

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
VARIANCE		
W side of Rider Mill Court; 258 feet N	*	DEPUTY ZONING
of the c/l of Grist Stone Way		
4 th Election District	*	COMMISSIONER
4 th Councilmanic District		
(8 Rider Mill Court)	*	FOR BALTIMORE COUNTY
 John and Dawn Mynaugh		
<i>Petitioners</i>	*	Case No. 2009-0307-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the legal owners of the subject property, John and Dawn Mynaugh. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a Class A Group Child Care Center for no more than 12 children at one time. The Variance request is from Section 424.1.B of the B.C.Z.R. to permit a solid wood stockade fence with a 0 foot setback from the property line in lieu of the required 20 feet. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested Special Hearing and Variance petitions were Petitioners John and Dawn Mynaugh. There were no Protestants or interested citizens in attendance at the hearing.

Testimony and evidence presented revealed that the subject property is an irregular, pentagonal-shaped parcel located in the Rider Mill Court cul-de-sac, off Grist Stone Road to the north, in the Owings Mills area of Baltimore County. The subject property, zoned D.R.3.5, contains 0.215 acres, more or less, and is improved with a two-story, single-family dwelling, above ground pool, and sunroom addition. Other improvements include a substantial play area in

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the back yard which is enclosed with an existing fence. Petitioners purchased the property in 2001, as indicated by the Real Property Data Search found in the case file. The home has served as both the main residence for Petitioners, but also has operated as a Group Child Care Center for eight children. Petitioner filed the instant petitions to minimally expand her child care operation so as to provide day care services for twelve children and to create a larger enclosed play area for the children by replacing the current fence that has an 8 foot setback with a new fence that will have a 0 foot setback.

Ms. Mynaugh indicated that she began providing child care services some 22 years ago. This service, originally for Petitioner's young children, has since expanded to eight kids of mostly pre-school age (3-5 years of age). Ms. Mynaugh offered that she operates her facility with an actual curriculum aiming to serve the role of teacher rather than babysitter. Most of the children who attend Petitioner's child care center are from the surrounding Owings Mills area and are dropped off between 7:15 – 8:30 a.m. and picked up intermittently from 3:00 and 5:00 p.m. Ms. Mynaugh indicated that expansion is necessary due to the existing waiting list and high demand for her services. A Use Permit Plan showing more in-depth details of the child care center was marked and accepted into evidence as Petitioners' Exhibit 2.

The uniqueness of the property, an irregular pentagon-shaped parcel, drives the need for the variance. The rear of the property, where the proposed fence would be located, is bordered by a significant amount of community open space and a neighbor whose property is enclosed by a fence at the property line. Petitioner's desire is to merely mirror this neighbor's fence location thereby creating a larger and safer outdoor environment for the children. Further, requiring strict adherence to the zoning regulations would result in practical difficulty and undue hardship. Petitioner opined that the current child care center does not adversely impact the general welfare

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[Signature]

of the surrounding community and submitted a petition of support from Petitioners' surrounding neighbors that was marked and accepted into evidence as Petitioners' Exhibit 5A. Ms. Debbie Roebuck, Petitioner's adjacent neighbor to the west, submitted a letter that was marked and accepted into evidence as Petitioners' Exhibit 5B, attesting to the minimal disruption the child care center has caused and further providing her support for the relief requested.

The undersigned also received an email dated July 17, 2009 from Petitioners' adjacent neighbor, Mr. Steve Slessinger of 10 Rider Mill Court, expressing concerns regarding the relief requested. Specifically, Mr. Slessinger was concerned about cars dropping off and picking up children blocking his home's driveway. This email is contained in the case file.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. These comments do not indicate any opposition to the relief requested.

Turning first to the Petition for Special Hearing, I am persuaded to grant the requested relief. A Group Child Care Center, Class A, as defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.) is a "group child care center wherein group child care is provided for no more than 12 children at one time." Section 424.4 of the B.C.Z.R. enumerates the specific requirements for a Group Child Care center as an accessory use. The Zoning Commissioner will consider the character of the surrounding community and any anticipated impacts in order to ensure that the proposed child care center will not be detrimental to the health, safety, or general welfare of the surrounding community. In my opinion, Petitioners' current child care center does not adversely impact the surrounding area and will continue to operate with four additional children without causing a detriment to the general welfare of the surrounding area.

