

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 28 day of November, 2016, that Kimberly Cook located at 4910 Black Rock Rd 21074 should be and the

(Individual or business name)
(Street address)

same is hereby granted permission to operate a: Class A
Group Child Care Center (case # 2017-0069-A)
12 children maximum

Permit (or Receipt) Number

Director, Permits, Approvals and Inspections

Planner's Initials

Revised 10/17/11

gh

APPLICATION FOR CHILD CARE CENTER CLASS A

USE PERMIT

This Use Permit is requested in accordance with Sections 424.4 and 500.4 of the Baltimore County Zoning Regulations.

Proposed Child Care Center Location:

Election District: 05
Subdivision: Merryman Ludwig
Street Address: 4910 Black Rock Rd Hampstead MD 21074
Lot Number: 2 Block Number: _____
*If no lot or block number, give distance to nearest intersecting street Grace Rd feet, north / south / east / west of Street / Road / Avenue
Lot Size: 4.0916 Acres x _____

Existing Nearest Child Care Center Location: (lot number, street address, etc.)

N/A

General Information:

- A. Name and Address of Applicant/Operator
Kimberly Cook
4910 Black Rock Rd Hampstead MD 21074
- B. Number of Employees 3 Telephone Number 410 440 1093
Days of Week 5 Hours of Operation 6 am - 6 pm
- C. Number of Children Enrolled 12
- D. Estimated Amount of Traffic Generated:
Morning 12 Cars Afternoon 12 Cars
- E. Site Plan, drawn to scale, indicating location and type of structure on lot in question, location and dimensions of play parking area(s) arrangement, and proximity of dwellings on adjacent lots must accompany this Use Permit
- F. Snapshot of the Structure

I am aware that the zoning regulations require that the above property be posted for a period of thirty (30) days prior to the Zoning Commissioner taking any action, that said posting (sign) shall include information relative to the number of children, hours of operation, and number of employees, and that I am responsible for, and hereby agree, to pay expenses for all posting, advertising, and filing fees.

Kimberly Cook
Applicant's Signature

Item #0069

MEMORANDUM

DATE: December 5, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0069-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on December 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 VARIANCE

(4910 Black Rock Road) *

5th Election District *

3rd Council District *

Ryan & Kimberly Cook and *

George & Shirl Scaletta *

Legal Owners

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2017-0069-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Ryan & Kimberly Cook and George & Shirl Scaletta, legal owners ("Petitioners"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R") for a class "A" group child care center with a maximum of 12 children. In addition, a Petition for Variance seeks to permit a 3 ft. high picket fence in lieu of the required 5 ft. high solid wood stockade/panel fence, and to permit a 0 ft. fence setback in lieu of the minimum required 20 ft. A site plan was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requests was Kimberly Cook. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A Substantive Zoning Advisory Committee (ZAC) comment was received from Department of Planning (DOP), and is discussed below.

The subject property is approximately 4 acres in size and is zoned RC 2. The property is located in a rural portion of the county and it adjoins several large parcels on which agricultural operations are conducted. Petitioners purchased the property in 2013 and constructed a single-family dwelling on the lot in 2015. Since that time Ms. Cook has operated a child care center in her home caring for eight (8) children. Ms. Cook stated she has been a licensed child care provider since 2005, and would like to expand her

ORDER RECEIVED FOR FILING

Date 11/2/16

By Den

operation (known as "Tiny Treasures") to provide care for up to 12 children; i.e., a "group child care center, class A." B.C.Z.R. §101.1.

SPECIAL HEARING

The petition for special hearing seeks a use permit to operate the group child care center. The Administrative Law Judge could grant such a permit in this case without a hearing, since no formal request(s) for hearing were received from any nearby neighbor. B.C.Z.R. §424.4.A.4. However, Petitioners also seek variance relief which does require a public hearing. As such, the zoning review office suggested the special hearing request be included in the petition and decided at the same time.

Under the B.C.Z.R., an accessory class A group child care center is permitted by right in all residential zones, with the exception of the RC-4 zone. B.C.Z.R. §424.4.A. This property is zoned RC-2 and the single-family dwelling on the property is the principal residence of Petitioners. The Regulations specify certain information which must be included in an application for a use permit, including the hours of operation (6 a.m.-6 p.m., Mon.-Fri.), number of employees (3 or fewer), anticipated traffic (12 vehicle trips in the a.m. and p.m. periods) and the number of children to be enrolled (up to 12 children). B.C.Z.R. §424.4.A. The Petitioners' site plan provides all of the information required, and photographs of the property were also submitted. Petitioners' Ex. 3. The plan indicates the child care center will occupy the entire basement of the dwelling, which is 1,200 sq. ft. The large site appears to be well-suited for a child care center, and I do not believe the use would have a detrimental impact upon the community. As such, the use permit will be granted.

