

M E M O R A N D U M

DATE: September 6, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0188-SPHX – Appeal Period Expired

The appeal period for the above-referenced case expired on September 2, 2016. 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: PETITIONS FOR SPECIAL HEARING *

AND SPECIAL EXCEPTION

(9420 Dogwood Road)

2nd Election District

4th Council District

Arthur O. and Sharon Y. Jackson

Legal Owners

Petitioners

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0188-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed on behalf of Arthur and Sharon Jackson, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm that two principal uses (single family dwelling & Class B Group Child Care Center) are both allowed on the same property. A Petition for Special Exception was filed pursuant to § 424.5.A to allow a Class B Group Child Care Center with a maximum of 40 children.

Appearing at the public hearing in support of the requests was Arthur & Sharon Jackson and Bruce E. Doak, a professional surveyor whose firm prepared the site plan. Petitioners were represented by J. Neil Lanzi, Esq. Several neighbors attended the hearing to obtain additional information about the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations.

Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Department of Environmental Protection and Sustainability (DEPS). A condition will be included in the Order below to address the concern raised by DEPS. The DOP requested vegetative screening between the subject property and the residence at 9419 Dogwood.

ORDER RECEIVED FOR FILING

Date 8-3-16

By Sen

Petitioners explained the owner of that home (which is in fact located at 9416 Dogwood) removed a row of trees and bushes that originally separated their homes, to provide a more open vista and view shed. As such, I will not require Petitioners to provide landscaping.

Special Hearing

The B.C.Z.R. does not contain an explicit prohibition upon multiple principal uses on the same lot. In a recent case of first impression, an Ohio court held that for zoning purposes "it is permissible for property to have multiple principle uses." Phillips Supply Co. v. Cincinnati Zoning Bd., 17 N.E.3d 1 (Ohio 2014). The subject property is nearly 5 acres in size, and though it is zoned RC 2 there was no evidence presented which would suggest the child care facility and/or single family dwelling would be detrimental in any way to the agricultural uses in the area. While the result might be otherwise in a case involving a smaller lot, I believe the subject property is of a sufficient size to accommodate the proposed principal uses. As such, the special hearing request will be granted.

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The Schultz standard was revisited in People's Counsel v. Loyola College, 406 Md. 54 (2008), where the court emphasized that a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. In this case Mr. Doak, who was accepted as an expert, opined Petitioners satisfied the requirements of B.C.Z.R. §502.1, which governs the special exception process. In fact, Mr. Doak testified this was perhaps the largest site he has seen proposed for a child care facility.

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Date 8-3-16

By sen

Members of the community suggested there would be an increase in traffic, which may be the case. But traffic would increase in any scenario where a Class B child care facility is operated in the RC 2 zone. In other words, I believe increased traffic is an adverse impact inherent in the operation of such a facility. According to Maryland case law, the special exception cannot be denied on this basis. In addition, Petitioners have in an effort to lessen the impact upon the community agreed to certain conditions and restrictions upon the operation of the child care center, and a declaration containing those terms will be incorporated into the Order below. In these circumstances, I believe the special exception should be granted.

THEREFORE, IT IS ORDERED this 3rd day of August, 2016, by this Administrative Law Judge, that the Petition for Special Hearing to confirm that two principal uses (single-family dwelling & Class B Group Child Care Center) are both allowed on the same subject property, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Special Exception pursuant to B.C.Z.R. § 424.5.A to allow a Class B Group Child Care Center, be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon 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. The restrictive covenant agreement attached hereto shall be incorporated into this Order and the relief granted herein shall be expressly subject to the terms and restrictions of that agreement.
3. Prior to issuance of permits Petitioners shall obtain approval from the Ground Water Management section of DEPS.

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Date 8-3-16
By sen

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 8-3-14

By sln

DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants (the "Declaration") is entered into this 27th day of May, 2016, by and between Sharon Jackson and Arthur Jackson (collectively, "Jackson") and The Greater Patapsco Community Association, Inc. (the "GPCA").

I. RECITALS.

A. Jackson owns a parcel of property in Baltimore County containing approximately 4.935 acres, tax account no. 02-2300010991, which property is known as 9420 Dogwood Road and is described in the deed dated May 21, 2005 attached hereto as Exhibit A and made a part of this Declaration (the "Property").

B. The GPCA is a community association duly incorporated under the laws of the State of Maryland in whose area the Property is located.

C. The Property is currently zoned RC2.

D. The Property is currently being used by Jackson as their primary residence with Class A Group Childcare as an accessory use.

E. Jackson desires to continue the residential use of the Property and operate a Class B Group Childcare center on the Property.

F. Jackson has filed a Petition for Special Exception with Baltimore County (Zoning Case No. 2016-0188-SPHX) pursuant to Section 424.5 of the Baltimore County Zoning Regulations ("BCZR") to allow a Class B Group Childcare Center on the Property as a principal use.

G. Jackson has filed a Petition for Special Hearing with Baltimore County (Zoning Case No. 2016-0188-SPHX hereinafter referred to as the "Zoning Case") pursuant to Section 500.7 of the BCZR to allow two principal uses on the same property (residence and Class B Group Childcare Center).

H. A site plan for the Property is attached as Exhibit B and made a part of this Declaration.

I. The GPCA has reviewed and approved the site plan for the Property. The GPCA is willing to support Jackson's intended use of the Property subject to the placement of certain restrictions on the Property and to assure that the current and future use of the Property does not unduly impact nearby residential areas.

J. In order to make the covenants, restrictions and conditions contained in this Declaration binding and fully effective on the Property, and on the present and future owners and occupants thereof, the parties have entered into this Declaration to the end and with the intent that Jackson and his successors and assigns will hold, use, transfer, convey or foreclose upon the Property subject to the said covenants, restrictions and conditions.

WHEREUPON, in consideration of the promises made in this Declaration by and between Jackson and the GPCA and for other good and valuable consideration, the sufficiency of which the parties acknowledge, the parties hereto agree as follows:

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Date 8-3-16

By Sen

II. AGREEMENT

1. General Use of Property. The Property shall be limited to residential use and a Class B Group Childcare Center in accordance with the regulations applicable to RC 2 zoned property and as generally set forth in the BCZR.

2. Specific Use of the Property. The development of the Property shall be in accordance with the site plan as shown on Exhibit B.

3. Zoning Case No. 2016-0188-SPHX. During the hearing before the Baltimore County Administrative Law Judge for the Zoning Case, the GPCA and its members shall support the Jackson's requested zoning relief and the requested use of the Property, subject to the conditions contained herein. In the event Jackson successfully obtains the zoning relief requested in the Zoning Case, no appeals shall be filed by the GPCA and/or any members thereof.

4. Conditions.

A. Jackson and the GPCA acknowledge and agree the terms of this Declaration shall be contingent upon non-appealable approval from Baltimore County of the Special Exception and Special Hearing relief requested by Jackson in the Zoning Case and the Site Plan attached as Exhibit B.

B. The terms of this Declaration shall be null and void in the event the requested zoning relief in the Zoning Case is denied and/or an appeal is filed to the Baltimore County Zoning Board.

C. Class B Group Childcare Restrictions at the Property.

1. The hours of operation of the daycare shall be limited to, Monday through Friday, weekday holidays included, 6:00 a.m. through 11:30 p.m. Jackson agrees to limit the number of children during a weekday holiday evening shift only (until 11:30 p.m.) to eight (8). (Holidays for purposes of this restriction shall only include those holidays where government offices, Courts and banks are closed.) There are no restrictions for other weekday holidays not within this definition.
2. There shall be no daycare provided overnight or on weekends.
3. The number of children in Jackson's care at the Property at any given time (session) shall be limited to a maximum number of 25.
4. The total number of children allowed outside on the Property at any given time during a shift shall be limited to a maximum of sixteen (16) unless there is a fire drill.
5. The total number of children in Jackson's care at the Property on any given weekday (includes all shifts) shall be limited to a maximum number of 35.

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Date

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By

Sen

6. Jackson agrees during the term of this Declaration not to upzone or change the designation of the Property in any way inconsistent with the Patapsco/Granite Area Community Plan as adopted by the Baltimore County Council December 21, 1998 ("Plan") and recognized in the Baltimore County Master Plan 2020.
7. The GPCA and its members agree not to request and/or support any zoning change to the Property during the term of this Declaration which, if approved, would render the use of the Property nonconforming under the BCZR and/or inconsistent with the Plan.
8. Other than the Property address and directional signs to assist with traffic flow, there shall be no signs on the Property advertising the daycare.
9. Notwithstanding Maryland and Baltimore County law allowing Special Exception approval to run with the Property to successive owners, any Special Exception approval for the Group B Childcare Center shall terminate in the event the Property, or any portion thereof, is sold to a third party unrelated to Jackson either by blood or marriage. The GPCA acknowledges and agrees that Jackson has an adult child (either individually, with his spouse and/or employees) who may, with or without his then spouse, operate the daycare with Jackson or after Jackson retires.
10. Jackson shall limit any future expansion of the existing driveway or parking area on the Property to no more than ten percent (10%) of the existing paving.
11. Jackson shall install the appropriate fence in the backyard as required by the BCZR.
12. Jackson, at their sole cost and expense, shall keep and maintain the Property in a well maintained, safe, clean and attractive condition at all times. Such maintenance shall include, but not be limited to:
 - a. The removal of litter, trash and refuse within a reasonable time of discovery and no later than 72 hours thereafter; and
 - b. Lawn mowing within a reasonable time as reasonably allowed by weather conditions; and
 - c. Reasonable care for all landscaping; and
 - d. Jackson and the GPCA recognize and acknowledge that, notwithstanding Section 12b and 12c above, Baltimore County maintains the grass and tree/bush trimming within the County Right of Way located on the Property, including, but not limited to the area of the Property located at the corner of Dogwood Road and Old Court Road and along the entire stretch of the Property adjacent to Dogwood Road (approximately 3-10' inside the Property out to the road). The parties hereto also recognize the County moves any rocks/boulders on the Property as

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necessary to conduct its maintenance. Jackson shall not have any maintenance and/or lawn mowing obligations for these areas as described in this Section 12d.

5. Eminent Domain. Notwithstanding anything to the contrary contained herein, should any portion of the Property be taken by eminent domain or by a deed in lieu thereof or be required in any manner for improvements to an existing road or right-of-way, upon the taking or transfer, such portion shall be deemed removed from this Declaration and Jackson shall have no further liability hereunder for such area taken or transferred.

6. Enforcement. If any party to this Declaration, or its successors or assigns is required to institute legal action to enforce the terms of this Declaration and is successful (whether by judgment or settlement) in obtaining enforcement of the Declaration), that party or its successor or assigns shall be entitled to recover reasonable attorneys' fees and other reasonable costs of the action from the person or entity against whom enforcement is obtained. However, as a prerequisite to the recovery of fees and costs under this paragraph, the person or entity seeking enforcement shall serve the alleged violator of the Declaration with written notice of the violation, and only if the alleged violator has failed to remedy or make substantial progress towards remedying the violation within sixty (60) days after the receipt of this notice may legal action be instituted.

7. Authorization. The parties warrant and represent that they have taken all necessary action required to be taken by the respective charters, bylaws, or other organizational documents to authorize the execution of this Declaration.

8. Entire Agreement. This Declaration, which may be executed in counterparts, contains the entire understanding of the parties.

9. Consultation. Each of the parties to this Declaration warrants that they have carefully read and understand this Declaration, are cognizant of its terms and have had ample time to consult with counsel of their choice regarding their respective rights and obligations in connection herewith.

10. Rights of Parties. The rights and interests granted by this Declaration are binding on Jackson and the GPCA and their respective successors, heirs and assigns.

11. Term/Amendment. This Declaration and the restrictions set forth herein shall run with and bind the Property subject to Section 4(C)(9) herein, and shall inure to the benefit of and be enforceable by each of the parties and its successors and assigns, for an initial term of 25 years from the date this Declaration is filed for record among the Land Records of Baltimore County, Maryland. At the end of the initial term, this Declaration shall be automatically renewed without any action by the parties hereto or their respective successors or assigns, for an additional term of 25 years. This Declaration may only be amended, supplemented or terminated by a writing signed by the parties or their successors and assigns.

12. Interpretation/Recording. This Declaration will be construed by application of Maryland Law. In the event the conditions in Section 4(A) hereof are satisfied, this Agreement will be recorded by Jackson in the Land Records of Baltimore County within 30 days of final unappealable zoning approval of the Zoning Site Plan attached as Exhibit B and the zoning relief requested in the Zoning Case.

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Date 8-3-16
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13. Severability. If any of the covenants, conditions or terms of this Declaration shall be found void or unenforceable for any reason whatsoever by any court of law or of equity, then all other covenants, conditions, restrictions or terms contained herein shall remain valid and binding.

14. Notices. All the notices required by this Declaration shall be hand-delivered, sent by first class mail, postage prepaid, or sent by nationally recognized overnight delivery service, to the following addresses, or to other such address as either party shall notify the other of in writing:

Sharon and Arthur Jackson
9420 Dogwood Road
Baltimore, Maryland 21244

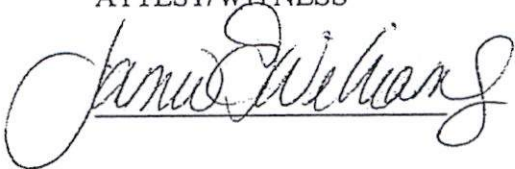
The GPCA
P.O. Box 31
Woodstock, Maryland 21163

With a copy to:

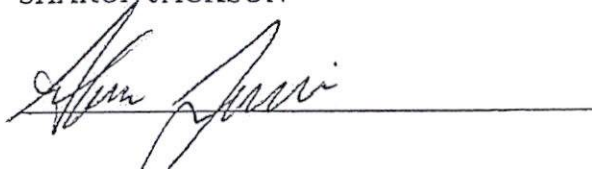
Greater Patapsco Community Association, Inc.
c/o Denise Muranto, Secretary
3101 Rices Lane
Windsor Mill, Maryland 21244

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

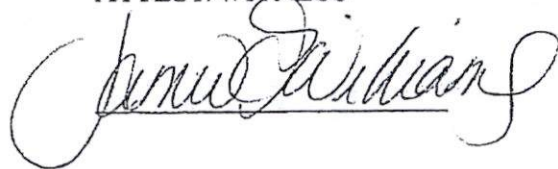
ATTEST/WITNESS



SHARON JACKSON



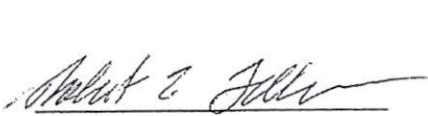
ATTEST/WITNESS



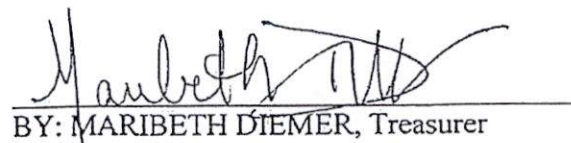
ARTHUR JACKSON



ATTEST/WITNESS



THE GREATER PATAPSCO COMMUNITY
ASSOCIATION, INC.


