

IN RE: PETITION FOR ADMIN. VARIANCE \*  
(4221 Colonial Road)  
3<sup>rd</sup> Election District \*  
2<sup>nd</sup> Councilmanic District \*  
Tracey McKee Sabree \*  
Petitioner \*

BEFORE THE  
OFFICE OF ADMINISTRATIVE  
HEARINGS FOR  
BALTIMORE COUNTY  
CASE NO. 2014-0047-A

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by the legal owner of the property, Tracey McKee Sabree for property located at 4221 Colonial Road. The variance request is from § 432A.1.C.1 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a parking pad for a proposed assisted living facility (ALF) to have a side yard setback of 3 ft. in lieu of the required 10 ft.

This matter was originally filed as an Administrative Variance, with a closing date of September 23, 2013. On October 2, 2013, the undersigned requested a formal hearing on this matter. The hearing was subsequently scheduled for Tuesday, November 26, 2013 at 1:30 PM in Room 104 of the Jefferson Building, 105 West Chesapeake Avenue, Towson. The file reveals that the Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

There were no substantive Zoning Advisory Committee (ZAC) comments received.

Appearing at the public hearing in support for this case was Tracey McKee Sabree, legal owner. There were no Protestants in attendance, and the file does not contain any letters of protest or opposition.

ORDER RECEIVED FOR FILING

Date 1-6-14

By [Signature]

1

Testimony and evidence revealed that the subject property is approximately 6,250 square feet and is zoned DR 5.5. The property is improved with a 3 bedroom single family dwelling, which the Petitioner has owned since 2009. The Petitioner proposes to operate an ALF (with a maximum of three residents) on site, and the B.C.Z.R. imposes a 10' setback for the parking area required for such a facility. As such, the Petitioner seeks variance relief.

Based upon the testimony and evidence presented, I will grant the petition for variance. 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. The property adjoins a private alley to the rear (which will provide access to the proposed parking pad shown on the site plan) and is therefore unique. The Petitioner would experience a practical difficulty if the regulations were strictly interpreted, since she would be unable to operate the proposed ALF. Finally, the relief will not be detrimental to the public health, safety and welfare.

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 3rd day of December, 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."), to permit a parking pad for a proposed assisted living facility to have a side yard setback of 3 ft. in lieu of the required 10 ft., be and is

hereby GRANTED, subject to the condition noted below.

**ORDER RECEIVED FOR FILING**

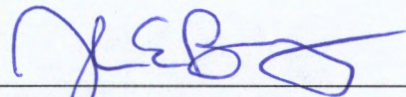
Date 1-6-14

By [signature]

- The variance relief granted herein is expressly contingent upon the receipt by Petitioner of a use permit from the Department of Permits, Approvals and Inspections. Prior to issuance of a use permit for the ALF the Petitioner must obtain all requisite approvals and licenses from the State of Maryland, and must also obtain a compatibility finding from the Department of Planning per B.C.Z.R. § 432A.1 and Baltimore County Code (BCC) § 32-4-402.

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

Order.



JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:slm

ORDER RECEIVED FOR FILING

Date 1-6-14

By EW

KEVIN KAMENETZ  
County Executive



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

December 3, 2013

Tracey McKee Sabree  
4221 Colonial Road  
Pikesville, Maryland 21208

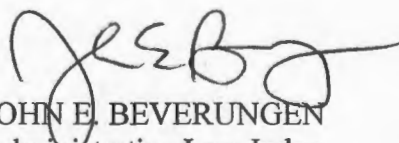
RE: Petition for Variance  
Property: 4221 Colonial Road  
Case No.: 2014-0047-A

Dear Mrs. Sabree:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln  
Enclosure



# 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 4221 Colonial Rd Pikesville MD 21208 which is presently zoned DR 5.5

Deed Reference 27200100143

10 Digit Tax Account # 0313042350

Property Owner(s) Printed Name(s) Tracey McKee Sabree

(SELECT THE HEARING(S) BY MARKING ☒ 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) 432 A.C.1 - to permit a proposed parking pad for a proposed assisted living facility to have a side yard setback of 3 feet in lieu of the required 10 feet 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:

Tracey McKee Sabree

Name Type or Print

Tracey McKee Sabree

Signature

4221 Colonial Rd, Pikesville, MD

Mailing Address

City

State

21208 410-917-7725 tsabree77@gmail.com

Zip Code

Telephone #

Email Address

## Legal Owners:

Tracey McKee Sabree

Name #1 Type or Print

Name #2 – Type or Print

Tracey McKee Sabree

Signature #

Signature # 2

4221 Colonial Rd Pikesville MD

Mailing Address

City

State

21208 410-917-7725 tsabree77@gmail.com

Zip Code

Telephone #

Email Address

## Attorney for Petitioner:

Name- Type or Print

Signature

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 \_\_\_\_\_ day of \_\_\_\_\_, 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 2014-0047-A

Filing Date 8/23/13

Estimated Posting Date 9/8/13

Reviewer RJD

# 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: 4221 Colonial Rd Pikesville, MD 21208  
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)

I am not able to have a driveway or parking pad in front of my home. There is no off the street parking in my subdivision. To do so would disturb the common look and feel of the subdivision. I can have a parking pad constructed in my rear yard. If I am granted this relief I will be able to observe the spirit of the ordinance and secure public safety and welfare of the residents.

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

Tracey McKee Sabree  
Signature of Affiant

Signature of Affiant

Tracey McKee Sabree  
Name- Print or Type

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 8th day of August, 2013, before me a Notary of Maryland, in and for the County aforesaid, personally appeared

TRACEY MCKEE SABREE

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

Patricia A. Maywood-Gambie  
Notary Public  
11/23/2014  
My Commission Expires

Item #0047

**ZONING PROPERTY DESCRIPTION FOR 4221 COLONIAL ROAD, PIKESVILLE, MD 21208**

Beginning at a point on the south side of Colonial Road which is 50 feet wide at the distance of 260 feet east of the centerline of the nearest improved street Deerfield Road which is 50 feet wide.

Being lot #112, Block – N/A Section# - N/A in the subdivision of Colonial Village as recorded in Baltimore County Plat Book #12, Folio#66, containing 6,250 square feet. Located in the 3<sup>rd</sup> Election District and 2<sup>nd</sup> Council District.

