

IN RE: **PETITION FOR VARIANCE**
S/S Bradbury Road, 225' SE c/line of
Hains Court
(15 Bradbury Road)
4th Election District
2nd Council District

Alexandr Klopouh, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF
* BALTIMORE COUNTY
* **Case No. 08-115-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the property owners, Raisa Klopouh and her husband, Alexandr Klopouh. The Petitioners request a Variance from Section 424.1B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a fence to enclose a play space area for an existing child care center to be as close as 0 feet to the property line in lieu of the required 20 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Alexandr and Raisa Klopouh, property owners. There were no Protestants or other interested persons present. Letters of support were received from neighbors and parents who had children in the "Smile" Day Care, which were received as Petitioners' Exhibit 3.

The testimony and evidence offered disclosed that the subject property is an irregular shaped parcel, known as Lot 8 in the Dunbar subdivision, located on the south side of Bradbury Road just north of Reisterstown Road in Owings Mills. The property contains a lot area of 17,200 square feet (0.395 acres), zoned D.R.3.5 and is improved with a one-story, single-family dwelling with a finished basement and covered patio in the

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Date 11-5-07
av 102

rear yard. The home built in 1955 with other improvements on the site, which includes a 10,500 square foot play area in the rear yard, has always been enclosed with a fence at the property line. See Petitioners' Exhibit 2 – Photographs – Existing Conditions. When the Petitioners purchased the property, the fence was upgraded with a 6' high wooden stockade fence. Mrs. Klopouh, who possesses a Master's Degree in Child Care, wanted to improve the fence as she operates a Family Child Care Home with up to eight (8) children and has done so successfully at this location for the past five (5) years. She would like to move up to a Class A Group Child Care Center with up to twelve (12) children, again using the existing facilities in her home. As mentioned, she has a wooden privacy fence on the property line while the regulations require such a fence to be located no closer than 20 feet from the property line. She indicated that while she could move the fence in 20 feet, that would greatly restrict the size of the play area which has functioned well for five (5) years and without incident. In this regard, the neighbors on either side indicated no objection to the existing and proposed use. The fence line along the rear portion of the property borders on Reisterstown Road and its attendant commercial shopping area. Additionally, there were no opponents present at the hearing nor were there any adverse Zoning Advisory Committee (ZAC) comments submitted. Apparently, the existing use has not caused detrimental impacts to the surrounding locale.

Mrs. Klopouh testified that she obtained her Master's Degree in the Ukraine where she worked in child care and has some 20 years of experience prior to her operation of "Smile Day Care" which has been a much sought after day care facility. Based upon all these factors, I am persuaded to grant the requested relief. I am persuaded that this (twelve – 12) is the maximum number of children who could safely and effectively be served given the small area of the property. The Petitioners are here primarily to comply

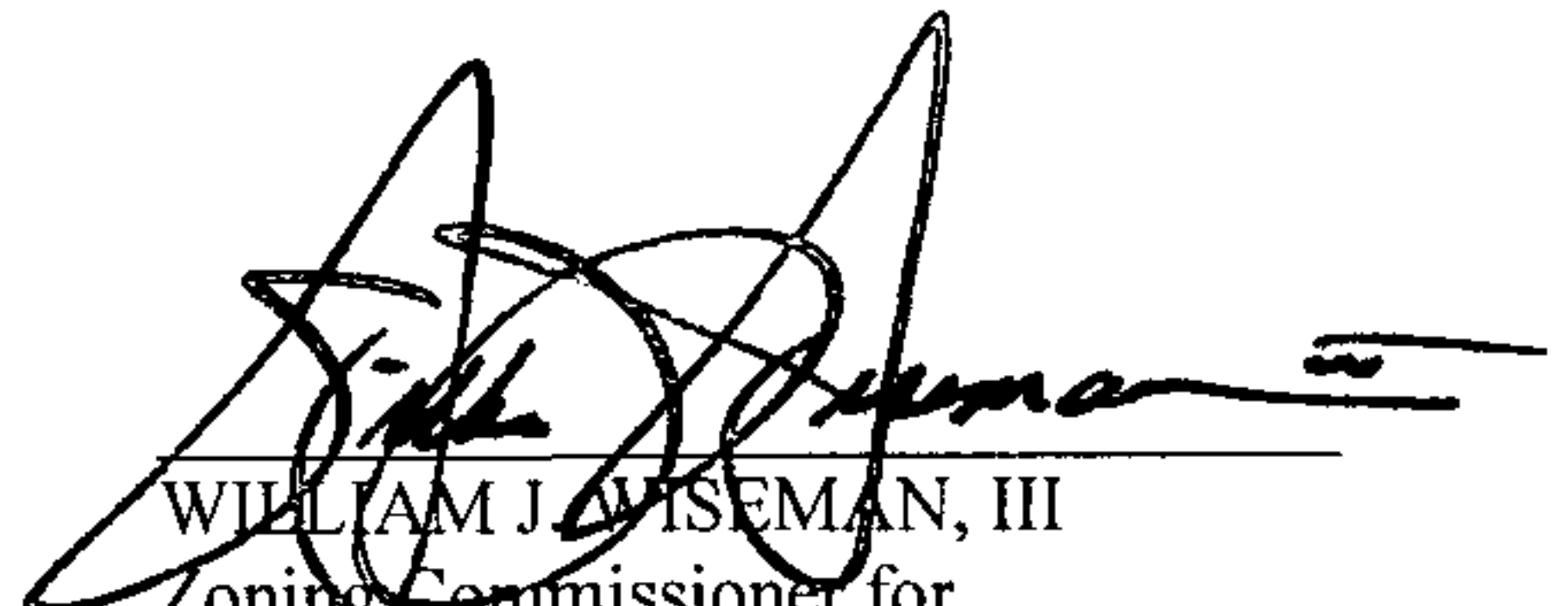
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By [Signature]

with State licensing requirements for operating a day care center on the property. It is clear that practical difficulty or unreasonable hardship would result if the variance were not granted. It was established that special circumstances exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will, if not granted, unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition and as noted above, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of November, 2007 that the Petition for Variance seeking relief from Section 424.1B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a fence to enclose a play space area for an existing child care center to be as close as 0 feet to the property line in lieu of the required 20 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

WJW/dlw

ORDER RECEIVED FOR FILING
Date 11-5-07
By [Signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 5, 2007

Alexandr Klopouh
Raisa Klopouh
15 Bradbury Road
Owings Mills, Maryland 21117

RE: **PETITION FOR VARIANCE**
S/S Bradbury Road, 225' SE c/line of Hains Court
(15 Bradbury Road)
4th Election District - 2nd Council District
Alexandr Klopouh, et ux – Petitioners
Case No. 08-115-A

Dear Mr. and Mrs. Klopouh:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: People's Counsel; File



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 15 Bradbury Rd
which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 424.1.B - to permit a fence to enclose a play

space area for an existing child care center to be as close as 0 feet to property line in lieu of the 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 discussed at hearing

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

I/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

Legal Owner(s):

ALEXANDR KLOPOLLH

Name - Type or Print

Signature

RAISA KLOPOLLH

Name - Type or Print

Signature

15 BRADBURY Rd. (410) 356-9539

Address

Telephone No.

Dwings Mills, MD

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

Case No. 08-115-A RECEIVED FOR FILING

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Date 11-5-07

Reviewed By [Signature]

Date

8/30/07

By DW

Zoning Description

Zoning description for 15 Bradbury Road Owings Mills Maryland 21117.

Beginning at a point on the south side of Bradbury Road which is 50 feet wide at the distance of 225 feet southeast of the centerline of the nearest improved intersecting street Haines Court which is 50 feet wide. Being lot #8, block B, in the subdivision of Dunbar as recorded in Baltimore County Platt Book #20, Folio #22 containing 17220SF also known as 15 Bradbury Road and located in the 4th Election District, 2ⁿ Councilmanic District.

Item #115

IN THE MATTER OF
THE APPLICATION OF
ALEXANDER KLOPOUH, ET UX -LEGAL
OWNERS/PETITIONERS FOR VARIANCE ON
PROPERTY LOCATED ON THE S/S
BRADBURY, 225' SE C/L OF HAINS COURT
(15 BRADBURY ROAD)
4TH ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 08-115-A

* * * * *

ORDER OF DISMISSAL

This matter comes to the Board of Appeals by way of an appeal filed by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, from a decision of the Zoning Commissioner dated November 5, 2007, in which the requested zoning relief was granted.

