



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 2 KINGS PLACE
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) BCZK 432A-C.1 & 2

TO PERMIT TWO(2) EXISTING PARKING SPACES IN THE FRONT AND SIDE YARD FOR A PROPOSED ASSISTED LIVING FACILITY, WITH A 4 FT. SIDE SETBACK IN LIEU OF THE REQUIRED IN THE SIDE OR REAR YARD WITH A 10 FT. DISTANCE FROM THE PROPERTY LINE RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 2009-0183-A

REV. 10/25/01

Reviewed By A. Taw Date 01/06/2009

Estimated Posting Date 01/18/09 - 02/02/09

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

2 Kings Place
Address
Perry Hall MD 21138
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

— See Attachment —

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of December, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Valencia Gaddy
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

Janell Bolton

1/1/2010

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

Address

City

State

Zip Code

2 Kings Place
Perry Hall MD 21158

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

— See Attachment —

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature

Signature

Name - Type or Print

Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of December, 2008, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Valencia Gaddy
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s).

AS WITNESS my hand and Notarial Seal

Notary Public

My Commission Expires

Neil Bolter

1/1/2010

Facts and consideration for #2 Kings Place, Administrative Variance

Variance requested to permit the use of two existing parking spaces for the proposed assisted living facility in lieu of constructing two (2) required additional parking spaces in the rear yard.

The proposed Assisted Living Facility (four beds) requires two (2) parking spaces to be on the side or rear yard of the dwelling with a ten (10) feet distance from the property line. One of these two existing parking spaces is in the front yard of the dwelling and both spaces are four (4) feet from the property line on the side abutting Kings Place. On the same side of Kings Place, the nearest property is house number #4 in the south.

The two existing parking spaces were constructed in their present locations when Kings Place Subdivision was developed per the approved plan and permits in the 1990's. Similar parking spaces were constructed throughout the entire Kings Place Development (a total of eight houses).

To permit the use of two existing parking spaces without creating two other parking spaces in the rear yard will require no physical changes of the property as well as to the overall appearance of the development and the neighborhood. In addition, there will not require further curb cut and disturbance to the existing sidewalk pattern.

The rear yard is better kept to meet the open space requirement for the proposed assisted living facility and used to maintain a comfortable separation rather than putting in two (2) required parking spaces to create hardship and eyesore to the adjoining property owners.

2009-0183-A

Zoning Description for 2 Kings Place, Perry Hall, MD 21128

Beginning at a point on the south side of east Joppa Road which is 60 feet wide at the distance of 250 feet, east of the center line of the nearest improved intersecting street Snyder Lane which is 30 feet wide. Being lot# 2, in the subdivision of King's Place as recorded in Baltimore County Plat Book # 55, Folio # 136, containing 6,163 square feet. Also known as # 2 Kings Place and located in the 11th Election District, 5th Councilmanic District.

2009-0183-A

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

No. **3308**

Date:

01/06/09

PAID RECEIPT

BUSINESS ACTUAL TIME DRN
 01/06/2009 1/07/2009 09:21:53 2

REC 1 002 MAIL JEVA JOE
 01/06/2009 1/07/2009 09:21:53

5 328 ZIRING VERIFICATION
 037081

Receipt Tot \$45.00

\$45.00 OK \$45.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Drct
001	806	0000		6750				65	137 W

Total:

\$65

Rec From

Valencia Gaddy

For

2 KINGS PLACE

2009-0183-A

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 01/19/09

Case Number: 2009-0183-A

Petitioner / Developer: VALENCIA GADDY

Date of Hearing (Closing): FEBRUARY 2, 2009

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:
2 KINGS PLACE

The sign(s) were posted on: JANUARY 18, 2009



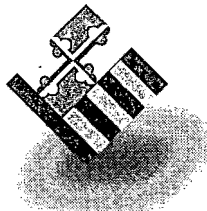
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
February 2, 2009 *Development Management*

Valencia Gaddy
2 Kings Place
Perry Hall, MD 21128

Dear Ms. Gaddy:

RE: Demand for Public Hearing, Administrative Variance, Case Number: 2009-0183-A

The purpose of this letter is to officially notify you that your administrative posting procedure has been superseded by a timely public hearing demand on January 29, 2009 concerning the above proposed administrative procedure.

The hearing has been scheduled, and the notice of public hearing indicating the date, time and location of the hearing is attached. This notice will also contain the date that the sign must be reposted with the hearing information.

The property must be advertised with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact Aaron Tsui at 410-887-3391.

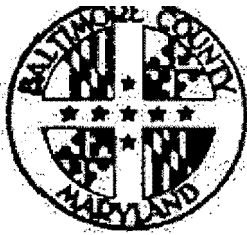
Very truly yours,

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

W. Carl Richards, Jr.
Supervisor
Zoning Review

WCR:klm

C: Suzanne Foster, P.O. Box 473, Monkton 21111



FORMAL DEMAND

FORMAL FOR HEARING

CASE NUMBER: _____

Address: _____

Petitioner(s): _____

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We _____
Name - Type or Print

() Legal Owner OR () Resident of

Address

City State Zip Code

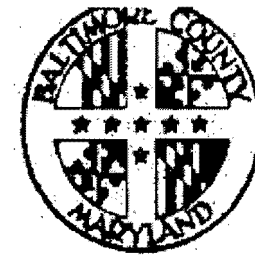
Telephone Number

which is located approximately _____ feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS

DEMAND.

