

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(3436 Lynne Haven Dr.)

2nd Election District

4th Councilmanic District

Crystal & Michael Barksdale

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0156-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by Crystal & Michael Barksdale, legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to approve a use permit for a Class A Group Child Care Center for a maximum of 12 children. The variance relief sought to permit a 4 ft. tall, chain link fence with a 0 ft. setback in lieu of the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft., respectively. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests were Crystal and Michael Barksdale. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

No substantive Zoning Advisory Committee (ZAC) comments were received from any County agencies.

ORDER RECEIVED FOR FILING

Date 3/14/13

By SD

The subject property is 6,720 square feet in size and is zoned DR 5.5. The property is improved with a single family dwelling, owned by the Petitioners for more than 20 years. Ms. Barksdale has been licensed to provide child care for over 16 years, and she would now like to expand from 8 to 12 children. To do so requires zoning relief, a predicate to the issuance of the appropriate state license.

Ms. Barksdale explained that she provides transportation for several of the children (pick up and drop off), and that parents will drop off children between 6:30- 7:15 a.m. The children are picked up at the end of the day between 5:30-6:00 p.m. Ms. Barksdale estimates that there will be a maximum of 5 vehicle round trips on a daily basis, and she said that her driveway and curbside on Lynne Haven Drive can easily accommodate the traffic. The Petitioners indicated they have good relationships with their neighbors, all of whom are supportive of the petitions. In addition, the Petitioners confirmed that there are no other child care facilities in the immediate vicinity of their home.

In light of the above, I will grant the petition for Special Hearing, and approve a use permit for a Class A group child care center at the subject property.

Based upon the testimony and evidence presented, I will also grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioners have met this test. The Petitioners must contend with existing site conditions, and they explained the chain link fence (which, like the exterior of the home, is well maintained) has been in place for over 20 years. Thus, the property is unique. The Petitioners

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Date 3/14/13

By Sen

expense to install a new fence, and (if they observed the setbacks in the regulations) would be left with a deficient, undersized play area for the children.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., 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 the public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing and Variance requests should be granted.

THEREFORE, IT IS ORDERED this 14th day of March 2013, by this Administrative Law Judge, that Petitioners' request for Special Hearing to approve a use Permit for a Class A Group Child Care Center for a maximum of 12 children, filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), be and is hereby GRANTED.

IT IS FURTHER ORDERED that Petitioners' Variance request from B.C.Z.R. § 424.1.B to permit a 4 ft. tall, chain link fence with a 0 ft. setback in lieu of the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft. respectively, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 3/14/13

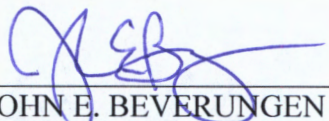
By Sen

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate 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.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 3/14/13

By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 14, 2013

Crystal and Michael Barksdale
3436 Lynne Haven Drive
Windsor Mill, Maryland 21244

RE: Petition for Special Hearing and Variance
Case No.: 2013-0156-SPHA
Property: 3436 Lynne Haven Drive

Dear Mr. and Ms. Barksdale:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c:



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 3436 Lynne Haven Dr. Windsor Mill which is presently zoned DR 5.5

Deed References: 30364/00270 10 Digit Tax Account # 021 24 01330

Property Owner(s) Printed Name(s) Crystal Barksdale and Michael Barksdale

(SELECT THE HEARING(S) BY MARKING ☒ 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 a use permit for a Class A Group Child Care Center for a maximum of 12 children
2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s) 424.1.B - to permit a 4-foot tall, chain-link fence with a 0-foot setback in lieu of the required 5 feet tall, solid wood stockade or panel fence and a minimum setback of 20 feet, respectively 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:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Crystal Barksdale / Michael Barksdale

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

3436 Lynne Haven Dr. Windsor Mill, MD

Mailing Address

City

State

21244
Zip Code

443-838-6856
Telephone #

barksdale714@gmail.com
Email Address

Representative to be contacted:

Crystal Barksdale

Name - Type or Print

Signature

3436 Lynne Haven Dr. Windsor Mill, MD

Mailing Address

City

State

21244
Zip Code

443-838-6856
Telephone #

barksdale714@gmail.com
Email Address

CASE NUMBER 2013-0156-SPHA

Filing Date 1/7/13

Do Not Schedule Dates: _____

Reviewer RDD

ZONING DESCRIPTION
3436 LYNNE HAVEN DRIVE

Beginning at a point on the northwest side of Lynne Haven Drive which has a 50-foot right-of-way at a distance of 190 feet (+/-) southwest of the centerline of the nearest improved intersecting street Brookhaven Road which also has a 50-foot right-of-way. Being Lot#25, Section #6 in the subdivision of Lynne Acres as recorded in Baltimore County Plat Book #26, Folio #25, containing 6720 square feet. Located in the 2nd Election District and 4th Council District.

Item # 0156

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2013-0156 SPHA

Petitioner: Crystal Barkdale

Address or Location: 3436 Lynne Haven Dr.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Crystal Barkdale

Address: 3436 Lynne Haven Dr.

