

IN RE: **PETITION FOR VARIANCE**
SE/S St. Agnes Lane, 400' SW of
St. Agnes Court
(1123 St. Agnes Lane)

1st Election District
1st Council District

Lisa Ruth Thomas
Petitioner

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BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No.-08-431-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 owner of the subject property, Lisa Thomas. The Petitioner seeks relief from Section 432A.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit Assisted Living Facility I parking and delivery areas in the side and front yards in lieu of the required side or rear yards only. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request was Lisa Thomas, property owner. There were no Protestants or other interested persons present nor were there any adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies. In this regard, it is noted that that the recently passed assisted living facility legislation enacted under Council Bills 19-04 and 32-06 were written by and for the Office of Planning and the Department of Aging. These agencies are responsible for reviewing and approving the general layout and compatibility standards of any proposed assisted living facility and make recommendations to this Zoning Commissioner. Bill No. 19-04 composed site requirement changes, including a minimum required 10-foot setback from an adjoining property

ORDER RECORDED FOR FILING
Date 5-27-08
By [Signature]

line for parking – and that the parking and delivery areas be located in side or rear yards. It is this required location that is at issue before me, as an assisted living facility is permitted in the D.R. zoning classification by Use Permit which can be issued by representatives of the Department of Permits and Development Management pursuant to Council Bill 19-04. That section was amended to require that such facilities be:

- “(1) located in a structure which was built at least five (5) years before the date of the application;
- (2) was not enlarged by 25% or more of ground area within the five (5) years before the date of application; and
- (3) which accommodates fewer than eight (8) resident clients”.

Thus, if the requested variance relief is granted, a zoning Use Permit could be issued following receipt of comments from the Offices of Planning and Community Conservation for the proposed assisted living facility.¹

Testimony and evidence offered revealed that the subject property is an irregular-shaped parcel located on the southeast side of St. Agnes Lane near Cooks Lane in the Gwynn Oak community. The property contains a gross area of 32,130 square feet (0.75 acres), more or less, split-zoned D.R.5.5 and D.R.16 and improved with a 1-story brick and frame single-family dwelling featuring a 22' front porch, an attached two-car garage and finished basement. The Petitioner has owned the property and the 1,260 square foot home built in 1955 since April 2006. Ms. Thomas is a registered nurse employed by the State of Maryland who works in the training and accreditation of assisted living facilities and provides services at the Walter P. Carter Center. She would like to convert the existing house to a seven-bed assisted living facility for senior citizens in need of assistance. Initially, she plans to have two employees and set up her living

¹ On March 27, 2008, a Zoning Advisory Committee (ZAC) comment was received from the Office of Planning stating that they had reviewed the case file and “had no comments to offer”.

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Date 5-27-08
By [signature]

quarters in the basement area which currently contains one bedroom, a bathroom and recreational room. *See* basement floor plan – Petitioner’s Exhibit 2B. The three 1st floor bedrooms, kitchen, living room, dining room and two bathrooms would be used for the facility operation. *See* floor plan – Petitioner’s Exhibit 2A. She noted that the parking on the side and front would be adequate since there’s room for three (3) 8'-½" x 18' parking spaces for vehicles to be located 25 feet away from the nearest property line. Additionally, there is ample room in front of the garage by virtue of the 80-foot long existing macadam driveway that provides adequate space for deliveries and additional parking, if needed. She also points out that no assisted living patient would drive a vehicle so that there should be no additional parking required. Finally, she indicated that the parking spaces on the west side of the driveway, although 25 feet from the property line, do not meet the requirements for assisted living facilities (Section 432A.C.2) and thus requires a variance. In this regard, a minimum of one parking space for each three beds in a proposed assisted living facility must be provided and each space must be as stated a minimum 8'-1/2" x 18' in dimension. Moreover, all parking for the facility must be located in the side or rear yard only. Ms. Thomas opined that there would be no adverse impact on the community. She testified that it would be impractical to provide the required parking/delivery areas directly behind the home as this would require the removal of many mature trees that surround the home and property (*See* Petitioner’s Exhibit 3). In further support of the request, the Petitioner states that she and her friends have used the existing driveway for parking without detriment to the safety or welfare of the community. The only cars that would park in the driveway would be hers or a nursing assistant. Pursuant to the requirements of Council Bill No. 19-04, the Petitioner will apply for a Use Permit for the proposed use; however, due to the special

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Date 5-27-08
By [Signature]

circumstances peculiar to the land, the driveway length and the location of existing improvements thereon, the requested zoning relief is necessary.