Signature _____ Date _____



DEMAND FOR HEARING

CASE NUMBER: 2009-0183-A

Address: 2 Kings Place, Perry Hall, MD 21128

Petitioner(s): Valencia Gaddy

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I/We C. Drew Fritch (and see attached List of names)
Name - Type or Print

(X) Legal Owner OR () Resident of

1 Kings Place
Address

Perry Hall MD 21128
City State Zip Code

410-248-0125 (H) 410-752-6166 (W)
Telephone Number

which is located approximately less than 100 feet from the property, which is the subject of the above petition, **do hereby formally demand that a public hearing be set in this matter.**

ATTACHED IS THE REQUIRED PROCESSING FEE FOR THIS DEMAND.

C. Drew Fritch 1/28/09
Signature Date

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: #2009-0183-A

2 Kings Place

S/side of E. Joppa Road, 250 feet east of centerline of Snyder Lane.

11th Election District — 5th Councilmanic District

Legal Owner(s): Valencia Gaddy

Variance: to permit two existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side or rear yard with a 10 feet distance from the property line respectively.

Hearing: Wednesday, March 4, 2009 at 2:00 p.m. in Room 104, Jefferson Building, 105 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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

2/204 February 12

194232

CERTIFICATE OF PUBLICATION

2/12/, 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 2/12/, 2009.

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

S. Wilkinson

LEGAL ADVERTISING

**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: # 2009-0183-A

2 Kings Place
S/side of E. Joppa Road, 250
feet east of centerline of
Snyder Lane

11th Election District
5th Councilmanic District
Legal Owner(s): Valencia
Gaddy

Variance: to permit two existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side of rear yard with a 10 feet distance from the property line, respectively.

Hearing: Wednesday,
April 8, 2009 at 9:00 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 concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

IT 3/756 Mar. 24 197160

CERTIFICATE OF PUBLICATION

3/26, 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 3/24, 2009.

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



LEGAL ADVERTISING

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 12, 2009 Issue - Jeffersonian

Please forward billing to:
Valencia Gaddy
2 Kings Place
Perry Hall, MD 21128

410-248-0127

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: 2009-0183-A

2 Kings Place

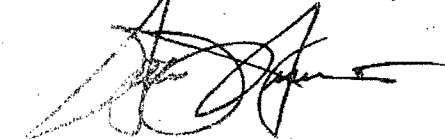
S/side of E. Joppa Road, 250 feet east of centerline of Snyder Lane

11th Election District – 5th Councilmanic District

Legal Owners: Valencia Gaddy

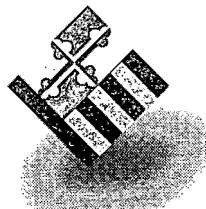
Variance to permit two existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side or rear yard with a 10 feet distance from the property line respectively.

Hearing: Wednesday, March 4, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

February 2, 2009
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: 2009-0183-A

2 Kings Place

S/side of E. Joppa Road, 250 feet east of centerline of Snyder Lane

11th Election District – 5th Councilmanic District

Legal Owners: Valencia Gaddy

Variance to permit two existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side or rear yard with a 10 feet distance from the property line respectively.

Hearing: Wednesday, March 4, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

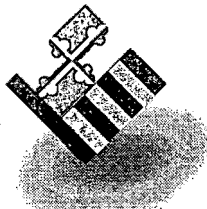
A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Valencia Gaddy, 2 Kings Place, Perry Hall 21128;
Suzanne Foster, P.O. Box 473, Monkton 21111

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 14, 2009**
- (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

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 4, 2009
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: 2009-0183-A

2 Kings Place

S/side of E. Joppa Road, 250 feet east of centerline of Snyder Lane

11th Election District – 5th Councilmanic District

Legal Owners: Valencia Gaddy

Variance to permit two existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side or rear yard with a 10 feet distance from the property line respectively.

Hearing: Wednesday, April 8, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Valencia Gaddy, 2 Kings Place, Perry Hall 21128
Suzanne Foster, P.O. Box 473, Monkton 21111

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 24, 2009**
- (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.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2009- 0183 -A Address 2 KINGS PLACE

Contact Person: AARON TSUI Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 01/06/2009 Posting Date: 01/18/2009 Closing Date: 02/02/2009

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification, usually within 10 days of the closing date if all County agencies' comments are received, as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

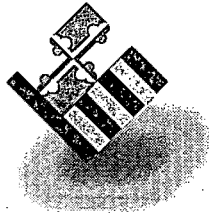
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2009- 0183 -A Address 2 KINGS PLACE, MD 21128
Petitioner's Name VALENCIA GADDY Telephone 410-248-0127

Posting Date: _____ Closing Date: _____

Wording for Sign: To Permit TWO(2) EXISTING PARKING SPACES IN THE FRONT AND SIDE YARD FOR A PROPOSED ASSISTED LIVING FACILITY, WITH A 4 FT. SIDE SETBACK IN LIEU OF THE REQUIRED IN THE SIDE OR REAR YARD WITH A 10 FT. DISTANCE FROM THE PROPERTY LINE RESPECTIVELY.

WCR - Revised 7/7/08



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
February 26, 2009

Valencia Gaddy
2 King Pl.
Perry Hall, MD 21128

Dear: Valencia Gaddy

RE: Case Number 2009-0183-A, 2 King Pl.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 06, 2009. 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 that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Suzanne Foster; P.O. Box 473; Monkton, MD 21111

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 6, 2009

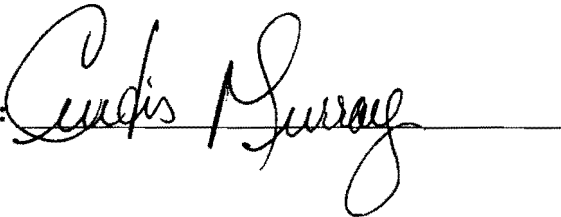
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-183- Administrative 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 Donnell Zeigler in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL

A handwritten signature in cursive script, appearing to read "Curtis Murray", is written over a horizontal line.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 30 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: January 30, 2009