Item #0047

# 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.**

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#### For Newspaper Advertising:

Item Number or Case Number: 2014-0047  
Petitioner: Tracey McKee Sabree  
Address or Location: 4221 Colonial Rd, Pikesville, MD 21208

#### PLEASE FORWARD ADVERTISING BILL TO:

Name: Tracey McKee Sabree  
Address: 4221 Colonial Rd  
Pikesville, MD 21208  
Telephone Number: (410) 917-7775

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

No. **102577**

Date: **Aug 23 2013**

PAID RECEIPT

BUSINESS ACTUAL TIME DEM  
8/23/2013 8/23/2013 10:39:49 2

REC NO. 102577 WALKER JENIA JEE  
>>RECEIPT # 042519 8/23/2013 OFLA

Dept 5 320 ZONING VERIFICATION  
CR NO. 102577

Receipt Tot \$75.00  
\$75.00 CR 1.00 CA  
Baltimore County, Maryland

| Fund | Dept | Unit | Sub Unit | Obj  | Sub Obj | Dept Obj | BS Acct | Amount  |
|------|------|------|----------|------|---------|----------|---------|---------|
| 001  | 806  | 0000 |          | 6150 |         |          |         | \$75.00 |
|      |      |      |          |      |         |          |         |         |
|      |      |      |          |      |         |          |         |         |
|      |      |      |          |      |         |          |         |         |
|      |      |      |          |      |         |          |         |         |
|      |      |      |          |      |         |          |         |         |

Total: **\$75.00**

Rec From: \_\_\_\_\_  
For: **Zoning hearing - case # 2014-0047-A**

CERTIFICATE OF POSTING

RE: Case No 2014-0047-A

Petitioner/Developer  
TRACEY MCKEE SABLEF

Date Of Hearing/Closing: 11/26/13

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

Attention:

Ladies and Gentlemen

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

4221 COLONIAL ROAD

This sign(s) were posted on November 4, 2013

Month, Day, Year

Sincerely,

Martin Ogle 11/4/13  
Signature of Sign Poster and Date

Martin Ogle  
60 Chelmsford Court  
Baltimore, Md, 21220  
443-629-3411

# ZONING NOTICE

CASE # 2014-0047-A

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

ROOM 205 JEFFERSON BUILDING 105 WEST

PLACE: CHESAPEAKE AVENUE TOWSON 21204

DATE AND TIME: TUESDAY, NOVEMBER 26, 2013  
AT 1:30 P.M.

REQUEST: VARIANCE TO PERMIT A PROPOSED PARKING  
PAD FOR A PROPOSED ASSISTED LIVING  
FACILITY TO HAVE A SIDE YARD SETBACK OF 3 FEET  
IN LIEU OF THE REQUIRED 10 FEET

POSTPONEMENT DUE TO WEATHER OR OTHER CIRCUMSTANCES FOR DETERMINED BY NECESSARY  
TO DETERMINE HEARING CALL 410-857-3391

TO NOT REMOVE THIS SIGN AND POST WITHIN CITY OF BOWEN UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

*man Ogle 11/6/13*

CERTIFICATE OF POSTING  
-RTIFICATE OF POSTING

RE: CASE NO: 2014-0047-A

PETITIONER/DEVELOPER \_\_\_\_\_

TRACEY SABRE

DATE OF HEARING/CLOSING: \_\_\_\_\_

9/23/13

BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE  
NECESSARY SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE  
PROPERTY AT \_\_\_\_\_

4221 COLONIAL RD

THIS SIGN(S) WERE POSTED ON \_\_\_\_\_

September 8, 2013  
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 9/8/13  
SIGNATURE OF SIGN POSTER AND DATE:

MARTIN OGLE

(SIGN POSTER)

60 CHELMSFORD COURT

BALTIMORE, MD 21220

(ADDRESS)

PHONE NUMBER: 443-629-3411

# ZONING NOTICE

## ADMINISTRATIVE VARIANCE

CASE# 2014-0047-A

TO PERMIT A PROPOSED PARKING PAD FOR A  
PROPOSED ASSISTED LIVING FACILITY WITH A  
SIDEYARD SETBACK OF 3 FEET IN LIEU OF  
THE REQUIRED 10 FEET.

### PUBLIC HEARING ?

PURSUANT TO SECTION 20-427(b)(1) BALTIMORE COUNTY CODE  
AN ELIGIBLE INDIVIDUAL, OR GROUP MAY REQUEST A PUBLIC  
HEARING CONCERNING THE PROPOSED VARIANCE. PROVIDED  
IT IS DONE IN THE ZONING OFFICE BEFORE 4:30 P.M. ON  
MONDAY SEPTEMBER 23, 2013  
ADDITIONAL INFORMATION IS AVAILABLE AT ZONING  
ADMINISTRATION AND DEVELOPMENT MANAGEMENT LOCATED  
AT 111 W. CHESAPEAKE AVE. TOWSON MD. 21204  
TEL. 410-887-1391

NO LATE REQUESTS THIS YEAR AND FORTY DAYS AFTER THE DATE VOTES PERALTY BY LAW

MEETING IS HANDICAP ACCESSIBLE

*Wendy 9/8/13*



# THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

November 7, 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 November 5, 2013

☐ The Jeffersonian

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: #2014-0047-A

4221 Colonial Road

SE/E side of Colonial Road, 260 ft. NE of centerline of Deerfield Road

3rd Election District - 2nd Councilmanic District

Legal Owner(s): Tracey McKee Sabree

Variance: to permit a proposed parking pad for a proposed assisted living facility to have a side yard setback of 3 feet in lieu of the required 10 feet.

Hearing: Tuesday, November 26, 2013 at 1:30 p.m. in Room 104, 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.

JT 11/600 Nov. 5

956272

-17/60



KEVIN KAMENETZ  
County Executive

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

October 28, 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: 2014-0047-A**

4221 Colonial Road

SE/E side of Colonial Road, 260 ft. NE of centerline of Deerfield Road

3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Tracey McKee Sabree

Variance to permit a proposed parking pad for a proposed assisted living facility to have a side yard setback of 3 feet in lieu of the required 10 feet.

Hearing: Tuesday, November 26, 2013 at 1:30 p.m. in Room 104, 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: Tracey Sabree, 4221 Colonial Road, Pikesville 21208

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WED., NOVEMBER 6, 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  
Tuesday, November 5, 2013 Issue - Jeffersonian

Please forward billing to:  
Tracey Sabree  
4221 Colonia Road  
Pikesville, MD 21208

410-917-7775

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## 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: 2014-0047-A**

4221 Colonial Road  
SE/E side of Colonial Road, 260 ft. NE of centerline of Deerfield Road  
3<sup>rd</sup> Election District – 2<sup>nd</sup> Councilmanic District  
Legal Owners: Tracey McKee Sabree

Variance to permit a proposed parking pad for a proposed assisted living facility to have a side yard setback of 3 feet in lieu of the required 10 feet.

Hearing: Tuesday, November 26, 2013 at 1:30 p.m. in Room 104, 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.

## MEMORANDUM

DATE: January 6, 2014  
TO: Zoning Review Office  
FROM: Office of Administrative Hearings  
RE: Case No. 2014-0047-A - Appeal Period Expired

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The appeal period for the above-referenced case expired on January 2, 2014. 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

## BALTIMORE COUNTY, MARYLAND

### Inter-Office Memorandum

DATE: October 2, 2013

TO: Kristen Lewis, Office of Zoning Review  
Department of Permits, Approvals & Inspections (PAI)

FROM: John E. Beverungen, Administrative Law Judge  
Office of Administrative Hearings



RE: Petition for Administrative Variance – 09-23/13 Closing Date  
Case No. 2014-0047-A – 4221 Colonial Road

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After a review of the above-captioned case file, I am requesting that this case be set in for a public hearing.