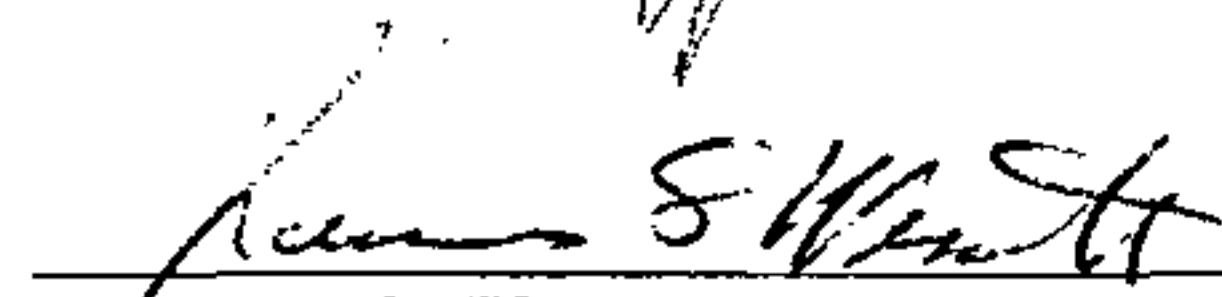
WHEREAS, the Board is in receipt of a letter of dismissal of appeal filed on January 30, 2008, by Peter Max Zimmerman, People's Counsel for Baltimore County, and Carole S. Demilio, Deputy People's Counsel, on behalf of the Office of People's Counsel, Appellant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of January 30, 2008,

IT IS THEREFORE ORDERED this 17th day of March, 2008 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 08-115-A be and the same is hereby **DISMISSED**.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Edward W. Crizer, Jr., Chairman


Lawrence S. Wescott


Wendell H. Grier

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: #08-115-A

15 Bradbury Road
S/Side of Bradbury Road, 225 feet s/east centerline
Hains Court

4th Election District

2nd Councilmanic District

Legal Owner(s): Alexandr & Raisa Klopoukh

Variance: to permit a fence to enclose a play space area for an existing child care center to be as close as 0 feet to the property line in lieu of the required 20.

Hearing: Friday, November 2, 2007 at 9:00 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) 887-4386.

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

10/18/07 Oct. 11 151736

CERTIFICATE OF PUBLICATION

10/11/2007

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 10/11/2007.

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

S. Wilkinson

LEGAL ADVERTISING

SECRET

NO.

Date:

35 Dec 4:44 PM 2

THE
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THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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43. H. H. G.

Blackburn County, Maryland

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Total:

Rec From:

For:

CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHMERE

PINK AGENCY

YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 08-115-A

Petitioner/Developer: ALEXANDER

RAISA KLOPOUGH

Date of Hearing/Closing: 11-2-07

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews ((410) 887-3394)

Ladies and Gentlemen:

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

15 BRADBURY RD

The sign(s) were posted on 10-18-07
(Month, Day, Year)

Sincerely,

Robert Black 10-20-07
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

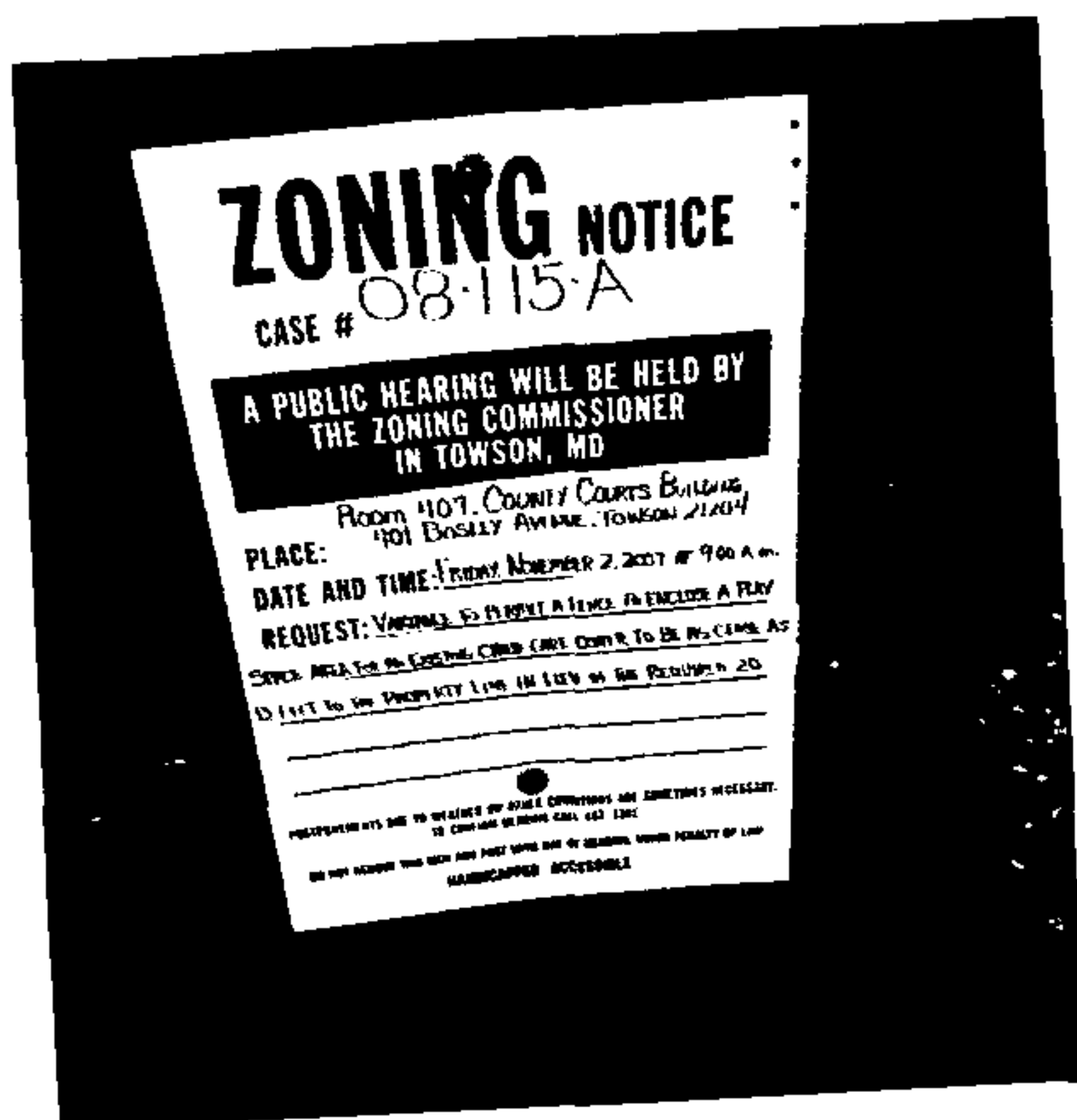
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

October 2, 2007
TIMOTHY KOTROCO, Director
Department of Permits and
Development Management

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: 08-115-A

15 Bradbury Road

S/side of Bradbury Road, 225 feet s/east centerline Hains Court

4th Election District – 2nd Councilmanic District

Legal Owners: Alexandr & Raisa Klopough

Variance to permit a fence to enclose a play space area for an existing child care center to be as close as 0 feet to the property line in lieu of the required 20.

Hearing: Friday, November 2, 2007 at 9:00 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:klm

C: Alexandr & Raisa Klopough, 15 Bradbury Road, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, OCTOBER 18, 2007.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-115-A
Petitioner: Alexander Klopouh
Address or Location: 15 Bradbury Rd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Alexander Klopouh
Address: 15 Bradbury Rd

21117
Telephone Number: 410 356 9539



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

October 25, 2007

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

Alexandr and Raisa Klopollh
15 Bradbury Road
Owings Mills, MD 21117

Dear Mr. And Ms. Klopollh:

RE: Case Number: 08-115-A 15 Bradbury Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 30, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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 cursive script, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rjc
Enclosures

c: Peoples Council

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 17, 2007
Item Nos. 08-069, 082, 105, 106, 107, 108,
109, 111, 113, 114, 115, 117, 118, 119, 120,
122 and 123

DATE: September 17, 2007

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- 09172007.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: SEPT. 10, 2007

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

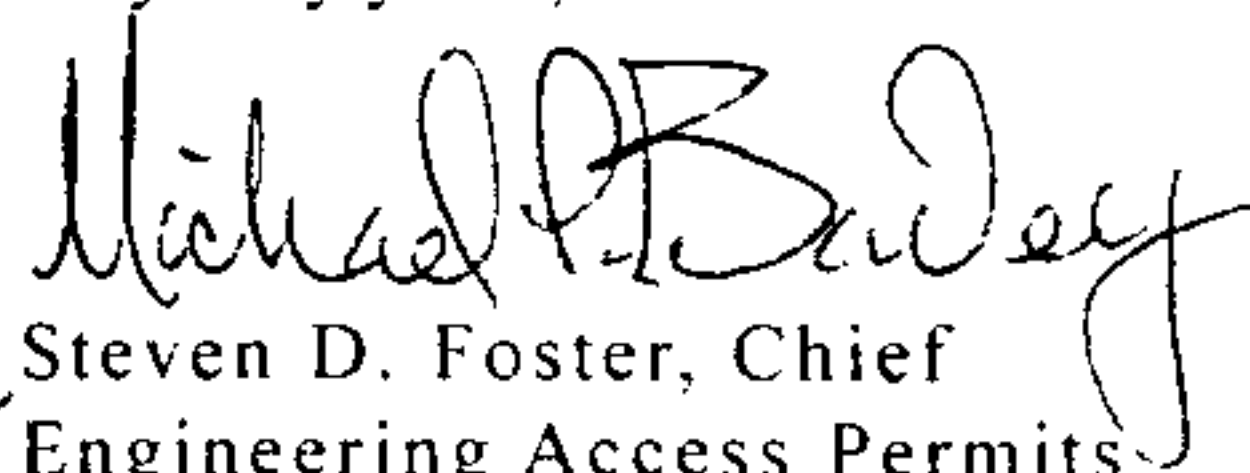
RE: Baltimore County
Item No. 8-115-A
15 BRADBURY ROAD
KLOPOWA PROPERTY
VARIANCE

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. 8-115A.