8.10.09
P27

As to the variance request, considering all of the testimony and evidence presented, I am convinced that the request should be granted. First, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. The unusual shape of the property and its proximity to community open space renders the property unique in a zoning sense.

I further find that the variance request can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 10th day of August, 2009 that Petitioners' request for Special Hearing relief filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a Class A Group Child Care Center for no more than 12 children at one time be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioners' request for Variance from Section 424.1.B of the B.C.Z.R. to permit a solid wood stockade fence with a 0 foot setback from the property line in lieu of the required 20 feet be and is hereby GRANTED.

The granting of the relief herein shall be subject to the following:

1. Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

8-10-09
PM

2. Petitioners shall make every effort to ensure that vehicles dropping off and picking up children at Petitioners' child care center be done as expeditiously and orderly as possible, and in no event shall said vehicles be stopped or parked in a manner that prevents or interferes with access to the properties of adjacent neighbors, in particular the adjacent neighbor at 10 Rider Mill Court.

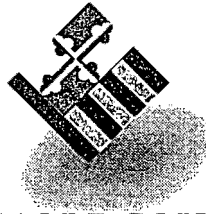
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

8.10.09
m



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

August 10, 2009

JOHN AND DAWN MYNAUGH
8 RIDER MILL COURT
OWINGS MILLS MD 21117

Re: Petition for Special Hearing and Variance
Case No. 2009-0307-SPHA
Property: 8 Rider Mill Court

Dear Mr. and Mrs. Mynough:

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 "John H. Bostwick", written over the typed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8 Rider Mill Ct
which is presently zoned _____

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 CLASS A - GROUP
CHILD CARE CENTER FOR NO MORE THAN 12 CHILDREN AT
ONE TIME.

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:

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 _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 2009-0307-SPHA

Reviewed By A-Tsu I Date 5/26/09

REV 9/15/98

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9.10.09
[Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 8 RIDER MILL COURT
which is presently zoned DR 3.5

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

WOOD STOCKADE FENCE WITH ZERO FEET SETBACK FROM THE
PROPERTY LINE IN LIEU OF THE REQUIRED 20 FEET.

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

TO BE PRESENTED AT THE 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):

JOHN A. MYNAUGH

Name - Type or Print

Signature

DAWN M. MYNAUGH

Name - Type or Print

Signature

8 RIDER MILL COURT 410654-8815

Address

Telephone No.

OWINGS MILLS MD 21117

City

State

Zip Code

Representative to be Contacted:

DAWN M. MYNAUGH

Name

8 RIDER MILL COURT 410654-8815

Address

Telephone No.

OWINGS MILLS MD 21117

City

State

Zip Code

OFFICE USE ONLY

Case No. 2009-0307-SPHA

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

ZONING DESCRIPTION FOR 8 Rider Mill Court, Owings Mills, MD 21117

Beginning at a point on the West side of Rider Mill Court which is 83' wide at the distance of 258 'feet North of the centerline of the nearest improved intersection street, Grist Stone^{WAY}, which is 36.6' wide. Being known and designated as Lot No. 14, as shown on Plat entitled "Plat 1 Rider Mill," which plat...is recorded among the Land Records of Baltimore County in Plat Book No. 66, Folio 116, ^{CONTAINING 9,365 SQUARE FEET} The improvements thereon being known as No. 8 Rider Mill Court, Owings Mills, MD 21117. Also known as 8 Rider Mill Court and located in the ⁷4th Election District, 4th Councilmanic District.