BY: MARIBETH DIEMER, Treasurer

ORDER RECEIVED FOR FILING

Date

8-3-16

By

sln

0021943 336

CONFIRMATORY DEED

File No. 057925A
Tax Account No. 23-00-010991

THIS DEED, Made this 21st day of May, 2005, by and between Aruther O. Jackson and Sharon Y. Jackson, parties of the first part, and Arthur O. Jackson and Sharon Y. Jackson, parties of the second part.

WHEREAS, on October 31, 2000 a Deed was recorded among the Land Records of Baltimore County in Liber 14841 folio 359 erroneously spelling Aruther O. Jackson. The correct spelling should appear as Arthur O. Jackson.

WITNESSETH, that in consideration of the sum of (\$0.00) DOLLARS; and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part, do grant and convey unto the parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that property situate in Baltimore County, State of Maryland, described as follows, that is to say:

BEGINNING FOR THE SAME at the intersection of the east side of Dogwood Road, 40 feet wide and the south side of Old Court Road (MD Route 125), variably wide, said point being at the end of the fifth or North 76 degrees 32 minutes West 130.12 foot line of a deed from Frederick C. Boehmer to Allan Lee Boehmer, Pamela Lynn Bateman and Kim D. Owen dated December 13, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6637, folio 711, said point also being designated as point number 172 as shown on "Minor Subdivision No. 00046M, Boehmer Property" prepared by Colbert Matz Rosenfelt, Inc., last revision dated August 8, 2000; thence, as now surveyed, referring all of the course of this description to the datum established for the Baltimore County Metropolitan District, running reversely with and binding on the fifth line and part of the fourth line of the aforementioned deed from Frederick C. Boehmer to Allan Lee Boehmer, Pamela Lynn Bateman and Kim D. Owen, and on part of the south side of Old Court Road as shown on State Roads Commission of Maryland Plat No. 426 dated January 13, 1933 and recorded among the aforementioned Land Records in Plat Book No. 10, page 59, the following two courses and distances:

- 1) South 83 degrees 08 minutes 51 seconds East 130.12 feet, and
- 2) South 77 degrees 59 minutes 51 seconds East 427.94 feet; thence leaving said south side of Old Court Road and running for new lines of division across the property described on the aforementioned deed from Frederick C. Boehmer, the following five courses and distances:
- 3) South 00 degrees 35 minutes 38 seconds West 328.92 feet,
- 4) South 89 degrees 26 minutes 50 seconds West 105.26 feet,
- 5) South 48 degrees 08 minutes 02 seconds West 53.52 feet,
- 6) South 89 degrees 19 minutes 41 seconds West 233.45 feet,
- 7) South 86 degrees 08 minutes 00 seconds West 133.55 feet

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 21943, p. 0336, MSA_CE62_21798. Date available 06/08/2005. Printed 01/25/2016.

ORDER RECEIVED FOR FILING

Date 8-3-14
By den

EXHIBIT A

0021943.337

to intersect the sixth line of the aforementioned deed from Frederick C. Boehmer, on the east side of Dogwood Road, 40 feet wide; thence running with and binding on part of said east side of Dogwood Road and on part of said sixth line

8) North 03 degrees 52 minutes 00 seconds West 483.00 feet to the place of beginning. Containing 5.051 acres of land, more or less.

With an address of 9420 Dogwood Road, Baltimore, MD 21060.

BEING that same lot of ground which by Deed dated October 31, 2000 and recorded among the Land Records of Baltimore County in Liber 14841 folio 359 by and between Frederick C. Boehmer a/k/a Frederick C Boehmer, Sr. unto Aruther O. Jackson and Sharon Y. Jackson.

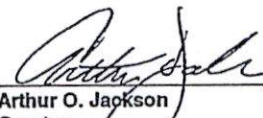
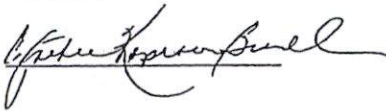
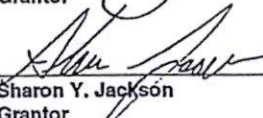
TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said described lot of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of the same as may be requisite or necessary.

WITNESS, the hands and seals of said Grantors.

WITNESS:


Arthur O. Jackson
Grantor (SEAL)
Sharon Y. Jackson
Grantor (SEAL)

ORDER RECEIVED FOR FILING

Date

8-3-16

By

den

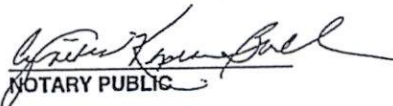
0021943 338

STATE OF Maryland
County of Baltimore, TO WIT;

I Hereby Certify, That on this 21st day of May, 2005, before me, the subscriber, personally appeared Arthur O. Jackson and Sharon Y. Jackson, known to me or satisfactorily proven to be the persons whose names is/are set forth in the within deed, and did further acknowledge that they executed the foregoing deed for the purposes therein contained.

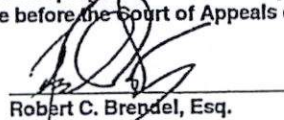
WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires: 8/1/07


NOTARY PUBLIC

CYNTHIA BRENDEN NOTARY PUBLIC
BALTIMORE COUNTY, MARYLAND
MY COMMISSION EXPIRES 8/1/07

THIS IS TO CERTIFY that this instrument has been prepared under the supervision of Robert C. Brendel, an Attorney admitted to practice before the Court of Appeals of the State of Maryland.


Robert C. Brendel, Esq.

return to:

STONEGATE TITLE COMPANY
1919 York Road
Timonium, MD 21093
(410) 561-1177

BALTIMORE COUNTY CIRCUIT COURT (Land Records) SM 21943, p. 0338, MSA_CES2_21798. Date available 06/08/2005. Printed 01/25/2016.

ORDER RECEIVED FOR FILING

Date 8-3-14

By Den



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 9420 DOGWOOD ROAD BALTIMORE MD 21244 which is presently zoned RC2
 Deed References: SM 21943/336 10 Digit Tax Account # 23 000 10991
 Property Owner(s) Printed Name(s) ARTHUR O. JACKSON & SHARON Y. JACKSON

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

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

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

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

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

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2016-0188-SPHX Filing Date 2/19/16

Legal Owners (Petitioners):

ARTHUR O. JACKSON SHARON Y. JACKSON
 Name #1 - Type or Print Name #2 - Type or Print

Arthur O. Jackson Sharon Y. Jackson
 Signature #1 Signature #2

9420 DOGWOOD ROAD BALTIMORE MD
 Mailing Address City State

21244 | 410-926-2428 |
 Zip Code Telephone # Email Address
LOVINGCAREDAYCAREMD@GMAIL.COM

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING LLC
 Name - Type or Print

Bruce E. Doak
 Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND MD
 Mailing Address City State

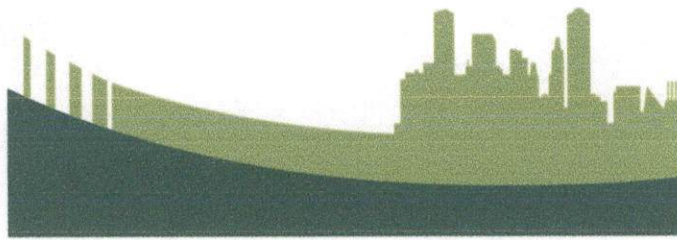
21053 | 410-419-4906 |
 Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM
 Do Not Schedule Dates: Reviewer GA

Petition Requests:

Special Hearing to confirm that two principal uses (single family dwelling & a Class B Group Child Care Center) are both allowed on the same subject property.

Special Exception to allow a Class B Group Child Care Center with a maximum of 40 children *PER SECTION 424.5 A BCZR*



Zoning Description

9420 Dogwood Road- 4.935 Acre Parcel
Second Election District First Councilmanic District
Baltimore County, Maryland

Beginning at the southeast intersection of the east side of Dogwood Road and the south side of Old Court Road, thence running and binding on the south side of Old Court Road, the two following courses and distances, viz. 1) South 83 degrees 08 minutes 51 seconds East 119.94 feet and 2) South 77 degrees 59 minutes 51 seconds East 427.94 feet, thence leaving Old Court Road and running 3) South 00 degrees 35 minutes 38 seconds West 328.92 feet, 4) South 89 degrees 26 minutes 50 seconds West 105.26 feet, 5) South 48 degrees 08 minutes 02 seconds West 53.52 feet, 6) South 89 degrees 19 minutes 41 seconds West 233.45 feet and 7) South 86 degrees 08 minutes 00 seconds West 123.55 feet to the east side of Dogwood Road, thence running and binding on the east side of Dogwood Road 8) North 03 degrees 52 minutes 00 seconds West 481.10 feet to the point of beginning.

Containing 4.935 acres of land, more or less.

This description is part of a zoning petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

2016-0188-SPHX



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 4030337

Sold To:

Arthur Jackson - CU00524986
9420 Dogwood Rd
Windsor Mill, MD 21244-1016

Bill To:

Arthur Jackson - CU00524986
9420 Dogwood Rd
Windsor Mill, MD 21244-1016

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Mar 17, 2016

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

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: # 2016-0188-SPHX
9420 Dogwood Road
E Dogwood Road at the corner of S/of Old Court Road
2nd Election District - 4th Councilmanic District
Legal Owner(s) Arthur & Sharon Jackson

SPECIAL HEARING: to confirm that two principal uses (single family dwelling & a Class B Group Child Care Center) are both allowed on the same subject property.

Special Exception: to allow a Class B Group Child Care Center with a maximum of 40 children.

Hearing: Friday, April 8, 2016 at 1:30 p.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.

3/158 March 17 4030337

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

March 14, 2016

Re:

Zoning Case No. 2016-0188-SPHX

Petitioner: Arthur & Sharon Jackson

Hearing date: April 8, 2016

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

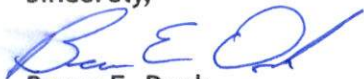
Attention: Kristen Lewis

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 located at **9420 Dogwood Road**.

The sign was posted on **March 14, 2016**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2016-0188-SPHX

9420 Dogwood Road

A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE
IN TOWSON MARYLAND

PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204

DATE & TIME: FRIDAY APRIL 08, 2016 1:30 PM

REQUEST:

**SPECIAL HEARING TO CONFIRM THAT TWO PRINCIPAL USES
(SINGLE FAMILY DWELLING & A CLASS B GROUP CHILD CARE
CENTER) ARE BOTH ALLOWED ON THE SAME SUBJECT
PROPERTY.**

**SPECIAL EXCEPTION TO ALLOW A CLASS B GROUP CHILD
CARE CENTER WITH A MAXIMUM OF 40 CHILDREN.**

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.

THE HEARING IS HANDICAPPED ACCESSIBLE





KEVIN KAMENETZ
County Executive

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

March 2, 2016

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: 2016-0188-SPHX

9420 Dogwood Road

E Dogwood Road at the corner of S/of Old Court Road

2nd Election District – 4th Councilmanic District

Legal Owners: Arthur & Sharon Jackson

Special Hearing to confirm that two principal uses (single family dwelling & a Class B Group Child Care Center) are both allowed on the same subject property. Special Exception to allow a Class B Group Child Care Center with a maximum of 40 children.

Hearing: Friday, April 8, 2016 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Jackson, 9420 Dogwood Road, Baltimore 21244
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 19, 2016**
- (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, March 17, 2016 Issue - Jeffersonian

Please forward billing to:
Arthur Jackson
9420 Dogwood Road
Baltimore, MD 21244

410-926-2428

NOTICE OF ZONING HEARING

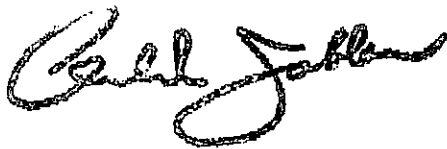
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Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

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KEVIN KAMENETZ
County Executive

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

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RE: PETITION FOR SPECIAL HEARING
AND SPECIAL EXCEPTION
9420 Dogwood Road; E Dogwood Road
at corner of the S of Old Court Road
2nd Election & 4th Councilmanic Districts
Legal Owner(s): Arthur & Sharon Jackson
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-188-SPHX

* * * * *

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
MAR 02 2016

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 2nd day of March, 2015, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2016-0188-SPHX
Petitioner: ARTHUR O. JACKSON & SHARON Y. JACKSON
Address or Location: 9420 DOGWOOD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARTHUR JACKSON
Address: 9420 DOGWOOD ROAD
WINNERS MILL MD 21244

Telephone Number: 410-644-0909

LOVING CARE, INC.
SHARON Y. JACKSON
ARTHUR O. JACKSON
21 COBBER LANE (410) 644-0909
BALTIMORE, MARYLAND 21229

1575

7-11-520

DATE 2/19/16

PAY
TO THE
ORDER OF

Baltimore County Maryland
One Thousand

\$ 1000.00
DOLLARS



Security Rolling Road Super Fresh Office

FOR

⑈001575⑈ ⑈052000113⑈

970380380⑈

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

No. 135701

Date: 2/19/16

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6150					1000.00

Total: 1000.00

Rec From: Bruce Doak

For: 9420 Dogwood Road

case # 2016-0188 SP/H

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

March 30, 2016

Arthur O & Sharon Y Jackson
9420 Dogwood Road
Baltimore MD 21244

RE: Case Number: 2016-0188 SPHX, Address: 9420 Dogwood Road

Dear Mr. & Ms. Jackson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 19, 2016. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak Consulting LLC, 3801 Baker Schoolhouse Road, Freeland MD 21053

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 2/29/16

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

RE: Baltimore County
Item No. 2016-0188-SPHX
Special Exception Special Hearing
Arthur O. and Sharon Y. Jackson
9420 Dogwood 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. 2016-0188-SPHX.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'David W. Peake'.

David W. Peake
Metropolitan District Engineer – District 4
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: March 17, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-188

MAR 18 2016

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 9420 Dogwood Road
Petitioner: Arthur O. Jackson, Sharon Y. Jackson
Zoning: RC 2
Requested Action: Special Hearing, Special Exception

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve combined principal uses on the property and also the petition for special exception to use the property for a Class B Group Child Care Center.

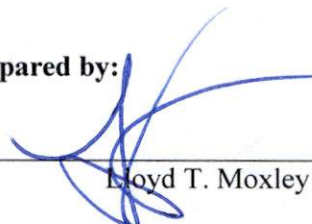
A site visit was conducted on March 7, 2016.

The Department has no objection to granting the petitioned zoning relief conditioned on the following:

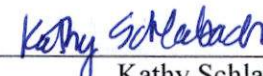
- Install vegetative evergreen screening along the common lot line with 9419 Dogwood Road from a point equidistant with the rear of the existing dwelling at 9419 extending out to Dogwood Road.

For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Jeanette M. S. Tansey, R.L.A., Permits and Development Management
Bruce E. Doak
Wally Lippincott
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence**

RECEIVED

MAR 07 2016

OFFICE OF ADMINISTRATIVE HEARINGS



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: March 7, 2016

SUBJECT: DEPS Comment for Zoning Item # 2016-0188-SPHX
Address 9420 Dogwood Road
(Jackson Property)

Zoning Advisory Committee Meeting of March 7, 2016.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

Ground Water Management would need to review any future building permits, if there are any, for a group day care center here.

