

MEMORANDUM

DATE: September 6, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0271-A - Appeal Period Expired

The appeal period for the above-referenced case expired on September 4, 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

IN RE: PETITION FOR VARIANCE
(3933 Chaffey Road)
2nd Election District
4th Councilmanic District
Lynn Breedlove
Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2013-0271-A**

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner of the property, Lynn Breedlove, for property located at 3933 Chaffey Road. The Variance request is from Section 432A.1.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit a proposed parking space for an assisted living facility with a 2' setback in lieu of the required 10', and; (2) to permit parking in the front yard in lieu of the required side or rear yard. The subject property and requested relief are more particularly described on the plan marked as Petitioner's Exhibit 1.

This matter was originally filed as an Administrative Variance, with a closing date of June 10, 2013. On June 12, 2013, Administrative Law Judge Lawrence M. Stahl requested a formal hearing on this matter. The hearing was subsequently scheduled for Thursday, August 1, 2013 at 10:00 AM in Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. 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 Zoning Advisory Committee (ZAC) comments received.

ORDER RECEIVED FOR FILING

Date 8-5-13

By DW

Appearing at the public hearing in support for this case was Lynn Breedlove. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. In fact, the adjoining neighbors at 3931 and 3935 Chaffey Road submitted letters supporting the Petitioner.

Testimony and evidence revealed that the subject property is approximately 6,875 square feet and is zoned DR 5.5. The property is improved with a single family dwelling (1,500 s.f.), and the Petitioner bought the house in 1991 and now resides in the basement. The Petitioner testified she now cares for her mother and aunt, both of whom are infirm and reside at the home. The Petitioner has one additional bedroom in the home, and proposed to accommodate two assisted living patients. The Petitioner testified she received state licensure in April 2012, and that the property was inspected and approved by the County's fire department.

Based upon the testimony and evidence presented, I will 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 Petitioner has met this test. As shown on the site plan, the property is of irregular dimensions and is thus unique.

The Petitioner would experience a practical difficulty if the regulations were strictly enforced, since she would be unable to operate an assisted living facility. In addition, the grant of relief will not be injurious to the public's health, safety and welfare.

ORDER RECEIVED FOR FILING

Date 8-5-13

By LDW

In addition and as noted above, adjoining neighbors at 3935 Chaffey Road (Robert A. Brown, Jr) and 3931 Chaffey Road (Sharon Davis-Gardner) submitted a letter stating they did not object to the proposed assisted living facility. Exhibit 2.

Pursuant to the advertisement, posting of the property, and public hearing on this petition, and after considering the testimony and evidence, I find that Petitioner's variance request should be granted.

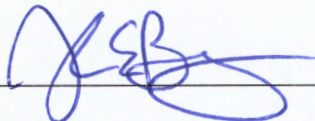
THEREFORE, IT IS ORDERED, this 5th day of August, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Variance from § 432A.1.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R."): (1) to permit a proposed parking space for an assisted living facility with a 2' setback in lieu of the required 10'; and (2) to permit parking in the front yard in lieu of the required side or rear yard, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The relief granted herein pertains to the parking requirements for assisted living facilities. The Petitioner must obtain all required licenses, permits and approvals required by State and County authorities prior to operating the proposed facility.

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

JEB:slm



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date 8-5-13

By slm



KEVIN KAMENETZ
County Executive

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

August 5, 2013

Lynn Breedlove
3933 Chaffey Road
Randallstown, Maryland 21133

RE: Petitions for Variance
Case No.: 2013-0271-A
Property: 3933 Chaffey Road

Dear Mrs. Breedlove:

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.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c:

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: June 12, 2013

TO: Kristen Lewis, Office of Zoning Review
Dept. of Permits, Approvals and Inspections

FROM: Debbie Wiley 
Office of Administrative Hearings

RE: Petition for Administrative Variance – Closing: 06/05/13
Case No. 2013-0271-A – 3933 Chaffey Road

After a review of the above-captioned case file, Judge Lawrence M. Stahl has determined that this case shall be set in for a public hearing. This is partially due to a comment received from People's Counsel.

We are returning the file to you for further processing, i.e., notifying the Petitioners, posting of the hearing notice, advertising, etc.

