IN RE: PETITION FOR VARIANCE

N/S Halstead Road, 75' E c/line of

Cloister Road

(1220 Halstead Road)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Shirley G. Dickens Petitioner \* BEFORE THE

\* ZONING COMMISSIONER

\* OF

\* BALTIMORE COUNTY

\* Case No. 08-116-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 legal owner of the subject property, Shirley G. Dickens. The Petitioner is requesting Variance relief from Section 409.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit 0 parking spaces in lieu of the required 2 spaces for an assisted living facility. The subject property and requested relief are more particularly described on the redlined site plan which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Shirley G. Dickens, property owner and Richard E. Matz, professional engineer, with Colbert, Matz and Rosenfelt, Inc., the consultant who prepared the site plan. Sherrie Keys resides just west of Ms. Dickens residence and attended the hearing as an interested neighbor.

Testimony and evidence indicated that the property, which is the subject of this variance request, is a rectangular-shaped parcel in the Hillendale area and contains 1,800 square feet (0.04 acres), zoned D.R.10.5. A 1,728 square foot middle of a group townhouse as illustrated by Petitioner's Exhibit 1 improves the property and is proposed as a Class I Assisted Living Facility with up to four (4) beds. The off-street parking

Date 11- 9-07

<sup>&</sup>lt;sup>1</sup> Petitioner proposes two (2) beds initially but states that no more three (3) will be provided.

calculation requires one space for every three (3) beds. Mr. Matz, therefore, has noted two (2) spaces are required. Petitioner has one parking space behind her home which is accessed from the rear alley (See photographs collectively submitted as Petitioner's Exhibit 2). The need of variance relief exists as zero (0) spaces are provided for elderly tenant(s). In this regard, Ms. Dickens, employed by Associated Charities on weekends, stated she would be providing care for elderly patients who require constant care as opposed to patients seeking independent living accommodations. These patients will not drive and will not require parking spaces. Mr. Matz contends that any visitors or a weekend employee, if needed, can find adequate parking on the street. He notes that nearby Cloister Road provides a large parking area on the west side of Hillendale This County school occupies the southwest corner of Halstead Road and Cloister Road and provides a large on-site parking lot and public parking is allowed on the street. Finally, he notes that if the Petitioner were required to provide two (2) parking spaces in the rear of her lot, she would lose a substantial portion of her rear yard and the utility shed that now graces her property on the alley. In addition, he contends that this would change the character of the neighborhood from its present appearance of residential to something else. He noted that it would be a hardship to locate two (2) parking spaces in the rear of the property and that the request for variance is within the spirit and intent of the zoning regulations given the specific facts of this case.

Ms. Keys, worried about setting a precedent which would be used by others to open the community to commercial uses, testified that she and her husband often work long hours and have been unable to park in front of their own home when arriving late at night. She thought that the variance petition would result in allowing Ms. Dickens to have two (2) restricted and private spaces in front of her home which she opposed. Ms.

Date 1 SOOT FILING

Dickens who has lived at this location for seven (7) years assured Ms. Keys that this was not her intention and at that point, the parties entered into a general discussion of limiting parking on Halstead Road. Mr. Matz redlined the site plan to note that any vehicles associated with the assisted living facility would be required by Ms. Dickens to park either in the space behind her home or on the east side of Cloister Road in front of the school. This satisfied Ms. Keys' concerns as it would in effect set vehicles associated with the use apart from the somewhat congested parking area in front of the seven (7) town homes comprising the group homes that front on Halstead Road.

Based upon the testimony and evidence offered, I am persuaded that the variance relief should be granted. The proposal will be consistent with the neighborhood, conditioned on assisted living patrons using Cloister Road for their parking needs, and will not cause adverse impacts on adjacent properties or the community at large. It is to be noted in this regard that letters of support were received from the Hillendale Home Improvement Association, neighbors and co-workers who are familiar with Ms. Dickens and her professional reputation. (See collectively Petitioner's Exhibit 3). To deny the relief requested would result in a hardship requiring the removal of the landscaped area and utility structure now occupying the rear yard by the alley. Moreover, no adverse Zoning Advisory Committee (ZAC) comments were submitted by any County reviewing agency. For all of these reasons, the Petition for Variance should be granted.

Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 \_\_\_\_\_\_ day of November, 2007 that the Petition for Variance seeking relief from Section 409.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit

0 parking spaces in lieu of the required 2 spaces for an assisted living facility, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject however to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for her permit and be granted same upon receipt of this Order; however, the 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, for whatever reason, this Order is reversed, the Petitioner will be required to return, and be responsible for retuning, said property to its original condition, and
- 2. The variance relief granted herein requires the Petitioner to see that any and all persons associated with the Class A Assisted Living Facility are instructed to park vehicles behind the subject property or on the east side of Cloister Road adjacent to the Hillendale Academy School.

Any appeal of this decision must be made within thirty (30) days of the date

hereof.

ZVIETLAM J. WISEMAN, III Zoning Commissioner for

**Baltimore County** 

WJW/dlw

IN RE: PETITION FOR VARIANCE

N/S Halstead Road, 75' E c/line of

Cloister Road

(1220 Halstead Road)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Shirley G. Dickens Petitioner

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* OF
- \* BALTIMORE COUNTY
- \* Case No. 08-116-A

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THE WILLIAM

<sup>&</sup>lt;sup>1</sup> Petitioner proposes two (2) beds initially but states that no more than three (3) will be provided.

