



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

July 30, 2012

Nancy C. West, Esquire
Assistant County Attorney
Office of Law
400 Washington Avenue
2nd Floor
Towson, Maryland 21204

RE: Petition for Special Exception
Case No.: 2012-0315-X
Property: 9831 Van Buren Lane

Dear Ms. West:

Enclosed please find a copy of the Order of Dismissal rendered in the above-captioned matter.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

- c: Eric Rockel, 1610 Riderwood Drive, Timonium, MD 21093
David & Claire MacCubbin, 115 Gibbons Boulevard, Cockeysville, MD 21030
Robert Brando, 125 Gibbons Boulevard, Cockeysville, MD 21030
Gary Lay, 109 Gibbons Boulevard, Cockeysville, MD 21030
Kelly Campbell Clark, 221 Old Padonia Road, Cockeysville, MD 21030

**IN RE: PETITION FOR SPECIAL
EXCEPTION**

W and E side of Van Buren Lane, 152'
S of Galloway Avenue
8th Election District
3rd Councilmanic District
(9831 Van Buren Lane)

Baltimore County, *Legal Owners*
To Be Determined, *Contract Purchaser*
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0315-X

* * * * *

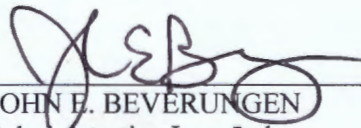
ORDER OF DISMISSAL

This matter was scheduled for a public hearing before the undersigned Administrative Law Judge on July 26, 2012 for consideration of Petition for Special Exception filed by Baltimore County, Maryland, property owner. The Petitioner sought special exception relief from the Baltimore County Zoning Regulations (B.C.Z.R.) to use the property for a Class B Group Child Care Center for more than 40 children, and confirm parking, drop-off and delivery area to be located in the front yard of the property.

Appearing at the public hearing in support of the request were Nancy C. West, Esquire, Assistant County Attorney, on behalf of the property owner, Mitchell J. Kellman, the consultant with Daft McCune and Walker, Inc. The opponents were residents from the surrounding locale, namely, Eric Rockel, David and Claire MacCubbin, Robert Brando, Gary Lay, and Kelly Campbell Clark.

Prior to the hearing, Nancy C. West, Esquire, on behalf of the Petitioner, advised that they were withdrawing their special exception request. Whereas, the matter shall be dismissed without prejudice.

NOW, THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County this 30th day of July 2012, that the Petition for Special Exception relief as set forth above, be and the same are hereby DISMISSED without prejudice.


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

ORDER RECEIVED FOR FILING

Date 7-30-12

By dlw

PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Law of Baltimore County for the property located at:

Address 9831 Van Buren Lane which is presently zoned DR 3.5
Deed References: 00118/00576 10 Digit Tax Account # 0802000290
Property Owner(s) Printed Name(s) Baltimore County, Maryland

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for Class B Group Child Care Center for more than 40 children, and confirm parking, drop off and delivery area to be located in front yard of property.
3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

To Be Determined

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

By

Nancy C. West, Assistant County Attorney

Name- Type or Print

Signature

Historic Courthouse, 2nd Floor, 400 Washington Ave., Towson, MD

Mailing Address

City

State

21204 / 410-887-4420 / nwest@baltimorecountymd.gov

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

BALTIMORE COUNTY, MARYLAND

By: Arnold Jablon, Deputy Administrative Officer/

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

111 W. Chesapeake Ave., Towson, MD

Mailing Address

City

State

21204 / 410-887-3353

Zip Code

Telephone #

Email Address

Representative to be contacted:

Daniel Shumaker, Office of Property Management

Name- Type or Print

Signature

Historic Courthouse, 1st Floor, 400 Washington Ave., Towson, MD

Mailing Address

City

State

21204 / 410-887-5524 / dshumaker@baltimorecountymd.gov

Zip Code

Telephone #

Email Address

CASE NUMBER 2012-0315-X Filing Date 6/12/2012 Do Not Schedule Dates: _____

Reviewer JNP

ZONING PROPERTY DESCRIPTION

9831 VAN BUREN LANE

GROUP CHILDCARE CENTER

MAY, 2012

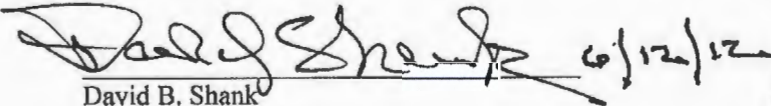
BEING a strip or parcel of land, hereinafter described in, through, over and across the property acquired by the County Commissioners of Baltimore County from Mary E. Galloway by deed dated September 25, 1880 among the Land Records of Baltimore County, Maryland in Liber W.M.I.118 at Folio 576; being more particularly described as follows:

BEGINNING for said strip or parcel of land at a point on the west side of Greenside Drive which is 70 feet wide at a distance of 30 feet north of the centerline of Galloway Drive which is 60 feet wide, said point also being at the end of the North 84° 08' 00" West, 963.00 foot line on a plat entitled "Century III, Section One recorded in aforementioned records in Book O.T.G. 35 at folio 13; thence running reversely with said line South 84° 02' 18" West, 714.00 feet to a point; thence perpendicular to said line, South 05° 57' 42" West, 152.49 feet to the true point of beginning of the parcel herein described: thence

1. South 75° 30' 33" East for a distance of 249.60 feet to a point; thence
2. South 45° 32' 00" East for a distance of 200.15 feet to a point; thence
3. South 14° 45' 03" West for a distance of 155.20 feet to a point; thence
4. South 83° 07' 39" West for a distance of 147.11 feet to a point; thence
5. North 07° 07' 54" West for a distance of 70.92 feet to a point; thence
6. South 81° 53' 03" West for a distance of 67.20 feet to a point; thence
7. North 75° 30' 33" West for a distance of 197.11 feet to a point; thence
8. North 14° 29' 27" West for a distance of 268.70 feet to the true point of beginning

CONTAINING 106128 square feet or 2.43637 acres of land, more or less.

This description was prepared based on available records and does not reflect an actual boundary survey.


David B. Shank
Property Line Surveyor
Maryland Reg. No. 315
Expires 9/10/2012
For A. Morton Thomas and Associates, Inc.





KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 29, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0315-X

9831 Van Buren Lane

West and East side of Van Buren Lane, 152 ft. South of Galloway Avenue

8th Election District – 3rd Councilmanic District

Legal Owners: Baltimore County, Maryland

Special Exception to use the herein property described for Class B Group Child Care Center for more than 40 children, and confirm parking, drop off and delivery area to be located in front yard of property.

Hearing: Thursday, July 26, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Daniel Shumaker
Nancy West

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 4, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 3, 2012 Issue - Jeffersonian

Please forward billing to:

Permits, Approvals & Inspections

410-887-3353

Attn: Julie Sanders-Krach

111 West Chesapeake Avenue, Room 111

Towson, MD 21204

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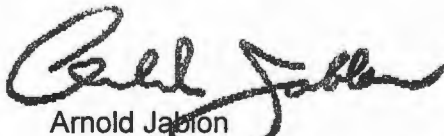
West and East side of Van Buren Lane, 152 ft. South of Galloway Avenue

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105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
9831 Van Buren Lane; W and E/S of Van		
Buren Lane, 152' S of Galloway Avenue	*	OF ADMINISTRATIVE
8 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): Baltimore County, Maryland*		HEARINGS FOR
Contract Purchaser(s): To Be Determined		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2012-315-X

* * * * *

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.

RECEIVED

JUN 19 2012



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 19th day of June, 2012, a copy of the foregoing Entry of Appearance was mailed to Daniel Shumaker, Office of Property Management, 400 Washington Avenue, Towson, MD 21204 and Nancy West, Esquire, 400 Washington Avenue, 2nd Floor, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0315-X

9831 Van Buren Lane
West and East side of Van
Buren Lane, 152 ft. South of
Galloway Avenue
8th Election District
3rd Councilmanic District
Legal Owner(s): Baltimore
County, Maryland

Special Exception: to use
the herein property descri-
bed for Class B Group Child
Care Center for more than
40 children, and confirm
parking, drop off and deliv-
ery area to be located in
front yard of property.

Hearing: Thursday, July
26, 2012 at 10:00 a.m. in
Room 205, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson
21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

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

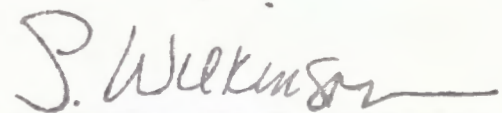
JT/7/629 July 3 304827

CERTIFICATE OF PUBLICATION

7/5/, 2012

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 7/3/, 2012.

