

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 19th day of July, 2012, that Nicole Brown, Owner/Applicant located at 1518 Kirkwood Road, Baltimore, MD 21207 should be and the
(Individual or business name)
(Street address)

same is hereby granted permission to operate a: Assisted Living Facility I (ALF I) For A Maximum of 4 Beds,
Subject to Zoning Case # 2012-0222-A and Subject to the Attached July 11, 2012 Memo from Dennis Wertz, Planning Offi
Permit (or Receipt) Number: 84698 Director, Permits, Approvals and Inspections

Planner's Initials JNA

Revised 10/17/11

premises.

7/13/12

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attention: ALF REVIEWER
County Courts Building, Room 406
401 Bosley Avenue
Towson, MD 21204
M.S. 3402

ALF Address 1518 KIRKWOOD RD.
Permit No. (if required) B _____

Post-It® Fax Note	7671	Date	7.17.12	# of pages	5
To	Jeff Perlow	From	J. Nvgent		
Co./Dept.	PAI - Zoning	Co.	Planning		
Phone #	X3391	Phone #	X3480		
Fax #	X3048	Fax #	X5862		

FROM: Timothy M. Kotroco
Department of Permits & Development Management
M.S. 1105

RE: Assisted Living Facility I or II

This office is requesting recommendations and comments from the Office of Planning and Community Conservation prior to this office's approval of a building/use permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

Print Name of Applicant NICOLE BROWN Address 1518 KIRKWOOD RD. Telephone Number 443-934-5238

Lot Address 1518 KIRKWOOD RD. Election District 1st Councilmanic District 1st Square Feet of Lot 2200

Lot Location: (N)E S (side) corner of KIRKWOOD RD. 385 feet from N-E-S-W corner of HADWALL AVE
(street) (street)

Land Owner: NICOLE BROWN Tax Account Number 0113207364

Address: 1518 KIRKWOOD RD. Telephone Number (443) 934-5238

CHECKLIST OF MATERIALS- (to be submitted by applicant for required *compatibility* and/or *appearance* review by the Office of Planning and Community Conservation)

TO BE FILLED IN BY ZONING REVIEW, DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ONLY!

	PROVIDED?		Accepted for filing by Date: <u>6/26/2012</u>
	YES	NO	
1. This Recommendation Form (3 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	JNP/JS
2. Permit Application (if available)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Site Plan: Property (3 copies): including lot size and square feet of buildings, parking and open space - 10% lot area Statement of Compliance with Checklist Note 5.A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Building Elevation Drawings (these may be waived if note 6.A. from the Zoning Use Permit Checklist can be stated on the plans)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Photographs (please label all photos clearly) Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6. Current Zoning Classification: <u>DR 10.5</u>			

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendations.

See attached documents

Signed by Jeff Met for Dennis Wertz
for the Director, Office of Planning and Community Conservation

RECEIVED
JUN 29 2012

Date: 7/17/12

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RECOMMENDATION FORM**

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Approval Disapproval Approval conditioned on required modifications of the application to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning and Community Conservation

Date: _____

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

TO: Jenifer Nugent

DATE: 7/11/12

FROM: Dennis Wertz

SUBJECT: Assisted Living Facility I (1518 Kirkwood Road)

The petitioner's property is located in the Edmondson Heights neighborhood, a residential community of approximately 1000 red brick townhouses built in the 1950s.

After reviewing the compatibility objectives in Section 32-4-402 of the County Code, it is my opinion that the use of this property for a 4-bed Assisted Living Facility I will be compatible with the adjacent residential properties and the surrounding neighborhood provided that:

- The exterior of the existing dwelling is not altered.
- The existing rear yard parking pad is used to provide the two required parking spaces.
- No signs that identify the property as an Assisted living Facility will be erected on the premises.

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

TO: Jenifer Nugent

DATE: 7/11/12

FROM: Dennis Wertz

SUBJECT: Assisted Living Facility I (1518 Kirkwood Road)

The petitioner's property is located in the Edmondson Heights neighborhood, a residential community of approximately 1000 red brick townhouses built in the 1950s.

After reviewing the compatibility objectives in Section 32-4-402 of the County Code, it is my opinion that the use of this property for a 4-bed Assisted Living Facility I will be compatible with the adjacent residential properties and the surrounding neighborhood provided that:

- The exterior of the existing dwelling is not altered.
- The existing rear yard parking pad is used to provide the two required parking spaces.
- No signs that identify the property as an Assisted living Facility will be erected on the premises.

