
RELOCATION, EXTERIOR CHANGES OR ADDITIONS OF 25% OR MORE IN GROUND
FLOOR AREA AS IT HAS EXISTED FOR 5 YEARS BEFORE THE DATE OF THIS
APPLICATION HAS OCCURRED TO THE EXTERIOR OF THE BUILDING. NO ADDITIONS
ARE PROPOSED.

SIGNS WILL COMPLY WITH SECTION 450 B.C.Z.R.

THE UNDERSIGNED (STATE IF OWNERS OR APPLICANTS) ARE RESPONSIBLE FOR
THE ACCURACY OF THE INFORMATION ON THIS PLAN.

SIGNATURE _____ DATE _____

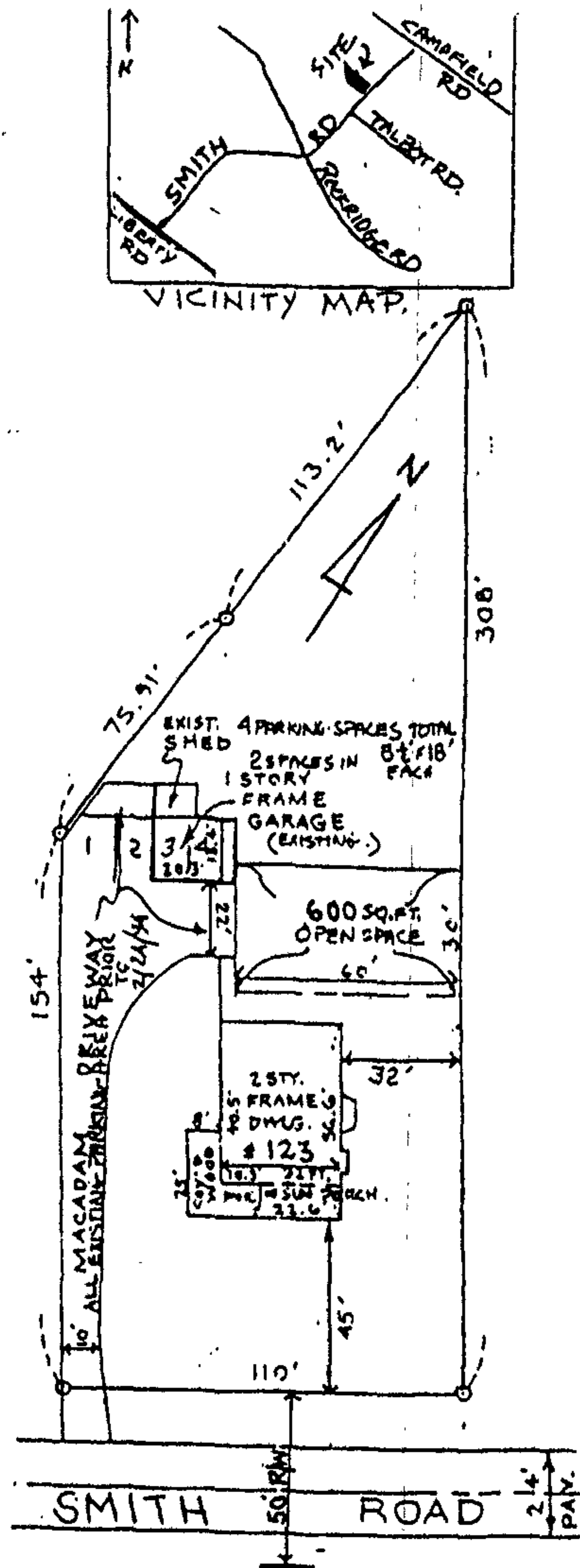
PRINTED NAME _____

SIGNATURE _____ DATE _____

PRINTED NAME _____

ENGINEER'S SCALE
1" = _____ FT.

REVISED 7/19/04



INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: ALF REVIEWER
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204
M.S. 3402

PDM ALF # _____

Permit No. (if required) B _____

FROM: Timothy M. Kotroco
Department of Permits & Development Management

RE: Assisted Living Facility I or II

This office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a building/use permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant _____ Address _____ Telephone Number _____
Lot Address _____ Election District _____ Councilmanic District _____ Square Feet of Lot _____
Lot Location: N E S W/side/corner of _____, _____ feet from N E S W corner of _____
(street) (street)
Land Owner: _____ Tax Account Number _____
Address: _____ Telephone Number () _____

CHECKLIST OF MATERIALS- (to be submitted by applicant for required *compatibility* and/or *appearance* review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED?		
	YES	NO	Accepted for filing by _____ Date: _____
1. This Recommendation Form (3 copies)	_____	_____	
2. Permit Application (If available)	_____	_____	
3. Site Plan: Property (3 copies): including lot size and square feet of buildings, parking and open space - 10% lot area Statement as to whether or not building has been enlarged by 25% or more in the last five (5) years	_____ _____ _____	_____ _____ _____	
4. Building Elevation Drawings (these may be waived if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans)	_____	_____	
5. Photographs (please label all photos clearly) Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood	_____	_____	
6. Current Zoning Classification: _____			

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

Revised 9/29/2004

ASSISTED LIVING FACILITIES I, II, & III.

(BILL No. 19-04)

*******SECTION 101. DEFINITIONS.**

ASSISTED LIVING FACILITY: A BUILDING, OR SECTION OF A BUILDING THAT PROVIDES HOUSING AND SUPPORTIVE SERVICES, SUPERVISION, PERSONALIZED ASSISTANCE, HEALTH-RELATED SERVICES, OR A COMBINATION THEREOF, TO MEET THE NEEDS OF INDIVIDUALS WHO ARE UNABLE TO PERFORM OR WHO NEED ASSISTANCE IN PERFORMING THE ACTIVITIES OF DAILY LIVING AND WHICH IS LICENSED AS AN ASSISTED LIVING PROGRAM AS DEFINED UNDER TITLE 19, SUBTITLE 18 OF THE HEALTH-GENERAL ARTICLE, ANNOTATED CODE OF MARYLAND. FOR THE PURPOSES OF THIS DEFINITION, IF A RESIDENT LIVES IN A ROOM OR APARTMENT PROVIDING COMPLETE KITCHEN FACILITIES INTENDED FOR THE DAILY PREPARATION OF MEALS BY OR FOR THAT RESIDENT, THE UNIT SHALL NOT BE CONSIDERED AN ASSISTED LIVING FACILITY. DENSITY FOR SUCH FACILITIES SHALL BE CALCULATED AT 0.25 FOR EACH BED.

*******ASSISTED LIVING FACILITY I: AN ASSISTED LIVING PROGRAM WHICH:**

- 1) IS LOCATED IN A STRUCTURE WHICH WAS BUILT AT LEAST FIVE YEARS BEFORE THE DATE OF APPLICATION.
- 2) WAS NOT ENLARGED BY 25% OR MORE OF GROUND FLOOR AREA WITHIN THE FIVE YEARS BEFORE THE DATE OF APPLICATION.
- 3) WHICH ACCOMODATES FEWER THAN 8 RESIDENT CLIENTS.