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



LEGAL ADVERTISING



2012-0315-4

posted 7/2/12
by Jerry Chen

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Debra L. Wiley
Office of Administrative Hearing
Mail Stop 4103

FROM: Nancy C. West
Assistant County Attorney
Office of Law

DATE: July 30, 2012

SUBJECT: Case No. 2012-0315-X
9831 Van Buren Lane

RECEIVED

JUL 31 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Enclosed is the Citizen's Sign-In Sheet for Case No. 2012-0315-X, 9831 Van Buren Lane.

Thank you.

CASE NAME 9831 Uden Biken Lane
CASE NUMBER 2012-0315-X
DATE _____

[illegible]

Debra Wiley - Case No. 2012-0315-X - 9831 Van Buren Lane

From: Debra Wiley
To: West, Nancy
Date: 7/30/2012 7:53 AM
Subject: Case No. 2012-0315-X - 9831 Van Buren Lane

Good Morning Nancy,

Can you please look to see if you inadvertently picked up the citizen's sign-in sheet for the above case as we need it.

Thanks in advance.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

MICHAEL E. FIELD, *County Attorney*
Office of Law

July 26, 2012

RECEIVED

JUL 26 2012

OFFICE OF ADMINISTRATIVE HEARINGS

The Honorable John E. Beverungen
Office of Administrative Hearings
105 W. Chesapeake Ave.
The Jefferson Building, Suite 103
Towson, MD 21204

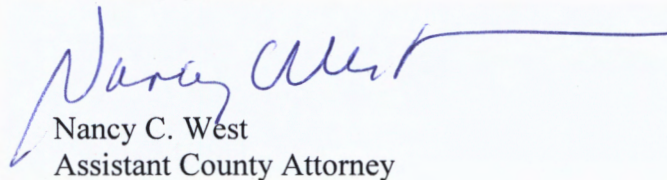
Re: Case No. 2012-0315-X
Petition for a Special Exception for a Class B Group Child Care Center at
9831 Van Buren Lane in Cockeysville

Dear Judge Beverungen:

This letter is to advise Your Honor that the County is withdrawing its Petition for a Special Exception filed in the above-referenced matter. This dismissal is without prejudice.

Thank you.

Sincerely yours,


Nancy C. West
Assistant County Attorney

cc: Arnold Jablon, Deputy Administrative Officer
Mitchell J. Kellman, DMW
Eric Rockel
David and Claire MacCubbin
Robert Brando
Gary Lay
Kelly Campbell Clark

Debra Wiley - 2012-315-X

From: John Beverungen
To: Debra Wiley
Date: 7/26/2012 10:30 AM
Subject: 2012-315-X

Deb,

In the above case, several opponents were in the hearing room at 10am, and they filled out a sign-in sheet. Nancy West appeared on behalf of the County, and she was accompanied by Mitch Kellman, who was retained as an expert for the county.

Ms. West told me that she was going to withdraw, or dismiss, the petition for special exception, without prejudice. I explained to the community members that this meant there would be no hearing or testimony today, but that the Petition could be re-filed at a later date, and that if it was they would see the posting on the property.

So the hearing was never convened. Can you please put this email in the file.

Thanks, John.

Debra Wiley - Fwd: Case#2012-0315-X

From: John Beverungen
To: Debra Wiley; Nancy West
Date: 7/26/2012 10:23 AM
Subject: Fwd: Case#2012-0315-X

>>> <suzanneu@verizon.net> 07/25/12 9:52 PM >>>
Honorable Judge Beverungen,

I declare and affirm that the proposed 95 child plus 25 employee childcare facility proposed by the Greater Childcare Group LLC at the County Home Park on Van Buren St. in Cockeysville would be a traffic nightmare. The Parks and Rec's activity there already puts a huge strain on the available road and parking. One has to be especially careful as the confusion and low visibility from the traffic activity makes an accident involving hitting a child increasingly probable. Moreover, there are two ponds behind the building which would house the proposed childcare facility. The possibility of a water accident is real. There is a sharp drop in the back of the building which would have to be re-graded lest a child end up falling off the drop and becoming injured.

The Park upon which the building resides is enjoyed by the residents in the area. It is not a large park but is the only park in the area. To have it further diminished and commandeered by the daycare would be to take a small piece of open space from others who are enjoying it. As it is, those who would enjoy the park walk there because the limited parking is overwhelmed by the current activities of the ball fields, tennis courts, etc. of the Dept of Parks and Recreation.

There is a community of individual homes off of Van Buren and Gibbons. They are pretty much left with one exit road during Parks and Rec's activities. The visibility from either route is poor from the parking on Greenside Road but at least the exit where the parking for Parks and Rec is a four way stop sign. This is where the parking nightmare is when there are games and where the parents would be picking up and dropping off their children from the proposed daycare. The area simply cannot support this daycare physically and logistically.

Thank you, Your Honor.
Suzanne P. Ullsperger
Interested Party and Gardener at the Community Gardens at County Home

7/26
10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 17, 2012

FROM: Andrea Van Arsdale 
Director, Department of Planning

SUBJECT: 9831 Van Buren Lane

INFORMATION:

Item Number: 12-315
Petitioner: Baltimore County, Maryland
Zoning: DR 3.5
Requested Action: Special Exception

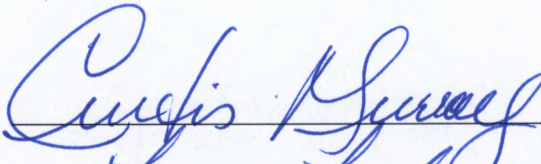
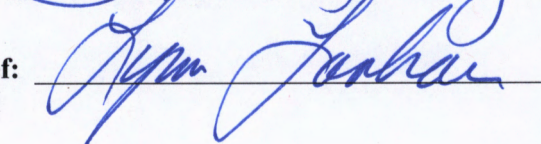
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a special exception to use the subject property for Class B Group Child Care Center for more than 40 children, and to confirm parking, drop off, and delivery are to be located in the front yard of the property.

The Department of Planning supports the petitioner's request for a special exception. This 100 plus acre property has been leased to various public and private agencies since Baltimore County obtained ownership. This proposal does not include any new construction or reconfiguration of the property, Baltimore County is requesting a change in use for the buildings and site. Therefore this Department believes that this request will not be detrimental to the health, safety, or general welfare of the surrounding community.

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

Prepared by:

Division Chief:
AVA/LL: CM

RECEIVED

JUL 24 2012

OFFICE OF ADMINISTRATIVE HEARINGS

MS 7/26
10AM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: July 17, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 9831 Van Buren Lane

RECEIVED

INFORMATION:

JUL 24 2012

Item Number: 12-315

Petitioner: Baltimore County, Maryland

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: DR 3.5

Requested Action: Special Exception

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Prepared by: _____

Division Chief: _____
AVA/LL: CM

John Beverungen - Case#2012-0315-X

From: <suzanneu@verizon.net>
To: <jbeverungen@baltimorecountymd.gov>
Date: 07/25/12 9:53 PM
Subject: Case#2012-0315-X

Honorable Judge Beverungen,

I declare and affirm that the proposed 95 child plus 25 employee childcare facility proposed by the Greater Childcare Group LLC at the County Home Park on Van Buren St. in Cockeysville would be a traffic nightmare. The Parks and Rec's activity there already puts a huge strain on the available road and parking. One has to be especially careful as the confusion and low visibility from the traffic activity makes an accident involving hitting a child increasingly probable. Moreover, there are two ponds behind the building which would house the proposed childcare facility. The possibility of a water accident is real. There is a sharp drop in the back of the building which would have to be re-graded lest a child end up falling off the drop and becoming injured.

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There is a community of individual homes off of Van Buren and Gibbons. They are pretty much left with one exit road during Parks and Rec's activities. The visibility from either route is poor from the parking on Greenside Road but at least the exit where the parking for Parks and Rec is a four way stop sign. This is where the parking nightmare is when there are games and where the parents would be picking up and dropping off their children from the proposed daycare. The area simply cannot support this daycare physically and logistically.