Baltimore MD 21241

Telephone Number: 443-838-6856

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

No. **88924**
 Date: **1/7/13**

PAID RECEIPT

ADDRESS ACTUAL TIME REV
 1/07/2013 1/07/2013 12:05:32 5
 REG 0500 WALTON REGS LRB
 RECEIPT # 633374 1/07/2013 OFLM
 5 528 ZONING VERIFICATION
 168924
 Receipt Tot \$150.00
 \$1.00 CK \$150.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	206	0000		6130					150.00

Total: **150.00**

Rec From: **Crystal Barkdale**

For: **Class A Child Care**

2013-0156 SPHA

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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 here in as follows:

Case: #2013-0156-SPHA

4336 Lynne Haven Drive

NW 1/4 Lynne Haven Dr., 190 ft. (w/4) SW of centerline of Broadhaven Road

2nd Election District - 4th Councilmanic District

Legal Owners: Crystal & Michael Borkodale

Special Hearing: to approve a use for a Class A Group Child Care Center for a maximum of 12 children. Variance: to permit a 4 ft. tall, chain link fence with 0 ft. setback in lieu of the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft. respectively.

Hearing: Thursday, March 14, 2013 at 10:00 a.m. in room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are handicapped accessible, for special accommodations 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.

2/23/13 February 21

005732



501 N. Calvert Street, Baltimore, MD 21278

March 14, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on February 21, 2013.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0156-SPHA

3436 Lynne Haven Drive

NW/s Lynne Haven Dr., 190 ft. (+/-) SW of centerline of Brookhaven Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Crystal & Michael Barksdale

Special Hearing: to approve a use for a Class A Group Child Care Center for a maximum of 12 children. **Variance:** to ~~permit a 4 ft. tall, chain link fence with a 4 ft. setback in lieu of~~ the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft. respectively.

Hearing: Thursday, March 14, 2013 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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2/238 February 21 905732



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- ☐ NE Booster/Reporter
- ☐ North County News

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

Letter of Transmittal

William D. Gulick, Jr.

Consultant to Land Development and Industry

Commercial and Residential

2944 Edgewood Avenue

Baltimore, MD 21234

Phone - 410-530-6293

E-mail - wdgjr@comcast.net

To: Balto. Co. PAI, Zoning office, Attn.: Ms. Kristen Lewis

We Are Sending You: ☒ Attached ☐ Under separate cover the following items:

☐ Copy of Letter ☒ Prints ☒ Documents ☐ Other

No. of Copies Date Description

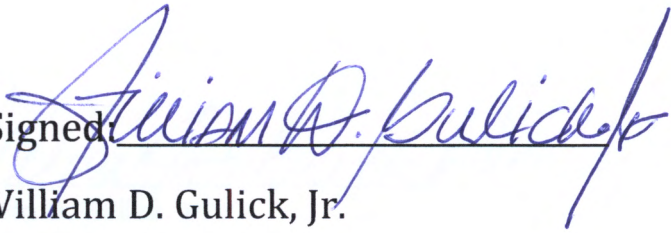
1	Feb. 21, 2013	Certificate Of Posting
2	Feb. 21, 2013	Site Photos

Transmittals are as checked below:

☐ For approval ☒ For your use ☐ As requested ☐ For review & content

Project: 2013-0156-SPHA

Remarks: 3436 Lynne Haven Drive

Signed: 

William D. Gulick, Jr.

Project Manager

Case No.: 2013-0156-SPHA

Exhibit Sheet

DD
A-16-13

SW
3-14-13

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

M E M O R A N D U M

DATE: April 16, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0156-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on April 15, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>1/30/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NO/C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>1/24/13</u>	STATE HIGHWAY ADMINISTRATION	<u>NO Obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING	Date: <u>2/21/13</u>	by <u>Julia</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

**THE BALTIMORE SUN
MEDIA GROUP**

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001

LEGAL ADVERTISING DEPTMENT

Fax: 410-332-6446

E-Mail: legals@patuxent.com

E-Mail: acgislegals@tribune.com

Susan Wilkinson: 410-332-6132
Ellen Harris: 410-332-6157
Pamela Masley: 410-332-6234
Joanne Wernick: 410-332-6295
Kathy Conahan: 410-332-6406
Sue Thomas: 410-332-6657
Jessica Dorsey: 410-332-6356

410 887 3468

DATE: 3-14-13

OF PAGES (INCLUDING COVER): 2

TO: Sherry

FROM: Ellen @ The Jeffersonian

Sherry,

Hi - Here is a
copy of the certificate of
publication that you requested
through Kristin @ the zoning
office.

Thanks!
Ellen

Maryland Department of Assessments and Taxation
Real Property Data Search (vw2.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 02 Account Number - 0212401330

Owner Information			
Owner Name:	WASHINGTON ATDELIUS MARJORIE BARSDALE CRYSTAL/MICHAEL	Use:	RESIDENTIAL
Mailing Address:	3436 LYNNE HAVEN DRIVE BALTIMORE MD 21244-3656	Principal Residence:	YES
		Deed Reference:	1) /30364/ 00270 2)

Location & Structure Information	
Premises Address 3436 LYNNE HAVEN DR 0-0000	Legal Description LYNNE ACRES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0077	0024	0467		0000	6		25	1	Plat Ref: 0026/ 0025

Special Tax Areas	Town Ad Valorem Tax Class	NONE
--------------------------	--	------

Primary Structure Built 1960	Enclosed Area 1,718 SF	Property Land Area 6,720 SF	County Use 04
Stories 2.000000	Basement NO	Type SPLIT LEVEL SIDING	Exterior

Value Information				
	Base Value	Value	Phase-in Assessments	
		As Of 01/01/2013	As Of 07/01/2012	As Of 07/01/2013
Land	75,700	56,900		
Improvements:	100,300	91,700		
Total:	176,000	148,600	176,000	148,600
Preferential Land:	0			0