Our office is returning the file to you for further processing such as notifying the Petitioners, posting and advertising of the hearing notices.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

RE: PETITION FOR ADMINSTRATIVE \* BEFORE THE OFFICE  
VARIANCE \*  
4221 Colonial Road; SE/S Colonial Road, \* OF ADMINSTRATIVE  
260' NE of c/line Deerfield Road \*  
3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts \* HEARINGS FOR  
Legal Owner(s): Tracey McKee Sabree \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 2014-047-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.

RECEIVED

OCT 21 2013

*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 21st day of October, 2013, a copy of the foregoing Entry of Appearance was mailed to Tracey Sabree, 4221 Colonial Road, Pikesville, Maryland 21208, Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

# CHECKLIST

Comment  
Received

Department

Support/Oppose/  
Conditions/  
Comments/  
No Comment

9-13

DEVELOPMENT PLANS REVIEW  
(if not received, date e-mail sent \_\_\_\_\_)

NC

DEPS  
(if not received, date e-mail sent \_\_\_\_\_)

FIRE DEPARTMENT

PLANNING  
(if not received, date e-mail sent \_\_\_\_\_)

9-12

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. \_\_\_\_\_)

PRIOR ZONING (Case No. \_\_\_\_\_)

NEWSPAPER ADVERTISEMENT Date: 11-5-13

SIGN POSTING Date: 11-6-13 by Ogle

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: (Formal Demand 10-2-13)

Sign reflects Rm. 205; all other paperwork reflects Rm. 104

BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 2014- 0047 -A Address 4221 Colonial Rd  
Contact Person: David Duvall Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Filing Date: 8/23/13 (8/26) Posting Date: 9/8/13 Closing Date: 9/23/13

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 2014- 0047 -A Address 4221 Colonial Rd  
Petitioner's Name Tracey M Sabree Telephone 410 917 7775  
Posting Date: 9/8/13 Closing Date: 9/23/13  
Wording for Sign: To Permit a proposed parking pad for a proposed assisted living facility with a side yard setback of 3 feet in lieu of the required 10 feet

Revised 7/25/13



KEVIN KAMENETZ  
*County Executive*

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

September 24, 2013

Tracey McKee Shore  
4221 Colonial Road  
Pikesville MD 21208

RE: Case Number: 2013-0047 A, Address: 4221 Colonial Road

Dear Ms. Shore:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 23, 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

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



James T. Smith, Jr., Secretary  
Melinda B. Peters, Administrator

Date: 9-12-13

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

RE: Baltimore County  
Item No 2014-0047-A  
Administrative Variance  
Tracey McKee Sabree  
4221 Colonial 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. 2014-0047-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/  
Development Manager  
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:** September 13, 2013

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 16, 2013  
Item No. 2014-0047, 0048, 0049, 0050, 0051, 0052, 0054, 0055, 0056,  
0057, 0058 and 0059

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

DAK:CEN  
Cc: file

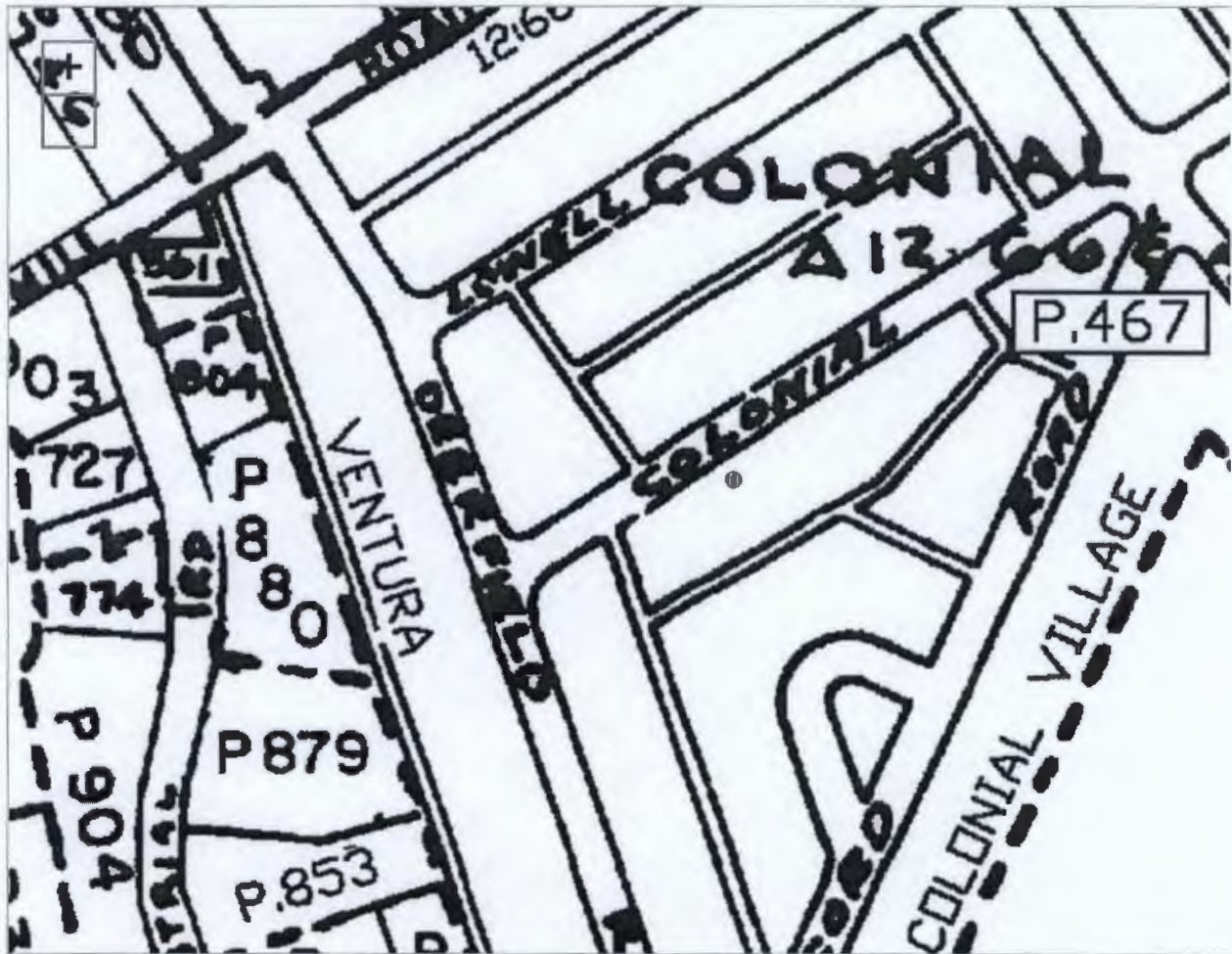
Real Property Data Search ( w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

