

**IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE**

NW side of Liberty Terrace, 245 feet NW
of Sylvan Drive
3rd Election District
4th Councilmanic District
(6610 Liberty Terrace)

Anna N. Nji
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY

* **Case No. 2009-0131-SPHA**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owner of the subject property, Anna N. Nji. Petitioner requested Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a fifth assisted living bed on an 8,500 square foot lot where 12,000 square feet would be required. Petitioner also requested Variance relief from Section 432 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an 8,500 square foot lot area in lieu of the 12,000 square feet for a fifth assisted living bed, and to allow the required 2 parking spaces in the front yard in lieu of the side or rear yard with the spaces 0 feet from the lot lines in lieu of the required 10 feet. The subject property and requested relief were more fully described on the site plan that was contained within the case file.

The above-captioned matter was scheduled for a public hearing on January 15, 2009 at 11:00 AM in Room 106 of the County Office Building. The hearing was convened on that date and time. Certificates of Posting and Publication also contained within the case file indicate that the property was properly posted with a sign indicating the aforementioned date, time, place, and subject matter of the hearing, as well as properly published in *The Jeffersonian* newspaper. Upon calling the case, there was no response from the Petitioner, Anna N. Nji, or her attorney of record, Gary Huggins, Esquire with an office in Gaithersburg, MD. The only individual to appear at the

~~ORIGINAL FILED FOR FILE~~
2-9-09
P2

hearing was Christine Cypress, President of the Lochearn Improvement Association, Inc. Ms. Cypress appeared as an interested citizen and on behalf of the Association.

There being no appearance by Petitioner, the only testimony and evidence presented in the case came from Ms. Cypress. She presented minutes of a meeting of the Board of Directors of the Association on January 12, 2009 concerning the aforementioned zoning request, wherein a motion was made and carried by the Board asking the Zoning Commissioner to deny the requested relief. A copy of the meeting minutes was marked and accepted into evidence as Protestants' Exhibit 1. Ms. Cypress also submitted a letter dated January 15, 2009 written in her capacity as President of the Association, which was marked and accepted into evidence as Protestants' Exhibit 2. The letter reiterated the Association's opposition to Petitioner's requested relief. Finally, Ms. Cypress submitted photographs of the front of the subject property that were marked and accepted into evidence as Protestants' Exhibits 3A and 3B, which show "for rent" signs as well as full trash bags in a pile in the front of the property.

There was no testimony or evidence presented by Petitioner in support of the special hearing and variance requests, other than the site plan that was originally filed with the Petitions.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comment received from the Office of Planning dated December 3, 2008 indicates that the existing condition of the property and its respective use appears to already be compromised. An increase in the number of beds being served would further exacerbate this compromise. The Planning Office is of the opinion that this property and the associated assisted living facility are at full capacity and recommends denial of the Petitioner's request.

After due consideration of the testimony and evidence presented, I shall deny the requested relief. Petitioner and her attorney failed to appear at the hearing on the scheduled date and time and presented no evidence in support of the Petitions. Moreover, neither Petitioner nor her attorney ever

ORDER PREPARED FOR FILE

2-9-09

82

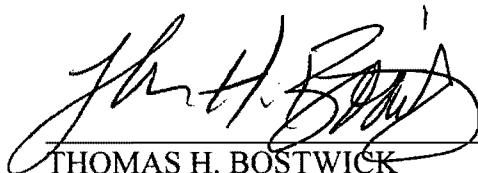
followed up with this office as to their whereabouts. On the other hand, Ms. Cypress appeared on behalf of the Lochearn Improvement Association, Inc. and presented testimony and evidence in opposition to the requested relief. The Office of Planning also recommends denial of the requested relief.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of February, 2009 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a fifth assisted living bed on an 8,500 square foot lot where 12,000 square feet would be required be and is hereby DENIED; and

IT IS FURTHER ORDERED that Petitioner's Variance relief request from Section 432 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an 8,500 square foot lot area in lieu of the required 12,000 square feet for a fifth assisted living bed, and to allow the required 2 parking spaces in the front yard in lieu of the side or rear yard with the spaces 0 feet from the lot lines in lieu of the required 10 feet be and are hereby DENIED.