Transfer Information				
Seller:	WASHINGTON ATDELIUS MARJORIE	Date:	01/11/2011	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/30364/ 00270	Deed2:
Seller:	WASHINGTON ALPHONSO	Date:	12/09/1992	Price: \$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/09499/ 00070	Deed2:
Seller:	JORDAN RANDOLPH MICHAEL	Date:	06/13/1986	Price: \$74,900
Type:	ARMS LENGTH IMPROVED	Deed1:	/07195/ 00323	Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

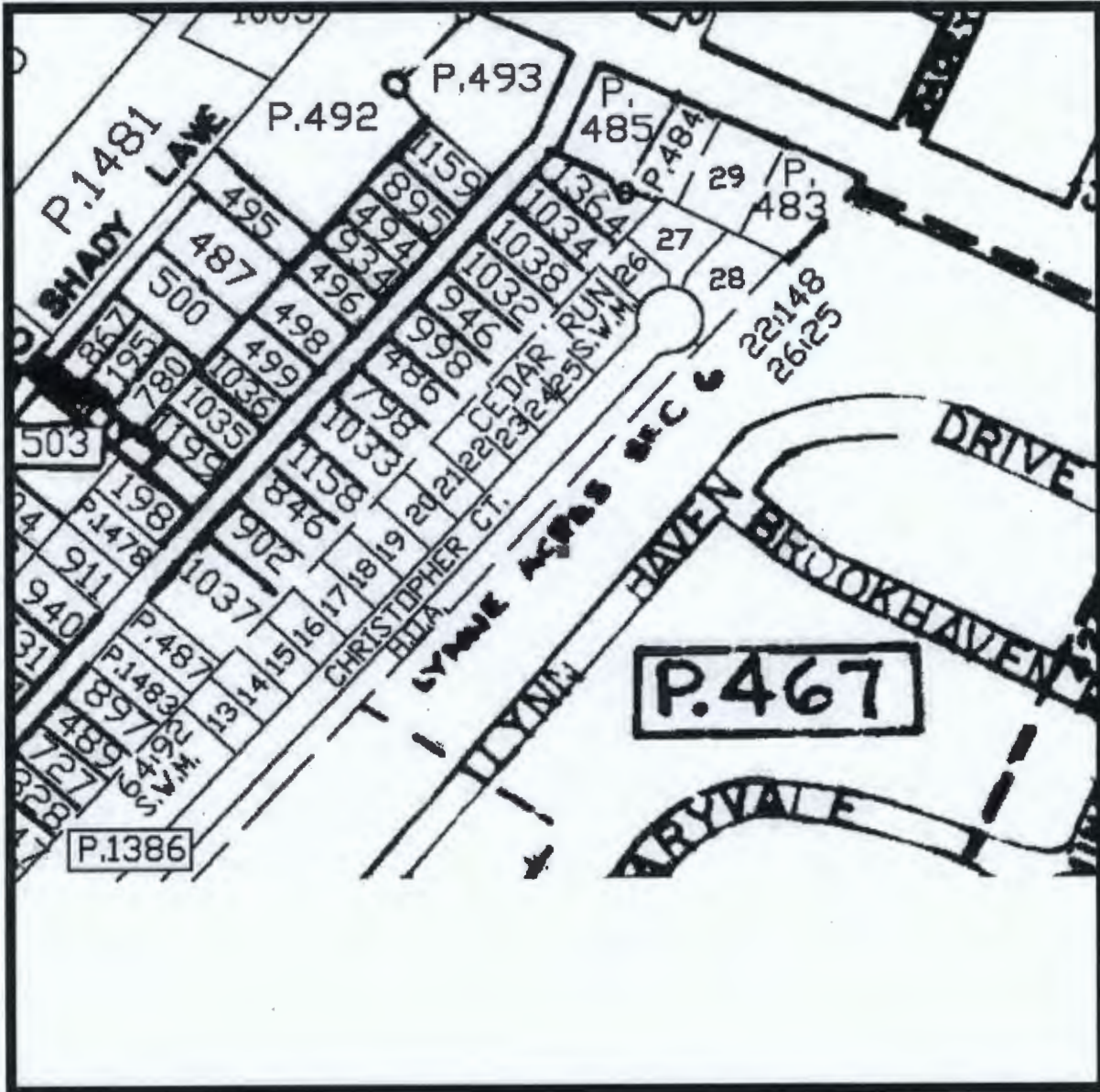
Homestead Application Information	
Homestead Application Status:	Approved 04/13/2010



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

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

District - 02 Account Number - 0212401330



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.



KEVIN KAMENETZ
County Executive

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

March 6, 2013

Crystal & Michael Barksdale
3436 Lynne Haven Drive
Windsor Mill MD 21244

RE: Case Number: 2013-0156 SPHA, Address: 3436 Lynne Haven Drive

Dear Mr. & Ms. Barksdale:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 7, 2013. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel



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

Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-24-13

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

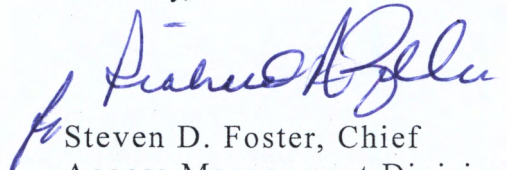
RE: Baltimore County
Item No. 2013-0156-SPHA
Crystal & Michael Barksdale
3436 Lynne Haven Drive
Special Hearing Variance

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. 2013-0156-SPHA.