Consideration of variance requests from the zoning regulations is governed by Section 307 of the B.C.Z.R. That Section has been construed by the Court of Special Appeals in *Cromwell v. Ward*, 102 Md. App. 691 (1995). Therein, the Court noted a two-part test to be applied in considering any variance. First, the Zoning Commissioner must find that the property is unique and unusual in a manner different from the nature of the surrounding properties and that such uniqueness drives the need for the variance. If this finding is not made, the process stops and the variance must be denied. However, if the first step results in a finding of uniqueness, then the second step of the process is taken. The second step is to determine whether an unreasonable hardship or practical difficulty resulting from the ordinance would be caused if strict adherence to the regulations were required. Moreover, the Court indicated that self-inflicted or self-created hardship is never considered proper grounds for a variance. A variance cannot be granted merely for the convenience of the property owner.

Based upon the testimony and evidence presented, I am persuaded to grant the request. There is adequate evidence that the subject property is peculiar, unusual and unique. Moreover, I am appreciative of the Petitioner's concerns that the removal of mature trees in this case is not warranted. The preservation of trees is an appropriate justification for zoning relief. *See McLean v. Soley*, 270 Md. 208 (1973). I find the requirements of B.C.Z.R. Section 307.1 to be satisfied. The significant driveway length from St. Agnes Lane is appropriate to provide for adequate assisted living parking and delivery area. Furthermore, I find that, without the grant of a variance, the Petitioner would suffer a "practical difficulty" given these facts and site constraints if strict adherence to the regulations were required.

ORDER RECEIVED FOR FILING
Date 5-27-08
By [Signature]

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of May 2008 that the Petition for Variance seeking relief from Section 432A.C.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit parking and delivery areas in the side and front yards in lieu of the required side or rear yards only, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner may apply for her Use permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
2. The proposed use shall be limited to seven (7) individuals who need assistance in performing the activities of daily living.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING
Date 5-27-08
By [signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

May 27, 2008

Lisa Thomas
1123 St. Agnes Lane
Gwynn Oak, Maryland 21207

RE: PETITION FOR VARIANCE
SE/S St. Agnes Lane, 400' SW of St. Agnes Court
(1123 St. Agnes Lane)
1st Election District - 1st Council District
Lisa Ruth Thomas – Petitioner
Case No.-08-431-A

Dear Ms. Thomas:

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

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

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: People's Counsel; File



TAX. ACCOUNT 0104000690

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 1123 ST. AGNES LA.
which is presently zoned DC 5.5 + DR 16

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) 432. C. 1 BCZR TO PERMIT PARKING & DELIVERY AREAS IN THE FRONT YARD IN LIEU OF THE REQUIRED SIDE OR REAR YARD FOR A PROPOSED ASSISTED LIVING FACILITY - I.

(H)
WITNESSES

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 DETERMINED AT HEARING.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

* LISA THOMAS

Name - Type or Print

Lisa Thomas

Signature

Name - Type or Print

Signature

* 1123 ST Agnes lane 410 744
Address Telephone No.
Gwynn Oak * MD 21207 0353
City State Zip Code

Representative to be Contacted:

Name

Address Telephone No.

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 HR

Case No. 08 431 A

ORDER RECEIVED FOR FILING

UNAVAILABLE FOR HEARING

REV 9/15/98

Date 5-21-08

Reviewed By JL Date 3/13/08

By [Signature]

08-431-A

Assisted Living Facility on premises of Lisa R. Thomas, 1123 St. Agnes Gwynn Oak, MD.21207. Property is located in Baltimore County in liber C.H.K. No.1179, Folio 470 est., ~~and~~ ^{BEGINNING AT A POINT ON THE S.E. SIDE OF SAINT AGNES' LA., 400' ±} ^{SOUTHWEST OF ST. AGNES COURT THENCE.} Running Thence Binding on the center line of St. Agnes line, and along the fourth and fifth line of said parcel of land the two following courses and distance south 71 degrees 22 minutes West 25.21 feet and South 75 degrees 22 minutes West 150 feet, Thence Binding on the center line of division parallel with the above, mentioned third of said Parcel of land South 66 degrees 8 minutes East 365.10 feet. Thence at the right angles to said line North, 23 degrees 52 minutes East 110.40 feet to interest said third line of said parcel of land and Thence biding there on North 66 degrees 8 minutes West 229.12 feet to the place of beginning. Containing 0.75 of an acre of land more or less. Proposed parking is on the right said of the building. There is no property or homes to the right.

