

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 16 day of August, 2017, that Sabrina Kent located at 9851 Branchleigh RD should be and the

(Individual or business name)
(Street address)

same is hereby granted permission to operate a: ALFI
3beds per case # 2017-0316-A

153077
Permit (or Receipt) Number

[Signature]
Director, Permits, Approvals and Inspections

Planner's Initials jr

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

8/11/17

TO: Director, Office of Planning
Attention: Lynn Lanham
Jefferson Building
105 West Chesapeake Avenue, Room 101
Towson, MD 21204
Mail Stop 3402

FROM: Arnold Jablon, Director
Department of Permits, Approvals and Inspections

RE: Assisted Living Facility

ALF Address _____

Permit No. (if required) B _____

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

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

Ms. Sabrina Kent 9851 Branchleigh Rd Sabrina.kent@calverton.com
Print Name of Applicant Address Telephone Number Email Address

Lot Address 9851 Branchleigh Rd Election District 2 Councilmanic District 4 Square Feet of Lot 8,125 SF

Lot Location: N E SW side/corner of Branchleigh 320 feet from N E SW corner of Winands Rd.
(street) (street)

Land Owner(s): HP Maryland LLC 10 Digit Tax Account Number 1600003091

Address: 9851 Branchleigh Rd Telephone Number () Email Address

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

B. APPLICANT MUST PROVIDE 1 THROUGH 6

Planner to confirm information acceptance by marking x below

	YES	NO
1. This Recommendation Form (3 copies)	☒	☐
2. Permit Application	☐	☒
3. Site Plan Property (3 copies) including lot size and sq ft of building, parking and open space - 10% lot area.....	☒	☐
Statement of Compliance with Checklist Note 5.A.....	☒	☐
4. Building Elevation Drawings (these may be waived if not 5.A from the Zoning Use Permit Checklist can be stated on the plans)	☐	☒
5. Photographs (please label all photos clearly Adjoining Buildings and Surrounding Neighborhood.....)	☒	☐
6. Current Zoning Classification: DR 3.5		

Accepted for filing by Gary Clark 5/24/17 gh
(Date)

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

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

See attached comments

Signed by: [Signature]
For the Director, Office of Planning

RECEIVED

JUL 27 2017

Date: 8/14/17

Revised 2/7/11

DEPARTMENT OF PLANNING

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

TO: Jenifer Nugent
Kathy Schlabach

DATE: 8/10/17

FROM: Dennis Wertz

DW

SUBJECT: Assisted Living Facility (9851 Branchleigh Road)

The Department of Planning reviewed a variance request regarding this proposed Assisted Living Facility in June 2017 (see ZAC Case Number 17-316). On July 17, 2017 the ALJ granted a variance from BCZR Section 432A to permit parking in the front yard with a zero side yard setback for a proposed Assisted Living Facility I in lieu of the required side or rear yard only with a minimum of a 10 foot side setback.

I don't have any objections to using this property as an Assisted living Facility I.

After reviewing the compatibility objectives in Section 32-4-402 of the County Code, it is my opinion that the use of this property for an Assisted Living Facility I will be compatible with the residential properties on Branchleigh Road provided that:

- No signs that identify the property as an Assisted living Facility will be erected on the premises.
- The existing driveway is not expanded to accommodate additional off-street parking.

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

No 153077

Date: 5/24/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	800	0000		6150				100.00

Total: 100.00

Rec From: Sabrina Kent

For: USE Permit ALFI

2017-0316-A 9851 Barclay St

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME 9:40
 5/25/2017 5/24/2017 10:18:41
 REG NGDS WALTON LIA
 RECEIPT # 098603 5/24/2017 OPLN
 Dept 5 520 ZOWING VERIFICATION
 CR NO. 153077
 Recpt Tot \$100.00
 \$100.00 \$100.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

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Adjoining Buildings and Surrounding Neighborhood	☒	☐
6. Current Zoning Classification: DR 3.5		

Accepted for filing by Gary Kent 5/24/17 gh
(Date)

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

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

Signed by: _____
For the Director, Office of Planning

Date: _____

9851 Branchleigh Road
Randallstown, Maryland 21133
April 1, 2017

Sabrina Kent
9851 Branchleigh Road
Randallstown, Maryland 21133

This letter is to verify that Sabrina Kent is leasing the own the property listed above
Known as 9851 Branchleigh Road, Randallstown, Maryland 21133 from HIP Maryland,
LLC. In addition, Ms. Kent has been authorized to use the said property for her personal
dwelling and an assisted living.