| <a href="#">View Map</a>                                             | <a href="#">View GroundRent Redemption</a>  | <a href="#">View GroundRent Registration</a>                   |
|----------------------------------------------------------------------|---------------------------------------------|----------------------------------------------------------------|
| <b>Account Identifier:</b> District - 03 Account Number - 0313042350 |                                             |                                                                |
| <b>Owner Information</b>                                             |                                             |                                                                |
| <b>Owner Name:</b>                                                   | MCKEE TRACEY                                | <b>Use:</b> RESIDENTIAL                                        |
|                                                                      |                                             | <b>Principal Residence:</b> YES                                |
| <b>Mailing Address:</b>                                              | 4221 COLONIAL RD<br>BALTIMORE MD 21208-6002 | <b>Deed Reference:</b> 1) /27700/ 00143<br>2)                  |
| <b>Location &amp; Structure Information</b>                          |                                             |                                                                |
| <b>Premises Address:</b>                                             | 4221 COLONIAL RD<br>BALTIMORE 21208-6002    | <b>Legal Description:</b> 4221 COLONIAL RD<br>COLONIAL VILLAGE |
| <b>Map:</b> 0078                                                     | <b>Grid:</b> 0015                           | <b>Parcel:</b> 0467                                            |
| <b>Sub District:</b>                                                 | <b>Subdivision:</b> 0000                    | <b>Section:</b>                                                |
| <b>Block:</b>                                                        | <b>Lot:</b> 112                             | <b>Assessment Year:</b> 2014                                   |
| <b>Plat No:</b>                                                      | <b>Plat Ref:</b> 0012/ 0066                 |                                                                |
| <b>Special Tax Areas:</b>                                            | <b>Town:</b> NONE                           |                                                                |
|                                                                      | <b>Ad Valorem:</b>                          |                                                                |
|                                                                      | <b>Tax Class:</b>                           |                                                                |
| <b>Primary Structure Built</b>                                       | <b>Above Grade Enclosed Area</b>            | <b>Finished Basement Area</b>                                  |
| 1949                                                                 | 1,540 SF                                    | 300 SF                                                         |
| <b>Property Land Area</b>                                            | <b>County Use</b>                           |                                                                |
| 6,250 SF                                                             | 04                                          |                                                                |
| <b>Stories</b>                                                       | <b>Basement</b>                             | <b>Type</b>                                                    |
| 2.000000                                                             | YES                                         | STANDARD UNIT                                                  |
| <b>Exterior</b>                                                      | <b>Full/Half Bath</b>                       | <b>Garage</b>                                                  |
| 1/2 BRICK FRAME                                                      | 1 full/ 2 half                              |                                                                |
| <b>Last Major Renovation</b>                                         |                                             |                                                                |
| <b>Value Information</b>                                             |                                             |                                                                |
|                                                                      | <b>Base Value</b>                           | <b>Value</b>                                                   |
|                                                                      |                                             | <b>Phase-in Assessments</b>                                    |
|                                                                      |                                             | <b>As of</b>                                                   |
|                                                                      |                                             | <b>As of</b>                                                   |
| <b>Land:</b>                                                         | 66,200                                      | 66,200                                                         |
| <b>Improvements</b>                                                  | 123,500                                     | 123,500                                                        |
| <b>Total:</b>                                                        | 189,700                                     | 189,700                                                        |
| <b>Preferential Land:</b>                                            | 0                                           |                                                                |
| <b>Transfer Information</b>                                          |                                             |                                                                |
| <b>Seller:</b> WALTON KENNETH EDWARD                                 | <b>Date:</b> 02/25/2009                     | <b>Price:</b> \$175,000                                        |
| <b>Type:</b> NON-ARMS LENGTH OTHER                                   | <b>Deed1:</b> /27700/ 00143                 | <b>Deed2:</b>                                                  |
| <b>Seller:</b> MEYERS RONALD                                         | <b>Date:</b> 08/10/1994                     | <b>Price:</b> \$106,000                                        |
| <b>Type:</b> ARMS LENGTH IMPROVED                                    | <b>Deed1:</b> /10696/ 00606                 | <b>Deed2:</b>                                                  |
| <b>Seller:</b>                                                       | <b>Date:</b>                                | <b>Price:</b>                                                  |
| <b>Type:</b>                                                         | <b>Deed1:</b>                               | <b>Deed2:</b>                                                  |
| <b>Exemption Information</b>                                         |                                             |                                                                |
| <b>Partial Exempt Assessments:</b>                                   | <b>Class</b>                                | <b>07/01/2013</b>                                              |
| <b>County:</b>                                                       | 000                                         | 0.00                                                           |
| <b>State:</b>                                                        | 000                                         | 0.00                                                           |
| <b>Municipal:</b>                                                    | 000                                         | 0.00                                                           |
| <b>Tax Exempt:</b>                                                   | <b>Special Tax Recapture:</b>               |                                                                |
| <b>Exempt Class:</b>                                                 | NONE                                        |                                                                |
| <b>Homestead Application Information</b>                             |                                             |                                                                |
| <b>Homestead Application Status:</b> Approved 07/08/2009             |                                             |                                                                |

Baltimore County

[New Search](#)District: **03** Account Number: **0313042350**

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](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).

☐ Loading... Please Wait.

Loading... Please Wait.

