

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this _____ day of _____, 20____, that Pamela C Jones located at 125 Nunnery Lane 21228 should be and the

(Individual or business name)
(Street address)

same is hereby granted permission to operate an: Assisted
Living Facility for 3 Beds
Parking variance # 2016-0104-A

Permit (or Receipt) Number _____

Director, Permits, Approvals and Inspections _____

Planner's Initials _____

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

No. **134709**

Date: **3/15/16**

PAID RECEIPT

DISDESS RETRA. THE NEW
 3/15/2016 2:17:00 PM BY: JES
 REF: 1001 WILSON LINDA LIP
 RECEIPT # 644441 3/15/2016 071
 5 528 TOWNS VERIFICATION
 IP: 134709
 Receipt for \$100.00
 \$100.00 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				100.00

Total: **100.00**

Rec From: **Pamela C. Jones**

For: **Use permit for an assisted living facility I**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

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

ALF Address 125 Nunnery Lane
Permit No. (if required) B _____

FROM: Arnold E. Jablon, Director
Department of Permits, Approvals and Inspections
M.S. 1105

RE: Assisted Living Facility I or II

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

MINIMUM APPLICANT SUPPLIED COMPATABILITY INFORMATION (As Required under A and B below):

A. Pamela C. Jones 125 Nunnery Lane Catonsville MD 21228 443-845-3917 PJNursemake@aol.com
Print Name of Applicant Address Telephone Number Email Address

Lot Address 125 Nunnery Lane Election District 1 Councilmanic District 10 Square Feet of Lot 2090
Lot Location: N E S W side/corner of Nunnery Lane 60 feet from N E S W corner of Merrill Rd
(street) (street)
Land Owner: Kelvin L & Pamela C. Jones 10 Digit Tax Account Number 0113553000
Address: 125 Nunnery Lane, Catonsville MD 21228 443-845-3917 PJNursemake@aol.com
Telephone Number Email Address

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

B.

Planner to confirm information acceptance by marking X below:

APPLICANT MUST PROVIDE 1 through 6

- | | YES | NO |
|---|----------|----------|
| 1. This Recommendation Form (3 copies) | <u>X</u> | _____ |
| 2. Permit Application (If available) | _____ | <u>X</u> |
| 3. Site Plan: | | |
| Property (3 copies): including lot size and square feet of buildings, parking and open space - 10% lot area | <u>X</u> | _____ |
| Statement of Compliance with Checklist Note 5.A | <u>X</u> | _____ |
| 4. Building Elevation Drawings (these may be waived if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans) | _____ | <u>X</u> |
| 5. Photographs (please label all photos clearly) | | |
| Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood | <u>X</u> | _____ |
| 6. Current Zoning Classification: <u>DR 10.5</u> | | |

Accepted for filing by GA 3/15/16
Date

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!

RECOMMENDATIONS / COMMENTS:

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

Signed by: _____
for the Director, Office of Planning

Date: _____

Plan for assisted Living Facility 1 -3 beds.

125 Nunnery Lane

Catonsville, Maryland 21228

Date: 3/7/16

443.845.3917

Lot Size: 2,090 SF

Zoning Map 0101

Zone DR 10.5

Parking: 1 space for each 3 beds= 1 parking space required.

Existing Floor Areas SQ. FT.

1st Floor = 589 SQ. FT.

2nd Floor= 589 SQ. FT.

Total 1178 SQ. FT.

Basement for Owner's sleep area, storage and Mechanical Equipment= 589 SQ. FT

Open Space: .10 x Lot Area (2,090 SQ. FT.) = 209 SQ. FT.

THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. THE BUILDING HAS NOT BEEN CONSTRUCTED IN THE PAST FIVE (5) YEARS. NO RECONSTRUCTION, RELOCATION, (EXTERIOR) CHANGES OR ADDITIONS (OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF FIVE (5) YEARS BEFORE THIS DATE OF THIS APPLICATION) TO THE EXTERIOR OF THE BUILDING HAVE OCCURRED. NO ADDITIONS ARE PROPOSED TO EXCEED THIS LIMITS FOR FIVE (5) YEARS FROM THIS DATE OF THIS APPLICATION.