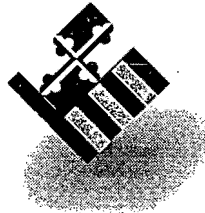
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

COPIES RESERVED FOR PLANNING
2-9-09
[Signature]



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

February 9, 2009

GARY HUGGINS, ESQUIRE
HUGGINS AND HUGGINS LAW
PO BOX 83033
GAITHERSBURG MD 21207

Re: Petition for Special Hearing and Variance
Case No. 2009-0131-SPHA
Property: 6610 Liberty Terrace

Dear Mr. Huggins:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Anna N. Nji, 6610 Liberty Terrace, Baltimore MD 21207
Christine Cypress, President, Lochearn Improvement Association, Inc., 3810 Lochearn
Drive, Baltimore MD 21207



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6610 Liberty Terr
Baltimore Md 21207

which is presently zoned DRS-15

TAX ACCT # 830368519

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve **A FIFTH ASSISTED LIVING**

BED ON A 8,500 SQ. FT. LOT WHERE 12,000 SQ. FT. IS NEEDED PER SECTION 432. TSCZR AND 101 DEFINITION OF ASSISTED LIVING FACILITY

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Gary Huggins

Name - Type or Print

Signature

Huggins and Huggins Law

Company

P.O. Box 83033

(240) 421-5511

Address

Gaithersburg

MD

Telephone No.

21207

City

State

Zip Code

Legal Owner(s):

Anna N. Nji

Name - Type or Print

Signature

Name - Type or Print

Signature

6610 Liberty Terrace

(443) 762-6581

Address

Telephone No.

Baltimore

MD

21207

City

State

Zip Code

Representative to be Contacted:

Anna N. Nji

Name

2073 ParkTrail Road

(443) 762-6581

Address

Telephone No.

Baltimore

MD

21244

City

State

Zip Code

Office Use Only

Case No. DDO-9 0131 SPHA

Estimated Length of Hearing 2 hrs
Unavailable For Hearing

Reviewed by JL Date 10-31-08

REV 8/20/07

STAMP RECEIVED FOR FILING

2909

13



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 6610 Liberty Terrace Baltimore, Maryland. 21207

which is presently zoned x DR 5.5

Deed Reference: 21374 / 651 Tax Account # 2830368519

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 (BCZR) TO ALLOW 8,500 SQ. FT. LOT AREA IN LIEU OF 12,000 SQ. FT. FOR A 5TH ASSISTED LIVING BED. AND TO ALLOW THE REQUIRED 2 PARKING SPACES IN FRONT YARD IN LIEU OF SIDE OR REAR YARD WITH THE SPACES 0FT. FROM LOT LINES IN LIEU OF THE REQUIRED 10 FT. (SEE ALTERNATIVE SPH)

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

1. Asking to have 5 beds, Lot is 8,500 square feet.
2. Asking to have 2 parking spaces in front of the property.
3. Parking space to property line is 10 feet, asking for 0.5 feet.

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:

Gary Huggins

Name - Type or Print

Signature

Huggins and Huggins Law

Company

P.O. Box 83033

(240) 421-5511

Address

Gaithersburg

MD

21207

City

State

Zip Code

Legal Owner(s):

Anna N. Nji

Name - Type or Print

Signature

Name - Type or Print

Signature

6610 Liberty Terrace

(443) 762-6581

Address

Telephone No.

Baltimore

MD

21207

City

State

Zip Code

Representative to be Contacted:

Anna N. Nji

Name

2073 Park Trail Road

(443) 762-6581

Address

Telephone No.

Baltimore

MD

21244

City

State

Zip Code

Office Use Only

Case No. 0009 0131 SPHA

Estimated Length of Hearing 2 hrs
Unavailable For Hearing

REV 8/20/07

Reviewed by JL

Date 10-31-08

ZONING DESCRIPTION
FOR #6610 LIBERTY TERRACE

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF LIBERTY TERRACE, WHICH IS 50' WIDE, AT A DISTANCE OF 245' NORTHWEST OF THE CENTERLINE OF SYLVAN DRIVE, WHICH IS 40' WIDE.