XTRA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco
Office of Administrative Hearings

DATE: May 6, 2011

FROM: Andrea Van Arsdale, Director *AVA*
Office of Planning

SUBJECT: Motion for Reconsideration
ZAC 11-243 (7205 Fairbrook Road)

The Office of Planning is providing the following comments and compatibility finding in response to the Motion for Reconsideration filed by Lawrence E. Schmidt in his letter to you dated April 26, 2011.

The Office of Planning has reviewed a revised plan dated 4/29/11 that accurately depicts the location of the existing improvements on the subject property. Also, this office has reviewed Exhibit 'A' dated 4/29/11 that shows the potential location of two parking spaces in the rear yard of the property.

The petitioner proposes to convert an existing single-family semidetached dwelling to an Assisted Living Facility I that will accommodate 4 resident clients. No exterior alterations of the existing dwelling are proposed. Two off-street parking spaces are required for a 4-bed facility. Pursuant to Section 432.A.1.C of the BCZR, parking must be located in the side or rear only and must be set back at least 10 feet from the property line. The existing driveway located on the property is long enough to provide 2 parking spaces in the side yard but the driveway is only 2.5 feet from the side property line.

This property has a small, level, attractive rear yard. The petitioner's rear yard abuts the rear yards of a single-family detached dwelling located at 7203 Fairbrook Road and the adjoining single-family semidetached dwelling located at 7207 Fairbrook Road. Neither of those dwellings has parking spaces in the rear yard. The petitioner's rear yard backs up to open space for the Tuscany Gardens Apartments.

This office does not support providing any parking in the rear yard. Constructing parking spaces in the rear yard would greatly reduce the attractiveness of the yard, greatly reduce the amount of open space, and greatly increase the amount of impervious surface coverage. The existing driveway is long enough to provide at least four off-street parking spaces (2 in the side yard plus 2 in the front yard). Also, two on-street parking spaces are available on Fairbrook Road in front of the property. Using the existing driveway for the required parking is a better alternative for

Memo: Timothy M. Kotroco
May 6, 2011
Page Two

the future residents of this facility and a compatible alternative for the adjacent neighbors at 7203 and 7207 Fairbrook Road. For this particular property, the Office of Planning doesn't have any objection to allowing a 4-bed assisted living facility at this location with using the existing driveway to provide the two required off-street parking spaces.

The petitioner's property is located in the Chadwick Manor neighborhood, a residential community of nearly 400 homes developed in the 1960s. Chadwick Manor is comprised of single-family detached and semidetached dwellings. Typically, off-street parking for these dwellings is provided in the front and side yards on single-wide driveways.

After reviewing the compatibility objectives in Section 32-4-402 of the County Code, the Director of Planning finds that the use of this property for an Assisted Living Facility I will be compatible with the adjacent residential properties and the surrounding neighborhood provided that:

- The exterior of the existing dwelling is not altered.
- The existing driveway is used to provide the required parking spaces.
- No signs that identify the property as an Assisted Living Facility will be erected on the premises.

Furthermore, the Director of Planning finds that providing two parking spaces in the rear yard of the petitioner's property would not be compatible with the adjacent properties and the surrounding neighborhood for the following reasons:

- The arrangement and location of the parking spaces would not be patterned in a similar manner to those in the Chadwick Manor community.
- The rear yard open space would be inconsistent with the open space patterns of the Chadwick Manor community, and it would not complement the rear yard open space of the adjacent properties.

AVA:DW:lsn

c: Lawrence E. Schmidt, Attorney
Arnold Jablon, Director, Department of Permits, Approvals and Inspections

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: March 10, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

SUBJECT: 7205 Fairbrook Road

Item Number: 11-243

Petitioner: Oliver Webb

Zoning: DR 5.5

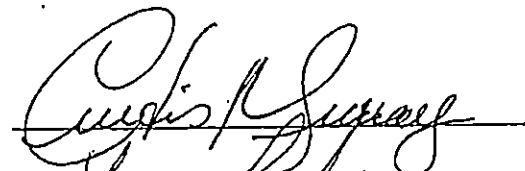
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning would be supportive of using the existing driveway to provide the required parking rather than constructing any spaces in the rear yard. The existing driveway is long enough to provide three off-street parking spaces (2 in the side yard plus 1 in the front yard). Also, two on-street parking spaces are available on Fairbrook Road in front of the property. Using the existing driveway for the required parking is a better alternative for both the future residents of this facility and the adjacent neighbors at 7203 and 7207 Fairbrook Road.