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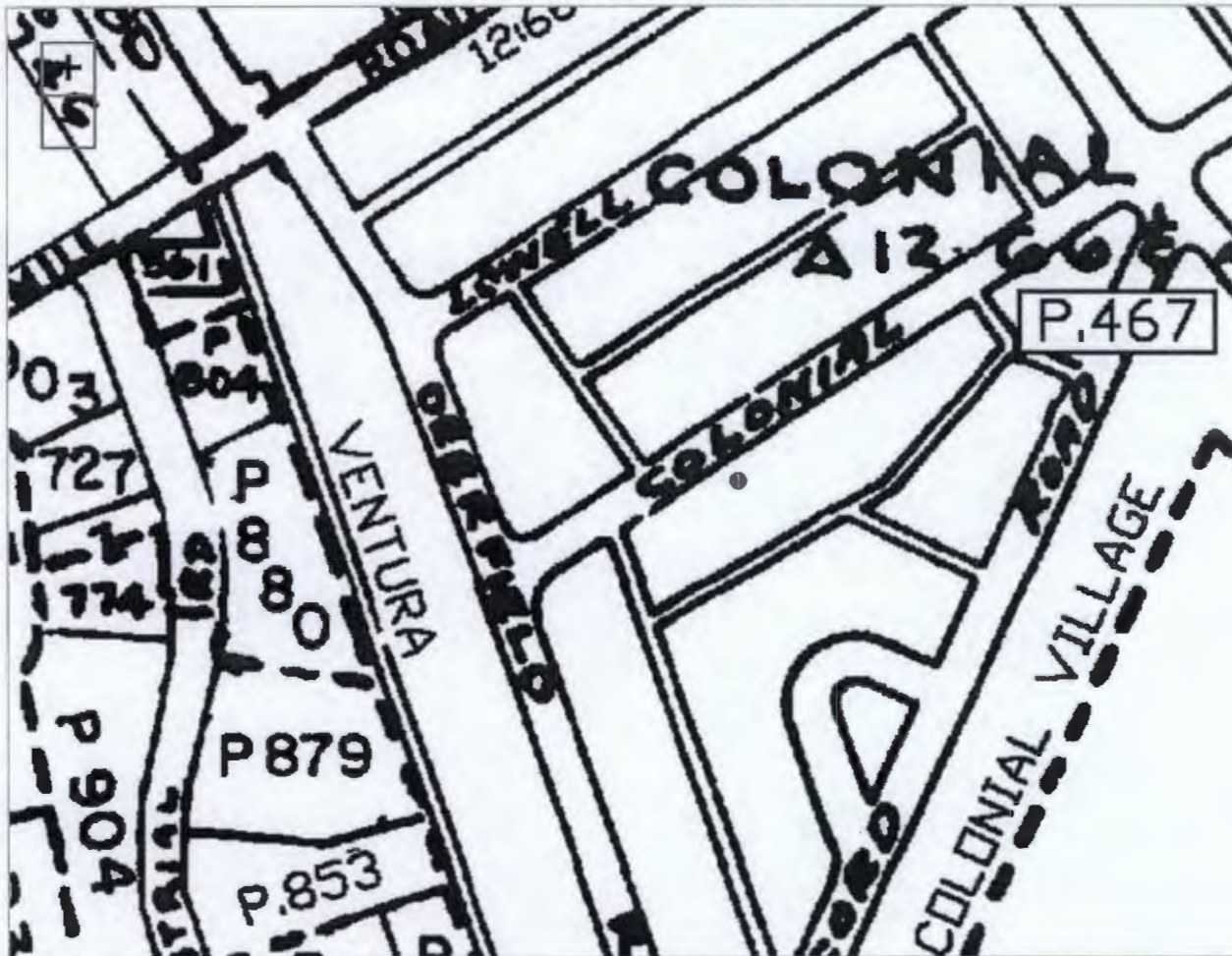
Real Property Data Search ( w2)

[Search Help](#)

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| <b>Map:</b> 0078                                                     | <b>Grid:</b> 0015                           | <b>Parcel:</b> 0467                                            |
| <b>Sub District:</b>                                                 | <b>Subdivision:</b> 0000                    | <b>Section:</b>                                                |
| <b>Block:</b>                                                        | <b>Lot:</b> 112                             | <b>Assessment Year:</b> 2014                                   |
| <b>Plat No:</b>                                                      | <b>Plat Ref:</b> 0012/ 0066                 |                                                                |
| <b>Special Tax Areas:</b>                                            | <b>Town:</b> NONE                           |                                                                |
|                                                                      | <b>Ad Valorem:</b>                          |                                                                |
|                                                                      | <b>Tax Class:</b>                           |                                                                |
| <b>Primary Structure Built</b>                                       | <b>Above Grade Enclosed Area</b>            | <b>Finished Basement Area</b>                                  |
| 1949                                                                 | 1,540 SF                                    | 300 SF                                                         |
|                                                                      |                                             | <b>Property Land Area</b> 6,250 SF                             |
|                                                                      |                                             | <b>County Use</b> 04                                           |
| <b>Stories</b>                                                       | <b>Basement</b>                             | <b>Type</b>                                                    |
| 2.000000                                                             | YES                                         | STANDARD UNIT                                                  |
| <b>Exterior</b>                                                      | <b>Full/Half Bath</b>                       | <b>Garage</b>                                                  |
| 1/2 BRICK FRAME                                                      | 1 full/ 2 half                              |                                                                |
| <b>Last Major Renovation</b>                                         |                                             |                                                                |
| <b>Value Information</b>                                             |                                             |                                                                |
|                                                                      | <b>Base Value</b>                           | <b>Value</b>                                                   |
|                                                                      |                                             | As of 01/01/2011                                               |
| <b>Land:</b>                                                         | 66,200                                      | 66,200                                                         |
| <b>Improvements</b>                                                  | 123,500                                     | 123,500                                                        |
| <b>Total:</b>                                                        | 189,700                                     | 189,700                                                        |
| <b>Preferential Land:</b>                                            | 0                                           |                                                                |
|                                                                      |                                             | As of 07/01/2013                                               |
|                                                                      |                                             | As of 07/01/2014                                               |
|                                                                      |                                             | 189,700                                                        |
| <b>Transfer Information</b>                                          |                                             |                                                                |
| <b>Seller:</b> WALTON KENNETH EDWARD                                 | <b>Date:</b> 02/25/2009                     | <b>Price:</b> \$175,000                                        |
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| <b>Seller:</b>                                                       | <b>Date:</b>                                | <b>Price:</b>                                                  |
| <b>Type:</b>                                                         | <b>Deed1:</b>                               | <b>Deed2:</b>                                                  |
| <b>Exemption Information</b>                                         |                                             |                                                                |
| <b>Partial Exempt Assessments:</b>                                   | <b>Class</b>                                | <b>07/01/2013</b>                                              |
| <b>County:</b>                                                       | 000                                         | 0.00                                                           |
| <b>State:</b>                                                        | 000                                         | 0.00                                                           |
| <b>Municipal:</b>                                                    | 000                                         | 0.00                                                           |
| <b>Tax Exempt:</b>                                                   | <b>Special Tax Recapture:</b>               |                                                                |
| <b>Exempt Class:</b>                                                 | NONE                                        |                                                                |
| <b>Homestead Application Information</b>                             |                                             |                                                                |
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Baltimore County

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☐ Loading... Please Wait. Loading... Please Wait.



Proposed parking area  
9' x 36'



Proposed parking area  
9' x 36'



Item #0047



Proposed parking area  
9' x 36'