Date 11 (3-0)

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Date DATE TO FOR FILLING

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Pursuant to the advertisement, posting of the property and public hearing on this Petition 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 \_\_\_\_\_\_\_ day of November, 2007 that the Petition for Variance seeking relief from Section 409.6A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit

0 parking spaces in lieu of the required 2 spaces for an assisted living facility, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject however to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for her permit and be granted same upon receipt of this Order; however, the 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, for whatever reason, this Order is reversed, the Petitioner will be required to return, and be responsible for retuning, said property to its original condition, and
- 2. The variance relief granted herein requires the Petitioner to see that any and all persons associated with the Class I Assisted Living Facility are instructed to park vehicles behind the subject property or on the east or west sides of Cloister Road adjacent to the Halstead Academy School.

Any appeal of this decision must be made within thirty (30) days of the date

hereof.

WILLIAM J. WISEMAN, III Zoning Commissioner for

Baltimore County

WJW/dlw

ate \\ -\\3-07



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

November 13, 2007

Shirley G. Dickens 1220 Halstead Road Baltimore, Maryland 21234

**RE: PETITION FOR VARIANCE** 

N/S Halstead Road, 75' E c/line of Cloister Road (1220 Halstead Road)
9<sup>th</sup> Election District - 5<sup>th</sup> Council District
Shirley G. Dickens - Petitioner
Case No. 08-116-A

Dear Ms. Dickens:

It has been brought to my attention that there were errors in the Order for the above-captioned case. These corrections merely resolve these stylistic errors and do not materially alter the effect of the Order; there were no substantive changes.

### Specifically:

- Page 1, Footnote, word missing, should read "no more than three ... "
- Page 2, Line 6, changed from "continuing care" to "assisted living care"
- Page 2, Line 10, changed from Hillendale Academy to Halstead Academy
- Page 3, Line 5, changed from east side of Cloister Road to east or west sides
- Page 3, Line 8, should read "comprising the group of homes
- Page 4, Restriction No. 2, Line 2, changed from Class A to Class I
- Page 4, Restriction No. 2, Line 3, changed from east side of Cloister Road to east or west sides
- Page 4, Restriction No. 2, Line 3, changed from Hillendale Academy to Halstead
   Academy

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

Shirley G. Dickens November 13, 2007 Page 2

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

Very truly yours,

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Richard E. Matz, P.E., Colbert, Matz & Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore, Md. 21209 Sherrie Keys, 1212 Halstead Road, Parkville, Md. 21234 Lakeina Scott, 1222 Halstead Road, Baltimore, Md. 21234 People's Counsel; File

### CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

**DATE:** 10/21/07

Case Number: <u>08-116-A</u>

Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.