BEING LOT 5, BLOCK D, SECTION I IN THE SUBDIVISION OF "LOCHEARN" AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 7, FOLIO # 153.

CONTAINING 8,500 SQUARE FEET OR 0.1951 ACRE. ALSO KNOWN AS #6610 LIBERTY TERRACE AND LOCATED IN THE 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

JK *SPHA* No. **22854**

2009 0131 Date: **10/31/08**

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	506	0000		6150						130.00

Total: 130.00

Rec From: MTI

For: Rep SPHA 6610 (Linda Turner)
650000 x 2

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

ISSUED - ACTUAL TIME DOW

10/31/08 10/31/08 11:00:00

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100000 100000 100000

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**CASHIER'S
 VALIDATION**

**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: #2009-0131-SPHA
6610 Liberty Terrace
N/west side of Liberty Terrace,
245 feet n/west of Sylvan Drive
3rd Election District
2nd Councilmanic District
Legal Owner(s): Anna Niji
Special Hearing: to have a
fifth assisted living bed on an
8,500 square feet lot where a
12,000 feet lot would be re-
quired.
Hearing: Thursday, January
15, 2009 at 11:00 a.m. in
Room 106, County Office
Building, 111 West Chesapeake
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 concern-
ing the File and/or Hearing,
Contact the Zoning Review Of-
fice at (410) 887-3391.

JT 12/828 Dec. 30 191422.

CERTIFICATE OF PUBLICATION

1/21, 2009

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 12/30, 2008.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No: 2009-0131-SPHA

Petitioner/Developer: ANNA
NISI

Date Of Hearing/Closing: 1/15/09

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

Attention:

Ladies and Gentlemen:



12/30/2008

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 6610 LIBERTY TERRACE

This sign(s) were posted on December 30, 2008
(Month, Day, Year)

Sincerely,

Martin Ogle 12/30/08
(Signature of sign Poster and Date)

Martin Ogle

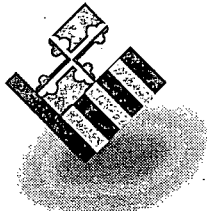
Sign Poster

16 Salix Court

Address

Balto. Md 21220

(443-629 3411)



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 12, 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: 2009-0131-SPHA

6610 Liberty Terrace

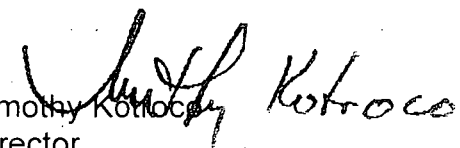
N/west side of Liberty Terrace, 245 feet n/west of Sylvan Drive

3rd Election District – 2nd Councilmanic District

Legal Owners: Anna Niji

Special Hearing to have a fifth assisted living bed on an 8,500 square feet lot where a 12,000 feet lot would be required.

Hearing: Thursday, January 15, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204


Timothy M. Kotroco
Director

TK:klm

C: Gary Huggins, P.O. Box 83033, Gaithersburg 21207

Ms. Niji, 6610 Liberty Terrace, Baltimore 21207

Ms. Niji, 2073 ParkTrail Road, Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., DECEMBER 31, 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, December 30, 2008 Issue - Jeffersonian

Please forward billing to:

Anna Niji
6610 Liberty Terrace
Baltimore, MD 21207

443-762-6581

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: 2009-0131-SPHA

6610 Liberty Terrace

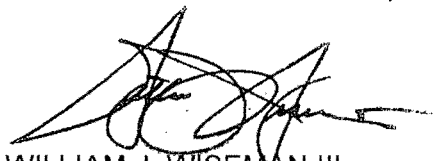
N/west side of Liberty Terrace, 245 feet n/west of Sylvan Drive

3rd Election District – 2nd Councilmanic District

Legal Owners: Anna Niji

Special Hearing to have a fifth assisted living bed on an 8,500 square feet lot where a 12,000 feet lot would be required.