shed no longer exists



back of house  
Sunroom extension of house



Item #0047  
Side fence of 4221  
Back view of 4219



Back of:  
4225 left  
4223 middle  
4221 sunroom - right  
Item #0047



4223 Colonial Rd - Front  
Item #0047





**Sunroom-BackView Item #0047**



**Proposed Parking Pad Area  
Rt side, back view**



**Item #0047**

**4219 left side**

**Item #0047**



Right side -back view

Item #0047



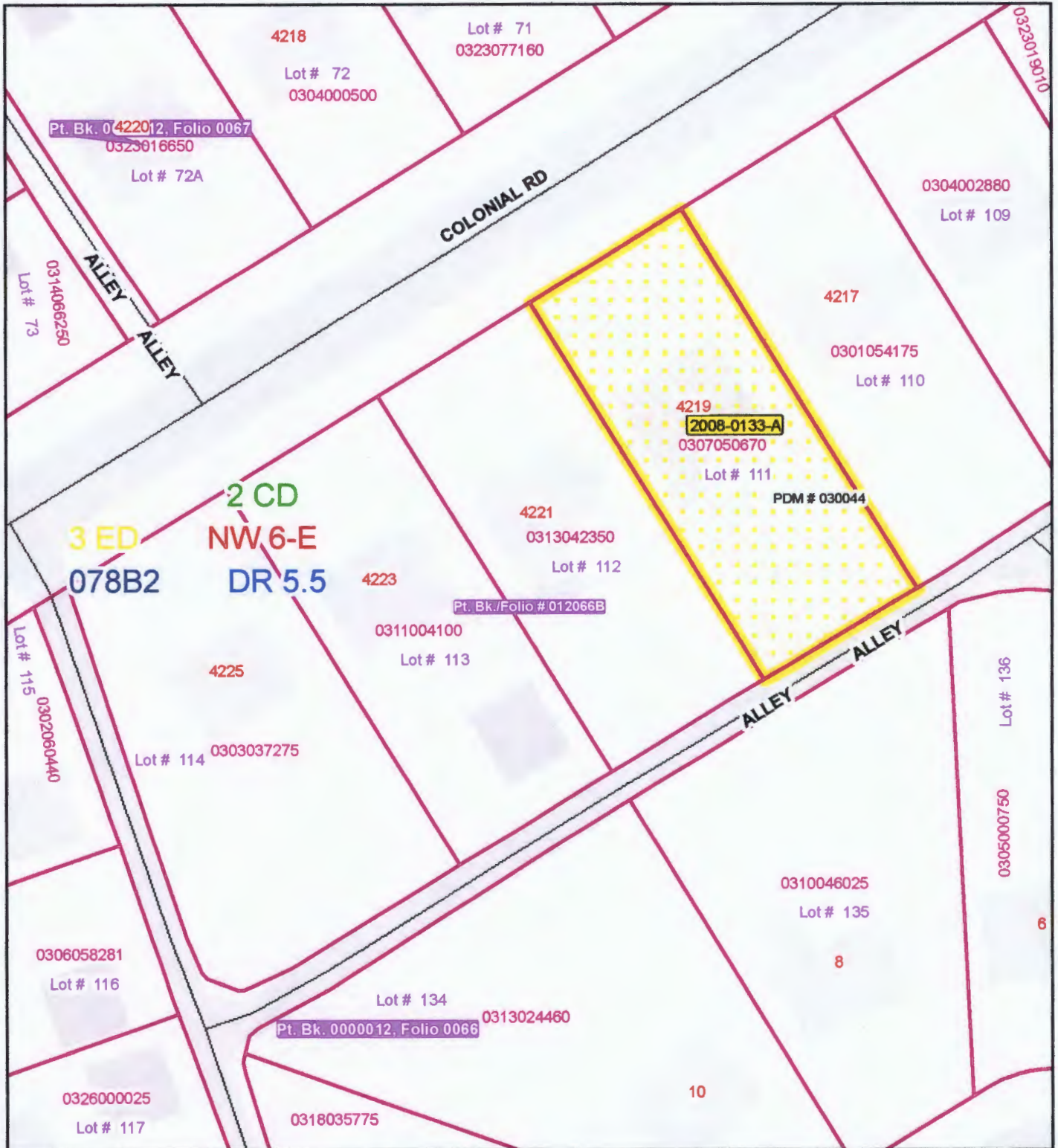
4219-Front View

Item #0047:



Back Area  
with  
proposed  
driveway/  
parking  
pad

# 4221 Colonial Road



**Publication Date: 8/9/2013**



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

Item # 0047

Case No.: 2014-0047-A

Exhibit Sheet

Petitioner/Developer

DW  
1-6-14

Protestants

SN  
12-3-13

|        |                       |  |
|--------|-----------------------|--|
| No. 1  | Site plan             |  |
| No. 2  | Emails from neighbors |  |
| No. 3  |                       |  |
| No. 4  |                       |  |
| No. 5  |                       |  |
| No. 6  |                       |  |
| No. 7  |                       |  |
| No. 8  |                       |  |
| No. 9  |                       |  |
| No. 10 |                       |  |
| No. 11 |                       |  |
| No. 12 |                       |  |

On Sun, Sep 29, 2013 at 7:33 AM, <twinsmith2@verizon.net> wrote:

Thanks Tracy for responding to our emails. As you can see, the thought of another "Group Home" coming in this community, causes our alarm bell to start ringing. Your explanation of your plans certainly ease the angst your sign has created for me. I wish a successful business endeavor, although it doesn't sound like it is just business for you. Mark Smith, Pres., CVNIA

On 09/28/13, Bill Kaplan<billyksound@gmail.com> wrote:

Thanks for letting us know. We all get nervous when commercial changes come to a neighborhood. But this sounds like not an impact to the village. Cheers.

On Sep 27, 2013, at 7:42 PM, Tray C wrote:

Hello all. I'm just catching up on these emails. I was preoccupied with a family situation.

I plan to provide assisted living to 2-3 senior citizens. I have to have a parking pad that will hold two cars in the back of the house. I was a former social worker and in the geriatric field in my past work. I want to do this and ask that you not be alarmed. There will be no disruptions in the neighborhood. It will not affect anyone's well being, safety, or peace. If you have any questions, please feel free to speak to me directly at (410) 917-7775. I welcome any calls.

On Tue, Sep 24, 2013 at 9:22 AM, Betsy Sandison <bsandison@yahoo.com> wrote:

Tracy is the owner of the house proposed to become the facility.

On Tuesday, September 24, 2013 8:54 AM, Bill Kaplan billyksound@gmail.com wrote:  
It the zoning changes, what are they looking for. Large commercial parking. It is a concern.....

On Sep 24, 2013, at 8:46 AM, David wrote:

Yes – sorry Bill called me last night – for some reason mapquest was showing the other house

Is Tracy the owner of the home proposed to become the facility or another neighbor?

David

**From:** bsandison [mailto:bsandison@yahoo.com]

**Sent:** Tuesday, September 24, 2013 8:23 AM

**To:** DAVID BLALOCK; Bill Kaplan

**Cc:** twinsmith2@verizon.net; BALLERINA12345@YAHOO.COM; jcwolfrum@earthlink.net; Etaddison@aol.com; liseth73@hotmail.com; betsyholland@verizon.net; fherzberger@hotmail.com; loves2sing06@yahoo.com; sione0001@hotmail.com; 4192@comcast.net; frank segall; maisha robinson; lsmith1469@aol.com; kate-esol@comcast.net; Oguier@hotmail.com; tzlevine@gmail.com; justcallus@aol.com; tsabree77@gmail.com; Shimbro7@gmail.com; susanewing0600@yahoo.com; mms stuff

**Subject:** Re: New Assisted Living Facility

it is the house next to mine David. I totally dropped the ball on this one. I meant to send an email to the board last week but got caught up in the poop storm of my life. I have been trying to catch my neighbor Tracy to ask her the details. But Tracy is on the board and I believe is on this email

EX-2

list so perhaps she can respond. I do believe that the parking is to be in the back off the alley and not on the front? Tracy perhaps you can fill us in?