**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: #08-431-A

1123 St. Agnes Lane
S/east side of St. Agnes
Lane, 400 feet s/west of St.
Agnes Court

1st Election District
1st Councilmanic District
Legal Owner(s): Lisa Thomas

Variance: to permit parking and delivery areas in the front yard in lieu of the required side or rear yard for a proposed Assisted Living Facility 1.

Hearing: Tuesday, May 20, 2008 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 5/08 May 6 172334

CERTIFICATE OF PUBLICATION

5/8/, 2008

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 5/6/, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 07668

Date: 3/12/08

PAID RECEIPT

BUSINESS ACTION TIME TID
3/14/2008 3/13/2008 10:45:14 2

REC 002 MAIL JFSA DE
XRECEIPT R 541377 3/13/2008 OFLN

Dept 5 528 TOWING IDENTIFICATION
007668

Recpt Tot 165.00
165.00 CR 1.00 CA
Baltimore County, Maryland

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				65.00

Total: 65.00

Rec

From: TOWING

For: RV -1123 ST. ANNES LA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S
VALIDATION



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 2, 2008
TIMOTHY M. 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: 08-431-A

1123 St. Agnes Lane

S/east side of St. Agnes Lane, 400 feet s/west of St. Agnes Court

1st Election District – 1st Councilmanic District

Legal Owners: Lisa Thomas

Variance to permit parking and delivery areas in the front yard in lieu of the required side or rear yard for a proposed Assisted Living Facility I.

Hearing: Tuesday, May 20, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: Lisa Thomas, 1123 St. Agnes Lane, Gwynn Oak 21207

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 5, 2008.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 6, 2008 Issue - Jeffersonian

Please forward billing to:

Lisa Thomas
1123 St. Agnes Lane
Gwynn Oak, MD 21207

410-744-0353

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: 08-431-A

1123 St. Agnes Lane

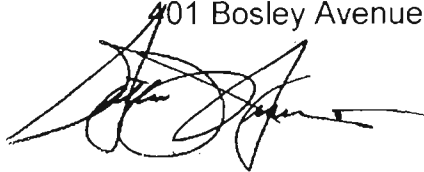
S/east side of St. Agnes Lane, 400 feet s/west of St. Agnes Court

1st Election District – 1st Councilmanic District

Legal Owners: Lisa Thomas

Variance to permit parking and delivery areas in the front yard in lieu of the required side or rear yard for a proposed Assisted Living Facility I.

Hearing: Tuesday, May 20, 2008 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08 - 431 - A

Petitioner: THOMAS

Address or Location: 1123 ST AGNES CA

PLEASE FORWARD ADVERTISING BILL TO:

Name: LISA THOMAS

Address: 1123 ST. AGNES - LA

Gwynn Oak, MD. 21207

Telephone Number: 410 744 0353

Revised 2/20/98 - SCJ

BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development May 15, 2008

Lisa Thomas
1123 St. Agnes Ln.
Gwynn Oak, MD 21207

Dear Lisa Thomas

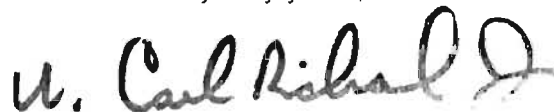
RE: Case Number:2008-0431-A , Address

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 13, 2008 . 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,



W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 26, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 24, 2008

Item Number: 418,419,420,421,422,423,424,426,427,428,429,430, 431, 432,433,434
and 435

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4880 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 1, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For March 31, 2008
Item Nos. 08-401, 418, 419, 420, 421, 422,
426, 427, 428, 429, 430, 431, 432, 433, 434,
435, 438, 439, and 440