*******ASSISTED LIVING FACILITY II: AN ASSISTED LIVING PROGRAM WHICH:**

- 1) IS LOCATED IN A STRUCTURE WHICH WAS BUILT AT LEAST FIVE YEARS BEFORE THE DATE OF APPLICATION.
- 2) WAS NOT ENLARGED BY 25% OR MORE OF GROUND FLOOR AREA WITHIN THE FIVE YEARS BEFORE THE DATE OF APPLICATION.
- 3) WHICH ACCOMODATES BETWEEN 8 AND 15 RESIDENT CLIENTS.

*******ASSISTED LIVING FACILITY III: AN ASSISTED LIVING PROGRAM WHICH:**

- 1) WILL ACCOMMODATE MORE THAN 15 RESIDENT CLIENTS.
- 2) WILL BE IN A STRUCTURE WHICH WAS BUILT OR ENLARGED BY MORE THAN 25% OF GROUND FLOOR AREA LESS THAN FIVE YEARS BEFORE THE DATE OF APPLICATION. OR
- 3) WILL BE IN A STRUCTURE WHICH WILL BE NEWLY CONSTRUCTED OR ENLARGED BY MORE THAN 25% OF GROUND FLOOR AREA FOR THE ASSISTED LIVING PROGRAM.

*******SECTION 432A. ASSISTED LIVING FACILITY; HOUSING FOR THE ELDERLY.**

A. AN ASSISTED LIVING FACILITY IS PERMITTED IN THE D.R., R.O., R.O.A., R.A.E., B.R., AND B.M. ZONES AS FOLLOWS:

- 1) AN ASSISTED LIVING FACILITY I IS PERMITTED BY USE PERMIT.
- 2) AN ASSISTED LIVING FACILITY II IS PERMITTED BY USE PERMIT IF IT HAS FRONTAGE ON A PRINCIPAL ARTERIAL STREET.
- 3) AN ASSISTED LIVING FACILITY III IS PERMITTED IN A D.R. 16, R.A.E., R.O., R.O.A., OR B.M., ZONE BY USE PERMIT. A FACILITY LOCATED IN A R.O. ZONE IS ALSO SUBJECT TO REVIEW BY THE DESIGN REVIEW PANEL FOR COMPATABILITY WITH SURROUNDING USES.

4) HOUSING FOR THE ELDERLY IS PERMITTED BY RIGHT IN R.A.E. ZONES

B. EXCEPT FOR THE SIGNS PERMITTED BY SECTION 450, NO OTHER SIGNS OR DISPLAYS OF ANY KIND VISIBLE FROM THE OUTSIDE ARE PERMITTED.

C. OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 409 AND SUBJECT TO THE FOLLOWING CONDITIONS, BUT NO PARKING STRUCTURE IS PERMITTED EXCEPT FOR A RESIDENTIAL GARAGE AS DEFINED IN SECTION 101.

- 1) PARKING SHALL BE SET BACK AT LEAST 10 FEET FROM THE PROPERTY LINE, EXCEPT THAT IF THE PROPERTY LINE ABUTS AN ALLY. NO SETBACK IS REQUIRED IF THE ALLEY DOES NOT ABUT THE FRONT OR REAR YARD OF A RESIDENTIALLY USED PROPERTY.
- 2) PARKING AND DELIVERY AREAS SHALL BE LOCATED IN THE SIDE OR REAR ONLY.
- 3) AT LEAST 10% OF THE LOT SHALL BE USED TO PROVIDE USABLE CONTIGUOUS AND PRIVATE OPEN SPACE.

D. AN ASSISTED LIVING FACILITY IS SUBJECT TO A COMPATIBILITY FINDING PERSUANT TO SECTION 32-4-402 OF THE BALTIMORE COUNTY CODE.

E. AN ASSISTED LIVING FACILITY LOCATED IN A COUNTY HISTORIC DISTRICT IS ALSO SUBJECT TO REVIEW BY THE LANDMARKS PRESERVATION COMMISSION IN THE SAME MANNER AS OTHER BUILDINGS LOCATED IN A HISTORICAL DISTRICT.



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: B512595 CONTROL #: MR DIST: 14 PREC: 01
DATE ISSUED: 5/13/2003 X ACCOUNT #: 2200020764 CLASS: 04

PLANS: CONST 0 PLOT 5 R FLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 8705 TRUMPS MILL RD
SUBDIVISION: BENSEL HEIGHTS

OWNERS INFORMATION

NAME: ROLETYNSKI, CHERYL & DALE
ADDR: 8707 TRUMPS MILL RD. 21237

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT (2) STY W/ UNFIN BSMT ADDN ON SIDE OF
EX. SFD, TO BE: 1ST FLR LIVRM, BEDRM & FOYER
2ND FLR (3) BERM 2 BATHS LAUNDRY RM. BSMT
UNFIN AREA 24'3"X27'7"X33'=2018SF,
CONST DWGS ON SITE PER INSPECTOR WAIVED PLANS
MS.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDN
EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE:

BASEMENT:

WATER:

LOT SIZE AND SETBACKS

SIZE: 0100.29 X 0000.00
FRONT STREET:
SIDE STREET:
FRONT SETB: 37'9"
SIDE SETB: 37'6"/NC
SIDE STR SETB:
REAR SETB: 60'

34A



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Account Identifier: District - 14 Account Number - 2200020764

Owner Information

Owner Name: POLETYNSKI DALE A/CHERYL B
MORTON MELANIA M
Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 8707 TRUMPS MILL RD
BALTIMORE MD 21237-3808
Deed Reference: 1)
2)

Location & Structure Information

Premises Address
8705 TRUMPS MILL RD

Legal Description
.272 AC
8705 TRUMPS MILL RD SWS
BENSEL HEIGHTS

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:	MS
89	6	623					1	82	Plat Ref:	7/ 173

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1933	1,008 SF	11,848.00 SF	04

Stories	Basement	Type	Exterior
1 1/2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value As Of 01/01/2003	Phase-In Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	33,460	46,460		
Improvements:	38,480	42,440		
Total:	71,940	88,900	83,246	88,900
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
POLETYNSKI DALE A	02/07/2005	\$0
Type: NOT ARMS-LENGTH	Deed1:	Deed2:
POLETYNSKI MICHELE B	05/31/2001	\$0
Type: NOT ARMS-LENGTH	Deed1: /15251/ 674	Deed2:
POLETYNSKI MICHELE B	08/17/1994	\$0
Type: NOT ARMS-LENGTH	Deed1: /10709/ 33	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

Case No.:

05-344 SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Bldg Permit B51258 ISSUED 3/13/03	
No. 2	Application - Assisted Living License # 03AL0853 8-19-03	
No. 3	DEPT. OF SOCIAL SERVICES LETTER OF SUPPORT	
No. 4	SITE PLAN	
No. 5	BLDG ELEVATION	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

BUILDING PERMIT

[Signature]
BUILDINGS ENGINEER

PERMIT #: B512585 CONTROL #: MR DIST: 14 PREC: 01
DATE ISSUED: 03/13/2003 TAX ACCOUNT #: 2200020764 CLASS: 04

PLANS: CONST 0 PLOT 5 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 8705 TRUMPS MILL RD
SUBDIVISION: BENSEL HEIGHTS

OWNERS INFORMATION

NAME: ROLETYNSKI, CHERYL & DALE
ADDR: 8707 TRUMPS MILL RD, 21237

TENANT:

CONTR: OWNER

ENGR:

SELLR:

WORK: CONSTRUCT (2) STY W/ UNFIN BSMT ADDN ON SIDE OF
EX. SFD, TO BE: 1ST FLR LIVRM, BEDRM & FOYER
2ND FLR (3) BERM 2 BATHS LAUNDRY RM, BSMT
UNFIN AREA 24'3"X27'7"X33'=2018SF,
CONST DWGS ON SITE PER INSPECTOR WAIVED PLANS
MS.