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: [blalocks@comcast.net](mailto:blalocks@comcast.net)

Date: 09/23/2013 10:05 PM (GMT-05:00)

To: Bill Kaplan [billyksound@gmail.com](mailto:billyksound@gmail.com)>

Cc: [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net), [BALLERINA12345@YAHOO.COM](mailto:BALLERINA12345@YAHOO.COM), [jcwolfrum@earthlink.net](mailto:jcwolfrum@earthlink.net), [Etaddison@aol.com](mailto:Etaddison@aol.com), [bsandison@yahoo.com](mailto:bsandison@yahoo.com), [lisseth73@hotmail.com](mailto:lisseth73@hotmail.com), [betsyholland@verizon.net](mailto:betsyholland@verizon.net), [fhertzberger@hotmail.com](mailto:fhertzberger@hotmail.com), [loves2sing06@yahoo.com](mailto:loves2sing06@yahoo.com), [sione0001@hotmail.com](mailto:sione0001@hotmail.com), [4192@comcast.net](mailto:4192@comcast.net), [frank segall frank.segall@hrqworldwide.com](mailto:franksegall@hrqworldwide.com)>, maisha robinson [maisha\\_robinson@comcast.net](mailto:maisha_robinson@comcast.net)>, [lsmith1469@aol.com](mailto:lsmith1469@aol.com), [kate-esol@comcast.net](mailto:kate-esol@comcast.net), [Oguier@hotmail.com](mailto:Oguier@hotmail.com), [tzlevine@gmail.com](mailto:tzlevine@gmail.com), [justcallus@aol.com](mailto:justcallus@aol.com), [tsabree77@gmail.com](mailto:tsabree77@gmail.com), [Shimbro7@gmail.com](mailto:Shimbro7@gmail.com), [susanewing0600@yahoo.com](mailto:susanewing0600@yahoo.com), mms stuff <[mms\\_stuff@msn.com](mailto:mms_stuff@msn.com)>

Subject: Re: New Assisted Living Facility

4221 is not very near Betsy's house, it is the first house on your right that fronts Colonial after you go through the five point intersection- (heading toward deerfield). I drive by there every day and I did not notice a sign - does not seem legal - we have too many group homes in that 4 block area - this is wrong- isn't this a zoning change also?

David

From: "Bill Kaplan" [billyksound@gmail.com](mailto:billyksound@gmail.com)>

To: "mms stuff" [mms\\_stuff@msn.com](mailto:mms_stuff@msn.com)>

Cc: [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net), [BALLERINA12345@YAHOO.COM](mailto:BALLERINA12345@YAHOO.COM), [jcwolfrum@earthlink.net](mailto:jcwolfrum@earthlink.net), [Etaddison@aol.com](mailto:Etaddison@aol.com), [bsandison@yahoo.com](mailto:bsandison@yahoo.com), [lisseth73@hotmail.com](mailto:lisseth73@hotmail.com), [blalocks@comcast.net](mailto:blalocks@comcast.net), [betsyholland@verizon.net](mailto:betsyholland@verizon.net), [fhertzberger@hotmail.com](mailto:fhertzberger@hotmail.com), [loves2sing06@yahoo.com](mailto:loves2sing06@yahoo.com), [sione0001@hotmail.com](mailto:sione0001@hotmail.com), [4192@comcast.net](mailto:4192@comcast.net), "frank segall" [frank.segall@hrqworldwide.com](mailto:frank.segall@hrqworldwide.com)>, "maisha robinson" [maisha\\_robinson@comcast.net](mailto:maisha_robinson@comcast.net)>, [lsmith1469@aol.com](mailto:lsmith1469@aol.com), [kate-esol@comcast.net](mailto:kate-esol@comcast.net), [Oguier@hotmail.com](mailto:Oguier@hotmail.com), [tzlevine@gmail.com](mailto:tzlevine@gmail.com), [justcallus@aol.com](mailto:justcallus@aol.com), [tsabree77@gmail.com](mailto:tsabree77@gmail.com), [Shimbro7@gmail.com](mailto:Shimbro7@gmail.com), [susanewing0600@yahoo.com](mailto:susanewing0600@yahoo.com)

Sent: Monday, September 23, 2013 8:58:22 PM

Subject: Re: New Assisted Living Facility

Yep, That sucks. I never come in that way so I had no idea. Was it today?  
On Sep 23, 2013, at 8:52 PM, mms stuff wrote:

If the "Variance Hearing for changing the parking was today" Sept. 23, 2013 and NO ONE went to the hearing or already sent a letter, then it is TOO LATE to give any input to the to the "County Official" (Administrative Law Judge) hearing the case.

The notice about the hearing must have been posted in front of house for weeks; it is BAD that nobody bothered to read the notice or take any action until AFTER the hearing.

----- Original Message -----

**From:** [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net)

**To:** [billyksound@gmail.com](mailto:billyksound@gmail.com); [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net)

**Cc:** [BALLERINA12345@YAHOO.COM](mailto:BALLERINA12345@YAHOO.COM); [mms\\_stuff@msn.com](mailto:mms_stuff@msn.com); [jcwolfrum@earthlink.net](mailto:jcwolfrum@earthlink.net); [Etaddison@aol.com](mailto:Etaddison@aol.com); [bsandison@yahoo.com](mailto:bsandison@yahoo.com); [lisseth73@hotmail.com](mailto:lisseth73@hotmail.com); [blalocks@comcast.net](mailto:blalocks@comcast.net); [betsyholland@verizon.net](mailto:betsyholland@verizon.net); [therzberger@hotmail.com](mailto:therzberger@hotmail.com); [loves2sing06@yahoo.com](mailto:loves2sing06@yahoo.com); [sione0001@hotmail.com](mailto:sione0001@hotmail.com); [4192@comcast.net](mailto:4192@comcast.net); [frank.segall@hrqworldwide.com](mailto:frank.segall@hrqworldwide.com); [maisha\\_robinson@comcast.net](mailto:maisha_robinson@comcast.net); [lsmith1469@aol.com](mailto:lsmith1469@aol.com); [kate-esol@comcast.net](mailto:kate-esol@comcast.net); [Oquier@hotmail.com](mailto:Oquier@hotmail.com); [tzlevine@gmail.com](mailto:tzlevine@gmail.com); [justcallus@aol.com](mailto:justcallus@aol.com); [tsabree77@gmail.com](mailto:tsabree77@gmail.com); [Shimbro7@gmail.com](mailto:Shimbro7@gmail.com); [susanewing0600@yahoo.com](mailto:susanewing0600@yahoo.com)

**Sent:** Monday, September 23, 2013 7:07 PM

**Subject:** New Assisted Living Facility

Hi all,

The house at 4221 Colonial Rd. is apparently petitioning the County to open an Assisted Living home at that address. There is a Public Notice on their lawn announcing their petition to add the appropriate parking for such a facility.

Betsy, since this is next to your house, are you okay with this, or do we have to fight it? Any info you have about the owners or their plans would be helpful.

Mark Sapp, can you look into this for us? The Variance Hearing for changing the parking was today. Do you think we can/should fight this?

Please "respond to all" to keep us informed.