Thank you for your attention and cooperation in this matter.

c: Case File
June Fisher, Zoning Review Office
People's Counsel

Debra Wiley - IO-2013-0271-AV hearing needed - assisted living facility inapprop for AV.doc

From: Debra Wiley
To: Lewis, Kristen
Date: 6/12/2013 12:49 PM
Subject: IO-2013-0271-AV hearing needed - assisted living facility inapprop for AV.doc
CC: Fisher, June; Wheatley, Rebecca
Attachments: IO-2013-0271-AV hearing needed assisted living facility inapprop for AV.doc

Hi Kristen,

Please find attached correspondence relating to a formal demand in reference to the above by Judge Stahl.
Thanks in advance for your cooperation.

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

Debra Wiley - Lynn Breedlove, 3933 Chaffey Road, Case No.: 2013-271-A

From: People's Counsel

To: Wiley, Debra

Date: 6/5/2013 11:27 AM

Subject: Lynn Breedlove, 3933 Chaffey Road, Case No.: 2013-271-A

Ms. Wiley,

Per your request, we are writing this email to let you know our office believes this case warrants a formal hearing because it involves an assisted living facility.

Thank you for your consideration.

Rebecca M. Wheatley
Legal Secretary
Office of the People's Counsel for Baltimore County
410-887-2188 Phone
410-823-4236 Fax



ADMINISTRATIVE ZONING PETITION

FOR ADMINISTRATIVE VARIANCE - OR - ADMINISTRATIVE SPECIAL HEARING

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 3933 Chaffey Road which is presently zoned DR 5.5

Deed Reference 08779 00536 10 Digit Tax Account # 0219850560

Property Owner(s) Printed Name(s) Lynn P. Breedlove

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

Administrative Variances require that the Affidavit on the reverse of this Petition Form be completed / notarized.

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

1. ☒ ADMINISTRATIVE VARIANCE from section(s) 432A.1.C.1 BCZR To permit a proposed parking space for an assisted living facility with a 25' set back in lieu of the required 10 feet, and permit parking in the front yard in lieu of the required side of rear yard.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

2. ☐ ADMINISTRATIVE SPECIAL HEARING to approve a waiver pursuant to Sections 32-4-107(b), 32-4-223.(8), and Section 32-4- 416(a)(2): (indicate type of work in this space to raze, alter or construct addition to building)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County.

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:

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

A PUBLIC HEARING having formally demanded and/or found to be required, it is ordered by the Office of Administrative Law, of Baltimore County, this 15 day of May, 2013, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Administrative Law Judge of Baltimore County

CASE NUMBER 2013-0271-A Filing Date 5/15/13 Estimated Posting Date 5/26/13 Reviewer G.H.

Affidavit in Support of Administrative Variance

(THIS AFFIDAVIT IS NOT REQUIRED FOR AN HISTORIC ADMINISTRATIVE SPECIAL HEARING)

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

That the property is not under an active zoning violation citation and Affiant(s) is/are the resident home owner(s) of this residential lot, or is/are the contract purchaser(s) of this residential lot, who will, upon purchase, reside at the existing dwelling on said property located at:

Address:

Print or Type Address of property

City

State

Zip Code

Based upon personal knowledge, the following are the facts which I/we base the request for an Administrative Variance at the above address. (Clearly state practical difficulty or hardship here)

See Attached

(If additional space for the petition request or the above statement is needed, label and attach it to this Form)

Lynn Breedlove

Signature of Affiant

Lynn Breedlove

Name- Print or Type

Signature of Affiant

Name- Print or Type

The following information is to be completed by a Notary Public of the State of Maryland

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of May, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) (Print name(s) here)

AS WITNESS my hand and Notaries Seal

Lynn W. Stueb
Notary Public

My Commission Expires 11/19/13

3933 Chaffey Road
Randallstown, Maryland 21133

Based upon personal knowledge, the following are the facts which I base the request for an Administrative Variance at the above address.

- The house is a semi detached house in the middle of the block.
- There is no alley or street located behind the house.
- Located behind the back yard is a small grass path and the back of the house on the next street over.
- I have a large closed in deck, and my neighbor to the right of the house also has a deck. Therefore there is no way to extend the driveway behind the house.
- I have had the current driveway extended to twenty feet to accommodate four cars.

Lynn P. Breedlove

lynnlovebee@aol.com

410-9223791

2013-0271-A

Zoning Property Description For 3933 Chaffey Road.

***Beginning at a point on the east side of Chaffey Road, which has a right-of-way width of 60 feet, at a distance of 340 feet (+\-) north of the centerline of the nearest improved interesting street, Sonya Road, which has a right-a way width of 50 feet.**

Being Lot #43, Block H, Section #1, in the subdivision of Stoneybrook North as recorded in Baltimore County Plat Book #30, Folio #56, containing 6715 square feet. Located in the 2nd Election District, and 4th Council District.