SUBJECT: Zoning Item # 09-183-A
Address 2 Kings Place
(Gaddy Property)

Zoning Advisory Committee Meeting of January 19, 2009

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Additional Comments:

Reviewer: JWL

Date: 1/30/09

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

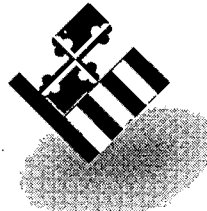
FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 26, 2009
Item Nos. 2009-0035, 0128, ~~0183~~ 0184,
0186, 0187, 0188, and 0189

DATE: January 26, 2009

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

DAK:CEN:lrk
cc: File
ZAC-012609 -NO COMMENTS



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

January 26, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 19, 2009

Item Numbers 0035, 0128, **0183**, 0184, 0185, 0186, 0187, 0188, 0189

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



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: Jan. 22, 2009

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

RE: Baltimore County
Item No 2009-0183-A
2 KINGS PLACE
GADDY PROPERTY
ADMINISTRATIVE 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. 2009-0183-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,

FOR Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



MEMORANDUM

DATE: March 4, 2009
TO: To The File
FROM: Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
SUBJECT: Case No. 2009-0183-A Valencia Gaddy

The above-referenced case was scheduled for a hearing on Wednesday, March 4, 2009 at 2:00 PM. A review of the case file and a telephone conversation with the Petitioner's representative confirmed that the required posting for the hearing was not done.

I did not open the hearing or take any testimony. The Petitioner is to contact Kristen Matthews to have the matter rescheduled in the normal course. This matter can be assigned to either Bill Wiseman or Tom Bostwick once the public hearing is rescheduled. The property shall be posted and re-advertised at the Petitioner's expense.

Keith Truffer, Esquire who represents adjacent neighbors shall be contacted to ensure that he is available for the next hearing. Please ensure that the person who filed the Formal Demand for Hearing is notified of the new hearing date as well as the individuals whose names appear on the citizen's sign-in sheet.

The case file is being returned to the Department of Permits and Development Management.

Attachment

c: Kristen Matthews, Zoning review Office

Valencia Gaddy and Fred Gaddy Jr.
2 Kings Place
Perry Hall MD 21128

Keith Truffer, Esquire
102 West Pennsylvania Avenue
Suite 600
Towson MD 21204

Perry Hall Improvement Association
PO Box 606
Perry Hall MD 21128

Sandra E Storey
4 Kings Place
Perry Hall MD 21128

John D. and Mercedes Cathey
5 Kings Place
Perry Hall MD 21128

From: Patricia Zook
To: Matthews, Kristen
Date: 3/5/2009 10:08:24 AM
Subject: Case No. 2009-0183-A

Valencia Gaddy

Kristen -

Please see the attached memorandum to the file.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

January 28, 2009

Via Hand Delivery

Mr. William J. Wiseman, III
Zoning Commissioner
Zoning Review Office
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Case No. 2009-0183-A

Subject Property: 2 Kings Place, Perry Hall, MD 21128

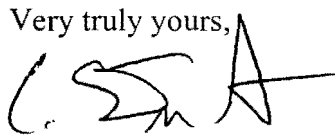
Petitioner: Valencia Gaddy

Requested Administrative Variance from §432A.1.C.1-2 B.C.Z.R

Dear Mr. Wiseman:

Pursuant to §32-3-303(b)(1) of the Baltimore County Code, enclosed kindly find a Demand for Public Hearing with regard to the above-referenced case. The Demand for Public Hearing has been signed by owners and/or occupants who reside within 1,000 feet of 2 Kings Place, Perry Hall, Maryland 21128. **We object to the requested administrative variance.** We are unaware of any owner and/or occupant residing in the Kings Place Subdivision (other than the petitioner) who supports the requested variance. If you have any questions regarding our Demand for Public Hearing, please feel free to contact me at 410-248-0125 (home) or 410-752-6166 (work). Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Drew Fritch', with a stylized 'A' at the end.

C. Drew Fritch

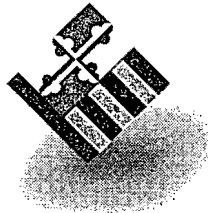
RECEIVED

JAN 29 2009

.....

William O. Smith Jr
Bernadine Smith
Kerwin M. Smith
Sandra Stony
Megan Smith
Mrs. Cathey
Mercedes Cathey
Margaret C. Dietrich
Marek J. Kucperowicz
Rolf J. Seel
Susan Helmack
Mr. Kucperowicz J
J. Brown
Kyrstina Kucperowicz
D. R. Jeffers
M. Kathleen Lippa
~~W. L. Lippa~~
Lisa Lippa
Faye Wilkinson
Elizabeth A. Fritz
C. Drew Hatch

11 Kings Place Perry Hall MD 21128
11 Kings Place
11 Kings Place Perry Hall, MD 21128
4 KINGS PLACE PERRY HALL, MD 21128
11 Kings Place Perry Hall, MD 21128
3 King's Place Perry Hall, Md 21128
5 King's Place, Perry Hall, 21128
4 KINGS PLACE, PERRY HALL 21128
9 Kings Place, Perry Hall MD 21128
10 KINGS PL PERRY HALL MD 21128
10 Kings Pl Perry Hall MD 21128
9 Kings Pl Perry Hall, MD 21128
3 Kings Pl. Perry Hall, MD 21128
3 Kings Pl. PERRY HALL, MD 21128.
3 Kings Pl. Perry Hall 21128
8 Kings Pl Perry Hall 21128
9 Kings Place Perry Hall 21128
3 Kings Place Perry Hall MD 21128
6 Kings Place Perry Hall, MD 21128
2 Kings Place, Perry Hall, MD 21128
1 Kings Place, Perry Hall, MD 21128



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 30, 2009

VALENCIA GADDY
2 KINGS PLACE
PERRY HALL MD 21128

Re: Petition for Variance
Case No. 2009-0183-A
Property: 2 Kings Place

Dear Ms. Gaddy:

As you are aware, the above-referenced matter was originally filed by you as a Petition for Administrative Variance wherein you requested relief from Section 432A.1.C.1 and .2 of the Baltimore County Zoning Regulations to permit two existing parking spaces in the front and side yard in lieu of the required side or rear yard, and with a four foot side yard setback in lieu of the minimum 10 foot distance from the property line for a proposed assisted living facility.