05/26/09

2009-0307-SPHA

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

No. **39829**

Date: **05/26/09**

PAID RECEIPT

COUNTY OF BALTIMORE
 OFFICE OF THE COMPTROLLER
 100 BALTIMORE STREET
 BALTIMORE, MD 21201
 TEL: 410-396-1000 FAX: 410-396-1001

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept Obj	BS Acct	Amount
001	401	2000		0100				130.00

Total: **130.00**

Rec From:

JOHN RYAN

For:

2009-0309-SPHA

8 RIDER MILL CT.

4117

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**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: # 2009-0307-SPHA

8 Rider Mill Court

W/side of Rider Mill Court, 258 feet north of centerline of Grist Stone Way

4th Election District — 4th Councilmanic District

Legal Owner(s): Dawn & John Mynaugh

Special Hearing: to permit a Class A group childcare center for no more than 12 children at a time. **Variance:** to permit a solid wood stockade fence with zero feet setback from the property line in lieu of the required 20 feet.

Hearing: Monday, July 20, 2009 at 9:00 a.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.
7/027 July 2 204806

CERTIFICATE OF PUBLICATION

7/21, 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 7/21, 2009.

- ☒ 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: 2009- 0307-SPHA

Petitioner/Developer: _____

Dawn & John Mynaugh

Date of Hearing/closing July 20, 2009

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

Attn: Kristin Matthews,

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at, 8 Rider Mill Court W/side of Rider Mill Court, 258 feet north of centerline of Grist Stone Way

The sign(s) were posted on

July 4, 2009
(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

July 7 2009
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CASE :

2009-0307-SPHA

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE

Room 104, Jefferson Building
105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME

Monday, July 20, 2009 at 9:00^{A.M.}

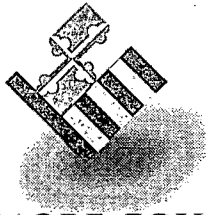
REQUEST SPECIAL HEARING TO PERMIT A CLASS A

**GROUP CHILD CARE CENTER FOR MORE THAN 12 CHILDREN
AT A TIME.**

**VARIANCE TO PERMIT A Solid Wood STOCKPENCE WITH
ZERO FEET SETBACK FROM THE PROPERTY LINE IN LIEU OF THE
REQUIRED 20 FEET.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

June 18, 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: 2009-0307-SPHA

8 Rider Mill Court

W/side of Rider Mill Court, 258 feet north of centerline of Grist Stone Way

4th Election District – 4th Councilmanic District

Legal Owners: Dawn & John Mynaugh

Special Hearing to permit a Class A group childcare center for no more than 12 children at a time. Variance to permit a solid wood stockade fence with zero feet setback from the property line in lieu of the required 20 feet.

Hearing: Monday, July 20, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Mynaugh, 8 Rider Mill Court, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 4, 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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 2, 2009 Issue - Jeffersonian

Please forward billing to:
Dawn Mynaugh
8 Rider Mill Court
Owings Mills, MD 21117

410-654-8815

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: 2009-0307-SPHA

8 Rider Mill Court

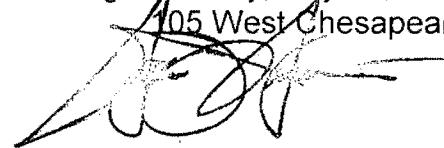
W/side of Rider Mill Court, 258 feet north of centerline of Grist Stone Way

4th Election District – 4th Councilmanic District

Legal Owners: Dawn & John Mynaugh

Special Hearing to permit a Class A group childcare center for no more than 12 children at a time. Variance to permit a solid wood stockade fence with zero feet setback from the property line in lieu of the required 20 feet.

Hearing: Monday, July 20, 2009 at 9:00 a.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.

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/neighbor 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.