Reviewer: *Dan Esser – Groundwater Management*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: March 1, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For March 7, 2016
Item No. 2016-0180, 0186, 0187, 0188, 0189 and 0191

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

DAK:CEN
cc:file

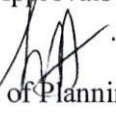
G:\DevPlanRev\ZAC -No Comments\ZAC0307016.doc

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**



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

DATE: March 17, 2016

FROM: Andrea Van Arsdale 
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-188

INFORMATION:

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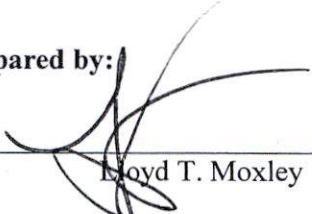
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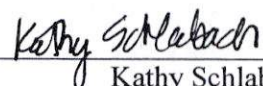
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Prepared by:



Lloyd T. Moxley

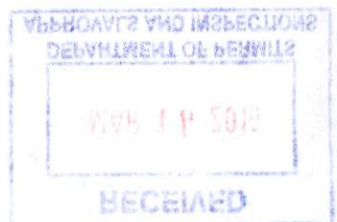
Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Jeanette M. S. Tansey, R.L.A., Permits and Development Management
Bruce E. Doak
Wally Lippincott
Office of the Administrative Hearings
People's Counsel for Baltimore County



4/8. opened & cont'd
File ref'd
to Kristen
on 5-13

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

DATE: May 13, 2016

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: Petitions for Special Hearing and Special Exception
Case No. 2016-0188-SPHX – 9420 Dogwood Rd., 21244

A hearing was held on April 8, 2016, in which counsel requested a continuance in order to meet with the community.

Mr. Lanzi advised that after he meets with the community, he will contact you to schedule another hearing. This should be done in coordination with Ms. Maranto, so that she can provide notice of the rescheduled hearing date to others in her association. Please see my email dated April 8, 2016.

Thank you for your attention and cooperation in this matter.

c: Office of People's Counsel

Debra Wiley

From: John E. Beverungen
Sent: Friday, April 08, 2016 2:36 PM
To: nlanzi@wcslaw.com; denise.moranto@gmail.com
Cc: Debra Wiley, Sherry Nuffer; Kristen L Lewis
Subject: 2016-188-SPHX

A hearing was held today in the above zoning case. Counsel requested a continuance, noting that his expert (surveyor Bruce Doak) could not attend the hearing. Several members of the community attended the hearing and an informal discussion was held wherein they identified certain concerns about the proposed child care center. Mr. Lanzi also indicated he wanted the opportunity to meet with the GPCA, and Ms. Maranto offered to be the contact person for making arrangements in this regard.

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John Beverungen
ALJ

BALTIMORE COUNTY, MARYLAND

Inter-Office Memorandum

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John Beverungen
ALJ

John E. Beverungen

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To: 'nlanzi@wclaw.com'; 'denise.moranto@gmail.com'
Cc: Deborah Wiley (dwiley@baltimorecountymd.gov); Sherry Nuffer (snuffer@baltimorecountymd.gov); Kristen L Lewis
Subject: 2016-188-SPHX

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John Beverungen
ALJ

CASE NAME Arthur & Sharon Jackson
 CASE NUMBER 2016-0188-SPHX
 DATE 4/8/16

[illegible]

CASE NAME 2016-0198
CASE NUMBER Jackson
DATE 4-8-2016

[illegible]

June Wisnom

From: Joan Hite <hitehouse@yahoo.com>
Sent: Friday, April 08, 2016 12:32 PM
To: June Wisnom
Subject: Case Number 2016-0188 / Zoning Exception on Dogwood Road

This is to state my objection to the zoning exception referencing the above mentioned case. Along with the concerns I have listed below I also do not understand the need for this type of facility in our rural area. There are a sufficient number of daycare centers along the Liberty Rd. and or Rolling Rd. corridor to service our area that are within a reasonable drive which are located in an appropriate commercially zoned area. This is obviously a profit venture with no regard for the community.

Respectfully,
Joan Hite

Our Concerns and objection are as follows:

1. Traffic - 40 children plus staff of approx. 10 in and out at least 2X a day is approx. 200 trips on Dogwood daily for one property! They are located on the corner of Dogwood & Old . There is a very bad blind spot pulling out onto Old Court off of Dogwood. Many accidents with injuries at this intersection. Current traffic already backs up at the stop sign during peak travel times. Our traffic has already increased with Dogwood becoming a cut through to Social Security from Randallstown and Eldersburg. The speed limit is 30 mph which is rarely followed. Dogwood is NOT a main road and is very rural in nature!
2. Garbage - Will there be dumpsters and if so will there be trucks entering to empty? If so, how often? truck noise? garbage smell?
3. Septic - 50 people X 4 flushes daily = 200 flushes for one property! How will this be handled?
4. Noise - Have you ever heard 40 children outside playing? Additional traffic noise. This is a quiet rural community.
5. Commercial appearance - We do not want the appearance of a commercial property in our neighborhood. Who is to say that whatever they build onto the house will be in keeping with our residential appearance. They could put a commercial sign on the street or build a commercial playground. They may say they won't but once the zoning is changed they can do what they want within the commercial zoning. They have a history of saying one thing and doing another; they agreed to split the cost of trees planted with another neighbor on their adjoining property line and never paid them.
6. Broken Regulations- They currently have untagged vehicles on their property which they have been cited for and they ignore. Also place rocks at the corner of Dogwood & Old Court which is against regulation and a hazard should someone run off the road. In speaking with their direct neighbors we do not trust anything they say they are doing since they already don't follow County regulations with regard to the previous mentioned.
7. We are a rural community and their current zoning is RC2 agricultural. This is a very slippery slope. If they allow this exception who is to say that another neighboring property won't request the same thing.

June Wisnom

From: Jessica Turner <mxstressica@gmail.com>
Sent: Friday, April 08, 2016 12:06 PM
To: June Wisnom
Subject: Case Number 2016-0188 / Zoning Exception on Dogwood Road

RECEIVED

APR 08 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Good Afternoon,

I wanted to reach out to you to respectfully request that this exception for a 40 person daycare in our residential neighborhood be denied.

Given that we have two toddlers and live in the immediate area, our family knows first hand that there are plenty of childcare options in nearby commercial areas with available openings. There is no need in this community that another childcare center is going to satisfy, unless it is the financial needs of the proprietor. This would be at the expense of us, their neighbors.

I'm not sure if you are familiar with the character of Dogwood Road between Old Court and Hollofield, but it is a beautiful and unique rural area that is worth preserving in its current state.

The home requesting the variance is set fairly close to the road. Close enough that the noise created by 40 children would present an issue for our neighbors.

We are sharing a water supply in this neighborhood and during warmer months, our wells will occasionally suck up silt when the water table is low. Approving this variance would set a precedent that the land would eventually be totally unable to support.

Traffic is already a concern at Dogwood and Old Court during peak hours. I pick up my child from daycare in an area that is *not* residential and can attest to the congestion created by 40+ SUVs and minivans trying to load and unload a subgroup of tiny humans who don't exactly have a reputation for being cooperative. Attempting this on a small residential street would be ridiculous.

I respect our neighbor's desire to own and expand their own business, but the location they have selected is not appropriate for this business venture. It infringes on our rights as neighbors to enjoy the quiet rural character of the neighborhood we all selected while knowing the current zoning requirements.

Please decline their request and help preserve what remains of the pleasant and scenic rural areas in Baltimore County. I appreciate your time.

Respectfully Submitted,

Jessica L. Turner
8911a Dogwood Road

June Wisnom

RECEIVED

From: Isabel Mills <isabel_mills@yahoo.com>
Sent: Friday, April 08, 2016 11:17 AM
To: June Wisnom
Subject: Opposition: In Reference to Case No. 2016-0188

APR 08 2016

OFFICE OF ADMINISTRATIVE HEARINGS

jwisnom@baltimorecountymd.gov

In reference to Case No. 2016-0188; Property located at the corner of Dogwood Rd. and Old Court Rd.

Good Morning,

I am writing to express my **absolute opposition** to the proposed zoning change that would allow this RESIDENTIAL property to be converted to a Commercially zoned Child Care Facility for 40!

This is a historically quiet residential neighborhood and should remain as such! The increased traffic would create horrible back-ups and congestion on this small road, not to mention the unnecessary increased potential for serious vehicle incidents due to limited-site entering and exiting the property. Also, proposed additions/changes to the house/property would completely detract from the country-like setting and change the overall feel of the neighborhood.

Occupants at the above residence already have lots of "play yard" type items in the front/side yard and unsightly debris around the house (that has been there for a while). There are plenty of unoccupied commercial properties in the vicinity that could serve the "day care" purpose. They should not be allowed to move into a quiet rural neighborhood and then petition to change it! Our neighborhood was here first!

Please do not allow the zoning change - it is absolutely unfair to the other nearby law-abiding residents who make the choice to live in a rural community.

Thank you for your attention to this matter.

Kindly,

Concerned Local Resident

June Wisnom

APR 8 2016

From: Eric A. Hite <ehite@inovalon.com>
Sent: Friday, April 08, 2016 9:59 AM
To: June Wisnom
Cc: erichite2013@gmail.com; Joan Hite; major8ball@yahoo.com; gpca21163@gmail.com
Subject: Case Number: 2016-0188-SPHX

OFFICE OF ADMINISTRATIVE HEARINGS

Our family resides at 9312 Dogwood Road, we have lived here for 25 years. We are a just a few doors down from 9420 Dogwood Road, any changes to the use of their property will impact our us directly.

We are strongly opposed to the homeowners petition to change the use of their residential property to what equates to a commercial business operation. We already face the following challenges at the corner of Dogwood Road and Old Courts Road where 9420 Dogwood is located:

- 1) Traffic backup's during morning and afternoon rush hour for the stop sign at the end of Dogwood Road (causing traffic to back up way beyond the driveway for 9420 Dogwood Road). Dogwood is a rural road with main thoroughfare volumes of traffic. We have commuters cutting through to SSA and CMS in Woodlawn, delivery vehicles, service vehicles etc. etc. all day long.
- 2) General traffic speed and excessive vehicle speed has been and continues to be an issue on the section of Dogwood Road where the petitioners reside.
- 3) Dogwood Road and Old Court Road is a very dangerous intersection with poor sightlines and huge volumes of traffic, just in the last 6 months there have been at least two serious accidents resulting in injuries.
- 4) Strained natural resources, as we are all on well and septic-any significant increases in demands for water affect all of the property owners in the area. Many of us have had issues with our wells going dry or low water supply due to the additional residential developments that the county has allowed over the last 15-20 years.
- 5) Current zoning for 9420 is RC-2 agricultural protection (resource conservation zone). We (the County and the community) should collectively be working to make sure resources are conserved for the current residents and agricultural uses already here and not add additional demand to already strained resources.
- 6) The homeowners already have zoning compliance issues with untagged vehicles being stored in their yard, we have made numerous attempts to have these removed with no success (they have been contacted by the county and asked nicely by the neighbors). They have also have placed rocks on county and state road right of ways to deter people from being to use the side of the road. Again, we have pursued this through the county to have the violation corrected and have also asked them directly. **The homeowners in my opinion have a history of non-compliance with County regulations and a lack of respect for the community at large.**

The additional 40 child daycare center adds the following concerns:

- 1) Traffic volume of 40 parents dropping off and picking up (a minimum of 160 trips per day for the 40 kids plus trips for staff members for one house!)
- 2) The increase demand for water and sewage volume (again we are all on well and septic systems). With a minimum of 200 flushes per day there is no way their current septic system can handle this volume of sewage. The home's current septic system is sized for residential use based on it being a residential home.
- 3) Unsightly appearance of the changes they will need to make to the property in order to mask the outdoor play area (again we are a residential street).
- 4) Increased noise levels from additional traffic, parents, staff and children outside. This is a quiet residential street-not a commercial thoroughfare.

RECEIVED

APR 8 2016

OFFICE OF ADMINISTRATIVE HEARINGS

- 5) The need for trash dumpsters would result in noisy commercial dumpster pick up. If they don't use commercial dumpsters, the volume of trash would exceed the county's residential allowance of two cans per home per week. The dirty diaper volume alone would create a smell issue as well.
- 6) Setting a bad precedent, if their request is approved what prevents all of the other homeowners from doing the same? We don't need or want our quiet, residential community turning into a commercial zone.

Thank you for your consideration in this matter. Please contact me directly should you have any questions.

Regards,

Eric & Joan Hite
9312 Dogwood Road
410-303-1441 mobile
erichite2013@gmail.com

Case Number Details:

Share Zoning Hearings - 9420 Dogwood Road (Corner of Old Court Rd)

Date/Time: Apr 8 2016 1:30pm - 3:30pm

Location: 4th Council District

Details: Case Number: 2016-0188-SPHX

Location: East Dogwood Road at the corner of the South of Old Court Road ,

2nd Election District

Legal Owners: Arthur & Sharon Jackson

Special Exception to allow a Class B Group Child Care Center with a maximum of 40 children. Special Hearing to confirm that two principal uses (single family dwelling and a Class B Group Child Care Center) are both allowed on the same subject property.

Hearing Location: Jefferson Building, 105 W. Chesapeake Avenue, Room 205, Towson 21204

Eric A. Hite
(301) 809-4000 x1759
ehite@inovalon.com

Inovalon, Inc

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June Wisnom

From: Jackie Webster <daisyweb@msn.com>
Sent: Thursday, April 07, 2016 3:50 PM
To: June Wisnom
Subject: 2016-0188 Hearing for 9420 Dogwood Road

RECEIVED

APR 08 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Hearing is Friday, April 8 at 1:30 pm

Dear Hearing Administrator,

As a neighbor of 9420 Dogwood, I am writing to submit our objection to upsizing the current daycare business while maintaining a residence at the same location.

Objection is based on the fact that this size business impacts the following:

1. Traffic at a dangerous limited sight intersection of Dogwood at Old Court Road.
2. Increased useage of well water and septic to surrounding neighbors.
3. Increased blacktop for more onsite parking.
4. Increased traffic by - cars, SUVs, and School buses picking up, dropping off kids at anytime during daycare hours, delivery trucks, trash trucks, and employees.
5. Extra outdoor lighting and outside noise impacting neighbors.
6. The Greater Patapsco Community Association Master Plan was created to keep our community rural and residential. This size daycare with a residence does not fit into the plan.
7. This size business best fits within the infrastructure that exists outside of our community, i.e. Liberty Road, or Ellicott City.
8. Am concerned about the lack of care for the property that already exists.

They do not cut the grass at the exact corner of Dogwood and Old Court. Never have. This grass grows up to 3 feet and blinds the sight line when trying to turn onto Old Court Road. They do not cut the bushes along Old Court Road and that also impacts the line of sight for drivers trying to cross Old Court when turning left.

Another concern I have is the large boulders placed at the edge of their property in the setback area. How is this allowed?

There is an abandoned car in the back of their property that has been sitting unattended for years.

There is no fencing or any gates at the two entrances to the property from Dogwood Road. The paved driveway provides a hard surface for the children to ride small trikes and bikes. These bikes along with other plastic climbing/sliding toys litter the driveway and front lawn. They are left outside 24/7. There is no garage, shed or storage outside available for these toys so they sit exactly where the last child used them, rain or shine.