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: January 30, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For January 28, 2013
Item Nos. 2013-0151,0153,0154,0156,0157,0158,0159,0160,0161,0162,
0163,0164,0165,0166,0167,0168,0169, and 0172.

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

DAK:CEN
Cc: file



KEVIN KAMENETZ
County Executive

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

February 12, 2013

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: 2013-0156-SPHA

3436 Lynne Haven Drive

NW/s Lynne Haven Dr., 190 ft. (+/-) SW of centerline of Brookhaven Road

2nd Election District – 4th Councilmanic District

Legal Owners: Crystal & Michael Barksdale

Special Hearing to approve a use for a Class A Group Child Care Center for a maximum of 12 children. Variance to permit a 4 ft. tall, chain link fence with 0 ft. setback in lieu of the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft. respectively.

Hearing: Thursday, March 14, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Barksdale, 3436 Lynne Haven Drive, Windsor Mill 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, FEBRUARY 22, 2013.**
- (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
Thursday, February 21, 2013 Issue - Jeffersonian

Please forward billing to:
Crystal Barksdale
3436 Lynne Haven Drive
Windsor Mill, MD 21244

443-838-6856

NOTICE OF ZONING HEARING

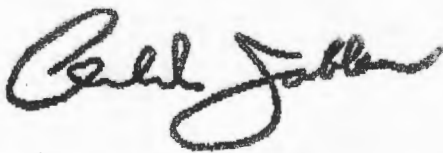
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CASE NUMBER: 2013-0156-SPHA

3436 Lynne Haven Drive
NW/s Lynne Haven Dr., 190 ft. (+/-) SW of centerline of Brookhaven Road
2nd Election District – 4th Councilmanic District
Legal Owners: Crystal & Michael Barksdale

Special Hearing to approve a use for a Class A Group Child Care Center for a maximum of 12 children. Variance to permit a 4 ft. tall, chain link fence with 0 ft. setback in lieu of the required 5 ft. tall solid wood stockade or panel fence and a minimum setback of 20 ft. respectively.

Hearing: Thursday, March 14, 2013 at 10:00 a.m. in Room 205, Jefferson Building,
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 HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
3436 Lynne Haven Drive; NW/S Lynne	*	OF ADMINISTRATIVE
Haven Drive, 190' SW Brookhaven Road		
2 nd Election & 4 TH Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Crystal & Michael Barksdale	*	BALTIMORE COUNTY
Petitioner(s)		
	*	2013-156-SPHA

* * * * *

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 24th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Crystal Barksdale, 3436 Lynne Haven Drive, Windsor Mill, Maryland 21244, Representative for Petitioner(s).

RECEIVED

JAN 24 2013

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 02 Account Number - 0212401330

Owner Information

Owner Name: WASHINGTON ATDELIUS MARJORIE
BARSDALE CRYSTAL/MICHAEL
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 3436 LYNNE HAVEN DRIVE
BALTIMORE MD 21244-3656
Deed Reference: 1) /30364/ 00270
2)

Location & Structure Information

Premises Address 3436 LYNNE HAVEN DR
0-0000
Legal Description
LYNNE ACRES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0077	0024	0467		0000	6		25	1	
									Plat Ref: 0026/ 0025

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1960	1,718 SF	6,720 SF	04

Stories	Basement	Type	Exterior
2.000000	NO	SPLIT LEVEL	SIDING

Value Information

	Base Value	Value		Phase-in Assessments	
		As Of 01/01/2013	As Of 07/01/2012	As Of 07/01/2013	
Land	75,700	56,900			
Improvements:	100,300	91,700			
Total:	176,000	148,600	176,000	148,600	
Preferential Land:	0			0	

Transfer Information

Seller:	Date:	Price:
WASHINGTON ATDELIUS MARJORIE	01/11/2011	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /30364/ 00270	Deed2:
WASHINGTON ALPHONSO	12/09/1992	\$0
Type: NON-ARMS LENGTH OTHER	Deed1: /09499/ 00070	Deed2:
JORDAN RANDOLPH MICHAEL	06/13/1986	\$74,900
Type: ARMS LENGTH IMPROVED	Deed1: /07195/ 00323	Deed2:

Exemption Information

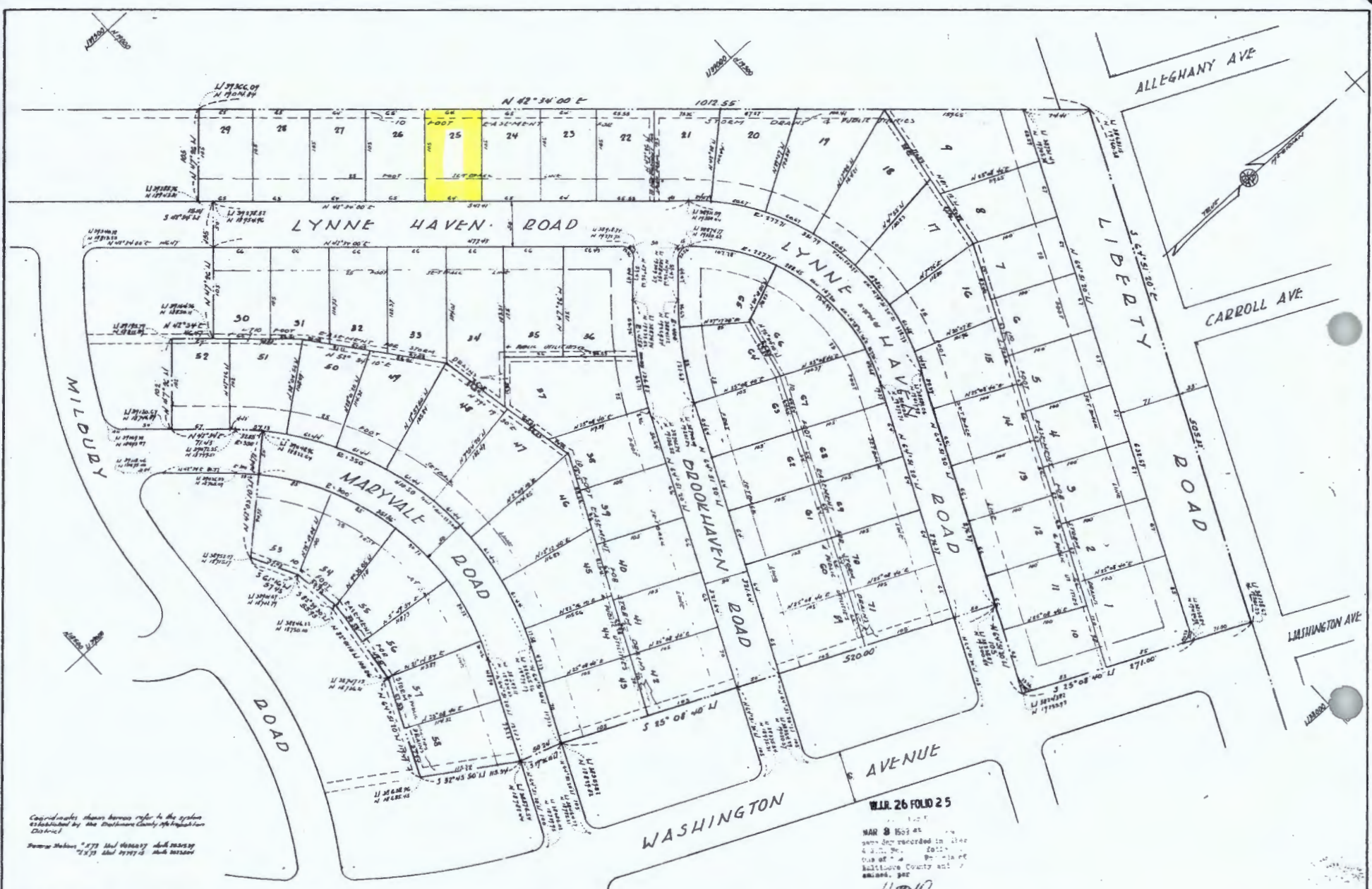
Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class: **Special Tax Recapture:** NONE

Homestead Application Information

Homestead Application Status: Approved 04/13/2010

Item # 0156



Capitol markers shown herein refer to the system established by the Baltimore County Office of Planning and Development.

Source: Nelson, "Aerial Map of Baltimore County, Maryland," 1977.

APPROVED AS TO ALIGNMENT & LOCATION OF STREETS
William H. D. Weather

APPROVED BALTIMORE COUNTY PLANNING BOARD
Robert L. Dwyer

APPROVED BALTIMORE COUNTY HEALTH OFFICE
William H. D. Weather

PREPARED BY: *William H. D. Weather*
DATE: *1-16-77*

The streets and/or roads as shown herein and the easements thereof are shown for the purpose of description only and the same are not intended to be construed as a public use. The fee simple title to the land shown is not intended to be transferred to the State of Maryland.

SECTION C
"LYNNE ACRES"
BALTIMORE COUNTY, MARYLAND
SECTION C-2
THE LYNNE REALTY CO.
2001 LILLYMAN AVE.
BALTIMORE, MARYLAND

W.L.R. 26 FOLIO 25
MAR 9 1977
RECORDED IN THE
BALTIMORE COUNTY AND
MONTGOMERY COUNTY
CLERK'S OFFICE

ENGINEER'S & SURVEYOR'S CERTIFICATE
Certification is hereby made that all the requirements of the
Annotated Code of the State of Maryland, 1977, Chapter 100, § 100-10, and
Article 17, 1977 Supplement, have been complied with in the
preparation of this plan.

THE LYNNE REALTY CO.
Henry F. Collins
Robert L. Dwyer

SEAL: F-50 JANUARY 14, 1977
W. LLOYD LULLACE - LAND SURVEYOR
3103 W. HANCOCK - BALTIMORE, MD
REG. NO. 63

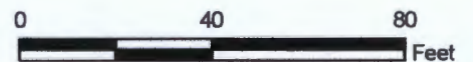
MSA 25-1036-2026

Item #0156

3436 Lynne Haven Drive



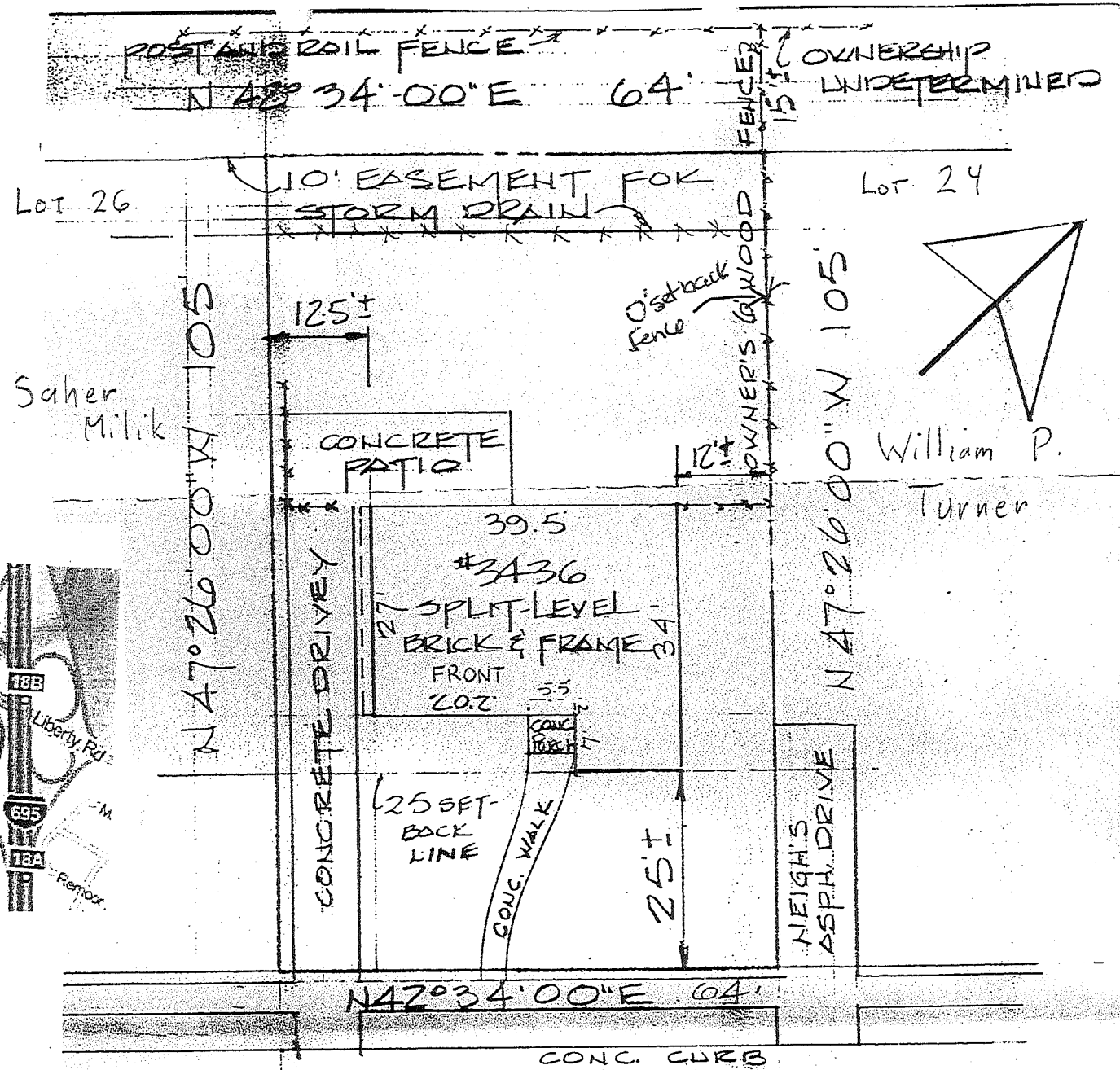
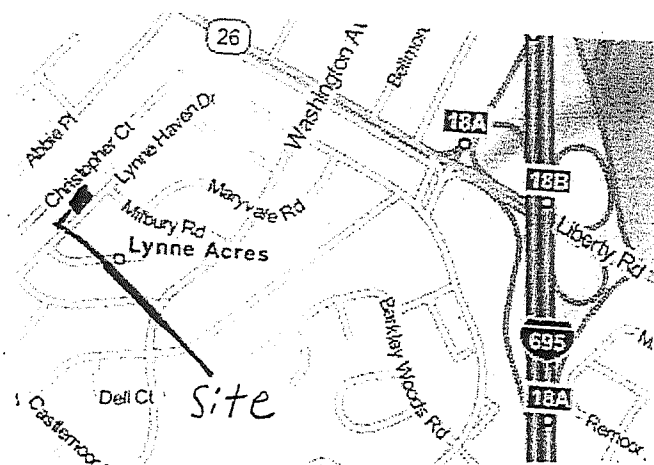
Publication Date: January 04, 2013
 Publication Agency: Permits, Approvals and Inspections
 Projection/Datum: Maryland State Plane,
 FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

Item #0156

SITE VICINITY MAP



PL



MAP IS NOT TO SCALE

ZONING MAP# 077C3

SITE ZONED DR 5.5ELECTION DISTRICT 2

COUNCIL DISTRICT 41

LOT AREA ACREAGE _____

OR SQUARE FEET 6,720

HISTORIC? NO

IN CBGA? NO

IN FLOOD PLAIN ? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC ☒ PRIVATE ☐

SEWER 2.

PUBLIC ☒ PRIVATE ☐

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

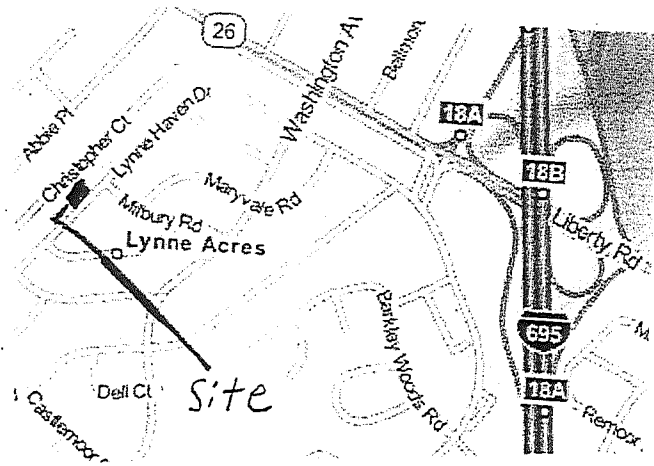
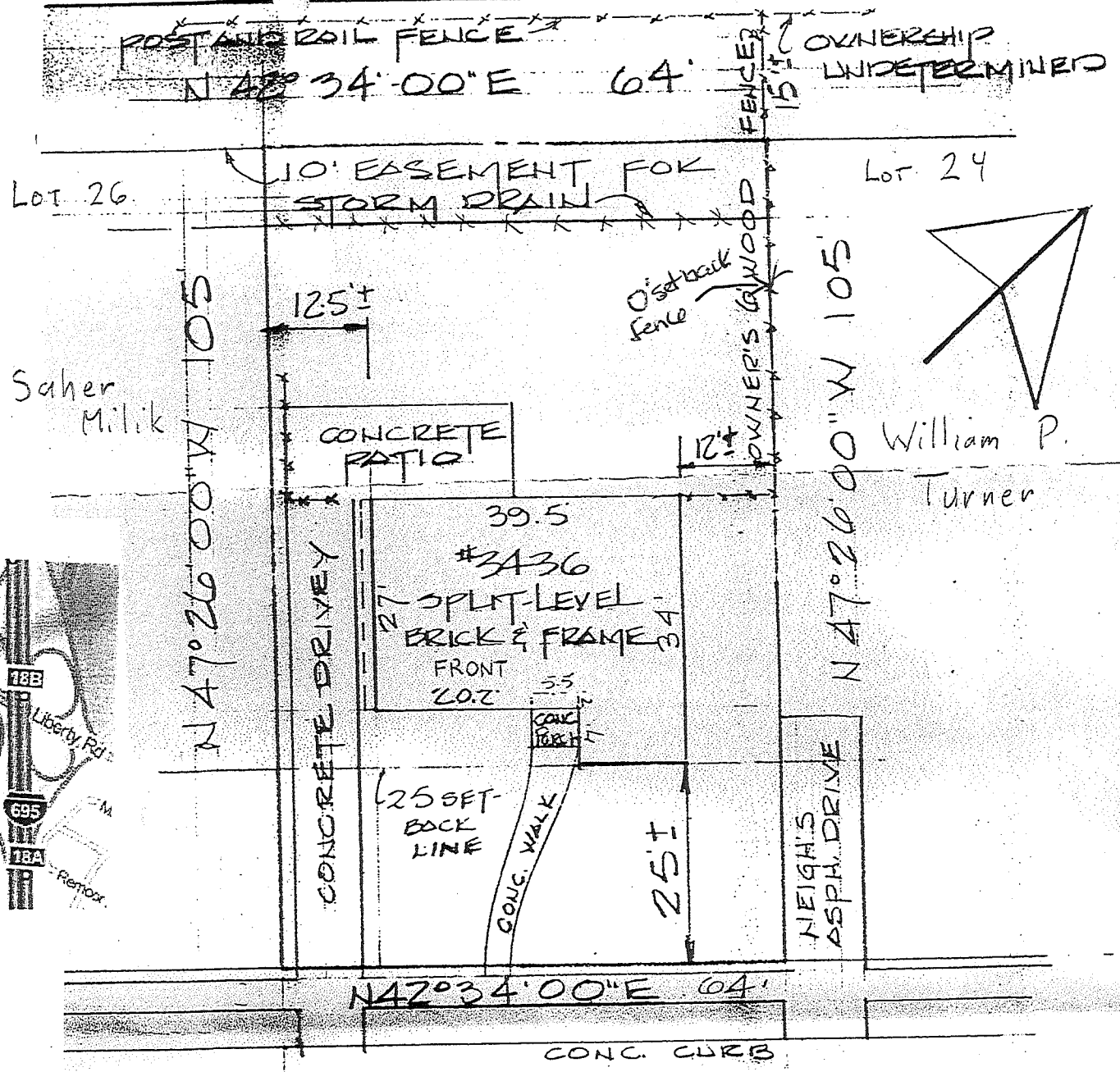
X/13

VIOLATION CASE INFO:

MA

PLAN DRAWN BY Crystal Barksdale DATE 1/7/13 SCALE: 1 INCH = 20 FEET

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING X (MARK TYPE REQUESTED WITH X)
 ADDRESS 3436 Lynne Haven Dr. OWNER(S) NAME(S) Atadelius Washington Crystal Michael Barksdale
 SUBDIVISION NAME Lynne Acres LOT # 25 BLOCK # SECTION # 6
 PLAT BOOK # 26 FOLIO # 25 10 DIGIT TAX # 0212401330 DEED REF. # 00303/64270



SITE VICINITY MAP

N



MAP IS NOT TO SCALE

ZONING MAP# 077C3
 SITE ZONED DR 5.5
 ELECTION DISTRICT 2
 COUNCIL DISTRICT 4
 LOT AREA ACREAGE
 OR SQUARE FEET 6,720
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC X PRIVATE
 SEWER IS:
 PUBLIC X PRIVATE
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