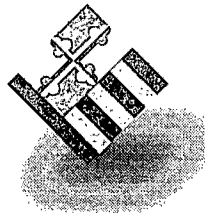
For Newspaper Advertising:

Item Number or Case Number: 2009-0307 - SPHA
Petitioner: JOHN A. MYNAUGH & DAWN M. MYNAUGH
Address or Location: 8 RIDER MILL CT OWINGS MILLS MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAWN MYNAUGH
Address: 8 RIDER MILL CT
OWINGS MILLS MD 21117

Telephone Number: 410 6548815



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

July 16, 2009

Mr. & Mrs. Mynaugh
8 Rider Mill Court
Owings Mills, MD 21117

Dear Mr. & Mrs. Mynaugh

RE: Case Number 2009-0307-SPHA, 8 Rider Mill Court

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 26, 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,

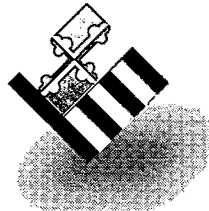
A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel



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

June 4, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: June 1, 2009

Item Numbers 0307

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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: June 10, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For June 8, 2009
Item No. 2009-307.

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

The petitioner is advised that the fence may have to be moved at the owner's expense if the County decides to put the 10-foot drainage and utility easement to use.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 2009-307-06082009.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 15, 2009

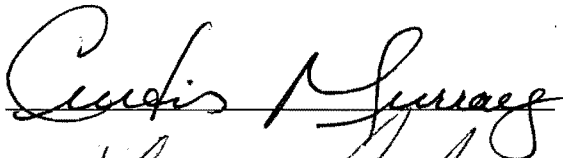
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-307- Variance**

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

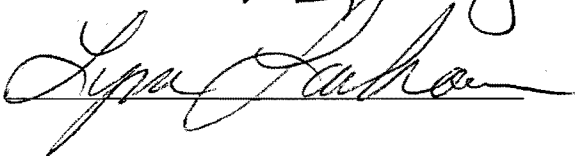
For further questions or additional information concerning the matters stated herein, please contact Diana Itter in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:

CM/LL





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

State Highway
Administration

Beverly K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JUNE 8, 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 2009-0307-SPHA
BRIDER MILL CT
MYNAUGH PROPERTY
VARIANCE -
SPECIAL HEARING -

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. 2009-0307-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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
8 Rider Mill Court; W/S Rider Mill Court, * ZONING COMMISSIONER
258' N of c/line of Grist Stone Way *
4th Election & 4th Councilmanic Districts * FOR
Legal Owner(s): John and Dawn Mynaugh *
Petitioner(s) * BALTIMORE COUNTY
* 09-307-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of June, 2009, a copy of the foregoing Entry of Appearance was mailed to Dawn Mynaugh, 8 Rider Mill Court, Owings Mills, MD 21117, Petitioner(s).

RECEIVED

JUN 10 2009

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Thomas Bostwick
To: Slessinger, Steve
Date: 7/17/2009 2:01 PM
Subject: Re: Issues for Zoning Notice 2009-0307-SPHA

Mr. Slessinger,

I will print your email and discuss your concerns at the hearing and also attempt to resolve the issues you have raised. I will also make sure that you receive a copy of the written decision in this case. As to the parking situation in particular, I think your main recourse would be to contact the County's Code Inspections and Enforcement Division at 410-887-3352 or 410-887-8099 in order to lodge a complaint.

Thank you for your interest in this matter.

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

>>> Steve Slessinger <smsless@yahoo.com> 7/17/2009 1:35 PM >>>

Tom,

Thank you for providing me the information regarding Zoning Notice 2009-0307. You were very helpful in answering my questions. This email is to identify the discussion we had and identify the concerns I have regarding this zoning request.

The first is regarding the zero-setback for moving of the fence. You identified that it affects the property lines to the left and behind the residence. And that it cannot be extended toward the road or further to the right.

The second is regarding the parking situation. Currently, with eight children at the day-care facility, the parents repeatedly park in front of my driveway either partially or fully blocking entrance or exit. I acknowledge that the cars are only there for a short period of time, but yesterday my wife had to weave her way into my driveway due to a parent's car sitting in the middle of the cul-de-sac in front of my driveway. And with a potential of four additional vehicles having to travel into the cul-de-sac, it can cause the issue of my driveway being blocked more often. I am interested in how the parking situation will be resolved.

For the parking situation, is there any recourse myself and the other neighbors have if/when the driveways are blocked?

Lastly, I would appreciate if you can forward me the decision for this zoning notice.