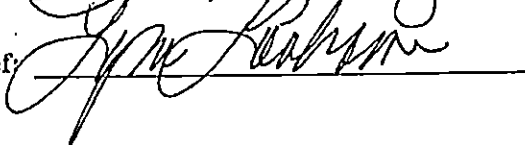
For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:



Division Chief:

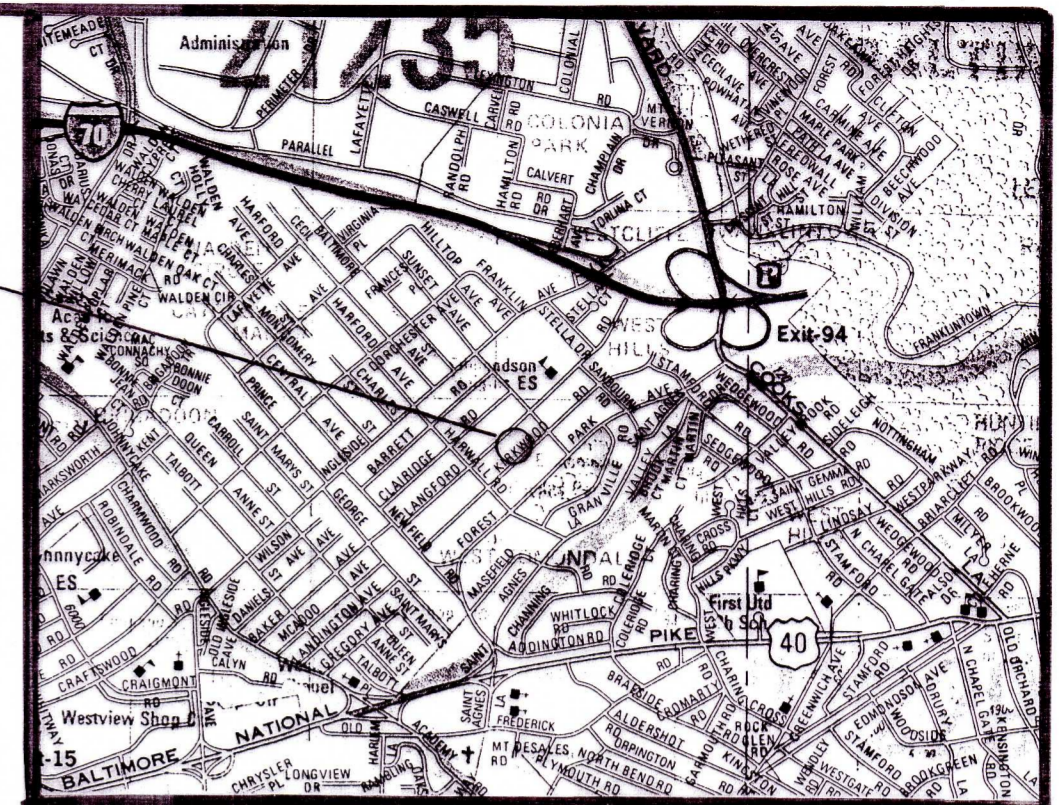
JM/LL: CM



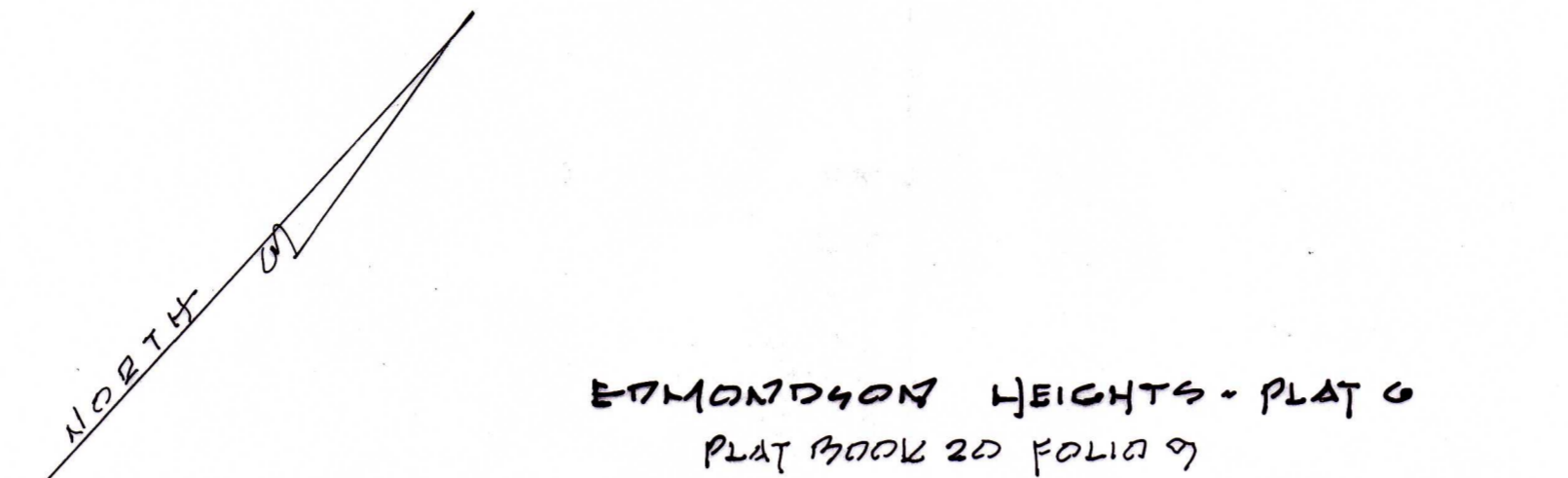
ASSISTED LIVING FACILITY - 4 BEDS

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 5 YEARS. NO RECONSTRUCTION, RELOCATION, (EXTERIOR) CHANGES OR ADDITIONS (OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF 5 YEARS BEFORE THE DATE OF THIS APPLICATION) TO THE EXTERIOR OF THE BUILDING HAVE OCCURRED. NO ADDITIONS ARE PROPOSED TO EXCEED THIS LIMIT FOR 5 YEARS FROM THE DATE OF THIS APPLICATION.

SIGNS WILL COMPLY WITH SECTION 450 B.C.Z.R.



VICINITY MAP - SCALE: 1" = 2000'