X/A

VIOLATION CASE INFO:

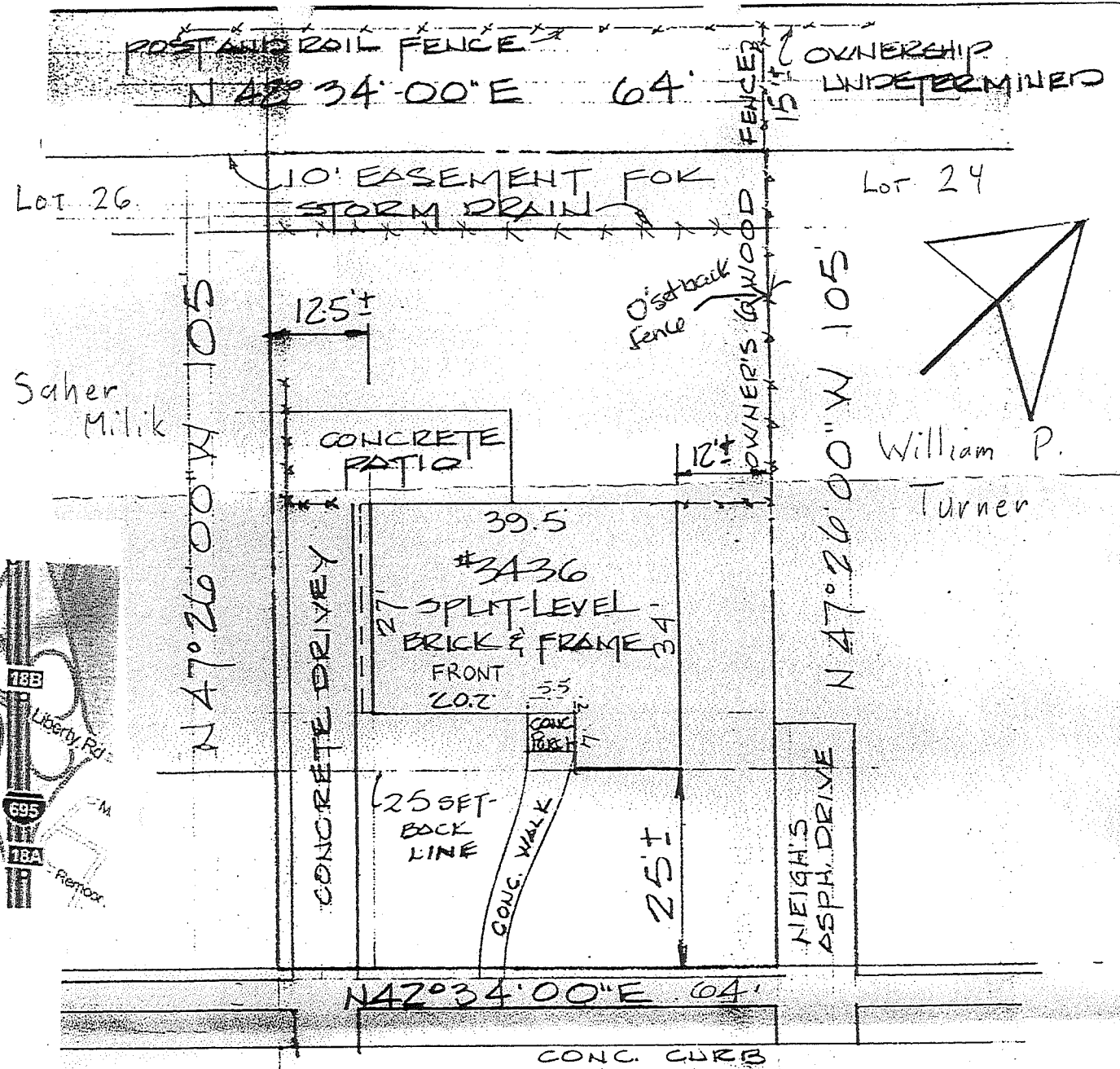
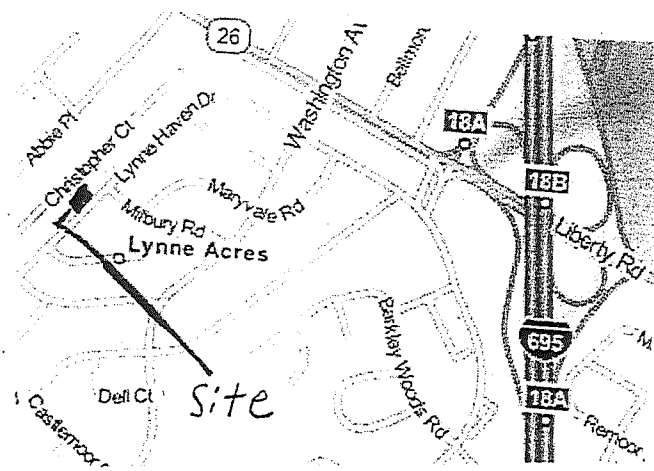
N/A

Handwritten signature/initials

2013-0156-SPHA

PLAN DRAWN BY Crystal Barksdale DATE 1/7/13 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



A

MAP IS NOT TO SCALE

AND ORDER RESULT BELOW

X/K

VIOLATION CASE INFO:



PLAN DRAWN BY Crystal Barksdale DATE 1/7/13 SCALE: 1 INCH = 20 FEET

2013-0156 BOHA