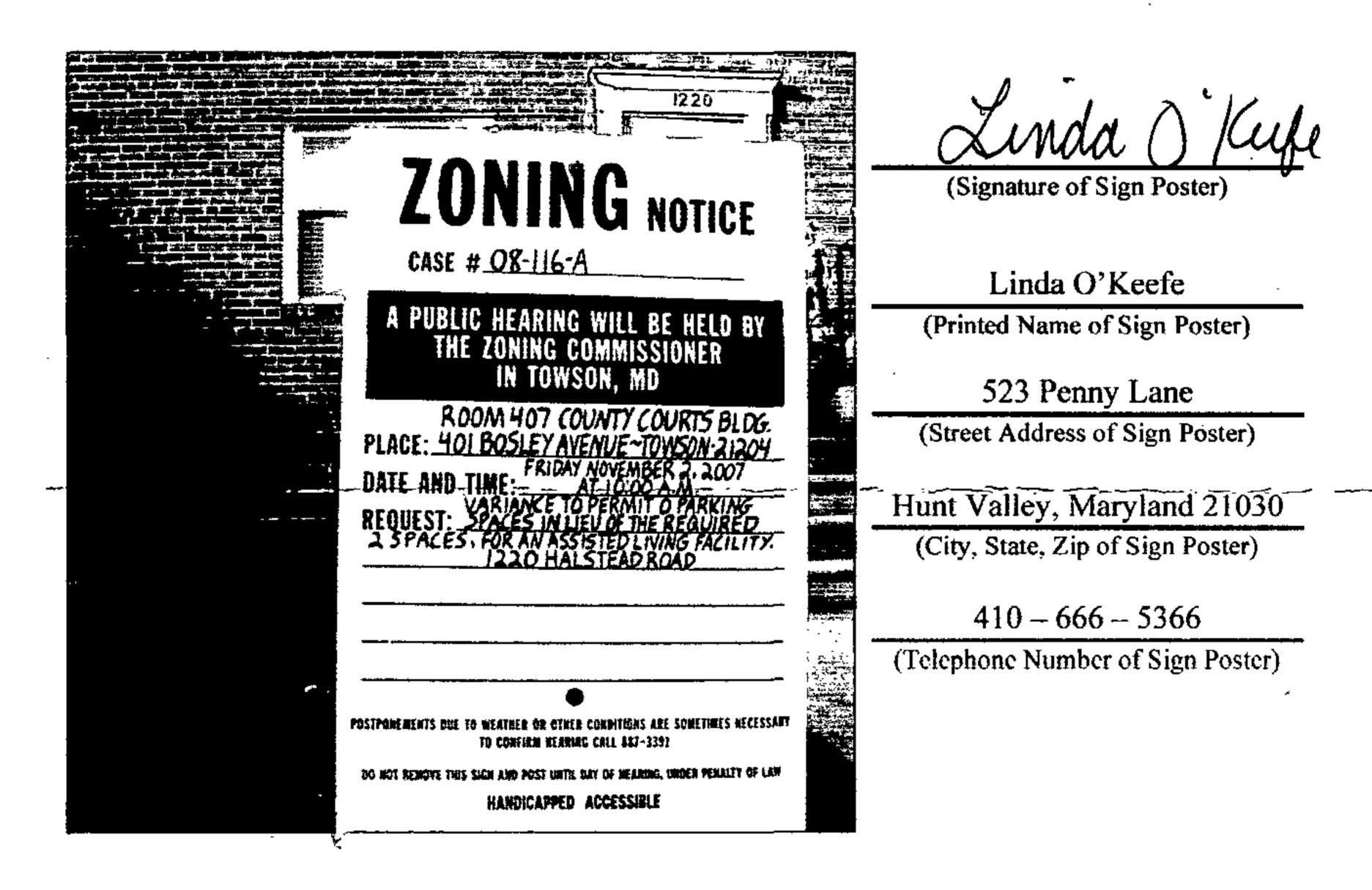
SHIRLEY DICKENS

Date of Hearing (Closing): NOVEMBER 2, 2007

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:

1220 HALSTEAD ROAD

The sign(s) were posted on: 10/15/07



NOTICE OF ZONING HEARING The Zoning Commissioner of Battimore 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: #08-116-A
1220 Halstead Road,
N/side of Halstead Road,
75 fast +/- east of
centerline of Cloister Road
9th Election District
5th Councilmanic District
5th Councilmanic District
5th Councilmanic District
by Friance: to permit 0parking spaces in lieu of
the 2 required spaces, for
an assisted living facility.
Hearing: Friday, November 2, 2007 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
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-3888.
(2) For information concerning the Rile and/or
Hearing, Contact the Zoning Review Office at (410)
887-3391.

# CERTIFICATE OF PUBLICATION

10/18/ ...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 \_\_\_\_\_ successive weeks, the first publication appearing on\_\_\_\_ [O|S|\_2067\_\_.

The Jeffersonian

☐ Arbutus Times

Catonsville Times

□ Towson Times

Owings Mills Times

UNE Booster/Reporter

North County News

Muling

LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY

Thursday, October 18, 2007 Issue - Jeffersonian

Please forward billing to:

Shirley Dickens 1220 Halstead Road Baltimore, MD 21234 410-828-8282

### 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: 08-116-A

1220 Halstead Road

N/side of Halstead Road, 75 feet +/- east of centerline of Cloister Road

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: Shirley G. Dickens

Variance to permit 0-parking spaces in lieu of the 2 required spaces, for an assisted living facility.

Hearing: Friday, November 2, 2007 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

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. RE: PETITION FOR VARIANCE 1220 Halstead Road; N/S Halstead Rd,

75' E c/line of Cloister Road

9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts

Legal Owner(s): Shirley Dickens

Petitioner(s)

BEFORE THE

\* ZONING COMMISSIONER

\* FOR

\* BALTIMORE COUNTY

\* 08-116-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

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 14th day of September, 2007, a copy of the foregoing Entry of Appearance was mailed to, Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

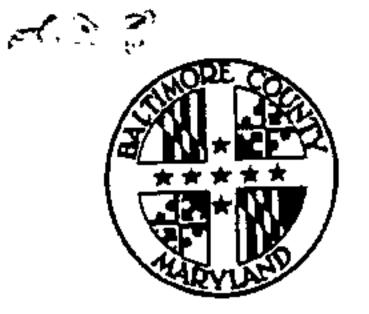
RECEIVED

SEP 1 4 2007

Per-

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



### Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at 1220 Halstead Road
which is presently zoned DR 10.5

perjury, that I/we are the legal owner(s) of the property which

Zip Code

State

OFFICE USE ONLY

Is the subject of this Petition.

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 of thereof, hereby petition for a Variance from Section(s)

See attached.

City

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 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 in the policy of the zoning is a solution of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of

Legal Owner(s): Contract Purchaser/Lessee: Shirley G. Dickens Name - Type or Print Name - Type or Print Signature Signature Name - Type or Print Telephone No. Address. Signature Zip Code State City 410-828-8282 1220 Halstead Road Attorney For Petitioner: Telephone No. Address. 21234 MD Baltimore Zip Code State City Name - Type or Print Representative to be Contacted: Signature Richard E. Matz COLBERT MATZ ROSENFELT, INC Company 410-653-3838 2835 Smith Avenue, Suite G Telephone No. Address Telephone No. Address 21209 MD

Case No. 08-116-A

Date 19-07

ESTIMATED LENGTH OF HEARING

Price Price

Zip Code

State

Baltimore

City

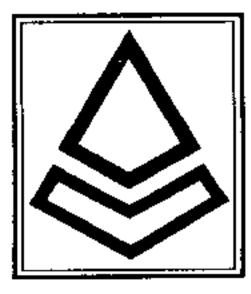
100 5 B

### Variance Petition Attachment: 1220 Halstead Road

Variance from Section 409.6 (A) (1), BCZR, to permit 0 parking spaces in lieu of the required 2 spaces, for an assisted living facility.

### Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



### **ZONING DESCRIPTION**1220 HALSTEAD ROAD

Beginning at a point on the north side of Halstead Road, which is 60 feet wide, at a distance of 75 feet + east of the centerline of Cloister Road, which is 60 feet wide.

Being Lot 92, in Block E, in the subdivision of Hillendale, as recorded in the Baltimore County Land Records in Plat Book Liber 24, Folio 12.

As recorded in Deed Book Liber 16465, folio 677, and containing 0.04 acre. Also known as #1220 Halstead Road and located in the 9<sup>th</sup> Election District, 5<sup>th</sup> Councilmanic District.



5. 短臂 加州构 域式序11利用 **本公司** 免制 凯斯特 脱氧液体 ANTI-LAM 語が下い VALIDATION CASHIER'S Mitter cent. [1] # 我多少 Record that 1. X. E. Hill **METH** DRIVES 78, 121/201T され Amount YELLOW - CUSTOMER No. US307 BS Acct Rept Total Catg Sub Orgn MISCELLANEOUS RECEIPT A965/ WHITE - CASHJER **BALTIMOR** OFFICE OF DISTRIBUTION Fund From: For:



JAMES T. SMITH, JR. County Executive

October 25, 2007

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Shirley Dickens 1220 Halstead Road Baltimore, Maryland 21234

Dear Ms. Dickens:

RE: Case Number: 08-116-A 1220 Halstead 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 31, 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. Call Richall S.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:rjc Enclosures

c: Peoples Council Richard Matz, Colbert, Matz & Rosenfelt, 2835 Smith Avenue Ste G. Baltimore, MD. 21209



JAMES T. SMITH, JR. County Executive

TIMOTHY Q.ctobeo 20,2007tor

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: 08-116-A

1220 Halstead Road

N/side of Halstead Road, 75 feet +/- east of centerline of Cloister Road

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owner: Shirley G. Dickens

Variance to permit 0-parking spaces in lieu of the 2 required spaces, for an assisted living facility.

Hearing: Friday, November 2, 2007 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Richard Matz, Colbert, Matz & Rosenfelt, 2835 Smith Avenue, Ste. G, Baltimore 21209 Shirley Dickens, 1220 Halstead Road, Baltimore 21234

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.

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

DATE: September 25, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

1220 Halstead Road

INFORMATION:

Item Number:

8-116

Petitioner:

Shirley G. Dickens

Zoning:

DR 10.5

Requested Action:

Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request. Provided the Zoning Commissioner does not have any objection to the subject request, the Office of Planning has no comment.

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

Reviewed by:

Division Chief:

AFK/LL: CM



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

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. 8-116-A

DICKENS PROPERTY

John D. Porcari, Secretary

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. 8-116 A.

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,

Division

SDF/MB

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 21, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For September 17, 2007

Item No. 08-116

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We wish to point out that the two parking spaces could be provided in the rear of the alley. However, if there is good reason not to build spaces there, we have no objection to granting the variance.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-116-09172007.doc

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### Patricia Zook - Fire Marshall comments needed - hearings on Friday November 2 - for BILL WISEMAN

From:

Patricia Zook

To:

Bosley, Roland

Date:

10/26/2007 9:41:19 AM

Subject:

Fire Marshall comments needed - hearings on Friday November 2 - for BILL WISEMAN

### Good morning -

We are need of comments from the Fire Marshall's office on three cases that have hearings scheduled on Friday, November 2. The case descriptions are below:

### CASE NUMBER: 8-115-A

15 Bradbury Road

Location: S side Bradbury Road, 225 feet SE c/l Hains Court.

4th Election District, 2nd Councilmanic District Legal Owner: Alexandr and Raisa Klopouh

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, 11/2/2007 at 9:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson 21204

### CASE NUMBER: 8-116-A

1220 Halstead Road

Location: N side of Halstead Road, 75 feet +/- E of c/l of Cloister Road.

9th Election District, 5th Councilmanic District

Legal Owner: Shirley G. Dickens

VARIANCE To permit 0 parking spaces in lieu of the required 2 spaces for an assisted living facility.

Hearing: Friday, 11/2/2007 at 10:00:00 AM, County Courts Building, 401 Bosley Aenue, Room 407, Towson 21204

### CASE NUMBER: 8-117-SPH

2112 N. Rolling Road

Location: NW corner of Munford Road and Rolling Road.

1st Election District, 1st Councilmanic District

Legal Owner: Electra B. Collins

SPECIAL HEARING To amend previously approved plan for special exception Case #65-179-X and 72-288-SPH to amend restriction #7 to permit enrollment age of children to begin at 6 weeks to 6 years in lieu of required 3 years to 6 years and to allow an expansion to the rear of the existing day nursery building of 339 square feet which represents 25% of the building area granted the special exception by Case #65-179-X on 12-21-64.

Hearing: Friday, 11/2/2007 at 11:00:00 AM, County Courts Building, 401 Bosley Avenue, Room 407, Towson 21204

If you have no comments on the cases, simply respond to this e-mail and I'll place it in the case file.

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov

**Exempt Class:** 



Go Back View Map New Search

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\* NONE \*

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** September 25, 2007

DECEIVE OCT 0 1 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

1220 Halstead Road

**INFORMATION:** 

Item Number:

8-116

Petitioner:

Shirley G. Dickens

Zoning:

DR 10.5

Requested Action:

Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request. Provided the Zoning Commissioner does not have any objection to the subject request, the Office of Planning has no comment.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-

3480.