As a result of a Formal Demand for Hearing filed by interested neighbors, the case was scheduled for a public hearing on March 4, 2009 at 2:00 PM in Room 104 of The Jefferson Building located at 105 West Chesapeake Avenue in Towson. As you may or may not have been aware at that time, as part of scheduling the public hearing, you were required at your expense to ensure that the property was posted with a sign notifying neighbors and interested persons of the hearing at least 15 days prior to the date of the hearing. As you know, the posting did not take place and the matter was postponed. You were informed after the last hearing exactly what steps were needed to post the property. The case has now been rescheduled for April 8, 2009 at 9:00 AM in Room 106 of the County Office Building located at 111 West Chesapeake Avenue.

The reason for this letter is that it has come to my attention that once again, this property has not been properly posted. In reviewing the file, there is a letter dated March 21, 2009 from Linda O'Keefe, your original sign poster for the Administrative Variance request. The letter indicates that she was requested by you to post the sign for the upcoming hearing on April 8th. However, Ms. O'Keefe indicates that an invoice for the original posting has not been paid by you, and further indicates that she will not post a sign for this matter unless she is paid. It is my understanding that the property has in fact not been posted.

VALENCIA GADDY

March 302009

Page 2

Based on the above, please be advised that this matter will not proceed on April 8th at 9:00 AM. It appears based on the information contained in the case file that you have not pursued this matter in a proper fashion, in particular with the appropriate and required sign posting. As such, this case will not proceed unless the property is properly and timely posted. In addition, you are also advised that your failure to pursue this matter in a timely manner may result in your Petition being dismissed. In the future, please contact Kristen Matthews in the Zoning Review Office at (410) 887-3391 to reschedule this matter. In addition, it is your responsibility to ensure the property is posted in advance of the next hearing date.

Sincerely,



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

- c: Suzanne Foster, PO Box 473, Monkton MD 21111
Keith Truffer, Esquire, 102 West Pennsylvania Avenue, Suite 600, Towson MD 21204
C. Drew Fritch, 1 Kings Place, Perry Hall MD 21128
Perry Hall Improvement Association, PO Box 606, Perry Hall MD 21128
Sandra E Storey, 4 Kings Place, Perry Hall MD 21128
John D. and Mercedes Cathey, 5 Kings Place, Perry Hall MD 21128

From: Thomas Bostwick
To: Weimer, Linda
Date: 03/27/09 11:04:00 AM
Subject: Re: 2009-0183-A

Ms. Weimer,

In response to your below email, I just reviewed the above-referenced file pertaining to the Valencia Gaddy property located at 2 Kings Place in Perry Hall -- and the re-scheduling of the hearing from the March 4th date to the current April 8, 2009 hearing date at 9:00 AM in Room 106 of the County Office Building.

It appears you are correct that the sign posting for this hearing has NOT been done yet again. In reviewing the file, there is a letter dated March 21, 2009 from Linda O'Keefe, the person who originally posted the sign on January 18, 2009 for Ms. Gaddy for the Administrative Variance request. She was requested by Ms. Gaddy to post the sign for the upcoming hearing on April 8th. In her letter, Ms. O'Keefe indicates that an invoice for the original posting has not been paid by Ms. Gaddy, and that Ms. O'Keefe will not post a sign for this matter unless she is paid. This seems to jibe with the information in your email that you drove by the property on March 25th and saw no sign.

It appears the upshot of all of this is that the property has not been properly posted and will not proceed on April 8, 2009. I have copied the Protestant's attorney, Mr. Truffer, on this email. My intention at this point is to send a letter to the Petitioner informing her of the above and advising that the case will not proceed unless the property is properly posted, and that if this matter continues to be handled haphazardly, it may be dismissed. I will also send a copy to the persons that were present at the last hearing to advise them of the situation.

Let me know if you have any questions or comments. Thank you.

Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
Phone: (410) 887-3868
Fax: (410) 887-3468

>>> "Weimer, Linda" <lweimer@patuxent.com> 03/26/09 4:00 PM >>>

Tom-

I'm the reporter who attended the March 4 hearing on this issue. Was postponed because new sign not posted after neighbors requested a hearing.

Learned from K Matthews (had to visit in person because her line is constantly busy) that new date is Wed April 8 at 9 am. Deadline for posting sign was Tues Mar 24.

I drove past the property yesterday, Mar 25, drove past it slowly twice and could see NO SIGN.

What does this mean?

Will both parties have to show up on the scheduled date in order for you to postpone it again? Or is there a limit to number of times petitioners can foul up like this?

If the petitioner has changed their mind, dropped request, did they notify you?

Isn't someone supposed to take a photo of the sign? Where would that photo be right now, assuming there is one?

Am frustrated because lawyer for opponents is out of town, and I can't find phone #s for either party. I'd like to write an advance on this, and my deadline is tomorrow at noon.

Thanks for (I hope) your help.