Thank you, Your Honor.
Suzanne P. Ullsperger
Interested Party and Gardener at the Community Gardens at County Home

Debra Wiley - Fwd: Case# 2012-0315-X

From: John Beverungen
To: Debra Wiley
Date: 7/24/2012 10:09 AM
Subject: Fwd: Case# 2012-0315-X

>>> "James Bova" <JBOVA@KERNAN.UMM.EDU> 07/24/12 8:53 AM >>>

Dear Judge Beverungen,

I would like to take this opportunity to express my reasons for objecting to the proposal to place childcare facility on Van Buren Street next to the Alms House.

This area is one of the few pristine park and recreation locations left in Cockeysville. It teems with deer and other wildlife. The road is narrow and winding and very dangerous especially in winter due to icy conditions. The existing volume of traffic is more than enough; any additional would cause congestion both at Galloway and Greenside Roads as well as at Van Buren and Jefferson Roads. This would also contribute to congestion on Greenside during the school year when Padonia Elementary School is in session. Please don't approve this project. Thank you.

Sincerely,

James J. Bova
123 Madison Ave.
Cockeysville MD, 21030

This message and all contents contain information from Kernan Orthopedics and Rehabilitation Hospital, which may be privileged, confidential or otherwise, protected from disclosure. The information is intended to be for the addressee only. If you are not the addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this message in error, please notify us immediately (410-448-2500) and destroy the original message and all copies. **Discover the rewards of being a part of our region's premier team. To learn more and to apply visit www.kernan.jobs**

Debra Wiley - Fwd: Daycare Hearing, Case #2012-0315-X

From: John Beverungen
To: Debra Wiley
Date: 7/24/2012 10:06 AM
Subject: Fwd: Daycare Hearing, Case #2012-0315-X

>>> Gary Lay <garypatricklay@gmail.com> 07/20/12 7:41 PM >>>

Begin forwarded message:

From: Gary Lay <garypatricklay@gmail.com>
Subject: Daycare Hearing

Dear Honorable Judge Beverungen,

On behalf of the other residents of the County Home Park neighborhood in Cockeysville and the County Home Park Community Association, I wanted to point out some of the reasons we are not in favor of the Special Exception for zoning of the property on Van Buren Lane for the proposed daycare facility. The following is a short list:

- minimum of 120 cars a day times two, coming in the morning and leaving in the afternoon
- best case scenario is (to minimize the effect on the neighborhood) is that all traffic goes up Van Buren
- Van Buren is still not favorable because of all the congestion already there; it's used heavily for games
- rec field parking is very narrow, with lots of kids outside of cars
- the above already has been noticed by folks in this neighborhood as hazardous and having high probability of pedestrians being hit
- consider above with late parents rushing to drop off or pick up kids from childcare center
- if traffic goes the other way, it presents a big change to the quality of our neighborhood, traffic will likely increase on Gibbons and the top end of VanBuren by 200%
- if above is true, home just purchased at corner of VanBuren and Gibbons, consider the affect on their property of all the increased traffic
- if above is true, half of this large bulk of traffic would flood past gibbons and upper VanBuren EARLY in the am
- proposed site does not have nearly enough parking
- space issues with site, there are requirements for fenced outdoor space and behind the building is steep

Thank You for your Consideration,

Gary Lay

CHPCA Treasurer

Debra Wiley - Fwd: Case # 2012-0315-X

From: John Beverungen
To: Debra Wiley
Date: 7/24/2012 10:08 AM
Subject: Fwd: Case # 2012-0315-X

>>> <wanderin2@verizon.net> 07/23/12 12:06 PM >>>
TO: Administrative Law Judge John Beverungen

From: Robert E. Gambill
19 Gibbons Blvd. Cockeysville MD 20130
410-667-3658

RE: Case # 2012-0315-X

My name is Robert E. Gambill and I am writing to express my opposition to the proposal to place a child care facility in the vacant building adjacent to County Home Park.. The area where this building is located is not suited to this sort of enterprise. The roads leading to the building are narrow and the volume of traffic this facility would generate would pose a hazard to area residents like me who walk for exercise along them. Additionally, the parks recreational facilities themselves generate a high volume of traffic on weekends, as does the flea market which is conducted on the grounds of the Police Athletic League. There is also heavy truck traffic at certain times to and from the Baltimore County Shop, which is located further along one of the roads near the site.

Thank you for your attention in this matter.

Robert E. Gambill

John Beverungen - Case# 2012-0315-X

From: "James Bova" <JBOVA@KERNAN.UMM.EDU>
To: <jbeverungen@baltimorecountymd.gov>
Date: 07/24/12 8:53 AM
Subject: Case# 2012-0315-X
CC: <lindsay.johnson@longandfoster.com.>

Dear Judge Beverungen,

I would like to take this opportunity to express my reasons for objecting to the proposal to place childcare facility on Van Buren Street next to the Alms House.

This area is one of the few pristine park and recreation locations left in Cockeysville. It teems with deer and other wildlife. The road is narrow and winding and very dangerous especially in winter due to icy conditions. The existing volume of traffic is more than enough; any additional would cause congestion both at Galloway and Greenside Roads as well as at Van Buren and Jefferson Roads. This would also contribute to congestion on Greenside during the school year when Padonia Elementary School is in session. Please don't approve this project. Thank you.

Sincerely,

James J. Bova
123 Madison Ave.
Cockeysville MD, 21030

This message and all contents contain information from Kernan Orthopedics and Rehabilitation Hospital, which may be privileged, confidential or otherwise, protected from disclosure. The information is intended to be for the addressee only. If you are not the addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this message in error, please notify us immediately (410-448-2500) and destroy the original message and all copies.

Discover the rewards of being a part of our region's premier team. To learn more and to apply visit www.kernan.jobs

John Beverungen - Case # 2012-0315-X

From: <wanderin2@verizon.net>
To: <jbeverungen@baltimorecountymd.gov>
Date: 07/23/12 12:06 PM
Subject: Case # 2012-0315-X

TO: Administrative Law Judge John Beverungen

From: Robert E. Gambill
19 Gibbons Blvd. Cockeysville MD 20130
410-667-3658

RE: Case # 2012-0315-X

My name is Robert E. Gambill and I am writing to express my opposition to the proposal to place a child care facility in the vacant building adjacent to County Home Park.. The area where this building is located is not suited to this sort of enterprise. The roads leading to the building are narrow and the volume of traffic this facility would generate would pose a hazard to area residents like me who walk for exercise along them. Additionally, the parks recreational facilities themselves generate a high volume of traffic on weekends, as does the flea market which is conducted on the grounds of the Police Athletic League. There is also heavy truck traffic at certain times to and from the Baltimore County Shop, which is located further along one of the roads near the site.

Thank you for your attention in this matter.

Robert E. Gambill

John Beverungen - Fwd: Daycare Hearing, Case #2012-0315-X

From: Gary Lay <garypatricklay@gmail.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 07/20/12 7:41 PM
Subject: Fwd: Daycare Hearing, Case #2012-0315-X
CC: Lindsay & John Johnson <lindsaypagefox@hotmail.com>

Begin forwarded message:

From: Gary Lay <garypatricklay@gmail.com>
Subject: Daycare Hearing

Dear Honorable Judge Beverungen,

On behalf of the other residents of the County Home Park neighborhood in Cockeysville and the County Home Park Community Association, I wanted to point out some of the reasons we are not in favor of the Special Exception for zoning of the property on Van Buren Lane for the proposed daycare facility. The following is a short list:

- minimum of 120 cars a day times two, coming in the morning and leaving in the afternoon
- best case scenario is (to minimize the effect on the neighborhood) is that all traffic goes up Van Buren
- Van Buren is still not favorable because of all the congestion already there; it's used heavily for games
- rec field parking is very narrow, with lots of kids outside of cars
- the above already has been noticed by folks in this neighborhood as hazardous and having high probability of pedestrians being hit
- consider above with late parents rushing to drop off or pick up kids from childcare center
- if traffic goes the other way, it presents a big change to the quality of our neighborhood, traffic will likely increase on Gibbons and the top end of VanBuren by 200%
- if above is true, home just purchased at corner of VanBuren and Gibbons, consider the affect on their property of all the increased traffic
- if above is true, half of this large bulk of traffic would flood past gibbons and upper VanBuren EARLY in the am
- proposed site does not have nearly enough parking
- space issues with site, there are requirements for fenced outdoor space and behind the building is steep

Thank You for your Consideration,

Gary Lay

CHPCA Treasurer

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartmentyes - 6/27DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)NC7-11DEPS
(if not received, date e-mail sent _____)NC

FIRE DEPARTMENT

7-24PLANNING
(if not received, date e-mail sent _____)Syes - 6/19

STATE HIGHWAY ADMINISTRATION

no objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

7/5/12

SIGN POSTING

County posted

Date:

7/2/12by Jerry Chen

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.2A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0802000290

Owner Information

Owner Name:	BALTIMORE COUNTY MD	Use:	EXEMPT COMMERCIAL
Mailing Address:	COURT HOUSE SEE J GALLOWAY 72-171 BALTIMORE MD 21204	Principal Residence:	NO
		Deed Reference:	1) /00118/ 00576 2)

Location & Structure Information

Premises Address	Legal Description
9831 VAN BUREN LN COCKEYSVILLE MD 21030-5022	100.948 AC

100FT S CRANBROOK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0051	0018	0098		0000				2	Plat Ref:

Town NONE

Special Tax Areas
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1998	18832	100.9400 AC	01

Stories	Basement	Type	Exterior
		OFFICE BUILDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2011	07/01/2012
Land	4,239,800	4,239,800		
Improvements:	1,738,800	1,592,800		
Total:	5,978,600	5,832,600	5,832,600	5,832,600
Preferential Land:	0			0

Transfer Information

Seller:	GALLOWAY MARY E	Date:		Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/00118/ 00576	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	420	5,832,600.00	5,832,600.00
State	420	5,832,600.00	5,832,600.00
Municipal	420	0.00	0.00

Tax Exempt:		Special Tax Recapture:
Exempt Class:	PARKS AND RECREATION	NONE

Homestead Application Information

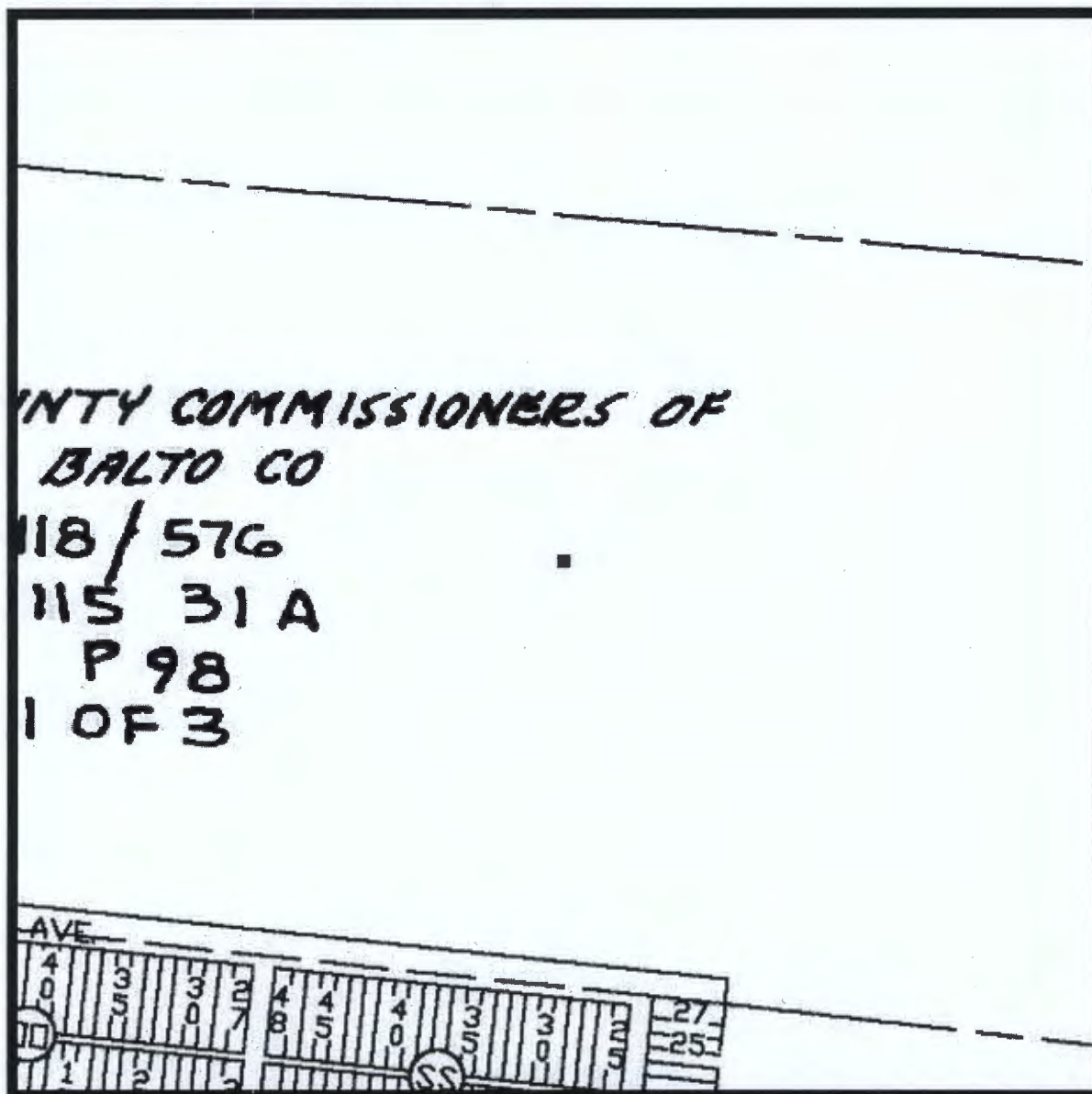
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 08 Account Number - 0802000290



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2010.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: July 11, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0315-X
Address 9831 Van Buren Lane
(Baltimore County, Maryland Property)

Zoning Advisory Committee Meeting of June 18, 2012.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination*

RECEIVED
JUL 11 2012
OFFICE OF ADMINISTRATIVE HEARINGS

7/26
10AM**Debra Wiley - ZAC Comments - Distribution Mtg. of June 18, 2012**

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 6/19/2012 8:28 AM
Subject: ZAC Comments - Distribution Mtg. of June 18, 2012

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0310-A - 32 Bramleigh Rd.
Administrative Variance - Closing Date: 7/2

2012-0311-A - 6624 Baltimore National Pike
No hearing date in data base as of 6/18

2012-0312-A - 7313 Holabird Avenue - **CRITICAL AREA**
Administrative Variance - Closing Date: 7/9

2012-0313-SPH - 6915 Markel Avenue
No hearing date in data base as of 6/18

2012-0314-A - 12235 Jerico Road - **HISTORIC**
Administrative Variance - Closing Date: 7/9

2012-0315-X - 9831 Van Buren Lane
No hearing date in data base as of 6/18

2012-0316-A - 6 Saxony Court
Administrative Variance - Closing Date: 7/9

2012-0318-A - 12301 Harford Road
Administrative Variance - Closing Date: 7/9

2012-0319-A - 313 Weatherbee
Administrative Variance - Closing Date: 7/9

2012-0320-X - 6850 Sunshine Avenue
No hearing date in data base as of 6/18

2012-0321-A - 6506 Hal Court
Administrative Variance - Closing Date: 7/9

2012-0322-X - 10307 Davis Avenue
No hearing date in data base as of 6/18



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 17, 2012

Arnold E. Jablon, Director
Baltimore County Maryland
111 W. Chesapeake Avenue
Towson MD 21204

RE: Case Number: 2012-0315 X, Address: 9831 Van Buren Lane

Dear Mr. Jablon:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on June 12, 2012. 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.", is written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Daniel Shumaker, Office of Property Management, Historic Courthouse, 1st Floor, 400
Washington Avenue, Towson, MD 21204
Nancy C. West, Assistant County Attorney, Historic Courthouse, 2nd Floor, 400 Washington
Avenue, Towson, M D 21204

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 6-19-12

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

RE: Baltimore County
Item No 2012-0315-X
Special Exception
Baltimore County Maryland
9831 Van Buren Lane.