Reviewed by:

**Division Chief:** 

AFK/LL: CM

### Bill Wiseman - Re: Case# 08-116A (1220 Halstead Rd)

From:

lakeina Scott < lakeinagraph@yahoo.com>

To:

lakeina Scott < lakeinagraph@yahoo.com>, < wwiseman@baltimorecountymd.gov>

Date:

11/02/07 3:49 PM

Subject: Re: Case# 08-116A (1220 Halstead Rd)

### Correction:

My contact phone number is 443-865-1408.

### lakeina Scott <a href="mailto:lakeinagraph@yahoo.com">lakeinagraph@yahoo.com</a> wrote:

### Mr. Wiseman:

As a follow up to our conversation, please provide me with a copy of the order issued for case# 08-116A once it becomes available.

I appreciate your assistance and have a great day.

Regards, Lakeina Scott 1222 Halstead Rd Baltimore, MD 21234 443-865-1347

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around http://mail.yahoo.com

### PLEASE PRINT CLEARLY

CASE NAME 108-116 4 CASE NUMBER 1220 HASTEAD BAD DATE NOV 2, 2007

## PETITIONER'S SIGN-IN SHEET

E- MAIL											
CITY, STATE, ZIP	<u>S</u>										
ADDRESS	2835 SMITH AVENUE SUITE 6										
NAME	KICHMEDE. MATE								<b>-</b>		

### PLEASE PRINT CLEARLY

NAME	NUMBER	
CASE N	CASE	DATE

## CITIZEN'S SIGN-IN SHEET

E- MAIL									-			
CITY, STATE, ZIP	4 ant ville, MD 2 1231											
ADDRESS	1212 Halstead											
NAME	Sherrie Heurs											

### Debra Wiley - FW: Shirley Dickens - 1220 Halstead Rd. - Case No. 08-116-A

From: "Judy Floam" < jfloam@cmrengineers.com>

To: <a href="mailto:dwiley@baltimorecountymd.gov">dwiley@baltimorecountymd.gov</a>

Date: / 11/12/07 10:04 AM

Subject: FW: Shirley Dickens 1220 Halstead Rd. - Case No. 08-116-A

Ms. Wiley -

Attached are suggested changes for Commissioner Wiseman's Order on this case. Dick Matz and I have both reviewed the draft. Please call if you have any questions.

Thanks,

Judy Floam

Colbert Matz Rosenfelt

Suggested changes to draft of Order, Case. No. 08-116-A:

- 1. Page 1, footnote: word missing, should read "no more THAN three..."
- 2. Page 2, line 6: change "continuing care" to "assisted living care".
- 3. Page 2, line 10: The name of the school is Halstead Academy (It says that on the ADC map and I looked it up in the phone book listing of County schools.)
- 4. Page 3, line 5: refers to "the east side of Cloister Road in front of the school". The school is on the west side but I'm not sure what you agreed to at the hearing.
  - 5. Page 3, line 8: should read: "comprising the group OF homes..."
- 6. Condition # 2: see comments above in #3 and #4 re name of school and side of street. Also, it is a <u>Class 1 ALF</u>, not a <u>Class A ALF</u> (see page 1, last line).



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

November 13, 2007

Shirley G. Dickens 1220 Halstead Road Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE

N/S Halstead Road, 75' E c/line of Cloister Road (1220 Halstead Road)

9<sup>th</sup> Election District - 5<sup>th</sup> Council District Shirley G. Dickens - Petitioner

Case No. 08-116-A

Dear Ms. Dickens:

It has been brought to my attention that there were errors in the Order for the above-captioned case. These corrections merely resolve these stylistic errors and do not materially alter the effect of the Order; there were no substantive changes.

### Specifically:

- Page 1, Footnote, word missing, should read "no more than three ... "
- 'Page 2, Line 6, changed from "continuing care" to "assisted living care"
- Page 2, Line 10, changed from Hillendale Academy to Halstead Academy
- Page 3, Line 5, changed from east side of Cloister Road to east or west sides
- Page 3, Line 8, should read "comprising the group of homes
- Page 4, Restriction No. 2, Line 2, changed from Class A to Class I
- Page 4, Restriction No. 2, Line 3, changed from east side of Cloister Road to east or west sides
- Page 4, Restriction No. 2, Line 3, changed from Hillendale Academy to Halstead Academy