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

THE UNDERSIGNED (STATE IF OWNERS OR APPLICANTS) ARE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION ON THIS PLAN.

Kelvin L. Jones Owner 3-7-16

SIGNATURE

TITLE

DATE

Kelvin L. Jones

PRINTED NAME

Pamela C Jones owner 3/7/16

SIGNATURE

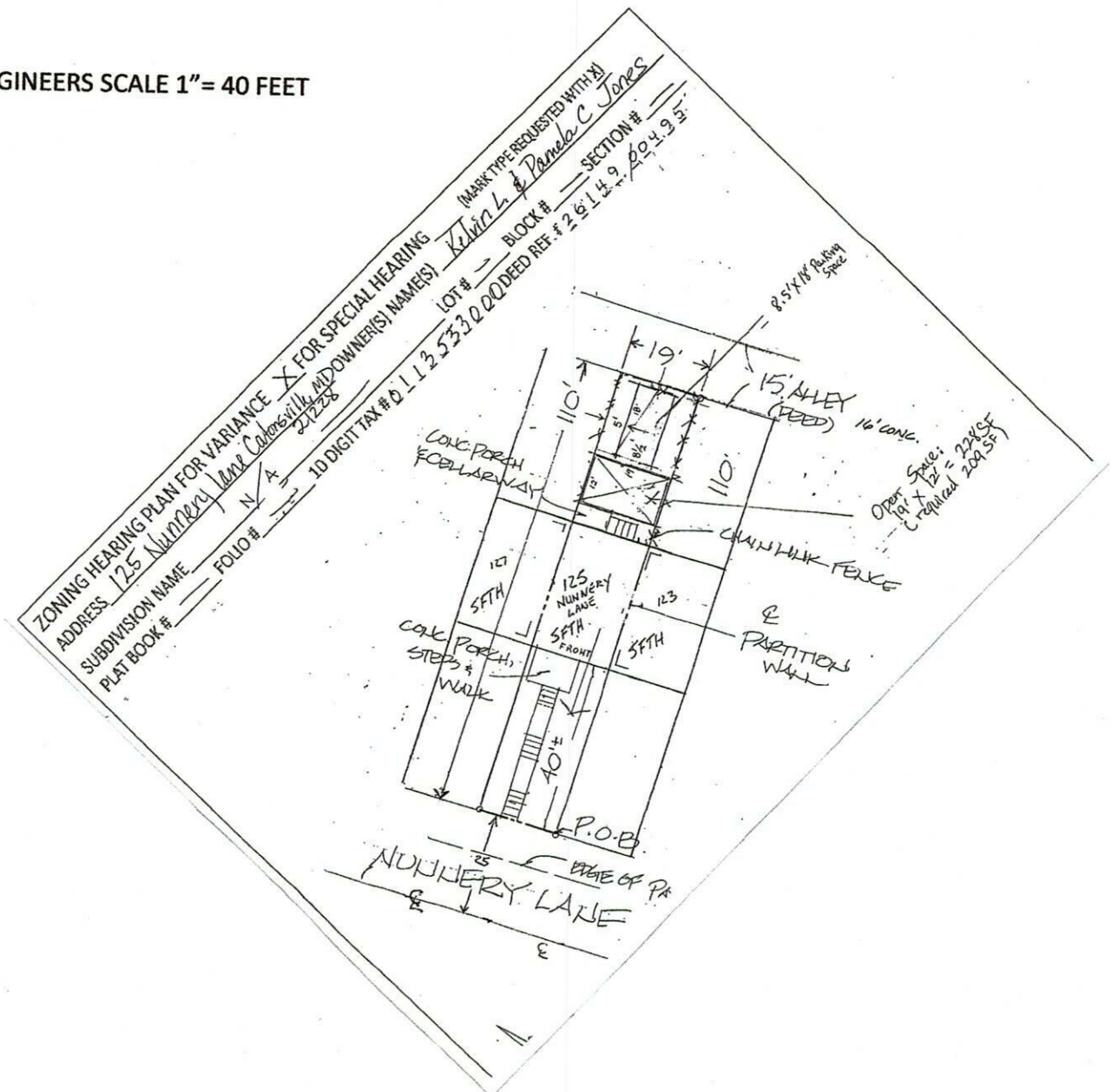
TITLE

DATE

Pamela C. Jones

PRINTED NAME

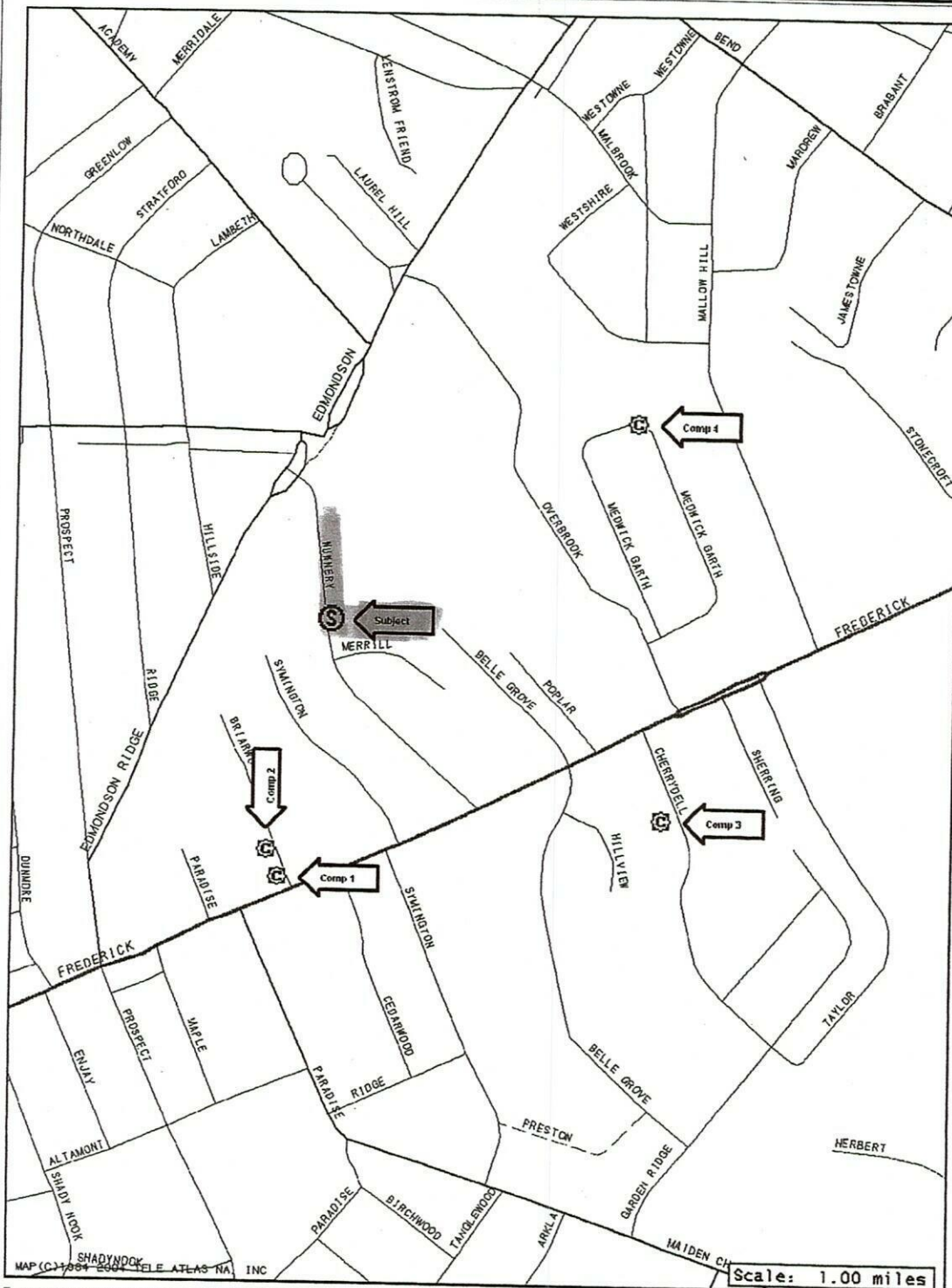
ENGINEERS SCALE 1" = 40 FEET



LOCATION MAP

Borrower: Pamela Jones
 Property Address: 125 Nunnery Lane
 City: Catonsville
 Lender: Wells Fargo Bank

File No.: 7-0335
 Case No.: 241-7864489
 State: MD
 Zip: 21228

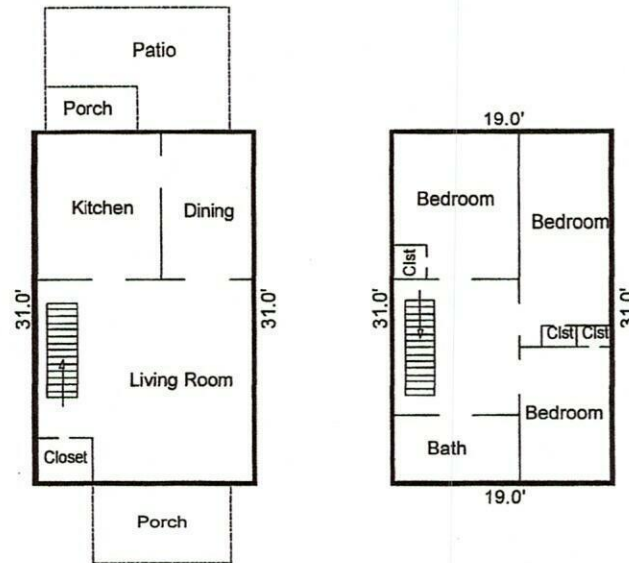


Prepared by: Kehr & Associates, LLC 410-549-4470