Lynn P. Breedlove

lynnlovebee@aol.com

410-922-3791

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2013- 0271 -A Address 3933 Chaffey RD

Contact Person: Gary Huck Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5/13/13 Posting Date: 5/26/13 Closing Date: 6/10/13

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

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

(Detach Along Dotted Line)

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

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 2013- 0271 -A Address 3933 Chaffey RD
Petitioner's Name Lynn Breedlove Telephone 410-922-3791
Posting Date: 5/26/13 Closing Date: 6/10/13
Wording for Sign: To Permit a proposed parking space for assisted living facility with a 2 foot set back in lieu of the required 10 feet, and permit parking in the front yard in lieu of the required side or rear yard.

Revised 7/06/11

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

No. 098429

Date:

5/15/13

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept Obj	BS Acct	Amount
				Source/	Rev/			
001	806	0000		615				75.00

Total:

75.00

Rec

From:

Lynn Speedlove

For:

2013-0271-A

Administrative Expense

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 05/24/2013

Case Number: 2013-0271-A

Petitioner / Developer: LYNN BREEDLOVE

Date of Hearing (Closing): JUNE 10, 2013

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
3933 CHAFFEY ROAD

The sign(s) were posted on: MAY 24, 2013



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 07/14/2013

Case Number: 2013-0217-A

Petitioner / Developer: LYNN BREEDLOVE

Date of Hearing (Closing): AUGUST 1, 2013

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
3933 CHAFFEY ROAD

The sign(s) were posted on: JULY 12, 2013



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

July 11, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on July 11, 2013

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

THE BALTIMORE SUN MEDIA GROUP

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: #2013-0271-A

3933 Chaffey Road

E/side of Chaffey Road, 340 ft. +/- North of centerline of Sonya Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Lynn Breedlove

Variance: to permit a proposed parking space for an assisted living facility with a 2 ft. setback in lieu of the required 10 ft. and permit parking in the front yard in lieu of the required rear yard.

Hearing: Thursday, August 1, 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 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.
7/15/13 July 11 933152



KEVIN KAMENETZ
County Executive

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

June 18, 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: 2013-0271-A

3933 Chaffey Road

E/side of Chaffey Road, 340 ft. +/- North of centerline of Sonya Road

2nd Election District – 4th Councilmanic District

Legal Owners: Lynn Breedlove

Variance to permit a proposed parking space for an assisted living facility with a 2 ft. setback in lieu of the required 10 ft. and permit parking in the front yard in lieu of the required rear yard.

Hearing: Thursday, August 1, 2013 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", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Lynn Breedlove, 3933 Chaffey Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 12, 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, July 11, 2013 Issue - Jeffersonian

Please forward billing to:

Lynn Breedlove
3933 Chaffey Road
Randallstown, MD 21133

410-922-3791

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2013-0271-A

3933 Chaffey Road

E/side of Chaffey Road, 340 ft. +/- North of centerline of Sonya Road

2nd Election District – 4th Councilmanic District

Legal Owners: Lynn Breedlove

Variance to permit a proposed parking space for an assisted living facility with a 2 ft. setback in lieu of the required 10 ft. and permit parking in the front yard in lieu of the required rear yard.

Hearing: Thursday, August 1, 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 ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR ADMINSTRATIVE VARIANCE
3933 Chaffey Road; E/S Chaffey Road,
340' N c/line of Sonya Road
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Lynn Breedlove
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-271-A

* * * * *

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

RECEIVED

JUN 05 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of June, 2013, a copy of the foregoing Entry of Appearance was mailed to Lynn Breedlove, 3933 Chaffey Road, Randallstown, Maryland 21133, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

8/11 10am
CASE NO. 2013- 0271-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>5/24/13</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>6/16/13</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>5/22/13</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: 7/11/13

SIGN POSTING Date: 7/12/13 by O'heefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any:

Support letters from neighbors at 3935 E 3931 Chaffey Rd



KEVIN KAMENETZ
County Executive

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

June 10, 2013

Lynn Breedlove
3933 Chaffey Road
Randallstown MD 21133

RE: Case Number: 2013-0271 A, Address: 3933 Chaffey Road

Dear Ms. Breedlove:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 15, 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

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: June 6, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0271-A
Address 3933 Chaffey Road
(Breedlove Property)

Zoning Advisory Committee Meeting of May 20, 2013.