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-03282008.doc



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

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 24, 2008

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

RE: Baltimore County
Item No. 8-431-A
1123 ST AGNES LANE
THOMAS 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. 8-431-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,

Foster 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

BW 5/20
11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 27, 2008

RECEIVED
APR 01 2008

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

BY:

SUBJECT: Zoning Advisory Petition(s): **Case(s) 08-431- Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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

Prepared By:

Candis Murray

Division Chief:

Lyn Sanborn

CM/LL

RE: PETITION FOR VARIANCE * BEFORE THE
1123 St. Agnes Lane; SE/S St. Agnes Lane, *
400' SW St. Agnes Court * ZONING COMMISSIONER
1st Election & 1st Councilmanic Districts *
Legal Owner(s): Lisa Thomas * FOR
Petitioner(s) * BALTIMORE COUNTY
* 08-431-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.

RECEIVED
MAR 24 2008
Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County
Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of March, 2008, a copy of the foregoing Entry of Appearance was mailed to Lisa Thomas, 1123 St. Agnes Lane, Gwynn Oak, MD 21207, Petitioner(s).

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

PDM Zoning - Web - constituent inquiry

From: <webform@baltimorecountymd.gov>
To: <pdmzoning@baltimorecountymd.gov>
Date: 05/18/08 2:46 PM
Subject: Web - constituent inquiry

esvateksr@comcast.net

E-mail: esvateksr@comcast.net

Name: Edward V. Svatek, Sr.

Address: 1532 Barrett Road

City: Gwynn Oak

State: Maryland

Zip Code: 21207

Telephone Number: 410-788-0556

Telephone Extension:

Message: Response for Zoning Hearing #08-431-A for 1123 St. Agnes Lane request to pave the front yard for parking and deliveries. Both as a resident of and a Board member in the Edmonston Heights Civic Association, Inc. we object to the granting of this request. This is a residential area that will suffer from additional unwanted traffic and noise. Also, it will make our neighborhood look commercial. And, what is being done to control the run off from the new hard surface, in this watershed area, into the Gwynn Falls? Therefore, the Edmonston Heights Civic Association, Inc, is against the granting of this variance.
Thanks, Ed.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw3.1)

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

Account Identifier: District - 01 **Account Number -** 0104000690

Owner Information

Owner Name: THOMAS LISA RUTH **Use:** RESIDENTIAL
Principal Residence: YES
Mailing Address: 1123 SAINT AGNES LN **Deed Reference:** 1) /23723/ 414
 BALTIMORE MD 21207-4908 2)

Location & Structure Information

Premises Address **Legal Description**
 1123 ST AGNES LA LT ES ST AGNES LA
 NR COOKS LA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
95	15	56						1	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1955	1,260 SF	32,130.00 SF	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2007	07/01/2007	07/01/2008	
Land	35,780	92,030			
Improvements:	66,950	126,370			
Total:	102,730	218,400	141,286	179,842	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: ADAMS YALONDA	Date: 04/21/2006	Price: \$230,000
Type: IMPROVED ARMS-LENGTH	Deed1: /23723/ 414	Deed2:
Seller: SMITH GAYLE S	Date: 06/23/2005	Price: \$125,000
Type: NOT ARMS-LENGTH	Deed1: /22095/ 630	Deed2:
Seller: DAMICO ANTHONY W	Date: 06/29/1994	Price: \$90,250
Type: IMPROVED ARMS-LENGTH	Deed1: /10622/ 431	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 *

Gwen Oak

CASE NAME _____
CASE NUMBER 08-431-A
DATE 5-20-08

[illegible]

Case No.: 08-431-A 1123 ST. AGNES LANE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	FLOOR PLAN ^{2A - 1st Floor} _{2B - Basement}	
No. 3	PHOTOGRAPHS	
No. 4	USE PERMIT APPLICATION ZONING MAP	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

0102000124

GRANVILLE RD

PDM # 010054

DR 10.5

095B2

1 CD

1 ED

SW-1-E

DR 5.5

DR 16

095B3

MASEFIELD RD

FAIRSPRING SENIOR APARTMENTS (PDM File/Project # 1-486)

2300011005

PDM # 010032

Flood Zone X

SITE SCALE 1" = 100'

431

0102000124

GRANVILLE RD

PDM # 010054

DR 10.5

095B2

1 CD

1 ED

SW-1-E

DR 5.5

DR 16

DR 10.5

095B3

MASEFIELD RD

ST AGNES LN

ST AGNES CT

Flood Zone X

Flood Zone Y

SITE SCALE 1" = 100'

A31

FAIRSPRING SENIOR APARTMENTS (PDM File/Project # 1-486)

2300011005

PDM # 010032

0102000124

GRANVILLE RD

PDM # 010054

DR 10.5

095B2

1 CD

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DR 16

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MASEFIELD RD

ST AGNES LN

ST AGNES CT

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SITE SCALE 1" = 100'

FAIRSPRING SENIOR APARTMENTS (PDM File/Project # 1-486)

PDM # 010032

A31

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

PROPERTY ADDRESS 1123 SAINT AGNES LANE SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME NA

PLAT BOOK # — FOLIO # — LOT # — SECTION # —

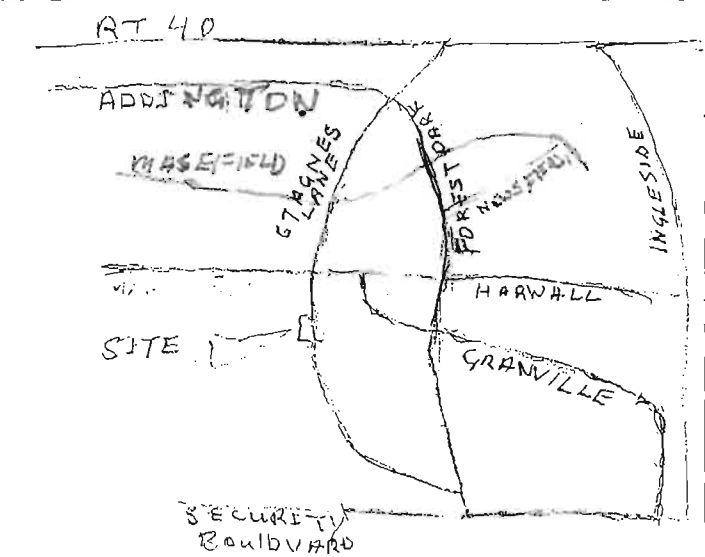
OWNER LISA RUTH THOMAS

APPLICANT IS AWARE OF THE FUTURE REQUIREMENT FOR THE ALF USE PERMIT REVIEW PENDING THE SUCCESSFUL ATTORNEY OF THE PARKING-VARIANCE. PRIOR APPLICATION NOT PROCESSED BY ZONING REVIEWER FOR ALF DUE TO VARIANCE REQUIREMENT.

APPLICANT HAS NOT APPLIED FOR A FUTURE PROPOSED 7 BED ASSISTED LIVING FACILITY (ALF) FOR THIS SITE. THE USE IS NOT THE SUBJECT OF THIS VARIANCE.

THE LOCATION OF THE ALF PARKING TO OBTAIN THE USE PERMIT FOR ZONING APPROVAL IS THE ISSUE.

THE REGULATIONS REQUIRE THE PARKING TO BE LOCATED IN THE SIDE OR REAR YARD AND 10 FT. FROM A LOT LINE. 43261 BCLR



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 1ST

COUNCILMANIC DISTRICT 1ST

1" = ~~200'~~ SCALE MAP # D95132

ZONING DR 5-5 + DR 16

LOT SIZE 32,130
ACREAGE — SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☐

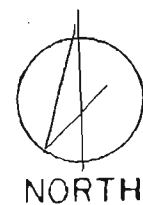
ZONING OFFICE USE ONLY
REVIEWED BY JL ITEM # A31 CASE # 0844A

I AM RESPONSIBLE FOR THE INFORMATION DRAWN & WRITTEN BY BALTIMORE COUNTY FOR THE FILING OF THIS VARIANCE PETITION.