ID	Address	Date	Price	RM	BR	Bath	SqFt	Proximity
S	125 NUNNERY LN	N/A	Refinance	6	3	1	1178	0.00 MI
1	10 BRIARWOOD RD	01/02/2007	210000	6	3	1	1104	0.21 MI SSW
2	26 BRIARWOOD RD	03/20/2007	226900	6	3	1	1104	0.19 MI SSW
3	132 CHERRYDELL RD	05/11/2007	227000	6	3	1	1216	0.30 MI ESE
4	5514 MEDWICK GARTH N	10/30/2006	225000	6	3	1	1216	0.28 MI ENE

FLOORPLAN

Borrower: Pamela Jones	File No.: 7-0335
Property Address: 125 Nunnery Lane	Case No.: 241-7864489
City: Catonsville	State: MD Zip: 21228
Lender: Wells Fargo Bank	



Sketch by Apex IV Windows™

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Totals
GLA1	First Floor	589.00	589.00
GLA2	Second Floor	589.00	589.00
P/P	Porch 1	84.00	
	Porch 2	32.00	
	Patio	144.00	260.00
TOTAL LIVABLE (rounded)			1178

LIVING AREA BREAKDOWN		
Breakdown		Subtotals
First Floor		
19.0 x 31.0		589.00
Second Floor		
19.0 x 31.0		589.00
2 Areas Total (rounded)		1178

IN RE: PETITION FOR VARIANCE

(125 Nunnery Lane)

1st Election District

1st Council District

Kelvin & Pamela Jones

Petitioners

*

BEFORE THE OFFICE

*

OF ADMINISTRATIVE

*

HEARINGS FOR

*

BALTIMORE COUNTY

*

CASE NO. 2016-0104-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Kelvin & Pamela Jones, owners of the subject property ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §432A.1.C.1 to permit a parking space for a proposed assisted living facility to be as close as 5 ft. from a property line in lieu of the required 10 ft. A site plan was marked as Petitioners' Exhibit 1.