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

Reviewer: *Jeff Livingston – Development Coordination*

RECEIVED

JUN 06 2013

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 24, 2013

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

SUBJECT: Zoning Advisory Committee Meeting
For May 27, 2013
Item Nos. 2013- 0262, 0267, 0268, 0270 and 0271.

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

DAK:CEN
Cc: file

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5-22-13

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

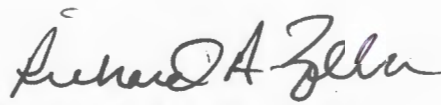
RE: Baltimore County
Item No 2013-0271-A,
Administrative Variance
Lynn Breedlove
3933 Chaffey Road

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. 2013-0271-A.

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

Message Id: 51B8A68C.5C2 : 38 : 53259
Subject: IO-2013-0271-AV hearing needed - assisted living facility inapprop for AV.doc
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 6/12/2013 12:49 PM
From: Debra Wiley

Recipients

Recipient	Action	Date & Time	Comment
 COB_PO.COB_DOM	Delivered	6/12/2013 12:49 PM	
CC: June Fisher (jafisher@baltimorecountymd.gov)			
To: Kristen Lewis (klewis@baltimorecountymd.gov)			
 OCH_PO.OCH_DOM	Delivered	6/12/2013 12:49 PM	
CC: Rebecca Wheatley (rwheatley@baltimorecountymd.gov)			

Post Offices

Post Office	Delivered	Route
COB_PO.COB_DOM	6/12/2013 12:49 PM	baltimorecountymd.gov
UCH_PO.UCH_DOM	6/12/2013 12:49 PM	baltimorecountymd.gov

Files

File	Size	Date & Time
IO-2013-0271-AV hearing needed assisted living facility inapprop for AV.doc	22528	6/12/2013 12:47 PM
MESSAGE	887	6/12/2013 12:49 PM
TEXT.htm	695	6/12/2013 12:49 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 51B86E4C.NCH_DOM.NCH_PO.100.1687076.1.186E9.1
Common Record Id: 51B86E4C.NCH_DOM.NCH_PO.200.2000026.1.3B077.1

2013-0271-A

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

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[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier:

District - 02 Account Number - 0219850560

Owner Information

Owner Name: BREEDLOVE LYNN P Use: RESIDENTIAL
Mailing Address: 3933 CHAFFEY RD Principal Residence: YES
RANDALLSTOWN MD 21133 Deed Reference: 1) /08779/ 00556
2)

Location & Structure InformationPremises Address

3933 CHAFFEY RD
RANDALLSTOWN 21133-

Legal Description

STONEYBROOK NORTH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	
0077	0003	0918		0000	1	H	43	1	2	
									<u>Plat Ref:</u>	0030/ 0056

Special Tax Areas

Town NONE
Ad Valorem
Tax Class

<u>Primary Structure Built</u>	<u>Enclosed Area</u>	<u>Property Land Area</u>	<u>County Use</u>
1965	1,504 SF	6,715 SF	04

<u>Stories</u>	<u>Basement</u>	<u>Type</u>	<u>Exterior</u>
1.000000	YES	END UNIT ASBESTOS SHINGLE	

Value Information

	<u>Base Value</u>	<u>Value</u>	<u>Phase-in Assessments</u>	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
<u>Land</u>	60,000	45,000		
<u>Improvements:</u>	112,900	98,200		
<u>Total:</u>	172,900	143,200	172,900	143,200
<u>Preferential Land:</u>	0			0

Transfer Information

<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
SUSSMAN STANLEY H	05/07/1991	\$88,000
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
ARMS LENGTH IMPROVED	/08779/ 00556	
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>
<u>Seller:</u>	<u>Date:</u>	<u>Price:</u>
<u>Type:</u>	<u>Deed1:</u>	<u>Deed2:</u>