Lisa Thomas 3/13/08
OWNER/APP. DATE

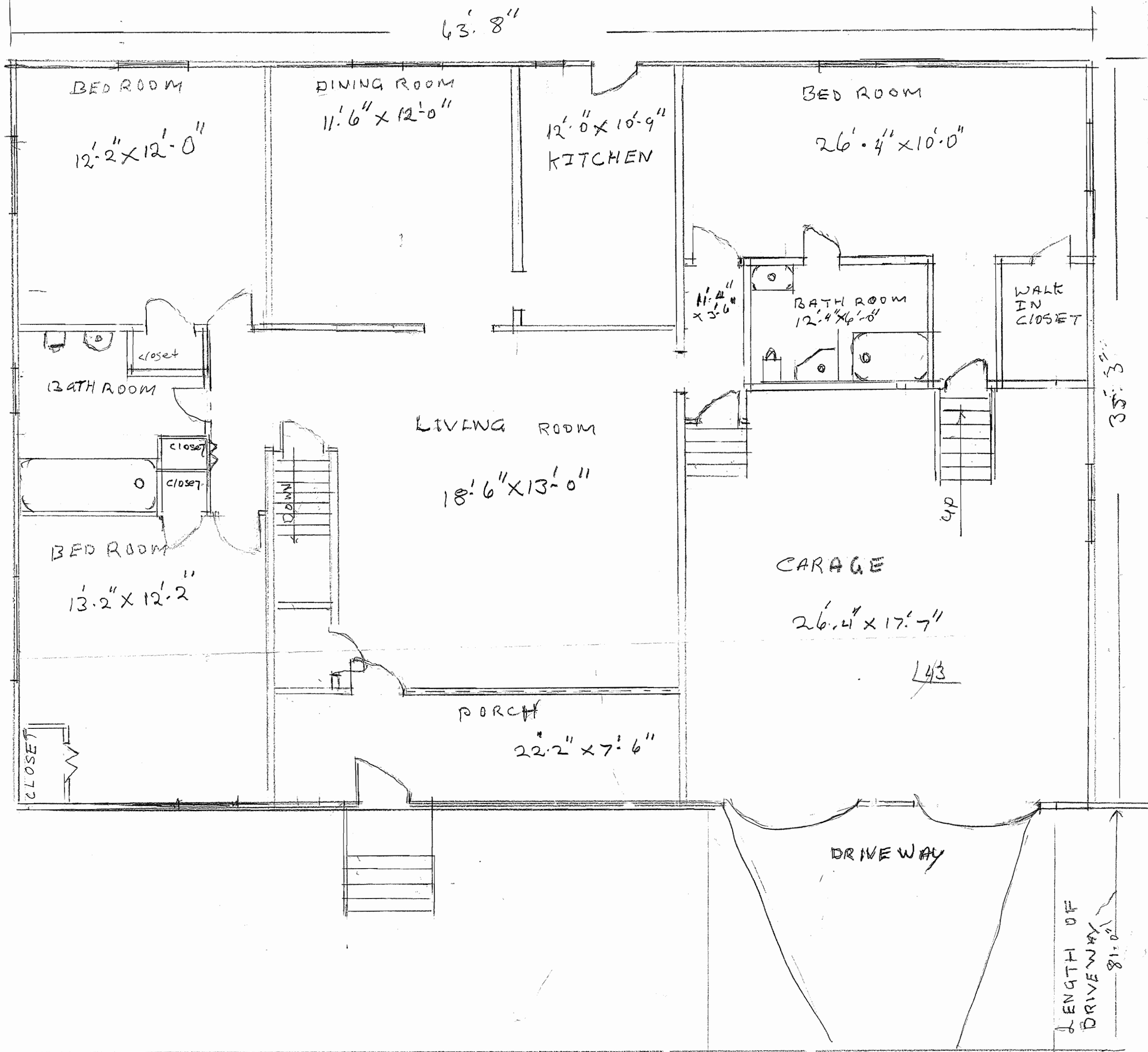
PETITIONER'S

EXHIBIT NO. 1



PREPARED BY

SCALE OF DRAWING: 1" = 50'



PETITIONER'S

EXHIBIT NO. 2A

ST. AGNES LANE

LISA THOMAS

FIRST FLOOR

1123 STAGNES LANE GWYNN OAK BALTIMORE

MARYLAND 21207

LISA THOMAS
BASEMENT.
1123 ST. AGNES LANE. Gwynn Oaks 21207 BALTIMORE MARYLAND