ORDER RECEIVED FOR FILING

Date 11/2/16

By Den

VARIANCE

Two variances are sought and both pertain to the fence enclosing the outdoor play space (5,753 sq. ft.). Under Maryland law, a variance request involves a two-step process, summarized as follows:

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

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

Petitioners have met this test. The property has a very irregular shape and is therefore unique. Petitioners would experience practical difficulty if the regulations were strictly interpreted because they would be unable to use the existing fencing which was recently installed for the child care facility. Finally, as demonstrated by the lack of community opposition, I do not believe granting the requests would have a detrimental impact upon the community.

The DOP indicated it did not oppose the use permit request, but that agency suggested the 20 ft. fence setback should be observed to ensure the health and safety of the children at the day care center. The subject property is bordered by large pastures which are actively farmed, and the DOP believed the setback is necessary to provide a buffer against potentially "undesirable conditions." In addition, the DOP cited a portion of Master Plan 2020 wherein the stated goal is to protect and preserve prime agricultural lands to ensure the continued vitality of the agricultural industry and to prevent conflicts between potentially incompatible uses.

Ms. Cook stated she has operated a day care center at this site for nearly two years, during which time there have been two planting and harvesting cycles. She stated the farming operations have not had any detrimental impact upon the children, and she noted that if conditions on any

ORDER RECEIVED FOR FILING

Date 11/2/16

By Sen

given day warranted it the children could be brought inside from the play area. The site is inspected by the State on a yearly basis to ensure that all safety and health requirements are observed. Ms. Cook also noted that while a portion of the fence is on the property line, the adjoining property contains a single-family dwelling and yard area, such that a minimum 40 ft. buffer already exists between the play area and the fields which are actively farmed. In these circumstances, I believe granting the variance would not jeopardize the health or welfare of the children.

The more salient issue raised by DOP concerns the County's goal of promoting and protecting farming operations in rural areas. The DOP suggested Petitioners have parents sign an acknowledgement whereby they recognize and agree that farming operations are conducted in the vicinity and that such uses—if conducted in accordance with the law—shall not be considered a nuisance. I agree, and Ms. Cook provided an addendum (Petitioners' Ex. 2) to her day care contract entitled "Agricultural Land Risk," which makes the disclosures suggested by the DOP. A condition will be included in the order below concerning this issue.

THEREFORE, IT IS ORDERED this 2nd day of November, **2016**, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R) for a use permit to operate a class "A" Group child care center for a maximum of 12 children, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the petition for variance to permit a 3 ft. high picket fence in lieu of the required 5 ft. high solid wood stockade/panel fence, and to permit a 0 ft. fence setback in lieu of the minimum required 20 ft., be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date 11/2/16

By sen

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. Petitioners shall require the parent(s) of each child enrolled at the center to sign and acknowledge receipt of an "Agricultural Land Risk" disclosure (as contained in Petitioners' Ex. 2), which may be included as part of the enrollment agreement or contract. Petitioners shall retain all records related to this disclosure and acknowledgement for a period of not less than 3 years.

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

JEB/sln



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 11/2/16

By sln



PE1 ON 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 4910 BACK ROCK RD Hampstead 21074 which is presently zoned RC2

Deed References: _____ 10 Digit Tax Account # 0313040101

Property Owner(s) Printed Name(s) Shirley George Scaletta, Ryan, Kimberly Cook

(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 Class "A" Group Child Care Center for a maximum of 12 children

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

3. ☒ a **Variance** from Section(s) 424.1.B, BC2R, to permit a 3 feet high picket fence in lieu of the required ~~5~~ 5 feet high solid wood stockade/panel fence, and to permit a 0 feet fence setback in lieu of the minimum required 20 feet.

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)

TO BE PRESENTED AT HEARING

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

Legal Owners (Petitioners):

SEE ATTACHED, OWNER SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2017-0069-SPHA Filing Date 9/8/16

Do Not Schedule Dates: _____ Reviewer RJ

Owners Sheet Attachment

Legal Owners (Petitioners)

Kimberly Cook

Name- Type or Print

Kimberly Cook

Signature

4910 Black Rock Rd

Mailing Address City State
Hampstead MD

21074, 4104401993 Penny1884@Comcast.net

Zip Code

Telephone#

Email Address

Legal Owners (Petitioners)

Ryan Cook

Name- Type or Print

Ryan Cook

Signature

4910 Black Rock Rd Hampstead MD

Mailing Address City State

21074, 4104401021,

Zip Code

Telephone#

Email Address

Item #0069

Owners Sheet Attachment

Legal Owners (Petitioners)

GEORGE R SCAIETTA

Name- Type or Print

George R Scaietta

Signature

2730 HOBBS Rd Glenwood md

Mailing Address

City

State

21738 4104897989 Poddie@comcast.net

Zip Code

Telephone#

Email Address

Legal Owners (Petitioners)

SHIRL C SCAIETTA

Name- Type or Print

Shirl C Scaietta

Signature

2730 HOBBS Rd Glenwood md

Mailing Address

City

State

21738 4104897989 SHIRL C SCAIETTA@COMCAST.NET

Zip Code

Telephone#

Email Address

Item #0069

Zoning Property Description for: 4910 Black Rock Road Hampstead Maryland 21074

Beginning at a point on the Northeast side of Black Rock Road which is 40 feet wide at a distance of 2412 +/- feet southwest of the centerline of the nearest improved intersecting street Grace Road which is 40 feet wide.

Minor Subdivision:

Merryman conveyance and reversely with part of the fourth deed line of the aforesaid else road to else road conveyance , as now surveyed, referring all of the following courses and distances to the Maryland coordinate system)NAD'83-91) 1)South 27° 03" East 373.14 feet to a rebar and cap now set; thence leaving the lands of Else road and running across the lands of Merryman, for new lines of division, the following two courses and distances, viz: 2) South 62° 56' 15" West 170 feet to a rebar and cap now set and 3) South 14° 45' 08" West, passing over a rebar and cap now set at a distance of 266.16 feet, in all 295.79 feet to a point in or near the centerline of Black Rock Road at a poin 82.27 feet from the beginning on the fourth deed line of the aforesaid Merryman to Merryman Conveyance; thence running with the remainder of the fourth and all of the fifth deed lines of the aforesaid Merryman to Merryman conveyance and running in or near the centerline of Black Rock Road the following four courses and distances, viz: 4) Northwesterly, 27.31 feet along the arc of a curve to the left having a radius of 600.00 feet, said are subtended by a long chord bearing North 80° 38' 33" West 27.31 feet to a point; 5)North 81° 56' 48" West27.73 feet to a point 6)Northwesterly, 225.56 feet along the arc of a curve to the left having a radius of 1,400.00 feet, said are subtended bay a long chord bearing North 86° 33' 44" West 225.31 feet to a point and 7) South 88° 49' 18" West 95.83 feet to a point; thence leaving Black Rock Road and running with all of the sixth Deed Line of the aforesaid Merryman to Merryman conveyance 8) North 32° 35' 31" East, padding over a rebar and cap now set at a distance of 36.09 feet and a stone heretofore set at a distance of 396.00 feet, in all, 802.11 feet to the place beginning. Containing 178,232 square feet or 4.0916 acres of land, more or less.

As recorded among the land records of Baltimore County in deed Liber 33197, folio 480, containing 4.0916 acres. Located in the 5th Election District and the 3rd Council District. Also known as lot #2 in the minor subdivision of Merryman Ludwig, Minor subdivision# 06-062-M, as maintained by the Development Management Division of the department of permits, Approval and inspections.

Item #0069

[illegible]

2000

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters.

2. The second part outlines the specific steps and procedures for conducting a thorough audit. This includes identifying the scope of the audit, gathering relevant data, and performing detailed reviews of financial statements and operational processes.

3. The third part addresses the challenges and common pitfalls associated with auditing. It provides practical advice on how to overcome these challenges, such as ensuring clear communication, maintaining objectivity, and staying organized throughout the process.

4. The final part concludes by highlighting the benefits of a well-executed audit. It notes that audits can help identify areas for improvement, prevent fraud, and ensure compliance with applicable laws and regulations.

1. *Chlorophyll a* and *Chlorophyll b* were determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm and 646 nm, respectively. The concentrations were calculated using the following equations: $Chl\ a\ (mg\ L^{-1}) = 12.7 \times OD_{663}$ and $Chl\ b\ (mg\ L^{-1}) = 22.9 \times OD_{646}$.



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 4506602

Sold To:

Kimberly Cook - CU00565311
4910 Black Rock Rd
Hampstead, MD 21074-3011

Bill To:

Kimberly Cook - CU00565311
4910 Black Rock Rd
Hampstead, MD 21074-3011

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

Oct 11, 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: # 2017-0069-SPHA

4910 Black Rock Road
N/s Black Rock Road, 2412 ft. +/- SW of Grace Road
5th Election District - 3rd Councilmanic District
Legal Owner(s) Ryan & Kimberly Cook, George & Shirl Scaletta

SPECIAL HEARING: to approve a Class "A" Group Child Care Center for a maximum of 12 children.

VARIANCE: to permit a 3 ft. high picket fence in lieu of the required 5 ft. high solid wood stockade/panel fence, and to permit a 0 ft. fence setback in lieu of the minimum required 20 ft.

Hearing: Monday, October 31, 2016 at 11:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 10/675 Oct. 11

4506602

CERTIFICATE OF POSTING

2017-0069-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Ryan & Kimberly Cook, George & Shirl Scaletta

October 31, 2016

Date of Hearing/Closing: _____

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

Attn: 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: _____

4010 Black Rock Road

October 11, 2016

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



October 11, 2016

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

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

September 27, 2016

NOTICE OF ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0069-SPHA

4910 Black Rock Road

N/s Black Rock Road, 2412 ft. +/- SW of Grace Road

5th Election District – 3rd Councilmanic District

Legal Owners: Ryan & Kimberly Cook, George & Shirl Scaletta

Special Hearing to approve a Class "A" Group Child Care Center for a maximum of 12 children.
Variance to permit a 3 ft. high picket fence in lieu of the required 5 ft. high solid wood stockade/panel fence, and to permit a 0 ft. fence setback in lieu of the minimum required 20 ft.

Hearing: Monday, October 31, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. Cook, 4910 Black Rock Road, Hampstead 21074
Mr. & Mrs. Scaletta, 2730 Hobbs Road, Glenwood 21738

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 11, 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
Tuesday, October 11, 2016 Issue - Jeffersonian

Please forward billing to:
Kimberly Cook
4910 Black Rock Road
Hampstead, MD 21074

410-440-1093

NOTICE OF ZONING HEARING

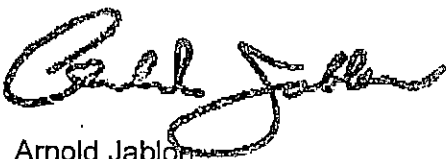
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2017-0069-SPHA

4910 Black Rock Road
N/s Black Rock Road, 2412 ft. +/- SW of Grace Road
5th Election District – 3rd Councilmanic District
Legal Owners: Ryan & Kimberly Cook, George & Shirl Scaletta

Special Hearing to approve a Class "A" Group Child Care Center for a maximum of 12 children. **Variance** to permit a 3 ft. high picket fence in lieu of the required 5 ft. high solid wood stockade/panel fence, and to permit a 0 ft. fence setback in lieu of the minimum required 20 ft.

Hearing: Monday, October 31, 2016 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE *
4910 Black Rock Road; N/S Black Rock Road,* OF ADMINISTRATIVE
2412' SW of c/line Grace Road
5th Election & 3rd Councilmanic DIstricts * HEARINGS FOR
Legal Owner(s): Ryan & Kimberly Cook & *
George & Shirl Scaletta * BALTIMORE COUNTY
Petitioner(s) *
2017-069-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
SEP 19 2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 2016, a copy of the foregoing Entry of Appearance was mailed to Shirl & George Scaletta, 2730 Hobbs Road, Glenwood, Maryland 21738, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2017-0069-SPHA
Property Address: 4910 Blackrock Rd
Property Description: Northeast side of Blackrock Rd
2412⁺ Southwest of Grace Rd
Legal Owners (Petitioners): Kimberly Cook
Contract Purchaser/Lessee: Kimberly Cook

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kimberly Cook
Company/Firm (if applicable): _____
Address: 4910 Blackrock Rd 21074

Telephone Number: 410-440-1093

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

No.

141420

Date:

9/8/16

PAID RECEIPT

BUSINESS ACTUAL TIME
 9/09/2016 9/09/2016 11:05:26 2

REG 0002 WALKIN JEE
 RECEIPT # 981306 9/09/2016 OFLN

Dept 5 520 ZONING VERIFICATION
 CF NO. 141420

Receipt Tot \$150.00
 \$150.00 CR \$0.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$150.00

Total: **\$150.00**

Rec From: **Kimberly Cook**
 For: **zoning hearing - case # 2017-0062-SPHA**

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*

October 25, 2016

Kimberly & Ryan Cook
4910 Black Rock Road
Hampstead MD 21074

George R & Shirl C Scaletta
2730 Hobbs Road
Glenwood MD 21738

RE: Case Number: 2017-0069 SPHA, Address: 4910 Black Rock Road

Dear Mr. & Ms. Cook and Mr. & Ms. Scaletta:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on September 8, 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.", written in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

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



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

Date: 9/12/10

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 9/12/10. A field inspection and internal review reveals that an entrance onto MD88 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2017-0069-SPHA.

Ryan & Kimberly Cook
George R. & Shirle Scajetta
4910 Black Rock Road.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Wendy Wolcott', is written over a horizontal line.

Wendy Wolcott, PLA
Acting Metropolitan District Engineer – District 4
Baltimore & Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: October 14, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

OCT 17 2016

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-069

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Property Address: 4910 Black Rock Road
Petitioner: Shirl & George Scaletta, Ryan & Kimberly Cook
Zoning: 17-069
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should approve a Class "A" Group Child Care Center for a maximum of 12 children and the petition for variance to approve a 3 foot high picket type fence and a setback of 0 feet in lieu of the required 5 foot high stockade type fence and 20 foot setback respectively.

A site visit was conducted on September 15, 2016.

The subject property lies near an area constituting the largest expanse of protected agricultural land in the County and State and is critical to the continued agricultural industry of Baltimore County. Master Plan 2020 states, "Baltimore County's goals for land preservation are to permanently preserve at least 80,000 acres of land to protect agriculture and natural resources for future generations, recognize and promote sustainable agriculture as a vital economic, commercial and industrial activity, manage development to protect agricultural lands and prevent conflicts between agricultural operations and incompatible uses, and ensure the proper management of agricultural lands to protect the water quality and natural resources." (pg. 165).

The Department supports the establishment of a Class "A" Group Child Care Center on condition that the petitioned variance relief of 0 feet in lieu of the required 20 foot setback is withheld. The Department recommends that the said 20 foot setback established in BCZR § 424.1.B is necessary to ensure the health and safety of children by providing a buffer from potential noxious or otherwise undesirable conditions associated with the tillage, fertilization and harvesting of land.

The Department recommends that the petitioners be required to inform clients of nuisances associated with commercial agricultural operations and that a record of acknowledgement of that disclosure be kept by the petitioners (see attached statement).

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: Wally Lippincott
Shirl & George Scaletta, etal
Office of the Administrative Hearings
People's Counsel for Baltimore County

Agricultural Note

ANY DWELLING MAY BE SUBJECT TO INCONVENIENCES OR DISCOMFORTS ARISING FROM AGRICULTURAL OPERATIONS, INCLUDING BUT NOT LIMITED TO, NOISE, ODORS, FUMES, DUST, THE OPERATIONS OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD(INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. THE COUNTY SHALL NOT CONSIDER AN AGRICULTURAL OPERATION TO BE A PUBLIC OR PRIVATE NUISANCE, IF THE OPERATION COMPLIES WITH THESE REGULATIONS AND ALL FEDERAL, STATE, OR COUNTY HEALTH OR ENVIRONMENTAL REQUIREMENTS.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: September 19, 2016

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

SUBJECT: Zoning Advisory Committee Meeting
For September 19, 2016
Item No. 2017-0063, 0064, 0065, 0067 and 0069

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\ZAC09192016.doc

BALTIMORE COUNTY, MARYLAND

RECEIVED

Inter-Office Correspondence

SEP 14 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: September 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0069-SPHA
Address 4910 Black Rock Road
(Cook Property)

Zoning Advisory Committee Meeting of **September 19, 2016.**

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

Reviewer: Steve Ford

Date: 09-14-2016

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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: September 14, 2016

SUBJECT: DEPS Comment for Zoning Item # 2017-0069-SPHA
Address 4910 Black Rock Road
(Cook Property)

Zoning Advisory Committee Meeting of **September 19, 2016.**

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

Reviewer: Steve Ford Date: 09-14-2016

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM



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

DATE: October 14, 2016

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-069

INFORMATION:

Property Address: 4910 Black Rock Road
Petitioner: Shirl & George Scaletta, Ryan & Kimberly Cook
Zoning: 17-069
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Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Wally Lippincott
Shirl & George Scaletta, etal
Office of the Administrative Hearings
People's Counsel for Baltimore County

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C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment9/19DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)N/C9/14DEPS
(if not received, date e-mail sent _____)N/C

FIRE DEPARTMENT

C10/14PLANNING
(if not received, date e-mail sent _____)No Obj9/12

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. 101)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

10/11/16

SIGN POSTING

Date:

10/11/16

by

SSG Black

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

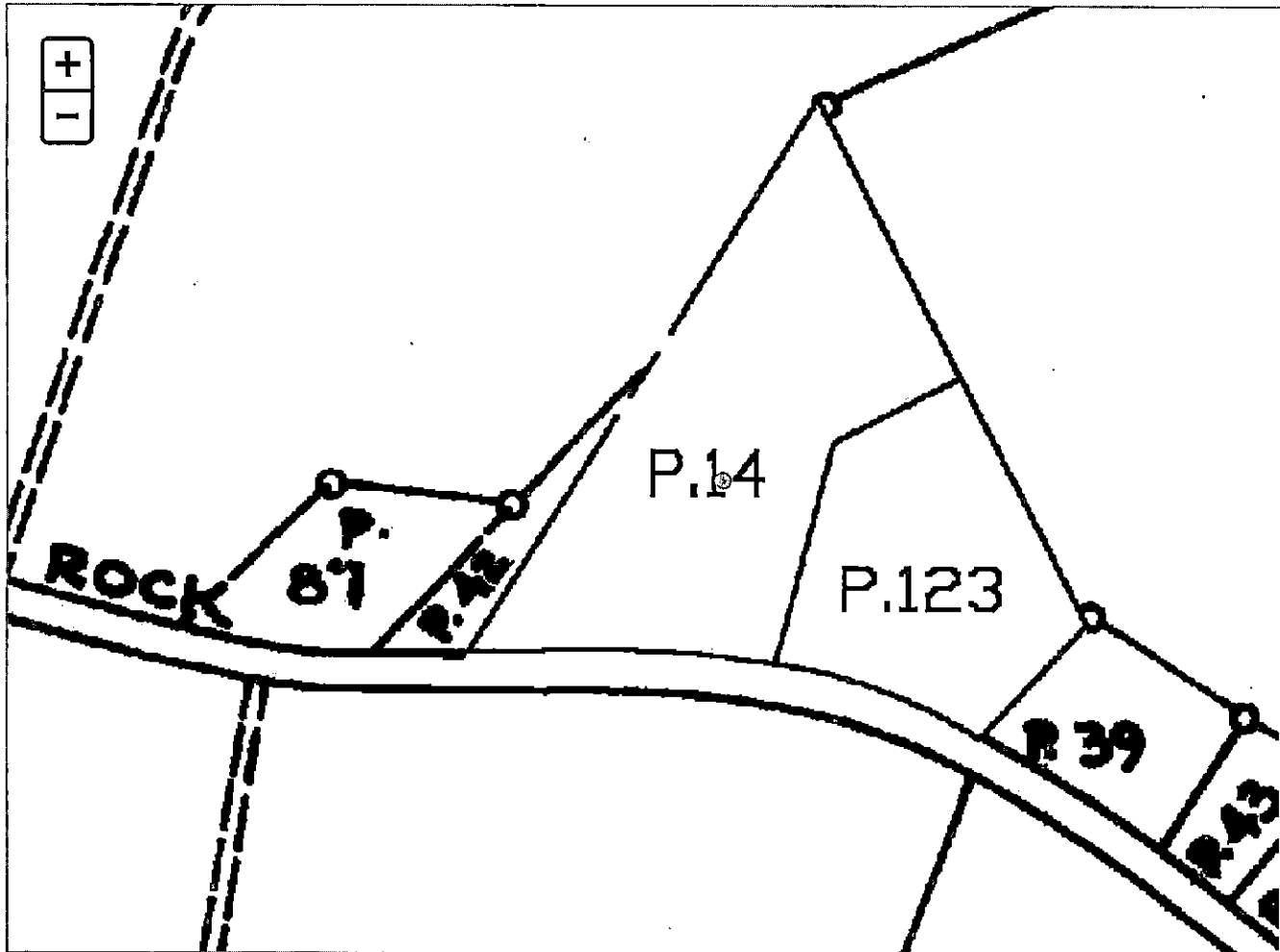
Comments, if any: _____

Real Property Data Search (w4)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 05 Account Number - 0513040101			
Owner Information					
Owner Name:	SCALETTA SHIRL C SCALETTA GEORGE ETAL		Use:	RESIDENTIAL NO	
Mailing Address:	2730 HOBBS RD GLENWOOD MD 21738-		Deed Reference:	/33426/ 00030	
Location & Structure Information					
Premises Address:		4910 BLACK ROCK RD 0-0000		Legal Description:	4.0916 AC MINOR SUBDIVISION 4910 BLACK ROCK RD NS 2553 FT NW GRACE RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0019	00121	0014		0000	2 2017
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
2015	3,220 SF	1200 SF	4.0916 AC	04	
Stories	Basement	Type	Exterior SIDING	Full/Half Bath	Garage Last Major Renovation
2	YES	STANDARD UNIT		3 full/ 1 half	1 Attached
Value Information					
	Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2016 As of 07/01/2017		
Land:	123,700	123,700			
Improvements	421,700	421,700			
Total:	545,400	545,400	545,400		
Preferential Land:	0				
Transfer Information					
Seller: MERRYMAN ROBERT CHARLES		Date: 04/25/2013		Price: \$126,000	
Type: ARMS LENGTH VACANT		Deed1: /33426/ 00030		Deed2:	
Seller: MERRYMAN CHARLES AG USE 83-84		Date: 07/02/1974		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /05459/ 00145		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