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

Page 2 November 13, 2007 Shirley G. Dickens

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

MINDIAM J. WISEMAN, III

for Baltimore County Zoning Commissioner

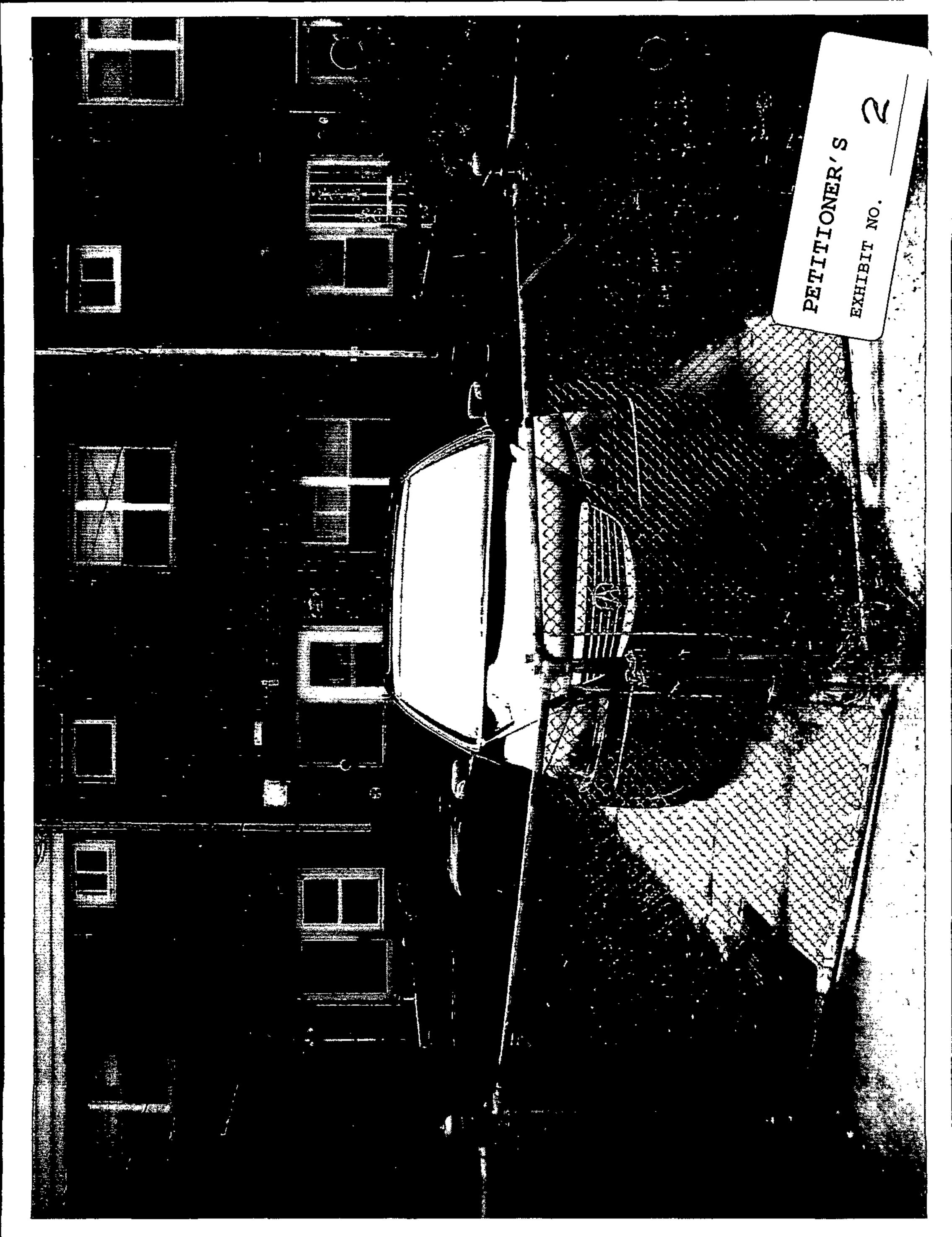
Very truly yours,