Exemption Information

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

Tax Exempt: Special Tax Recapture:
Exempt Class: NONE

Homestead Application Information

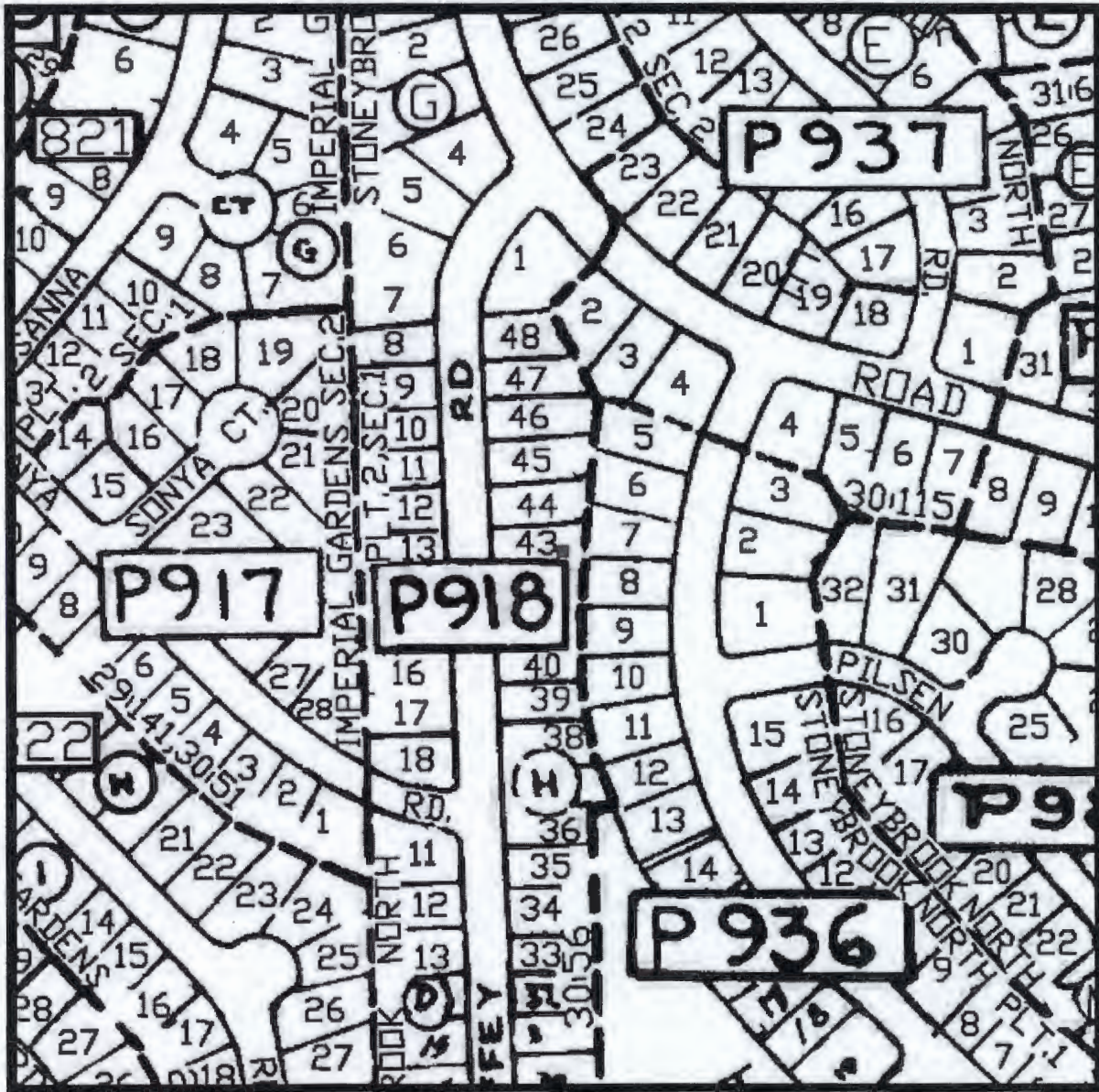
Homestead Application Status: Approved 12/31/2012



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

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

District - 02 Account Number - 0219850560



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.

CASE NAME 3933 Chaffey Rd.
CASE NUMBER 2013-271-A
DATE 8-1-13

[illegible]

Case No.: 2013-271-A

Exhibit Sheet

DW 9-6-13
DW 8-5-13

Petitioner/Developer

Protestant

No. 1	Site plan	
No. 2	Letter of support from neighbors	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

May 06, 2013

Dear Neighbor,

I am in the process of opening a small assisted living facility. I am writing this letter to inform you of this, and to make sure that you have no objections to having this facility next to your home. If you have any questions, please feel free to contact me. If you have no objections to the facility being next to your home, please sign on the appropriate line below. Thank you in advance for your cooperation.