Linda G. Weimer
Reporter NE Booster
410-730-3990 x3439
Home- 410-563-0415

CC: ktruffer@rmmr.com

Patricia Zook - Case 2009-0183-A – hearing is Wednesday March 4

From: Patricia Zook
To: Matthews, Kristen; Williams, LaShenda
Date: 3/3/2009 2:19 PM
Subject: Case 2009-0183-A – hearing is Wednesday March 4
CC: Bostwick, Thomas

Ladies -

In reviewing the file, I do not see the posting certification for tomorrow's hearing. The posting certification was provided for the administrative closing date, but not the hearing on Wednesday, March 4. The Notice of Zoning Hearing form says at the bottom in bold: "The petitioner must have the zoning notice sign posted by an approved poster on the property by Saturday, February 14, 2009."

Was it the Petitioner's duty to post the property for the March 4 hearing? Or as in some cases, was it the County's duty to post the property? If the County was to post, who did the posting?

CASE NUMBER: 2009-0183-A FORMAL DEMAND

2 Kings Place
Location: S side of East Joppa Road, 250 feet E of the c/l of Snyder Lane.
11th Election District, 5th Councilmanic District
Legal Owner: Valencia Gaddy
Closing Date: 2/2/2009

ADMINISTRATIVE VARIANCE to permit 2 existing parking spaces in the front and side yard for a proposed assisted living facility, with a 4 feet side setback in lieu of the required in the side or rear yard with a 10-foot distance from the property line respectively.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

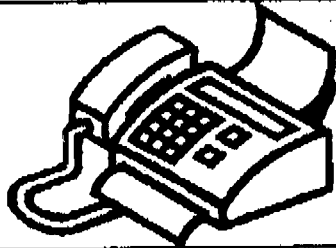
MARCH 21, 2009

TO : VALENCIA GADDY
FROM: LINDA O'KEEFE

YOU CONTRACTED ME TO POST A SIGN FOR YOU IN JANUARY 2009 FOR AN ADMINISTRATIVE VARIANCE, CASE # 2009-0183-A. WHICH I DID AND COMPLIED WITH ALL NECESSARY GOVERNMENT REQUIREMENTS. I SENT YOU AN INVOICE THAT I WAS NEVER PAID. YOU CONTACTED ME TO POST FOR A HEARING FOR APRIL 8, 2009. YOU SAID YOU WENT TO A HEARING AND WAS TOLD YOU NEEDED ANOTHER SIGN FOR A HEARING THAT YOU NEGLECTED TO PURSUE, SO IT WAS POSTPONED. AT THAT TIME I TOLD YOU I WOULD HELP YOU ONLY IF I WAS PAID FOR THE FIRST ADMINISTRATIVE SIGN, WHICH YOU NEGLECTED TO DO. I HAVE TRIED REPEATEDLY TO CONTACT YOU BY PHONE. LINE ALWAYS BUSY OR YOUR VOICE MAIL IS FULL. I CANNOT AND WILL NOT POST SIGN FOR HEARING FOR APRIL 8, 2009. DUE TO THE LENGTH OF NON-PAYMENT I WILL BE FORCED TO PLACE A LIEN AGAINST THE PROPERTY FOR 2 KINGS PLACE.

LINDA O'KEEFE
410-666-5366

c.c. to: Zoning Commissioner of Baltimore County

**A facsimile from****To:** KRISTEN**Date:** 3/23/09

LINDA J. O'KEEFE
410-666-5366
410-666-0929-FAX
443-604-6431-CELL

Regarding: CASE # 2009-0183 A.**Comments:** KRISTEN, PLEASE PLACE THIS LETTER IN
VALENCIA GADDY'S FILE (2 KINGS PLACE)