Dear Ms. Lewis:

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. 2012-0315-X

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: June 27, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For July 02, 2012
Item Nos. 2012-0310, 0311, 0312, 0313, 0314, 0315, 0316, 0318, 0319
0321 and 0322

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

DAK:CEN
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-07022012-NO COMMENTS.doc



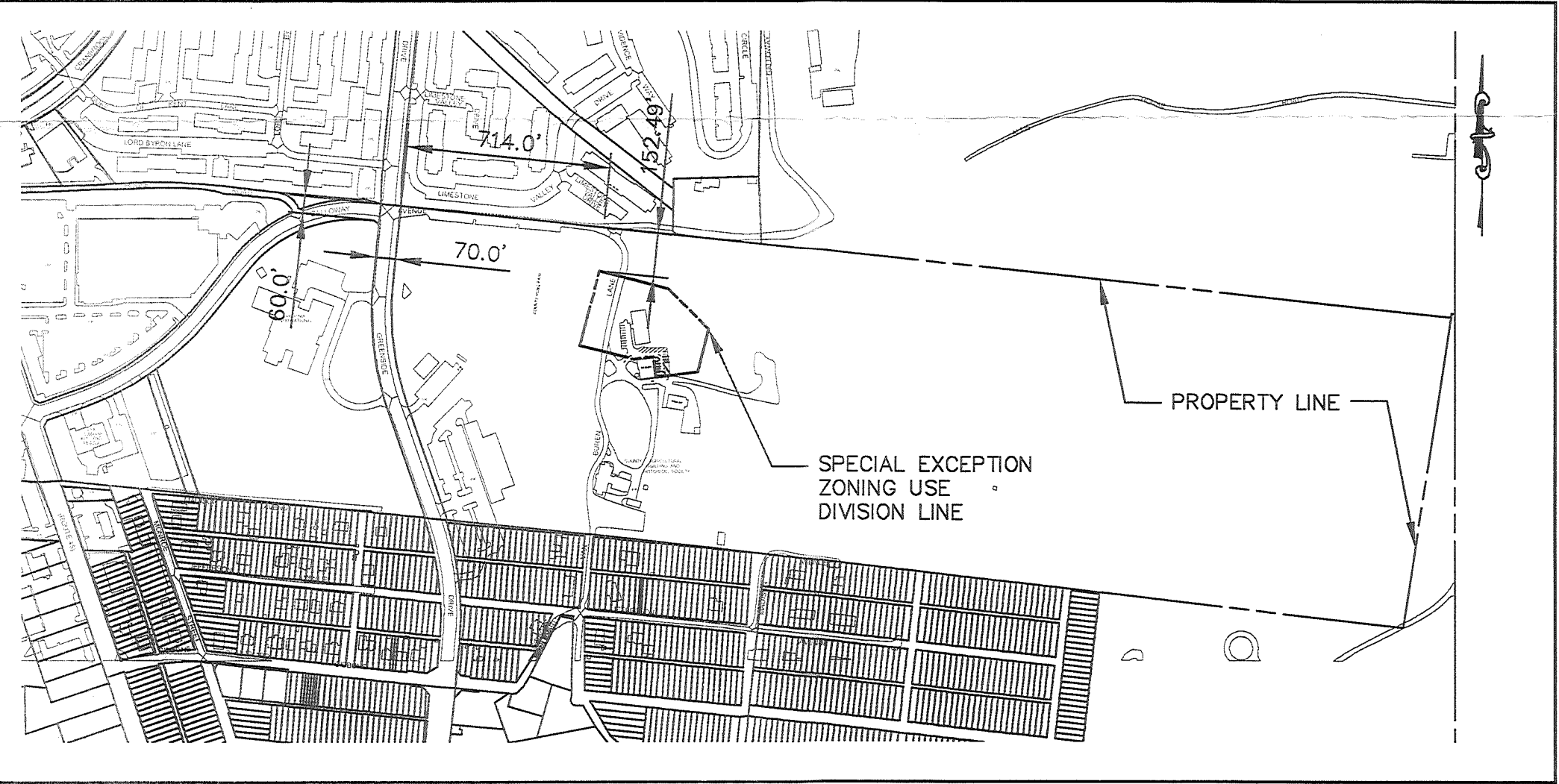
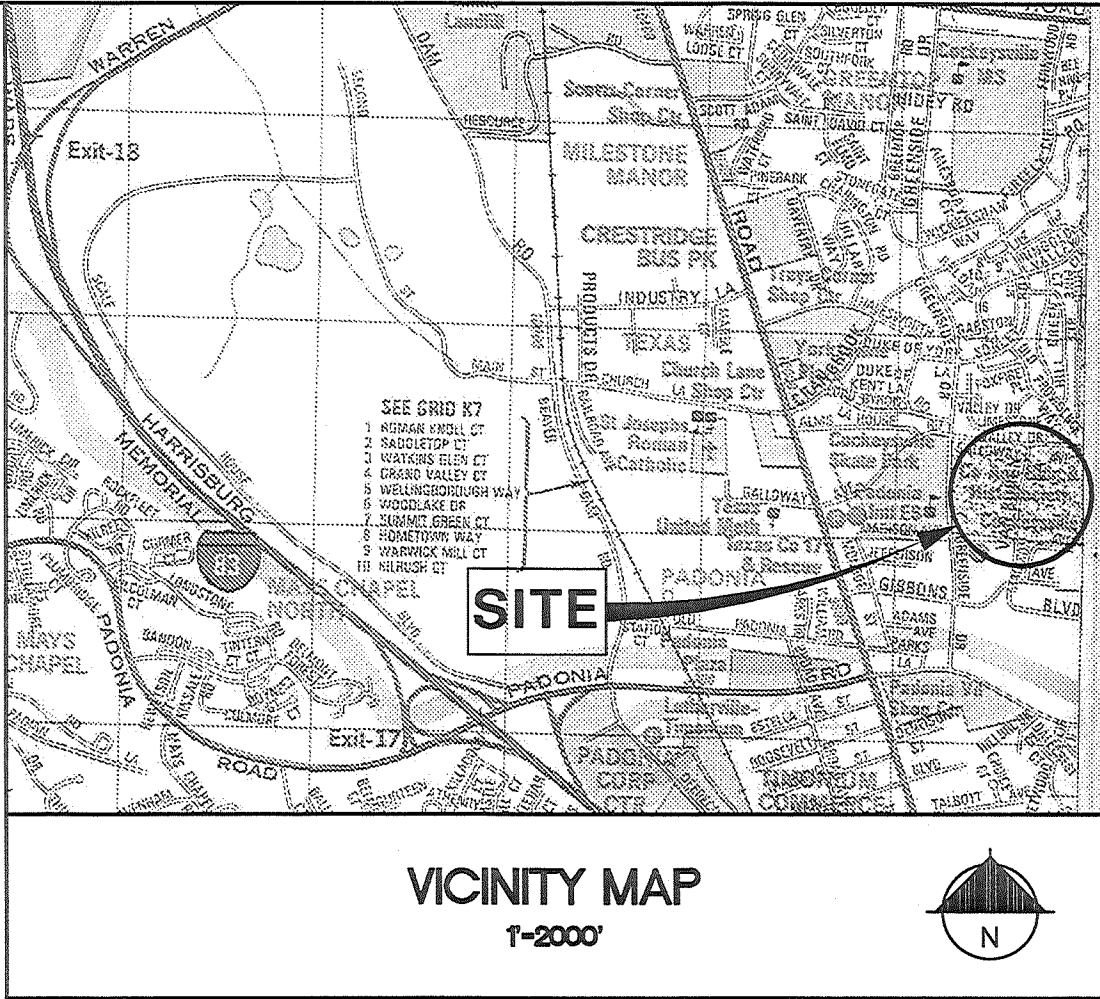
GENERAL NOTES (PER BCZR 424):

- OWNER:
BALTIMORE COUNTY, MD
COURT HOUSE
BALTIMORE, MD 21204
- TAX ACCOUNT: 0802000290
- DEED REFERENCE: 00118/0576
- COUNCILMANIC DISTRICT: 3RD
- TAX MAP 0051, GRID 0018, PARCEL 98
- ZONING: DR 3.5
- PROPERTY AREA: 100.948 AC
- SPECIAL EXCEPTION AREA:
REQUIRED FOR 95 CHILDREN: 1 ACRE/40 CHILDREN + 500 SF/CHILD
43560 SF + (55 X 500 SF)
43560 SF + 27500 SF
71060 SF OR 1.63 ACRES

PROVIDED: 106128.06 SF OR 2.4363 ACRES
- THE SITE DOES NOT LIE WITHIN A FLOODPLAIN AS SHOWN ON F.I.R.M. #2400100235F, PANEL 235 OF 580 DATED SEPTEMBER 26, 2008.
- NUMBER OF EMPLOYEES: 25
- HOURS OF OPERATION: 7 AM - 6 PM, 5 DAYS PER WEEK
- PARKING CALCULATIONS:
GROUP CHILDCARE CENTER FOR 95 CHILDREN
REQUIRED: 25 SPACES (1 SPACE/EMPLOYEE, MIN 2 SPACES)

PROVIDED: 25 SPACES
- WATERSHED: BACK RIVER
- SETBACKS:

	REQUIRED	PROVIDED
FRONT	25'	143.1'
SIDE	50'	50'/90.7'
REAR	50'	107.7'/178.3'/186.2'
- HEIGHT OF STRUCTURE:
MAX PERMITTED: 35'
PROVIDED: 23'-1"



PROPERTY MAP
1"=500'

PROPERTY MANAGEMENT		DEPARTMENT OF RECREATION & PARKS	
APPROVED BY: _____ DATE: _____	PROPERTY MANAGER	APPROVED BY: _____ DATE: _____	DIRECTOR
PROFESSIONAL CERTIFICATION			
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.			
LICENSE NO. S1196	EXPIRATION DATE 01/16/18		
ENGINEER: AARON SMITH A. MORTON THOMAS & ASSOCIATES	DESIGN BY: SAJ	BUREAU OF ENGINEERING AND CONSTRUCTION	BUILDINGS HIGHWAYS STRUCTURES STORM DRAINS SEWER WATER FIELD ENGINEER
AS-BUILT PER RECORD PRINT	DRAWN BY: SAJ	REVIEWED BY:	
BY: _____ DATE: 5/23/12	CHEK BY: ABS	DATE REVIEWED:	

REVISION	BY	DATE	P.W.A. NO.	KEY SHEET	POSITION SHT	DRAWING SCALE	DEPARTMENT OF PUBLIC WORKS
			R.O.W NO.			PLAN SCALE: AS NOTED PROFILE SCALE: N/A	APPROVED BY: _____ DATE: _____ DIRECTOR
							APPROVED BY: _____ DATE: _____ CHIEF

SUBDIVISION:

BALTIMORE COUNTY DEPARTMENT OF OBF-PROPERTY MANAGEMENT
SPECIAL EXCEPTION PLAN
GROUP CHILD CARE CENTER FOR 95 CHILDREN
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030-5022

ELECTION DIST. NO.: 8

SHEET DESIGNATION	CONTRACT NUMBER
JOB ORDER NUMBER	
SHEET 1 OF 1	
DRAWING NUMBER	
FILE NO.	

NOT FOR CONSTRUCTION

2012-03-15-X



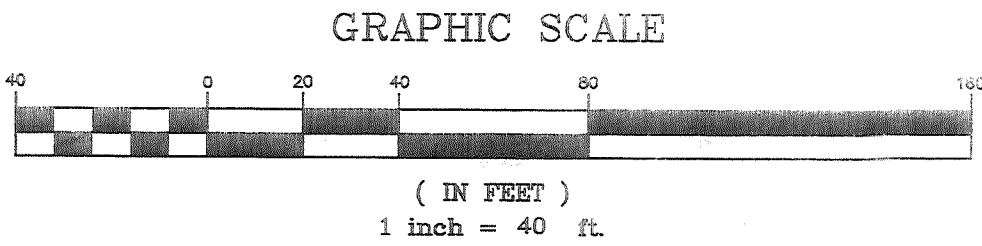
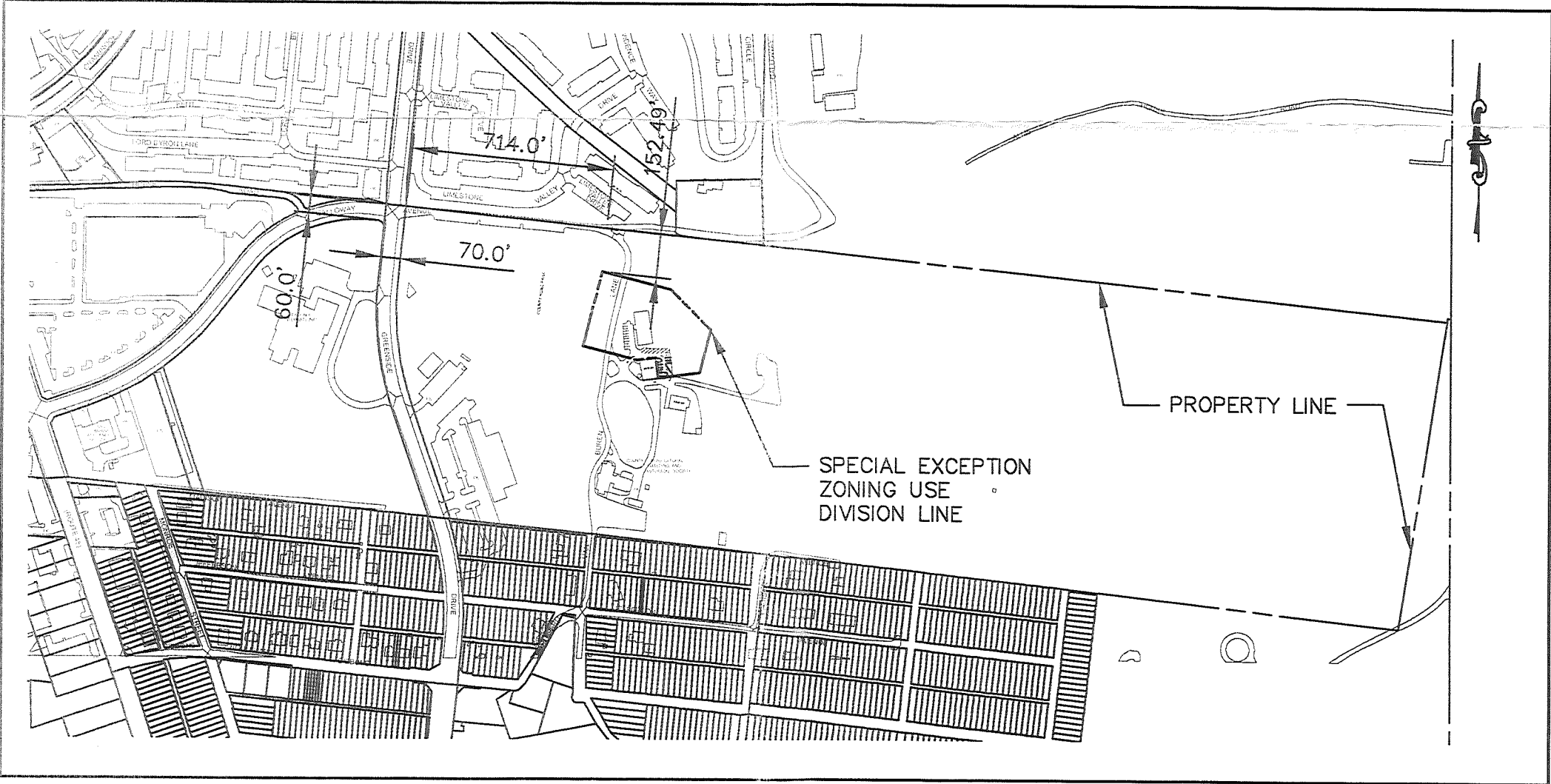
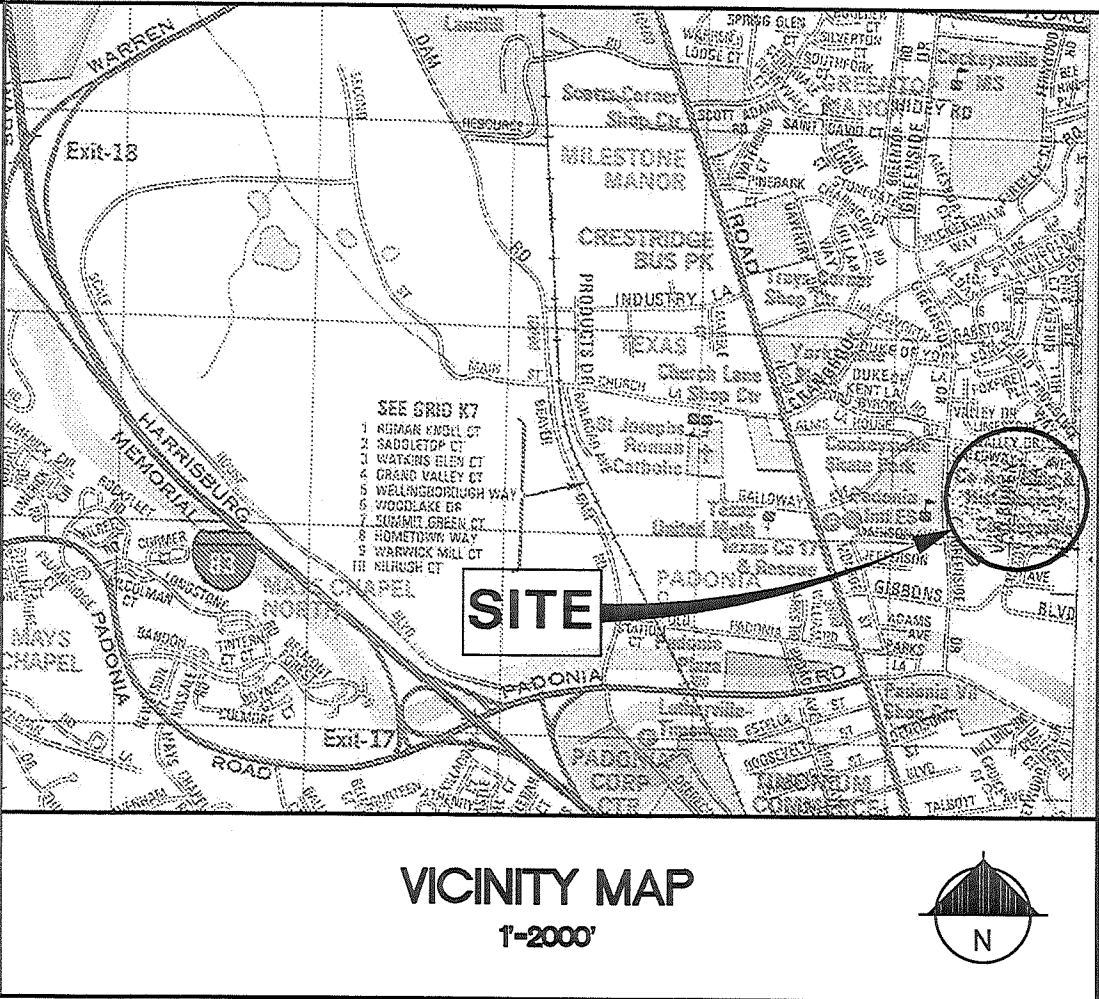
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BALTIMORE COUNTY, MD
COURT HOUSE
BALTIMORE, MD 21204
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PROVIDED: 25 SPACES
- WATERSHED: BACK RIVER
- SETBACKS:

	REQUIRED	PROVIDED
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SIDE	50'	50'/90.7'
REAR	50'	107.7'/178.3'/186.2'
- HEIGHT OF STRUCTURE:
MAX PERMITTED: 35'
PROVIDED: 23'-1"



PROPERTY MANAGEMENT		DEPARTMENT OF RECREATION & PARKS										
APPROVED BY: _____ DATE: _____ PROPERTY MANAGER		APPROVED BY: _____ DATE: _____ DIRECTOR										
SEAL STATE OF MARYLAND AARON SMITH No. 81198 PROFESSIONAL ENGINEER	PROFESSIONAL CERTIFICATION		REVISION	BY	DATE	P.W.A. NO.	KEY SHEET	POSITION	SHT	DRAWING SCALE	DEPARTMENT OF PUBLIC WORKS	
	I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.									PLAN SCALE: AS NOTED	APPROVED BY: _____ DATE: _____ DIRECTOR	
	LICENSE NO. 81198 EXPIRATION DATE 01/16/13									PROFILE SCALE: N/A		
	ENGINEER: AARON SMITH A. MORTON THOMAS & ASSOCIATES		DESIGN BY: SAJ	BUREAU OF ENGINEERING AND CONSTRUCTION	BUILDINGS	HIGHWAYS	STRUCTURES	STORM DRAINS	SEWER	WATER	FIELD ENGINEER	BUR. OF ENGINEERING & CONSTRUCTION
	AS-BUILT PER RECORD PRINT		DRAWN BY: SAJ	REVIEWED BY:								APPROVED BY: _____ DATE: _____ CHIEF
BY: _____ DATE: 5/23/12		CHKD BY: ABS	DATE REVIEWED:									

SUBDIVISION:

BALTIMORE COUNTY DEPARTMENT OF OBF-PROPERTY MANAGEMENT
SPECIAL EXCEPTION PLAN
GROUP CHILD CARE CENTER FOR 95 CHILDREN
9831 VAN BUREN LANE
COCKEYSVILLE, MD 21030-5022

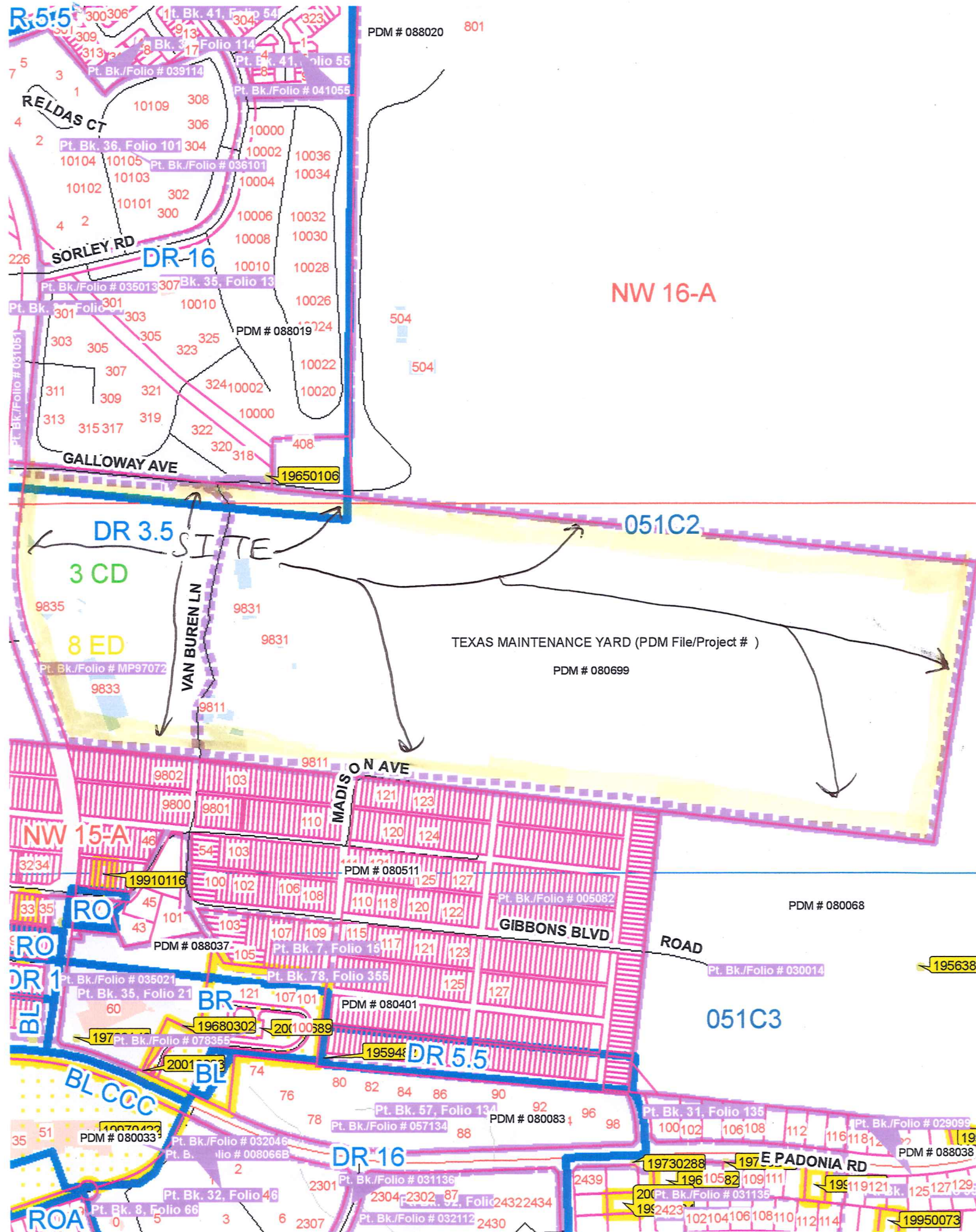
ELECTION DIST. NO.: 8

SHEET DESIGNATION	CONTRACT NUMBER
JOB ORDER NUMBER	
SHEET 1 OF 1	
DRAWING NUMBER	
FILE NO.:	