Yours truly,

Lynn Breedlove

No, I have no objections to you having this facility next to my home. Robert A. Brown Jr 3935 Chaffey Rd

Yes, I do not want an assisted living facility next to my home because _____

2013-0271-A

2013-0271-A

3933 Chaffey Road



Publication Date: 3/11/2013

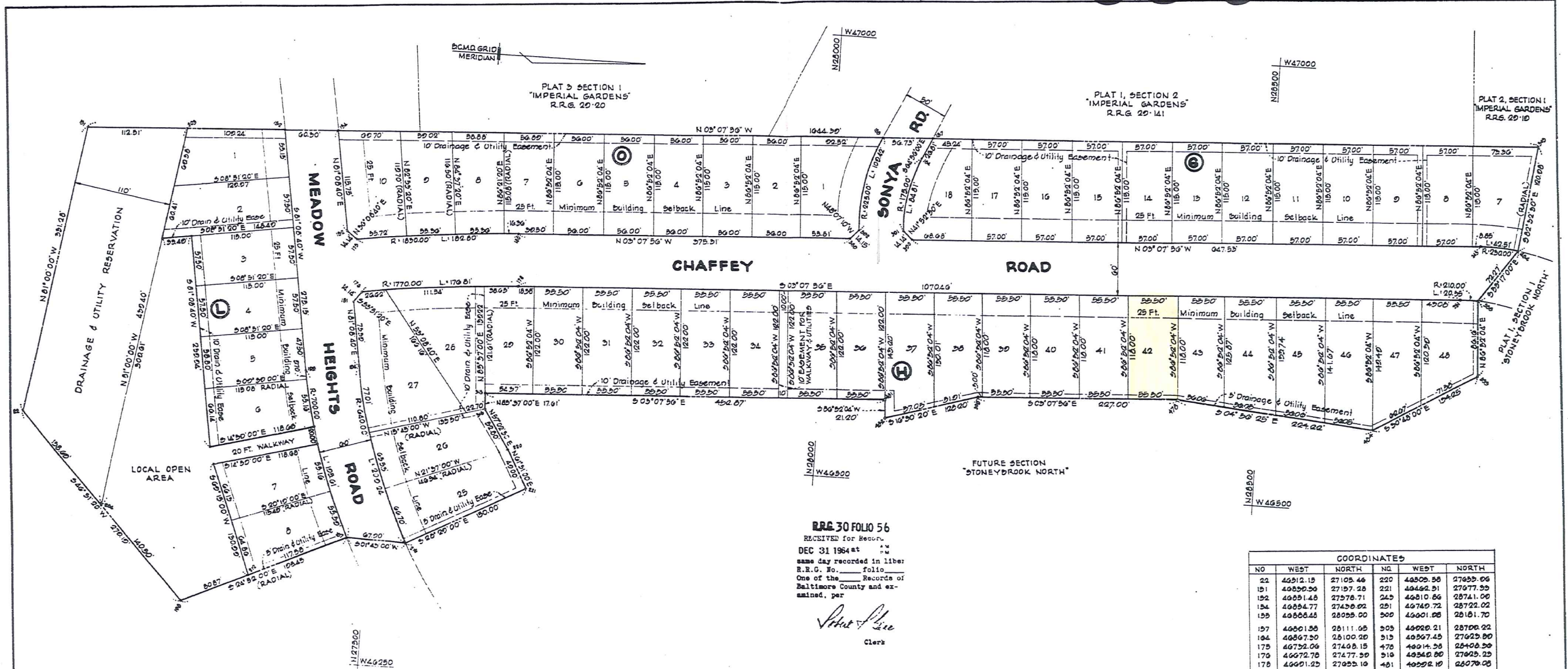


Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 12.5 25 50 75 100
Feet

1 inch = 50 feet



R.R.G. 30 FOLIO 56
RECEIVED for Record
DEC 31 1964 at
same day recorded in Liber
R.R.G. No. _____ folio
One of the Records of
Baltimore County and ex-
amined, per
John H. Childs
Clerk

PLAT 2 SECTION 1
STONEYBROOK NORTH

2ND ELECTION DISTRICT BALTIMORE COUNTY, MD
SCALE 1"=50' SEPTEMBER 21, 1964

DEVELOPER
STONEBROOK NORTH, INC.
1800 N. CHARLES STREET
BALTIMORE, MARYLAND

CURVE DATA						
FROM	TO	RADIUS	LENGTH	Δ	TANGENT	CHORD
109	107	700.00'	105.61'	16° 00' 40"	57° 08' 20" W	154.08'
104	210	640.00'	200.24'	18° 45' 57"	N 71° 46' 42" E	208.51'
175	180	1030.00'	182.60'	05° 45' 24"	N 05° 50' 36" W	182.72'
170	178	1770.00'	178.81'	05° 45' 24"	S 05° 50' 36" E	179.73'
155	592	225.00'	109.42'	27° 51' 46"	N 78° 51' 55" W	108.34'
104	501	175.00'	66.81'	27° 40' 00"	S 75° 40' 00" E	83.56'
243	454	250.00'	42.51'	10° 55' 26"	N 02° 00' 47" E	42.45'
251	595	210.00'	20.35'	05° 35' 04"	S 00° 21' 24" E	20.34'

COORDINATES					
NO	WEST	NORTH	NO	WEST	NORTH
22	46512.15	27105.46	220	46505.58	27635.06
191	46550.50	27157.28	221	46462.51	27077.55
192	46551.48	27576.71	243	46510.66	28741.00
194	46554.77	27436.02	251	46749.72	28722.02
195	46558.48	28059.00	300	46601.08	28161.70
197	46561.56	28111.65	303	46520.21	28700.22
194	46567.50	28100.20	313	46567.45	27625.00
175	46722.06	27408.15	476	46014.55	28406.50
170	46672.78	27477.50	519	46546.80	27625.25
178	46601.25	27955.10	481	46552.10	28070.08
180	46751.14	27640.66	462	46571.02	28077.25
181	46661.56	27400.05	434	46550.07	28051.75
182	46740.40	27450.74	309	46663.81	28747.08
104	46588.85	27480.35	595	46740.85	28742.55
105	46570.91	27421.08	580	46771.65	28624.45
197	46555.01	27477.01	300	46775.46	28054.55
180	46500.50	27257.56	501	46784.01	28084.00
205	46845.51	27209.05	502	46782.10	28054.08
212	46545.57	27570.04	454	46608.29	28785.51
210	46550.08	27549.40	204	46411.51	27200.50

APPROVED, BALTIMORE COUNTY PLANNING BOARD 12/30/64 <i>George S. Carbis</i> DATE: DIRECTOR	APPROVED: 12/30/64 <i>William H. Rutherford, Jr.</i> DATE: DEPUTY STATE & COUNTY HEALTH OFFICER	NOTE: STREETS and/or ROADS shown hereon and mention thereof in deeds are for purposes of description only, and the same are not intended to be dedicated to public use; the fee simple title to the lands thereon is expressly reserved in the grantors of the deed to which this plat is attached, their heirs and assigns.	NOTE: COORDINATES and BEARINGS shown on this plat are referred to the system of coordinates established in The Baltimore County Metropolitan District and are based on the following traverse stations: X 2560 W 40000.20 N 27066.01 X 2567 W 40608.01 N 27804.55 X 2568 W 42504.67 N 28554.75 X 2569 W 40105.50 N 28655.67	OWNERS CERTIFICATE: The requirements of Section 72-8, Article 17 of the Annotated Code of Maryland, (Flick 1947 Supplement) as far as they relate to the preparation of this plat have been complied with. STONEBROOK NORTH, INC. <i>John H. Childs, Jr.</i> OWNER DATE	SURVEYORS CERTIFICATE: I, JOHN C. CHILDS SR., a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown hereon has been laid out, and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill #459, Chapter 1016 of the Acts of 1945 and subsequent amendatory acts. <i>John C. Childs, Sr.</i> REGISTERED LAND SURVEYOR, No. 3622 DATE 12-26-64	MATZ, CHILDS & ASSOCIATES 2129 N. CHARLES ST. BALTIMORE 18, MD. COMPUTED: H.B.N. DRAWN: T.P. CHECKED: R.C. J.G. #041039 MSH 554 1256-4951 30-56
---	---	---	--	---	---	---

ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
 ADDRESS 3933 Chaffey Road OWNER(S) NAME(S) Lynn Breedlove
 SUBDIVISION NAME Stoneybrook North LOT # 43 BLOCK # H SECTION # 1
 PLAT BOOK # 30 FOLIO # 56 10 DIGIT TAX # 0219850560 DEED REF. # 08779/00556