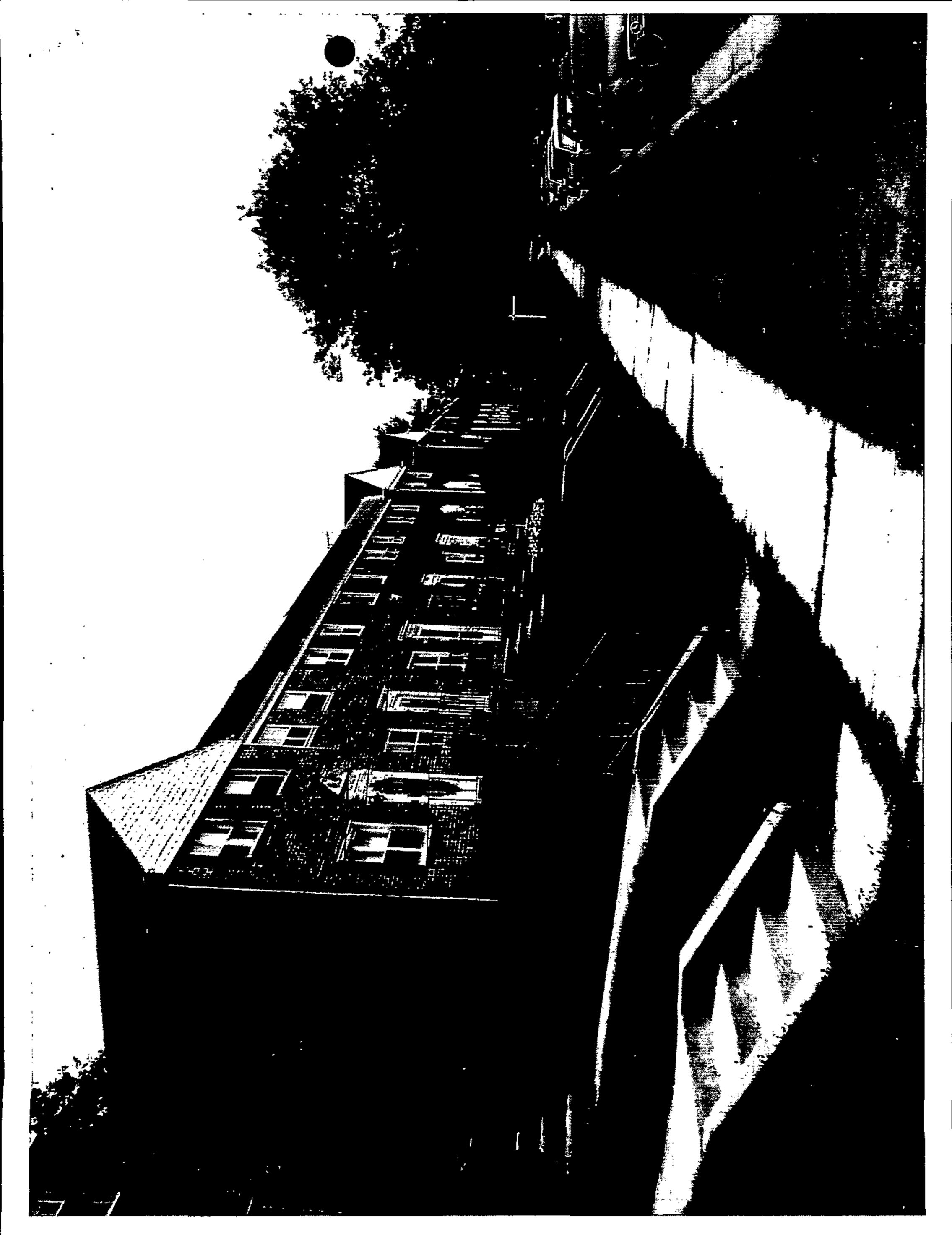
Enclosure wlb:WtW

Sherrie Keys, 1212 Halstead Road, Parkville, Md. 21234 Suite G, Baltimore, Md. 21209 Richard E. Matz, P.E., Colbert, Matz & Rosenfelt, Inc., 2835 Smith Avenue,

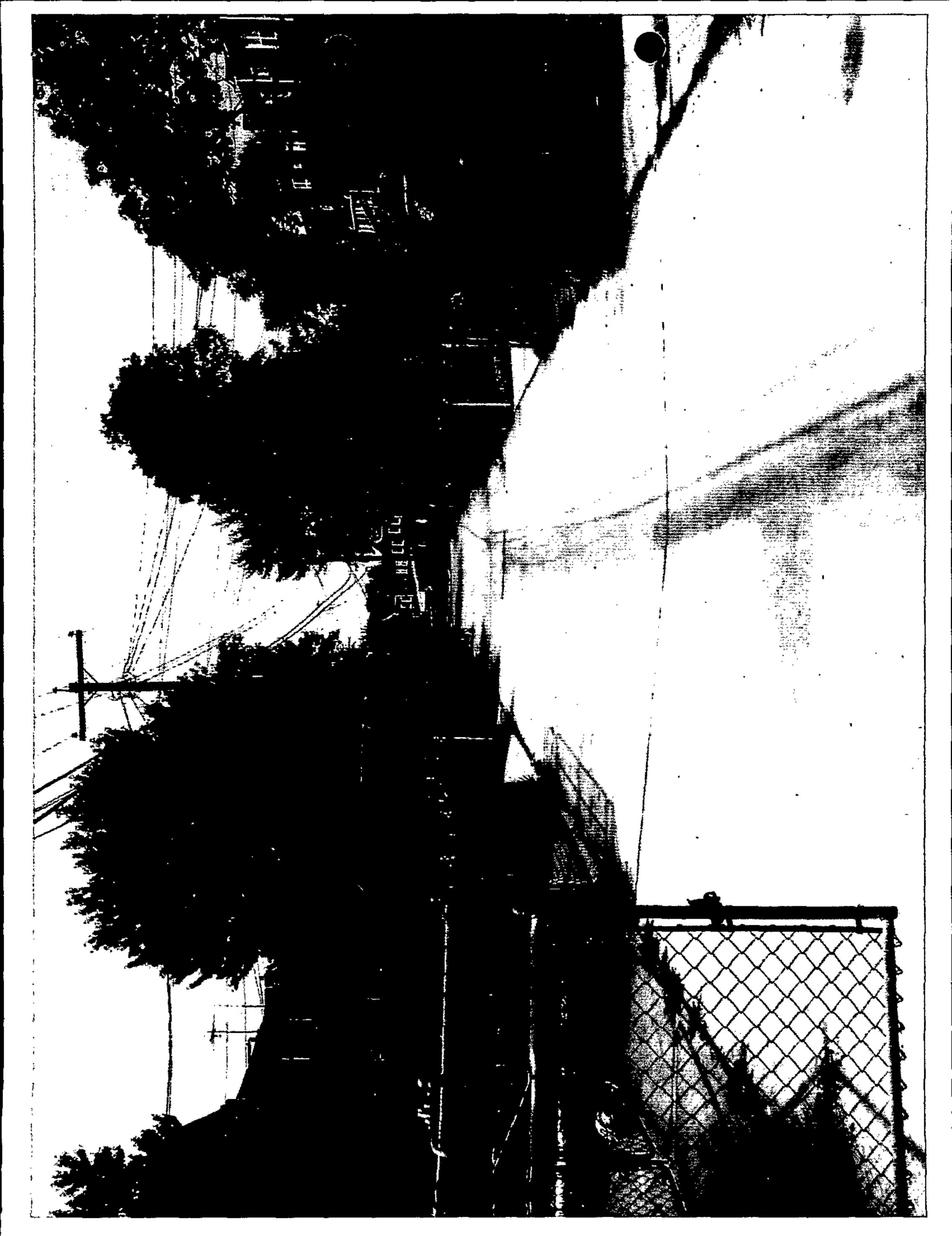
Lakeina Scott, 1222 Halstead Road, Baltimore, Md. 21234