BLDG. CODE:

RESIDENTIAL CATEGORY: DETACHED

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SFD & ADDN
EXISTING USE: SFD

TYPE OF IMPRV: ADDITION

USE: ONE FAMILY

FOUNDATION:

SEWAGE:

BASEMENT:

WATER:

LOT SIZE AND SETBACKS

SIZE: 0100.29 X 0000.00

FRONT STREET:

SIDE STREET:

FRONT SETB: 37'9"

SIDE SETB: 37'6"/NC

SIDE STR SETB:

REAR SETB: 60'

PETITIONER'S
EXHIBIT 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Office of Health Care Quality

Spring Grove Center • Bland Bryant Building

55 Wade Avenue • Catonsville, Maryland 21228-4663

Robert L. Ehrlich, Jr., Governor – Michael S. Steele, Lt. Governor – Nelson J. Sabatini, Secretary

August 19, 2003

410-402-8212
Donna Jones

Lanie Morton, ALM
Lanie's Place
8705 Trumps Mill Road
Baltimore, Maryland 21237

Dear Ms. Morton:

Your application to operate an Assisted Living Program was received in this office. The following additional information needed from you is listed below and indicated by a "X" box.

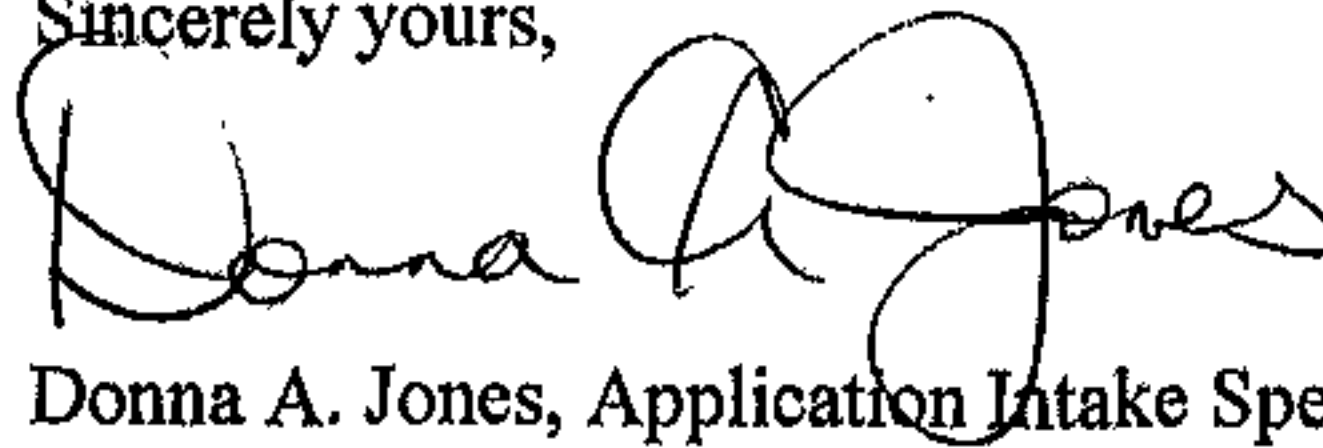
1. ☐ Appropriate application/licensure fee. **NO FEE WAS RECEIVED.**
☐ We cannot accept personal checks. I am returning check # _____.
☐ Please send a money order, certified personal check or pre-printed business check for \$ _____.
☐ Correct licensure fee should be _____. I am returning Check # _____.
☐ Must have a separate licensure fee for each assisted living facility.
☐ Other: _____
2. ☐ Application Form: (Please indicate information on this letter and return)
☐ application needs to be signed.
☐ application needs to be notarized; or ☐ application needs a notary seal.
☐ please indicate the name of your assisted living manager _____
☐ need to indicate assisted living manager's social security number.
☐ need to indicate assisted living manager's date of birth.
☐ please indicate assisted living facility's telephone number.
☐ please indicate number of beds requested.
☐ please indicate level of care requested.
☐ please name your assisted living program.
☐ you cannot list your name as assisted living manager on more than one program.
☐ other: _____
3. ☒ Ownership Form:
☒ ownership form needs to be signed (see page 2).
☒ ownership form needs to be notarized; or ☒ ownership form needs a notary seal.
☒ need to indicate type of ownership.
☒ if incorporated, need date of charter.
☒ if incorporated, need date of incorporation.
☒ if incorporated, need FEIN # _____
☒ if leasing, page 2 must be completed.
☐ other: _____

4. ☒ please complete the Workmen's Compensation Law Questionnaire (form attached)
☒ please complete the Certificate of Compliance application (form attached)
☒ need copy of your Certificate of Compliance
☐ other: _____
5. ☐ Need copy of Howard County Rental's License. You may contact Howard County Inspections, Licenses & Permits, 3430 Court House Drive, Ellicott City, Maryland 21043-4395, 410-313-3800.
☐ Need copy of Zoning Approval Letter.
☐ Need copy of Use and Occupancy Permit.
☒ Need a hand drawn sketch of your assisted living facility with measurements of all rooms.
☒ Need copy of a 4-week menu plan along with an approval letter from a registered dietitian and the dietitian's license number OR purchase a Long Term Care Diet Manual from this office and supply a copy of the purchase receipt along with a written letter stating your facility will follow the menu plans in the Diet Manual (cost \$15.00 per book).
☐ Need copy of plans review approval letter for 16 or more beds.
☐ Need copy of Food Service Permit for 17 or more beds.
☒ Please complete the directions of the assisted living facility (form attached).
6. ☒ Need copy of Fire Inspection Report.
☐ Please contact Anne Arundel County Fire Department, Fire Marshal Division, 2660 Riva Road, Suite 290, Annapolis, Maryland 21401, 410-222-7884 to arrange for a fire survey.
☐ Please contact Montgomery County Fire & Rescue Service, 255 Rockville Pike, Rockville, Maryland 20850, 240-777-2457 to arrange for a fire survey.
☐ Please contact Prince George's County Fire/EMS Department, Fire Prevention Office, Fire Services Building, 6820 Webster Street, Landover, Maryland 20784, 301-583-1830 to arrange for a fire survey.
☐ Please contact Inspector Prince Green of the Baltimore City Fire Prevention Bureau at 410-396-5752 to arrange for a fire survey.
☒ Please contact Baltimore County Department of Health, Medical Environmental Health, 6401 York Road, Baltimore, MD 21212, 410-887-6008 to arrange for a fire survey.
☐ Please contact the Baltimore County Fire Prevention Bureau at 410-887-4883 to arrange for a fire survey.
☐ Please write to Rosalyn Spencer of the State Fire Marshal's Office at 300 East Joppa Road, Suite 1002, Towson, MD 21286 to arrange for a fire survey.
☐ Report does not indicate "approval". I am returning your original copy. Please have the fire inspector indicate his/her approval.

Please return the above requested information as soon as possible upon receipt of this letter. If your information requested isn't part of the application face sheet (1st page) or the ownership form, feel free to fax the information to me at (410) 402-8212. Your license cannot be issued until all assisted living licensure forms and attachments are received.

If you have any questions, please contact me at (410) 402-8217.

Sincerely yours,



Donna A. Jones, Application Intake Specialist
 Assisted Living Program

cc: Licensure File #: 03AL0853



Baltimore County
Department of Social Services

Drumcastle Center
6401 York Road
Baltimore, Maryland 21212
410-853-3000

February 22, 2005

To Whom It May Concern,

Cheryl Poletynski has been a valued Project Home and Adult Foster Care provider with the Baltimore County Department of Social Services since 1991. She has provided this service to many disabled citizens of Baltimore County over the years, some of whom may have otherwise been homeless or institutionalized. She has worked well with this agency and has complied with all of the regulatory requirements. If there are any questions please feel free to contact me at the number below.

Sincerely,

Deborah Veystrik, LCSW-C
Supervisor, Project Home/
Adult Foster Care
410-853-3511

PETITIONER'S
EXHIBIT 3



ACCREDITED
COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

TDD: 410-853-9871

Plat To Accompany Petition for Zoning Hearing

(SPECIAL HEARING) FOR ASSISTED LIVING FACILITY
(SEE PETITION FORM)

Property Address **8705 Trumps Mill Rd.**

Subdivision: **Poletynski Property**

Liber: **10279** Folio **490**

Lot # **1**

Owners: **Melania Morton**

8705 Trumps Mill Rd.

Balto. Md. 21237

Dale and Cheryl Poletynski

8707 Trumps Mill Rd. #

Baltimore, Md. 21237 410-365-1633

Prior Zoning Hearing Poletynski Minor Subdivision

This property is not a Historic site

Dwelling is completely updated: electricity, plumbing, gas,

Drywall, windows, floors, roof, vinyl siding

Addition is being built to code under permit # B512505

Dated March 13, 2003, renewed March 2004

There are no underground storage tanks on subject property

Or adjacent property

There are no streams or wetlands

There are at least 1950 square feet of open space

There is 1564 square feet on first floor - RESIDENTIAL

There is 851 square feet on the second floor - RESIDENTIAL

Total square feet is 2415 NOT COUNTING THE 1,564 sq. BASEMENT WHICH IS USED FOR HEATING, LAUNDRY & STORAGE ONLY

There is 3 parking spaces in rear

There is a drop off and pickup area in rear

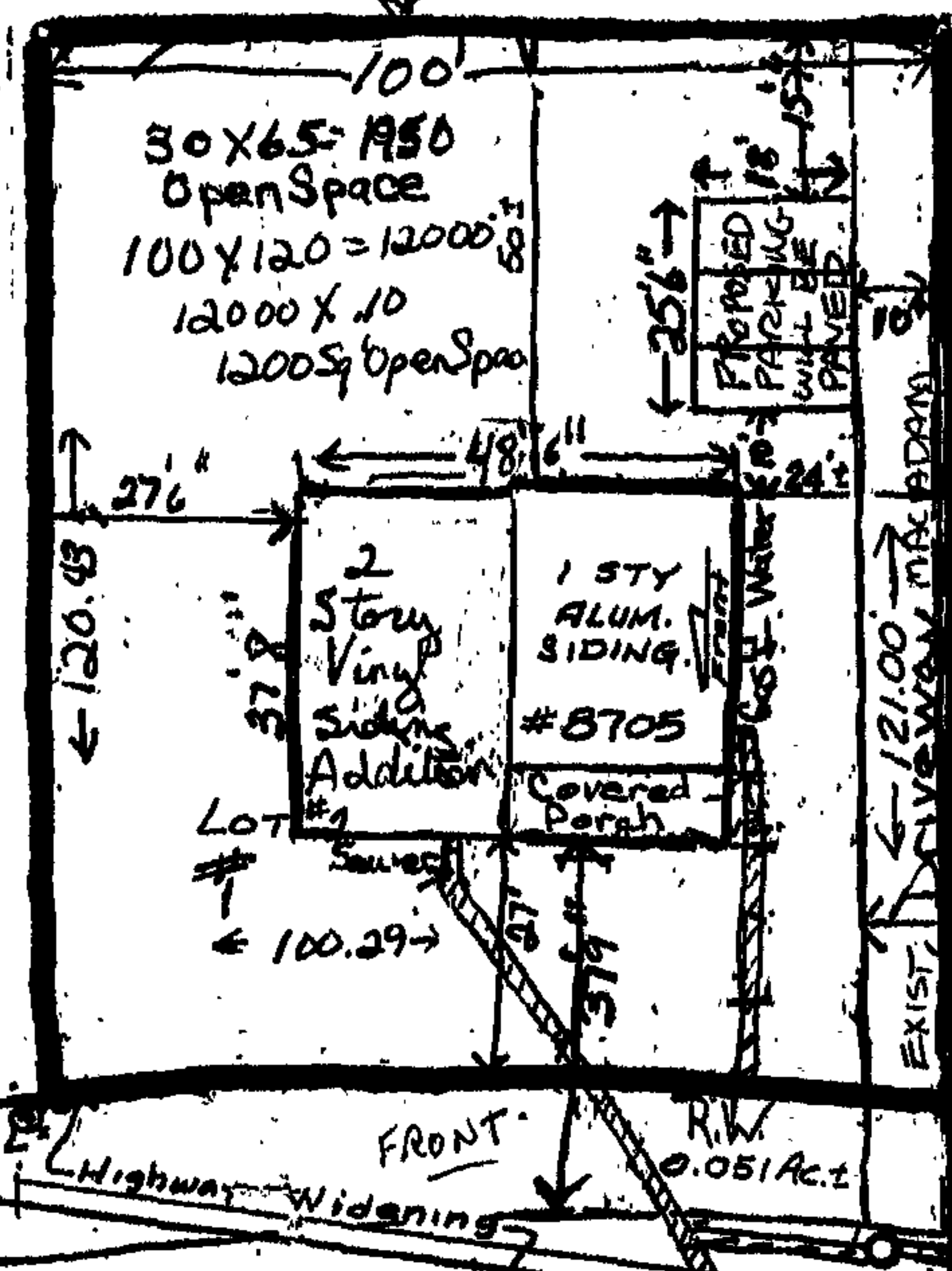
NO SIGNS ARE PROPOSED.

Existing Dwelling

Owners: Dale and Cheryl Poletynski
Rob and Michele Poletynski
8707 Trumps Mill Rd.
Baltimore, Md. 21237
Acct 2200020763

Residential

40'



Owners

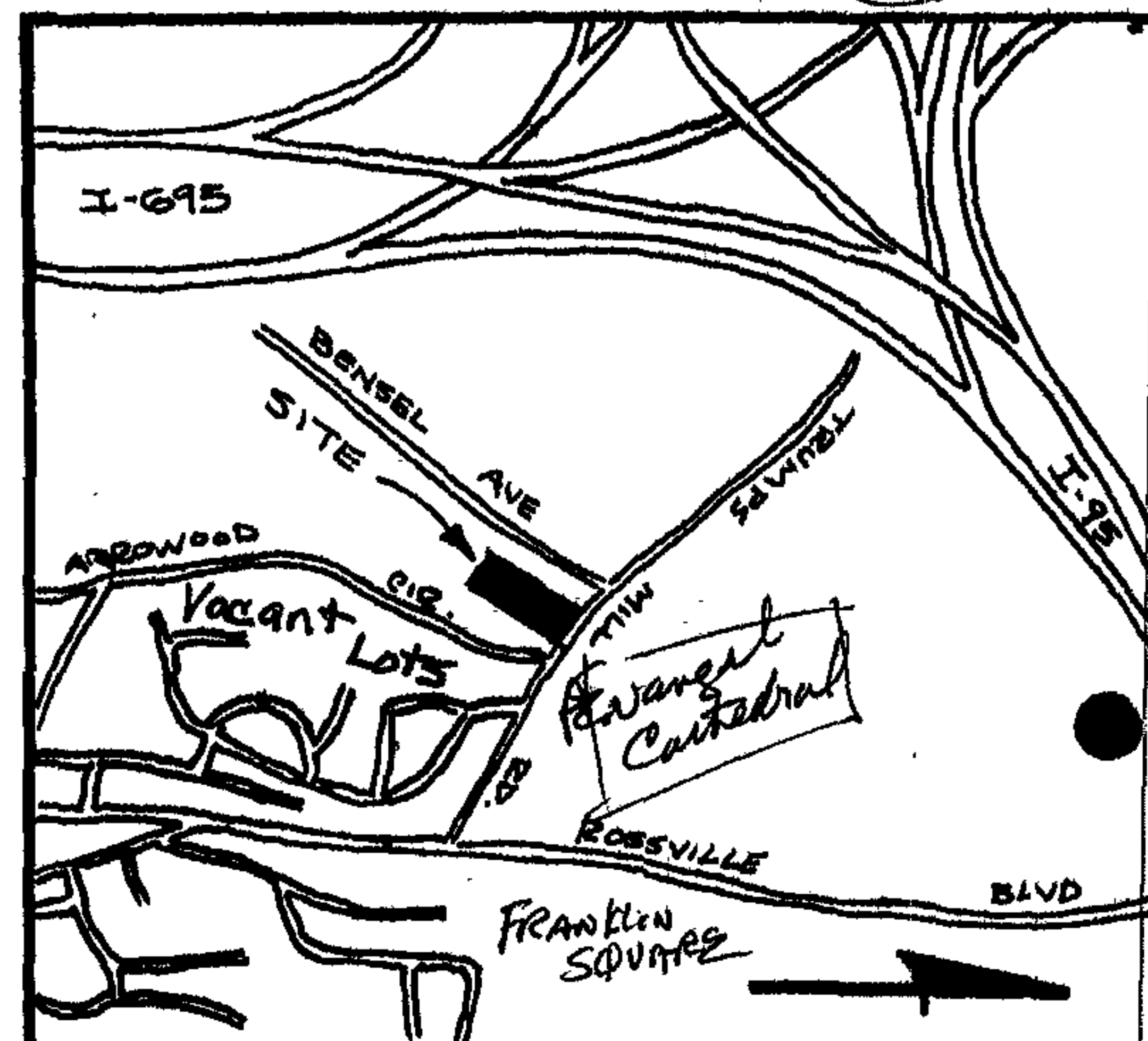
(There are no Dwellings or Buildings on this side)
Deer Bourne Realty Co. LLC
c/o Home Sales Co.
216 Schilling Circle
Hunt Valley, 21031
Map 90/1399

OR-2 ZONING

Information on this plat taken
From a engineered plat prepared
By Len Buerhaus 3/11/94
For Poletynski Minor
Subdivision # 94-008-MP
Updated by website
www.dat.state.md.us

Scale 1"=30' Jan 5, 2005

FRANKLIN SQUARE



Vicinity Map scale 1"=100'

Location Information

Election District 14

Councilmatic District C-6'

Zoning DR 3.5

Lot Size .272 Acre

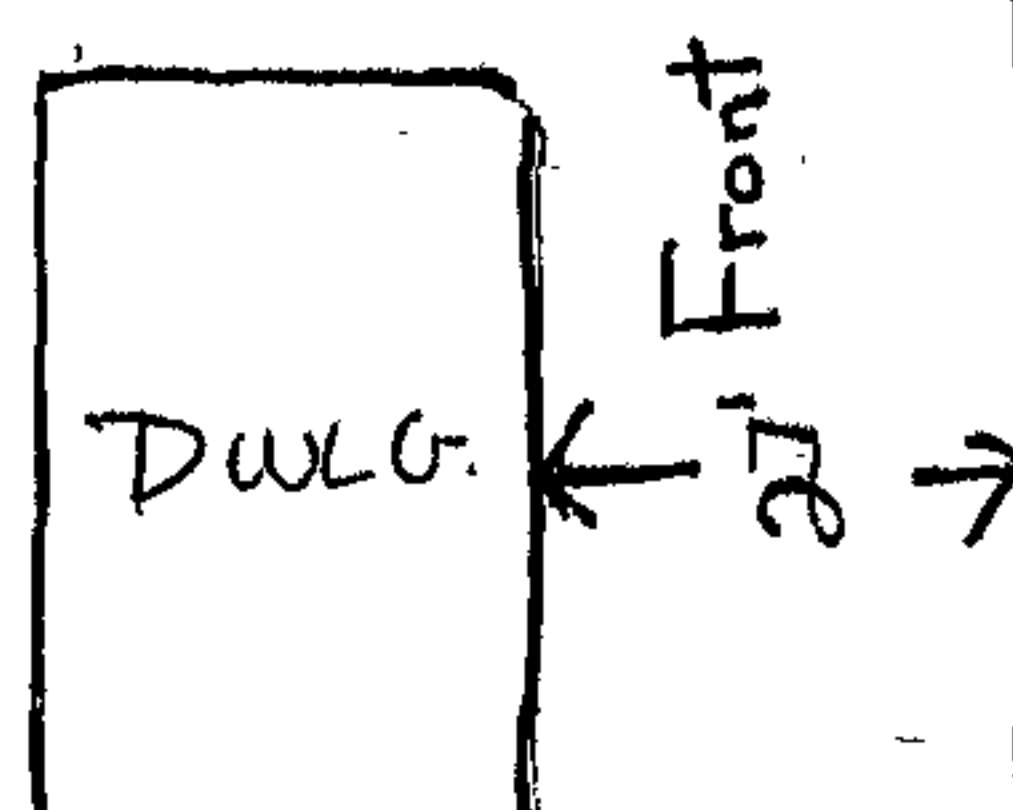
Sewer: Public

Water: Public

Not in Chesapeake Bay Critical area

100 year flood plain C

1"=200' Zoning Map II NE 5-F

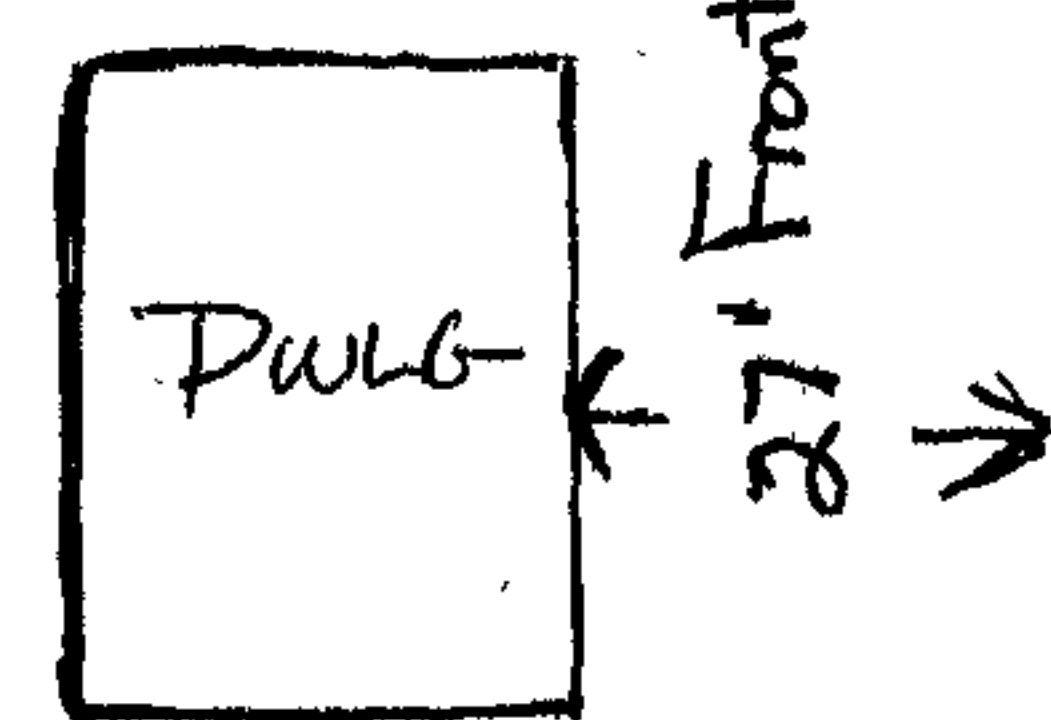


Existing Dwelling

Owner: Mark Stevenson
6819 Bensel Ave.
Map 623 Lot # 2
Acct # 2200017087

120'

8705



Existing Dwelling

Owner: Paul Croft
6821 Bensel Ave.
Map 623 Lot # 1
Acct # 2200017086
Bensel Heights Subdivision

120 FT TO BENSEL AVE

Trumps Mill Rd.

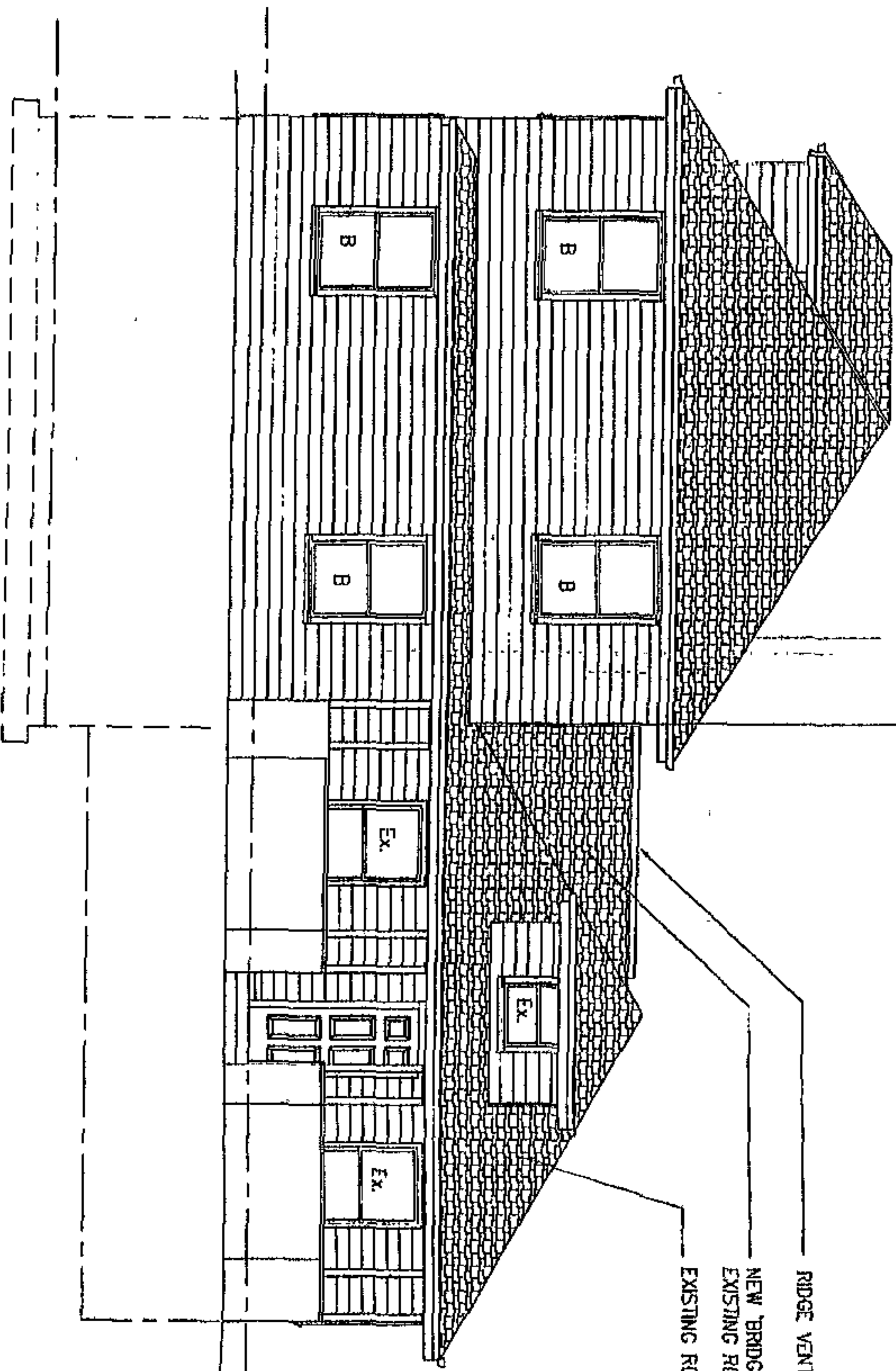
This building was not originally constructed to Accommodate elderly housing or an Assisted Living facility. There has been construction * Relocation, exterior changes or additions of 25% or more in ground floor area in the last five years before the date of this application. No more additions are proposed.

EXHIBIT

4

PROPOSED
ADDITIONS
EXISTING
HOUSE

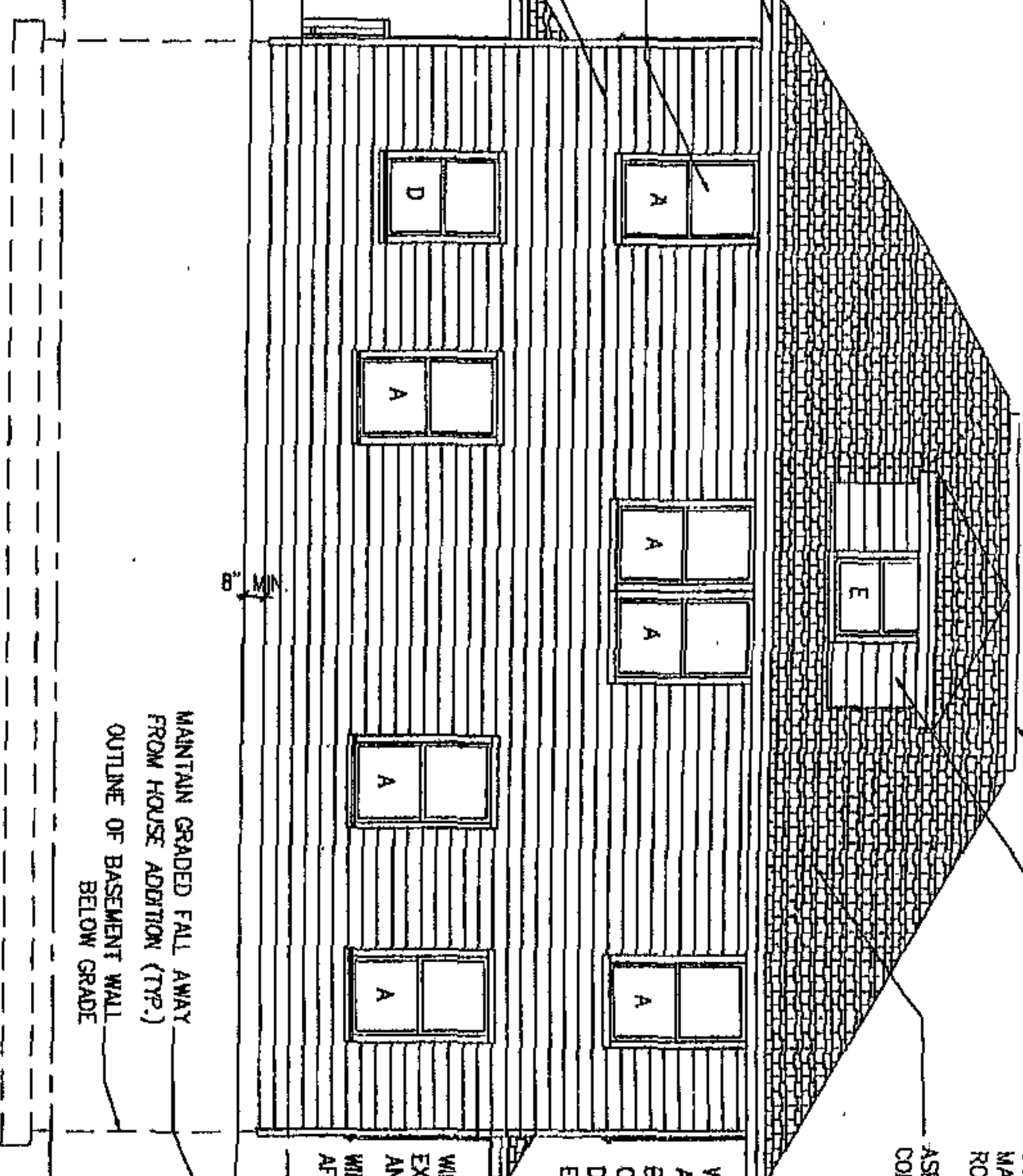
FRONT ELEVATION (NORTH)



RIDGE VENT
NEW BRIDGING ROOF BETWEEN
EXISTING ROOF AND ADDITION.
EXISTING ROOF

ALUMINUM GUTTERS AND
DOWNSPOUTS AS PER SPEC.
INSULATED VINYL CLAD WOOD
WINDOWS, DOUBLE HUNG,
FACTORY FINISHED PAINT TO
VINYL SIDING, COLOR AND
PROFILE TO MATCH EXISTING
RAMP UP TO DECK, 1:12 SLOPE
MAX. PROVIDE GUARDRAIL
WHERE MORE THAN 6" ABOVE
GRADE

SIDE ELEVATION (EAST)



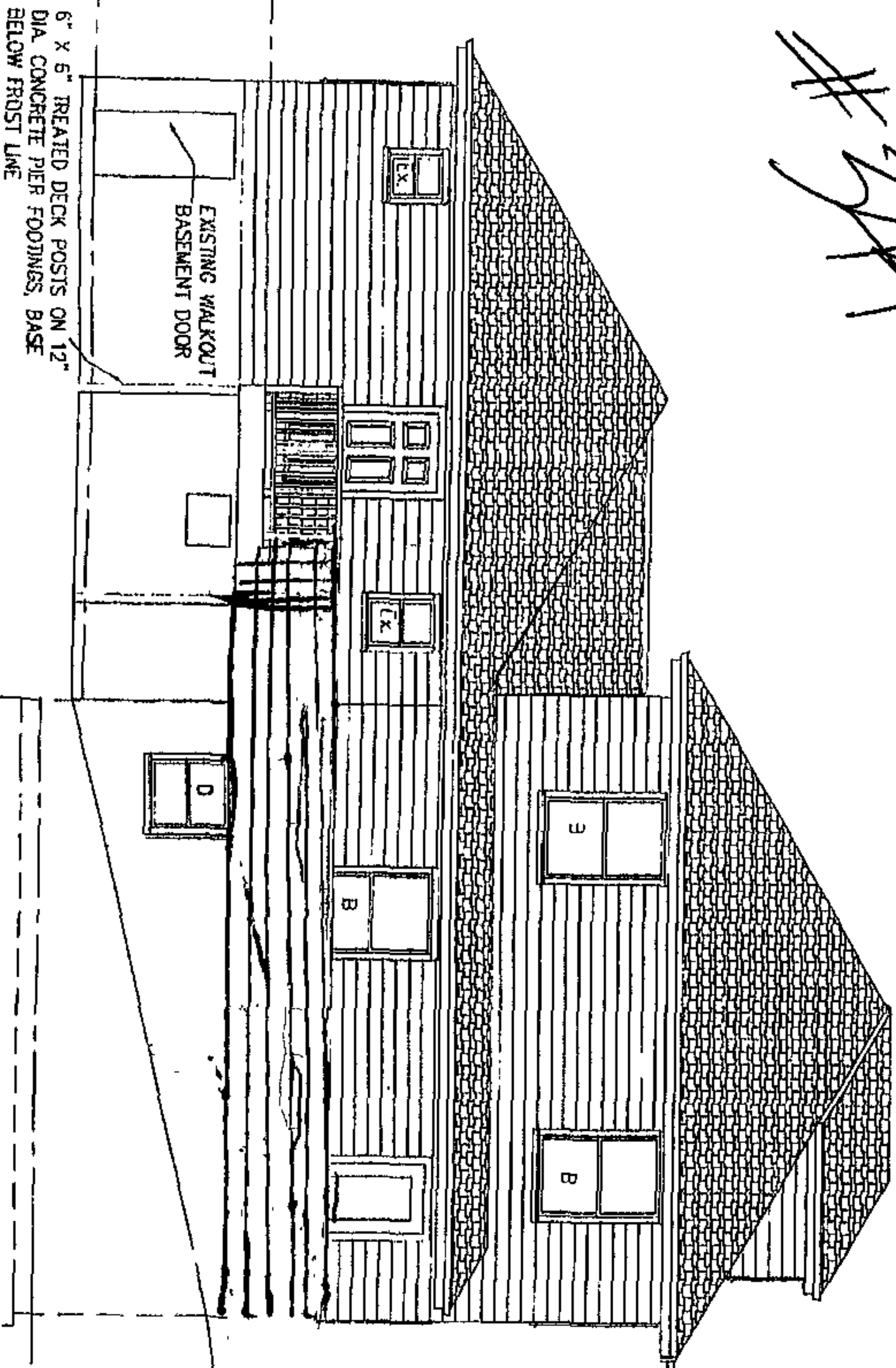
RIDGE VENT
ADD ALTERNATE #1 ROOF
DORMER AND WINDOW TO
MATCH SIZE OF EXISTING
ROOF DORMER
ASPHALT ROOF SHINGLES,
COLOR TO MATCH EXISTING.

WINDOW UNIT SIZES:
A - 2'-10" W X 4'-9" H
B - 3'-1 1/8" X 4'-9" H
C - 2'-10" W X 3'-5" H
D - 2'-10" W X 3'-1" H
E - SEE NOTE

WINDOW UNITS 'B' MEET OR
EXCEED REQUIREMENTS FOR
AN EGRESS WINDOW.
WINDOW HEADS SET AT 82"
AFT. TYPICAL

MAINTAIN GRADED FALL AWAY
FROM HOUSE ADDITION (TYP.)
OUTLINE OF BASEMENT WALL
BELOW GRADE

#22A



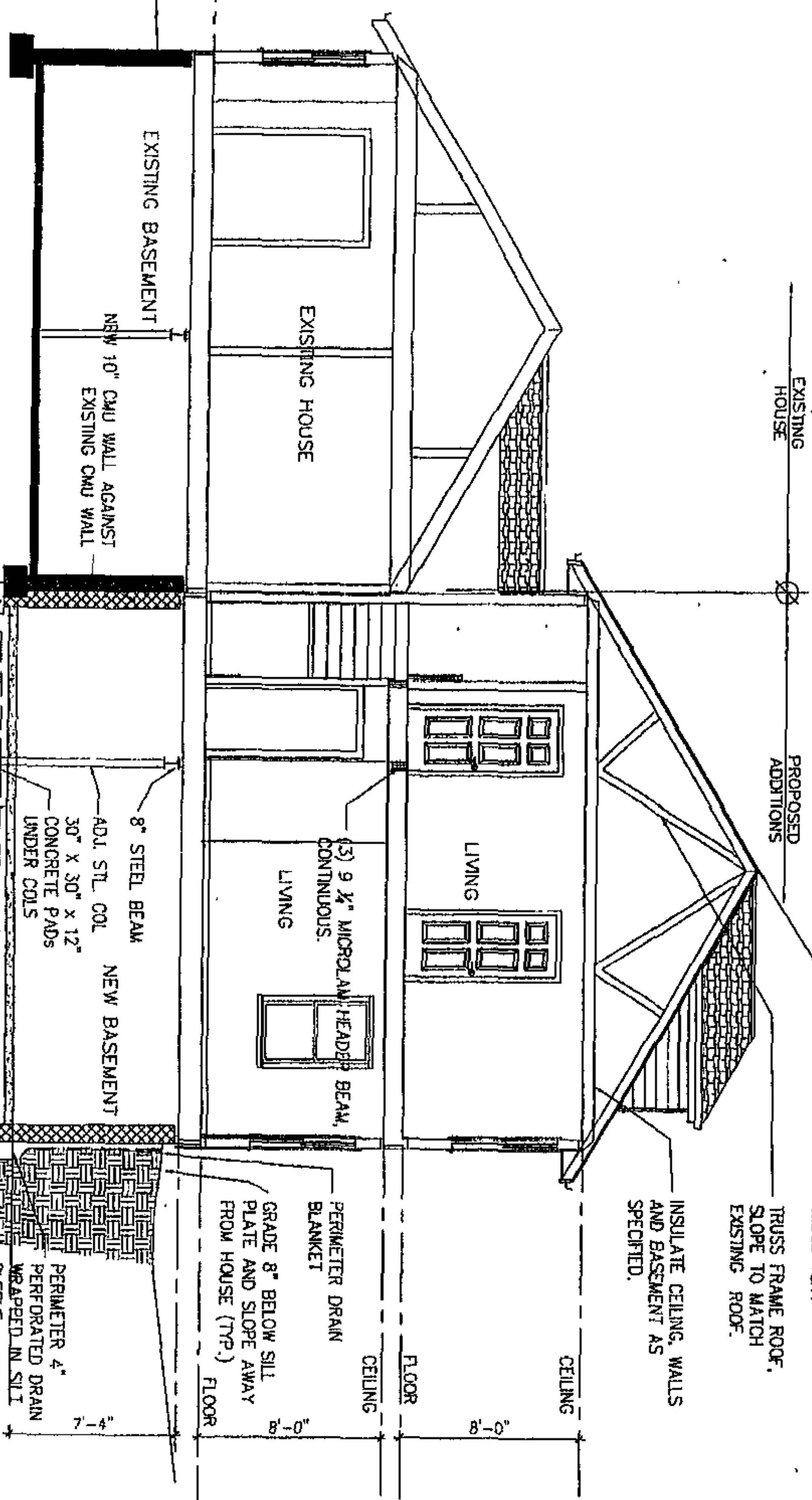
EXISTING WALKOUT
BASEMENT DOOR

6" x 6" TREATED DECK POSTS ON 12"
DIA. CONCRETE PIER FOOTINGS, BASE
BELOW FROST LINE

REAR ELEVATION

ELEVATIONS

SECTION A



EXISTING BASEMENT

NEW 10" CMU WALL AGAINST
EXISTING CMU WALL

POUR NEW 12"x20" CONC.
FOOTING UNDER EXISTING FOOTING
IN ALTERNATING 4'-0" SECTIONS.

8" STEEL BEAM
ADJ. STL. COL. NEW BASEMENT

30" x 30" x 12"
CONCRETE PADS
UNDER COLS

PERIMETER 4"
PERFORATED DRAIN
WRAPPED IN SILT
SLEEVE

12" x 20" W. CONT.

RIDGE VENT
TRUSS FRAME ROOF,
SLOPE TO MATCH
EXISTING ROOF.
INSULATE CEILING, WALLS
AND BASEMENT AS
SPECIFIED.

PERIMETER DRAIN
BLANKET
GRADE 8" BELOW SILL
PLATE AND SLOPE AWAY
FROM HOUSE (TYP.)

SCALE: 1/4" = 1'-0"

POLETYNSKI HOUSE
OVERS

DATE/ISSUED FOR
DATE 2-20-03
DATE2 3-12-03
DATE3
DATE4

SHEET TITLE:

ELEVATIONS

SCALE: 1/4"=1'-0" DRAWN BY: CP PROJECT # R301 CWD FILE: CADFILE
PROJECT: TWO STORY ADDITION
POLETYNSKI HOUSE
8705 TRUMPS MILL ROAD, BALTIMORE, MD. 21237

SEA

RENOVATION CONCEPTS, LTD.
ARCHITECTS PROJECT MANAGERS
17 ROLLING GREENS COURT
LUTHERVILLE, MD. 21083

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