Hearing: Thursday, January 15, 2009 at 11:00 a.m. in Room 106, County Office Building,
111 West Chesapeake 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: 2009 0131 SP4A

Petitioner: ANNA N. NJI

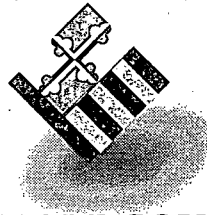
Address or Location: 6610 Liberty Terr Balt. Md 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: Anna N. Nji

Address: 6610 Liberty Terrace
Baltimore, MD. 21207

Telephone Number: (443) 762-6581



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 08, 2009

Gary Huggins
Huggins & Huggins Law
P.O. Box 83033
Gaithersburg, MD 21207

Dear: Gary Huggins

RE: Case Number 2009-0131-SPHA, 6610 Liberty Terrace

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 31, 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Anna N. Nji; 6610 Liberty Terrace; Baltimore, MD 21207

TB 1/15
11am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 3, 2008

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

SUBJECT: 6610 Liberty Terrace

INFORMATION:

Item Number: 9-131

Petitioner: Anna Nji

Zoning: DR 5.5

Requested Action: Special Hearing and Variance

RECEIVED
DEC 10 2008

BY: _____

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The existing condition of the property and its respective use appears to already be compromised. An increase in the number of beds being served would further exacerbate this compromise. The Office of Planning is of the opinion that this property and the associated assisted living facility are at full capacity and recommends denial of the petitioner's request.

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

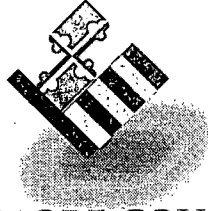
Prepared by:

Curtis Murray

Division Chief:

AFK/LL: CM

John J. [Signature]



BALTIMORE COUNTY
MARYLAND

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

November 20, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: November 17, 2008

ItemNumbers 0111,0126,0127,0128,0129,0130,~~0131~~0132,0133,0135,0137,0138,0140

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: November 24, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For November 24, 2008
Item No.: 2009-111, 121, 126, 127,
128, 130, ~~131~~ 132, 133, 137, 138 & 140

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

DAK:CEN:cab
cc: File

ZAC-11242008-NO COMMENTS



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

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

Maryland Department of Transportation

Date: Nov. 18, 2008

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

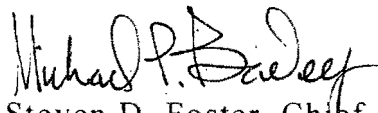
RE: Baltimore County
Item No 2009-0131-SPHA
6610 LIBERTY TERRACE
Nji PROPERTY
SPECIAL EXCEPTION

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. 2009-0131-SPHA

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,


Fob 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



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
6610 Liberty Terrace; NW/S of Liberty * ZONING COMMISSIONER
Terrace, 245' NW of Sylvan Drive *
3rd Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): Anna N. Nji *
Petitioner(s) * BALTIMORE COUNTY
* 09-131-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