SITE

SITE SPECIFICS

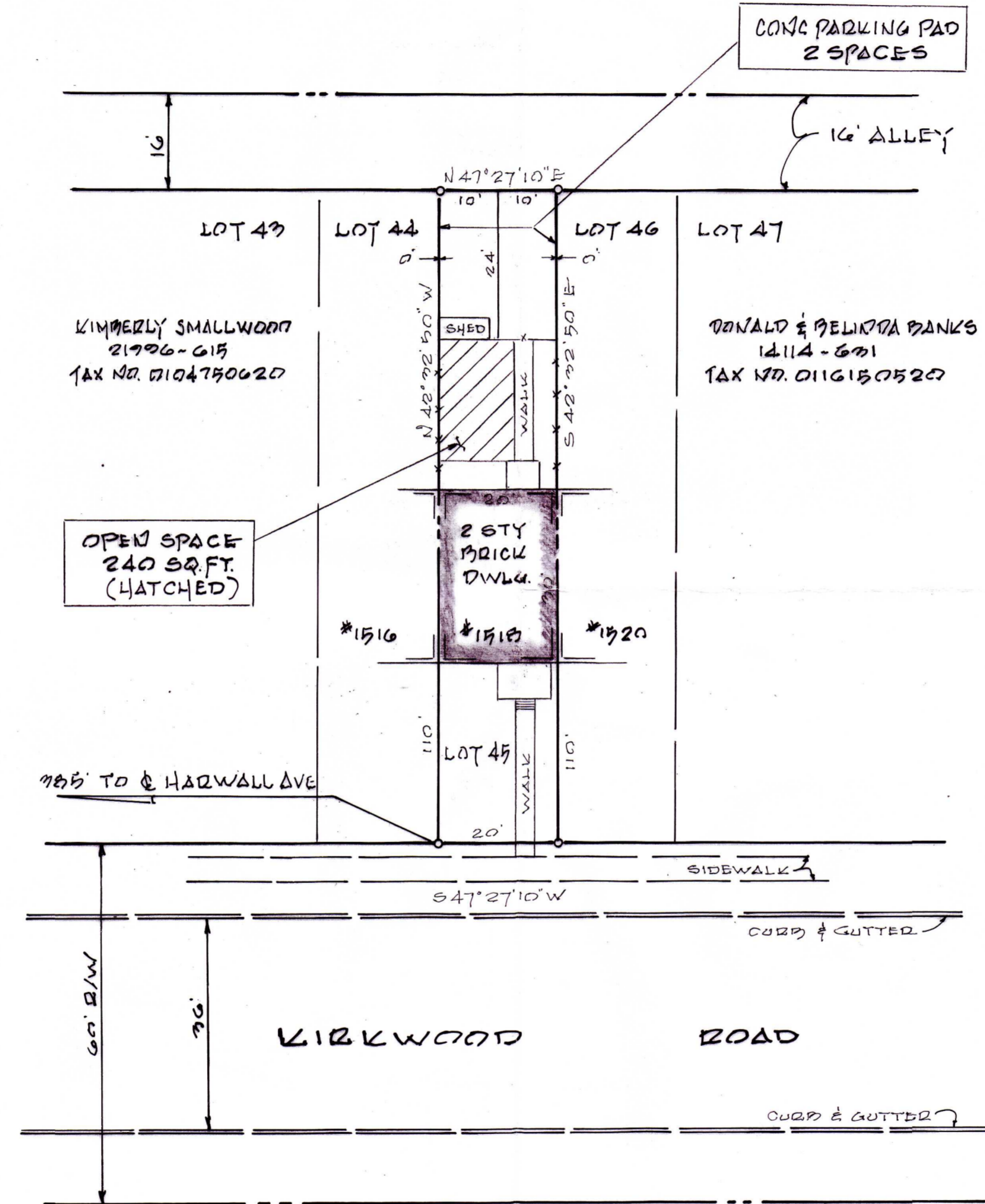
- AREA OF TRACT = 2200 SQ. FT.
- PROPOSED USE = 4 MED ASST. LIVING FAC.
- PARKING REQUIRED = 1 SPACE PER 3 BEDS + BED = 2 SPACES
- PARKING PROVIDED = 2 SPACES
- DWLG FLOOR AREA = 1ST FLD = 600 SQ. FT.
2ND FLD = 600 SQ. FT.
TOTAL = 1200 SQ. FT.
- OPEN SPACE REQUIRED = 10% OF SITE AREA = 220 SQ. FT.
- OPEN SPACE PROVIDED = 240 SQ. FT.
- BASEMENT TO BE USED FOR OWNER/APPLICANT USE.

ZONING NOTE

REFER TO ZONING CASE NO. 2012-0222 ORDER GRANTED JUNE 4, 2012 TO ALLOW 0' SIDEYARD SETBACK FOR PARKING IN LIEU OF THE REQUIRED 10' SETBACK.

GENERAL INFORMATION

- AREA OF LOT = 0.05 AC. (2200 sq ft)
- EXIST. ZONING = DR 10.5
- COUNCIL DISTRICT = 15
- ELECTION DISTRICT = 12
- ZONING MAP = 09902
- DEED REFERENCE = 20097/399
- TAX ACCOUNT NO. = 0113207364
- TAX MAP - GRID - PARCEL = 95-15-200
- PLAT REFERENCE = 20/9
- EXIST. USE = RESIDENTIAL
- PROPOSED USE = ASST. LIVING FAC. I



OWNER AFFIDAVIT

THE UNDERSIGNED OWNER-APPLICANT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AS SHOWN ON THIS PLAN

Nicole Brown 2/2/12
NICOLE BROWN DATE

BOGART TECHNICAL CONSULTANTS
408 Allegheny Ave. Ste. LL
Towson, Md. 21204

OWNER-APPLICANT
NICOLE BROWN
1518 KIRKWOOD RD
BALTIMORE, MD. 21207
443-934-5298

PLAT TO ACCOMPANY ZONING USE PERMIT
ASSISTED LIVING FACILITY I
BROWN PROPERTY
1518 KIRKWOOD ROAD

1ST ELECT. DIST.
SCALE: 1" = 20'

BALTO. CO. MD.
FEB. 2, 2012
REV. JUNE 22, 2012

2012-0000-2012