Thanks

Mark Smith

On 09/02/13, Bill Kaplan [billyksound@gmail.com](mailto:billyksound@gmail.com) wrote:

got it

On Sep 2, 2013, at 7:42 PM, [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net) wrote:

Board Members,

We will have a Board Mtg. Tues., Sept. 3rd at 7pm at 7000 Deerfield Rd.

See you there.

Mark

On 08/24/13, [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net) wrote:

Hi Board Members,

We need to have a Board Meeting prior to the Block Party to help out, if needed. Plus, we have to plan for our Fall General Community Mtg. How about Wednesday, Sept. 4 at 6:30pm? Does anyone want to host this meeting? I let you know of our location based on your responses to this question.

If you have any questions or comments, reply to this email.

Thanks,

Mark Smith

-----Original Message-----

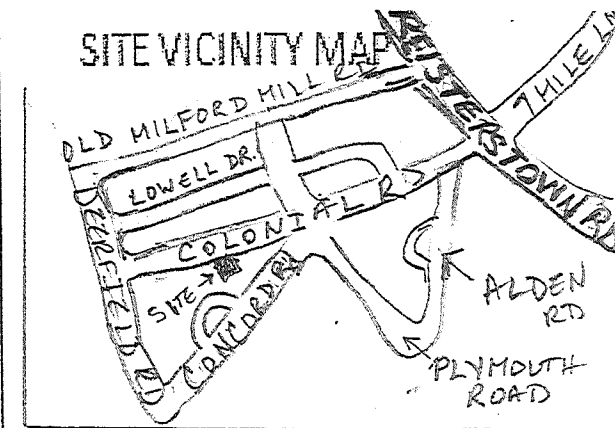
**From:** [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net)

**Date:** Jun 1, 2013 12:42:40 AM

**Subject:** Board mtg.

6/12 [mms\\_stuff@msn.com](mailto:mms_stuff@msn.com), [twinsmith2@verizon.net](mailto:twinsmith2@verizon.net), [kapshome@verizon.net](mailto:kapshome@verizon.net), [jcwolfrum@earthlink.net](mailto:jcwolfrum@earthlink.net), [Etaddison@aol.com](mailto:Etaddison@aol.com), [bsandison@yahoo.com](mailto:bsandison@yahoo.com), [lisseth73@hotmail.com](mailto:lisseth73@hotmail.com), [blalocks@comcast.net](mailto:blalocks@comcast.net), [betsyholland@verizon.net](mailto:betsyholland@verizon.net),

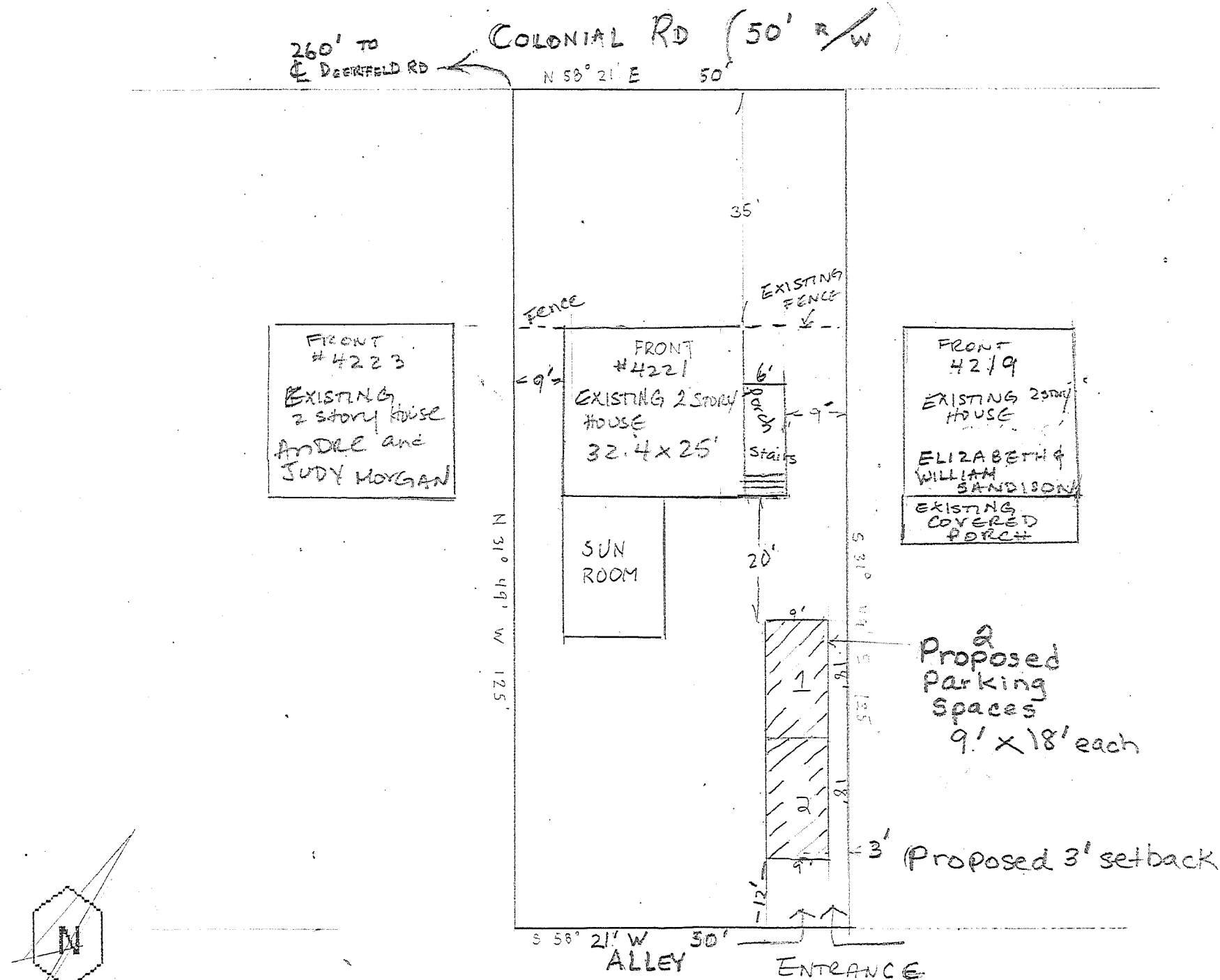
ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 4221 Colonial Road OWNER(S) NAME(S) Tracey McKee Sabree  
 SUBDIVISION NAME Colonial Village LOT # 112 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_  
 PLAT BOOK # 12 FOLIO # 66B 10 DIGIT TAX # 0313042350 DEED REF. # 27700/00143



MAP IS NOT TO SCALE  
 ZONING MAP# 078B2  
 SITE ZONED DR 5.5  
 ELECTION DISTRICT 3RD  
 COUNCIL DISTRICT 2ND  
 LOT AREA ACREAGE 0.14  
 OR SQUARE FEET 6250  
 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

#2014-0047-A

M7



PLAN DRAWN BY Tracey McKee Sabree DATE 8/23/13 SCALE: 1 INCH = 20 FEET

PETITIONER'S

EXHIBIT NO. 1

VIOLATION CASE INFO: