

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
601 Glynita Circle; N/S Glynita Circle,
37.5' E of Glynowings Drive
4th Election & 2nd Councilmanic Districts
Legal Owner(s): Angela Sidbury
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-111-SPHA

* * * * *

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.

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 18th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed Angela Sidbury, 601 Glynita Circle, Reisterstown, MD 21136, Attorney for Petitioner(s).

RECEIVED

SEP 18 2006

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 07-111-SPHA
DATE 11.13.06

PETITIONER'S SIGN-IN SHEET

[illegible]

DATE _____

CITIZEN'S SIGN-IN SHEET

[illegible]

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: #07-111-SPHA

601 Glynta Circle

North side of Glynta Circle, 37.5 feet east of Glynowings Drive

4th Election District 2nd Councilmanic District

Legal Owner(s): Angela Sidbury

Special Hearing: To approve a Use Permit for a Class A Group Child Care Center for a maximum of 12 children.

Variance: To permit a Group Child Care Center fence with a setback of 0-feet in lieu of the minimum required 20 feet.

Hearing: Monday, November 13, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2)* For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

10/334 Oct. 25

113878

CERTIFICATE OF PUBLICATION

10/26/, 2006

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 10/26/, 2006.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/28/05

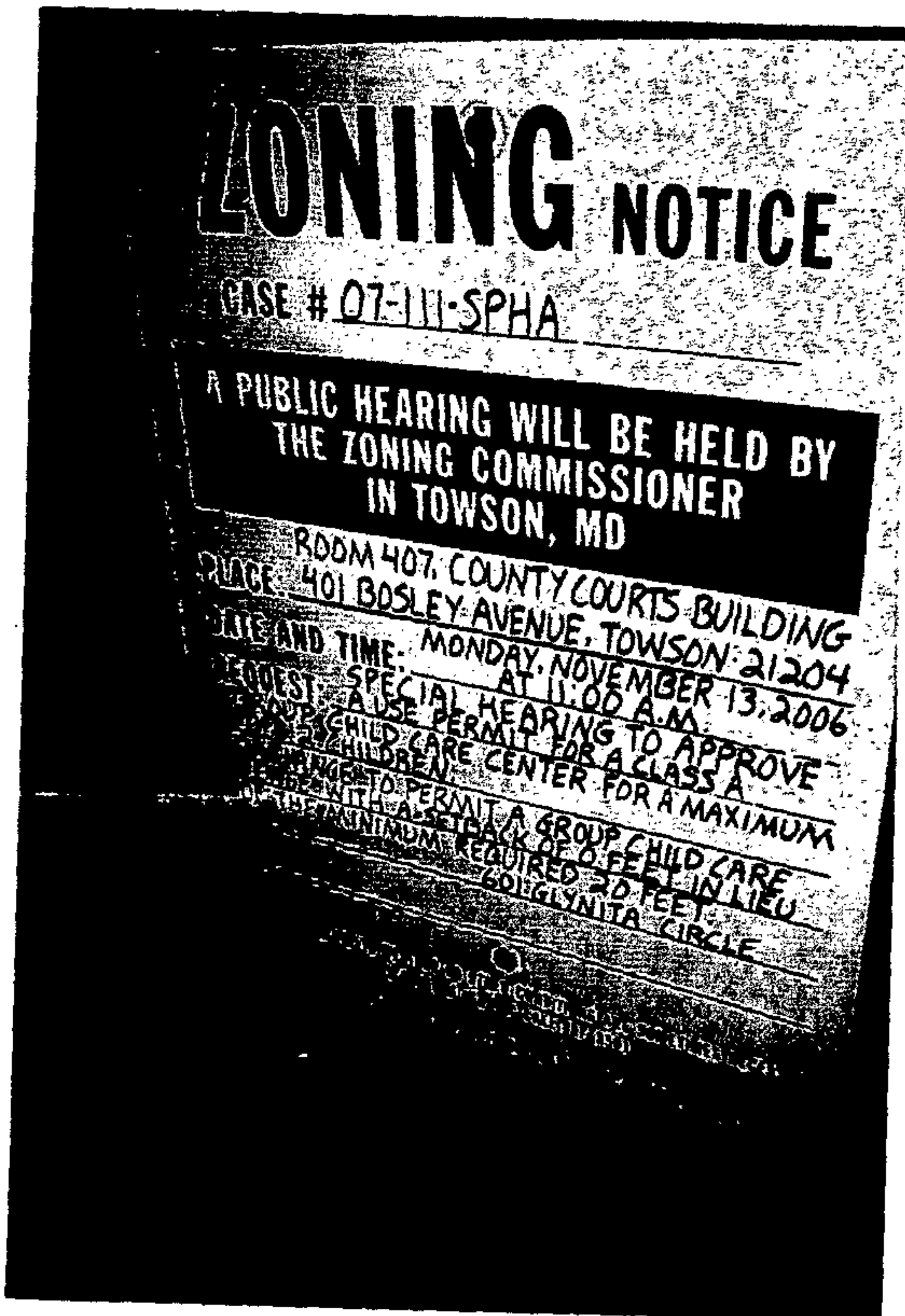
Case Number: 07-111-SPHA

Petitioner/Developer: ANGELA SIDBURY

Date of Hearing (Closing): 11/13/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 601 GLYNITA CIRCLE

The sign(s) were posted on: 10/26/06



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 601 Glynita Circle
which is presently zoned OR 16 & OR 5.5

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

A Use Permit for a Class A Group Child Care Center for a Maximum of 12 Children.

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:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JNP

Date

9/12/06

Case No.

07-111-SPHA

Date 9/15/98

BY



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 601 Glynita Circle
which is presently zoned DRW & ORS-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 Variance from Section(s)

424.1, BCZR, to permit a Group Child Care Center fence with a setback of 0 feet in lieu of the minimum required 20 feet.

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

To Be Presented At Hearing

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

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

Case No. 07-11-SPHA

REV 9/15/98

Legal Owner(s):

Name - Type or Print Angela Sidbury
Signature Angela T. Sidbury

Name - Type or Print _____
Signature _____
Address 601 Glynita Cir Telephone No. 410 833 4029
City Reisterstown State MD Zip Code 21136

Representative to be Contacted:

Name _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JNP Date 9/12/06

ZONING DESCRIPTION FOR **601 Glynita Circle**

Beginning at a point on the **north** side of **Glynita Circle** which is **60'** wide at the distance of **37.5'** E of the centerline of the nearest improved intersecting street **Glynowings Drive** which is **75'** wide. Being **Lot #40, Block A, Section # 1** in the subdivision of **Bonita** as recorded in Baltimore County **Plat Book #41, Folio #136**, containing **6,534 square feet**. Also known as **601 Glynita Circle** and located in the **4th** Election District, **2nd** Councilmanic District.

07-111-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 2008

DATE 9/12/06 ACCOUNT R-001-006-6150

AMOUNT \$ 130.00

RECEIVED
FROM:

A. P. A. Sidbury

FOR:

PHA - 601 Glynn Circle

07-11-15 PHA (Sidbury)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

RECEIVED

DATE 9/12/06

AMOUNT \$ 130.00

PAID TO

NAME A. P. A. Sidbury

FOR

PHASE 601 Glynn Circle

07-11-15 PHA (Sidbury)

CASHIER'S VALIDATION



September 27, 2006

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: 07-111-SPHA

601 Glynita Circle

North side of Glynita Circle, 37.5 feet east of Glynowings Drive

4th Election District – 2nd Councilmanic District

Legal Owner(s): Angela Sidbury

SPECIAL HEARING To approve a Use Permit for a Class A Group Child Care Center for a maximum of 12 children.

VARIANCE To permit a Group Child Care Center fence with a setback of 0-feet in lieu of the minimum required 20 feet.

Hearing: Monday, November 13, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:amf

C: Angela Sidbury 601 Glynita Circle Reisterstown 21136

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 27, 2006.**
- (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.**



TO: PATUXENT PUBLISHING COMPANY
Thursday, October 26, 2006 Issue - Jeffersonian

Please forward billing to:

Angela Sidbury
601 Glynita Circle
Reisterstown, MD 21136

410-833-4029

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: 07-111-SPHA

601 Glynita Circle

North side of Glynita Circle, 37.5 feet east of Glynowings Drive

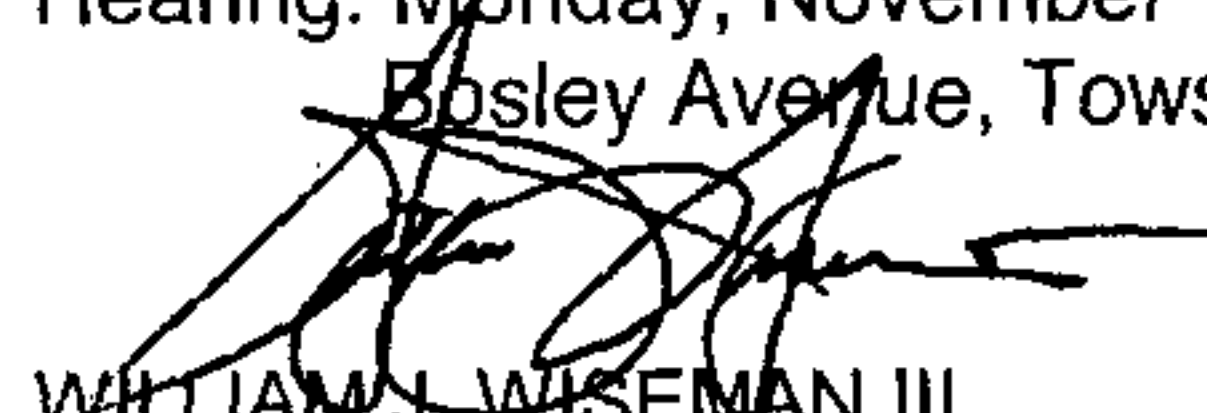
4th Election District – 2nd Councilmanic District

Legal Owner(s): Angela Sidbury

SPECIAL HEARING To approve a Use Permit for a Class A Group Child Care Center for a maximum of 12 children.

VARIANCE To permit a Group Child Care Center fence with a setback of 0-feet in lieu of the minimum required 20 feet.

Hearing: Monday, November 13, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204



WILLIAM J. WISEMAN III

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.

**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: 07-111-SPHA
Petitioner: Angela Sidbury
Address or Location: 601 Glynita Circle

PLEASE FORWARD ADVERTISING BILL TO:

Name: Angela Sidbury
Address: 601 Glynita Cir
Reisterstown, MD 21136
Telephone Number: 410-833-4029



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 8, 2006

Angela Sidbury
601 Glynita Circle
Reisterstown, MD 21136

Dear Ms. Sidbury:

RE: Case Number: 07-111-SPHA, 601 Glynita Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 12, 2006.

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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 25, 2006

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

SUBJECT: 601 Glynita Avenue
INFORMATION:

Item Number: 7-111

Petitioner: Angela Sidbury

Zoning: DR 5.5 and DR16

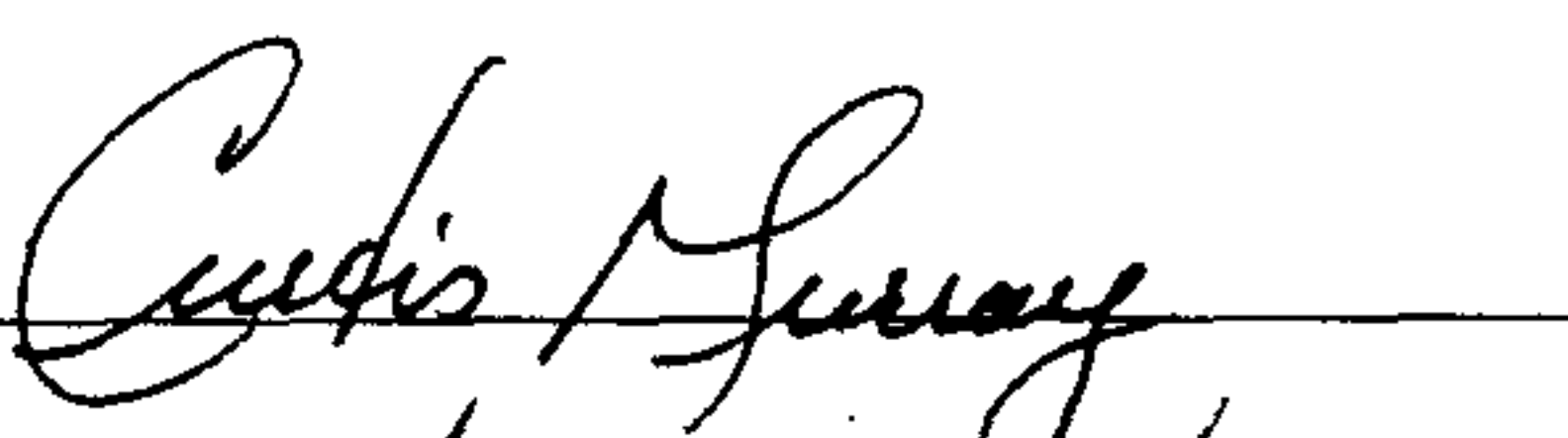
Requested Action: Special Hearing and Variance

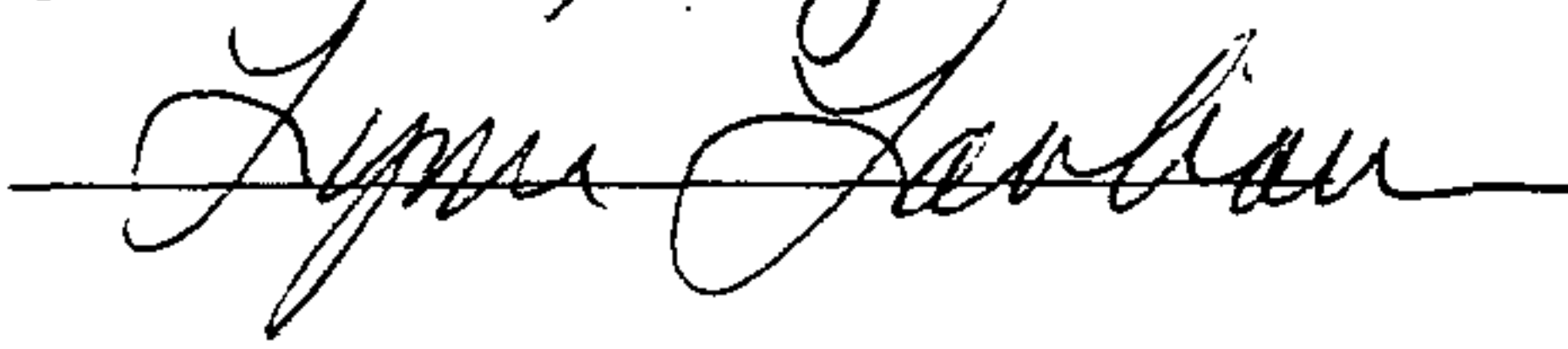
The property consists of a single family dwelling on an average size lot on the corner of Glynowings Drive and Glynita Circle. The petition requests a use permit for a 12 child Group Child Care Center Class A and a variance to permit a fence 0 feet from the property line in lieu of the required 20 feet. The submitted site plan does not show provisions for drop off and pick up of children.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not recommend that the special hearing for use permit be granted unless the petitioner can demonstrate adequate and safe provisions for drop off and pick up of children.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: 

Division Chief: 
AFK/LL: CM

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: September 25, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 25, 2006
Item Nos. 07-101, 102, 103, 105, 106,
107, 108, 109, 110, 111, 112, 114, 115,
And 116

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

DAK:CEN:clw
cc: File
ZAC-NO COMMENTS-09212006.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 18, 2006

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

RE: Baltimore County
Item No. 111
#7-111-SPHA
601 GLYNITA CIRCE
VARIANCE - PERMIT FOR
FENCE WITH SETBACK OF 0-Feet

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 111.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



Baltimore County
Fire Department

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

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

September 24, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 18, 2006

Item Number(s): 100 thru 112, 114, 115, 116

111

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Jeff Livingston, DEPRM – Development Coordination JWL
DATE: September 25, 2006
SUBJECT: Zoning Item # See List Below

Zoning Advisory Committee Meeting of September 18, 2006

The Department of Environmental Protection and Resource Management has no comments with regards to the following zoning items:

07-100-A
07-101-A
07-104-A
07-105-A
07-107-A
07-109-A
07-110-A
07-111-A
07-115-A
07-116-A

Reviewer: J. Livingston

Date: September 25, 2006

Case No.: 07-111-SPHA 601 GLYNITA CIRCLE

Exhibit Sheet

Petitioner/Developer

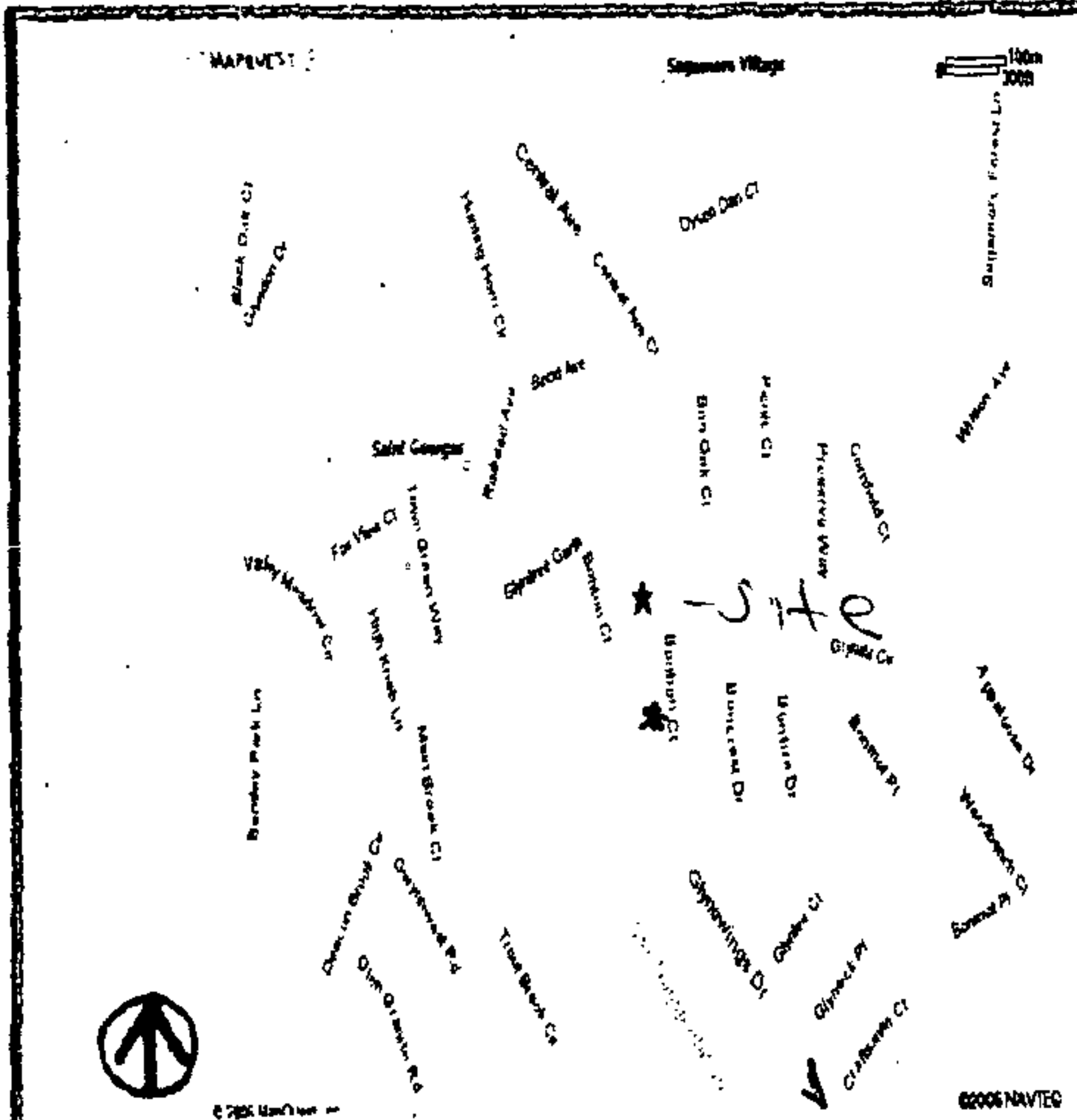
Protestant

No. 1	Site Plan	
No. 2	Photographs of Subject Property	
No. 3	Certificate of Registration Md Dept of Education	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

on Friday * Phone: 410-833-4029

ANCE ☒ SPECIAL HEARING

LIST FOR ADDITIONAL REQUIRED INFORMATION



Parking: 1 space per teacher/employee
2 spaces required

NOTE & CHECK ONE
☐ THERE HAVE BEEN
☒ THERE HAVE NOT BEEN
EXTERIOR ENLARGEMENTS
TO THIS BUILDING IN THE
PAST FIVE YEARS
IF THERE HAVE BEEN EXPLAIN WHAT THEY WERE:
EXPLANATION OF GROUND FLOOR ENLARGEMENTS
HERE:
IF MORE THAN EXISTING PORCH ENCLOSURE OR
ADDITION OF EXTERIOR STAIR SHOW CALCULATIONS
FOR THE % OF INCREASE HERE:

LOCATION INFORMATION

ELECTION DISTRICT 4th
COUNCILMANIC DISTRICT 2nd
1" = 200' SCALE MAP # 049A2
ZONING DR 5.5 & PR 16
LOT SIZE .15 6534
ACREAGE SQUARE FEET
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ PUBLIC ☐ PRIVATE
CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO
100 YEAR FLOOD PLAIN ☐ YES ☒ NO
HISTORIC PROPERTY/BUILDING ☐ YES ☒ NO
PRIOR ZONING HEARING NONE

existing floor areas square footage

1st floor = 572
2nd floor = 468
3rd floor = 912
Total floor = 1952
Total floor for childcare center = 572
Usage = 572

THE UNDER SIGNED ARE RESPONSIBLE FOR THE
ACCURACY OF THE INFORMATION ON THIS PLAN (OWNERS)

Angela Sidbury
PRINT OR TYPE NAME

Angela Sidbury
SIGNATURE

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 in ground floor area) to exterior of the building (beyond the enclosure of a porch or the addition of an exterior stairway) have occurred within five years of the date of this permit application.

NO SIGNS ARE PROPOSED. ANY FUTURE SIGNS WILL COMPLY WITH SECT 413.1 BCZR AND ZONING SIGN POLICIES OR BE VARIENCED

PETITIONER'S

EXHIBIT NO. 1

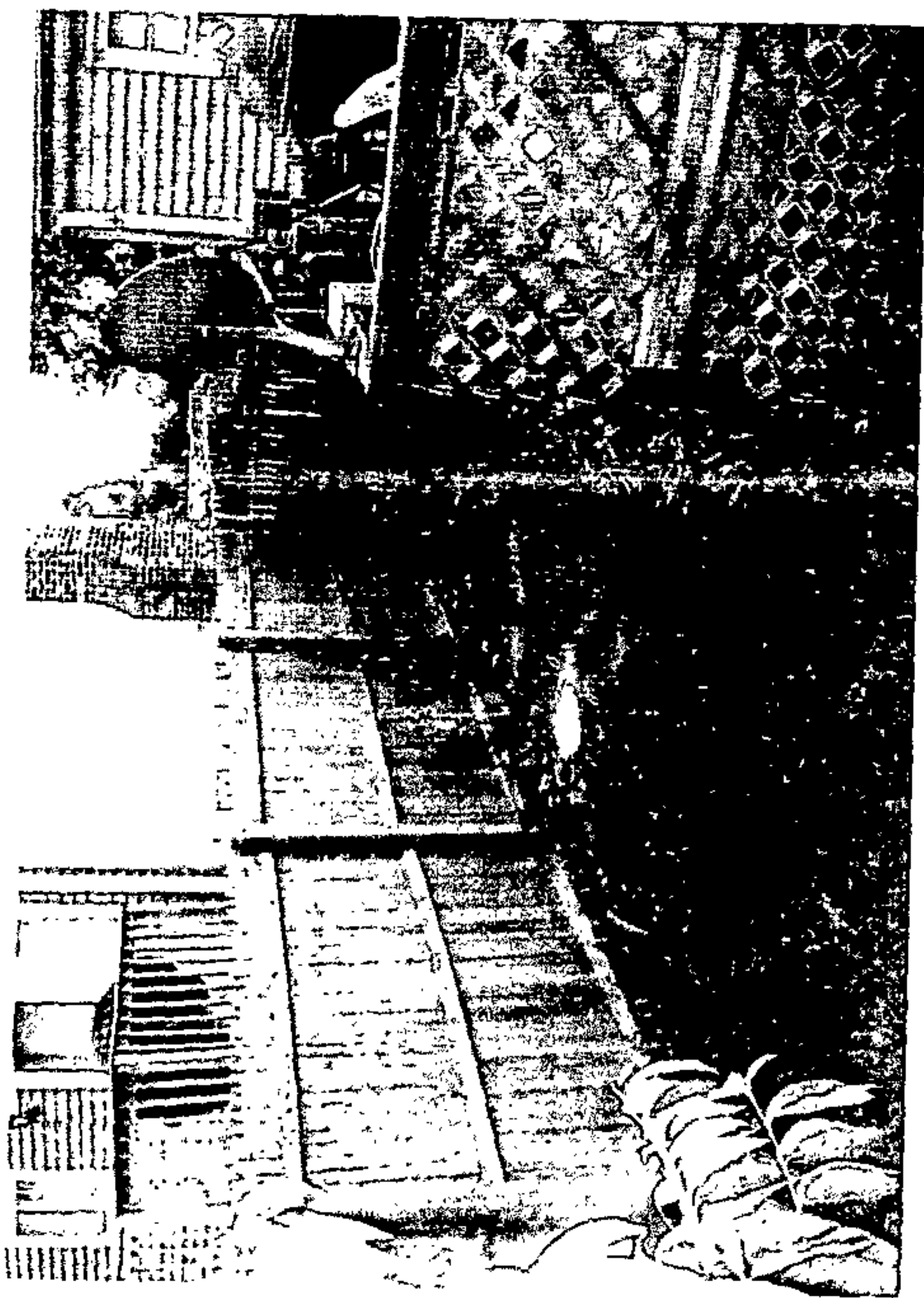
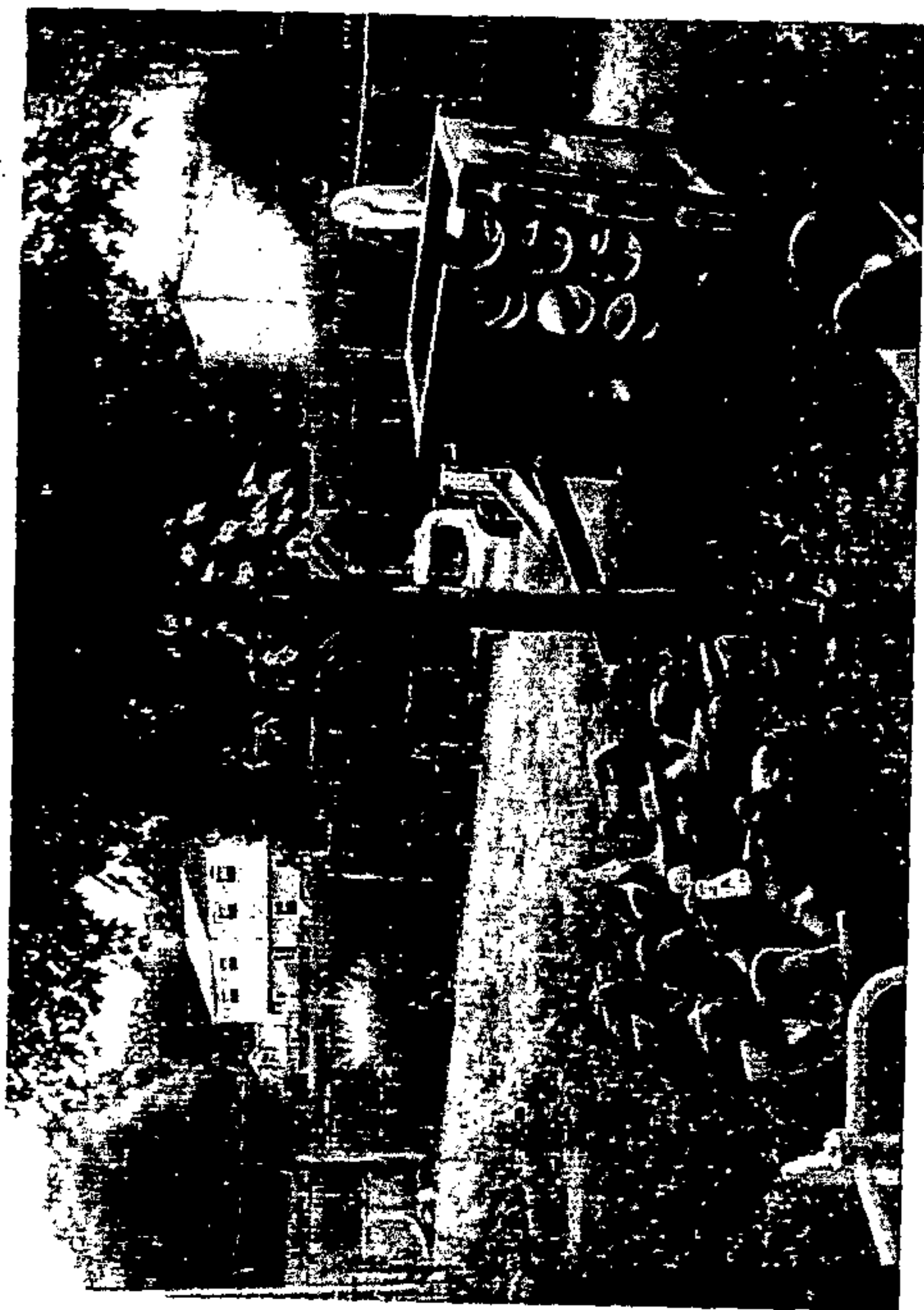
ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JNP 111 07-111-SPHA



PETITIONER'S

EXHIBIT NO. 2





Maryland State Department of Education
Office of Child Care

Region: III County: Baltimore

Registration Number: 03-138176

Registered Provider since: 10/29/2002

CERTIFICATE OF REGISTRATION

This certifies that ANGELA LEACH-SIDBURY is registered to operate a Family Day Care Home

at: 601 GYNITA CIRCLE REISTERSTOWN, MARYLAND 21136
(Address/Location)

The Office of Child Care issues this Certificate of Registration pursuant to Family Law Article, Sections 5-550 through 5-558, and COMAR 13A.14.01.

Current Status of Registration:	
Issued on: <u>2/24/2006</u>	
Revised on:	
☒ Initial Expires on: <u>2/24/2008</u>	
☐ Provisional Expires on:	
☐ Continuing (Non-Expiring)	
☐ Conditional Expires on:	

Approved Ages of Children in Care:	
Under 2 years old *	<u>Yes</u>
2 years through 5 years old	<u>Yes</u>
5 years through 12 years old	<u>Yes</u>
13 years through 20 years old	

Approved Hours of Operation:	
Days	<u>Yes</u>
Evenings	<u>Yes</u>
Overnight	<u>No</u>
Weekends	<u>Yes</u>

Maximum number of family day care children approved for care at one time:	<u>8</u> Capacity
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This Certificate of Registration is issued to the provider named above on condition that the provider agrees to comply with all applicable family day care laws and regulations. Failure to comply with applicable laws and regulations may result in an enforcement action against the Certificate of Registration, including but not limited to suspension or revocation of the Certificate or denial of a new Certificate. The provider must surrender this Certificate to the Office of Child Care (OCC) upon suspension, revocation, voluntary closure, or denial of a new Certificate.

* No more than two children under the age of two, including the provider's own children, may be in care at any time unless approved in advance by OCC.

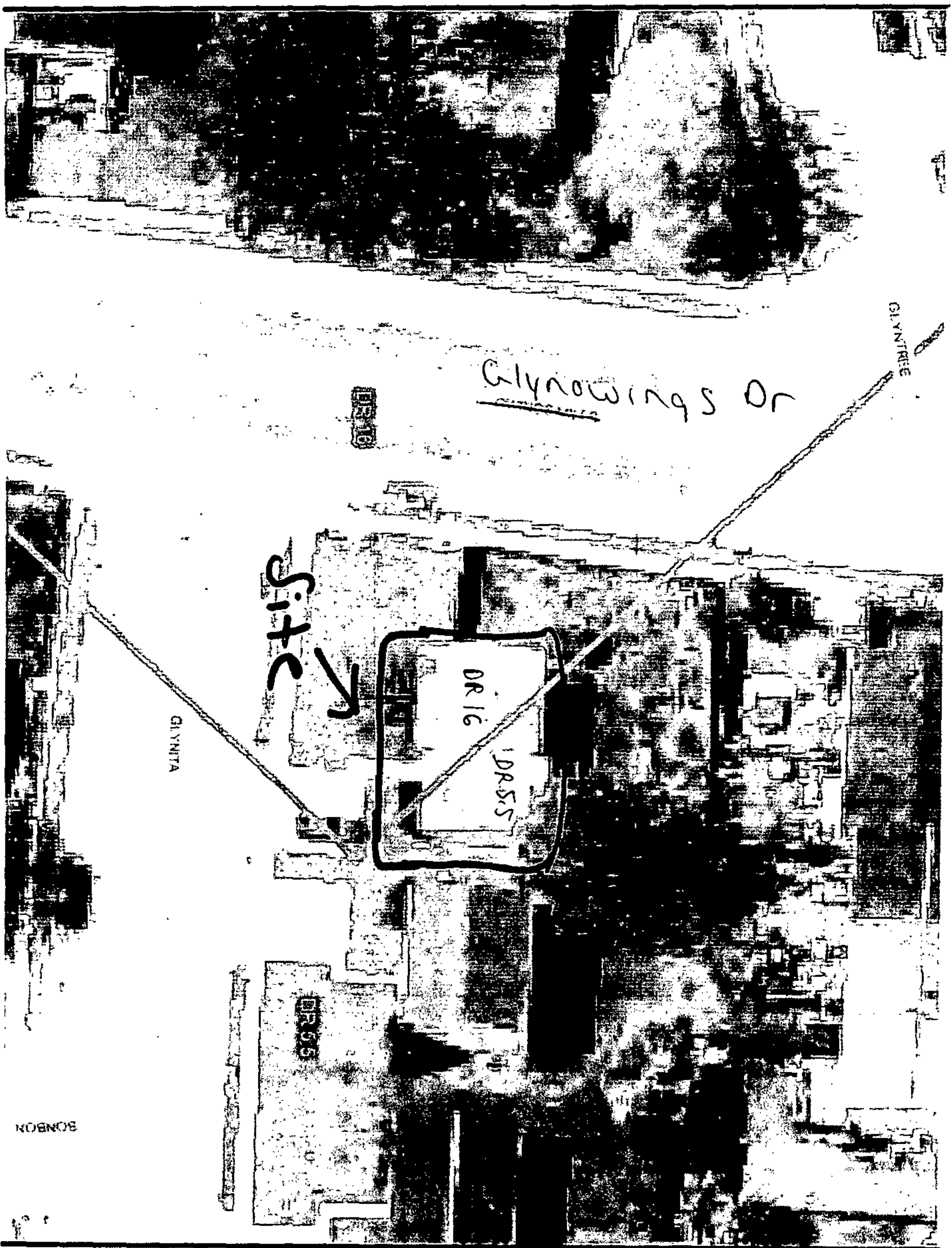
RESTRICTIONS/COMMENTS:

CHILD CARE RESTRICTED TO LOWER FLOOR PLAYROOM, BATHROOM, MAIN FLOOR KITCHEN AND UPPER FLOOR BEDROOM (LEFT FRONT).

PETITIONER'S

EXHIBIT NO. 3

Nancy S. Grasmick State Superintendent of Schools Maryland State Department of Education	Judith L. Rozie-Dunne Director Office of Child Care	Rose Marie Hayes Regional Manager Office of Child Care
---	--	---



07-111-SPHA

Bill Wiseman - Re: 07-111-SPHA - Angela Sidbury - Petitioner

From: Stephen Weber
To: Bill Wiseman; Debra Wiley
Date: 11/20/06 1:03 PM
Subject: Re: 07-111-SPHA - Angela Sidbury - Petitioner
CC: Jim Kordonski

Dear Debra & Bill -

We did make an examination of the intersection of Glynita Circle & Owings Mill Blvd (previously Glynowings Drive) as well as the subject site.

With respect to the intersection, sight distance looking from Glynita Circle to the right (north) is excellent. Looking to the left (south) the sight lines just meet absolute minimum standards. It would certainly be desirable for the sight lines to the south to be longer than they are, however the limitations are caused by numerous fence lines and obstructions in the rear yards of homes along Bonbon Ct that are located outside of the County right-of-way. Given that there are numerous properties involved and the County allowed the design/construction of the road in the manner that it was built, and that it meets the absolute minimum standards, it would be extremely difficult to force the improvement of the sight line. Also, while the sight line to the left is restricted, interestingly it does not appear that it has contributed to any safety problems of the intersection. There have only been two police-reported accidents at this intersection over the 7-year time period of 1998-2004, which indicates a below-average accident rate. One actually occurred on Glynita Cir at Owings Mill Blvd and involved a parked car in 2001 (we don't have any more information than that). The other accident is the only two-car moving accident at the intersection and it involved a southbound left-turning vehicle getting rear-ended by another southbound thru vehicle on Owings Mills Blvd. There had been NO reported accident accidents involving a vehicle exiting from Glynita Cir onto Owings Mill Blvd. Therefore, while we will agree the sight lines to the left are limited, it appears that drivers leaving this development are very much aware of the situation and enter onto Owings Mills Blvd very cautiously. I've seen this situation numerous times before on busier roadways with limited sight lines from a side street with essentially all local traffic. These drivers are very aware of the roadway limitations and enter the main road very carefully and therefore the accident rates are often safer than normal. Many times the intersections with excellent sight lines are ones where we have safety problems because side street drivers think they have an excellent line of sight and then they fail to really take the time to assess the presence of approaching vehicles.

With regard to the site itself, I would reiterate the Office of Planning's comment that the petitioner should demonstrate adequate and safe provisions for drop off and pick up of children. Our agency feels that all daycare centers should have such activity taking place on site and off of the street. We note that this dwelling has a 2-car parking pad. These 2 parking spaces should be reserved exclusively for parents to drop off and pick up children during any hours that the daycare center is in operation. The owner and any staff should not be parking in these 2 spaces during the day when the daycare is open.

While not really involving your case, we will point out that the petitioner has a split rail fence running along the west property line (the east side of Owings Mill Blvd) from the stockade fence down to near Glynita Circle and it is not shown on the Plat which accompanied the zoning variance/special hearing. While the split-rail fence is not causing any traffic problem, we note that the last two wood rails that come to near the streetlight, located on the northeast corner of Owings Mill Blvd & Glynita Cir, are located off of the petitioner's property and are on Baltimore County right-of-way. The petitioner should remove these two rails off of County property, as they do not have permission for them to be there.

If you have any questions or need any other information, give me a call at ext. 3554.

Steve Weber

>>> Debra Wiley 11/20/06 12:03:16 PM >>>

N/S Glynita Circle, 37.5 E of Glynowings Drive, (601 Glynita Circle), 4th Election District & 2nd Council District

Hi Steve,

Commissioner Wiseman asked that I send you an email regarding the above captioned.

This is just a gentle reminder to see if you have come to any opinion as to whether an adequate and safe drop-off for children can be utilized at this property, we would like to have the benefit of your advice.

Thanking you in advance for your attention and time to this matter; it is appreciated. Have a great day!

[Click here for a plain text ADA compliant screen.](#)



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

[Go Back](#)
[View Map](#)
[New Search](#)
[Ground Rent](#)

Account Identifier: District - 04 Account Number - 1700013448

Owner Information

Owner Name: SIDBURY ANGELA L Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 601 GLYNITA CIR Deed Reference: 1) /23453/ 213
REISTERSTOWN MD 21136-1737 2)

Location & Structure Information

Premises Address
601 GLYNITA CIR

Legal Description

601 GLYNITA CIR
BONITA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
49	7	276			1	A	40	1	1	
									Plat Ref:	41/ 136

Special Tax Areas : Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1979	1,568 SF	6,534.00 SF	04
Stories 2	Basement NO	Type SPLIT LEVEL	Exterior SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	42,530	42,530		
Improvements:	86,530	86,530		
Total:	129,060	129,060	129,060	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: GUTSHALL DAVID R	Date: 02/28/2006	Price: \$269,500
Type: IMPROVED ARMS-LENGTH	Deed1: /23453/ 213	Deed2:
Seller: PATEL KIRITKUMAR R	Date: 06/20/2001	Price: \$118,000
Type: IMPROVED ARMS-LENGTH	Deed1: /15315/ 246	Deed2:
Seller: PATEL RAMESHCHANDRA M	Date: 08/26/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /13105/ 726	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

[Go Back](#)
[View Map](#)
[New Search](#)

[illegible]

http://sdatcert3.resiusa.org/rp_rewrite/maps/showmap.asp?countyid=04&accountid=04+1... 11/11/2006

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE, N/S Glynita Circle,
37.5' E of Glynowings Drive * ZONING COMMISSIONER
(601 Glynita Circle) * OF BALTIMORE COUNTY
4th Election District *
2nd Council District * Case No. 07-111-SPHA
Angela L. Sidbury
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Angela Leach-Sidbury. The Petitioner requests a special hearing to approve a Class "A" Group Child Care Center on the subject property, pursuant to Section 424.4.A.5 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests variance relief from Section 424.1 of the B.C.Z.R. to permit a Group Child Care Center fence with a setback of zero (0) feet in lieu of the minimum 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 was Angela L. Sidbury, property owner. Appearing as Protestants in this matter were Pam Miller and Linnea Stouffer, nearby residents.

Testimony and evidence offered revealed that the subject property is a rectangular shaped corner lot on the north side of Glynita Circle, and east of Glynowings Drive in the Bonita subdivision of Reisterstown. The property contains 6,534 square feet, more or less, split-zoned D.R.16 and D.R.5.5 and is improved with a split-level, single-family dwelling. The Petitioner filed the instant Petition to expand an existing child day care facility within the home.

RECEIVED: 11-21-06
Date 11-21-06
By D. J. [Signature]

An understanding of the relevant provisions of the B.C.Z.R. relative to child care operations is fundamental to the issue in this case. Section 101 of the B.C.Z.R. defines the words and terms used throughout the regulations. A "family child care home" is defined as a private residence wherein care, protection and supervision is provided for a fee for part or all of a day, at least twice a week, to no more than eight children at one time." Section 424.3 of the B.C.Z.R. indicates that family child care homes are permitted by right and as an accessory use within dwellings in all zones. Thus, under the B.C.Z.R., a family child care home is permitted on the subject property by right. In fact, testimony and evidence presented established that the Petitioner is a licensed daycare provider and is operating such a facility at the present time.

Section 101 of the B.C.Z.R. also defines a "group child care center" as "A building or structure wherein care, protection and supervision is provided for part or all of a day, on a regular schedule, at least twice a week to at least nine children." A Class "A" group child care center is a facility where care is provided for between 9 and 12 children. A Class "B" group child care center is a facility where care is provided for more than 12 children. In the instant case, the Petitioner proposes expanding her operation from 8 to 12 children. Thus, approval is requested for a Class "A" group child care facility.

Section 424.4 of the B.C.Z.R. sets out the process for the application of such approval. Under that process, notice of the application for a use permit for a Class A Group Child Care Center is posted on the property at issue for a period of at least 30 days. Within that period, any owner/occupant within 1,000 feet of the property may file a formal request for a public hearing before the Zoning Commissioner. In this case, and although my file lacks the formal request, Pam Miller and Linnea Stouffer filed a formal request and this matter was scheduled for public hearing which was conducted in its entirety on Monday, November 13, 2006.

Section 424.4.6 of the B.C.Z.R. provides that the Zoning Commissioner review the application. Approval or denial of the application shall be based upon factors relating to the character of the surrounding community and the anticipated impact of the proposed use on that community. Additionally, the Zoning Commissioner may impose requirements upon the approval

Date 11-21-06
By [Signature]

of any application in order to assure that the use will not be detrimental to the health, safety and general welfare of the locale. The full breadth of these regulations is set out in Section 424 of the B.C.Z.R.

Testimony and evidence offered at the hearing revealed that Ms. Sidbury has been a resident in the neighborhood for some five (5) years and has owned the subject property since February 2006 which has operated as a child care facility since that time and she presently has eight children enrolled. The property contains an outdoor play area and as will be discussed below is fenced with a five-foot high board-on-board stockade-type fence. She indicated that the children typically arrive at the property around 7:00 AM and are picked up by their parents or family between 6:00 PM and, in some cases, as late as midnight. The facility operates seven days a week. Ms. Sidbury indicated that there is a high demand for her services and most of her clients come from the neighborhood and reside within a 5-mile radius. There is no advertising and clients are obtained by word of mouth. The facility currently has a waiting list which prompted Ms. Sidbury to seek approval of a Class "A" group child care facility to allow her to have up to 12 children. Ms. Sidbury fully described her qualifications and background as a day care provider as well as the number of employees, her licensing and the general day-to-day operations at the facility.

As noted above, the property is a corner lot located on the east side of Glynowings Drive described as a busy road, which becomes Owings Mills Boulevard further to the south. Access to the subject property is provided by dropping children off at the curb on Glynita Court in front of the home. The two-vehicle concrete parking pad is used by the Petitioner and her employee. Photographs were submitted at the hearing which show the subject property and driveway access. These photographs also show that this is an affluent neighborhood featuring nice homes on relatively average sized lots.

FILED
Date 11-21-06
By [Signature]

Although Ms. Sidbury has operated without incident for many months and apparently enjoys the support of many of the residents of Bonita, several of her neighbors, Ms. Miller and Ms. Stouffer, appeared in opposition to the request. They reside on BonBon Court located on the opposite side of Glynita Circle. Their concerns generally fell within two areas. First, they were concerned with the fence variance request and that the fence might be extended into the front yard of the subject property. Ms. Sidbury satisfactorily explained that the fence which, has existed in its present location for many years, was not intended to be changed. Secondly, they complained of problems with traffic, particularly drop-off and pick-up times and worried that the granting of the petitions may impact the property values of homes in the area.

This is a close case. On the one hand, the existing operation of a day care facility for up to eight children is permitted by right and has apparently existed on the site for nearly nine months. The addition of four children mandates the special hearing relief requested herein. In my view, the impact of these four additional children will be minimal. This is particularly so, given the young age of the children who are cared for at this site. On the other hand, Ms. Miller has valid concerns regarding traffic, particularly since Glynowings Drive is heavily traveled during rush hour and cars traveling on Glynita Circle (the unfavored highway controlled by a stop sign) would or could encounter problems if cars are parked along the curb in front of the subject property. A Zoning Advisory Committee (ZAC) comment received from the Office of Planning shares in those concerns and states in pertinent part, "the Office of Planning does not recommend that the special hearing for use permit be granted unless the petitioner can demonstrate adequate and safe provisions for drop off and pick up of children". In this regard, and with the consent of all those at the hearing, I requested the guidance and opinion of the Bureau of Traffic Engineering. Mr. Stephen Weber was provided with the pertinent parts of the file and has made an examination of

DATE 11-21-01
BY [signature]

the intersection of Glynita Circle and Owings Mill Boulevard (previously Glynowings Drive) as well as the subject site. In pertinent part, Mr. Weber has stated:

"With regard to the site itself, I would reiterate the Office of Planning's comment that the petitioner should demonstrate adequate and safe provisions for drop off and pick up of children. Our agency feels that all daycare centers should have such activity taking place on site and off of the street. We note that this dwelling has a 2-car parking pad. These 2 parking spaces should be reserved exclusively for parents to drop off and pick up children during any hours that the daycare center is in operation. The owner and any staff should not be parking in these 2 spaces during the day when the daycare is open."

Turning next to the Variance request, the plan shows that the perimeter of the property is enclosed with a stockade fence. Indeed, this is appropriate and necessary to provide security for the children and privacy of neighbors. Additionally, wood fence screening, as shown on the plan and photographs, will prevent noise and other impacts associated with the use of the site from disrupting neighboring property owners, particularly the adjacent neighbor on the Petitioner's eastside as Glynowings Drive runs along the western boundary. In this case, I will grant the variance from Section 424.1.B requiring a fence to be no closer to a property line than 20 feet. There is no objection concerning the fence's location which has existed in its current configuration since the home was built in 1979. In fact, the neighbors prefer the present location and there are no adverse agency comments in this regard.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. In my view the proposed increase from 8 to 12 children will not detrimentally impact the neighborhood from the standpoint of visual impact on adjacent properties. Although traffic is a more viable concern, I am persuaded that the existing road system can accommodate the modest increase in use. However, pursuant to Section 424.4.6.C of the B.C.Z.R., I will impose certain conditions to protect the health, safety or general welfare of the surrounding locale and the children attending the facility. There will be no signage or exterior advertising of the day care center on the subject property. The hours of operation shall be restricted to 6:00 AM to 6:00 PM, five days a week (Monday through Friday). The Petitioner and her employee will not park in the

Date 11-21-20
By [Signature]

concrete drive during the hours of operation and the Petitioner shall provide written notice to all clients that they shall not park in front of adjacent properties and must use the Petitioner's driveway for parking and to drop-off/pick-up children to the extent possible.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of November, 2006 that the Petition for Special Hearing to approve a Class "A" Group Child Care Center on the subject property, pursuant to Section 424.4.A.5 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions; and

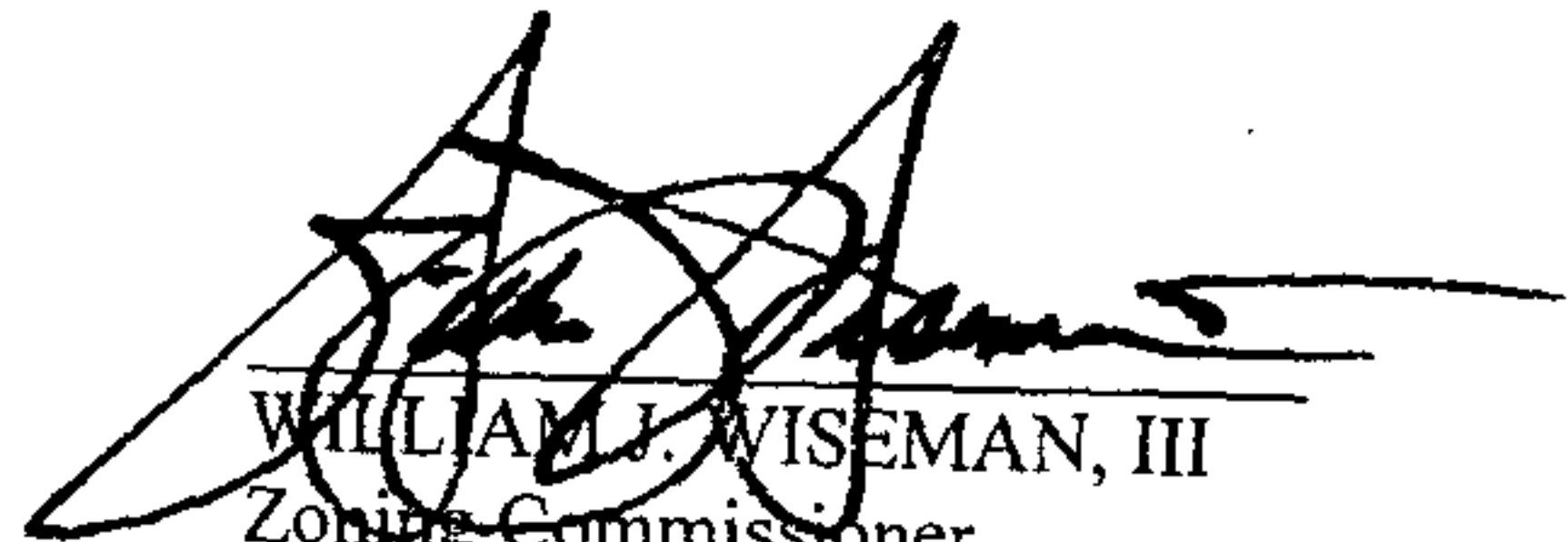
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 424.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a Group Child Care Center fence with a setback of zero (0) feet in lieu of the minimum required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her use permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed use shall be limited to 12 children.
- 3) There will be no signage or exterior advertising of the day care center on the subject property.
- 4) The hours of operation shall be restricted to 6:00 AM to 6:00 PM, five days a week (Monday through Friday).
- 5) The Petitioner shall provide written notice to all clients that they shall use the driveway/parking pad in front of the property for parking and to drop-off/pick-up children to the extent possible. There shall be no parking on adjacent properties or along the north side of Glynita Circle within 25 feet from the stop sign at the Glynowings Circle.

ORDER RECEIVED FOR FILING
Date 11-21-06
By [Signature]

- 6) As a result of the examination of the intersection of Glynita Circle and Glynings Drive (Owings Mills Blvd.), it was noted that Petitioner's split-rail fence running along the west property line (east side of Owings Mills Blvd.) from the stockade fence down to near Glynita Circle is not shown on the site plan submitted. While the split-rail fence is not causing any traffic problem, the Bureau of Highways has noted that the last two wood rails that come near the street light (the northeast corner of Owings Mills and Glynita Circle) are located off of the Petitioner's property and are on Baltimore County right-of-way. The Petitioner shall remove these two rails off of County property or obtain permission for them to be there.
- 7) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
Date 11-21-02
By D. V. [unclear]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 21, 2006

Ms. Angela L. Sidbury
601 Glynita Circle
Reisterstown, Maryland 21136

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Glynita Circle, 37.5' E of Glynowings Drive
(601 Glynita Circle)
4th Election District – 2nd Council District
Angela L. Sidbury - Petitioner
Case No. 07-111-SPHA

Dear Ms. Sidbury:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. J. Wiseman III', written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Ms. Pam Miller, 24 BonBon Court, Reisterstown, Md. 21136
Ms. Linnea Stouffer, 25 BonBon Court, Reisterstown, Md. 21136
Office of Planning; People's Counsel; Case File



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 19, 2006

Hand-delivered

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING AND VARIANCE
N/S Glynita Circle, 37.5'E of Glynowings Drive
(601 Glynita Circle)
4th Election District; 2nd Council District
Angela L. Sidbury. - Petitioners
Case No.: 07-111-SPHA

RECEIVED
DEC 19 2006
Per... *SP*

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated November 21, 2006 by the Baltimore County Zoning Commissioner.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Angela L. Sidbury



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

January 22, 2007

Angela Sidbury
601 Glynita Circle
Reisterstown, MD 21136

Dear Ms. Sidbury:

RE: Case : 07-111 SPHA, 601 Glynita Circle

Please be advised that an appeal of the above-referenced case was filed in this office on December 19, 2006 by the People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Pam Miller 24 Bon Bon Court Reisterstown 21136
Linnea Stouffer 25 Bon Bon Court Reisterstown 21136

APPEAL

Petition for Special Hearing and Variance
601 Glynita Circle
North side Glynita Circle, 37.5 feet east of Glynowings Drive
4th Election District – 2nd Councilmanic District
Legal Owner(s): Angela L. Sidbury

Case No.: 07-111-SPHA

Petition for Special Hearing and Variance (September 12, 2006)

Zoning Description of Property

Notice of Zoning Hearing (September 27, 2006)

Certification of Publication (October 26, 2006)

Certificate of Posting (October 26, 2006) by

Entry of Appearance by People's Counsel (September 18, 2006)

Petitioner(s) Sign-In Sheet – 1 Sheet

Protestant(s) Sign-In Sheet – None

Citizen(s) Sign-In Sheet – 1 Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Site Plan
2. Photographs of subject property
3. Certificate of Registration – Maryland Department of Education

Protestants' Exhibits:

1. None

Miscellaneous (Not Marked as Exhibit)

1. Zoning map
2. E-mail from Stephen Weber
3. Real Property Search

Zoning Commissioner's Order (GRANTED in accordance w/order - November 21, 2006)

Notice of Appeal received on December 19, 2006 from People's Counsel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Angela L. Sidbury 601 Glynita Circle Reisterstown 21136
Pam Miller 24 Bon Bon Court Reisterstown 21136
Linnea Stouffer 25 Bon Bon Court Reisterstown 21136

date sent January 22, 2007, amf

Zoning use permit *Hours of operation: 9am - 5pm Monday thru Friday *Phone: 408 833.4029
plan for Class "A" *Two Employees *Up to 12 children
Child Care Center

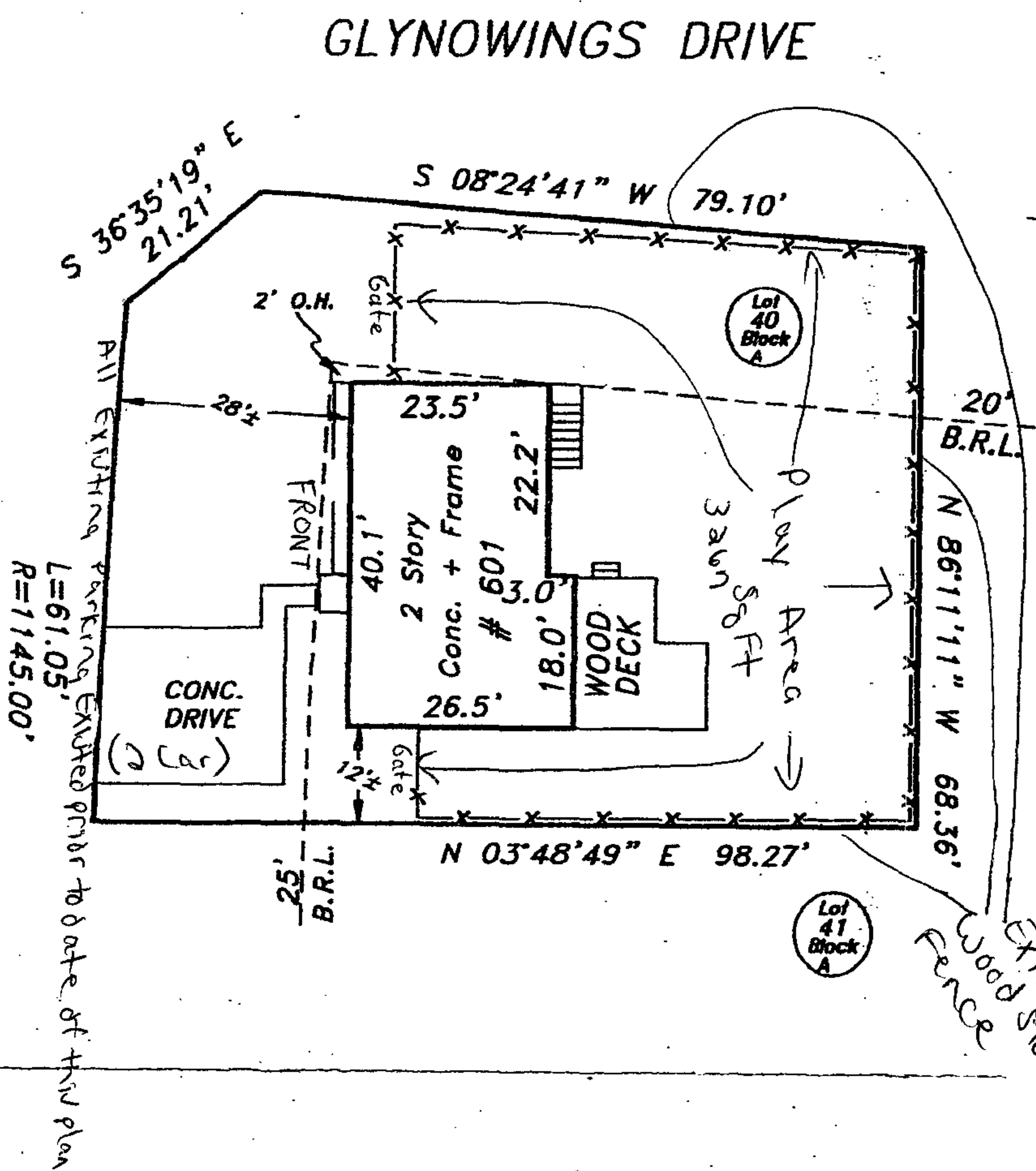
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 601 Glynnita Circle SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

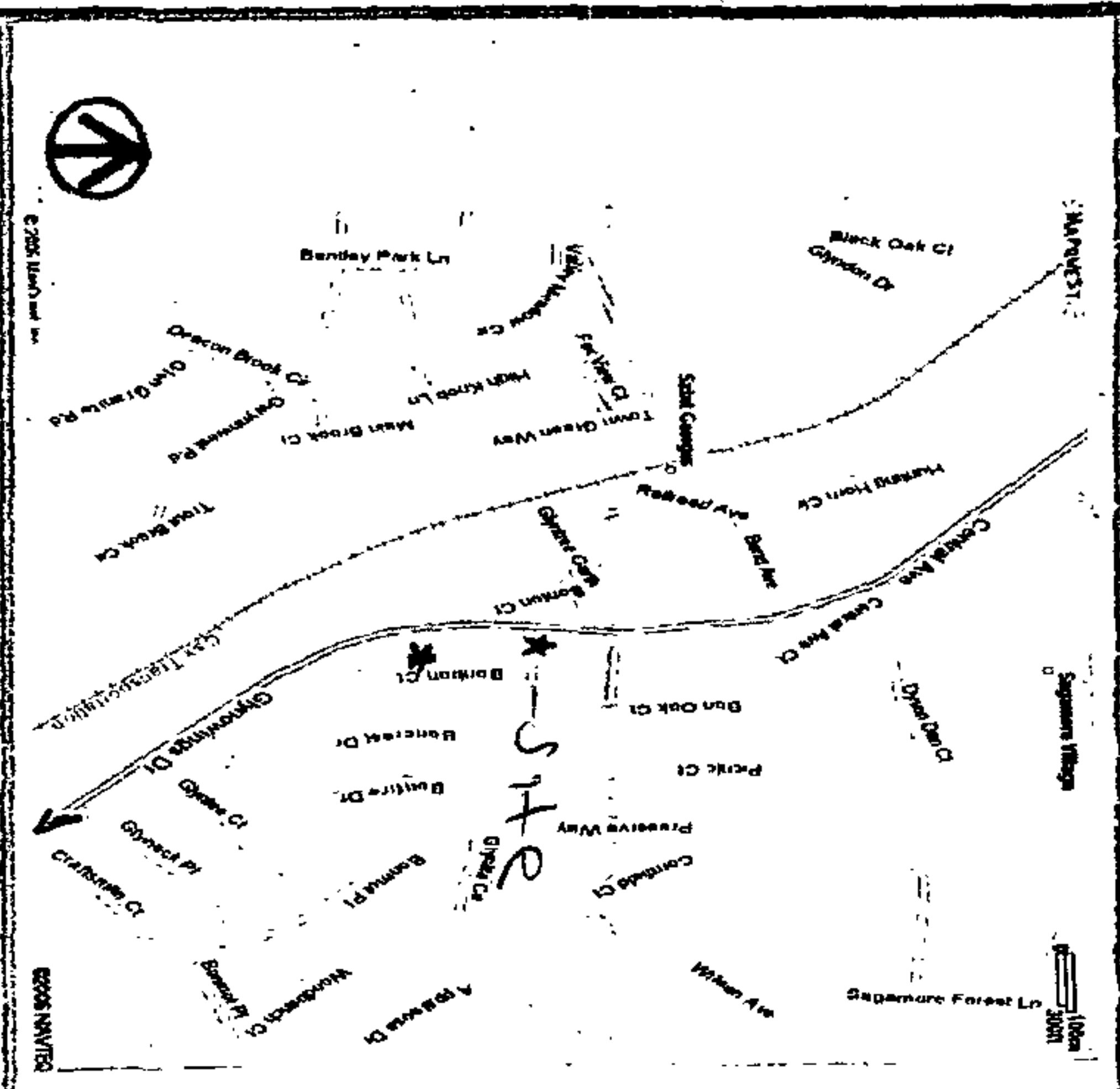
SUBDIVISION NAME Bonita

PLAT BOOK # 41 FOLIO # 136 LOT # 40 SECTION # 1 BACK A

OWNER Angela Sidbury



ALL EXISTING PARKING EXISTED PRIOR TO DATE OF THIS PLAN
L=61.05'
R=1145.00'



LOCATION INFORMATION

ELECTION DISTRICT 4th

COUNCILMANIC DISTRICT 2nd

1"=200' SCALE MAP # 049A2

ZONING DR 5.5 & DR 16

LOT SIZE .15 ACRES 6534 SQUARE FEET

PUBLIC PRIVATE

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ PUBLIC ☐ PRIVATE

CHESAPEAKE BAY CRITICAL AREA ☐ YES ☒ NO

100 YEAR FLOOD PLAIN ☐ YES ☒ NO

HISTORIC PROPERTY/ BUILDING ☐ YES ☒ NO

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

JNP 1 111 07-111-5944

NOTE & CHECK ONE

THERE HAVE BEEN ☐ ☒
THERE HAVE NOT BEEN ☒ ☐
EXTERIOR ENLARGEMENTS
TO THIS BUILDING IN THE
PAST FIVE YEARS
IF THERE HAVE BEEN EXPLAIN WHAT THEY WERE:
EXPLANATION OF GROUND FLOOR ENLARGEMENTS
HERE:
IF MORE THAN EXISTING PORCH ENCLOSURE OR
ADDITION OF EXTERIOR STAIR SHOW CALCULATIONS
FOR THE % OF INCREASE HERE:

THE UNDER SIGNED ARE RESPONSIBLE FOR THE
ACCURACY OF THE INFORMATION ON THIS PLAN (OWNERS)

Angela Sidbury

Angela P. Sidbury

SIGNATURE

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 in ground floor area) to exterior of the building (beyond the enclosure of a porch or the addition of an exterior stairway) have occurred within five years of the date of this permit application.

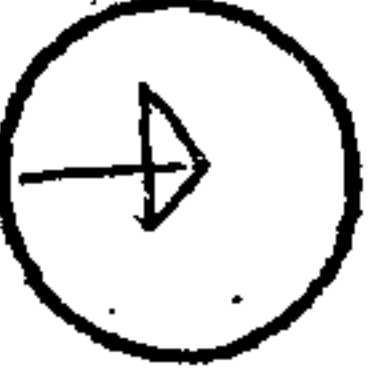
NO SIGNS ARE PROPOSED. ANY FUTURE SIGNS WILL COMPLY WITH SECT 413.1 BCZR AND ZONING SIGN POLICIES OR BE VARIENCED

PETITIONER'S

EXHIBIT NO.

1

NORTH



GLYNNITA CIRCLE
60 R/W (to paving)

PREPARED BY

ALS

SCALE OF DRAWING: 1" = 20'



September 27, 2006

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: 07-111-SPHA

601 Glynita Circle

North side of Glynita Circle, 37.5 feet east of Glynowings Drive

4th Election District – 2nd Councilmanic District

Legal Owner(s): Angela Sidbury

SPECIAL HEARING To approve a Use Permit for a Class A Group Child Care Center for a maximum of 12 children.

VARIANCE To permit a Group Child Care Center fence with a setback of 0-feet in lieu of the minimum required 20 feet.

Hearing: Monday, November 13, 2006 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson, 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:amf

C: Angela Sidbury 601 Glynita Circle Reisterstown 21136

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, OCTOBER 27, 2006.**
- (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.**



RE: PETITION FOR SPECIAL HEARING
AND VARIANCE
601 Glynita Circle; N/S Glynita Circle,
37.5' E of Glynowings Drive
4th Election & 2nd Councilmanic Districts
Legal Owner(s): Angela Sidbury
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* 07-111-SPHA

* * * * *

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.

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 18th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed Angela Sidbury, 601 Glynita Circle, Reisterstown, MD 21136, Attorney for Petitioner(s).

RECEIVED

SEP 18 2006

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



County Board of Appeals of Baltimore County

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

September 26, 2007

Carole S. Demilio
Deputy People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: *In the Matter of: Angela L. Sidbury – Legal Owner /Petitioner*
Case No. 07-111-SPHA /Withdrawal of Petitions

Dear Ms. Demilio:

Enclosed please find a copy of the Order of Dismissal of Petitions issued this date by the
County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,


Kathleen C. Bianco
Administrator

Enclosure

c: Angela Sidbury
Pam Miller
Linnea Stouffer
Pat Keller, Planning Director
William J. Wiseman III, Zoning Commissioner
Timothy M. Kotroco, Director /PDM



IN THE MATTER OF
THE APPLICATION OF
ANGELA L. SIDBURY – LEGAL OWNER
FOR SPECIAL HEARING AND VARIANCE
ON PROPERTY LOCATED ON THE N/S
GLYNITA CIRCLE, 37.5' E OF
GLYNOWINGS DRIVE
(601 GLYNITA CIRCLE)
4TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 07-111-SPHA
* * * * *

ORDER OF DISMISSAL OF PETITION

This case comes to the Board on appeal filed by Peter M. Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from the November 21, 2006 Order of the Zoning Commissioner in which the subject Petitions were granted with restrictions.

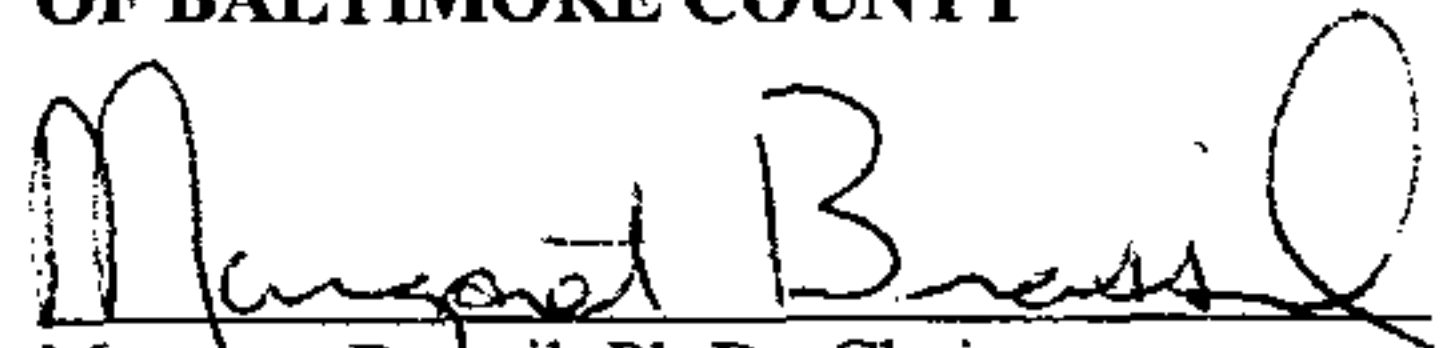
WHEREAS, the Board convened on September 12, 2007 for hearing as scheduled, notice having been sent. Carole S. Demilio, Deputy People's Counsel, appeared on behalf of the Office of People's Counsel; Angela L. Sidbury, Petitioner, appeared *pro se*; and

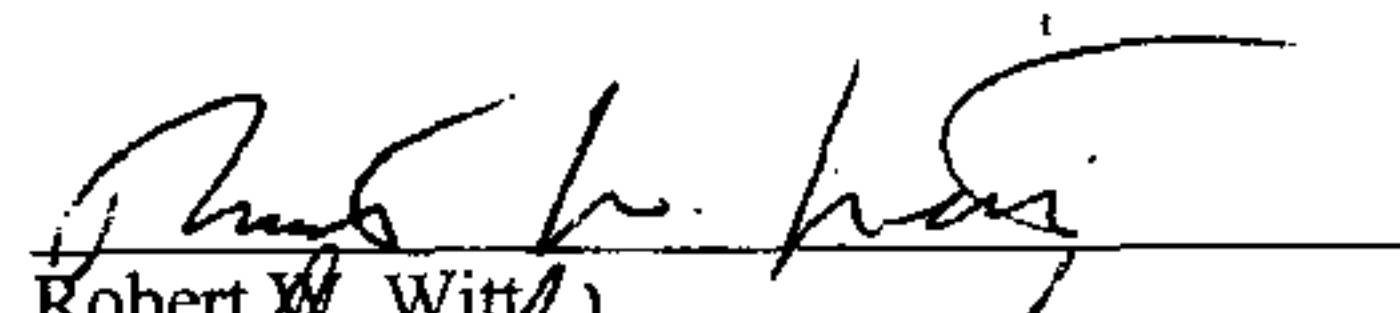
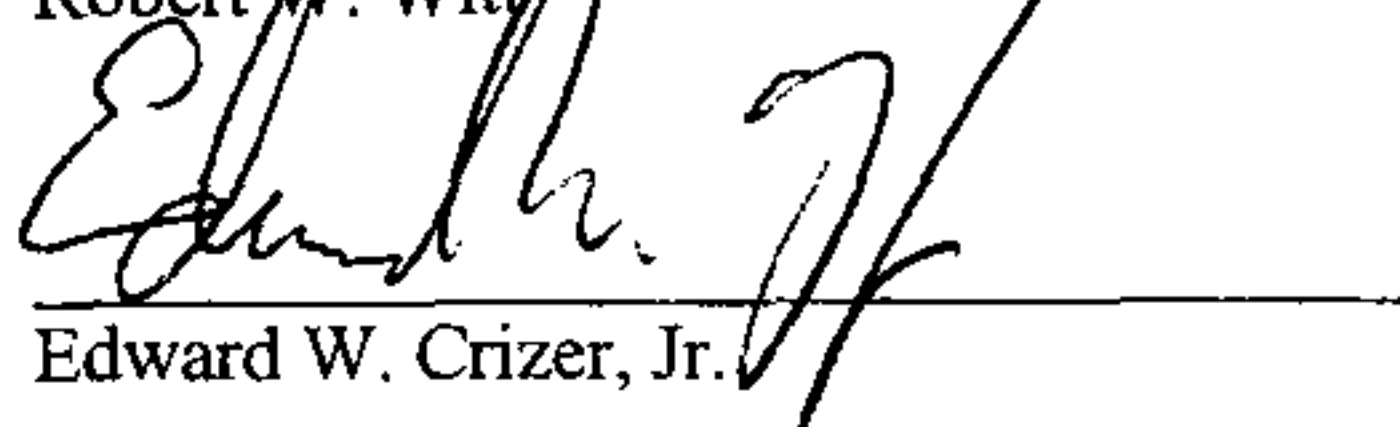
WHEREAS, said Petitioner, prior to the taking of any testimony and based upon the position of the Office of People's Counsel that additional zoning relief, beyond that requested in the instant petitions, was required in this matter, withdrew her Petition for Special Hearing and Petition for Variance on the record this date,

IT IS THEREFORE, this 26th day of September, 2007, by the County Board of Appeals of Baltimore County

ORDERED that said Petition for Special Hearing and Petition for Variance filed in Case No. 07-111-SPHA be and the same are **WITHDRAWN AND DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Margaret Brassil, Ph.D., Chairperson


Robert W. Witt

Edward W. Crizer, Jr.

CASE #: 07-111-SPHA

IN THE MATTER OF: ANGELA SIDBURY – Legal Owner /
Petitioner 601 Glynita Circle 4th E; 2nd C

SPH – To approve Class “A” Group Child Care Center;
VAR – To permit Group Child Care Center fence with setback of 0’ ilo
minimum required 20’.

11/21/2006 – Z.C.’s Order in which requested special hearing and variance
relief were GRANTED with restrictions.

7/20/07 – Notice of Assignment sent to following parties; assigned for hearing on Wednesday, September 12,
2007 at 10 a.m:

Office of People’s Counsel
Angela Sidbury
Pam Miller
Linnea Stouffer
Pat Keller, Planning Director
William J. Wiseman III, Zoning Commissioner
Timothy M. Kotroco, Director /PDM

9/12/07 – Board convened for hearing (Brassil, Witt, Crizer); prior to the taking of any testimony, and based upon
the position of People’s Counsel that additional zoning relief would be needed for this operation, Ms.
Sidbury withdrew her petitions (done without prejudice). Order of Dismissal of Petitions to be issued.



County Board of Appeals of Baltimore County

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

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

July 20, 2007

NOTICE OF ASSIGNMENT

CASE #: 07-111-SPHA

IN THE MATTER OF: ANGELA SIDBURY – Legal Owner /
Petitioner 601 Glynita Circle 4th E; 2nd C

11/21/2006 – Z.C.'s Order in which requested special hearing and variance relief were GRANTED with restrictions.

ASSIGNED FOR:

WEDNESDAY, SEPTEMBER 12, 2007 at 10 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

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

Kathleen C. Bianco
Administrator

c:	Appellant	: Office of People's Counsel
	Legal Owner /Petitioner	: Angela Sidbury
	Protestants	: Pam Miller Linnea Stouffer

Pat Keller, Planning Director
William J. Wiseman III, Zoning Commissioner
Timothy M. Kotroco, Director /PDM



Requested: 1/31/2007

16-D8

PIC 3

APPEAL SIGN POSTING REQUEST

CASE NO. 07-111-SPHA

601 GLYNITA CIRCLE

4TH ELECTION DISTRICT

APPEALED: 12/19/2006

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
400 Washington Avenue, Room 49
Towson, MD 21204

Attention: Kathleen Bianco
Administrator

CASE NO.: 07-111-SPHA

LEGAL OWNER: ANGELA L. SIDBURY

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

601 GLYNITA CIRCLE

The sign was posted on 4-5-07, 2007.

By: [Signature]
(Signature of Sign Poster)

JASON SEIDELMAN
(Print Name)



ZONING APPEAL
PUBLIC HEARING
CITY OF CHICAGO
40-887-3180
TODAY
11:00 AM - 1:00 PM

CHICAGO



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

January 22, 2007

Angela Sidbury
601 Glynita Circle
Reisterstown, MD 21136

Dear Ms. Sidbury:

RE: Case : 07-111 SPHA, 601 Glynita Circle

Please be advised that an appeal of the above-referenced case was filed in this office on December 19, 2006 by the People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Pam Miller 24 Bon Bon Court Reisterstown 21136
Linnea Stouffer 25 Bon Bon Court Reisterstown 21136

Requested: 1/31/2007

APPEAL SIGN POSTING REQUEST

CASE NO. 07-111-SPHA

601 GLYNITA CIRCLE

4TH ELECTION DISTRICT

APPEALED: 12/19/2006

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: #07-111-SPHA

601 Glynita Circle
North side of Glynita Circle, 37.5 feet east of Glynowings Drive

4th Election District 2nd Councilmanic District
Legal Owner(s): Angela Sidbury

Special Hearing: To approve a Use Permit for a Class A Group Child Care Center for a maximum of 12 children.
Variance: To permit a Group Child Care Center fence with a setback of 0-feet in lieu of the minimum required 20 feet.

Hearing: Monday, November 13, 2006 at 11:00 a.m.
In Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
10/334 Oct. 26 113878

CERTIFICATE OF PUBLICATION

10/26/2006

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 10/26/2006.

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

S. Wilkinson

LEGAL ADVERTISING

RECEIVED

OCT 31 2006

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 10/28/05

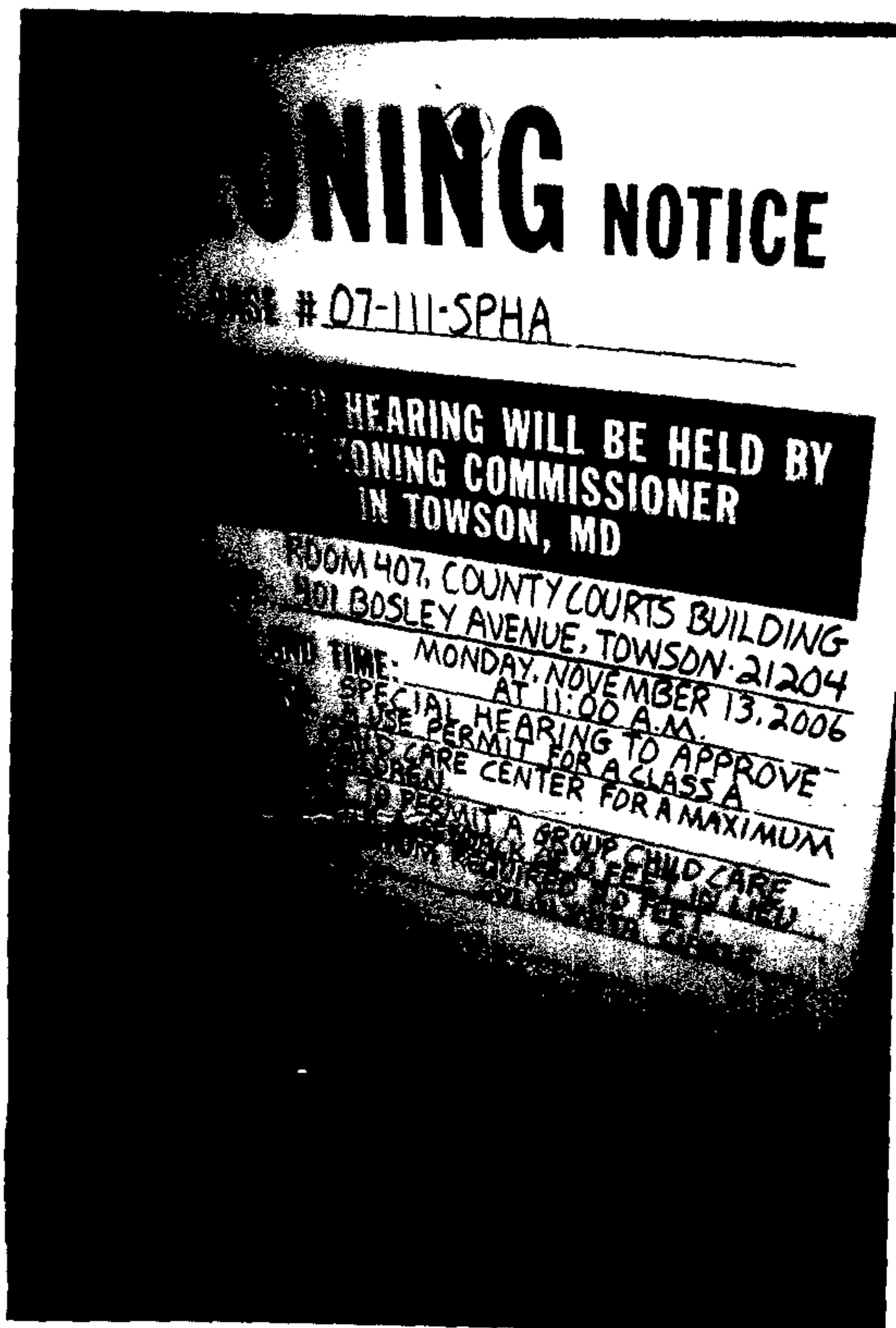
Case Number: 07-111-SPHA

Petitioner/Developer: ANGELA SIDBURY

Date of Hearing (Closing): 11/13/06

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: 601 GLYNITA CIRCLE

The sign(s) were posted on: 10/26/06



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

IN RE: **PETITIONS FOR SPECIAL HEARING** * BEFORE THE
AND VARIANCE, N/S Glynita Circle,
37.5' E of Glynowings Drive * ZONING COMMISSIONER
(601 Glynita Circle) * OF BALTIMORE COUNTY
4th Election District *
2nd Council District * **Case No. 07-111-SPHA**

Angela L. Sidbury *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, Angela Leach-Sidbury. The Petitioner requests a special hearing to approve a Class "A" Group Child Care Center on the subject property, pursuant to Section 424.4.A.5 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests variance relief from Section 424.1 of the B.C.Z.R. to permit a Group Child Care Center fence with a setback of zero (0) feet in lieu of the minimum 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 was Angela L. Sidbury, property owner. Appearing as Protestants in this matter were Pam Miller and Linnea Stouffer, nearby residents.

Testimony and evidence offered revealed that the subject property is a rectangular shaped corner lot on the north side of Glynita Circle, and east of Glynowings Drive in the Bonita subdivision of Reisterstown. The property contains 6,534 square feet, more or less, split-zoned D.R.16 and D.R.5.5 and is improved with a split-level, single-family dwelling. The Petitioner filed the instant Petition to expand an existing child day care facility within the home.

UNDER RECEIVED FOR FILING

Date 11-21-66

By D. Sidbury

An understanding of the relevant provisions of the B.C.Z.R. relative to child care operations is fundamental to the issue in this case. Section 101 of the B.C.Z.R. defines the words and terms used throughout the regulations. A "family child care home" is defined as a private residence wherein care, protection and supervision is provided for a fee for part or all of a day, at least twice a week, to no more than eight children at one time." Section 424.3 of the B.C.Z.R. indicates that family child care homes are permitted by right and as an accessory use within dwellings in all zones. Thus, under the B.C.Z.R., a family child care home is permitted on the subject property by right. In fact, testimony and evidence presented established that the Petitioner is a licensed daycare provider and is operating such a facility at the present time.

Section 101 of the B.C.Z.R. also defines a "group child care center" as "A building or structure wherein care, protection and supervision is provided for part or all of a day, on a regular schedule, at least twice a week to at least nine children." A Class "A" group child care center is a facility where care is provided for between 9 and 12 children. A Class "B" group child care center is a facility where care is provided for more than 12 children. In the instant case, the Petitioner proposes expanding her operation from 8 to 12 children. Thus, approval is requested for a Class "A" group child care facility.

Section 424.4 of the B.C.Z.R. sets out the process for the application of such approval. Under that process, notice of the application for a use permit for a Class A Group Child Care Center is posted on the property at issue for a period of at least 30 days. Within that period, any owner/occupant within 1,000 feet of the property may file a formal request for a public hearing before the Zoning Commissioner. In this case, and although my file lacks the formal request, Pam Miller and Linnea Stouffer filed a formal request and this matter was scheduled for public hearing which was conducted in its entirety on Monday, November 13, 2006.

Section 424.4.6 of the B.C.Z.R. provides that the Zoning Commissioner review the application. Approval or denial of the application shall be based upon factors relating to the character of the surrounding community and the anticipated impact of the proposed use on that community. Additionally, the Zoning Commissioner may impose requirements upon the approval

ORDER RECEIVED FOR FILING

Date 11-21-06

By [Signature]

of any application in order to assure that the use will not be detrimental to the health, safety and general welfare of the locale. The full breadth of these regulations is set out in Section 424 of the B.C.Z.R.

Testimony and evidence offered at the hearing revealed that Ms. Sidbury has been a resident in the neighborhood for some five (5) years and has owned the subject property since February 2006 which has operated as a child care facility since that time and she presently has eight children enrolled. The property contains an outdoor play area and as will be discussed below is fenced with a five-foot high board-on-board stockade-type fence. She indicated that the children typically arrive at the property around 7:00 AM and are picked up by their parents or family between 6:00 PM and, in some cases, as late as midnight. The facility operates seven days a week. Ms. Sidbury indicated that there is a high demand for her services and most of her clients come from the neighborhood and reside within a 5-mile radius. There is no advertising and clients are obtained by word of mouth. The facility currently has a waiting list which prompted Ms. Sidbury to seek approval of a Class "A" group child care facility to allow her to have up to 12 children. Ms. Sidbury fully described her qualifications and background as a day care provider as well as the number of employees, her licensing and the general day-to-day operations at the facility.

As noted above, the property is a corner lot located on the east side of Glynowings Drive described as a busy road, which becomes Owings Mills Boulevard further to the south. Access to the subject property is provided by dropping children off at the curb on Glynita Court in front of the home. The two-vehicle concrete parking pad is used by the Petitioner and her employee. Photographs were submitted at the hearing which show the subject property and driveway access. These photographs also show that this is an affluent neighborhood featuring nice homes on relatively average sized lots.

ORDER RECEIVED FOR FILING

Date 11-21-06

By [Signature]

Although Ms. Sidbury has operated without incident for many months and apparently enjoys the support of many of the residents of Bonita, several of her neighbors, Ms. Miller and Ms. Stouffer, appeared in opposition to the request. They reside on BonBon Court located on the opposite side of Glynita Circle. Their concerns generally fell within two areas. First, they were concerned with the fence variance request and that the fence might be extended into the front yard of the subject property. Ms. Sidbury satisfactorily explained that the fence which, has existed in its present location for many years, was not intended to be changed. Secondly, they complained of problems with traffic, particularly drop-off and pick-up times and worried that the granting of the petitions may impact the property values of homes in the area.

This is a close case. On the one hand, the existing operation of a day care facility for up to eight children is permitted by right and has apparently existed on the site for nearly nine months. The addition of four children mandates the special hearing relief requested herein. In my view, the impact of these four additional children will be minimal. This is particularly so, given the young age of the children who are cared for at this site. On the other hand, Ms. Miller has valid concerns regarding traffic, particularly since Glynowings Drive is heavily traveled during rush hour and cars traveling on Glynita Circle (the unfavored highway controlled by a stop sign) would or could encounter problems if cars are parked along the curb in front of the subject property. A Zoning Advisory Committee (ZAC) comment received from the Office of Planning shares in those concerns and states in pertinent part, "the Office of Planning does not recommend that the special hearing for use permit be granted unless the petitioner can demonstrate adequate and safe provisions for drop off and pick up of children". In this regard, and with the consent of all those at the hearing, I requested the guidance and opinion of the Bureau of Traffic Engineering. Mr. Stephen Weber was provided with the pertinent parts of the file and has made an examination of

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Date 11-21-09

By [Signature]

the intersection of Glynita Circle and Owings Mill Boulevard (previously Glynowings Drive) as well as the subject site. In pertinent part, Mr. Weber has stated:

"With regard to the site itself, I would reiterate the Office of Planning's comment that the petitioner should demonstrate adequate and safe provisions for drop off and pick up of children. Our agency feels that all daycare centers should have such activity taking place on site and off of the street. We note that this dwelling has a 2-car parking pad. These 2 parking spaces should be reserved exclusively for parents to drop off and pick up children during any hours that the daycare center is in operation. The owner and any staff should not be parking in these 2 spaces during the day when the daycare is open."

Turning next to the Variance request, the plan shows that the perimeter of the property is enclosed with a stockade fence. Indeed, this is appropriate and necessary to provide security for the children and privacy of neighbors. Additionally, wood fence screening, as shown on the plan and photographs, will prevent noise and other impacts associated with the use of the site from disrupting neighboring property owners, particularly the adjacent neighbor on the Petitioner's eastside as Glynowings Drive runs along the western boundary. In this case, I will grant the variance from Section 424.1.B requiring a fence to be no closer to a property line than 20 feet. There is no objection concerning the fence's location which has existed in its current configuration since the home was built in 1979. In fact, the neighbors prefer the present location and there are no adverse agency comments in this regard.

Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. In my view the proposed increase from 8 to 12 children will not detrimentally impact the neighborhood from the standpoint of visual impact on adjacent properties. Although traffic is a more viable concern, I am persuaded that the existing road system can accommodate the modest increase in use. However, pursuant to Section 424.4.6.C of the B.C.Z.R., I will impose certain conditions to protect the health, safety or general welfare of the surrounding locale and the children attending the facility. There will be no signage or exterior advertising of the day care center on the subject property. The hours of operation shall be restricted to 6:00 AM to 6:00 PM, five days a week (Monday through Friday). The Petitioner and her employee will not park in the

concrete drive during the hours of operation and the Petitioner shall provide written notice to all clients that they shall not park in front of adjacent properties and must use the Petitioner's driveway for parking and to drop-off/pick-up children to the extent possible.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of November, 2006 that the Petition for Special Hearing to approve a Class "A" Group Child Care Center on the subject property, pursuant to Section 424.4.A.5 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 424.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a Group Child Care Center fence with a setback of zero (0) feet in lieu of the minimum required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for her use permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The proposed use shall be limited to 12 children.
- 3) There will be no signage or exterior advertising of the day care center on the subject property.
- 4) The hours of operation shall be restricted to 6:00 AM to 6:00 PM, five days a week (Monday through Friday).
- 5) The Petitioner shall provide written notice to all clients that they shall use the driveway/parking pad in front of the property for parking and to drop-off/pick-up children to the extent possible. There shall be no parking on adjacent properties or along the north side of Glynita Circle within 25 feet from the stop sign at the Glynowings Circle.

ORDER RECEIVED FOR FILING

Date 11-21-06

By D. Dwyer

- 6) As a result of the examination of the intersection of Glynita Circle and Glynowings Drive (Owings Mills Blvd.), it was noted that Petitioner's split-rail fence running along the west property line (east side of Owings Mills Blvd.) from the stockade fence down to near Glynita Circle is not shown on the site plan submitted. While the split-rail fence is not causing any traffic problem, the Bureau of Highways has noted that the last two wood rails that come near the street light (the northeast corner of Owings Mills and Glynita Circle) are located off of the Petitioner's property and are on Baltimore County right-of-way. The Petitioner shall remove these two rails off of County property or obtain permission for them to be there.
- 7) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

WJW:dlw


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11-21-06
By D. D. Boy



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 21, 2006

Ms. Angela L. Sidbury
601 Glynita Circle
Reisterstown, Maryland 21136

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S Glynita Circle, 37.5' E of Glynowings Drive
(601 Glynita Circle)
4th Election District – 2nd Council District
Angela L. Sidbury - Petitioner
Case No. 07-111-SPHA

Dear Ms. Sidbury:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. J. Wiseman III', written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Ms. Pam Miller, 24 BonBon Court, Reisterstown, Md. 21136
Ms. Linnea Stouffer, 25 BonBon Court, Reisterstown, Md. 21136
Office of Planning; People's Counsel; Case File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 601 Glynita Circle
which is presently zoned DRW & DR5.5

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 Variance from Section(s)

424.1, BC2R, to permit a Group Child Care Center fence with a setback of 0 feet in lieu of the minimum required 20 feet.

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

To Be Presented At Hearing

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No.

07-11-SPHA

REV 9/15/98

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JNP

Date

9/12/06

ZONING DESCRIPTION FOR 601 Glynita Circle

Beginning at a point on the **north** side of **Glynita Circle** which is **60'** wide at the distance of **37.5'** **E** of the centerline of the nearest improved intersecting street **Glynowings Drive** which is **75'** wide. Being **Lot #40, Block A, Section # 1** in the subdivision of **Bonita** as recorded in Baltimore County **Plat Book #41, Folio #136**, containing **6,534 square feet**. Also known as **601 Glynita Circle** and located in the **4th** Election District, **2nd** Councilmanic District.

07-11-SPHA



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 19, 2006

Hand-delivered

Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Re: PETITION FOR SPECIAL HEARING AND VARIANCE
N/S Glynita Circle, 37.5'E of Glynowings Drive
(601 Glynita Circle)
4th Election District; 2nd Council District
Angela L. Sidbury. - Petitioners
Case No.: 07-111-SPHA

RECEIVED
DEC 19 2006
Per... *LM*

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated November 21, 2006 by the Baltimore County Zoning Commissioner.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw

cc: Angela L. Sidbury

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 07-III-SPHA

DATE 11.13.06

PETITIONER'S SIGN-IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E-MAIL

Angela Sibbury

601 Glynda Cir

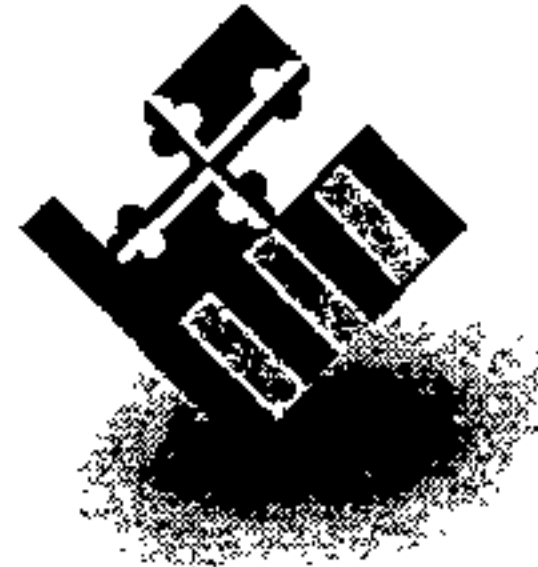
Leicester, MA 01545

Sibbury@comcast.net

DATE _____

E-MAIL

Reistersbwn, MD 21136 Bobsmarley@comcast.net
Reisterstown, MD 21136 linnearik@comcast.net



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

November 8, 2006

Angela Sidbury
601 Glynita Circle
Reisterstown, MD 21136

Dear Ms. Sidbury:

RE: Case Number: 07-111-SPHA, 601 Glynita Circle

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 12, 2006.

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.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

BW 11/13
11 AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 25, 2006

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

SUBJECT: 601 Glynita Avenue

INFORMATION:

Item Number: 7-111

Petitioner: Angela Sidbury

Zoning: DR 5.5 and DR16

Requested Action: Special Hearing and Variance

RECEIVED

SEP 27 2006

ZONING COMMISSIONER

The property consists of a single family dwelling on an average size lot on the corner of Glynowings Drive and Glynita Circle. The petition requests a use permit for a 12 child Group Child Care Center Class A and a variance to permit a fence 0 feet from the property line in lieu of the required 20 feet. The submitted site plan does not show provisions for drop off and pick up of children.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not recommend that the special hearing for use permit be granted unless the petitioner can demonstrate adequate and safe provisions for drop off and pick up of children.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by: 

Division Chief: 
AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 25, 2006

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 25, 2006
Item Nos. 07-101, 102, 103, 105, 106,
107, 108, 109, 110, 111, 112, 114, 115,
And 116

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-09212006.doc



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

State Highway Administration
Driven to Excel

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 18, 2006

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

RE: Baltimore County
Item No. 111
#7-111-SPHA
601 GLYNITA CIRCE
VARIANCE - PERMIT FOR
FENCE WITH SETBACK OF 0-Feet

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 111.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



Baltimore County
Fire Department

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

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

September 24, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: September 18, 2006

Item Number(s): 100 thru 112, 114, 115, 116

111

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Timothy M. Kotroco
FROM: Jeff Livingston, DEPRM – Development Coordination JWL
DATE: September 25, 2006
SUBJECT: Zoning Item # See List Below

Zoning Advisory Committee Meeting of September 18, 2006

The Department of Environmental Protection and Resource Management has no comments with regards to the following zoning items:

07-100-A
07-101-A
07-104-A
07-105-A
07-107-A
07-109-A
07-110-A
07-111-A
07-115-A
07-116-A

Reviewer: J. Livingston

Date: September 25, 2006

APPEAL

Petition for Special Hearing and Variance
601 Glynita Circle
North side Glynita Circle, 37.5 feet east of Glynowings Drive
4th Election District – 2nd Councilmanic District
Legal Owner(s): Angela L. Sidbury

Case No.: 07-111-SPHA

Petition for Special Hearing and Variance (September 12, 2006)

Zoning Description of Property

Notice of Zoning Hearing (September 27, 2006)

Certification of Publication (October 26, 2006)

Certificate of Posting (October 26, 2006) by

Entry of Appearance by People's Counsel (September 18, 2006)

Petitioner(s) Sign-In Sheet – 1 Sheet

Protestant(s) Sign-In Sheet – None

Citizen(s) Sign-In Sheet – 1 Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Site Plan
2. Photographs of subject property
3. Certificate of Registration – Maryland Department of Education

Protestants' Exhibits:

1. None

Miscellaneous (Not Marked as Exhibit)

1. Zoning map
2. E-mail from Stephen Weber
3. Real Property Search

Zoning Commissioner's Order (GRANTED in accordance w/order - November 21, 2006)

Notice of Appeal received on December 19, 2006 from People's Counsel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
Angela L. Sidbury 601 Glynita Circle Reisterstown 21136
Pam Miller 24 Bon Bon Court Reisterstown 21136
Linnea Stouffer 25 Bon Bon Court Reisterstown 21136

RECEIVED

JAN 23 2007

**BALTIMORE COUNTY
BOARD OF APPEALS**

Peoples Counsel Exhibits

1. GIS Map ID only (will use in next case)
2. M DAT
3. BCZR



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007b)

Go Back
View Map
New Search
GroundRent

Account Identifier: District - 04 Account Number - 1700013448

Owner Information

Owner Name: SIDBURY ANGELA L Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 601 GLYNITA CIR Deed Reference: 1) /23453/ 213
REISTERSTOWN MD 21136-1737 2)

Location & Structure Information

Premises Address
601 GLYNITA CIR

Legal Description

601 GLYNITA CIR
BONITA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
49	7	276			1	A	40	1	Plat Ref:	41/ 136

Special Tax Areas
Town
Ad Valorem
Tax Class

Primary Structure Built
1979

Enclosed Area
1,568 SF

Property Land Area
6,534.00 SF

County Use
04

Stories
2

Basement
NO

Type
SPLIT LEVEL

Exterior
SIDING

Value Information

	Base Value	Value As Of 01/01/2007	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land	42,530	84,530		
Improvements:	86,530	175,120		
Total:	129,060	259,650	129,060	172,590
Preferential Land:	0	0	0	0

Transfer Information

Seller: GUTSHALL DAVID R	Date: 02/28/2006	Price: \$269,500
Type: IMPROVED ARMS-LENGTH	Deed1: /23453/ 213	Deed2:
Seller: PATEL KIRITKUMAR R	Date: 06/20/2001	Price: \$118,000
Type: IMPROVED ARMS-LENGTH	Deed1: /15315/ 246	Deed2:
Seller: PATEL RAMESHCHANDRA M	Date: 08/26/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /13105/ 726	Deed2:

Exemption Information

	Class	07/01/2006	07/01/2007
Partial Exempt Assessments	000	0	0
County	000	0	0
State	000	0	0
Municipal			

Tax Exempt: NO
Exempt Class:

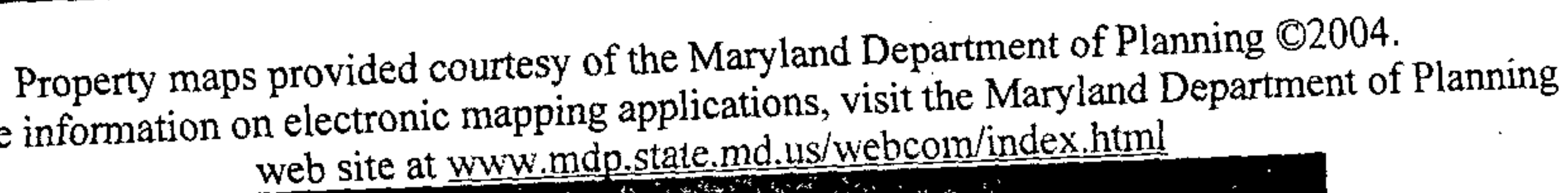
Special Tax Recapture:
* NONE *

P.C. #2



[Go Back](#)
[View Map](#)
[New Search](#)

District - 04 Account Number - 1700013448



Order the **TAX MAP** [click here...](#)

FREEWAY — A motorway or portion thereof which: is, or is intended, for both intra- and inter-metropolitan travel; has or is intended to have a center median strip and a total of four or more lanes for moving traffic; is designed or intended for traffic speeds of at least 60 miles per hour; has no access to abutting private property; has no grade intersections with other motorways; and has been designated as a freeway by the Planning Board. [Bill No. 40-1967]

FUEL SERVICE STATION — A structure or land used or intended to be used for the retail sale of automotive fuel, but not a truck stop. For the purpose of these regulations, any establishment which sells auto fuel retail shall be considered a fuel service station, unless it is classified as a truck stop or trucking facility. [Bill Nos. 40-1967; 18-1976; 172-1993]

FUEL SERVICING SPACE — On a fuel service station site, any one of the maximum number of spaces on which cars may be situated simultaneously while being fueled. [Bill Nos. 40-1967; 172-1993]

GARAGE, COMMUNITY — A structure or series of structures for the storage of automobiles of residents of the neighborhood, and not used for making repairs.

GARAGE, RESIDENTIAL — An accessory building, portion of a main building or building attached thereto used for storage of private motor vehicles. [Bill No. 70-1988]

GARAGE, SERVICE — A garage, other than a residential garage, where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale.

GARDEN CENTER — A place of business where garden related products, horticultural materials or produce are sold to the retail customer. A garden center may include a nursery or controlled environment structures. [Bill No. 41-1992]

GOLF COURSE — A tract of land laid out for at least nine holes for playing golf, and improved with tees, greens, fairways and hazards, facilities for collecting fees, storing golf equipment for rental or limited sale and storing equipment for maintenance of the golf course. Golf course includes snack stands and a restaurant with seating for no more than 50 persons. Golf course does not include catering facilities, nor any other facilities for entertainment or recreation. [Bill Nos. 73-2000; 74-2000]

GROSS LEASABLE AREA (GLA) — The total floor area of a building for which the tenant pays rent and which is designed for the tenant's occupancy and exclusive use. Gross leasable area does not include public or common areas which are not leasable to individual tenants, e.g., enclosed pedestrian concourses in shopping malls. [Bill No. 26-1988]

GROUP CHILD CARE CENTER — A building or structure wherein care, protection and supervision is provided for part or all of a day, on a regular schedule, at least twice a week to at least nine children, including children of the adult provider (see Section 424). [Bill Nos. 47-1985; 7-1991]

GROUP CHILD CARE CENTER, CLASS A — A group child care center wherein group child care is provided for no more than 12 children at one time. [Bill No. 47-1985]

GROUP CHILD CARE CENTER, CLASS B — A group child care center wherein group child care is provided for more than 12 children. [Bill No. 47-1985]

P.C. #3

nonprofit under Section 501 (C) (3) of Title 26 of the United States Code (for the purpose of land conservation and open space preservation) and is used primarily for equestrian activities. For the purpose of this definition, equestrian activities include horse riding, horse training, horse racing, horse showing, dressage, stadium jumping, cross-country jumping, carriage competitions, and any and all other equine activities and events. [Bill No. 24-2002]

EXCAVATIONS, CONTROLLED — All types of excavations other than those defined as "excavations, uncontrolled."

EXCAVATIONS, UNCONTROLLED — The digging of soil, sand, gravel, rock, minerals, clay or other earthen material from a land surface for any of the following purposes:

When incidental to the operation of a permitted business or manufacturing use located on the same property, but excluding any digging of material for sale, exchange, processing or manufacture;

For grading or other purposes incidental to improvement of the land; and

When incidental to the development of land or to grading for public improvements. [Resolution, November 21, 1956]

EXPRESSWAY — A motorway or portion thereof which is, or is intended, for intra-metropolitan travel of varying distances; has or is intended to have a center median strip and a total of four or more lanes for moving traffic; is designed or intended for traffic speeds of at least 55 miles per hour; has no direct access to individual uses on abutting private property; and has been designated as an expressway by the Baltimore County Planning Board. [Bill No. 40-1967]

FACE-REAR ORIENTATION — Orientation of a building (automotive service station) in such a manner that the pumps, openings to the service bays, etc., face away from any street and toward the rear of the site. [Bill No. 40-1967]

FACE-SIDE ORIENTATION — Orientation of a building (automotive service station) in such a manner that the pumps, openings to the service bays, etc., face away from any street and toward a side of the site. [Bill No. 40-1967]

FAMILY — Any number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house or hotel.

FAMILY CHILD CARE HOME — A private residence wherein care, protection and supervision is provided for a fee for part or all of a day at least twice a week to no more than eight children at one time, including children of the adult provider. The operator of a family child care home shall hold at least one fire drill each week for the benefit of the children (see Section 424). [Bill Nos. 47-1985; 7-1991]

FARM — Three acres or more of land, and any improvements thereon, used primarily for commercial agriculture, as defined in these regulations, or for residential and associated agricultural uses. The term does not include the following uses as defined in these

Group Child Care Centers	Class A	Class B	Nursery Schools
R.C.2	SE	SE	SE
R.C.3	SE	SE	SE
R.C.4	N	N	N
R.C.5 and R.C.6	SE	SE	SE
D.R.(all zones) - More than 40 children	N/A	SE	SE
40 or fewer children	C	C	C
40-or-fewer children and RTA is applicable	SE	SE	SE
R.A.E.1, R.A.E.2 Within apartment buildings of 50 or more units and subject to supplemental regulations of Sections 200.2.B and 201.2.B.	R	R	R
Freestanding	SE	SE	SE

- R = Permitted as of right
 SE = Permitted by special exception
 N = Not permitted
 C = Permitted subject to additional conditions

- B. Group child care centers in business and manufacturing zones are permitted as a noncommercial accessory or principal use in accordance with the following schedule:

Group Child Care Centers	Class A	Class B	Nursery Schools
R-O			
More than 40 children	N/A	SE	SE
40 or fewer children	C	C	C
OR-1, OR-2	R	R	R
O.T.	R	R	R
Business Zones	R	R	R
M.R., M.H., M.L. and M.L.R. Zones	R	R	R

- R = Permitted as of right
 SE = Permitted by special exception
 N = Not permitted
 C = Permitted subject to additional conditions

4. The Zoning Commissioner specifies the maximum number of amusement devices to be maintained in the arcade.
5. In the Resource Conservation, Density Residential, Elevator-Apartment Residence, Residential-Office and Office Zones, the principal use is operated as a private club for the benefit of persons who are bona fide members paying dues for the principal use and the use of the arcade is restricted to such members and their guests and is not open to the general public or to lessees of said private club.

Section 424

Family Child Care Homes, Group Child Care Centers and Nursery Schools [Bill Nos. 47-1985; 66-1985; 200-1990]

Family child care homes, group child care centers and nursery schools are permitted in all zones in accordance with this section. If a conflict arises between this section and other specific provisions of these Zoning Regulations, this section shall govern.

424.1 General. Family child care homes, group child care centers and nursery schools shall meet the following requirements:

- A. Any such use shall be registered, licensed or certified as required by the applicable state or local agency.
- B. In addition, with respect to group child care centers and nursery schools, outdoor play space abutting residential property shall be fenced. Fences shall be solid wood stockade or panel, a minimum height of five feet, and no closer to the property line than 20 feet.
- C. On or after April 15, 1985, no family child care home, group child care center or nursery school shall be permitted adjoining a residentially used property or dwelling unit in a D.R. or R.C. Zone that has an existing family child care home or group child care center or nursery school adjoining such residentially used property or dwelling unit.

424.2 Group child care centers and nursery schools are permitted by right within the following uses whether such use is permitted by right or by special exception, and in D.R. Zones, group child care centers and nursery schools permitted by this section are not required to meet the provisions of Section 1B01.1.B.1.e (restrictions in residential transition areas):

- A. Churches.
- B. Community buildings.
- C. Hospitals.
- D. School buildings, public or private.
- E. Housing for the elderly.

DENSITY RESIDENTIAL ZONES

of the structure or alter the location or use of the structure. [Bill No. 40-1992]

- (4) An addition to an existing church or other building for religious worship, including parking areas and driveways, provided all other applicable zoning regulations including setback, parking and screening requirements, are maintained. [Bill Nos. 109-1982; 40-1992]
- (5) A new church or other building for religious worship constructed on a parcel of land large enough to provide landscaped but otherwise unimproved yard areas of 100 feet between any improvement and any property line other than street frontages. [Bill Nos. 109-1982; 40-1992]
- (6) A new church or other building for religious worship, the site plan for which has been approved after a public hearing in accordance with Section 500.7. Any such hearing shall include a finding that the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. [Bill Nos. 109-1982; 40-1992]
- (7) Shoreline fishing and shellfish facilities. Such uses shall be governed by the provisions of Sections 500.4, 1A01.2.C.9, 1A02.2.B.10, 1A04.2.B.7 and 1B01.1.C.8. [Bill Nos. 109-1982; 40-1992]
- (8) An addition to an existing trailer park or mobile home park or contiguous to such park. If the park is lawfully in existence in a D.R. Zone on the effective date of this act. [Bill Nos. 109-1982; 40-1992]
- (9) An addition to an existing community building, or other structure devoted to civic, social, recreational, fraternal or educational activity, including parking, and screening requirements, are maintained. [Bill Nos. 109-1982; 40-1992]
- (10) A new community building, or other structures devoted to civic, social, recreational, fraternal or educational activity, if the Zoning Commissioner determines during the special exception process that the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that the special exception can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. [Bill Nos. 109-1982; 40-1992]
- (11) Principal use—Class A and Class B group child care centers, provided that the Zoning Commissioner determines, during the

special exception process that the proposed improvements are planned in such a way that compliance with the bulk standards of Section 424.7 will be maintained and that the special exception can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. [Bill Nos. 200-1990; 59-1991; 40-1992]

- (12) The conversion of a dwelling to a bed-and-breakfast home, bed-and-breakfast inn or country inn pursuant to Section 402D or Section 402E. [Bill Nos. 113-1988; 40-1992]
- (13) Notwithstanding the provisions of Section 104, the reconstruction of an existing nursing home which is destroyed by fire or other casualty. However, such reconstruction may not increase the size or ground floor area of the structure or alter the location or use of the structure. [Bill Nos. 37-1988; 40-1992]
- (14) Transit facilities and rail passenger stations shall be exempt from the RTA requirements. [Bill Nos. 91-1990; 40-1992]
- (15) Assisted living facilities, Class A. [Bill No. 188-1993]
- h. The provisions contained in Paragraphs a through e of Subsection B.1 shall not apply to existing developments as described in Subsection A.1 of Section 1B02.3, nor to subdivision tracts for which tentatively approved plans remain in effect as described in Subsection A.2 of said section. [Bill No. 40-1992]
- 2. Use regulations in existing developments. In existing developments as described in Subsection A.1 of Section 1B02.3, uses shall be limited to those now lawfully established or to those indicated in the subdivision plans on file with the Department of Permits and Development Management, except as may otherwise be permitted under provisions adopted pursuant to the authority of Section 504.
- 3. Use regulations for existing subdivision tracts. On subdivision tracts for which tentatively approved plans remain in effect as described in Subsection A.2 of Section 1B02.3, the uses permitted shall be those indicated in the plan or, where the use is not indicated and if not inconsistent with the plan, the uses shall be those permitted under zoning regulations in effect at the time the tentative approval was granted.
- C. Uses permitted by special exception. The following uses, only, are permitted by special exception in all D.R. Zones, subject to the restrictions hereinafter prescribed: [Bill Nos. 105-1982; 36-1988]³
 - 1. Camps, public or quasi-public, including day camps.

³ Editor's Note: Former Item 1 of this subsection, which permitted boarding or rooming houses, was repealed by Bill No. 124-1993, and former Item 2, which permitted boat yards, including marinas, was repealed by Bill No. 179-1995. See, however, Section 408B of these regulations, which permits boarding- and rooming houses in D.R. Zones.

- 424.6 Sign and display regulations. Signs are permitted, subject to Section 450. [Bill No. 89-1997]
- 424.7 Bulk standards for group centers in D.R. Zones. The following standards apply to group child care centers located in D.R. Zones:
- A. Minimum lot size: one acre for the first 40 children plus 500 square feet per child for every child beyond 40 children.
 - B. Minimum setback requirements.
 - Front: 25 feet from street line or the average setback of the adjacent residential dwellings, whichever is less.
 - Side: 50 feet from property line, with 20 feet of perimeter vegetative buffer.
 - Rear: 50 feet from property line, with 20 feet of perimeter vegetative buffer.
 - C. Parking, drop-off and delivery areas shall be located in the side or rear yards, unless the Zoning Commissioner, upon the recommendation of the Director of Planning, determines that there will be no adverse impact by using the front yard for parking, drop off or delivery purposes. In all cases these areas shall be located outside of the required buffer area.
 - D. Maximum height: 35 feet
 - E. Maximum impervious surface area: 25% of gross area.

Section 425
Alcoholic Beverages License
[Bill No. 66-1983]

Any entertainment, leisure or recreation oriented principal use provided for in Section 422.A which holds a valid on-sale alcoholic beverages license of any class, except a special or temporary license, may have amusement devices on its premises as long as the alcoholic beverages license remains effective. All of the conditions and limitations set forth in Sections 422 and 423 are applicable to such uses, except that Sections 422.C.4 and 423.C.5 do not apply to such uses.

(Cont'd on page 4-93)

- F. Office buildings, except in R-O Zones where group day care centers in office buildings shall require a special exception.
- 424.3 Family child care homes are permitted by right as an accessory use within dwellings in all zones. In D.R. Zones, such use is not required to meet the provisions of Section 1B01.1.B.1.e (restrictions in residential transition areas).
- 424.4 Group child care center as accessory use.
- A. Group child care centers, Class A, are permitted as an accessory use within single-family detached dwellings in all residential zones except R.C.4, in all industrial zones and in R-O and O.T. Zones if the Zoning Commissioner grants a use permit under the following procedure:
1. Upon application for a use permit, the owner or agent shall provide the following information:
 - a. Number of employees,
 - b. Number of children to be enrolled,
 - c. Hours of operation,
 - d. Estimated amount of traffic generated,
 - e. A site plan indicating location and type of structure on the lot in question, location and dimensions of play area(s), parking arrangement and proximity of dwellings on adjacent lots,
 - f. A snapshot of the structure.
 2. On the property in question, notice of the application for the use permit shall be conspicuously posted for a period of 30 days following the filing of the application.
 3. Within the thirty-day posting period, any occupant or owner within 1,000 feet of the lot in question may file a formal request for a public hearing with the Zoning Commissioner in accordance with Section 500.7.
 4. If a formal request for a public hearing is not filed, the Zoning Commissioner, without a public hearing, may grant a use permit for a child care center if the proposed use meets all the requirements of this subsection and any other applicable requirements. Such use permit may be issued with such conditions or restrictions as determined appropriate by the Zoning Commissioner to satisfy the provisions of 424.4.A.6.c below and to ensure that the child care center will not be detrimental to the health, safety or general welfare of the surrounding community.
 5. If a formal request for a public hearing is filed, the Zoning Commissioner shall schedule a date for the public hearing, such hearing to be held not less than 15 days following public notice of such hearing in two newspapers of general circulation and not more than 60 days from the date of filing of the requests for public hearing.

6. Following the public hearing, the Zoning Commissioner may either deny or grant a use permit conditioned upon:
 - a. His findings following the public hearing.
 - b. The character of the surrounding community and the anticipated impact of the proposed use on that community.
 - c. The manner in which the requirements of Section 424.1 and other applicable requirements are met; and any additional requirements as deemed necessary by the Zoning Commissioner in order to ensure that the child care center will not be detrimental to the health, safety or general welfare of the surrounding community and as are deemed necessary to satisfy the objectives of Section 502.1 of these regulations.
 - d. Section 1B01.1.B notwithstanding, the Zoning Commissioner may modify 1B01.1.B.1.e as it pertains to such use in D.R. Zones.
- B. Group child care centers, Class A, are permitted as an accessory use within single-family detached dwellings in OR-1 and OR-2 Zones and in all business zones, by right.

424.5 Child care center as principal use. [Bill Nos. 51-1991; 132-2006]

- A. All other principal use group child care centers and nursery schools in residential zones are permitted in accordance with the following schedule:

Case No.: 07-111-SPHA 601 GLYNITA CIRCLE

Exhibit Sheet

Petitioner/Developer

Protestant

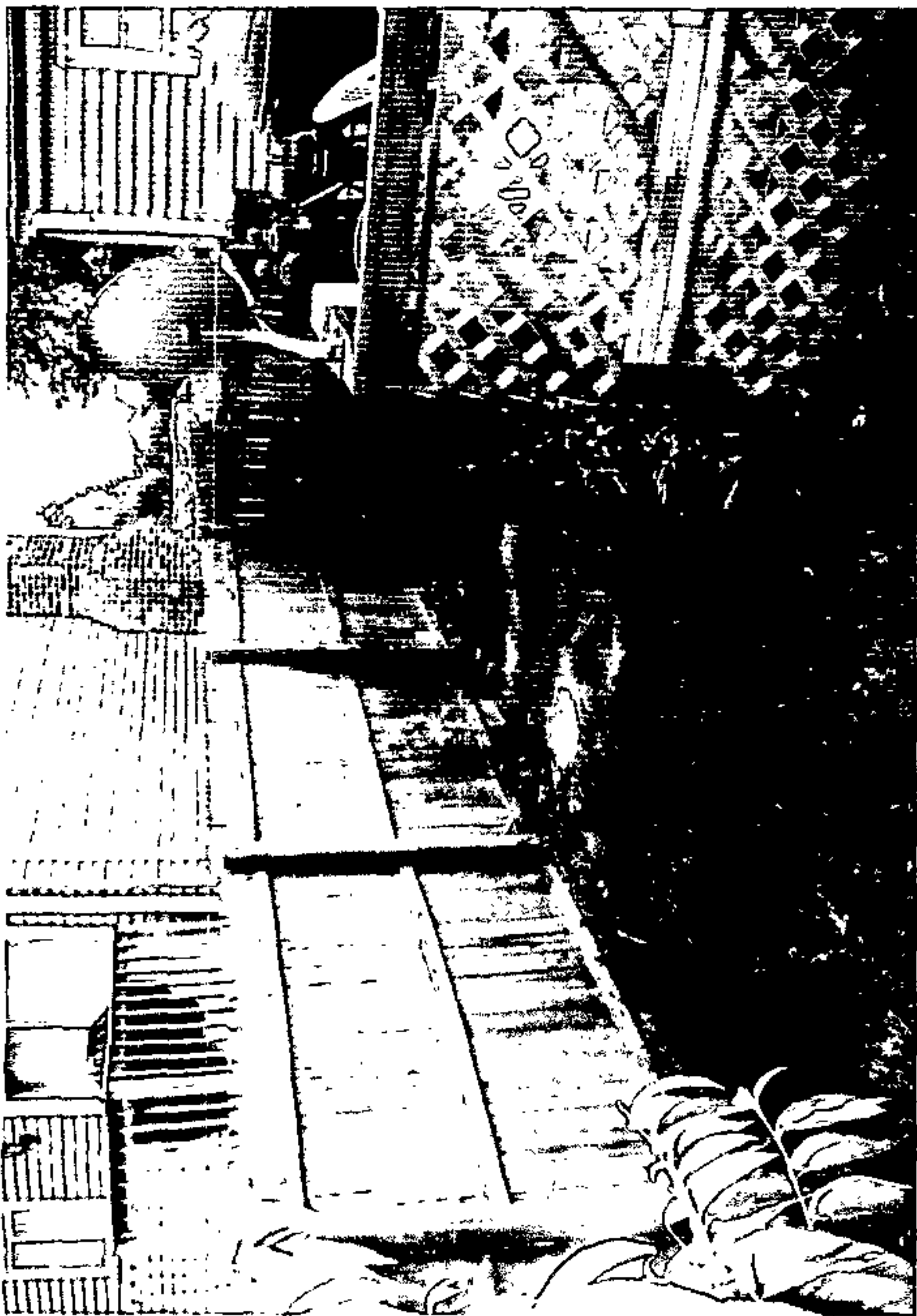
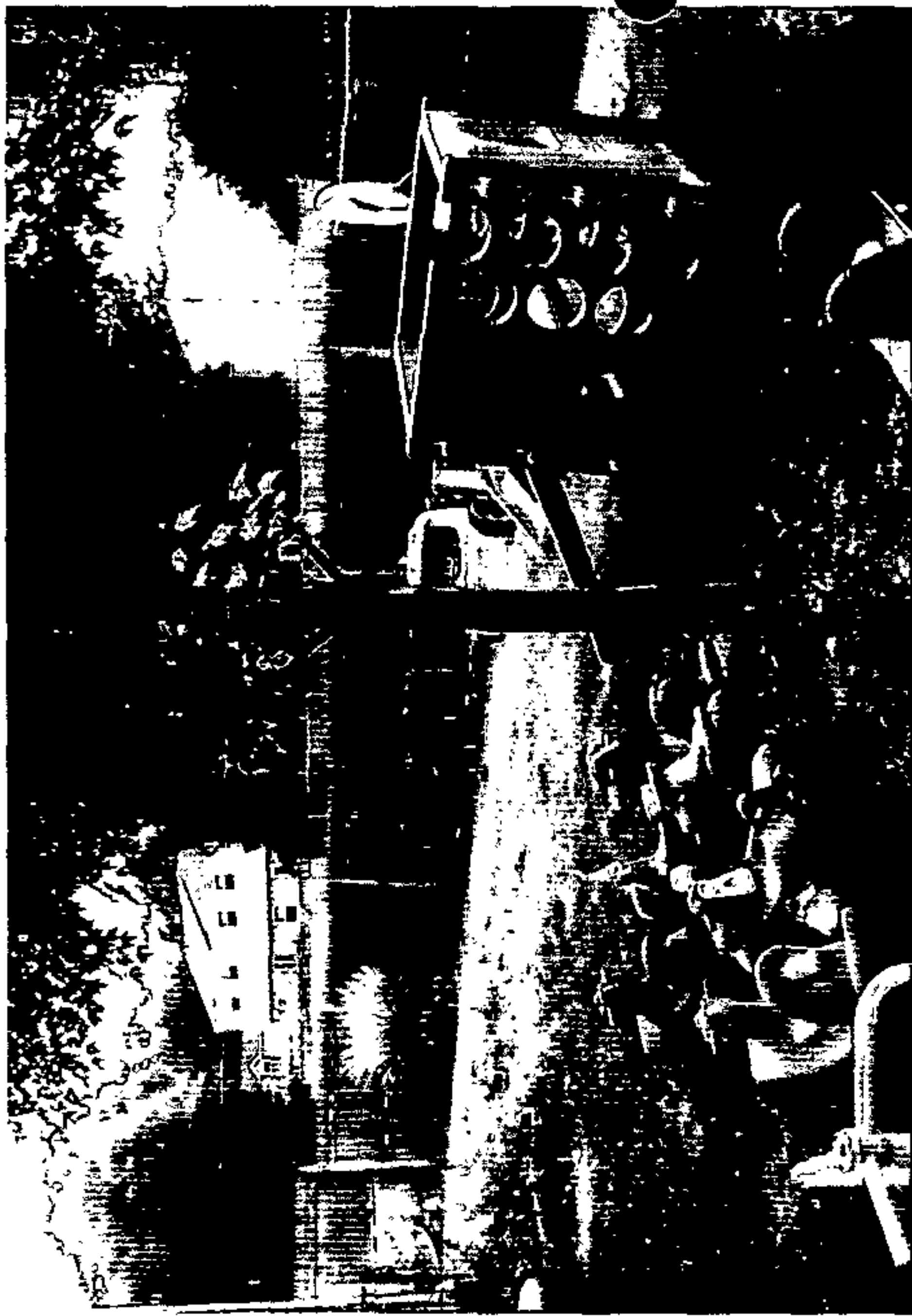
No. 1	Site Plan	
No. 2	Photographs of Subject Property	
No. 3	Certificate of Registration Md Dept of Education	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER'S

EXHIBIT NO.

2



POST IN CONSPICUOUS PLACE - This Certificate of Registration is not transferable to another person, address, or location



Maryland State Department of Education
Office of Child Care

Region: III County: Baltimore

Registration Number: 03-138176

Registered Provider since: 10/29/2002

CERTIFICATE OF REGISTRATION

ANGELA LEACH-SIDBURY

is registered to operate a Family Day Care Home

This certifies that

(Name)

601 GYNITA CIRCLE REISTERSTOWN, MARYLAND 21136

at:

(Address/Location)

The Office of Child Care issues this Certificate of Registration pursuant to Family Law Article, Sections 5-550 through 5-558, and COMAR 13A.14.01.

Current Status of Registration:	
Issued on: 2/24/2006	
Revised on:	
☒ Initial Expires on: 2/24/2008	
☐ Provisional Expires on:	
☐ Continuing (Non-Expiring)	
☐ Conditional Expires on:	

Approved Ages of Children in Care:	
Under 2 years old *	Yes
2 years through 5 years old	Yes
5 years through 12 years old	Yes
13 years through 20 years old	

Maximum number of family day care children approved for care at one time:	8
	Capacity

Approved Hours of Operation:	
Days	Yes
Evenings	Yes
Overnight	No
Weekends	Yes

This Certificate of Registration is issued to the provider named above on condition that the provider agrees to comply with all applicable family day care laws and regulations. Failure to comply with applicable laws and regulations may result in an enforcement action against the Certificate of Registration, including but not limited to suspension or revocation of the Certificate or denial of a new Certificate. The provider must surrender this Certificate to the Office of Child Care (OCC) upon suspension, revocation, voluntary closure, or denial of a new Certificate.

* No more than two children under the age of two, including the provider's own children, may be in care at any time unless approved in advance by OCC.

RESTRICTIONS/COMMENTS:

CHILD CARE RESTRICTED TO LOWER FLOOR PLAYROOM, BATHROOM, MAIN FLOOR KITCHEN AND UPPER FLOOR BEDROOM (LEFT FRONT).

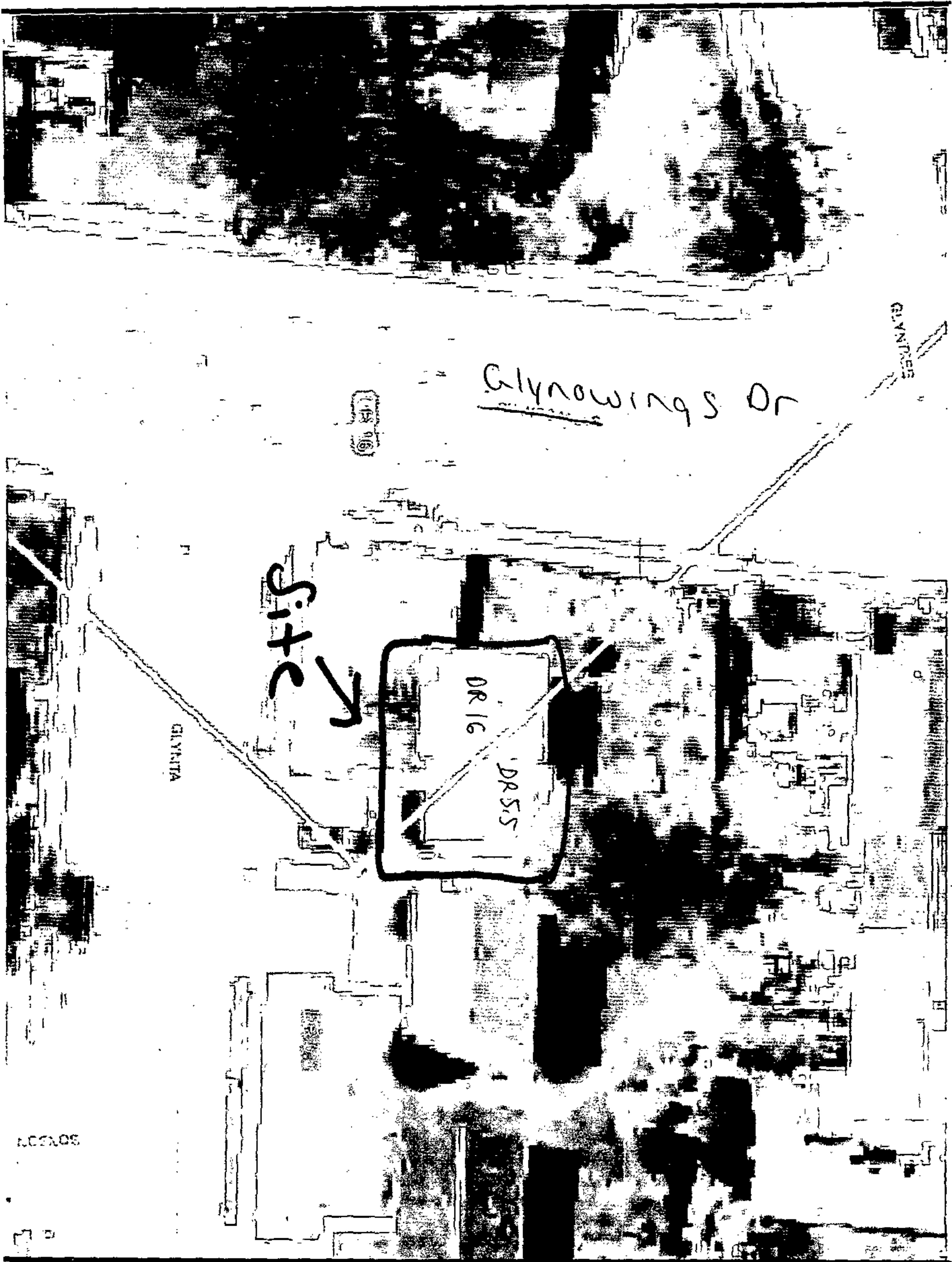
PETITIONER'S

EXHIBIT NO. 3

Nancy S. Grasmick
State Superintendent of Schools
Maryland State Department of Education

Judith L. Rozie-Dunne
Director
Office of Child Care

Marie Hayes
Regional Manager
Office of Child Care



07-111-SPHA

Bill Wiseman - Re: 07-111-SPHA - Angela Sidbury - Petitioner

From: Stephen Weber
To: Bill Wiseman; Debra Wiley
Date: 11/20/06 1:03 PM
Subject: Re: 07-111-SPHA - Angela Sidbury - Petitioner
CC: Jim Kordonski

Dear Debra & Bill -

We did make an examination of the intersection of Glynita Circle & Owings Mill Blvd (previously Glynowings Drive) as well as the subject site.

With respect to the intersection, sight distance looking from Glynita Circle to the right (north) is excellent. Looking to the left (south) the sight lines just meet absolute minimum standards. It would certainly be desirable for the sight lines to the south to be longer than they are, however the limitations are caused by numerous fence lines and obstructions in the rear yards of homes along Bonbon Ct that are located outside of the County right-of-way. Given that there are numerous properties involved and the County allowed the design/construction of the road in the manner that it was built, and that it meets the absolute minimum standards, it would be extremely difficult to force the improvement of the sight line. Also, while the sight line to the left is restricted, interestingly it does not appear that it has contributed to any safety problems of the intersection. There have only been two police-reported accidents at this intersection over the 7-year time period of 1998-2004, which indicates a below-average accident rate. One actually occurred on Glynita Cir at Owings Mill Blvd and involved a parked car in 2001 (we don't have any more information than that). The other accident is the only two-car moving accident at the intersection and it involved a southbound left-turning vehicle getting rear-ended by another southbound thru vehicle on Owings Mills Blvd. There had been NO reported accident accidents involving a vehicle exiting from Glynita Cir onto Owings Mill Blvd. Therefore, while we will agree the sight lines to the left are limited, it appears that drivers leaving this development are very much aware of the situation and enter onto Owings Mills Blvd very cautiously. I've seen this situation numerous times before on busier roadways with limited sight lines from a side street with essentially all local traffic. These drivers are very aware of the roadway limitations and enter the main road very carefully and therefore the accident rates are often safer than normal. Many times the intersections with excellent sight lines are ones where we have safety problems because side street drivers think they have an excellent line of sight and then they fail to really take the time to assess the presence of approaching vehicles.

With regard to the site itself, I would reiterate the Office of Planning's comment that the petitioner should demonstrate adequate and safe provisions for drop off and pick up of children. Our agency feels that all daycare centers should have such activity taking place on site and off of the street. We note that this dwelling has a 2-car parking pad. These 2 parking spaces should be reserved exclusively for parents to drop off and pick up children during any hours that the daycare center is in operation. The owner and any staff should not be parking in these 2 spaces during the day when the daycare is open.

While not really involving your case, we will point out that the petitioner has a split rail fence running along the west property line (the east side of Owings Mill Blvd) from the stockade fence down to near Glynita Circle and it is not shown on the Plat which accompanied the zoning variance/special hearing. While the split-rail fence is not causing any traffic problem, we note that the last two wood rails that come to near the streetlight, located on the northeast corner of Owings Mill Blvd & Glynita Cir, are located off of the petitioner's property and are on Baltimore County right-of-way. The petitioner should remove these two rails off of County property, as they do not have permission for them to be there.

If you have any questions or need any other information, give me a call at ext. 3554.

Steve Weber

>>> Debra Wiley 11/20/06 12:03:16 PM >>>

N/S Glynita Circle, 37.5 E of Glynowings Drive, (601 Glynita Circle), 4th Election District & 2nd Council District

Hi Steve,

Commissioner Wiseman asked that I send you an email regarding the above captioned.

This is just a gentle reminder to see if you have come to any opinion as to whether an adequate and safe drop-off for children can be utilized at this property, we would like to have the benefit of your advice.

Thanking you in advance for your attention and time to this matter; it is appreciated. Have a great day!

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Account Identifier: District - 04 Account Number - 1700013448

Owner Information

Owner Name: SIDBURY ANGELA L Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 601 GLYNITA CIR Deed Reference: 1) /23453/ 213
REISTERSTOWN MD 21136-1737 2)

Location & Structure Information

Premises Address
601 GLYNITA CIR

Legal Description

601 GLYNITA CIR
BONITA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
49	7	276			1	A	40	1	1	
									Plat Ref:	41/ 136

Special Tax Areas

Town	Ad Valorem	Tax Class

Primary Structure Built
1979

Enclosed Area
1,568 SF

Property Land Area
6,534.00 SF

County Use
04

Stories
2

Basement
NO

Type
SPLIT LEVEL

Exterior
SIDING

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	42,530	42,530		
Improvements:	86,530	86,530		
Total:	129,060	129,060	129,060	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

Transfer Information

Seller: GUTSHALL DAVID R	Date: 02/28/2006	Price: \$269,500
Type: IMPROVED ARMS-LENGTH	Deed1: /23453/ 213	Deed2:
Seller: PATEL KIRITKUMAR R	Date: 06/20/2001	Price: \$118,000
Type: IMPROVED ARMS-LENGTH	Deed1: /15315/ 246	Deed2:
Seller: PATEL RAMESHCHANDRA M	Date: 08/26/1998	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /13105/ 726	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

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