9. Years ago, the residents tried to get approval for an assisted living facility in their home after they moved here. It was denied. Now they have an acceptable size daycare. Their intention to do business in their home is evident. However, this is a rural community. And their request to expand their business fivefold AND include a residence is not appropriate for the Granite community.

Thank you.

Jackie and Dennis Webster
9212 Dogwood Road
410-258-1985

June Wisnom

From: caldron crafts <caldron@verizon.net>
Sent: Thursday, April 07, 2016 8:57 AM
To: June Wisnom
Subject: Case No. 2016-0188 SPHX

I would like to object to the special exception at 9420 Dogwood Rd (case number 2016-0188). Increasing a small family daycare of 8 to a large commercial enterprise of 40 children is not in keeping with the Rural community. It is against the Greater Patapsco Master Plan, and is not in keeping with Resource Conservation (the current zoning of the neighborhood).

The addition of so many more children will mean expansion not only in the building, but also in impervious surfaces like parking lots. The increase in traffic will include more staff as well as two trips a day by parents--on rural roads already over their capacity. It will mean a great impact on the septic (how many toilets will they need for 40 children and the increased staff?), as well as the water table.

How will this impact Police and Fire?

Thank you

Carol Moorefield
7916 Dogwood Rd
Windsor Mill Md 21244
443-200-3353

RECEIVED

APR 07 2016

OFFICE OF ADMINISTRATIVE HEARINGS

April 6, 2016

Zoning Office
111 West Chesapeake Avenue
Towson, Maryland

RECEIVED

APR 07 2016

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Case No. 2016-0188

As a resident within the GPC (Greater Patapsco Community) we have several concerns regarding the rezoning of the property located East Dogwood Road at the corner of South Old Court Road, which is legally owned by Arthur and Sharon Jackson.

Several of our concerns include:

- 1) Traffic backup from vehicles entering and exiting the Jackson residence,
- 2) Traffic speed on Dogwood and Old Court Roads,
- 3) Parents dropping off children using our driveway in error,
- 4) The possibility of the need for oversized dumpsters for trash containment on their property,
- 5) Unsightly playground equipment, located in their front yard, is fully visible from our property,
- 6) Negative property value impact to our home,
- 7) The increased level of noise generated by additional vehicles, parents and children.

Regards,

Keven and Donna Gray
9416 Dogwood Road (adjoining property)

June Wisnom

From: RALPH Wright <wright261@verizon.net>
Sent: Wednesday, April 06, 2016 12:07 PM
To: June Wisnom
Subject: Baltimore County Zoning

Regarding case #2016-0188-SPHX, location Dogwood & old court road.

I support the GPCA position of opposition to this special exception, class B group daycare.

Please register my opposition to this proposal.

Ralph Wright
2811 Granite Road
Granite, Md. 21163
410-496-7728

Sent from my iPhone

RECEIVED
APR 06 2016
OFFICE OF ADMINISTRATIVE HEARINGS

June Wisnom

From: Denise Maranto <denise.maranto@gmail.com>
Sent: Tuesday, April 05, 2016 9:36 PM
To: June Wisnom
Subject: Objection to Requests Made in Case #2016-0188

I am a community member who believes that the intersection of Dogwood Road and Old Court Road is a poor location for a 40 child daycare, and certainly not a good location for a combination of a residence and the large proposed daycare. Large daycares present traffic problems as parents drop off children in the morning and rush to get back into traffic. This location is an intersection of roads that are only two lanes with traffic flowing in multiple directions. Add to this the stopping of school buses for before school care, after school care, and half day care, and the amount of traffic is just unacceptable.

When the required stockade fence is added to the site it could cause a blind spot, making this location even more dangerous for traffic.

There is no public water here, and the strain on adjoining wells and septic systems is a major issue. Daycares use a large amount of water. There are extra water activities in the summer, frequent washing of hands, use of water for cooking, dishwashing, extra laundry, craft and educational activities, and washing of toys and cots. A large daycare will require more impervious surface for parking and playground space in this environmentally sensitive area. In addition, the noise from

40 children playing outside will be disruptive to this quiet rural community. While the property at this location may be more affordable than at more appropriate locations, the request for a 40 child daycare combined with a residence should be denied.

Denise Maranto
3101 Rices Lane
Windsor Mill, MD 21244

RECEIVED
APR 06 2016
OFFICE OF ADMINISTRATIVE HEARINGS

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>3/1</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>3/7</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
<u>3/17</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>2/29</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>NO Obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>3/17/16</u>	
SIGN POSTING	Date: <u>3/14/16</u> by <u>DOCK</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

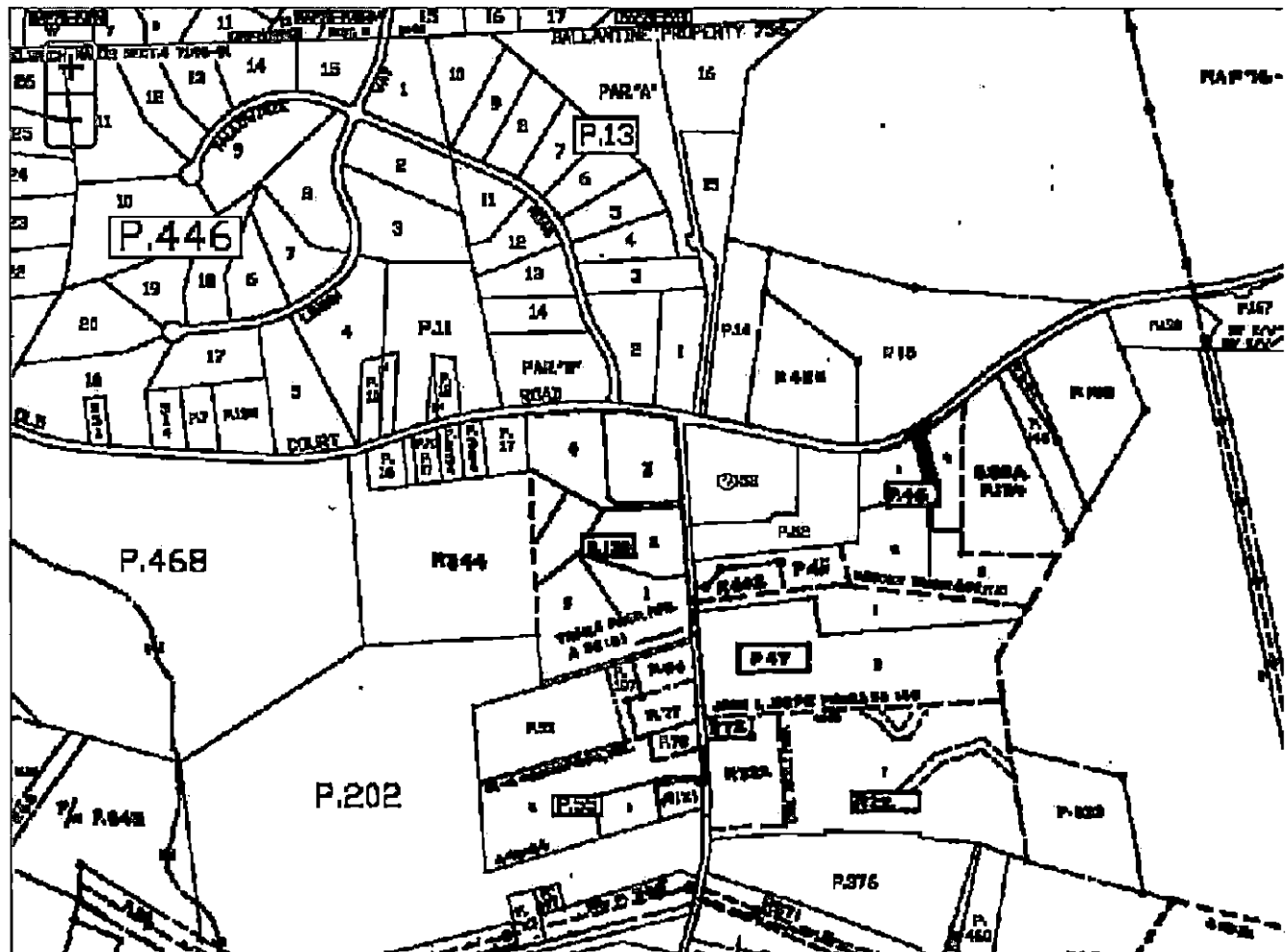
Real Property Data Search (w3)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 02 Account Number - 2300010991								
Owner Information										
Owner Name:		JACKSON ARTHUR O JACKSON SHARON Y				Use: Principal Residence:		RESIDENTIAL YES		
Mailing Address:		9420 DOGWOOD RD BALTIMORE MD 21244-1016				Deed Reference:		/21943/ 00336		
Location & Structure Information										
Premises Address:		9420 DOGWOOD RD 0-0000				Legal Description:		4.935 AC 9420 DOGWOOD RD ES COR OLD COURT RD		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	MS
0086	0005	0453		0000			1	2016	Plat Ref:	
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area			Finished Basement Area		Property Land Area		County Use	
2005		4,034 SF					4.9400 AC		04	
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last Major Renovation			
2	YES	STANDARD UNIT		SIDING	3 full/ 1 half					
Value Information										
		Base Value		Value As of 01/01/2016		Phase-in Assessments As of 07/01/2015		As of 07/01/2016		
Land:		146,300		146,300						
Improvements		320,100		453,000						
Total:		466,400		599,300		466,400		510,700		
Preferential Land:		0						0		
Transfer Information										
Seller: JACKSON ARUTHER O				Date: 05/27/2005				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /21943/ 00336				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Seller:				Date:				Price:		
Type:				Deed1:				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class			07/01/2015		07/01/2016			
County:		000			0.00					
State:		000			0.00					
Municipal:		000			0.00 0.00		0.00 0.00			
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Homestead Application Information										
Homestead Application Status: Approved 04/10/2012										

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty>)District: **02** Account Number: **2300010991**

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.

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>).

Sherry Nuffer

From: June Wisnom
Sent: Thursday, July 21, 2016 8:32 AM
To: Sherry Nuffer
Subject: FW: Zoning Case #2016-0188

RECEIVED

JUL 21 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Good morning Sherry, This just came. Will you please put this in the file. Thank you!!!!!!!

From: Joan Hite [mailto:hitehouse@yahoo.com]
Sent: Wednesday, July 20, 2016 10:13 PM
To: June Wisnom <jwisnom@baltimorecountymd.gov>
Subject: Zoning Case #2016-0188

To Whom It May Concern,

Concerning zoning case #2106-0188 we respectfully ask that the request for a Zoning change to Class B with a special exception be denied as it is currently written. This is a residential neighborhood that should not be subjected to a daycare facility serving 40 children and the owners should not be allowed to reside in the facility as their special exception requests. While we sympathize with the Jackson's desire to make an income it should not be at the expense of our neighborhood. We have lived here for 25 years and chose this neighborhood due to its beautiful rural setting and zoning to keep development at a minimum. The Jacksons moved into this residence and community with the expressed intent of running a commercial business (they installed a commercial septic system when they built their home as proof of their intent). They did not move here to be members of our community. They knew the zoning and the regulations already set in place when they moved here and now want to change the rules to only their benefit. If this work is truly their desire then they should have selected a neighborhood with the appropriate zoning already in place.

Since the Jacksons already have an in home daycare as allowed by Baltimore County and the State of MD with a legal limit of 8 children we would be amicable in supporting an increase in the number of children to no more than 16 with no change to their current zoning. We believe this is more than fair as it doubles their legal limit and allows them the opportunity for additional income while respecting the livelihood of their neighbors.

This is a very slippery slope and if this request is allowed it opens the door for other residence in our neighborhood to seek the same zoning change.

Respectfully,
Eric & Joan Hite
9312 Dogwood Rd.



JS 7-21-16
1:30 PM

Wright, Constable & Skeen, L.L.P. | Attorneys at Law

102 W. Pennsylvania Avenue - Suite 406 - Towson - Maryland - 21204 · Phone: 443-991-5917

J. NEIL LANZI

Writer's Direct Dial / Email:
(667) 206-4610 /nlanzi@wcslaw.com

July 27, 2016

John E. Beverungen, Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue
Suite 103
Towson, MD 21204

RECEIVED

JUL 28 2016

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case 2016-0188-SPHX, 9420 Dogwood Road

Dear Judge Beverungen:

As you may recall, at the end of the July 21, 2016 hearing before you on the above captioned case, I represented to you that my clients, Sharon Jackson and Arthur Jackson, Petitioners and The Greater Patapsco Community Association, Inc. were close to reaching a covenant agreement. We have now done so and I enclose a copy for your file.

Thank you for your consideration.

Very truly yours,

J. Neil Lanzi

cc: Maribeth Diemer, Treasurer, GBCA
Sharon Jackson
Arthur Jackson

Enclosure

DECLARATION OF RESTRICTIVE COVENANTS

This Declaration of Restrictive Covenants (the "Declaration") is entered into this 27th day of May, 2016, by and between Sharon Jackson and Arthur Jackson (collectively, "Jackson") and The Greater Patapsco Community Association, Inc. (the "GPCA").

I. RECITALS.

A. Jackson owns a parcel of property in Baltimore County containing approximately 4.935 acres, tax account no. 02-2300010991, which property is known as 9420 Dogwood Road and is described in the deed dated May 21, 2005 attached hereto as Exhibit A and made a part of this Declaration (the "Property").

B. The GPCA is a community association duly incorporated under the laws of the State of Maryland in whose area the Property is located.

C. The Property is currently zoned RC2.

D. The Property is currently being used by Jackson as their primary residence with Class A Group Childcare as an accessory use.

E. Jackson desires to continue the residential use of the Property and operate a Class B Group Childcare center on the Property.

F. Jackson has filed a Petition for Special Exception with Baltimore County (Zoning Case No. 2016-0188-SPHX) pursuant to Section 424.5 of the Baltimore County Zoning Regulations ("BCZR") to allow a Class B Group Childcare Center on the Property as a principal use.

G. Jackson has filed a Petition for Special Hearing with Baltimore County (Zoning Case No. 2016-0188-SPHX hereinafter referred to as the "Zoning Case") pursuant to Section 500.7 of the BCZR to allow two principal uses on the same property (residence and Class B Group Childcare Center).

H. A site plan for the Property is attached as Exhibit B and made a part of this Declaration.

I. The GPCA has reviewed and approved the site plan for the Property. The GPCA is willing to support Jackson's intended use of the Property subject to the placement of certain restrictions on the Property and to assure that the current and future use of the Property does not unduly impact nearby residential areas.

J. In order to make the covenants, restrictions and conditions contained in this Declaration binding and fully effective on the Property, and on the present and future owners and occupants thereof, the parties have entered into this Declaration to the end and with the intent that Jackson and his successors and assigns will hold, use, transfer, convey or foreclose upon the Property subject to the said covenants, restrictions and conditions.

WHEREUPON, in consideration of the promises made in this Declaration by and between Jackson and the GPCA and for other good and valuable consideration, the sufficiency of which the parties acknowledge, the parties hereto agree as follows:

II. AGREEMENT

1. General Use of Property. The Property shall be limited to residential use and a Class B Group Childcare Center in accordance with the regulations applicable to RC 2 zoned property and as generally set forth in the BCZR.