RECEIVED

NOV 24 2008

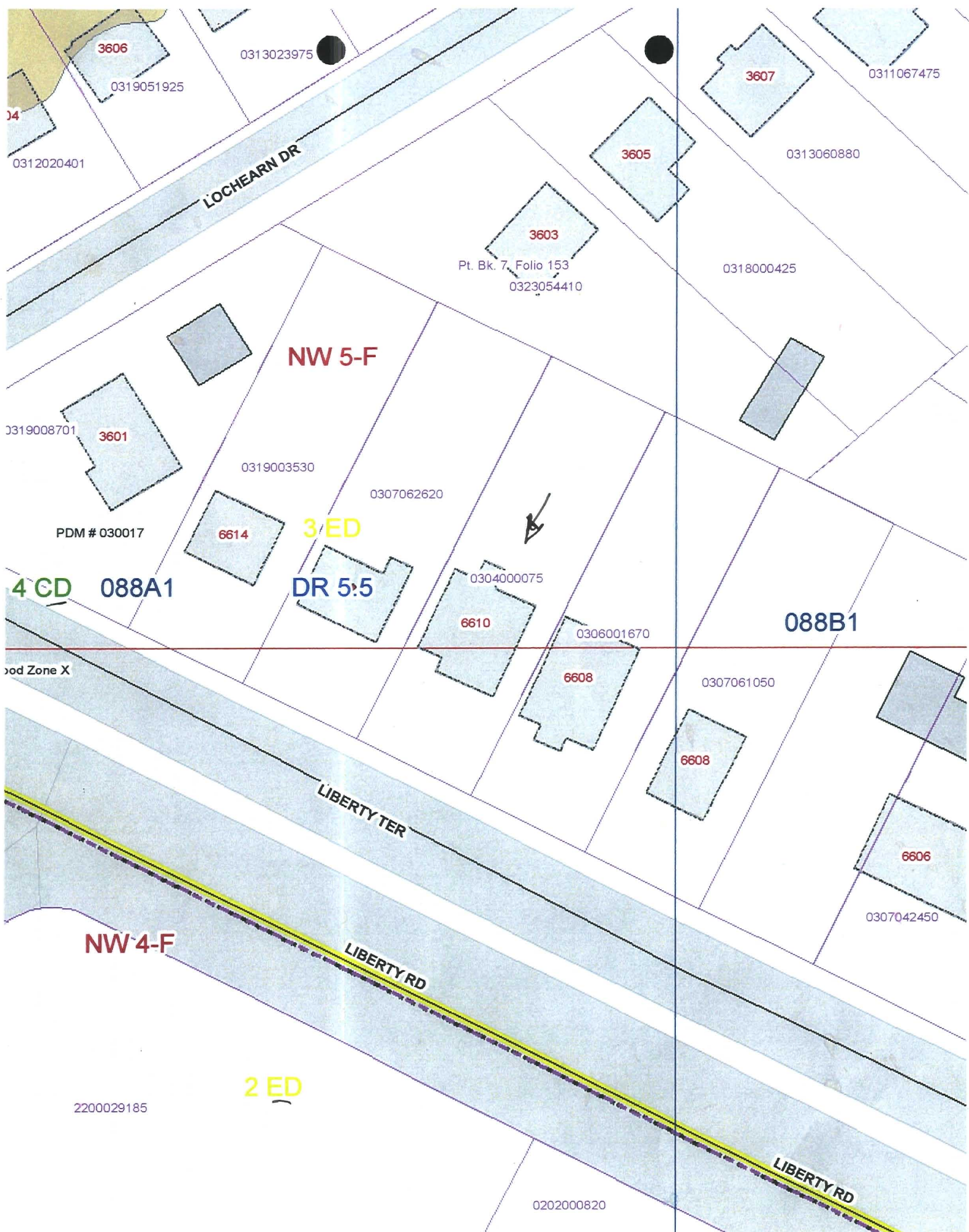
CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of November, 2008, a copy of the foregoing Entry of Appearance was mailed to Gary Huggins, Esquire, Huggins & Huggins Law, P.O. Box 83033, Gaithersburg, MD 21207, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



3606

0313023975

0319051925

0312020401

LOCHEARN DR

3607

0311067475

0313060880

3605

3603

Pt. Bk. 7, Folio 153
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NW 5-F

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PDM # 030017

6614

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LIBERTY TER

6606

0307042450

NW 4-F

LIBERTY RD

2 ED

2200029185

0202000820

LIBERTY RD

CASE NAME _____
CASE NUMBER 2009-0131-SPHA
DATE 1-15-09

[illegible]

Case No.: 2009-0131-SPNA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1		Meeting Minutes of Lockean Improvement Assn, Inc.
No. 2		Letter from Christine Cyfress, President of LIA, Inc - opposition
No. 3 A+B		Photographs of site
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Lochearn Improvement Association, Inc.
3810 Lochearn Drive
Baltimore Maryland 21207
410-298-0518

Officers

Christine Cypress, President
Herman Johnson, Vice President
Earl Lowe, Treasurer
Judith Faecher, Secretary

Directors

Cheryl Boston
Jamie Galloway
Margaret Harps
Anna McLaughlin
Mary Johnson
Donita Hood
Anthony Harold
Gary Lockett
Evelyn Brown

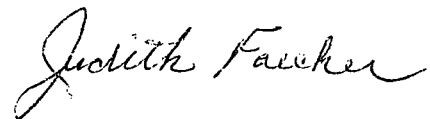
Lochearn Improvement Association, Inc.
Called Board Meeting
January 12, 2009

A called meeting of the Lochearn Improvement Association, Inc. Board of Directors was held on January 12, 2009, to discuss the Special Hearing notice this organization received from Baltimore County concerning **Case Number 2009-0131-SPHA**

President Christine Cypress was in the chair and the Secretary was present.