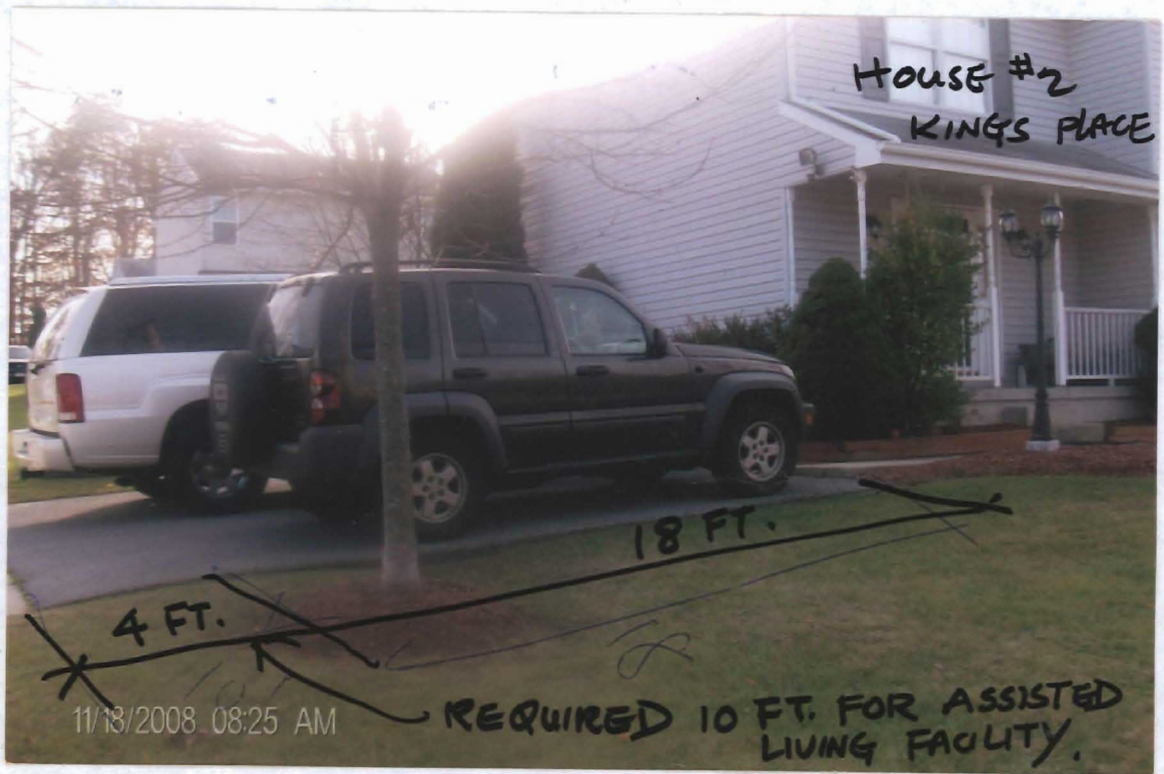
Thank you!
Linda

CASE NAME _____
CASE NUMBER 2009-0183-A
DATE 3-4-09

[illegible]

CASE NAME _____
CASE NUMBER 2009-0183-A
DATE 3/4/09

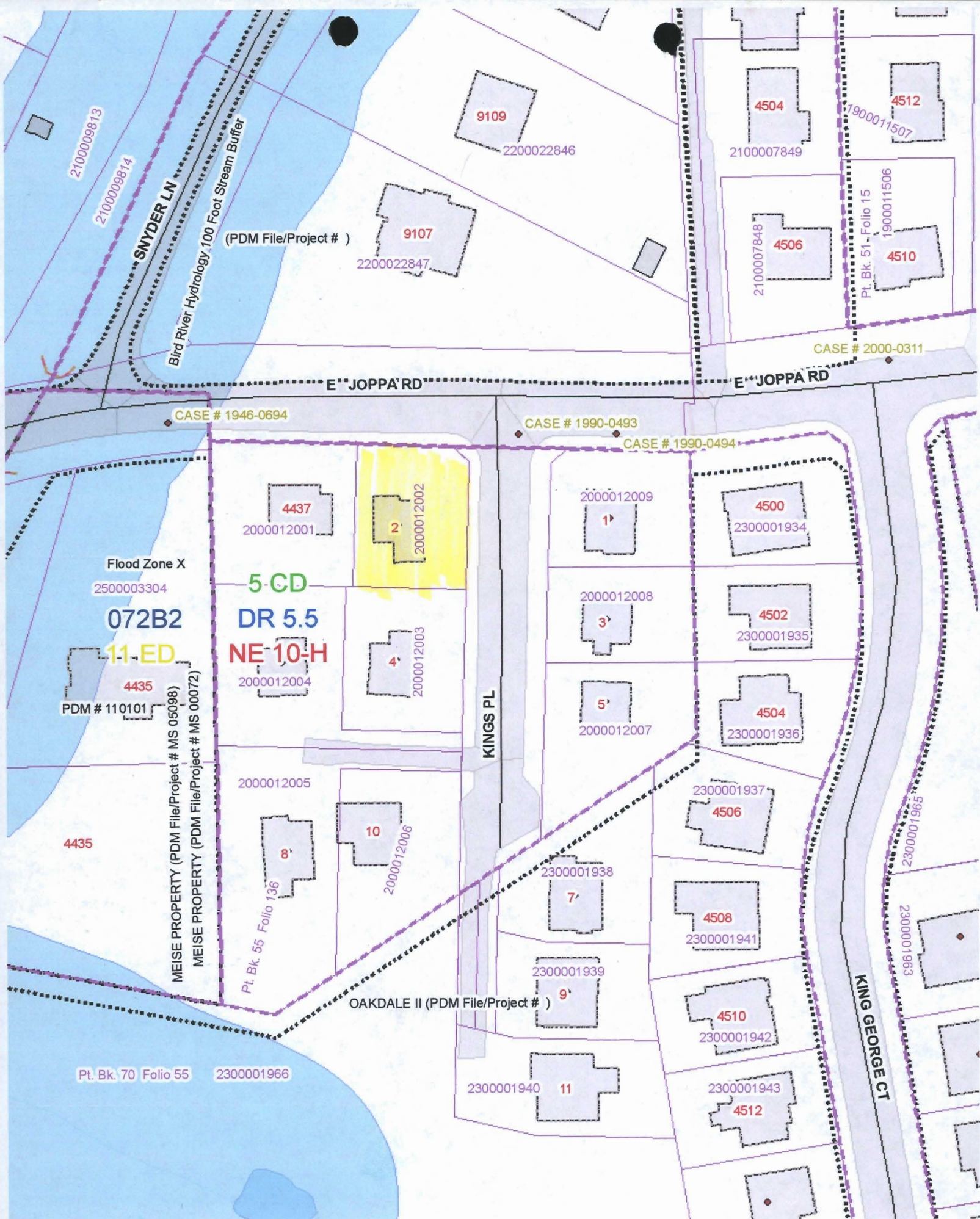
[illegible]



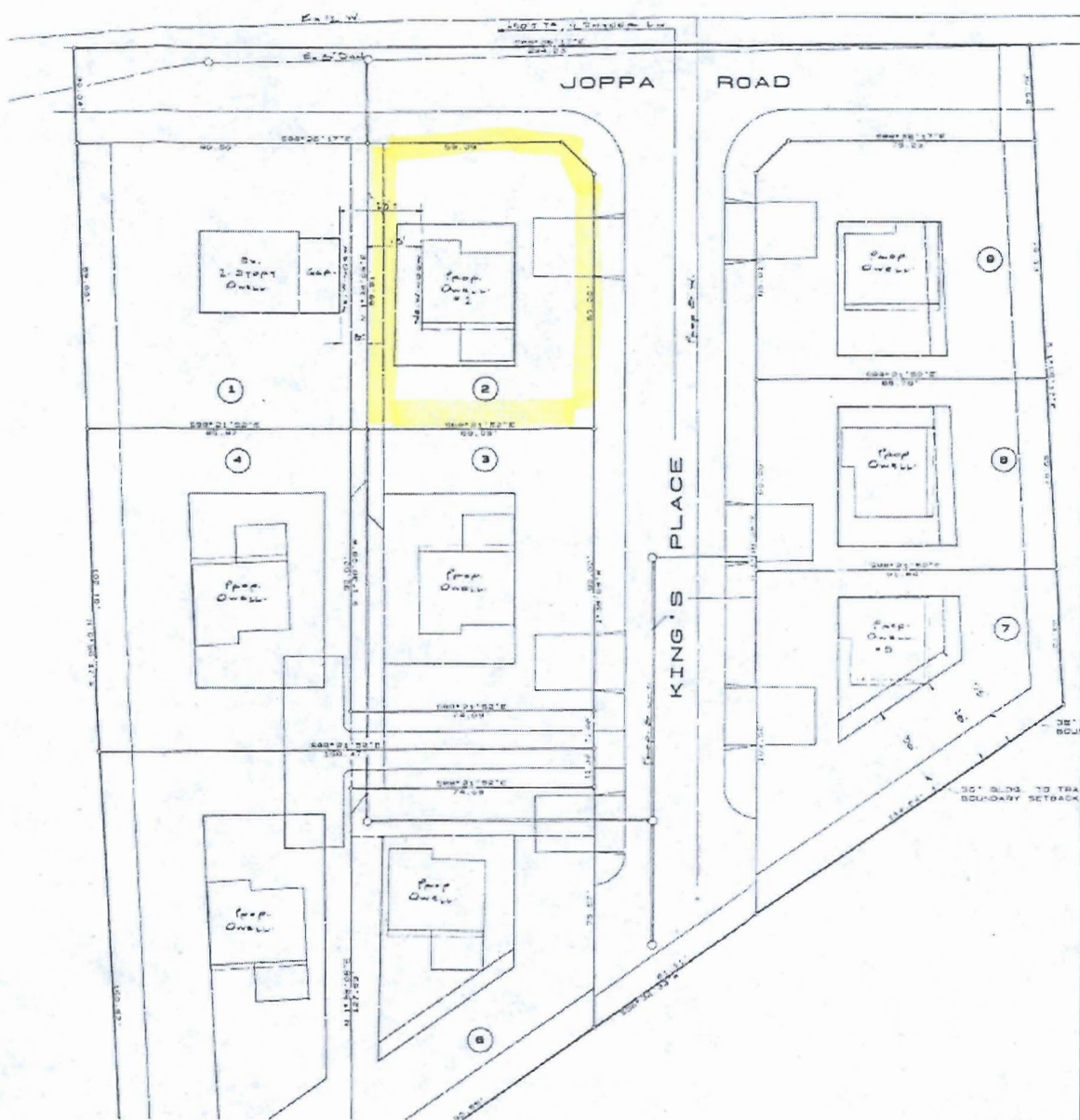
2009-0183-A



2009-0183-A



2009-0183-A



2009-0183-A



2009-0183-A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **90-493-A**

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 1801.C.1.504(CMDP V.B.3.)

To allow construction of a dwelling (less than 25 ft. height) 23 ft. from an adjacent dwelling in lieu of the required 25 ft.

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

Sufficient distance is not available on the lot to maintain the required spacing for a house consistent in size with other houses in the area.

REC-10-0
C-4
DATE 11/19
1000
OP C-2

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

King's Place Joint Venture

(Type or Print Name)

Signature

Festival Homes, Inc., Gen'l Part.

Kennech J. Colbert, Sec/Treas

Attorney for Petitioner:

Robert J. Buono

(Type or Print Name)

Signature

North Atterden Plaza, Suite 203
7421 Baltimore-Annapolis Boulevard

Address

Glen Burnie, Maryland 21061

City and State

115 S. S. Street, La. 657-7838
Address 570-203 Phone No.

Baltimore, 21208
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Attorney's Telephone No.: 768-6733

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day

of May 19, 90, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 29th day of June, 1990, at 2:30 o'clock

A.M.

ESTIMATED LENGTH OF HEARING - 1/2HR.

AVAILABLE FOR HEARING

108/2020/AM - MAY TWO MONTHS (over)

ALL

REVIEWED BY: [Signature]

DATE 11-28-90

J. Robert Buono
Zoning Commissioner of Baltimore County

2009-0183-A

*

1990-0493-A CASE

FOR REFERENCE

IN RE: PETITION FOR ZONING VARIANCE
S/S Joppa Road, 250' E of the
cyl of Snyder Lane
(2 Kings Place)
11th Election District
5th Councilmanic District

King's Place Joint Venture
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-493-A
*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit construction of a dwelling, less than 25 feet in height, 23 feet from an adjacent dwelling in lieu of the required 25 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners, by Kenneth Colbert and Leslie Rock, Partners of Festival Homes, General Partner, appeared, testified and were represented by Robert J. Fuoco, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 2 Kings Place, consists of 0.14 acres zoned D.R. 5.5 and is presently unimproved. Said property is also known as Lot 2 of King's Place, a nine-lot subdivision located in the 4500 Block of Joppa Road. Testimony indicated the Petitioners purchased the recorded subdivision after the original owner had developed Lot 1. Petitioners testified that due to the location of existing improvements on Lot 1, the requested variance is needed to develop Lot 2 with a house consistent in size with other houses in the development. Mr. Colbert, Professional Civil Engineer, testified in detail as to the efforts made by Petitioners to develop the property in strict compliance with the zoning regulations. Testimony indicated that the granting of the variance will not result in any detriment to the health, safety or general welfare of the surrounding community.