Respectfully,

Steve Slessinger
smsless@yahoo.com
410-581-8128

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

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

Account Identifier: District - 04 Account Number - 2200020181

Owner Information

Owner Name:	MYNAUGH JOHN A MYNAUGH DAWN M	Use:	RESIDENTIAL
Mailing Address:	8 RIDER MILL CT OWINGS MILLS MD 21117-2472	Principal Residence:	YES
		Deed Reference:	1) /15836/ 676 2)

Location & Structure Information

Premises Address	Legal Description
8 RIDER MILL CT	.215 AC 8 RIDER MILL CT WS RIDER MILL

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	1
58	7	883					14	1	Plat Ref:	66/ 116

Special Tax Areas

Town

Ad Valorem

Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1996	2,072 SF	9,365.00 SF	04
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2007	07/01/2008	07/01/2009
Land	62,590	134,340		
Improvements:	217,330	282,640		
Total:	279,920	416,980	371,292	416,980
Preferential Land:	0	0	0	0

Transfer Information

Seller: MOLICKI ERIC R	Date: 12/07/2001	Price: \$219,000
Type: NOT ARMS-LENGTH	Deed1: /15836/ 676	Deed2:
Seller: COOK RICKIE L	Date: 07/26/1999	Price: \$190,000
Type: IMPROVED ARMS-LENGTH	Deed1: /13916/ 591	Deed2:
Seller: NVR HOMES INC	Date: 06/12/1996	Price: \$175,565
Type: IMPROVED ARMS-LENGTH	Deed1: /11638/ 15	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO

Exempt Class:

Special Tax Recapture:

* NONE *

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 8 RIDER MILL COURT

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

SUBDIVISION NAME RIDER MILL

PLAT BOOK # 66 FOLIO # 116 LOT # 14 SECTION #

OWNER JOHN A & DAWN M. MYNAUGH

ACCT # 2200020181

COMMUNITY
OPEN SPACE

109 OAKMERE RD

10' DRAINAGE & UTILITY
EASEMENT

EXISTING NEIGHBOR'S
CHAIN LINK FENCE

PROPOSED FENCELINE

PLAY AREA / OPEN SPACE
A 2280 SQ FT

SUN
ROOM

WOOD
DECK

2 STORY FRAME
DWLG
8 RIDER MILL

DEBBIE ROEBUCK
2200020180

EXISTING
DWELLING
6 RIDER MILL

LOT 13

LOT 14

CONCRETE
DRIVE

8'10"

12'10"

12'10"

5'15"

12'10"

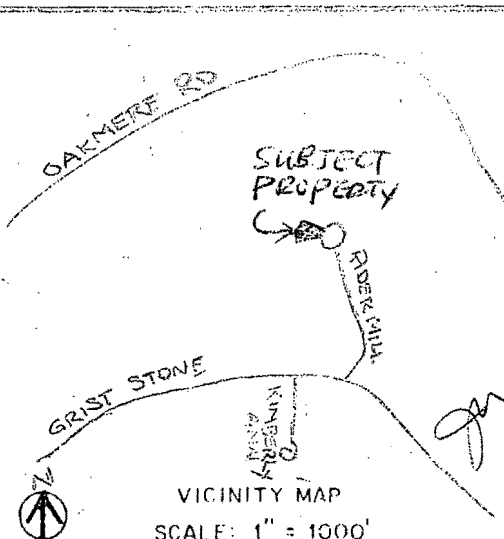
P.O.B.
258 FEET TO
GRIST STONE

STEVE & CYNDIA
SLESSINGER
2200020182

EXISTING
DWELLING
10 RIDER MILL

LOT 15

EXISTING
NEIGHBOR'S
FENCE LINE



LOCATION INFORMATION

ELECTION DISTRICT 4TH

COUNCILMANIC DISTRICT 4TH

1" = 200' SCALE MAP # 058A2

ZONING DR 3.5

LOT SIZE 0.215 9365
ACREAGE SQUARE FEET

	PUBLIC	PRIVATE
SEWER	☒	☐
WATER	☒	☐

	YES	NO
CHESAPEAKE BAY CRITICAL AREA	☐	☒
100 YEAR FLOOD PLAIN	☐	☒
HISTORIC PROPERTY/ BUILDING	☐	☒
PRIOR ZONING HEARING	<u>NONE</u>	