2. Specific Use of the Property. The development of the Property shall be in accordance with the site plan as shown on Exhibit B.

3. Zoning Case No. 2016-0188-SPHX. During the hearing before the Baltimore County Administrative Law Judge for the Zoning Case, the GPCA and its members shall support the Jackson's requested zoning relief and the requested use of the Property, subject to the conditions contained herein. In the event Jackson successfully obtains the zoning relief requested in the Zoning Case, no appeals shall be filed by the GPCA and/or any members thereof.

4. Conditions.

A. Jackson and the GPCA acknowledge and agree the terms of this Declaration shall be contingent upon non-appealable approval from Baltimore County of the Special Exception and Special Hearing relief requested by Jackson in the Zoning Case and the Site Plan attached as Exhibit B.

B. The terms of this Declaration shall be null and void in the event the requested zoning relief in the Zoning Case is denied and/or an appeal is filed to the Baltimore County Zoning Board.

C. Class B Group Childcare Restrictions at the Property.

1. The hours of operation of the daycare shall be limited to, Monday through Friday, weekday holidays included, 6:00 a.m. through 11:30 p.m. Jackson agrees to limit the number of children during a weekday holiday evening shift only (until 11:30 p.m.) to eight (8). (Holidays for purposes of this restriction shall only include those holidays where government offices, Courts and banks are closed.) There are no restrictions for other weekday holidays not within this definition.
2. There shall be no daycare provided overnight or on weekends.
3. The number of children in Jackson's care at the Property at any given time (session) shall be limited to a maximum number of 25.
4. The total number of children allowed outside on the Property at any given time during a shift shall be limited to a maximum of sixteen (16) unless there is a fire drill.
5. The total number of children in Jackson's care at the Property on any given weekday (includes all shifts) shall be limited to a maximum number of 35.

6. Jackson agrees during the term of this Declaration not to upzone or change the designation of the Property in any way inconsistent with the Patapsco/Granite Area Community Plan as adopted by the Baltimore County Council December 21, 1998 ("Plan") and recognized in the Baltimore County Master Plan 2020.
7. The GPCA and its members agree not to request and/or support any zoning change to the Property during the term of this Declaration which, if approved, would render the use of the Property nonconforming under the BCZR and/or inconsistent with the Plan.
8. Other than the Property address and directional signs to assist with traffic flow, there shall be no signs on the Property advertising the daycare.
9. Notwithstanding Maryland and Baltimore County law allowing Special Exception approval to run with the Property to successive owners, any Special Exception approval for the Group B Childcare Center shall terminate in the event the Property, or any portion thereof, is sold to a third party unrelated to Jackson either by blood or marriage. The GPCA acknowledges and agrees that Jackson has an adult child (either individually, with his spouse and/or employees) who may, with or without his then spouse, operate the daycare with Jackson or after Jackson retires.
10. Jackson shall limit any future expansion of the existing driveway or parking area on the Property to no more than ten percent (10%) of the existing paving.
11. Jackson shall install the appropriate fence in the backyard as required by the BCZR.
12. Jackson, at their sole cost and expense, shall keep and maintain the Property in a well maintained, safe, clean and attractive condition at all times. Such maintenance shall include, but not be limited to:
 - a. The removal of litter, trash and refuse within a reasonable time of discovery and no later than 72 hours thereafter; and
 - b. Lawn mowing within a reasonable time as reasonably allowed by weather conditions; and
 - c. Reasonable care for all landscaping; and
 - d. Jackson and the GPCA recognize and acknowledge that, notwithstanding Section 12b and 12c above, Baltimore County maintains the grass and tree/bush trimming within the County Right of Way located on the Property, including, but not limited to the area of the Property located at the corner of Dogwood Road and Old Court Road and along the entire stretch of the Property adjacent to Dogwood Road (approximately 3-10' inside the Property out to the road). The parties hereto also recognize the County moves any rocks/boulders on the Property as

necessary to conduct its maintenance. Jackson shall not have any maintenance and/or lawn mowing obligations for these areas as described in this Section 12d.

5. Eminent Domain. Notwithstanding anything to the contrary contained herein, should any portion of the Property be taken by eminent domain or by a deed in lieu thereof or be required in any manner for improvements to an existing road or right-of-way, upon the taking or transfer, such portion shall be deemed removed from this Declaration and Jackson shall have no further liability hereunder for such area taken or transferred.

6. Enforcement. If any party to this Declaration, or its successors or assigns is required to institute legal action to enforce the terms of this Declaration and is successful (whether by judgment or settlement) in obtaining enforcement of the Declaration), that party or its successor or assigns shall be entitled to recover reasonable attorneys' fees and other reasonable costs of the action from the person or entity against whom enforcement is obtained. However, as a prerequisite to the recovery of fees and costs under this paragraph, the person or entity seeking enforcement shall serve the alleged violator of the Declaration with written notice of the violation, and only if the alleged violator has failed to remedy or make substantial progress towards remedying the violation within sixty (60) days after the receipt of this notice may legal action be instituted.

7. Authorization. The parties warrant and represent that they have taken all necessary action required to be taken by the respective charters, bylaws, or other organizational documents to authorize the execution of this Declaration.

8. Entire Agreement. This Declaration, which may be executed in counterparts, contains the entire understanding of the parties.

9. Consultation. Each of the parties to this Declaration warrants that they have carefully read and understand this Declaration, are cognizant of its terms and have had ample time to consult with counsel of their choice regarding their respective rights and obligations in connection herewith.

10. Rights of Parties. The rights and interests granted by this Declaration are binding on Jackson and the GPCA and their respective successors, heirs and assigns.

11. Term/Amendment. This Declaration and the restrictions set forth herein shall run with and bind the Property subject to Section 4(C)(9) herein, and shall inure to the benefit of and be enforceable by each of the parties and its successors and assigns, for an initial term of 25 years from the date this Declaration is filed for record among the Land Records of Baltimore County, Maryland. At the end of the initial term, this Declaration shall be automatically renewed without any action by the parties hereto or their respective successors or assigns, for an additional term of 25 years. This Declaration may only be amended, supplemented or terminated by a writing signed by the parties or their successors and assigns.

12. Interpretation/Recording. This Declaration will be construed by application of Maryland Law. In the event the conditions in Section 4(A) hereof are satisfied, this Agreement will be recorded by Jackson in the Land Records of Baltimore County within 30 days of final unappealable zoning approval of the Zoning Site Plan attached as Exhibit B and the zoning relief requested in the Zoning Case.

13. Severability. If any of the covenants, conditions or terms of this Declaration shall be found void or unenforceable for any reason whatsoever by any court of law or of equity, then all other covenants, conditions, restrictions or terms contained herein shall remain valid and binding.

14. Notices. All the notices required by this Declaration shall be hand-delivered, sent by first class mail, postage prepaid, or sent by nationally recognized overnight delivery service, to the following addresses, or to other such address as either party shall notify the other of in writing:

Sharon and Arthur Jackson
9420 Dogwood Road
Baltimore, Maryland 21244

The GPCA
P.O. Box 31
Woodstock, Maryland 21163

With a copy to:

Greater Patapsco Community Association, Inc.
c/o Denise Muranto, Secretary
3101 Rices Lane
Windsor Mill, Maryland 21244

IN WITNESS WHEREOF, the parties have set their hands and seal the day and year first above written.

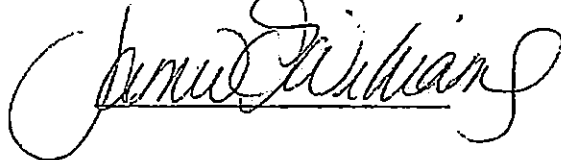
ATTEST/WITNESS



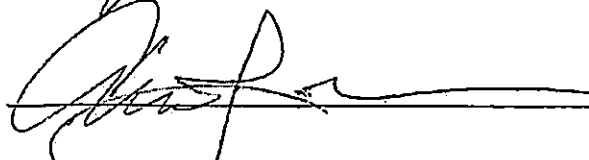
SHARON JACKSON



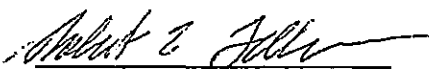
ATTEST/WITNESS



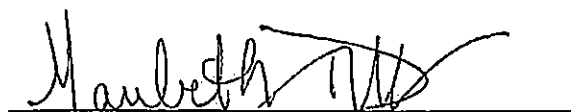
ARTHUR JACKSON



ATTEST/WITNESS



THE GREATER PATAPSCO COMMUNITY
ASSOCIATION, INC.


BY: MARIBETH DIEMER, Treasurer

0021943 336

CONFIRMATORY DEED

File No. 057925A
Tax Account No. 23-00-010991

THIS DEED, Made this 21st day of May, 2005, by and between Aruther O. Jackson and Sharon Y. Jackson, parties of the first part, and Arthur O. Jackson and Sharon Y. Jackson, parties of the second part.

WHEREAS, on October 31, 200th a Deed was recorded among the Land Records of Baltimore County in Liber 14841 folio 359 erroneously spelling Aruther O. Jackson. The correct spelling should appear as Arthur O. Jackson.

WITNESSETH, that in consideration of the sum of (\$0.00) DOLLARS; and other good and valuable considerations, the receipt of which is hereby acknowledged, the said parties of the first part, do grant and convey unto the parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that property situate in Baltimore County, State of Maryland, described as follows, that is to say:

BEGINNING FOR THE SAME at the intersection of the east side of Dogwood Road, 40 feet wide and the south side of Old Court Road (MD Route 125), variably wide, said point being at the end of the fifth or North 76 degrees 32 minutes West 130.12 foot line of a deed from Frederick C. Boehmer to Allan Lee Boehmer, Pamela Lynn Bateman and Kim D. Owen dated December 13, 1983 and recorded among the Land Records of Baltimore County, Maryland in Liber 6637, folio 711, said point also being designated as point number 172 as shown on "Minor Subdivision No. 00046M, Boehmer Property" prepared by Colbert Matz Rosenfelt, Inc., last revision dated August 8, 2000; thence, as now surveyed, referring all of the course of this description to the datum established for the Baltimore County Metropolitan District, running reversely with and binding on the fifth line and part of the fourth line of the aforementioned deed from Frederick C. Boehmer to Allan Lee Boehmer, Pamela Lynn Bateman and Kim D. Owen, and on part of the south side of Old Court Road as shown on State Roads Commission of Maryland Plat No. 426 dated January 13, 1933 and recorded among the aforementioned Land Records in Plat Book No. 10, page 59, the following two courses and distances:

- 1) South 83 degrees 08 minutes 51 seconds East 130.12 feet, and
 - 2) South 77 degrees 59 minutes 51 seconds East 427.94 feet;
- thence leaving said south side of Old Court Road and running for new lines of division across the property described on the aforementioned deed from Frederick C. Boehmer, the following five courses and distances:
- 3) South 00 degrees 35 minutes 38 seconds West 328.92 feet,
 - 4) South 89 degrees 26 minutes 50 seconds West 105.26 feet,
 - 5) South 48 degrees 08 minutes 02 seconds West 53.52 feet,
 - 6) South 89 degrees 19 minutes 41 seconds West 233.45 feet,
 - 7) South 86 degrees 08 minutes 00 seconds West 133.55 feet

0021943.330

to intersect the sixth line of the aforementioned deed from Frederick C. Boehmer, on the east side of Dogwood Road, 40 feet wide; thence running with and binding on part of said east side of Dogwood Road and on part of said sixth line

8) North 03 degrees 52 minutes 00 seconds West 483.00 feet to the place of beginning. Containing 5.051 acres of land, more or less.

With an address of 9420 Dogwood Road, Baltimore, MD 21060.

BEING that same lot of ground which by Deed dated October 31, 2000 and recorded among the Land Records of Baltimore County in Liber 14841 folio 359 by and between Frederick C. Boehmer a/k/a Frederick C Boehmer, Sr. unto Arthur O. Jackson and Sharon Y. Jackson.

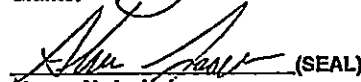
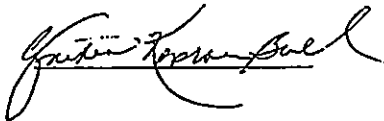
TOGETHER with the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD said described lot of ground and premises to the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby conveyed; and that they will execute such further assurances of the same as may be requisite or necessary.

WITNESS, the hands and seals of said Grantors.

WITNESS:


Arthur O. Jackson
Grantor
Sharon Y. Jackson
Grantor

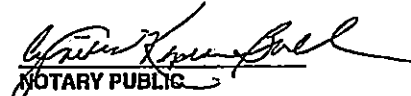
0021943 338

STATE OF Maryland
County of Baltimore, TO WIT:

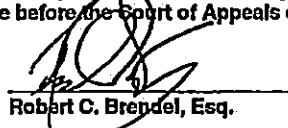
I Hereby Certify, That on this 21st day of May, 2005, before me, the subscriber, personally appeared Arthur O. Jackson and Sharon Y. Jackson, known to me or satisfactorily proven to be the persons whose names is/are set forth in the within deed, and did further acknowledge that they executed the foregoing deed for the purposes therein contained.

WITNESS MY HAND AND NOTARIAL SEAL.

My Commission Expires: 8/1/07


NOTARY PUBLIC
CYNTHIA BRENDEL NOTARY PUBLIC
BALTIMORE COUNTY, MARYLAND
MY COMMISSION EXPIRES 8/1/07

THIS IS TO CERTIFY that this Instrument has been prepared under the supervision of Robert C. Brendel, an Attorney admitted to practice before the Court of Appeals of the State of Maryland.


Robert C. Brendel, Esq.

return to:

STONEGATE TITLE COMPANY
1919 York Road
Timonium, MD 21093
(410) 561-1177

CASE NAME JACKSON
CASE NUMBER 2016-0188-SP4X
DATE 7/21/16

[illegible]

DATE _____

7 - 21 - 2016

[illegible]

Case No.: 2016-0188-SPHX-9420
Exhibit Sheet

4/8
1:30
PM

Dogwood Rd.

Petitioner/Developer

192
9-6-16

Protestants

Sen
8-3-16

No. 1	Sitz plan	
No. 2	Aerial photos 2A+2B	
No. 3	Plan to accompany photographs	
No. 4	Well Yield certificate	
No. 5	May 5, 2016 Letter East Construction	
No. 6	Letters of support from parents of children.	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

APPROVED BY WATER & SEWER
DIVISION, ENVIRONMENTAL
PROTECTION & RESOURCE
MANAGEMENT
Valid Until

Signature & Date

Well Driller/Tester G. Edgar Harr Sons' Corp

Elec. District

Lot	1	Block	Plat	Section
-----	---	-------	------	---------

Depth of Well	200	Ft.	Static Water Level	19'
---------------	-----	-----	--------------------	-----

[illegible]

EXHIBIT NO. 44-B

State: Maryland

FUTURE PERFORMANCE MAY VARY FROM TESTED PERFORMANCE

GAST

CONSTRUCTION COMPANY, INC.

11100 Pulaski Highway
White Marsh, Maryland 21162

(410) 335-4200 Fax (410) 335-089

May 5, 2016

Mr. and Mrs. Arthur Jackson
9420 Dogwood Road
Baltimore, Maryland 21244

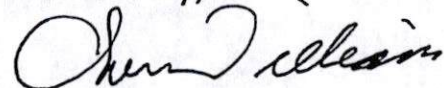
RE: Septic Tank for the above residence

Dear Mr. and Mrs. Jackson:

This is to verify that a 1500 gallon concrete septic tank was installed at your home at the time of the new construction.

If you need any additional information, please let me know.

Sincerely,



Cheryl L. Williams, V.P.

PETITIONER'S

EXHIBIT NO.

5

April 7, 2016

Keenan Robinson
2809 Granite Road
Woodstock, MD 21163
443-763-0641

RE: Loving Care Daycare

To Whom This May Concern:

I am writing this letter in regard to support of the expansion of Loving Care Daycare. I have a child that attends the daycare center now and she really enjoys going there. There are not a lot of daycare providers and/or centers in our community so I feel this would be an asset to within the community. I have been searching for a daycare provider and was informed of Loving Care Daycare by a client and friend who also has a child within the daycare. I have lived in the community since 2007 and drive by Loving Care Daycare every day. The property grounds are always well manicured and well kept. I never knew that a daycare was even located within the property. I do not think or see that by expanding the daycare to a center that it will affect our community value and/or growth in any way. The location is very covered and sits on about 2-3 acres of land and it sits about 125-150ft from off the main road. If this expansion is being met with any opposition it's because they do not have toddlers and /or school age children within their household. So coming from someone who pays taxes, lives in the community and has a toddler, I can surely appreciate the expansion.

If you have any questions and or concerns please feel free to contact me at 443-763-0641 or keenanrobinson410@gmail.com.

Sincerely,



Keenan Robinson, Realtor, ARM, HCCP, COS, CMH, MORS
www.keenanrobinson.com

PETITIONER'S

EXHIBIT NO. 6

To Whom This May Concern:

My Name is Janet Turner and I had custody of my Granddaughter whom attended loving care 20yrs ago. She now attend college and a mother of a 2yr old I would like my Grandson to attend loving care. My Granddaughter did not turn to social service for help she works while she goes to school, and I gear that to the wonderful care she received at loving care in her earlier years. I highly recommend loving care to move up to 40 kids so that other kids can have the same opportunity my Granddaughter has.

From: Janet Turner

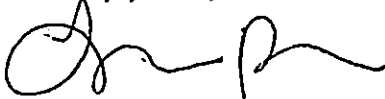
April 7, 2016

Ms. Ladaisha Ballard
7411 Lesada Dr. 2C
Windsor Mill, MD

To Whom This May Concern,

My name is Ladaisha Ballard and my son, Ofori Payton attends the Loving Care home daycare. I was referred by a close friend of mine and I am thoroughly pleased with my choice of service. I live roughly eleven minutes away and it's a highly convenient location for my home and work commute as well. Traffic is light in the morning and evening times in which I travel and impacts my choice of service greatly. Upon arrival at the location, parking is always available and convenient. I previously sought daycare services close to my job in the city and wasn't as pleased due to uncontrolled limitations outside of the daycare provider's power. There have been times when Loving Care has both picked-up and dropped off my son due to my being out of town or stuck at work. I believe that this is possible because of the closeness of my home. I am the only driver at home and this support means a great deal to me. I also appreciate the amount of space. The property sits on roughly five acres of land. While all of the space isn't used, my son and his peers have ample space to play outside and engage with grass, trees, and nature year round as long as the weather permits. I am beyond satisfied and pleased with the service I am being provided and look forward to many more years of partnership with Loving Care.

Truly yours,

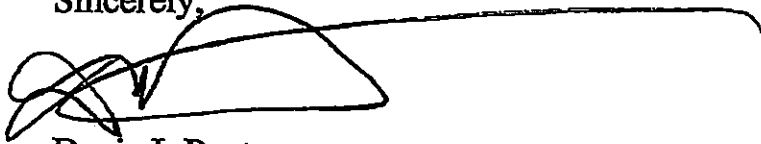
A handwritten signature in black ink, appearing to be 'Ladaisha Ballard', written in a cursive style.

Ladaisha Ballard

As a first time mother, my main concern was who would care for my child while I'm at work. While searching for a caregiver, I had a list of priorities; including, location, cleanliness, the learning environment, and my connection to the caregiver. Mr. and Mrs. Jackson meet all my priorities. The environment was very invited and the location was convenient. The drop off and pick up area was safe and clean. The flow of traffic made me comfortable with the safety of my child while playing on the grounds. The location is close proximity from my home which also had a major impact on my decision in enrolling my child.

If you have any questions, please contact me at (443) 865-1847.

Sincerely,

A handwritten signature in black ink, appearing to read 'Denia L Payton', with a long horizontal line extending to the right.

Denia L Payton

7/7/2016

To Whom It May Concern,

This letter is in reference to the care received from Mrs. Sharon and Mr. Art Jackson at Loving Care daycare facility. I want to express how much my daughter has grown, matured, and learned since attending Loving Care daycare. My daughter, Aubrey, who is 5 has been with Mrs. Sharon since the age of 6 months. Since then Aubrey has gained amazing social skills, has excelled in reading, writing, and loves doing math. I highly recommend the expansion of Loving Care Daycare so that other parents and children will gain everything and more that Mrs. Sharon and Mr. Art can offer them to start them on their journey.

Sincerely,
Sheri Shearin
8 Wickman Ct
Baltimore MD 21244
(443) 309-8943

APRIL 07-10

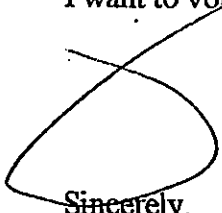
TO WHOM IT MAY CONCERN

THIS LETTER IS TO SERVE AS MY PERSONAL
RECOMMENDATION FOR LOUISE CARE
DAYCARE. MY 4.5 YEAR OLD SON HAS BEEN
ATTENDING LOUISE CARE FROM AGE 3 MONTHS
AS WORKING PARENTS IT HAS BEEN A
GOD KNOWING THAT LOUISE IS IN A SAFE &
LOUISE ENVIRONMENT @ ALL TIMES. MY
HUSBAND AND I HAVE BEEN VERY SATISFIED
WITH THE SERVICES PROVIDED TO US. I WOULD
RECOMMEND LOUISE CARE TO ANYONE
SEEKING DAYCARE NEEDS.

Sincerely
Janet Williams
JANIE E. WILLIAMS

To whom it may concern,

My name is Jermaine Montgomery, and as a current resident of Baltimore County I utilize the services of Ms. Sharon Jackson for daycare of my daughter Janaya. Her current location of 9420 Dogwood Rd. is a great place for a daycare center and is very convenient to my home and work. I want to voice my support for her current plans and wish her the best in all her future endeavors.



Sincerely,

Jermaine Montgomery

3620 Clifmar Rd.

Windsor Mill MD 21244

Northern Care. I, myself, have had my daughter at his daycare several times and I have personally found the daycare to be very organized and ran neatly. Therefore, I believe he is most capable to expand his business to include forty more children in his care.

- Howard Haynes
9415 Dogwood Rd
Baltimore, MD 21244

To: Whom it May Concern
Fr: Ebony Kennedy and Fred Davenport
(Parents of Addison Davenport)
Re: Future Expansion of "In Loring Care"
Date: April 6, 2016

We are writing on behalf of our infant daughter Addison Davenport. We are current residents of Baltimore County and we have had the privilege of having our daughter enrolled at "In Loring Care." It is currently a licensed in home daycare center and we support the future expansion of this center. We are confident that its growth will be beneficial to our community. We look forward to watching our daughter's growth and maturation through the program. While there may be several daycare centers in the County and of itself, we fell in love with the location of the Jackson's home for it provides an area for easy drop off/pick up, the home is inviting and the location provides easy access to our commute to work and home. Above all, we are pleased with the love and care afforded to our child and the feeling of a safe/secure environment. We believe the future expansion will allow more kids to receive this experience and more parents like ourselves to be reassured that their child is in a loving environment with providers who truly care about the well being of our child.

Sincerely,

Ebony Kennedy & Fred Davenport



PETITIONER'S

EXHIBIT NO. 2A



My Neighborhood Map

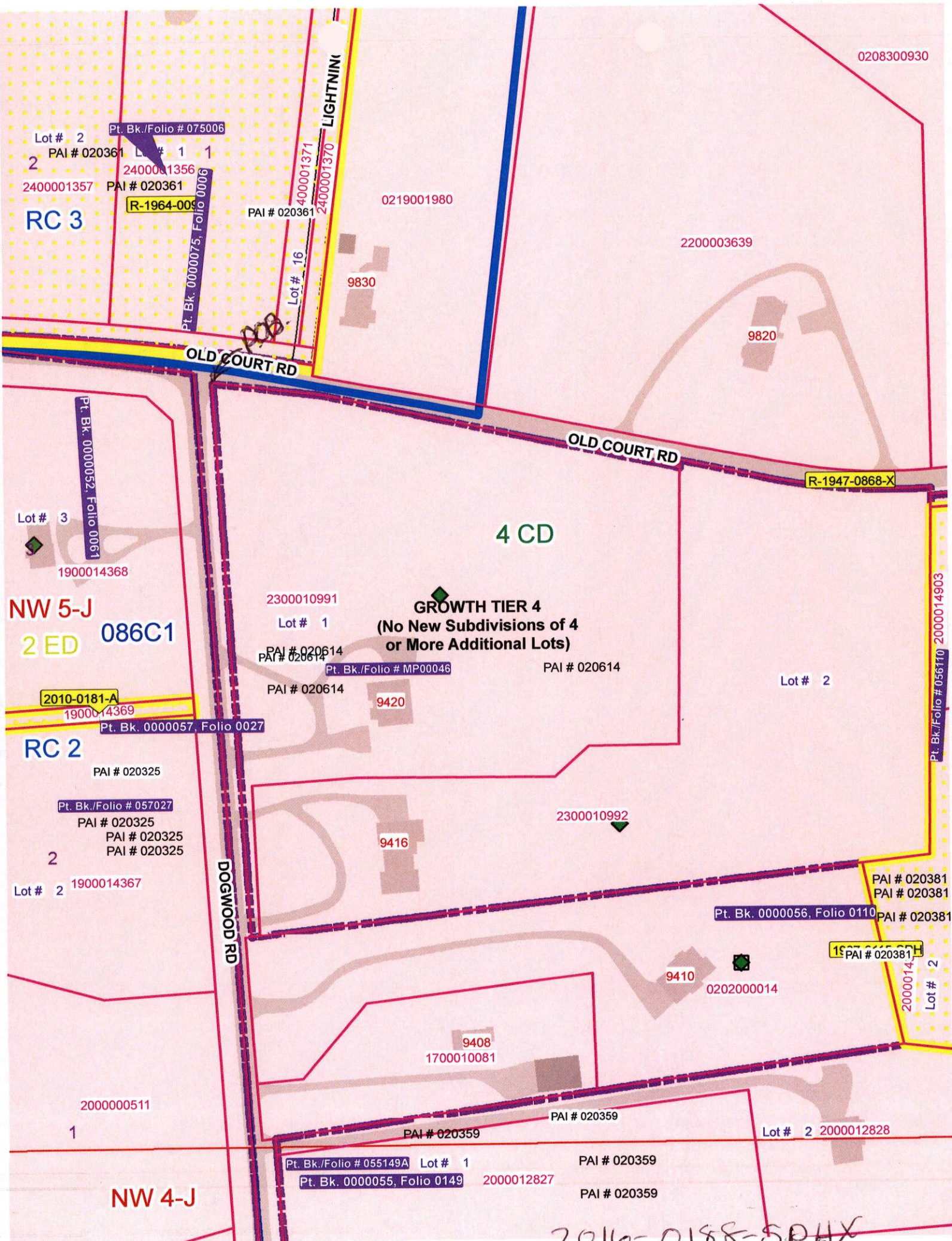
Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate, does not constitute a warranty, and is not to be used for legal purposes. This data may be used for general information purposes only. This data may be used for general information purposes only. This data may be used for general information purposes only.

PETITIONER'S

EXHIBIT NO. 2B



Lot # 2
PAI # 020361
2400001357
RC 3
Pt. Bk./Folio # 075006
Lot # 1
2400001356
PAI # 020361
R-1964-005
Pt. Bk. 0000075, Folio 0006

Lot # 3
1900014368
NW 5-J
2 ED 086C1
2010-0181-A
1900014369
RC 2
PAI # 020325
Pt. Bk./Folio # 057027
PAI # 020325
PAI # 020325
PAI # 020325
Lot # 2 1900014367

DOGWOOD RD
PAI # 020325
Pt. Bk./Folio # 057027
PAI # 020325
PAI # 020325
PAI # 020325
Lot # 2 1900014367

2000000511
1
NW 4-J
Pt. Bk./Folio # 055149A Lot # 1
Pt. Bk. 0000055, Folio 0149
2000012827
PAI # 020359
PAI # 020359
PAI # 020359

2300010991
Lot # 1
PAI # 020614
PAI # 020614
Pt. Bk./Folio # MP00046
PAI # 020614
PAI # 020614
4 CD
GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)
PAI # 020614

9420
9416
2300010992
Pt. Bk. 0000056, Folio 0110
PAI # 020381
PAI # 020381
PAI # 020381
1500014369
PAI # 020381
2000014
Lot # 2
2000012828
Lot # 2
9410
0202000014
9408
1700010081
PAI # 020359
PAI # 020359
PAI # 020359
PAI # 020359

2016-0188-SPHX

GENERAL SITE INFORMATION

1. Ownership: Arthur O. Jackson & Sharon Y. Jackson
2. Addresses: 9420 Dogwood Road Baltimore, MD 21244
3. Deed reference: SM 21943/336
4. Property area: 4.935 acres (per SDAT)
5. Election District: 4th - Councilmanic District: 4th
6. Tax Map 86 Grid 05 Parcel 453 Lot 1 Tax Acc. # 23-00-010991
7. ADC Map Grid: 4695H6
8. Position Sheets: 17NW40
9. GIS Tile Numbers: 086C1
10. Regional Planning District: Harrisonville Regional Planning Dist. Code: 311
11. Growth Tier: 4 - Growth Tier Description: Preservation and conservation area-no major subdivisions on septic
12. Watershed Name: Patapsco River
13. URDL Land Type: 1
14. School Districts: Winfield ES Windsor Mill MS Randallstown HS
15. Census Block: 240054022021002 Census Tract: 402202
16. The boundary shown hereon is from SM 21943/336
17. The topography shown hereon is from GIS tile 086C1

UTILITIES

1. The dwelling on the subject property shown hereon is served by a private well and septic system.

ENVIRONMENTAL IMPACT

1. The proposed day care use will have no environmental impact on the subject property.
2. The subject property is not located within a 100 year flood plain.
3. The subject property is not located in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. No grading is proposed, therefore no storm water management review is needed.

OFFICE OF ZONING

Current Zoning RC 2

Zoning History

There have been no zoning hearings concerning the subject property.
No zoning variances will need to be applied for at this time.

Proposed Use of the Subject Property

To provide adult day care to 3 residents under a Class B Day Care

PARKING

Parking for the residence occupants = 2
Parking for the day care employees = 3

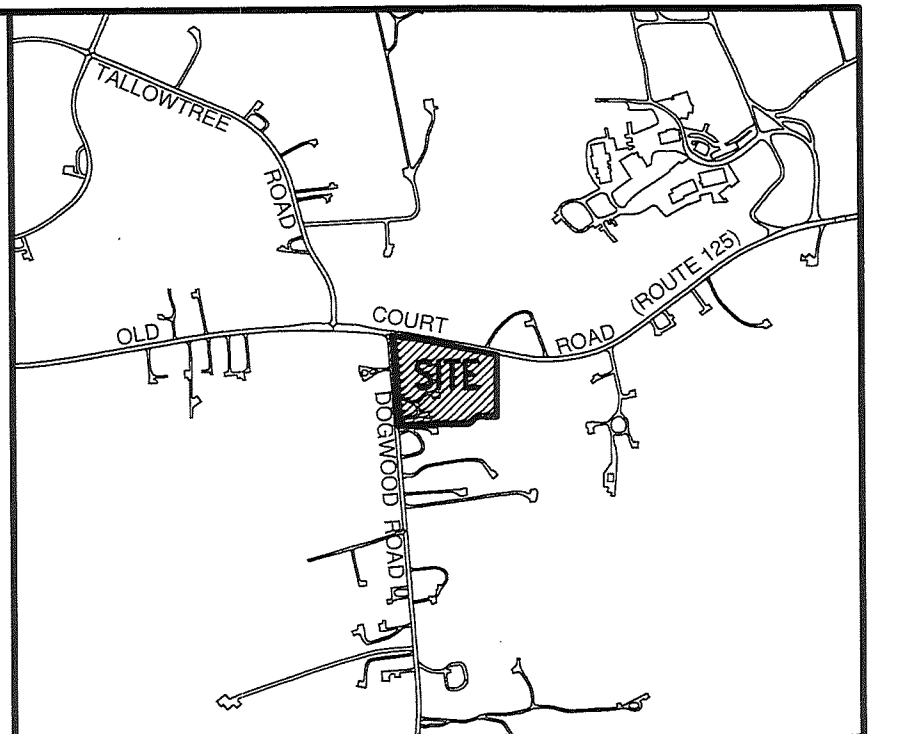
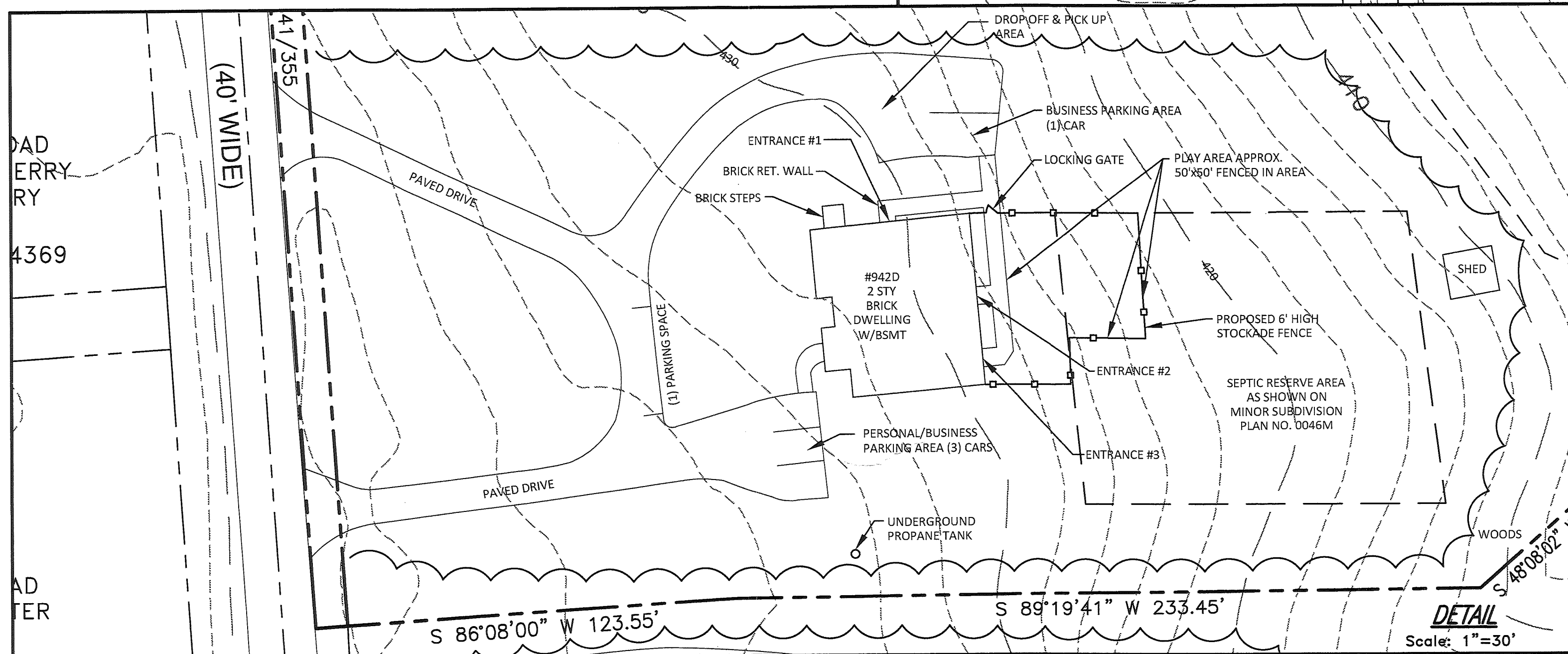
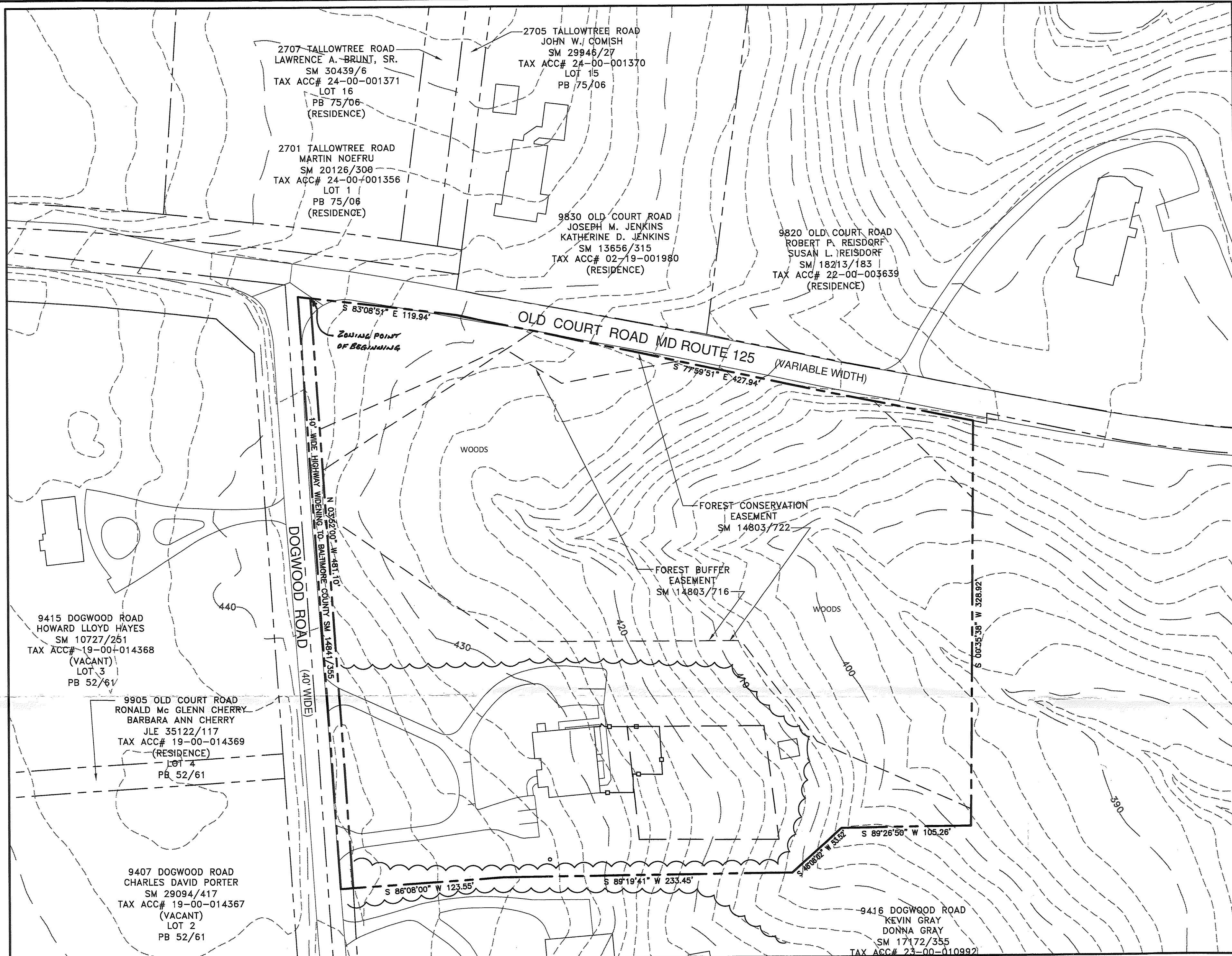
5 required
5 provided

RC 2 Setbacks for Residential Single Family Dwellings

Front: 75 feet from the centerline of a road
Side/ Rear: 35 feet from any property line

OFFICE OF PLANNING

1. There are no improvements proposed for the house.
2. There are no improvements proposed for the property.



Vicinity Map - Scale: 1" = 1000'
ADC The Map People - Permitted Use # 20612205

NOTE: ADDITIONAL LANDSCAPING IS NOT NEEDED DUE TO THE AMOUNT OF WOODS ON THE SUBJECT PROPERTY. CONSIDERATION OF LANDSCAPING IS REQUIRED WHEN APPLYING FOR A CLASS B DAY CARE.

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com



REVISION

PLAN TO ACCOMPANY A
ZONING PETITION
FOR

9420 DOGWOOD ROAD

BALTIMORE COUNTY, MARYLAND
2nd ELECTION DISTRICT 1st COUNCILMANIC DISTRICT

Date: 2/08/2016

Scale: 1"=50'



2016-0158-SPHX

GENERAL SITE INFORMATION

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2. Address: 9420 Dogwood Road Baltimore, MD 21244
3. Deed reference: SM 21943/336
4. Property area: 4.935 acres (per SDAT)
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6. Tax Map 86 Grid 05 Parcel 453 Lot 1 Tax Acc. # 23-00-010991
7. ADC Map Grid: 4695H6
8. Position Sheets: 17NW40
9. GIS Tile Numbers: 085C1
10. Regional Planning District: Harrisonville Regional Planning Dist. Code: 311
11. Growth Tier: 4 Growth Tier Description: Preservation and conservation area- no major subdivisions on septic
12. Watershed Name: Patapsco River
13. URDL Land Type: 1
14. School Districts: Winfield ES Windsor Mill MS Randallstown HS
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UTILITIES

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ENVIRONMENTAL IMPACT

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3. The subject property is not located in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. No grading is proposed, therefore no storm water management review is needed.

OFFICE OF ZONING

Current Zoning RC 2

Zoning History

There have been no zoning hearings concerning the subject property.
No zoning variances will need to be applied for at this time.

Proposed Use of the Subject Property

Residence and Class B Group Childcare Center.

PARKING

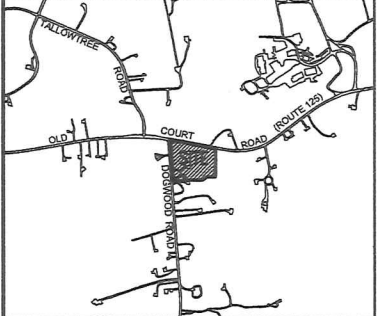
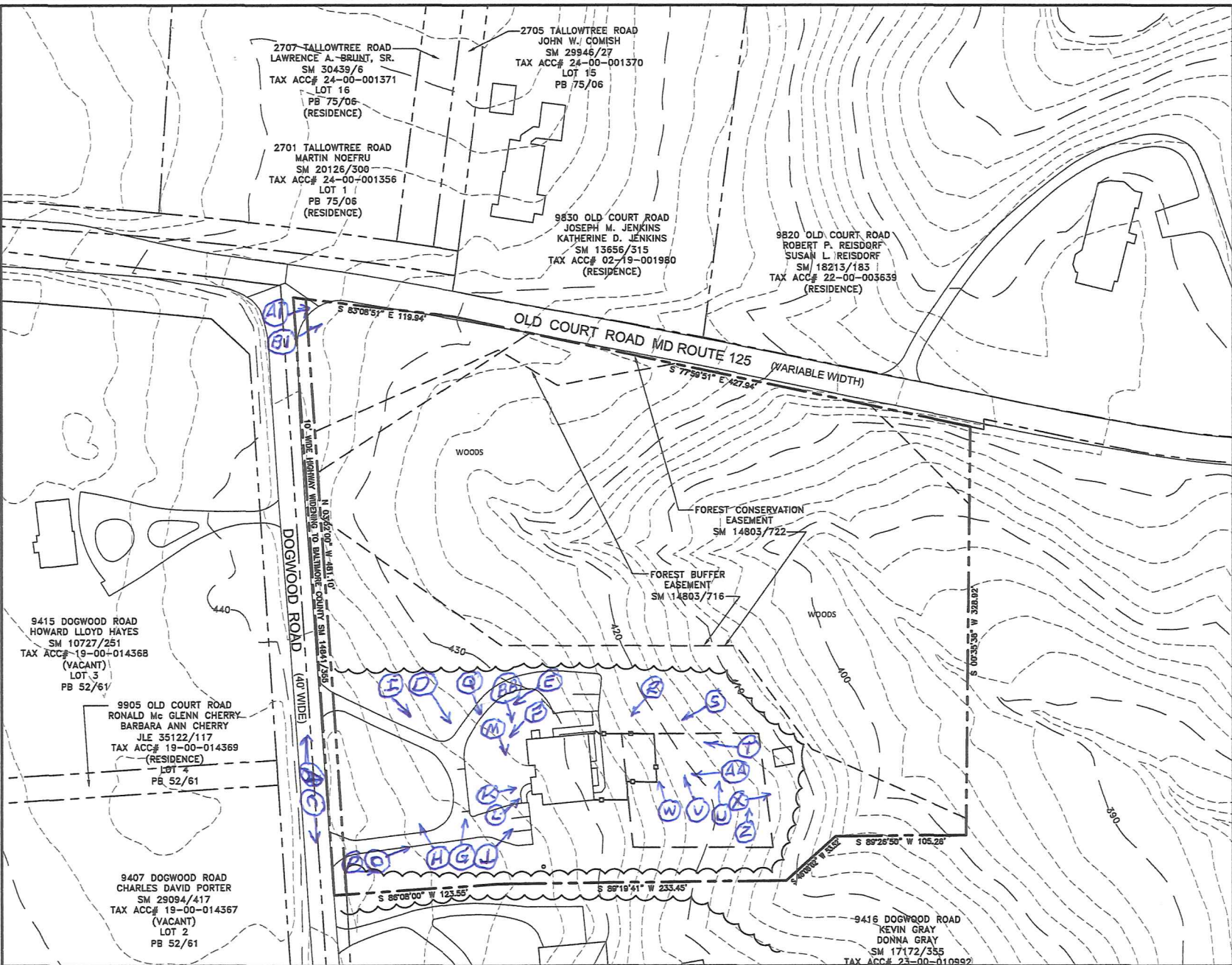
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Parking for the day care employees = 3
5 provided 5 required