Owner Pamela Jones appeared in support of the Petition. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. A Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency opposed the relief, but also provided suggested conditions for inclusion in any final Order granting relief.

The subject property is approximately 2,090 square feet and is zoned DR 16. The property is improved with a 3 bedroom townhouse, which Petitioners have owned since 1997. Ms. Jones is a registered nurse and she described her wealth of experience in geriatrics and caring for the elderly. She would like to care for elderly residents in her home, which would under the B.C.Z.R. constitute an Assisted Living Facility (ALF).

ORDER RECEIVED FOR FILING

Date

12/30/15

By

Sen

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Petitioners have met this test. The property is narrow and deep and is therefore unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they would be unable to care for elderly individuals in their home. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of community opposition. In fact, Petitioners submitted letters of support from both of their adjoining neighbors. (Exhibit 2).

THEREFORE, IT IS ORDERED, this 30th day of December, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §432A.1.C.1 to permit a parking space for a proposed assisted living facility to be as close as 5 ft. from a property line in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. Petitioners must prior to the issuance of permits comply with each of the four (4) requirements set forth in the DOP ZAC comment, a copy of which is

ORDER RECEIVED FOR FILING

Date 12/30/15

By ASn

attached hereto.

3. Petitioners must obtain from Baltimore County a "use permit" for the ALF, and must obtain all other required licenses, permits and inspections from the State of Maryland and Baltimore County.
4. No signs shall be permitted on the premises in conjunction with the proposed ALF.

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



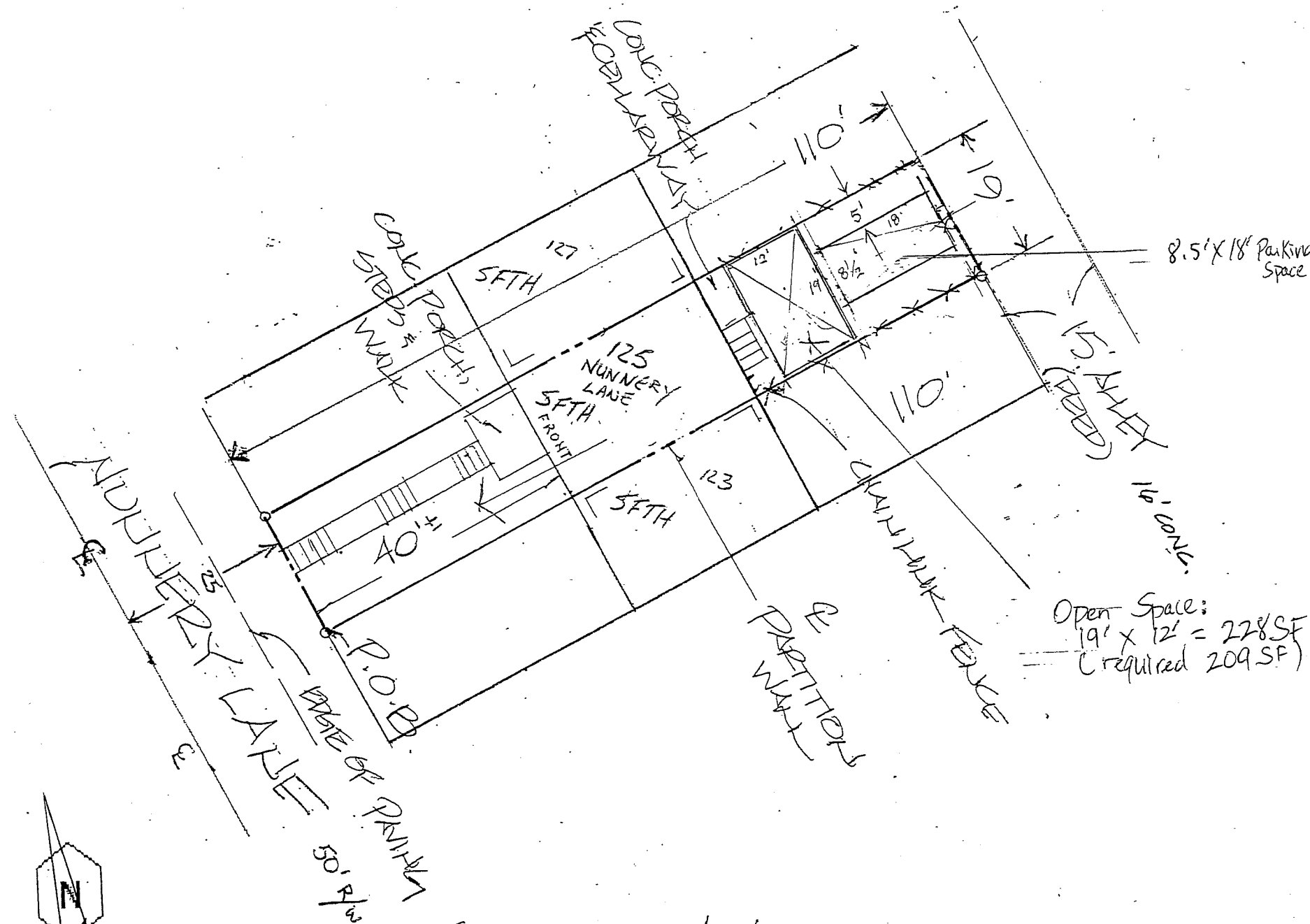
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:/sln