7/6/90
[Signature]

2009-0183-A

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☐ SPECIAL HEARING

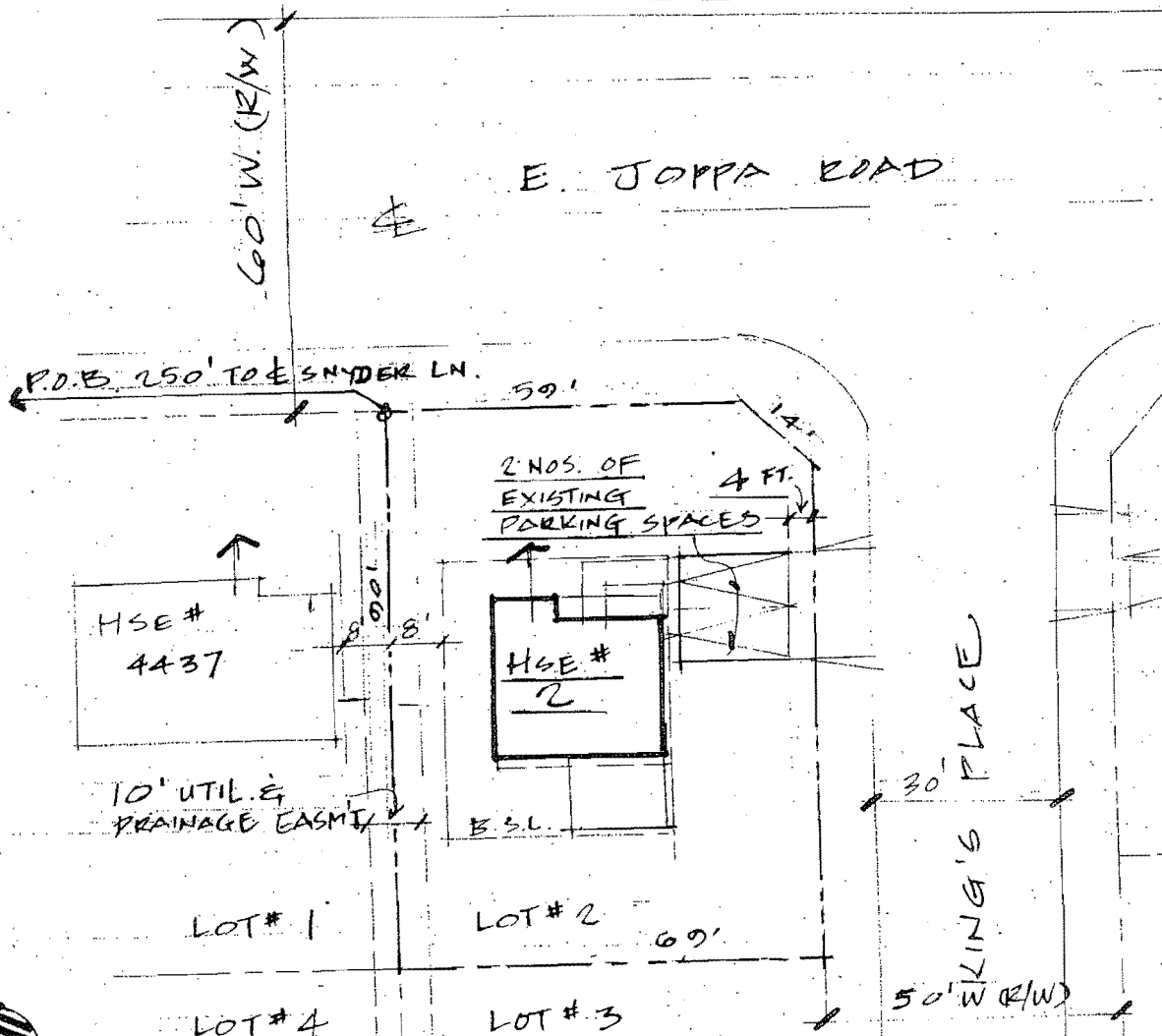
PROPERTY ADDRESS #2 KINGS PLACE, 21128 SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME KING'S PLACE

PLAT BOOK # 55 FOLIO # 136 LOT # 2 SECTION # N/A

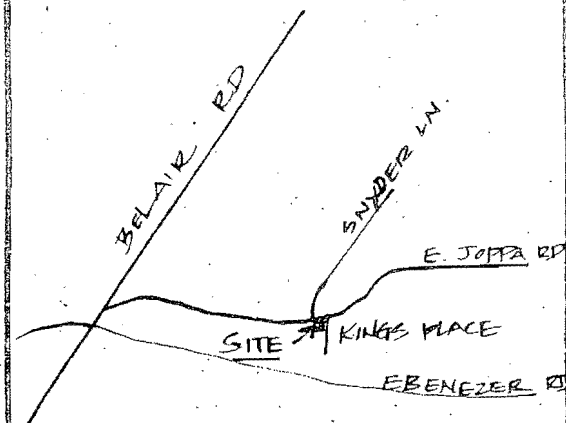
OWNER VALENCIA GADDY

* Owner occupied
per applicant



PREPARED BY S. FOSTER

SCALE OF DRAWING: 1" = 30' 0"



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT 11TH

COUNCILMANIC DISTRICT 5 TH

1" = 200' SCALE MAP # 672B2

ZONING DE 5.5

LOT SIZE 6,163
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

CHESAPEAKE BAY
CRITICAL AREA

100 YEAR FLOOD PLAIN ☐ ☒

HISTORIC PROPERTY/
BUILDING ☐ ☒

PRIOR ZONING HEARING 1990-0403-A

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A. 10W 1.0183 12009-0183A