A motion was made by Vice President, Herman Johnson and seconded by Board Member Cheryl Boston that the Lochearn Improvement Association, Inc. ask the Zoning Commissioner to deny the request of the owners of the home at 6610 Liberty Terrace for a fifth assisted living bed on a 8,500 feet square lot where a 12,000 square feet lot would be required.

The motion was carried.



Judith Faecher, Secretary

PROTESTANT' S

EXHIBIT NO.

1

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Baltimore Maryland 21207
410-298-0518

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Mary Johnson
Donita Hood
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Gary Lockett
Evelyn Brown

Thursday, January 15, 2009

CASE NUMBER 2009-0131—SPHA

6610 Liberty Terrace

Location: North West side of Liberty Terrace, 245 feet North West of Sylvan Drive
3rd Election District, 4th Councilmanic District

Legal Owner: Anna N. Nji

Zoning Commissioner,

Let me tell you about the community of Lochearn. It's a quite community. A community of old homes and new homes, well kept lawns and tree lined streets. It's the community where I have lived for the past thirty one years. It's the community where I have been president of the Lochearn Improvement Association, Inc. for the past eight years.

Lochearn is a residential community.

The Lochearn Improvement Association, Inc. is asking that the request for a fifth assisted living bed on a 8,500 square feet lot where 12,00 square feet lot is required be denied.

The Lochearn Improvement Association, Inc. was established in 1955. Our mission station:

The Association shall be non-political and non sectarian, having for its objectives (a) the development, improvement and well-being of the community of Lochearn; (b) the encouragement of good fellowship and a feeling of neighborhood identity; (c) the promotion of the health, safety and general welfare of the community.

We feel granting the requested change would disrupt our neighborhood and would open the door for others who would view Lochearn as community for financial gain (both legal and criminal) not residential living.

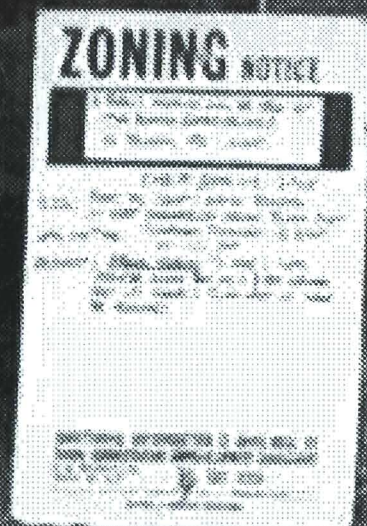
We are asking Baltimore County to help us conserve and preserve the community of Lochearn.



Christine Cypress, President, Lochearn Improvement Association, Inc.

PROTESTANT' S

EXHIBIT NO. 2



PROTESTANT' S

EXHIBIT NO. 3A



PROTESTANT' S

EXHIBIT NO.

3B

ZONING USE PERMIT
PLAN FOR AN ASSISTED LIVING FACILITY I

6610 LIBERTY TERRACE
LOT 5, BLOCK D, PLAT 7/153 OF "LOCHEARN"
BALTIMORE COUNTY, MARYLAND 21207
3RD ELECTION DISTRICT

OWNER AND APPLICANT : ANNA NJ
6610 LIBERTY TERRACE, BALTIMORE, MD. 21207
PHONE: 443-762-6581
DEED REF: LIBER 21374/651 DATED 2-03-05

SCALE : 1" = 30'
PLAN DATE : SEPTEMBER 3, 2008

HOFFMAN AND HOFFMAN
5502 STONINGTON AVE
BALTIMORE, MD. 21207 410-448-0181

NOTES

- 1) LOT SIZE : 8,500 SQ. FT. *DWLG. WILL BE OWNER/CAREGIVER RESIDENCE.*
- 2) ZONING : DR 5.5
ZONING MAP : 088A1 *LOTSIZE REQUIRED FOR 5 BEDS = 12,000 SQ. FT. PROVIDED 8,500 SQ. FT.*
- 3) PARKING : 1 SPACE FOR EACH 3 BEDS = 2 PARKING SPACES REQUIRED
PROPOSED 5 ALF BEDS.
- 4) EXISTING FLOOR AREAS :
1ST FLOOR = 1,190 SQ.FT.
2ND FLOOR = 592 SQ.FT.
BSMT. FLOOR = 1,152 SQ.FT.
TOTAL = 2,934 SQ.FT.
- 5) OPEN SPACE : 0.10 x LOT AREA (8,500 SQ.FT.) = 850 SQ.FT. REQUIRED
- 6) SIGNS WILL COMPLY WITH SECTION 450 B.C.Z.R.
- 7) THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. THE BUILDING HAS NOT BEEN CONSTRUCTED IN THE PAST FIVE (5) YEARS. NO RECONSTRUCTION, RELOCATION, (EXTERIOR) CHANGES OR ADDITIONS (OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF FIVE (5) YEARS BEFORE THE DATE OF THIS APPLICATION) TO THE EXTERIOR OF THE BUILDING HAVE OCCURRED. NO ADDITIONS ARE PROPOSED TO EXCEED THESE LIMITS FOR FIVE (5) YEARS FROM THE DATE OF THIS APPLICATION.

THE UNDERSIGNED, OWNER / APPLICANT, IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION ON THIS PLAN.