Best,


Property Manager

2017-0316-A1

IN RE: PETITION FOR VARIANCE

(9851 Branchleigh Road)

2nd Election District

4th Council District

HP Maryland LLC

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2017-0316-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed on behalf of HP Maryland LLC, the legal owner of the subject property ("Petitioner"). Petitioner is requesting variance relief from § 432A of the Baltimore County Zoning Regulations ("B.C.Z.R") to permit parking in front yard with a zero side yard setback for a proposed Assisted Living Facility I in lieu of the required side or rear yard only with a minimum of a 10 ft. side setback. A site plan was marked as Petitioner's Exhibit 1.

Sabrina Kent appeared in support of the petition. A neighbor (Edith Bouie) attended to obtain additional information about the request. The Petition was advertised and posted as required by the B.C.Z.R. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request.

The site is approximately 8,125 square feet in size and zoned DR 3.5. The property is improved with a single family dwelling constructed in 1972. The Petitioner proposes to operate an Assisted Living Facility at the property, with 4 residents/patients. To do so Petitioner will need a license from the State of Maryland and a use permit (along with a compatibility finding by the DOP) from Baltimore County. This case concerns only the parking requirements found in the Assisted Living Facility regulations.

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

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

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

The property has irregular dimensions and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because it would be unable to operate the Assisted Living Facility. Finally, I find that the variances can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of community and/or Baltimore County opposition. The DOP visited the site and did not believe two vehicles could park in the existing driveway without obstructing the public sidewalk. Petitioner disagreed, and its site plan indicated the driveway was suitable for "tandem parking." In any event, Petitioner noted vehicles can park safely along Branchleigh Road, and an aerial photograph from the My Neighborhood site confirmed this fact.

THEREFORE, IT IS ORDERED, this 17th day of **July, 2017**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from § 432A of the Baltimore County Zoning Regulations ("B.C.Z.R) to permit parking in front yard with a zero side yard setback for a proposed Assisted Living Facility I in lieu of the required side or rear yard only with a minimum of a 10 ft. side setback, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.

2. No signage shall be permitted at the premises.
3. Petitioner must obtain from the State of Maryland and Baltimore County all licenses, permits, inspections and other approvals necessary for the operation of an Assisted Living Facility I.

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:slh

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

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Attention: Lynn Lanham
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105 West Chesapeake Avenue, Room 101
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Address: 9851 Branchleigh Rd Telephone Number 518 334-2545

Email Address _____

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5. Photographs (please label all photos clearly Adjoining Buildings and Surrounding Neighborhood.....)	☒	☐
6. Current Zoning Classification: DR 3.5		

Accepted for filing by Larry Clark 5/24/17 gh
(Date)

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY

RECOMMENDATIONS / COMMENTS:

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

Signed by: _____
For the Director, Office of Planning

Date: _____

9851 Branchleigh Road
Randallstown, Maryland 21133
April 1, 2017

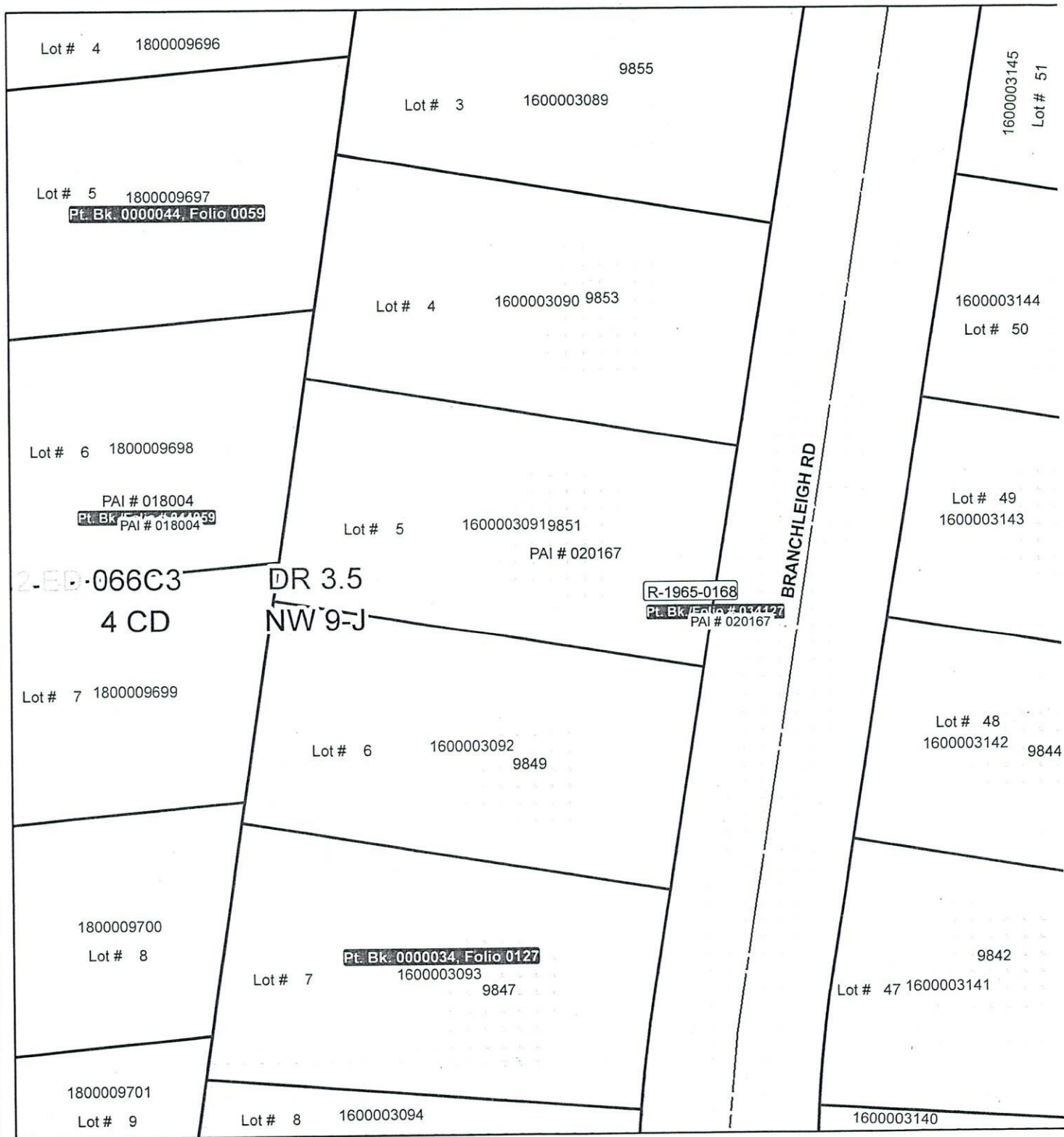
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Known as 9851 Branchleigh Road, Randallstown, Maryland 21133 from HIP Maryland,
LLC. In addition, Ms. Kent has been authorized to use the said property for her personal
dwelling and an assisted living.

Best,


Property Manager

9851 Branchleigh Road



Publication Date: 5/12/2017



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



0 10 20 40 60 80 Feet

1 inch = 40 feet

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Account Identifier:			District - 02 Account Number - 1600003091							
Owner Information										
Owner Name:		HP MARYLAND I LLC				Use: Principal Residence:		RESIDENTIAL NO		
Mailing Address:		9851 BRANCHLEIGH RD RANDALLSTOWN MD 21133-2003				Deed Reference:		/38346/ 00168		
Location & Structure Information										
Premises Address:		9851 BRANCHLEIGH RD RANDALLSTOWN 21133-2003				Legal Description:		9851 BRANCHLEIGH RD WS THE WOODLANDS		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	4
0066	0023	0483		0000	3	A	5	2016	Plat Ref:	0034/0127
Special Tax Areas:						Town:		NONE		
						Ad Valorem:				
						Tax Class:				
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1972		1,008 SF		750 SF		8,125 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
Split Foyer	YES	SPLIT FOYER	SIDING	2 full/ 1 half						
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2016		07/01/2016		07/01/2017	
Land:			61,500		61,500					
Improvements			106,600		122,900					
Total:			168,100		184,400		173,533		178,967	
Preferential Land:			0						0	
Transfer Information										
Seller: CLF HOMES LLC				Date: 12/02/2016				Price: \$232,000		
Type: ARMS LENGTH IMPROVED				Deed1: /38346/ 00168				Deed2:		
Seller: FEDERAL NATIONAL MORTGAGE				Date: 03/18/2016				Price: \$121,100		
Type: ARMS LENGTH IMPROVED				Deed1: /37296/ 00422				Deed2:		
Seller: LEWIS ANGELA L HARVIN				Date: 11/30/2015				Price: \$189,379		
Type: NON-ARMS LENGTH OTHER				Deed1: /36924/ 00331				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2016		07/01/2017				
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: No Application										

Hotels (*transient*)
Motels (*transient*)

310.4 Residential Group R-2. Residential Group R-2 occupancies containing *sleeping units* or more than two *dwelling units* where the occupants are primarily permanent in nature, including:

Apartment houses
Boarding houses (nontransient) with more than 16 occupants
Congregate living facilities (nontransient) with more than 16 occupants
Convents
Dormitories
Fraternities and sororities
Hotels (nontransient)
Live/work units
Monasteries
Motels (nontransient)
Vacation timeshare properties

310.5 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two *dwelling units*
Boarding houses (nontransient) with 16 or fewer occupants
Boarding houses (*transient*) with 10 or fewer occupants
Care facilities that provide accommodations for five or fewer persons receiving care
Congregate living facilities (nontransient) with 16 or fewer occupants
Congregate living facilities (*transient*) with 10 or fewer occupants
Lodging houses with five or fewer *guest rooms*

310.5.1 Care facilities within a dwelling. Care facilities for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the *International Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.

310.5.2 Lodging houses. Owner-occupied *lodging houses* with five or fewer *guest rooms* shall be permitted to be constructed in accordance with the *International Residential Code*.

310.5.3 Day care home
310.6 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of

Congregate care facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the construction as defined for Group R-3, except provided for in this code.

310.6.1 Condition 1. This occupancy include buildings in which all persons receiving care, without any assistance, are capable of responding to an emergency situation to complete building evacuation.

310.6.2 Condition 2. This occupancy include buildings in which there are any persons receiving custodial care who require limited verbal assistance while responding to an emergency situation to complete building evacuation.

SECTION 311 STORAGE GROUP S

311.1 Storage Group S. Storage Group S includes, among others, the use of a building or portion thereof, for storage that is not classified as another occupancy.

311.1.1 Accessory storage spaces. A room for storage purposes that is less than 100 m² in area and accessory to another occupancy is classified as part of that occupancy. The number of such rooms or spaces shall not exceed the limits of Section 508.2.

311.2 Moderate-hazard storage, Group S-1 occupancies are buildings occupied for storage that are not classified as Group S-2, including, storage of the following:

Aerosols, Levels 2 and 3
Aircraft hangar (storage and repair)
Bags: cloth, burlap and paper
Bamboos and rattan
Baskets
Belting: canvas and leather
Books and paper in rolls or packs
Boots and shoes
Buttons, including cloth covered, pearl
Cardboard and cardboard boxes
Clothing, woolen wearing apparel
Cordage
Dry boat storage (indoor)
Furniture
Furs
Glues, mucilage, pastes and size

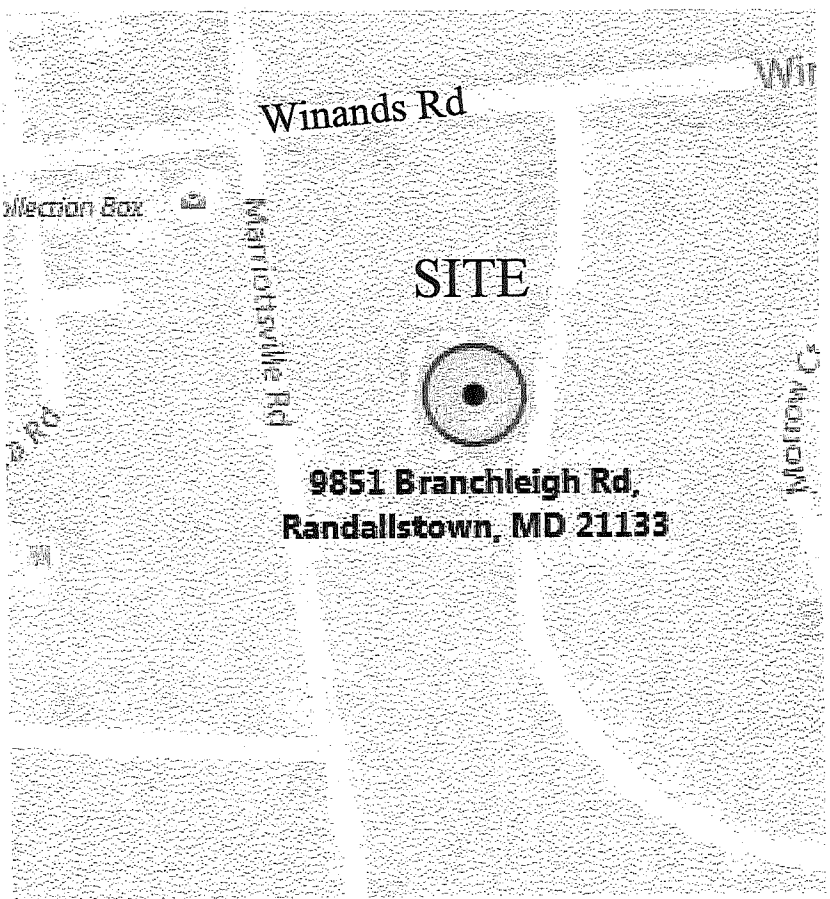
ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING
PLAN FOR A ASSISTED LIVING FACILITY I
ADDRESS: 9851 BRANCHLEIGH RD OWNER(S) NAME(S) HP MARYLAND LLC
ADDRESS : 9851 BRANCHLEIGH RD APPLICANT(S) NAME(S) MS.SABRINA KENT
EMAIL / PHONE : sabrinakent36@yahoo.com (518-334-2545)

SUBDIVISION NAME: WOODLANDS, LOT: 5, BLOCK: A, SECTION: 3
PLAT BOOK# 4 FOLIO# 0034 / 0127 10 DIGITAX # 1600003091 DEED REF# 38346/00168

LOT SIZE :8,125 SF
ZONING MAP 0066
ZONE DR3.5

EXISTING FLOOR AREAS SF.
1ST FLOOR = 1,008 SF
BASEMT FLOOR = 750 SF
TOTAL 1,758 SF
PARKING =REQ. 8-1/2 X 18 FEET
PROVIDED TANDEM = 10 X 20 FEET
OPEN SPACE REQ=.10 X LOT AREA (8,125 SF) = 812, SF
OPEN SPACE PROVIDED : 4,262 SF

ALF I, 3 beds = 2 parking spaces



VICINITY MAP
NTS (BING MAP)

ZONING MAPS#	0066C3
SITE ZONED	DR 3.5
LEGISLATIVE DISTRICT	10
COUNCILMANIC DISTRICT	4
ELECTION DISTRICT	2
LOT AREA ACREAGE	
OR SQUARE FEET	8,125 SF
HISTORIC	NO
IN CBCA	NO
IN FLOOD PLAIN	NO
UTILITIES MARK	X
WATER IS: PUBLIC X PRIVATE	
SEWER IS: PUBLIC X PRIVATE	
PRIOR HEARING : NO	

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

PLAN DRAWN BY ANTHONY OBUEKWE DATE 4-13-2017

SCALE: 1"= 20 FEET

2017-0316-A

ALFI

2018 - NEVER LICENSED BY STATE

9851 Branchleigh Rd

Variance - 432A.1.C

~~409.6.A.1~~

Sabrina # 518-334-~~2~~545

UP-2017-0060-AL