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 25, 2007

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-115- Special Hearing & Variance

The Office of Planning does not oppose the petitioner's request. The daycare has been in existence for the past five years and the variance was required because they are increasing the number of children from 8 to 12. The location of the existing fence does not cause any disturbance to the existing neighborhood

For further questions or additional information concerning the matters stated herein, please contact Nkechi Hislop in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



CM/LL



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 11, 2008

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

Alexander Klopough
Raisa Klopough
15 Bradbury Road
Owings Mills, MD 21117

Dear Mr. & Mrs. Klopough:

RE: Case: 08-115-A, 15 Bradbury Road

Please be advised that an appeal of the above-referenced case was filed in this office on November 27, 2008 by People's Counsel of 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 cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel

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JAN 14 2008

**BALTIMORE COUNTY
BOARD OF APPEALS**

RE: PETITION FOR VARIANCE * BEFORE THE
15 Bradbury Road; S/S Bradbury Rd, 225' SE *
c/line of Hains Court * ZONING COMMISSIONER
4th Election & 2nd Councilmanic Districts
Legal Owner(s): Alexandr & Raisa Klopouh * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-115-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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 14th day of September, 2007, a copy of the foregoing Entry of Appearance was mailed to, Alexandra & Raisa Klopouh, 15 Bradbury Road, Owings Mills, MD 21117, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

SEP 14 2007

Per.....

DATE 11-2-07

E-MAIL

Cummings Mills, MO 21117

Case No.: 08-115-A 15 BRADBURY

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Collectively Photographs Existing Conditions	
No. 3	Letters of Support	
No. 4	Child Care Certificate 8 Children	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 15 BRADBURY ROAD, OWINGS MILLS