Anna N. NJ 10-28-08
SIGNATURE DATE

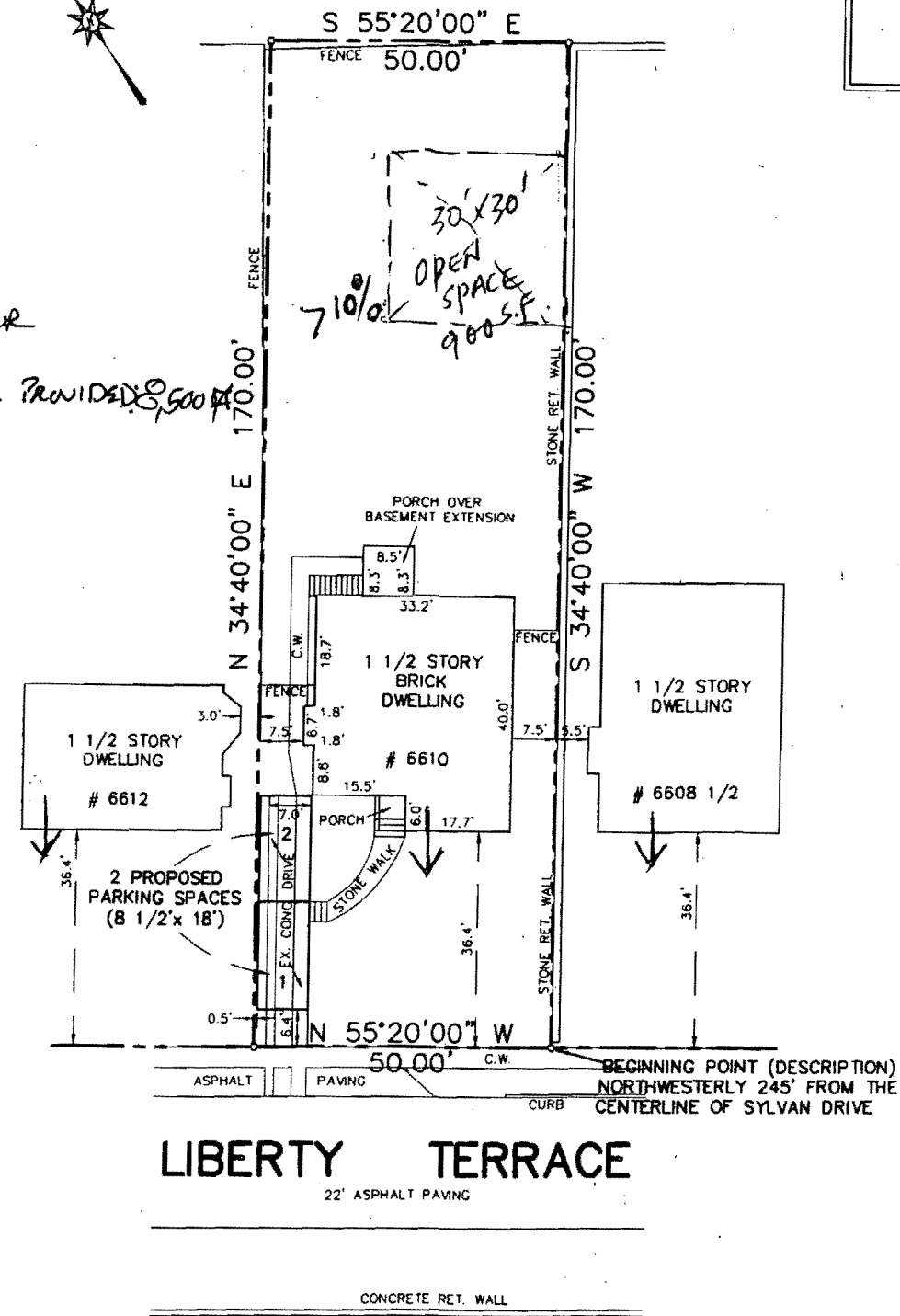
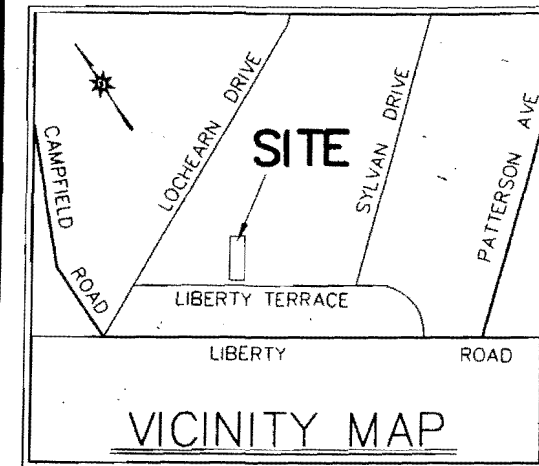
ANNA N. NJ
PRINTED NAME

ENGINEERS SCALE
1" = 30'

**PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE
AND SPECIAL PERMIT # 6610 LIBERTY TERRACE**

SUBDIVISION OF "LOCHEARN", PLAT BOOK 7, FOLIO 153
LOT 5, BLOCK D, SECTION 1
DEED REF: LIBER 21374/651 DATED 2-03-05
3RD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND 21207

OWNER AND APPLICANT : ANNA NJ
PHONE: 443-762-6581



LOCATION INFORMATION

ELECTION DISTRICT : 3
COUNCILMANIC DISTRICT : 2
1" = 200' SCALE MAP # :
(OLD MAPS) NW-4F AND NW-5F
(NEW MAPS) 088A1 AND 088B1

ZONING : DR 5.5
ZONING MAP : 088A1

LOT SIZE : 8,500 SQ. FT.
0.1951 ACRE

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐
CHESAPEAKE BAY CRITICLE AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY / BUILDING	☐	☒
PRIOR ZONING HEARING	☐	☒

VARIANCE PROPOSED :

TO ALLOW PARKING IN FRONT YARD AND TO ALLOW LESS THAN 10' FROM PARKING TO PROPERTY LINE

ZONING OFFICE USE ONLY

REVIEWED BY ITEM # CASE #

PREPARED BY : T.M.H., HOFFMAN & HOFFMAN
5502 STONINGTON AVE., BALTIMORE, MD. 21207
410-448-0181

SCALE : 1" = 30'
OCTOBER 10, 2008