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Side/ Rear: 35 feet from any property line

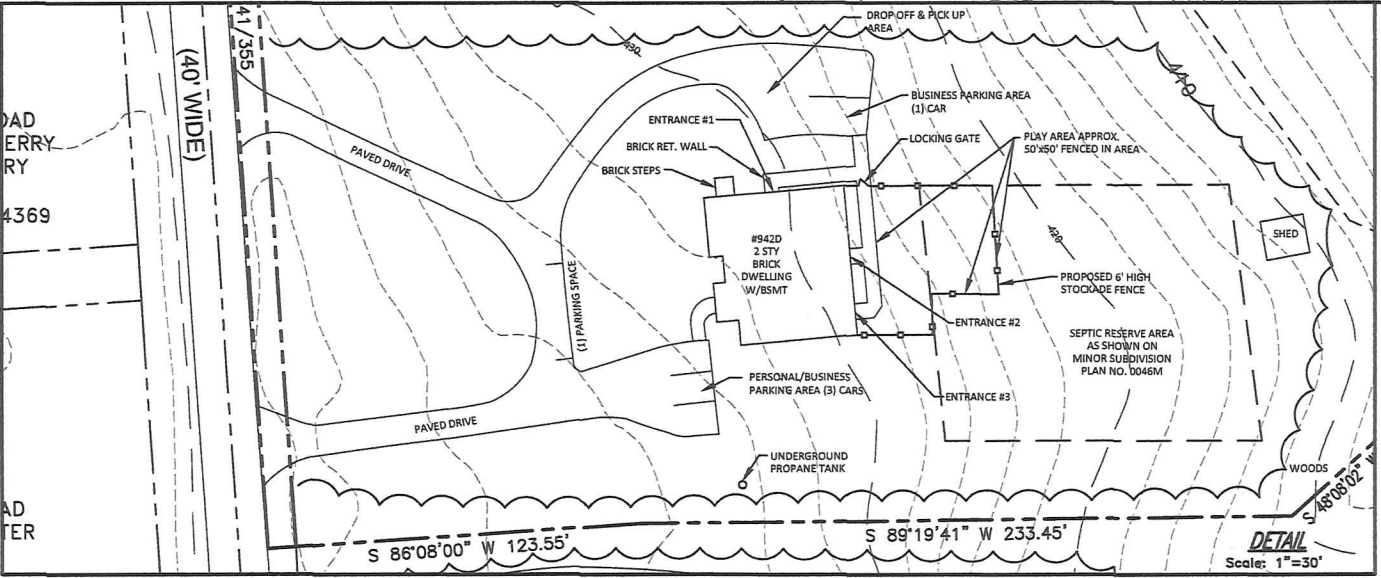
OFFICE OF PLANNING

1. There are no improvements proposed for the house.
2. There are no improvements proposed for the property.



Vicinity Map - Scale: 1" = 1000'
ADC The Map People - Permitted Use # 20612205

NOTE: ADDITIONAL LANDSCAPING IS NOT NEEDED DUE TO THE AMOUNT OF WOODS ON THE SUBJECT PROPERTY. CONSIDERATION OF LANDSCAPING IS REQUIRED WHEN APPLYING FOR A CLASS B DAY CARE.



PLAN TO ACCOMPANY PHOTOGRAPHS



REVISION
Revision 1: 7/20/2016

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION FOR
9420 DOGWOOD ROAD
BALTIMORE COUNTY, MARYLAND
2nd ELECTION DISTRICT 1st COUNCILMANIC DISTRICT
Date: 7/20/2016
Scale: 1"=50'

PETITIONER'S

EXHIBIT NO. 3A-B1

GENERAL SITE INFORMATION

1. Ownership: Arthur O. Jackson & Sharon Y. Jackson
2. Addresses: 9420 Dogwood Road Baltimore, MD 21244
3. Deed reference: SM 21943/336
4. Property area: 4.935 acres (per SDAT)
5. Election District: 4th - Councilmanic District: 4th
6. Tax Map 86. Grid 05 Parcel 453 Lot 1. Tax Acc. # 23-00-010991
7. ADC Map Grid: 4695H6
8. Position Sheets: 17NW40
9. GIS Tile Numbers: 086C1
10. Regional Planning District: Harrisonville Regional Planning Dist. Code: 311
11. Growth Tier: 4 - Growth Tier Description: Preservation and conservation area- no major subdivisions on septic
12. Watershed Name: Patapsco River
13. URDL Land Type: 1
14. School Districts: Winfield ES Windsor Mill MS Randallstown HS
15. Census Block: 240054022021002 Census Tract: 402202
16. The boundary shown hereon is from SM 21943/336
17. The topography shown hereon is from GIS tile 086C1

UTILITIES

1. The dwelling on the subject property shown hereon is served by a private well and septic system.

ENVIRONMENTAL IMPACT

1. The proposed day care use will have no environmental impact on the subject property.
2. The subject property is not located within a 100 year flood plain.
3. The subject property is not located in the Chesapeake Bay Critical Area.

STORM WATER MANAGEMENT

1. No grading is proposed, therefore no storm water management review is needed.

OFFICE OF ZONING

Current Zoning RC 2

Zoning History

There have been no zoning hearings concerning the subject property.
No zoning variances will need to be applied for at this time.

Proposed Use of the Subject Property

Residence and Class B Group Childcare Center.

PARKING

Parking for the residence occupants = 2
Parking for the day care employees = 3

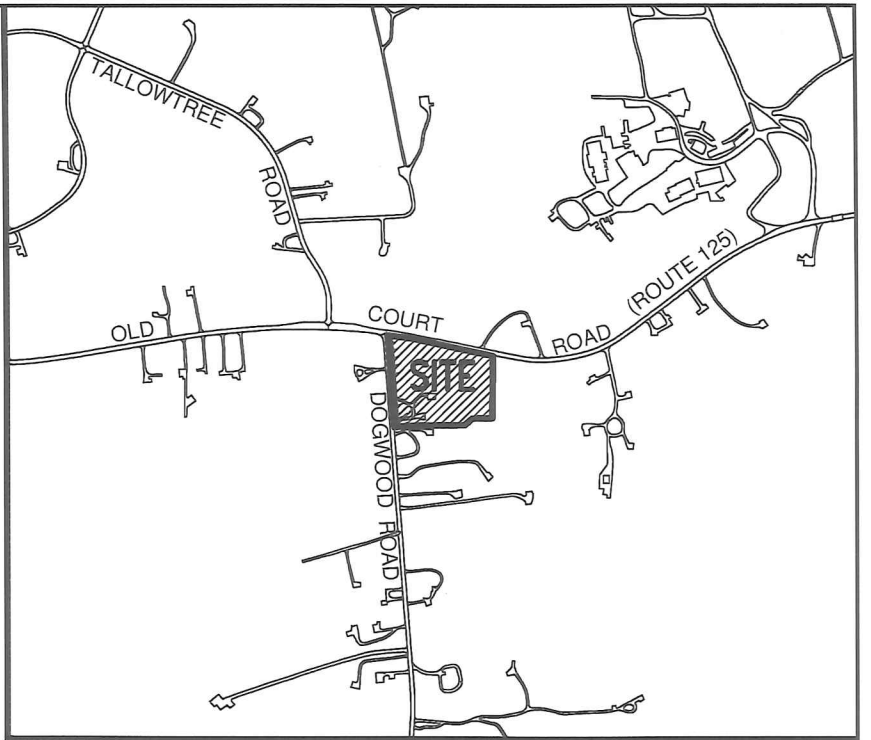
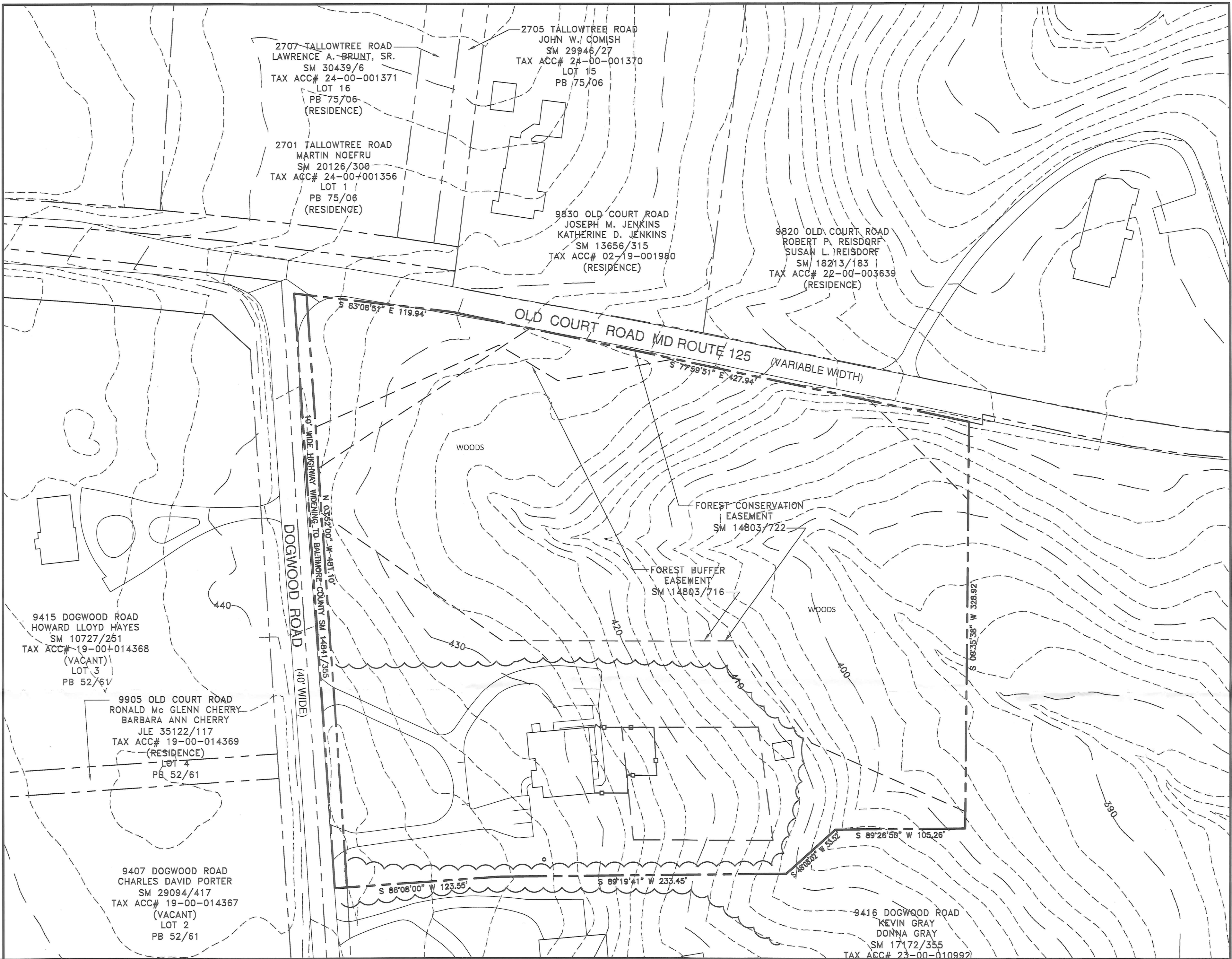
5 required
5 provided

RC 2 Setbacks for Residential Single Family Dwellings

Front: 75 feet from the centerline of a road
Side/ Rear: 35 feet from any property line

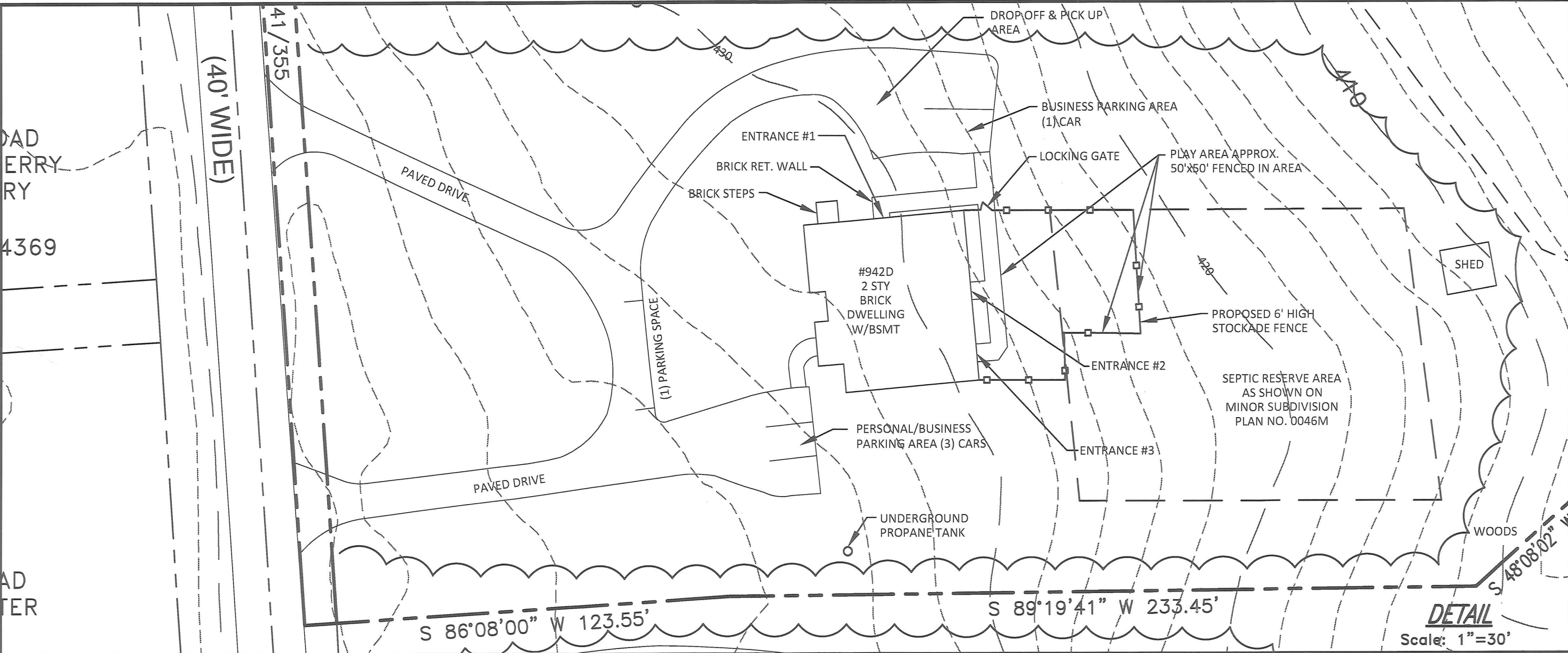
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PETITIONER'S
EXHIBIT NO. 1

0' 50' 100' 150'

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FOR

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