MD, 21117

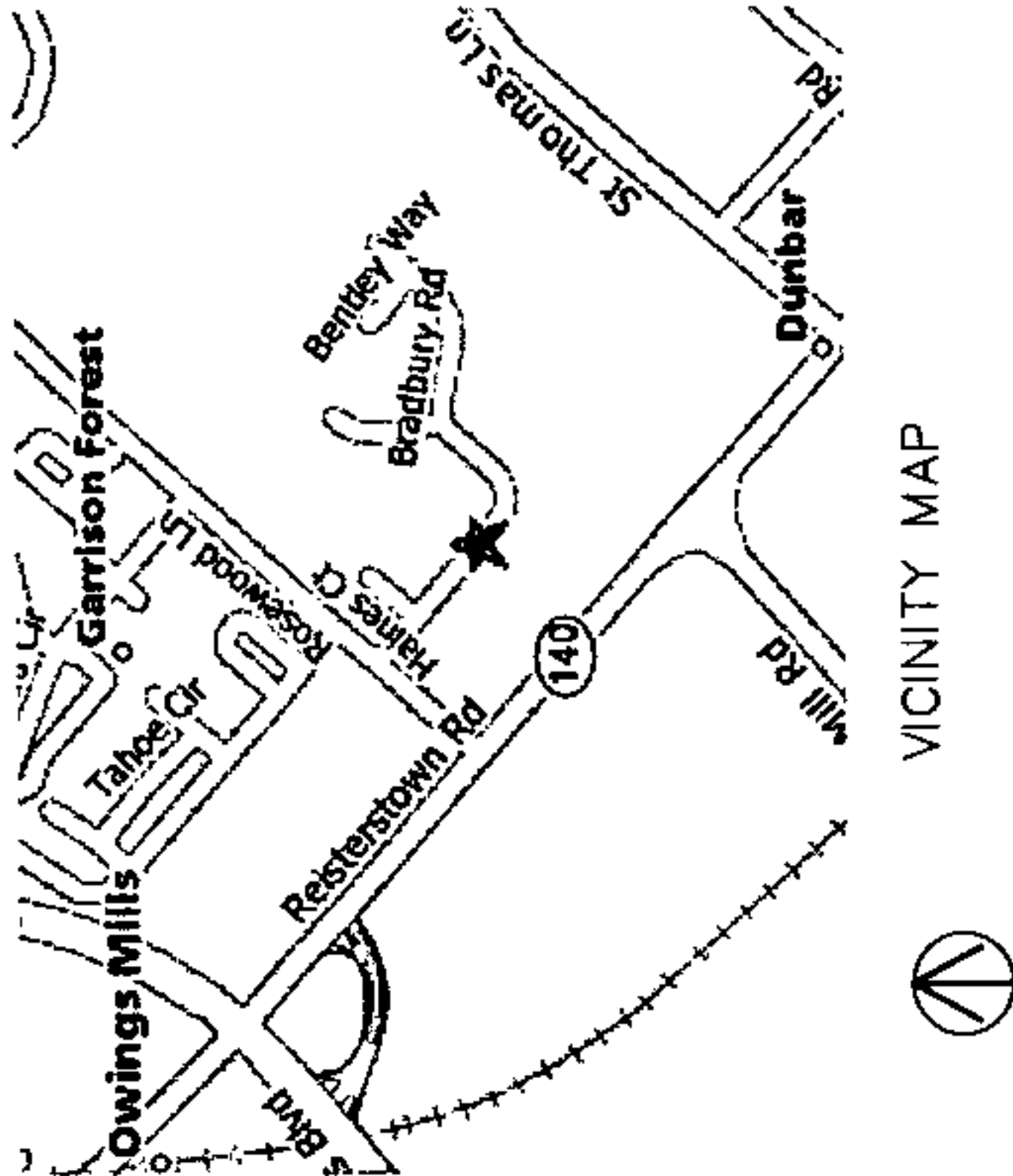
SUBDIVISION NAME GARRISON FOREST

PLAT BOOK # 20 FOLIO # 22 LOT # 8 SECTION # 1

OWNER Raisa Klopough, Alexandr Klopough

TAX # 04 23 015 990

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION



LOCATION INFORMATION

ELECTION DISTRICT 4

COUNCILMANIC DISTRICT 2

ZONING MAP 058B3 ZONE DR 3.5

LOT SIZE 0.395 ACRES 17220 SQUARE FEET

SEWER ☒ PUBLIC ☐ PRIVATE

WATER ☒ ☐

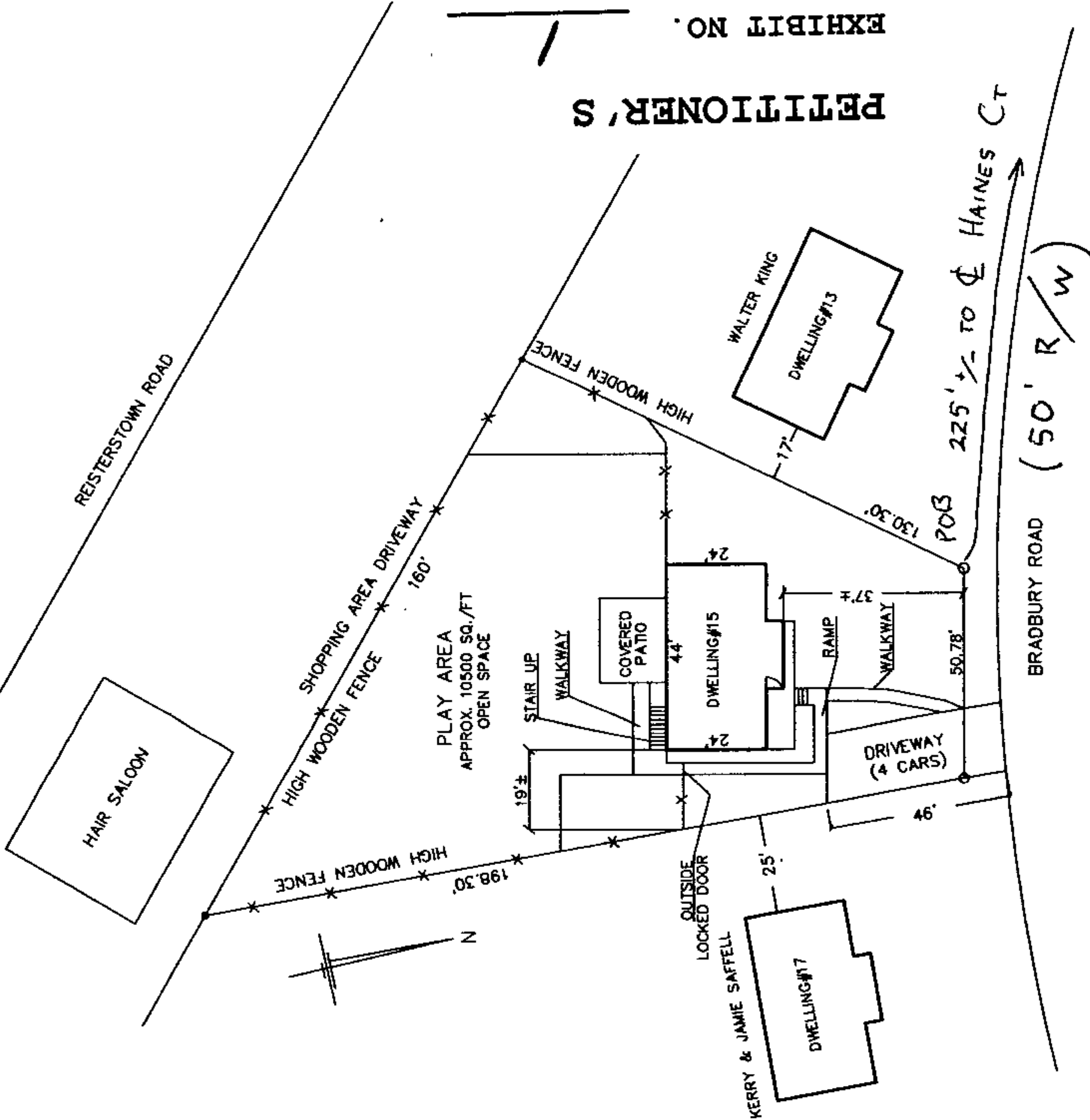
CHESAPEAKE BAY CRITICAL AREA YES ☐ NO ☒

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/BUILDING ☐ ☒

PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY [Signature] ITEM # 08-115-A CASE #



PETITIONER'S
EXHIBIT NO. 1

NORTH

PREPARED BY _____ NOC _____ SCALE OF DRAWING: 1" = 50'

To Whom It May Concern:

We are writing regarding the proposed zoning hearing concerning the property of Mrs. Raisa Klopouh, the owner of "Smile" daycare which our children attend.

Our understanding is that certain zoning regulations require the existing fence to be moved inwards by 20 feet. Please note that this fence separates Mrs. Klopouh's backyard from her neighbor's residing at 17 Bradbury Road.

We, the parents, are petitioning you to reconsider this decision and leave the fence as is for the following reasons:

- 1) 20 feet reduction in Mrs. Klopouh's backyard will take away almost half of it, and since she is planning to have 12 instead of 8 children, this would substantially minimize children's play area
- 2) the daycare entrance, which is conveniently located right off her driveway, would be blocked by the relocated fence
- 3) the fence in question has been in existence for a number of years, it does not encroach on anyone's property and does not cause any inconvenience to anyone

Sincerely,

The Parents

Diana Pliner
Julia Klopouh-Klopouh
Katya Peps
Sarah Bayman
Bashara Tarant
M. Gyp
Calin Nesterovsky

PETITIONER'S

EXHIBIT NO.

3

October, 20 2007

To whom it may concern:

My son, Joseph Tarantin, had been attending "Smile" daycare from April 2005 till September 2007. During this time Joseph developed physically and socially, and "Smile" daycare was the perfect environment for him. Spacious backyard offered perfect space for the kids to play outside: safe and comfortable. I felt confident leaving Joseph at the daycare - the size and position of the backyard of the daycare located in such a way that kids had plenty of room to run while not disturbing the neighbors - tall fence was protecting the outdoor playground all around the backyard.

I am very grateful to the "Smile" daycare for taking good care of my child and hope many more children would be able to play and learn there.

A handwritten signature in cursive script that reads "Julia Kotlyarker". The signature is written in black ink and is positioned above the printed name and address.

Julia Kotlyarker
601 Sungold Rd
Reisterstown, MD 21136



State of Maryland - Department of Human Resources
Child Care Administration

Region: III County: Baltimore
Registration Number: 03-118591
Registered Provider since: 2-21-03

CERTIFICATE OF REGISTRATION

This certifies that

RAISA KLOPOUH

(Name)

is registered to operate a Family Day Care Home

at:

15 BRADBURY ROAD OWINGS MILLS, MARYLAND 21117

(Address/Location)

The Child Care Administration issues this Certificate of Registration pursuant to Family Law Article, Sections 5-550 through 5-558, and COMAR 07.04.01.

Current Status of Registration:	
Issued on: 2-28-05	
Revised on:	
☐ Initial Expires on:	
☐ 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>No</u>
Overnight	<u>No</u>
Weekends	<u>No</u>

Maximum number of family day care children approved for care at one time:	<u>8</u> Capacity
---	----------------------

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 Child Care Administration 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 CCA.

RESTRICTIONS/COMMENTS:

BASEMENT IS APPROVED FOR CHILD CARE AND NAPPING. 1ST FLOOR IS RES

PETITIONER'S

EXHIBIT NO. 4

Christopher J. McCabe

Secretary
Department of Human Resources

Judith L. Rozie-Battle

Executive Director
Child Care Administration

Rose Marie Hayes

Regional Manager
Child Care Administration



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw1.1)

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

Account Identifier: District - 04 **Account Number -** 0423015990

Owner Information

Owner Name:	KLOPOUH ALEXANDR KLOPOUH RAISA	Use:	RESIDENTIAL
Mailing Address:	15 BRADBURY RD OWINGS MILLS MD 21117-3809	Principal Residence:	YES
		Deed Reference:	1) /20856/ 325 2)

Location & Structure Information

Premises Address
15 BRADBURY RD

Legal Description

15 BRADBURY RD
DUNBAR

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
58	22	542			1	B	8	1	Plat Ref: 20/ 22

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1955	1,160 SF	17,220.00 SF	04
Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2007	07/01/2008
Land	46,300	82,300		
Improvements:	107,420	196,880		
Total:	153,720	279,180	195,540	237,360
Preferential Land:	0	0	0	0

Transfer Information

Seller: KLOPOUH ALEXANDR/LEONID	Date: 10/20/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /20856/ 325	Deed2:
Seller: GIBBS NANCY LEE	Date: 09/09/2002	Price: \$156,000
Type: IMPROVED ARMS-LENGTH	Deed1: /16798/ 371	Deed2:
Seller: TERRILL ALLEN ELLWOOD,SR	Date: 02/05/2001	Price: \$144,900
Type: NOT ARMS-LENGTH	Deed1: /14959/ 356	Deed2:

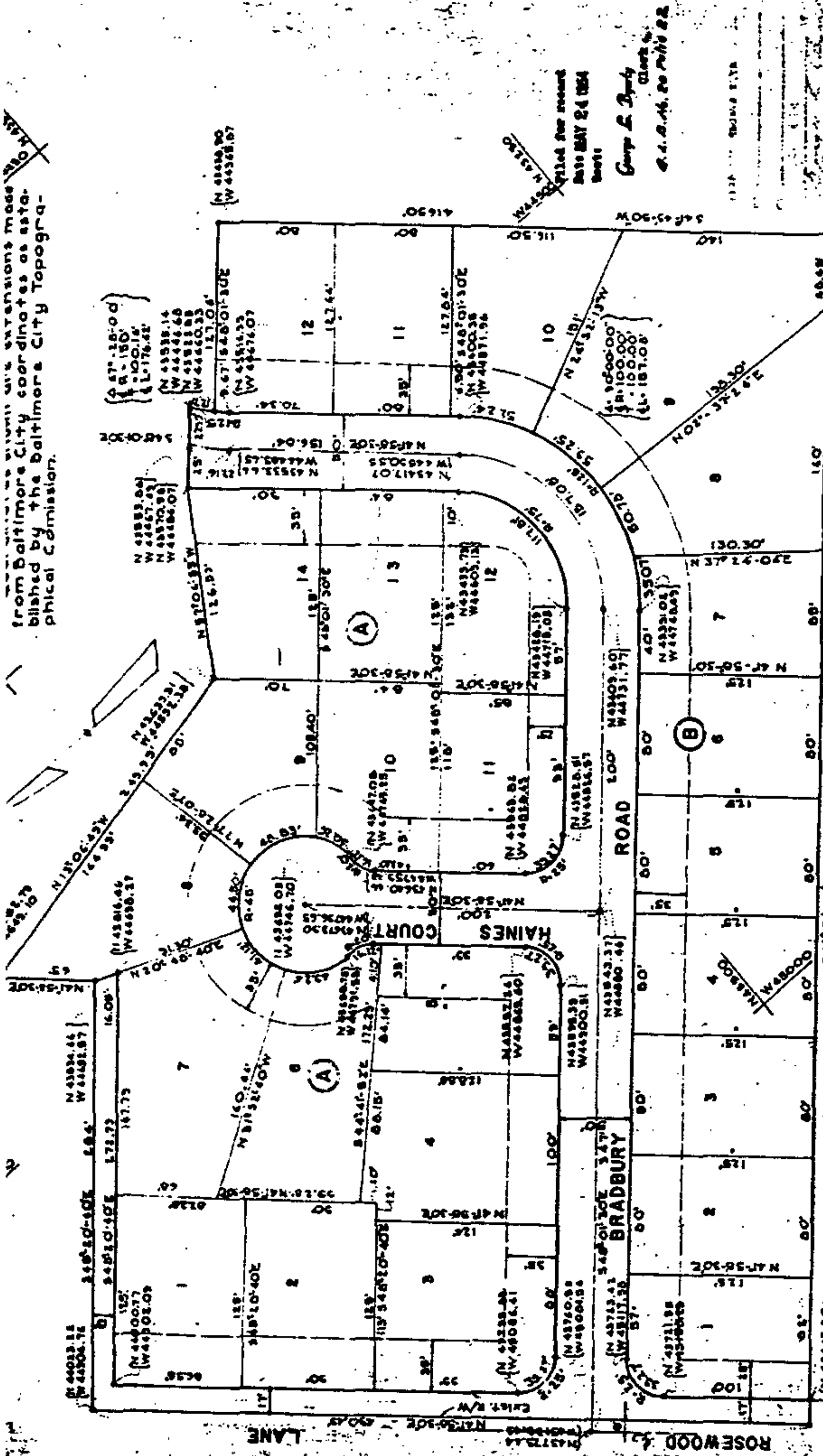
Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

from Baltimore City extensions made
blished by the Baltimore City Topogrq-
phical Commission.