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

A. TSUI | 0307 | 2009-0307



25' MIN BLDG
SETBACK LINE

PREPARED BY JOHN A. MYNAUGH

SCALE OF DRAWING: 1" = 30'

Case No.: 2009-0307-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Zoning Use Permit	
No. 3	Zoning Map	
No. 4 A+B	Photos of property + driveway area	
No. 5 A+B	Letters of Support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

PROPERTY ADDRESS 8 RIDER MILL COURT

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

SUBDIVISION NAME RIDER MILL

PLAT BOOK # 66 FOLIO # 116 LOT # 14 SECTION #

OWNER JOHN A & DAWN M MYNAUGH

ACCT # 2200020181

COMMUNITY
OPEN SPACE

109 OAKMER RD



PROPOSED FENCELINE

PLAY AREA / OPEN SPACE
A 2280 SQ FT

SUN ROOM

WOOD DECK

4' ABOVE GROUND POOL
21'

EXISTING NEIGHBOR'S FENCE LINE

STEVE & CYNTHIA SLEIGHER
22 000 201 82

EXISTING DWELLING
A 10 RIDER MILL

2 STORY FRAME DWLG
8 RIDER MILL

DEBBIE ROEBUCK
22 000 201 80

EXISTING DWELLING
16 RIDER MILL

LOT 13

LOT 14

LOT 15

CONCRETE DRIVE

P.O.B
258 FEET TO
GRIST STONE



NORTH

25' MIN BLDG SETBACK LINE

PETITIONER'S

EXHIBIT NO.

YES NO
☐ ☒
☐ ☒
☐ ☒

BUILDING
PRIOR ZONING HEARING NONE

ZONING OFFICE USE ONLY
REVIEWED BY ITEM # CASE #

PREPARED BY JOHN A. MYNAUGH

SCALE OF DRAWING: 1" = 30'

A. TSUI | 0307 | 2009-0307

SPHA

- Up to 12 Children
- Hours of Operation: 7:00 a.m. to 5:30 p.m.

4th Election District

NO SIGNS ARE PROPOSED. ANY FUTURE SIGNSES WILL COMPLY WITH SECT
413.1 BC7B AND ZONING SIGN POLICIES OR BE VARIANCED

2009-0307-SPHA

PETITIONER'S

EXHIBIT NO.

4A





PETITIONER'S

EXHIBIT NO.

AB

Dawn Mynaugh of 8 Rider Mill Ct, Owings Mills, Md. 21117.

Has informed me of her desire to operate a child care center, out of her residence.

She has also informed me of the need for a zoning variance on the placement of her fence. I do not have objections to proposals.

Name/Signature

Address

Phone-

Tracey Nicolaisen
7 Rider Mill Court, Owings Mills, MD 21117
443-394-3741

Name-/Signature

Address-

Phone-

Lindsey Rucker
6 Rider Mill Ct
410-998-9444

Name-/Signature

Address-

Phone-

Mike Schlantz
9 Rider Mill Ct, Owings Mills MD 21118
443-756-3156

Name-/Signature

Address-

Phone-

MARIA SUZETTE SUBIDO
4 RIDER MILL CT
OWINGS MILLS, MD 21117

Name/Signature

Address-

Phone

PETITIONER'S

EXHIBIT NO.

5A

July 19, 2009

To Whom It May Concern:

This letter is in reference to the variance proposed by John and Dawn Mynaugh residing at 8 Rider Mill Court in Owings Mill, Maryland.

I have lived next door to the Mynaugh's for approximately 8 years. During this time, there has not been any disruption to the neighborhood due to the day care facility. There is absolutely no reason I would have to oppose this variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbie Roebuck", with a large, stylized initial "D" and a long horizontal flourish extending to the right.

Debbie Roebuck
6 Rider Mill Court
Owings Mills, MD