People's Counsel; File









# Barbara FMcHllister

1249 Halstead Road Parkville, Md. 21234 (443) 653-1362

*November 3, 2007* 

RE: Shirley Dickens 1220 Halstead Road Parkville, Md. 21234 Assisted Living Dwelling

To Whom It May Concern,

I, Barbara F McAllister, am writing this letter on behave of Ms. Shirley Dickens and her request to have an Assistance Living dwelling at 1220 Halstead Road. I, being the Vice-President of the Hillendale Home Improvement Assoc., do not have a problem with Ms. Dickens running an assisted living, for 2 people at the above-mentioned address.

If you should need further information, please feel free to contact me by phone or mail.

Sincerely,

Rarbara F Mc Alliston

PETITIONER'S

EXHIBIT NO.

3

November 2, 2007 Jo Whom It May Concernd; NOV 0 6 2007 D J. Valeria M Datipe have Rnown Shirley Dickens for as well as a social one at all times Shirley has been, polite, caring, neat, clean, and always on time. need please feel free to contact me at 410-661-0414 Sincerely yours, Valeria Mc Inthe

11/2/07

NOV 0 6 2007

Dear Senttemen,

My name is Sorina Dufts
38 bishington, I line at 1516 Halstrack

Local Share resided at the becation

1 years I own my home. Ms Shirty

Aukens is a wanderful neighbor series

she moved on Halstrad Good. I have

no problem with Ker having and

assigned parking space. The has

always be custions and repectful

to my family and me She has

Two vehicles. She has always pushed

in Be gard of secross the street will and are the both of her whiles,

Hank you,

Alusera Mafter- Mashington

#### Diggs-Johnson Middle School 1300 Herkimer Street Baltimore, Maryland 21237 410-396-1572

November 3, 2007

	ECEIVE Nov 0 6 2007				
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	/:				

To Whom It May Concern,

I have worked with Shirley Dickens for 15 years as a house counselor at Francis X. Gallagher. Shirley is dedicated to the individuals she service. The individuals she service are like family to her. Shirley tends to their physical as well as their emotional needs.

Shirley is very active in assisting her individuals in transitioning out into the community in which they live. She plans activities that allow her individuals to interact with their non-disable peers as well as their disable peers.

Shirley is a very caring person who enjoys her job. Shirley would be an asset to your program. She is an excellent worker and is committed to her job. I am an assistant principal at Diggs-Johnson Middle School and I would hire Shirley without any reservation to work at my school.

Sincerely,

Winifred Smith
Assistant Principal

Min, Edan Ja 21205 To who it may concern. I Elizabeth Dickens knew skirley Dicken for a Certain amount of years to whom Our relationship she is trustworthy pleasnt,
easy going nice, and a devoloped hard
time worker, and also sincerly. 710 N. Eden St. Boultimore MA 21205 PECEIVEN

November 4, 2007 • Enelyn Ragni 2720 E. Biddle St Baltimue, Md. 21213 410-525-4459 NOV 0 6 2007 To whom It Tray Concern. I hove known Shirley Dicker over (15) fifteen years. I have wanted with her also, Visited in her Kome: I find her to be a person of high Values, she is kind, clean, loving, compassion and hard working. She is always to help ather when there is a need. I talk with her everyday. She we france on goale that is great. She has faith and believe she will reach there. It take people like her to make this world a better place to live finewely's Ragin

To Whan It May Conclusion of 6 2007 I have known Shirtey Dickers for seven years, as she tep daughter's weekend house courselor. My Linde is mentally challenged and needs daily help. Drivley is a very deducated Apecial person to give her time and her care to Linda and her house nates. Shurley is a very reliable Revson. She is always there to lend a helping hand to those in need. Dease do not histate to contact me of I can

NOV 0 6 2007 BY:

TO: Whom IT may concerny

From: GERALDINE GARETT, TELLY10-448-2167

SubJect: Character Reference,

Shirley Dickens

DATE: montembée 5, 2007

I'm whiting this letter
To imporm you that I'm a

Known The About PELSON,

Shirley Bickens For Fit Teem

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Oct 2007

Case No.: 08-116-A 1220 Halstead Rd.

## **Exhibit Sheet**

## Petitioner/Developer

### Protestant

No. 1		
<b>NT</b> 2	SITE PLAN	<u></u>
No. 2	PHOTOGRAPH S PARKING IN REAR	
No. 3	HILLENDALE ASSOC.	Daupport
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III

Zoning Commissioner

November 7, 2007

Shirley G. Dickens 1220 Halstead Road Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE

N/S Halstead Road, 75' E c/line of Cloister Road

(1220 Halstead Road)

9<sup>th</sup> Election District - 5<sup>th</sup> Council District

Shirley G. Dickens - Petitioner

Case No. 08-116-A

Dear Ms. Dickens:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted with conditions 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 thuly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:dlw Enclosure

c: Richard E. Matz, P.E., Colbert, Matz & Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore, Md. 21209
Sherrie Keys, 1212 Halstead Road, Parkville, Md. 21234
Lakeina Scott, 1222 Halstead Road, Baltimore, Md. 21234
People's Counsel; File