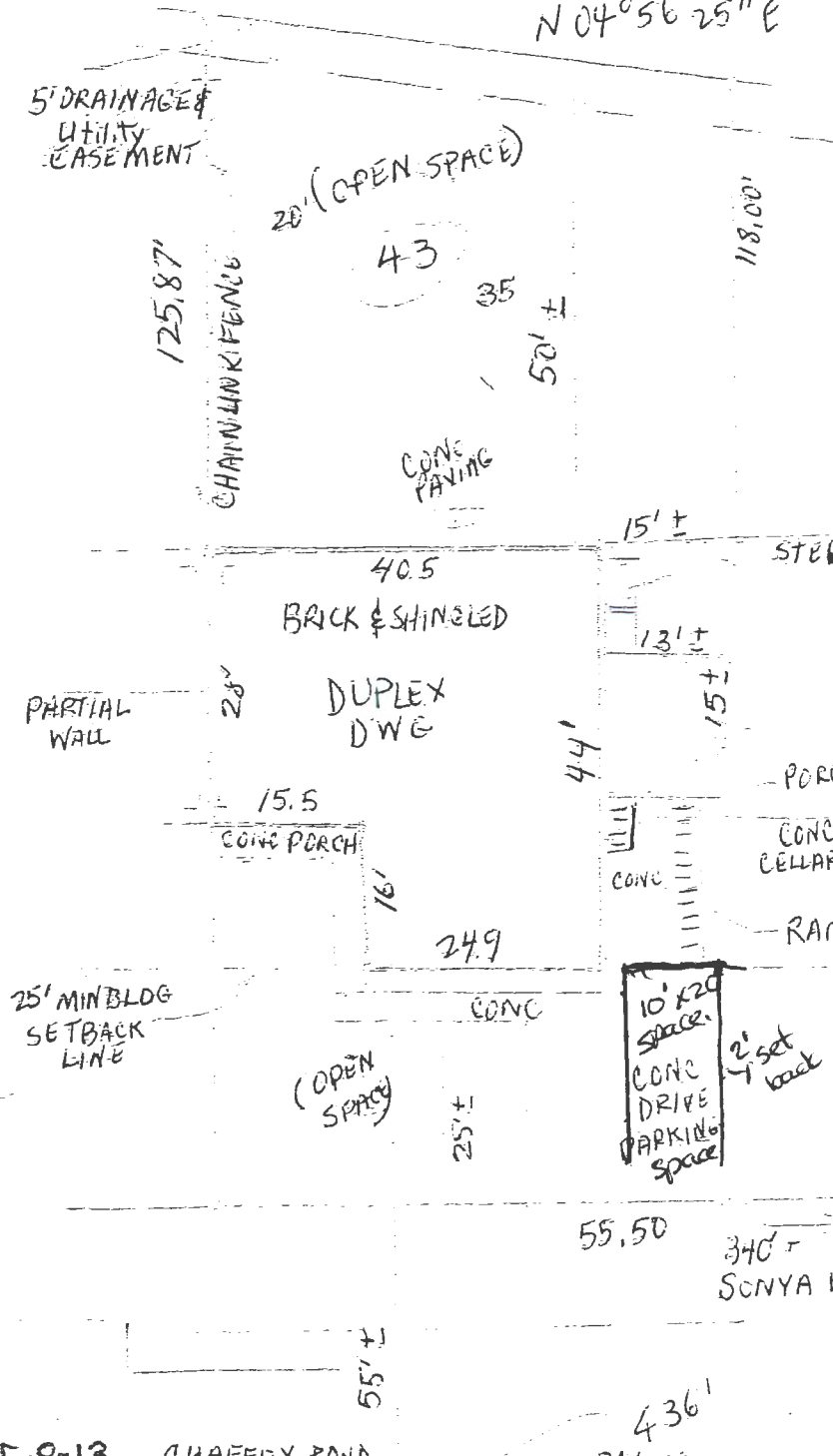
SITE VICINITY MAP



MAP IS NOT TO SCALE

ZONING MAP# 077B1
 SITE ZONED DR 5.5
 ELECTION DISTRICT 2nd
 COUNCIL DISTRICT 4th
 LOT AREA ACREAGE —
 OR SQUARE FEET 6875
 HISTORIC? No
 IN CBCA? No
 IN FLOOD PLAIN? No
 UTILITIES? MARK WITH X
 WATER IS:
 PUBLIC ☒ PRIVATE ☐
 SEWER IS:
 PUBLIC ☒ PRIVATE ☐
 PRIOR HEARING? No
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

N/A
 VIOLATION CASE INFO:
NO



ENGINEER'S SCALE
 1" = 20'

North