OWNERS CERTIFICATE

Certification is hereby made that all the
requirements of the Annotated Code of
Maryland, Chapter 1016, Act of 1943 have been
Complied with on this plat.

Dunbar Associates, Inc.

Wm. H. Dunbar
President

APPROVED
Wm. H. Dunbar
May 20, 1954

DEVELOPER

WILLIAM F. NEALE
D. E. Planning
1304 St. Paul Street
Baltimore, Md.

SECTION I

DUNBAR

ELECTION DISTRICT 4
BALTIMORE COUNTY, MARYLAND

MAY 11, 1954

SCALE 1/2" = 1'

The Streets, Cul-de-sacs, And/or Roads Shown Hereon And Mentioned
In The Attached Deed Are For The Purpose Of Description Only And The
Same Are Not Intended To Be Dedicated To Public Use. The Fee
Simple Title To The Deeds Thereof Is Especially Reserved In The
Grantees Of The Deeds To Which This Plat Is Attached, Their Heirs
And Assigns.

Approved Baltimore County Planning Commission
by *Wm. H. Dunbar* Date *May 19, 1954*

Approved Baltimore County Highway Department
by *Wm. H. Dunbar* Date *May 19, 1954*

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 15 BRADBURY ROAD, OWINGS MILLS

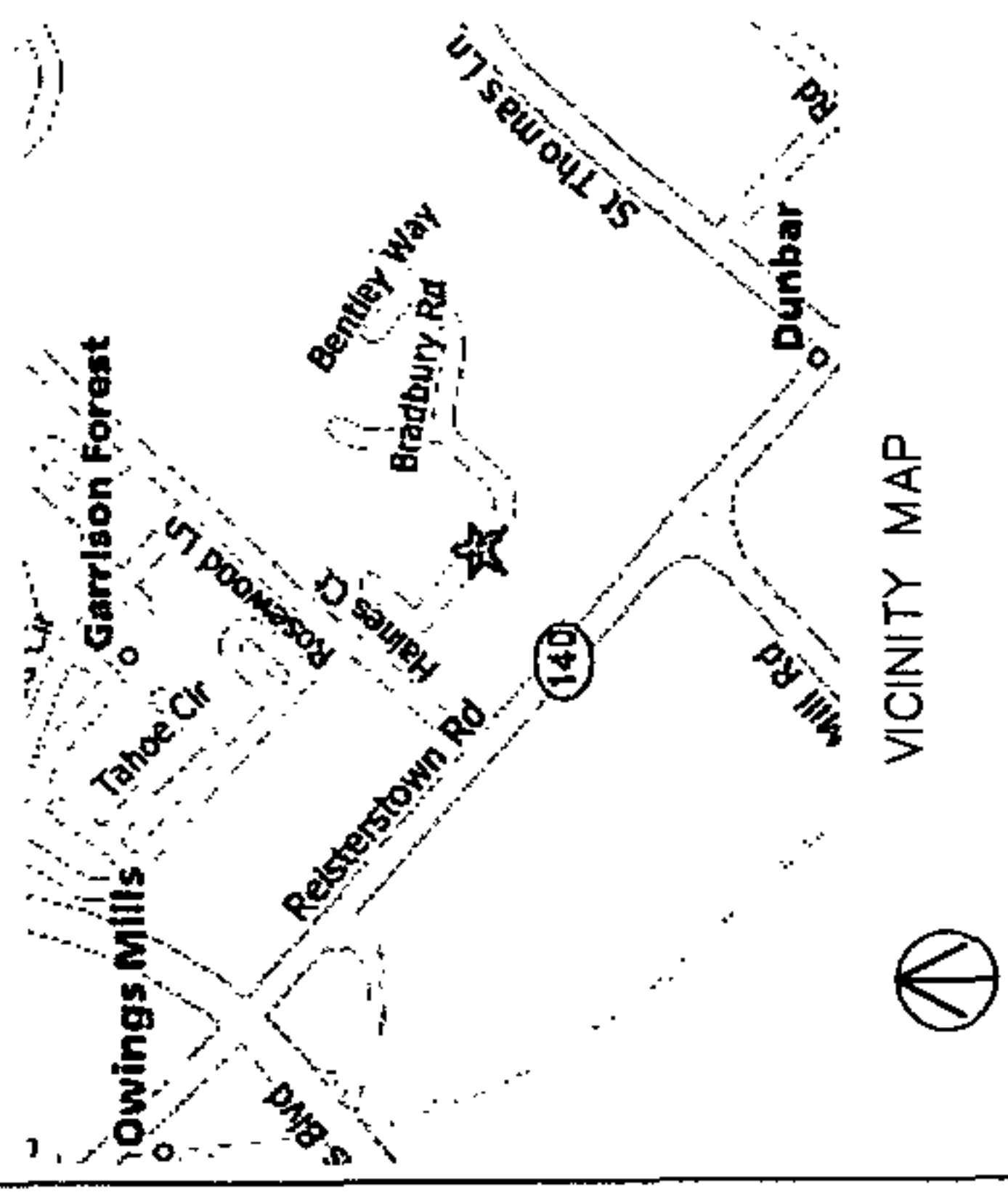
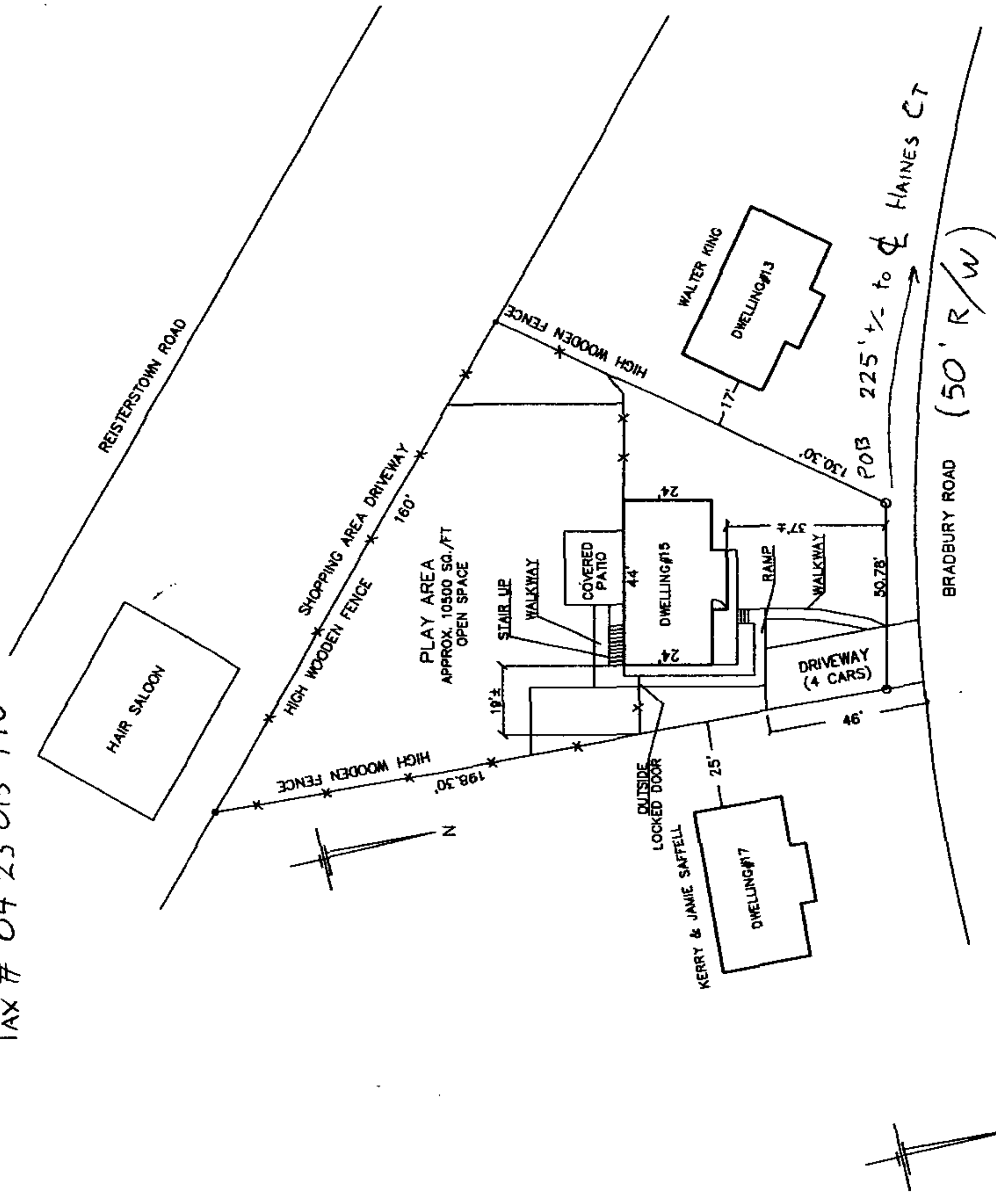
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME GARRISON FOREST

PLAT BOOK # 20 FOLIO # 22 LOT # 8 SECTION # 1

OWNER Raisa Klopough, Alexandr Klopough

TAX # 04 23 015 990



LOCATION INFORMATION

ELECTION DISTRICT 4
COUNCILMANIC DISTRICT 2
ZONING MAP 05883 ZONE DR 3.5

LOT SIZE 0.395 ACRES 17220 SQUARE FEET

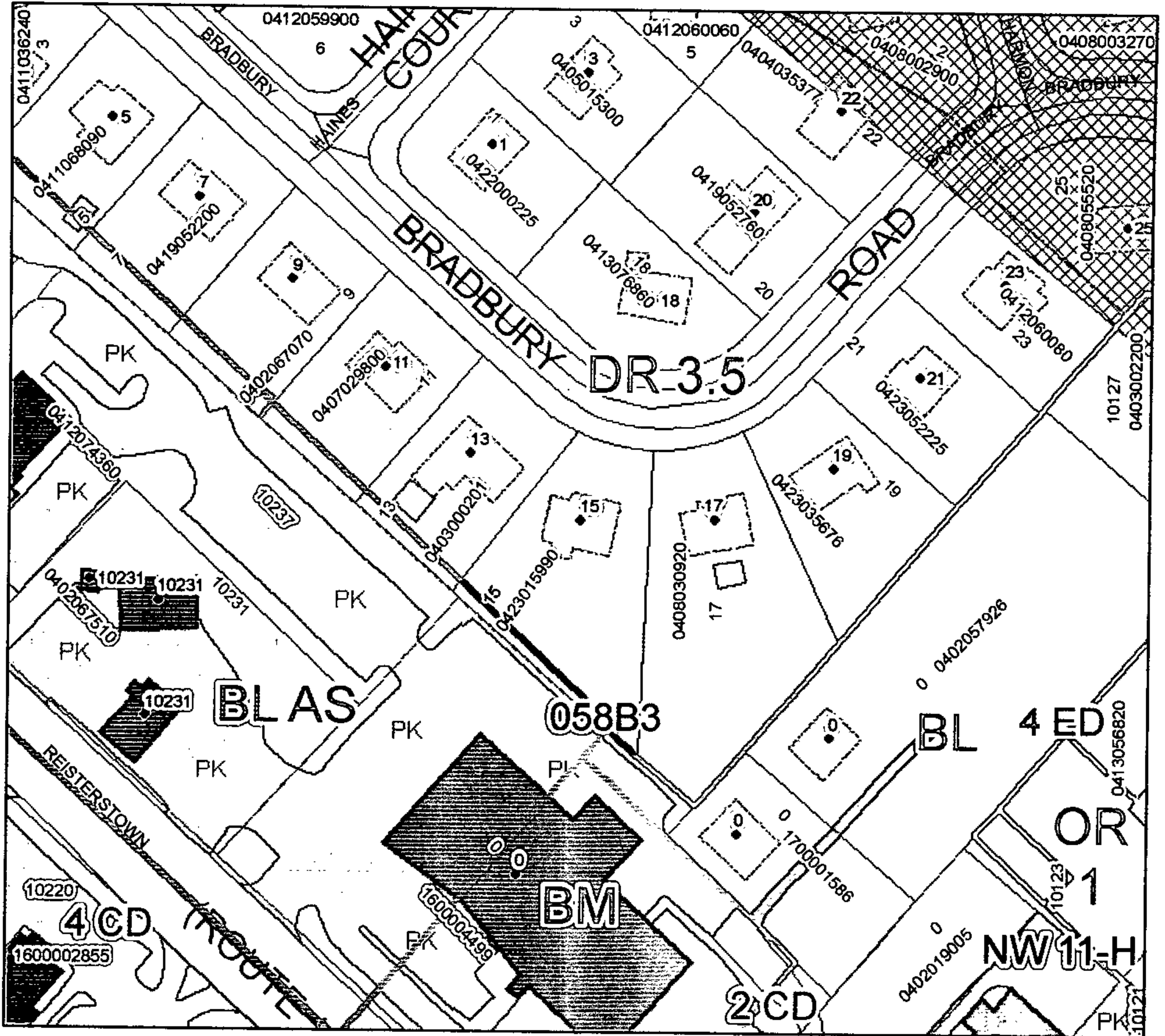
SEWER ☒ PUBLIC ☐ PRIVATE
WATER ☒ ☐

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 [Signature] ITEM # 08-115-A CASE #

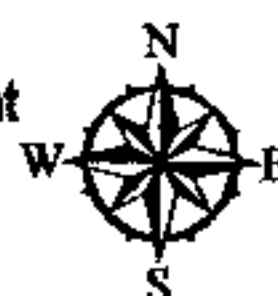
PREPARED BY NOG SCALE OF DRAWING: 1" = 50'

15 Bradbury Rd



Publication Date: August 30, 2007
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot

DQ Map Notes

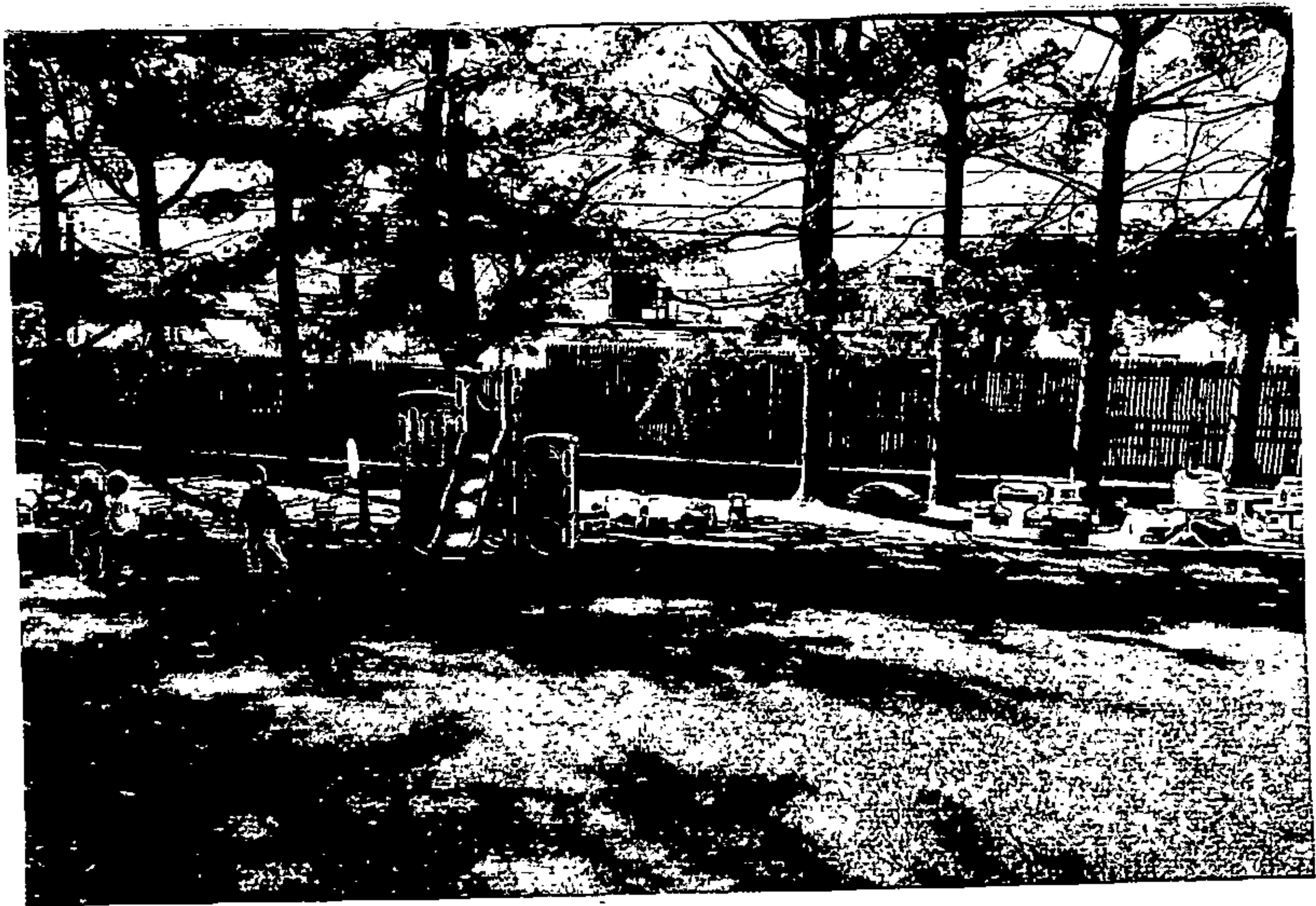


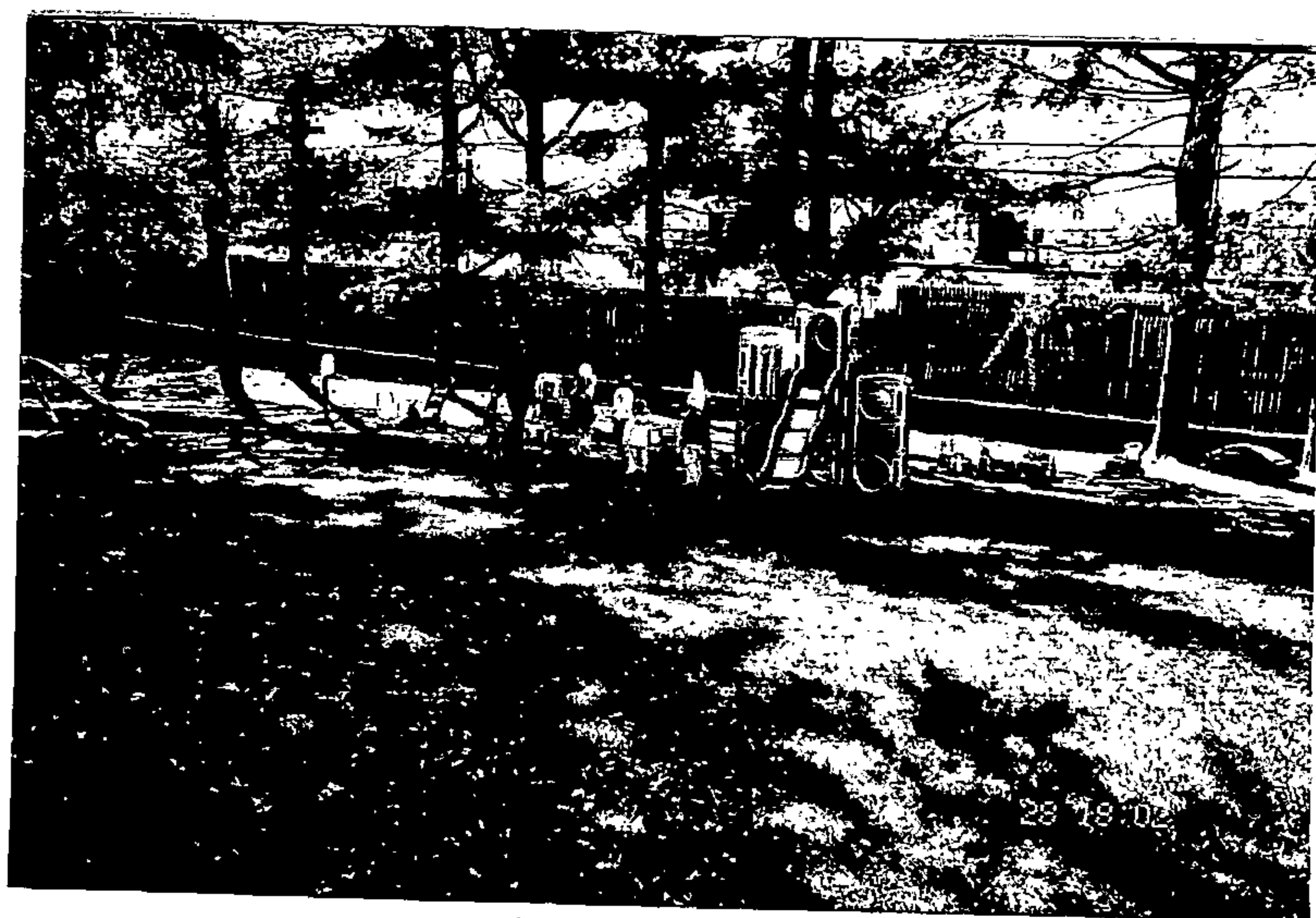
Item # 115

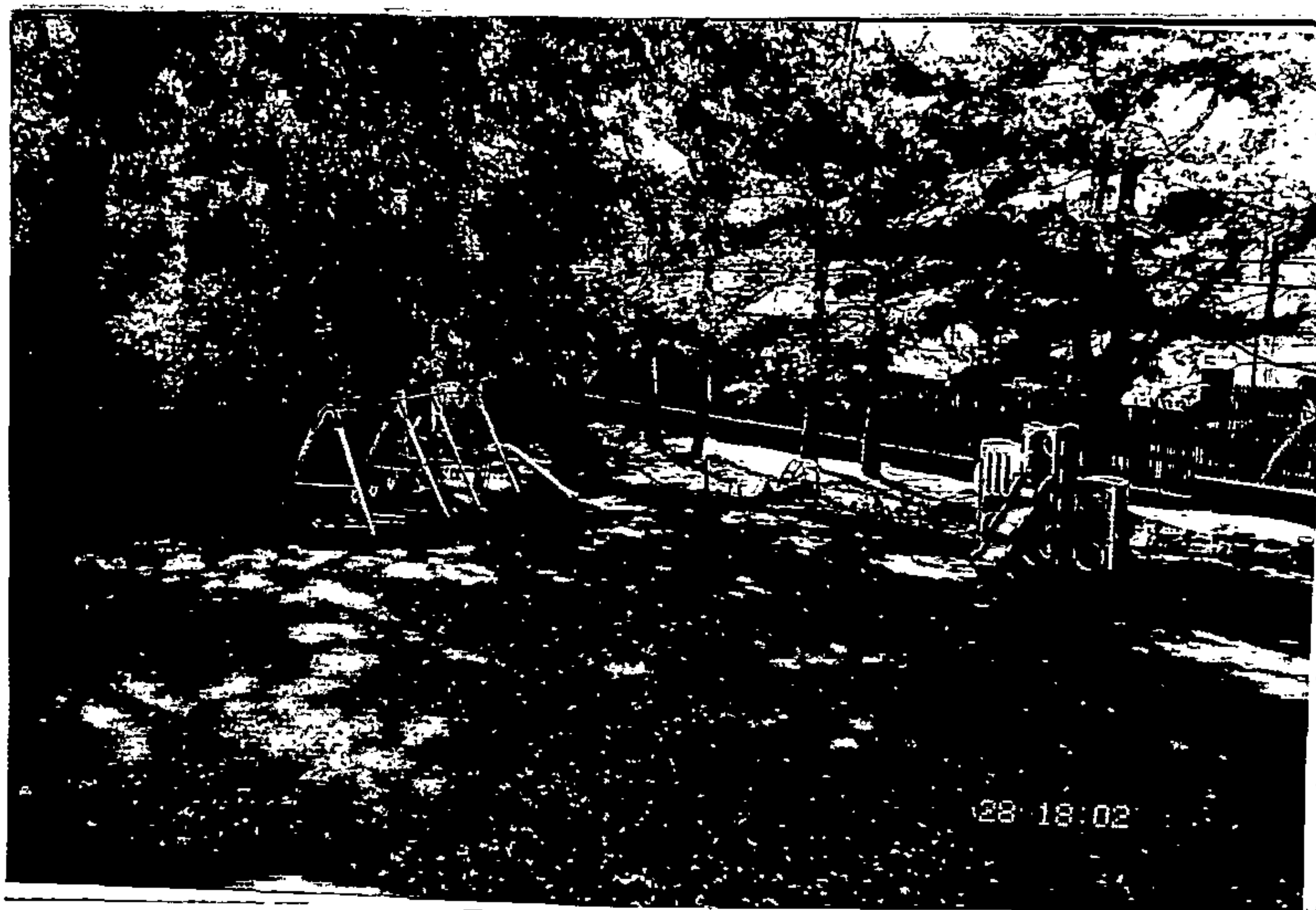
Petitioner's photos

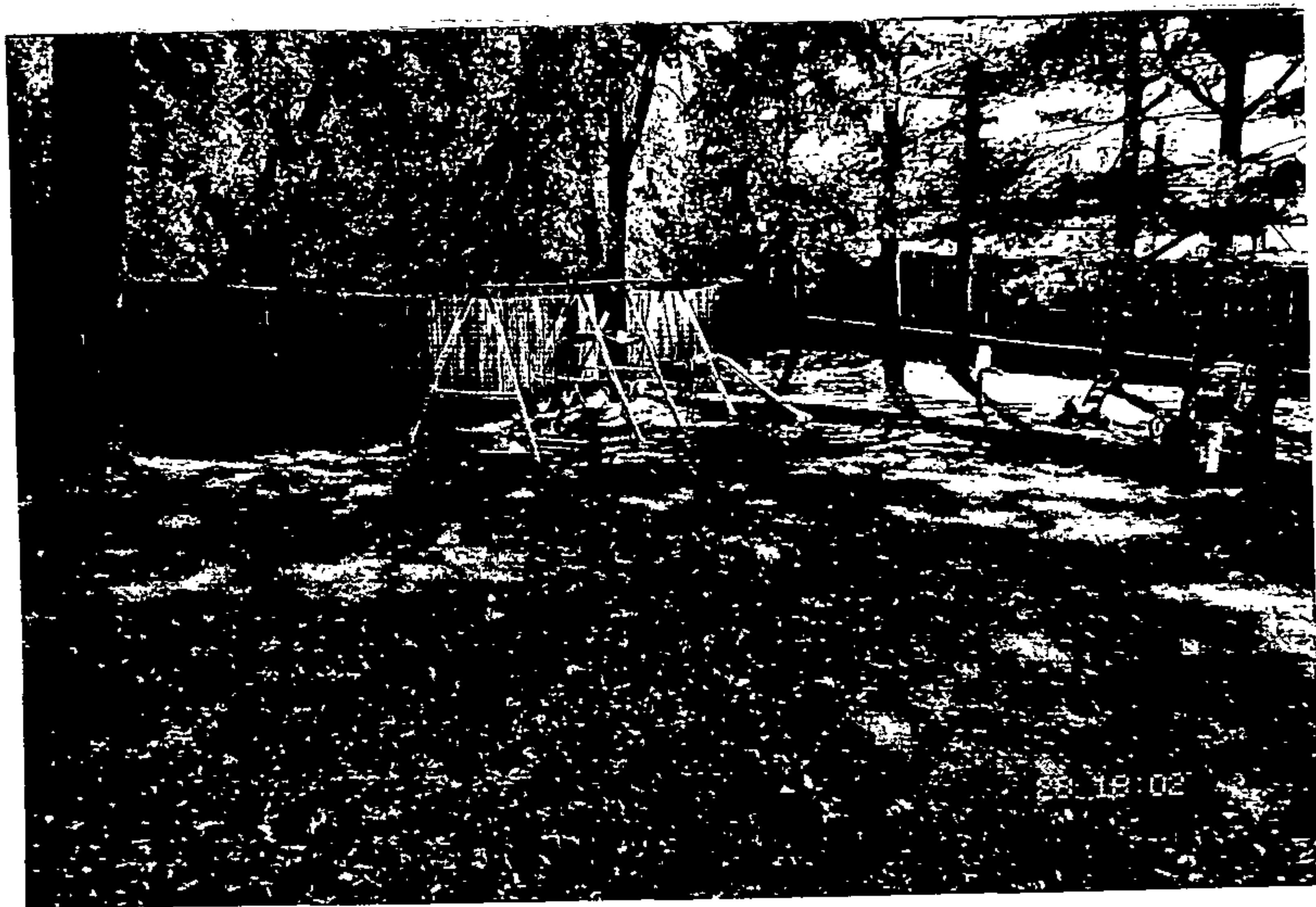
Exh. #2







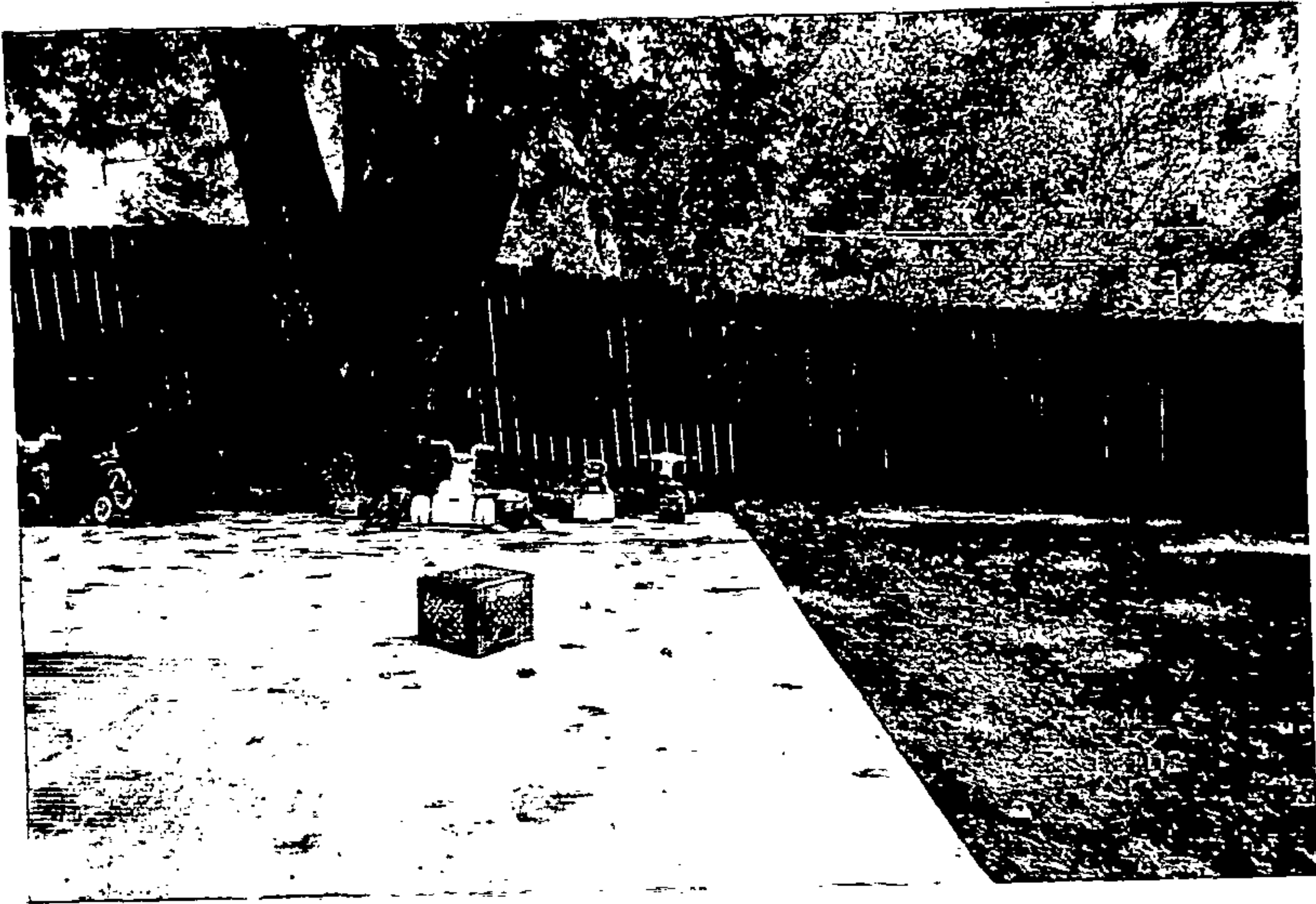














TO: PATUXENT PUBLISHING COMPANY
Thursday, October 13, 2007 Issue - Jeffersonian

Please forward billing to:
Alexandr Klopough
15 Bradbury Road
Owings Mills, MD 21117

410-356-9539

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: 08-115-A

15 Bradbury Road

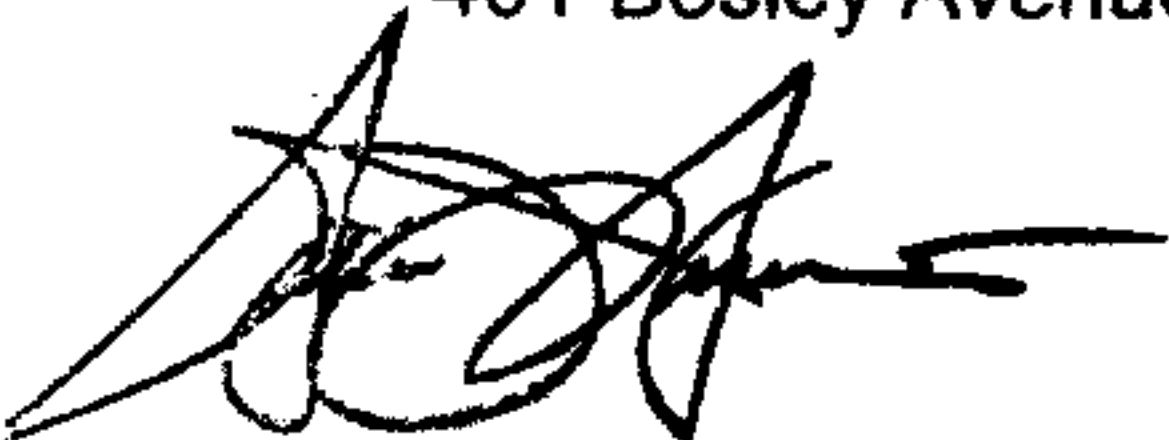
S/side of Bradbury Road, 225 feet s/east centerline Hains Court

4th Election District – 2nd Councilmanic District

Legal Owners: Alexandr & Raisa Klopough

Variance to permit a fence to enclose a play space area for an existing child care center to be as close as 0 feet to the property line in lieu of the required 20.

Hearing: Friday, November 2, 2007 at 9:00 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.