ORDER RECEIVED FOR FILING

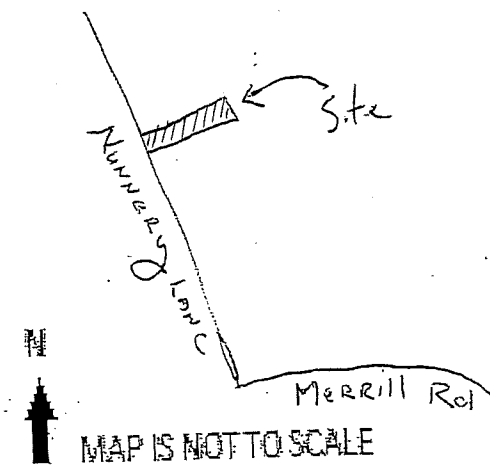
Date 12/30/15
By sln

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING (MARK TYPE REQUESTED WITH X)
 ADDRESS 125 Nunnery Lane Catonsville, MD 21228 OWNER(S) NAME(S) Kelvin L. & Pamela C Jones
 SUBDIVISION NAME N/A LOT # — BLOCK # — SECTION # —
 PLAT BOOK # — FOLIO # — 10 DIGIT TAX # 0113533000 DEED REF. # 26149.004.25



PLAN DRAWN BY Pamela C Jones DATE 6/18/15 SCALE: 1 INCH = 20 FEET

SITE VICINITY MAP



ZONING MAP# 101B1
 SITE ZONED DR 10.5
 ELECTION DISTRICT 1
 COUNCIL DISTRICT 1
 LOT AREA ACREAGE —
 OR SQUARE FEET 2090
 HISTORIC? NO
 IN CBCA? NO
 IN FLOOD PLAIN? NO
 UTILITIES? MARK WITH X
 WATER IS: —
 PUBLIC X PRIVATE —
 SEWER IS: —
 PUBLIC X PRIVATE —
 PRIOR HEARING? NO
 IF SO GIVE CASE NUMBER
 AND ORDER RESULT BELOW

VIOLATION CASE INFO:

#2016-0104-A

R.J.D.