Date 12-5-CENTUR FILING

RE: PETITIONS FOR SPECIAL EXCEPTION \*

AND VARIANCE – NW/S Shamrock Lane,
25' SW of c/line Greenwood Road \* ZONING COMMISSIONER

(501 Shamrock Lane)
3rd Election District \* FOR
2nd Council District \* BALTIMORE COUNTY

James D. Webster, et ux
Petitioners \* Case No. 07-116-XA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for the consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, James D. Webster, and his wife, Donna M. Webster. The Petitioners request a special exception for a Class B Group Child Care Center in a D.R.5.5 zone. In addition, the Petitioners request variance relief from Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 424.7.A, B and C to permit a lot size of 7,385 square feet in lieu of the required 43,560 square feet (one acre); to permit a street setback of 21 feet in lieu of the required 25 feet; to permit a side yard setback of 17 feet with 0 feet of perimeter vegetative buffer and open projection with an 8 foot side yard setback in lieu of the required 50 feet, 37.5 and 20 feet, respectively; and to permit a rear setback of 37 feet with 0 feet of perimeter vegetative buffer in lieu of the required 50 feet and 20 feet, respectively; and to permit drop-off and delivery areas to be located in a public street right-of-way in lieu of the required side or rear yard; from Section 409.6A.4 to permit two parking spaces in lieu of the required four parking spaces; from Section 409.8A.4 to permit parking spaces with a 0 foot setback from the public rightof-way in lieu of the required 10 feet, and from Section 424.1B to permit a fence for the outdoor play space area to be white plastic and the chain link with a height of 5 feet with a 0 foot setback to

property line in lieu of the required wood stockade with a 20 foot setback. The subject property and requested relief are more particularly described on the site submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were James and Donna Webster, property owners and Bernadette L. Moskunas with Site Rite Surveying Inc., the surveyors who prepared the site plan for this property. Appearing as interested citizens/Protestants in this matter were F. Daryl Anthony, a nearby property owner and Ade Oyemade, who wished to observe the proceedings.

The testimony and evidence offered that the subject property is a rectangular shaped parcel located at the corner of the intersection of Shamrock Lane and Greenwood Road in the Gwynnvale/Sudbrook Community. The property consists of a gross area of 0.170 acres, more or less, zoned D.R.5.5, and is improved with a two-story brick frame dwelling, approximately 32 feet, 6 inches wide by 37 feet deep, a small frame shed, and a rear yard fenced play area, which serves as both a residence for the property owners' daughter, Stephanie Webster and her child care center. The Petitioners filed the instant petition to expand an existing child day care facility within the home. Testimony indicated that the Webster's obtained the property in 1989 and began child care operations in 1995. They transitioned to a church child care center in 2003 and allowed their daughter Stephanie, a qualified day care provider, to reside on the property and resume the "family child care home" in 2006. Unfortunately for the Petitioners, their church-based operations terminated as a result of the property being condemned. Thus, approval is requested at the subject property, which has functioned well in the past, and presently provides day care for up to eight children, thereby expanding the operation so as to be able to provide day care services for up to 26

children. In this regard, letters of support from adjacent neighbors at 503 Shamrock and 1330 Greenwood were submitted as Petitioners' Exhibit 2.

Group Child Care Centers are regulated in Section 424 of the B.C.Z.R. Section 101 of the B.C.Z.R. defines a Group Child Care Center as a "Building or structure wherein care, protection, and supervision is provided for part or all of the day, on a regular schedule, at least twice a week, for at least nine children, including children of the adult provider". A Class A Group Child Care Center is defined as a center where care is provided for no more than 12 children; a Class B Group Child Care Center is where care is provided for more than 12 children. Thus, the relief requested is necessary to permit expansion of the existing use of the subject property.

Mr. Webster indicated that his wife and daughter run an efficient center, which benefits both the children and their parents, and that they offer educational programs for the children. He indicated that the use serves many families in the adjacent community. Many of the individuals who reside in the community drops off their children at this neighborhood site as they travel to their places of employment. Mrs. Webster indicated that the use is needed in this community and that there is a waiting list for people to enroll their children in the facility. She also indicated that she is licensed by the State of Maryland and would increase the number of employees on the site, as required by the State, if the number of children proposed were allowed the subject zoning petitions.

Mr. Anthony testified and expressed concerns that he and his wife Felicia have, which is shared by the undersigned. He indicated that the Webster's property, in effect, is located at the gateway to the residential community of Gwynnvale where 80% of the traffic enters and exists causing congestion. He is concerned about the additional traffic that will be generated by the proposed use, and the pattern under which children will be dropped off and picked up at the site.

Although no one other than Mr. Anthony appeared in opposition to the request, an adverse Zoning Advisory Committee (ZAC) comment, dated September 26, 2006, was received from the Office of Planning. That agency opines that the subject proposal would result in an overdevelopment of the site which could be detrimental to adjacent residential properties. Their comment also addresses the lack of adequate provisions for drop-off and pick-up and area parking which could be disruptive to nearby residents causing traffic congestion. This is indeed a difficult case. I have no doubt that Mr. and Mrs. Webster run an appropriate and needed day care center in the community. Properly regulated, the use could be beneficial to the locale, however, the site is small and the opportunity for expansion is limited.

A special exception can be granted only if the requirements of Section 502.1 of the B.C.Z.R. have been met. Essentially, the Petitioner must produce testimony and evidence which show that the proposed use will not be detrimental to the health, safety or general welfare of the locale. In this regard, I do not find that the Petitioners have met the burden imposed on them. The testimony of the Protestant and the Office of Planning, who recommends denial of the request, were persuasive to a finding that the subject property is simply too small to accommodate a child care center of the size proposed (26 children). Additionally, a series of variances are requested from the setback, drop-off, parking spaces, and fence requirements as set forth in Section 424 and 409 of the B.C.Z.R., in large part due to the small size of the property and the location of existing improvements thereon. The subject property does not have enough space for the proposed use to function safely and efficiently or to ensure adequate separation from the adjacent residential community.

After due consideration of all the testimony and evidence presented, I am persuaded

Date

to deny the requests. I find that the Petitioners have not met the burden imposed upon them by Section 502.1 of the B.C.Z.R., and that the relief requested, if granted, would adversely impact neighboring properties and surrounding locale. The subject property is simply too small to accommodate the size of the day care center proposed by the applicant.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 2006, that the Petition for Special Exception to approve a Class B Group Child Care Center on the subject property, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

From Section 424.7.A, B and C to permit a lot size of 7,385 square feet in lieu of the required 43,560 square feet (one acre); to permit a street setback of 21 feet in lieu of the required 25 feet; to permit a side yard setback of 17 feet with 0 feet of perimeter vegetative buffer and open projection with an 8 foot side yard setback in lieu of the required 50 feet, 37.5 and 20 feet, respectively; and to permit a rear setback of 37 feet with 0 feet of perimeter vegetative buffer in lieu of the required 50 feet and 20 feet, respectively; and to permit drop-off and delivery areas to be located in a public street right-of-way in lieu of the required side or rear yard; from Section 409.6A.4 to permit two parking spaces in lieu of the required four parking spaces; from Section 409.8A.4 to permit parking spaces with a 0 foot setback from the public right-of-way in lieu of the required 10 feet, and from Section 424.1B to permit a fence for the outdoor play space area to be white plastic and the chain

Date 12-5-ck ILING
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link with a height of 5 feet with a 0 foot setback to property line in lieu of the required wood stockade with a 20 foot setback, in accordance with Petitioners' Exhibit 1, be and is hereby DENIED.

Any appeal of this decision must be filed within thirty (30) days of the date hereof and in accordance with the applicable provisions of law.

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

December 5, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Mr. and Mrs. James Webster 501 Shamrock Lane Pikesville, Maryland 21208

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE

NW/S Shamrock Lane, 25' SW of c/line Greenwood Road (501 Shamrock Lane)

3<sup>rd</sup> Election District – 2<sup>nd</sup> Council District

James D. Webster, et ux - Petitioners

Case No. 07-116-XA

Dear Mr. and Mrs. Webster:

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

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

Very truly yours,

LLIAMI. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw

c: Ms. Bernadette L. Moskunas, Site Rite Surveying, Inc., 200 E. Joppa Road, Room 101, Towson, Md. 21286 Mr. F. Daryl Anthony, 1306 Idylwood Road, Baltimore, Md. 21208 Ade Oyemade, 17110 Russet Drive, Bowie, Maryland 20716 People's Counsel; Case File



## Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 501 SNamrous Lanc

which is presently zoned D.P. 55

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)

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

see attached

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.

			- ··· ··- <b>,</b> · · · · ·		
Contract Purchaser/Lessee:			Legal Owner(s):	ا	<u></u>
			JAMES D.	Webst	er
Name - Type or Print		Name - 1	Type or Pkint	$\phi$	Walster
Signature	<u></u>	•	Signature	m.	Jebster
Address	Telephone No.	•	Name-Type or Print	Liste	
City	Zip Code	-	Signature		(410)
Attorney For Petitioner:			4120 SiHLER	OAKS	Telephone No.
			Address BAltimale	MD	21117
Name - Type or Print	_, <u>,,</u>	City	10111111111	State	Zip Code
· · · · · · · · · · · · · · · · · · ·			Representative to b	e Contacte	<u>:d:</u>
Signature	<del></del>	-			
		<del></del>	Site Rite Survey	ing, Inc.	
Company			200 E. Joppa Roa	d. #101	(410( 828-9060
Address	Telephone No.	-	Address		Telephone No.
		_	Towson	MD	21286
City	Zip Code	_	City	Stat	e Zip Code
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REASONS TO ACCOMPANY PETITION FOR VARIANCE #501 SHAMROCK LANE "WEBSTER'S KINDER KAMPUS II"

- 1. THIS PROPERTY IS PART OF A RECORD PLAT DATED SEPTEMBER 1956 AND HAS BEEN HELD UNDER THE SAME OWNERSHIP SINCE NOVEMBER 1995. THERE IS NO CONTIGUOUS OWNERSHIP TO MEET CURRENT B.C.Z.R. WITH REGARD TO LOT AREA.
- 2. THIS PROPERTY IS A CORNER LOT AND CONSIDERED TO HAVE TWO STREET FRONTS EVEN THOUGH THE DWELLING FRONTS SHAMROCK LANE, THUS ELIMINATING ONE (I) SIDE YARD ORIENTATION.
- 3. THIS LOT IS NARROW ACROSS THE FRONT AND WIDENS IN THE REAR; THEREFORE, MAKING IT DIFFICULT TO MAINTAIN THE REQUIRED FENCE BUFFER.
- 4. THIS REQUEST IS WITHIN THE SPIRIT AND INTENT OF THE B.C.Z.R. WITH REGARD TO GROUP CHILD CARE REQUIREMENTS AND GRANTING RELEIF FOR THIS REQUEST WILL NOT ADVERSELY IMPACT THE HEALTH, SAFETY OR GENERAL WELFARE OF THE COMMUNITY.
- 5. THIS FACILITY IS PRESENTLY SERVICING ITS COMMUNITY AND IS SEEKING TO BETTER ACCOMMODATE ITS WISHES FOR A LARGER CHILD CARE ESTABLISHMENT.

**VARIANCE** 

Section 424.7A.

To permit a lot size of 7385.258 square feet in lieu of the required 43,560 (1 acre).

Section 424.7B. ~ 301.1A.

To permit a street setback of 21' in lieu of the required 25'.

To permit a side yard setback of 17' with 0' of perimeter vegetative buffer and open projection with an 8' side yard setback in lieu of the required 50', 37.5 and 20', respectively.

To permit a rear setback of 37' with 0' of perimeter vegetative buffer in lieu of the required 50' and 20', respectively.

Section 424.7C.

To permit drop-off and delivery areas to be located in a public street right-of-way in lieu of the required side or rear yard.

Section 409.6A.4.

To permit 2 parking spaces in lieu of the required 4 parking spaces.

Section 409.8A.4.

To permit parking spaces with a 0' setback from the public right-of-way in lieu of the required 10'.

Section 424.1B.

To permit a fence for the outdoor play space area to be white plastic and the chainlink with a height of 5' with a 0' setback to property line in lieu of the required wood stockade with a 20' setback.



## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 501 Shamvock Lanc

. Idi the pro	which is presently zoned DK-5.3
augor/o) of the property cituate in Raltimore County and Wh	nits and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and under the Zoning Regulations of Baltimore County, to use the
herein described property for A Class B GWUP CWI	1 cave Facility in a D.R. 5.5 Zone.
1	1
-	
Property is to be posted and advertised as prescribed by the	zonina regulations.
I, or we, agree to pay expenses of above Special Exception, adversoning regulations and restrictions of Baltimore County adopted put	dising, posting, etc. and further agree to and are to be bounded by the
•	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:	<u>Legal Owner(s):</u>
	DONNA M. Webster
Name - Type or Print	Name - Type or Print
Signature	Signature '
Address Telephone No.	Name - Type or Print
	James D. Wehter
City State Zip Code	Signature 501 Shamrock Lane (410)
Attorney For Petitioner:	Address Telephone No.
Name - Type or Print	Pipeswelle Md Zizog City State Zip Code
·	Representative to be Contacted:
Signature	DONNA M. Webster
Company	Name
Address Telephone No.	Address Telephone No.
City State Zip Code	Pikesville md ZIZOB  City State Zip Code
City State Zip Code	City .
	OFFICE USE ONLY
Case No. 07-116-XA_	ESTIMATED LENGTH OF HEARINGUNAVAILABLE FOR HEARING
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#### **ZONING DESCRIPTION FOR #501 SHAMROCK LANE**

BEGINNING FOR THE SAME AT A POINT ON THE NORTHWEST SIDE OF SHAMROCK LANE WHICH IS 50 FEET WIDE AT THE DISTANCE OF 25 FEET SOUTHWEST OF THE CENTERLINE OF GREENWOOD ROAD WHICH IS 50 FEET WIDE. BEING LOT NO. 13, SECTION "A" IN THE SUBDIVISION OF "GWYNN-VALE" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK NO. 23, FOLIO NO. 62, CONTAINING 0.170 ACRES, MORE OR LESS. ALSO KNOWN AS #501 SHAMROCK LANE AND LOCATED IN THE 3<sup>RD</sup> ELECTION DISTRICT, 2<sup>ND</sup> COUNCILMANIC DISTRICT.

MICHAEL COMBREMAS

PROFESSIONAL LAND SURVEYOR

REG. NO. 21175

SITE RITE SURVEYING, INC. 200 E. JOPPA ROAD SHELL BUILDING, ROOM 101 TOWSON, MD 21286 (410)828-9060

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE	 CHESE OF THE YELLOW C		
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# MOTICE OF ZOWING 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: #07-116-XA
501 Shamrock Lane

Northwest side of Shamrock Lane, 25 feet southwest of centerline Greenwood Road of Councilmanic District 3rd Election District - 2nd Councilmanic District Legal Owner(s): James D. and Donna M. Webster Legal Owner(s): James D. and Donna M. Webster Legal Owner(s): James D. and Donna M. Webster Special Exception: To permit a class B Group Child Care facility in a DR - 5.5 zone. Variance: To permit a lot size of 7385.258 square feet in lieu of the required 43.560 (1 of 7385.258 square feet in lieu of the required 43.560 (1 of 7385.258 square feet in lieu of the required 43.560 (1 of 7385.258 square feet in lieu of the required 45 feet and to permit a side yard setback of 17 feet with 0 feet of perimeter vegetative buffer in lieu of the required 50 feet, respectively and to permit drop-off and delivery areas to be located in a public street right-of-way in lieu of the required 4 parking spaces and to permit parking spaces with a 0 foot setback from the public right-of-way in lieu of the required 10 feet and to permit a fence for the outdoor play space area to be white plastic and the chain link with a height of 5 feet with a 0 foot setback to property line in lieu of the required wood stockade with a 20 foot setback.

Hearing: Tuesday, November 14, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bostey 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.

10/336 Oct. 26

	10/26/2006
OT SI SIHT	THIS IS TO CERTIFY, that the annexed advertisement was published
in the following	in the following weekly newspaper published in Baltimore County, Md.,
once in each of	successive weeks, the first publication appearing
on 10126	

Smy my S	North County News	☐ NE Booster/Reporter	🗀 Owings Mills Times	☐ Towson Times	☐ Catonsville Times	☐ Arbutus Times	M The Jeffersonian
7							

LEGAL ADVERTISING

#### CERTIFICATE OF POSTING

ATTENTION:	KRISTEN MATHHEWS		DATE: 10/28/05
Case Number: 07-116-XA			
Petitioner/Developer:	JAMES AND DONNA WESTER	RSITE RITE SURVEYING, INC.	
	Date of Hearing (Closing): 11/14/06		<del>-</del>
This is to certify under the pena conspicuously on the property		ssary sign(s) required by law were	e posted
The sign(s) were posted on:	10/26/06	<del></del>	
•	SEE ATTACHED PHO	OTOS	
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#### (2)

## ZONINGNOTICE

CASE # 07-116-XA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

ROOM 407 COUNTY COURTS BLOG.
PLACE: 401 BOSLEY AVENUE, TOWSON 21204

TUESDAY, NOVEMBER 14, 2006

AT 10:00 A.M.

REQUEST: CLASS & GROUP CHILD CARE FACILITY

NA DR-5 5 ZONE. VARIANCE TO PERMIT A

LOT SIZE OF 7385, 258 SQUARE FEET IN LIEU OF

THE REQUIRED 43,560 (LACRE) AND TO PERMIT A

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## ZONING NOTICE

CASE # 07-116-XA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

ROOM 407, COUNTY COURTS BLDG.

PLACE: 401 BOSLEY AVENUE, TOWSON: 21204

TUESDAY, NOVEMBER 14, 2006

DATE AND TIME:

AT 10:00 A.M.

THE REQUIRED 50 FEET, 37.5 FEET

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A PUBLIC HEARING WILL BE HELD B THE ZONING COMMISSIONER IN TOWSON, MD

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#### Department of Permits and Development Management

Director's Office

County Office Building

111 W. Chesapeake Avenue

Towson, Maryland 21204

Tel: 410-887-3353 • Fax: 410-887-5708



#### **Baltimore County**

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

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: 07-116-XA

501 Shamrock Lane

Northwest side of Shamrock Lane, 25 feet southwest of centerline Greenwood Road.

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner(s): James D. and Donna M. Webster

SPECIAL EXCEPTION To permit a class B Group Child Care Facility in a DR - 5.5 zone.

VARIANCE To permit a lot size of 7385.258 square feet in lieu of the required 43,560 (1 acre) and to permit a street setback of 21 feet in lieu of the required 25 feet and to permit a side yard setback of 17 feet with 0 feet of perimeter vegetative buffer and open projection with an 8 foot side yard setback in lieu of the required 50 feet, 37.5 feet and 20 feet, respectively and to permit a rear setback of 37 feet with 0 feet of perimeter vegetative buffer in lieu of the required 50 feet and 20 feet, respectively and to permit drop-off and delivery areas to be located in a public street right-of-way in lieu of the required side or rear yard and to permit 2 parking spaces in lieu of the required 4 parking spaces and to permit parking spaces with a 0 foot setback from the public right-of-way in lieu of the required 10 feet and to permit a fence for the outdoor play space area to be white plastic and the chain link with a height of 5 feet with a 0 foot setback to property line in lieu of the required wood stockade with a 20 foot setback.

Hearing: Tuesday, November 14, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

Muty Kotroco

TK:amf

C: James and Donna Webster 4120 Sihler Oaks Trail Baltimore 21117 Site Rite Surveying, Inc. 200 E. Joppa Road, #101 Towson 21286

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, OCTOBER 30, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Thursday, October 26, 2006 Issue - Jeffersonian

Please forward billing to:

James and Donna Webster 4120 Sihler Oaks Trail Baltimore, MD 21117

410-504-5199

#### 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: 07-116-XA

501 Shamrock Lane

Northwest side of Shamrock Lane, 25 feet southwest of centerline Greenwood Road.

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owner(s): James D. and Donna M. Webster

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Hearing: Tuesday, November 14, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401

Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL NOTES: (1) 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 <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

Item Number or	Case Number: 07-116-XA	
•	James and Donna Webster	<u>., </u>
Address or Local	tion: 501 Shampock lane	
	·	
PLEASE FORW	ARD ADVERTISING BILL TO:	
PLEASE FORWARD	ARD ADVERTISING BILL TO: JAMES and Donna Webster	
Name:	James and Donna Webster	· · · · · · · · · · · · · · · · · · ·
	James and Donna Webster 4120 Sihler Oaks Trail	
Name:	James and Donna Webster	



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 8, 2006

James D. Webster Donna M. Webster 4120 Sihler Oaks Trail Owings Mills, MD 21117

Dear Mr. and Mrs. Webster:

RE: Case Number: 07-116-XA, 501 Shamrock Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 14, 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,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel

Site Rite Surveying, Inc. 200 E. Joppa Road, Suite 101 Towson 21286

#### BALTIMORE COUNTY, MARYLAND

#### Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

Jeff Livingston, DEPRM - Development Coordination ゴット

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

J. Livingston Reviewer:

Date: September 25, 2006

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** September 25, 2006

Management

084

Department of Permits & Development

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

11/14 10Am

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

RECEIVED

DATE: September 26, 2006

OCT - 3 2006

ZONING COMMISSIONER

**SUBJECT:** 

501 Shamrock Lane

**INFORMATION:** 

Item Number:

7-116

**Petitioner:** 

Donna and Mames Webster

Zoning:

DR 5.5

Requested Action:

Special Exception And Variance

The property in question is an average sized corner lot located in the Gwynnvale community. The existing use is a Class A Child Care facility. The proposed use is a Class B Child Care Center with an enrollment of 39 children.

The submitted site plan requires numerous variances for lot area of 7,385 square feet in lieu of 43,560 sq.ft., for setbacks, for drop off and pick up, for # of parking spaces and setback for parking and for fencing material and fencing setback.

#### SUMMARY OF RECOMMENDATIONS:

The site is too small to accommodate the proposed use as a 39-child Group B Child Care Center. It will result in an overcrowding of the land. The public street should not be the means of drop off and pick up. Lack of on site provisions for drop off and pick up will cause traffic congestion. The site plan also fails to comply with the required parking and fencing.

In summary the applicant cannot meet the burdens of proof pursuant to Section 502 and 307 of the BCZR therefore the Office of Planning recommends denial of the request for Class B Child Care Center and accompanying variances.

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

Prepared by:

Division Chief:

AFK/LL: CM

RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE

501 Shamrock Lane; NW/S Shamrock Lane,\*

25' SW of c/line Greenwood Road

3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts

Legal Owner(s): Donna & James Webster

Petitioner(s)

BEFORE THE

**ZONING COMMISSIONER** 

**FOR** 

**BALTIMORE COUNTY** 

07-116-XA

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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 2006, a copy of the foregoing Entry of Appearance was mailed to Donna Webster, 501 Shamrock Lane, Pikesville, MD 21208, Petitioner(s).

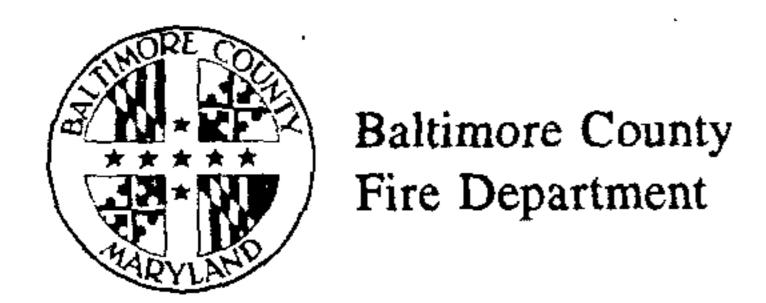
RECEIVED

SEP 1 & 2008

Per.....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



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 October 4, 2006

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 2, 2006

Item Number(s): 113-130

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.

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

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

cc: File

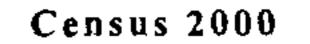


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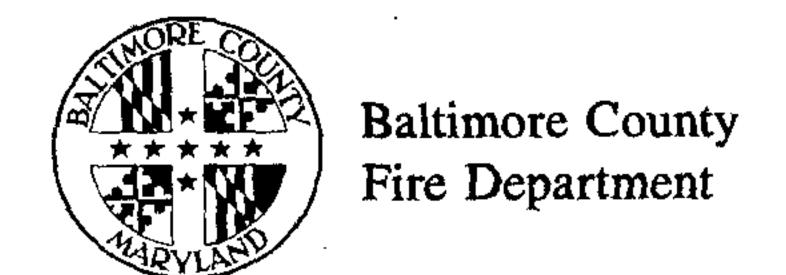
on Recycled Paper











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)

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

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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5507, 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. 116

> CAWYNLVALE - BREENWOOD RD SPECIAL EXCEPTION - CLASS B. DAY CAVLE FACILITY

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. 116

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,

Steven D. Foster, Chief U Engineering Access Permits

Division

SDF/MB

#### GWYNNVALE CIVIC COMMUNITY ASSOCIATION

Po Box 32115
Pikesville, Maryland 21282-2115
(Fax: 410-486-2639)

President: Dr. Harold Hart

Financial Officer: James Stephens

Secretary: Felicia Anthony

November 22, 2006

NOV 2 7 2006

The same of the sa

Honorable William J. Wiseman
Zoning Commissioner
401 Bosely Avenue Rm. # 405
Towson, Maryland 21204

Dear: Honorable William J. Wiseman

This letter is written in reference to <u>CaseNo.07-116-XA</u>, James and Donna M. Webster **Petition for Special Exception/Variance for zoning.** I, have been made aware by Mr. Daryl Anthony upon his attendance at the formal Hearing in your Court that a request was made for a formal report of the Community Civic Association position on the aforementioned request.

I submit to you that the association meetings are generally held at a minimum of six (6) times a year and when issues require immediate attention such as this matter in the Pikesville Public Library Conference Room. Due to present renovations ongoing at the library we were unable to have a meeting in the conference room; therefore, I conducted a limited poll of neighbors in the community to get feedback on the request of the Webster's. In an interview verbally (via) telephone with both Mr.& Mrs. Clifton Newman, residents of 500 Shamrock Lane (directly across the street) from resident in question I was told that they opposed the granting of the petitions. I was told, "There are incidents when daycare parents blocked my driveway and others instances when loading and unloading children at this intersection is an outright safety hazard." It was further intimated that the request for the kind of fence indicated in the petition would be more of an eyesore than anything else at this location. Mrs. Newman also stated that the neighbors living immediately adjacent to the petitioners at 502 Shamrock Lane whom she had spoken were also opposed to this petition for safety reasons as well as parking.

Mrs. Ann Dorsey at 504 Shamrock Lane contacted me on Thursday 11/9/06 and voiced her opposition to the granting of this petition citing safety reasons, parking and rezoning as her reasons for opposition. I might add that two of the neighbors in the 500 block of Shamrock Lane whom I spoke too voiced no opposition to this petition.

In closing I must state that the Webster's have never attended a Community association meeting nor paid the annual dues since I have been president of the organization the past three years.

Sincerely,

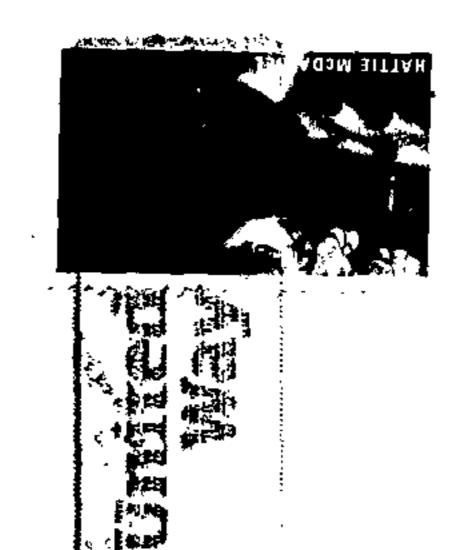
Dr. Harold Hart President

CC: Honorable Councilman, Kevin Kamenetz Attachments:

Dr. Harold Hart PO Box 32115 Baltimore, MD 21282-2115

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Honorable William J. Wiseman, III Zoning Commissioner 401 Bosely Avenue Rm. 405 Towson, Maryland 21204

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To:

William J. Wiseman, III, Zoning Commissioner

Dr. Harold Hart, President, Gwynnvale Community Civic Association

From:

F. Daryl Anthony, 1306 Idylwood Road, Gwynnvale Community Resident

Date:

November 20, 2006

Subject:

Case Number: 7-116-XA, 501 Shamrock Lane

Legal Owner: Donna M. Webster and James D. Webster

#### Mr. Wiseman,

You are aware that I was in attendance to the zoning hearing, 11/14/06, regarding the above case number. You are also aware that my wife, Felicia, and I are against the Special Exception To permit a Class B Group Child Care Facility in a DR – 5.5 for the following reasons:

#### **SAFETY CONCERNS**

- \* Not enough parking spaces that would allow a safe drop off for a maximum of 26 infants.
- \*The location is at the corner of Greenwood Rd. and Shamrock Lane which is a "gateway" to our community of Gwynnvale (approx.75 to 80% of community traffic enters and exits at this location and can become quite congested. Not to mention the commercial traffic that frequents Greenwood Rd.).
- \*Vehicles frequently park at this corner, including the owners of 501 Shamrock Lane, which increases the probability of an accident.
- \*My wife had to avoid a collision with another vehicle at this corner during a drop off one of the Webster's clients.
- \*I recall from the hearing, that through written communication, the Director of Planning was against this exception due to the issues relating to parking.

#### Variance Discrepancy

- \*43,560 sq. ft. required vs 7,385.258 sq. ft. exception.
- \*Required side or rear yard drop off and delivery and 4 parking spaces required vs a drop-off and delivery in a public street right-of- way and 2 parking space exception.

\*This list is not all inclusive.

#### Absentee Landlord

\*Mr. and Mrs. Webster are the legal owners of said property, but do not reside at this location within the community. They have no vested interest in our community.

#### Licenses

\*According to the Webster's testimony during the hearing, neither Mr. Webster nor Mrs. Webster are properly licensed to operate a child care facility.

#### MISC.

- \*There are business parks on Greenwood Ave. that could possible accommodate the Webster's business venture.
- \*I fear that making these types of variance exceptions in a residential neighborhood could start an unwanted trend with outside investors preying upon our community.
- \*Housing values could be adversely affected as well as other future unknown effects.

Mr. Wiseman, I strongly request that you vote against these exceptions allowing the Webster's to operate a commercial business within our community.

Sincerely,

**FDA** 

#### FAX TRANSMITTAL SHEET

ro: Mr. William J. Wiseman

FROM: Donna Webster

DATE: 11/17/06

RECIPIENT FAX: 410-887-3468

NUMBER OF PAGES INCLUDING COVER:

MESSAGE: The items requested below.

\* MSDE Office of ChildCare. Registration for Stephanic Webster

MMSDE Office of ChildCare Inspection

# - This Certificate of Registration is not transferable to another person, PLACE CONSPICUOUS Z POST

CERTIFICATE OF REGISTRAI	
Office of Child Care	イン・イン・イン・イン・イン・イン・イン・イン・イン・イン・イン・イン・イン・イ
Maryland State Department of Educati	Secretary Secretarian Services

Maryland State Department of Education Office of Child Care

address, or County: H Region:

04/01/1999

Registration Number

HON

STEPHANIE WEBSTER

This certifies that

ä

Registered Provider since:

02:00

03-135171

**Beltimore** 

410-415-619<u>0</u>

of Operation:

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3/2/2006 is registered to operate a Family Day Care Home

SVILLE, MARYICAND 21208 PIKE -501 SHAMROCK-LANE-

(Address Location) The Office of Child Care issues this Certificate of Registration pursuant to Family

3/2/2008 Carrent Status of Registration; (Non-Expiring) Expires on: Expires on: Expires on: 7/10/2006 3/2/2006 Conditional Provisional attauing Revised on: Initial g Issued Ö  $\boxtimes$ 

Law Article, Sections 5-550 through 5-558, and COMAR 13A.14.01 Approved Hours Evenings Overnight Weekends Days 20 a Care:  $\mathbf{x}$ Xes धंकट: 2 Maximum number of family day care Approved Ages of Children children approved for care at one 13 years through 20 years old 5 years through 12 years old 2 years through 5 years old Under 2 years old •

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 The provider must surrender this Certificate to the Office of Child an enforcement action against the Certificate of Registration, including Care (OCC) upon suspension, revocation, voluntary closure, or denial of a new Certificate.

DONNA WEBSTER

\* 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 IS RESTRICTED TO BASEMENT AND SIDE YARD DECK

Nancy S. Grasmick

Maryland State Department of Education State Superintendent of Schools

Battle Judith L. Rozie.

Office of Child Care

Rose Marie Hayes Office of Child Care Regional Manager

PAGE

01

#### MARYLAND STATE DEPARTMENT OF EDUCATION Office of Child Care

Page _	of	5

#### ADDITIONAL COMMENTS

NOTE: Failure to correct the violation(s) listed below may result in sanctions being imposed or in the suspension or revocation of your registration, license or letter of compliance.

Facility/Provider: DONNA STEPHANIC WIEBSTINDATE: 119606
<ol> <li>Record each violation by regulation section, including agreed upon compliance date, if applicable.</li> <li>Enter each discussed item by its regulation section.</li> </ol>
3. Additional comments should also be listed by regulation section.
SPECIANIST WAS IN STRPHANIE WEBSTEE'S
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GROUND LEVEL
MRS. DOWN WIGSTIR TIMES THAT FIRE
Man L. M. G.
Signature of the Provider/Facility Representative (if applicable)  Signature of the Agency Representative (if applicable)

OCC 1273 (07/05) Previous editions are obsolete.

04/01/1333 05:00 410-412-6130

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### ADDITIONAL COMMENTS

NOTE: Failure to correct the violation(s) listed below may result in sanctions being imposed or in the suspension or revocation of your registration, license or letter of compliance.

Facility/Provider: DONNA STEPHANIE WEBSTIVE Date: 11/9/34
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<ol> <li>Record each violation by regulation section, including agreed upon compliance date, if applicable.</li> <li>Enter each discussed item by its regulation section.</li> <li>Additional comments should also be listed by regulation section.</li> </ol>
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THE DAY CORK HOME TO A CENTUR. MRS.
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Cimerus of the Brazile / Casility Depresentative / Cambinable! Signature of the Acanal Depresentative

Signature of the Provider/Facility Representative (if applicable)

OCC 1273 (07/05) Previous editions are obsolute.

Signature of the Agency Representative

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### ADDITIONAL COMMENTS

NOTE: Failure to correct the violation(s) listed below may result in sanctions being imposed or in the suspension or revocation of your registration, license or letter of compliance.

Facility/Provider: DONNA STEPHANIE WEBSTER Date: 119/0,6

Record each violation by regulation section, including agreed upon compliance date, if applicable. Enter each discussed item by its regulation section. Additional comments should also be listed by regulation section. CLOSET 101 AX . مدلاكم اكما 110.22 - 35 sq. ft = Door (3) POMINTIAN CHUDTEN Harmey UPSTAIRS BIDROOM #3 9' × 9' 6"= 9 × 9.5=85.5 - Lindonia 85.5 - 35 sq. Pt = 2.44 (2) PONENTIAL CHUDERS ريزيمر ل LIVING PUNY -18.42× 12.67= 233.38 - 3559.47 = 6.67 DINING >1200M 7) Porcion CHUSTRU Doore 1~1 mg a co OUTSIDE

Signature of the Provider/Facility Representative (if applicable)

OCC 1273 (07/05) Previous editions are obsolete.

Signature of the Agency Representative

### ADDITIONAL COMMENTS

NOTE: Failure to correct the violation(s) listed below may result in sanctions being imposed or in the suspension or revocation of your registration, license or letter of compliance.

Facility/Provider: DONNA STAPHANIE LIKE STER Date: 11901

1. Record each violation by regulati	on section, including agreed upon complia	ance date, if applicable.
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3. Additional comments should also	be listed by regulation section.	
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Signature of the Provider/Facility Representative (if applicable)

OCC 1273 (07/05) Previous editions are obsolete.

Signature of the Agency Representative

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### ADDITIONAL COMMENTS

NOTE: Failure to correct the violation(s) listed below may result in sanctions being imposed or in the suspension or revocation of your registration, license or letter of compliance.

Facility/Provider: MANA / DIEFHAME WESSTW Date:
<ol> <li>Record each violation by regulation section, including agreed upon compliance date, if applicable.</li> <li>Enter each discussed item by its regulation section.</li> </ol>
3. Additional comments should also be listed by regulation section.
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TO BE APPENUED FOR INFACTS & TODOLORS.
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AND A COPY MAIND TO MES DONNA
VEBSTRE.
ALL MEASURICMENTS SHOWN ON THIS REPORT
DO NOT INCLUDE ANY DEDUCTIONS. ITEM
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PLEASE PROVIDE A COPY OF FIRE INSPECT
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Signature of the Provider/Facility Representative (if applicable)

OCC 1273 (07/05) Previous editions are obsolete.

Signature of the Agency Representative

90

# PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# SITIZEN'S SIGN-IN SHEET

E-MAIL.			Jum Jan @ as . Co									
CITY, STATE, ZIP	Baltmore, MD 212-08	Ballinore, MD 21208	Bowlle MD 20716									
ADDRESS	1306 I dulwood Rd.	1300 Idy/wood Rd	17110 Russer dr									
NAME	F Dary Anthony	Feliela W Anthony	ade Overnade									

PLEASE PRINT CLEARLY

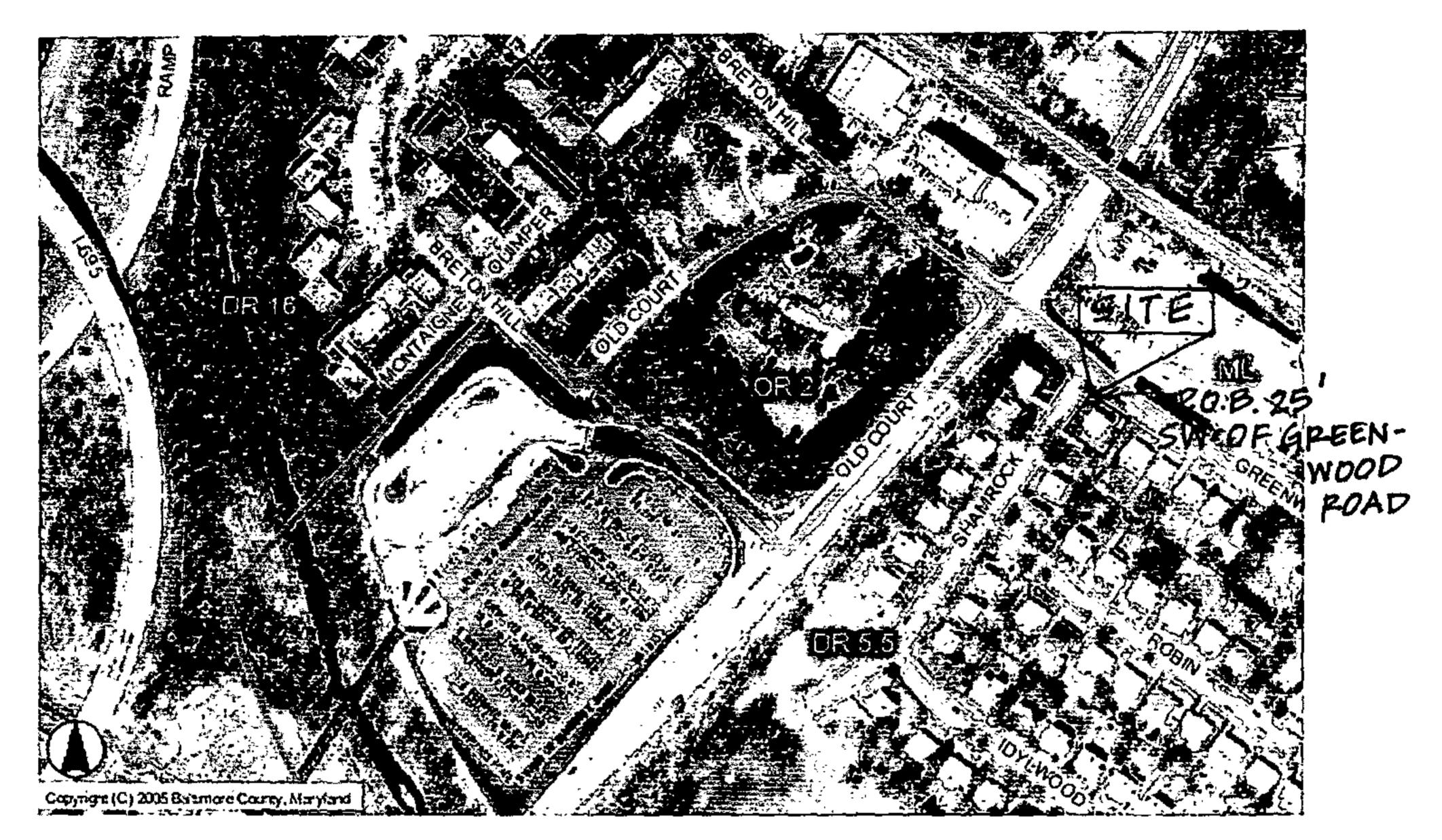
CASE NAME Websta's Kinder Lampus!

CASE NUMBER 01-116-A

DATE NW. 14, 2000

PETITIONER'S SIGN-IN SHEE

E- MAIL				
P. Vessylle mo 21208 Pilles Wille MD 21286				
SOI ShAMROCK LA 501 ShAMROCK LA 200 E. JOPPA PR. PANIO!				
Danna Webster Donna Websper Bunadette Moskunas				



Zoming Map: #501 Shamrock Lane

Case No.: 07-116 XA 501 SHAMROCK LANE

### **Exhibit Sheet**

### Petitioner/Developer

### Protestant

No. 1	AMENDED SITE PLAN
,	reducing Number of Children to (26)
No. 2	LEHERS FROM ADJACENT NEIGHBUS  A- 503 SHAMROCK  B- 1330 GREEN WOOD -
No. 3	Correspondence + thato. Existing conditions
No. 4	
No. 5	
No. 6	
No. 7	
No. 8	
No. 9	
No. 10	
No. 11	
No. 12	

To: Andre Moore

503 Shamrock Lane

Pikesville, Maryland 21208

Home Owners Association,

Over the past 15 years we have enjoyed you as our neighbor and you are well aware that we have operated a childcare service out of our home. Over the years the demand for our services within this community have grown beyond the normal capacity. We are currently in the process of expanding our program to meet the needs of this community.

If you could please indicate by your signature that you have no problems or concerns with the expansion of our service to this community and that over the years it has never been a burden to you or your property.

If you have any questions or concerns regarding this as your neighbor you are always welcome to address them with me.

Thank you for your time and attention to this critical matter.

Sincerely,

Donna M. Webster 501 Shamrock Lane Pikesville, Maryland 21208

I have read and agreed to the conditions of this letter.

Andre Moore

Date

PETITIONER'S

EXHIBIT NO.

2 A

To: Geoffrey Ellis
1330 Greenwood Road
Pikesville, Maryland 21208

Home Owners Association,

Over the past 15 years we have enjoyed you as our neighbor and you are well aware that we have operated a childcare service out of our home. Over the years the demand for our services within this community have grown beyond the normal capacity. We are currently in the process of expanding our program to meet the needs of this community.

If you could please indicate by your signature that you have no problems or concerns with the expansion of our service to this community and that over the years it has never been a burden to you or your property.

If you have any questions or concerns regarding this as your neighbor you are always welcome to address them with me.

Thank you for your time and attention to this critical matter.

Sincerely,

Donna M. Webster 501 Shamrock Lane Pikesville, Maryland 21208

I have read and agreed to the conditions of this letter.

Geoffrey Ellis

Date:

PETITIONER'S

EXHIBIT NO.

a B

To: Zoning Review Hearing Officer
Department of Permits and Development Management
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Please consider a Special Exception on behalf of James and Donna Webster owners of the property at 501 Shamrock Lane Pikesville, Md 21208. We have been the owners of this property since November 1995.

We currently offer a home base child care service to the Pikesville community. This service has been a proven success during the past ten years. The demands from the residents and parents employed within the Pikesville community has exceeded the capacity established by the Baltimore County Child Care Administration (BCCCA). As an effort to extend our services to the parents requesting child care BCCCA requires our property zoning to be changed. This will require a special exception by the zoning commissioner under the authority of section 500.5 of the Baltimore County Zoning Regulations (BCZR).

Please review the following items outlined below that will not impact the general health and safety or general welfare of the area which also would not result in a negative impact within our community.

Our service would not impact or create traffic congestion on the streets and roads.

• We offer off street parking for all parents and additional parking on the side street of the property.

- The business will not require any additional hazards that will result in fire, panic or dangers to the community.
- The service we currently offer will not result in over crowding the neighborhood or land and will not result in any changes to the population.
- Our service will not interfere with any provisions for schools,parks,water,sewage,transportation, or other public requirments, conveniences or improvements.

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EXHIBIT NO.

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- This service will have no impact on lighting or air in the community.
- All conditions for this request will be in compliance with BCZR.
- No changes will be made to the surface and vegetation on this property and to the community.

Please review the following pictures of our property.

Front View:



Rear view:



Street side view:



Street side view:



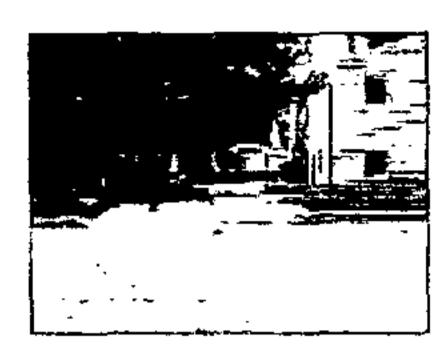
Front Street View:



Front Street View:

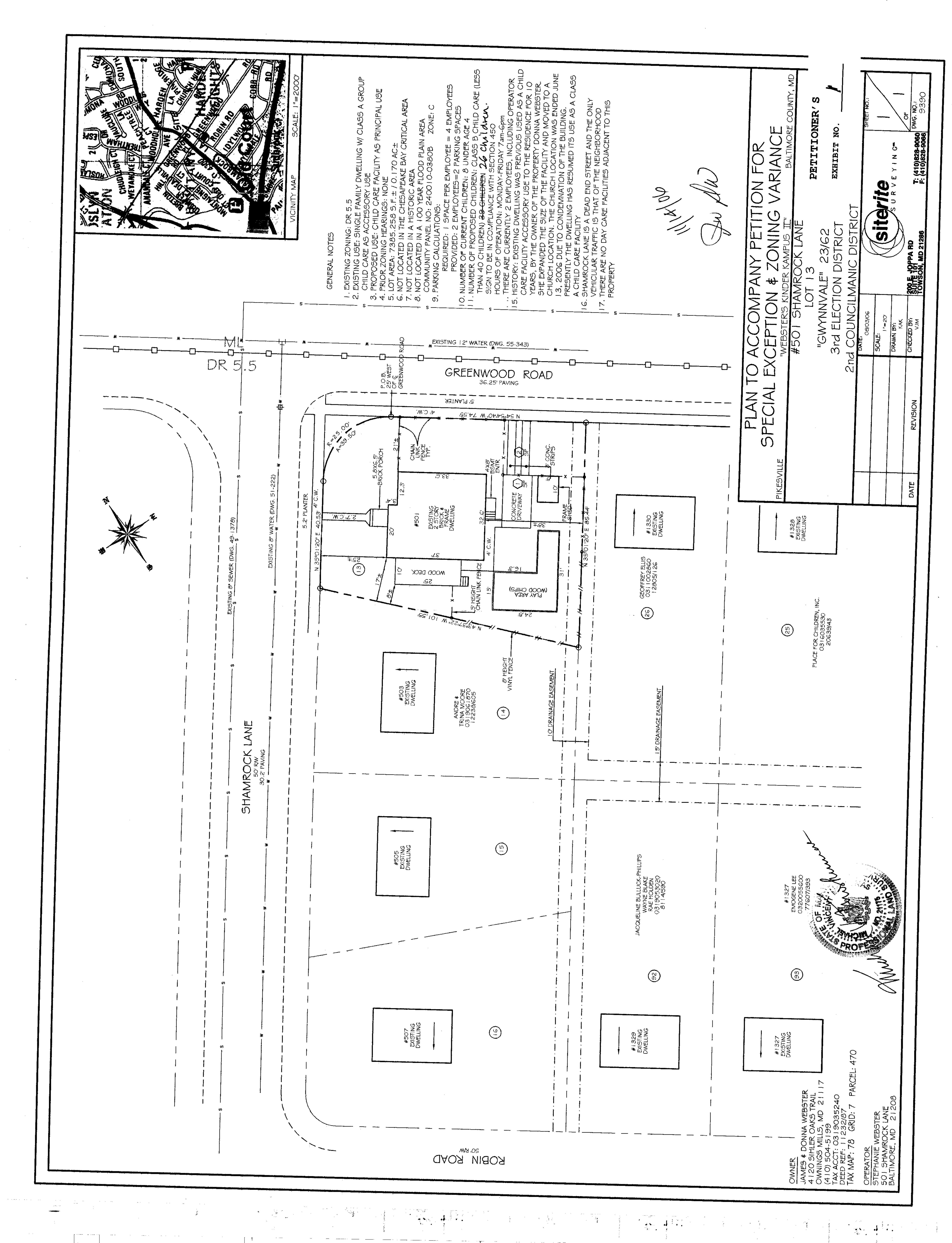


Rear street side view:



Side Street additional parking:





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