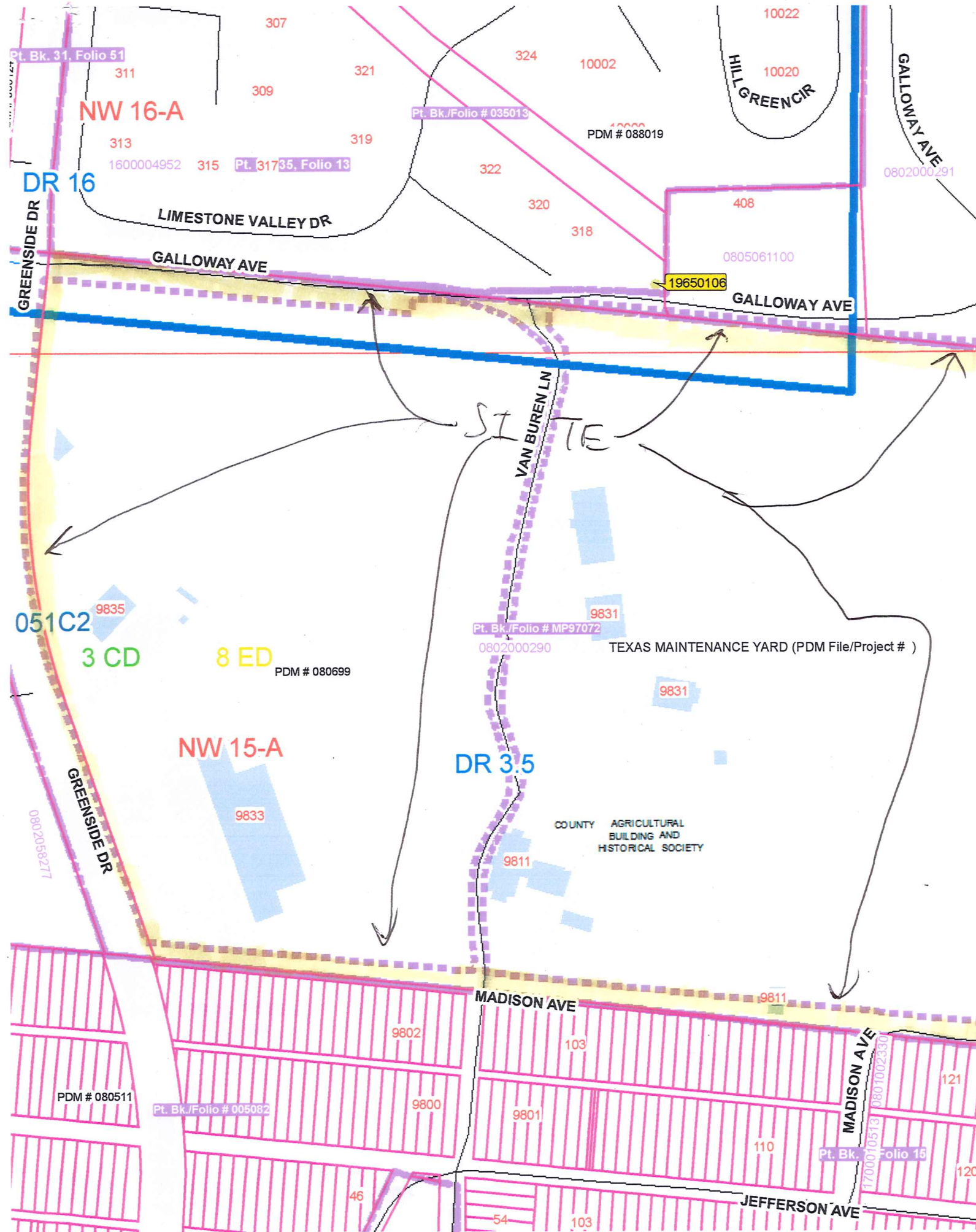
2012-0315-X

NOT FOR CONSTRUCTION

DWG. FILENAME:



2012-0315-K

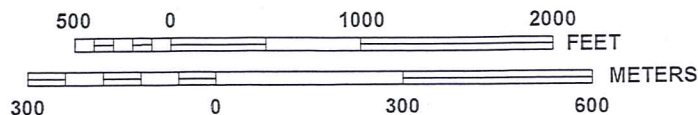


2012-0315-K

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



MAP SCALE 1" = 1000'



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0235F

FIRM

FLOOD INSURANCE RATE MAP

**BALTIMORE COUNTY
MARYLAND
UNINCORPORATED AREAS**

PANEL 235 OF 580

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

<u>COMMUNITY</u>	<u>NUMBER</u>	<u>PANEL</u>	<u>SUFFIX</u>
BALTIMORE COUNTY	240010	0235	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

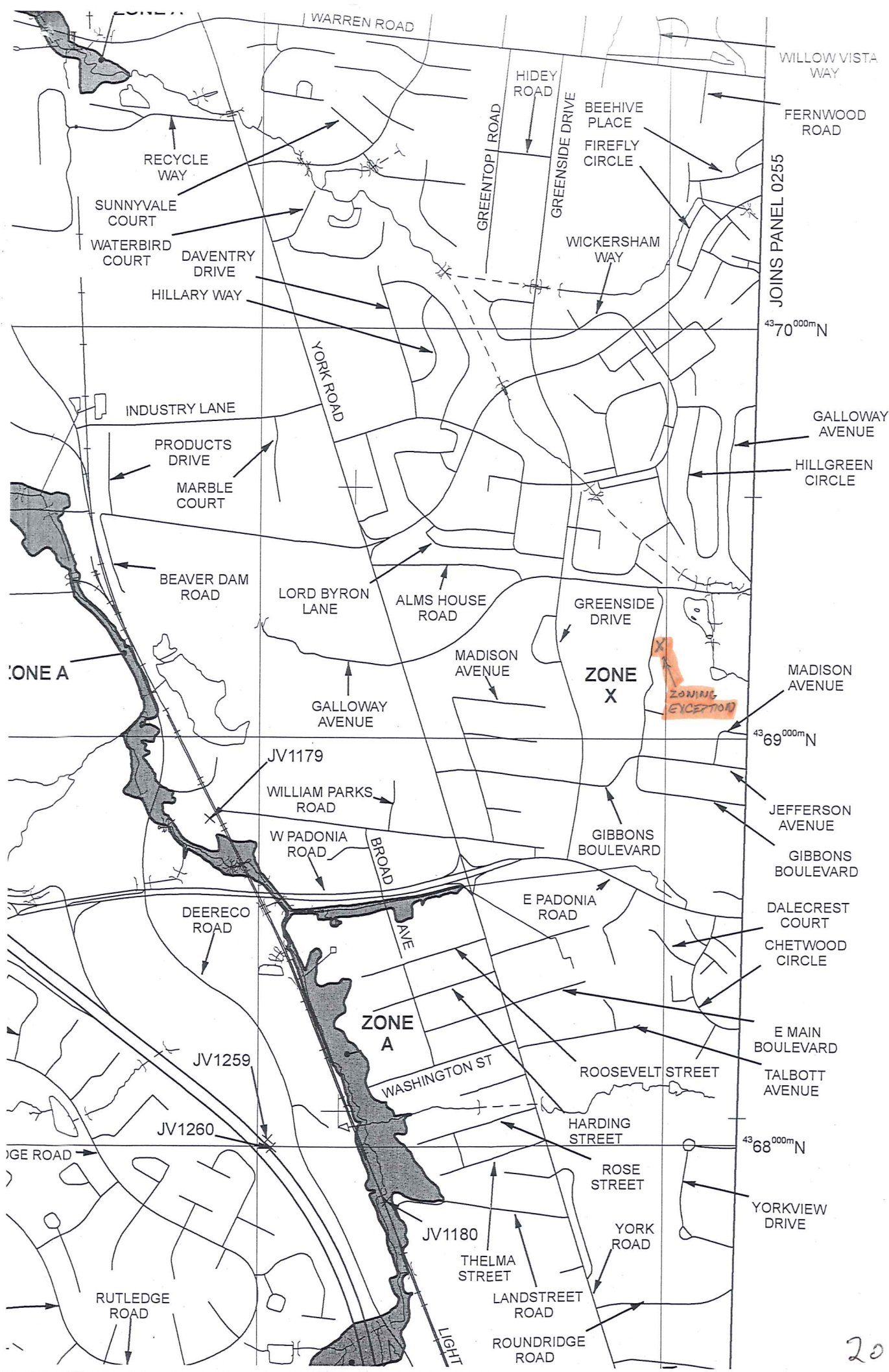


**MAP NUMBER
2400100235F**

**MAP REVISED
SEPTEMBER 26, 2008**

Federal Emergency Management Agency

2012-0315-X



2012-0315X