Baltimore County[New Search \(http://sdat.dat.maryland.gov/RealProperty\)](http://sdat.dat.maryland.gov/RealProperty)District: **05** Account Number: **0513040101**

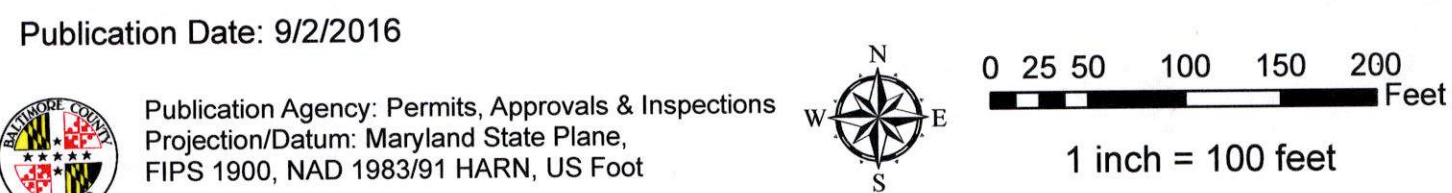
The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

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.

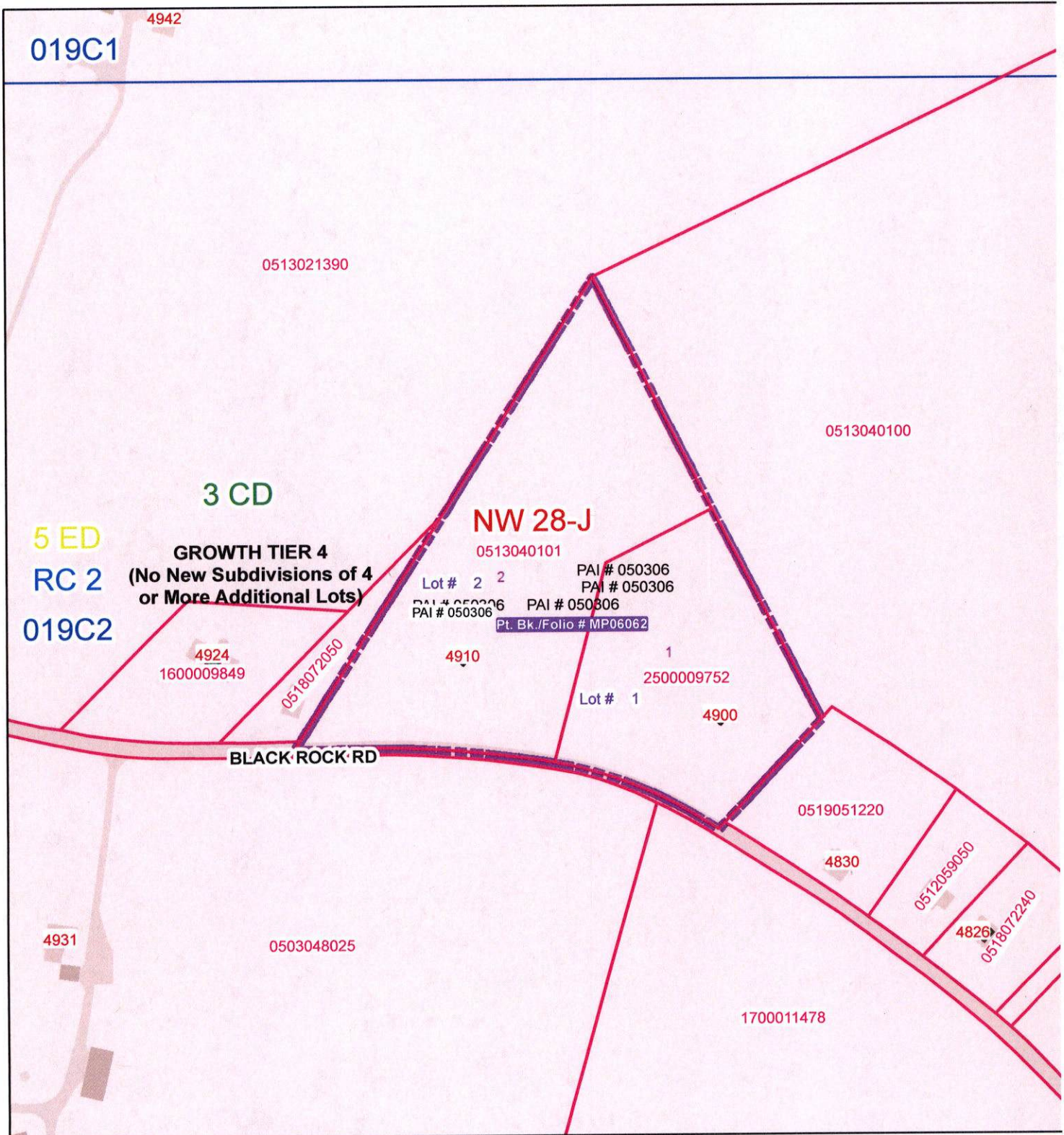
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

Dad



Item #0069

linor-sub #06-062-



Publication Date: 9/2/2016



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



0 55 110 220 330 440 Feet

1 inch = 200 feet

Item #0069

LIABILITY:

I will not hold Kimberly Cook or her Assistants/Substitutes liable for any accidents or injury to my child while in daycare.

AGRICULTURAL LAND RISK:

Our daycare is located next to the largest area of preserved farmland in Northern Baltimore County, this means parents assume all risks associated with living, working or playing next to or around agricultural land. Including but not limited to airborne particles that can trigger asthma or allergies, overhead sprays, flying particles or debris that can cause physical harm and Farm animals. No parent can hold the farmer, Kim Cook, Tiny Treasures or its employees, substitutes or volunteers responsible or liable for any damages, injuries or sickness related to the factors listed above.

It has been agreed that _____ & _____ will pay
\$ _____ weekly for the care of:

Care will be provided _____ days a week between the hours of _____ and _____. An advanced non-refundable payment of the last week tuition is due upon signing contract.

Parent Sign

Date

Parent Sign

Date

LATENESS:

-At 5:15 my family and personal time begins. If you must be late, please make arrangements for somebody else to pick up your child, it is not fair to me or the other parents that are on time. If you are continually late care will be terminated with two (2) week notice.

BEHAVIOR;

-Hitting, kicking, spitting, cussing, biting, etc. ARE NEVER TOLERATED. In any of these events the child will be separated from the group, placed in time out & parent will be notified. Child will be terminated upon the third written incident. (No refunds). I refuse to tolerate a child that constantly hurts other children, even on "accident". This is for the safety of every child in care.

DISCIPLINE:

-If a child need to be separated from the group for a "time-out" I use a chair labeled time-out for the child to sit in for 1 minute per year of age.

PETS:

-I have (2) Dogs and some pet livestock animals I keep at all times. I keep all rabies shots current.

-I will always have small animals or insects for short term science exploration. Some examples of these animals are tadpoles, chipmunks, squirrels, rabbits, frogs and lightening bugs that we catch or have the opportunity to take on to care for and observe for sometimes a day or even over the couse of a few months.

-The children will always wash their hands after handling any animal. I will not care for of let the children observe/handle a sick, wounded or aggressive animal.

TERMINATION OF CARE:

-Provider may terminate care of any child for any reason, with two (2) week written notice unless other children have been endangered by your child.

-Parent is required to give a three (3) week written notice

PHOTOGRAPHS:

-I will take pictures of the children for special projects, these pictures will be sent home for all to enjoy as part of the curriculum. I will also take pictures of the children during every day activities, special events such as birthdays or holidays and field trips which include our many nature walks, these pics that include your child may be distributed to other daycare families to take home. I will publish some of these pictures, possibly on a daily basis for advertisement purposes I also currently have a Tiny Treasures Home Daycare Facebook page, I use this page to advertise and communicate with potential clients. This is also a great way for parents to see all the fun things we are learning. The pictures that I take/publish of the children will always be appropriate and in good taste.

-During the summer months I will ask parents to provide sunscreen and a bathing suit

A. Water will never be provided in a pool, I will use sprinklers and slip n' slides

_____I give Kimberly Cook and her assistant/substitute permission to apply diaper cream and/or sunscreen provided by me to my child as needed and possibly on a daily basis.

MEALS:

-I will provide Breakfast, Lunch & afternoon snack

-Parent must provide formula, bottled water (for bottles), baby foods for infants and food for children on a special diet (Allergies, soy products, etc.)

MEDICATION ADMINISTRATION:

-Per OCC regulations I am not allowed to administer ANY medication without prior written consent from child's pediatrician. I will provide the form upon request and it must be updated annually or each time there is a change in medication or dosage.

TRANSPORTATION:

-I will transport your child in my vehicle on a daily basis to pick up other children from school/bus stops. I also will transport your child in my vehicle to local parks (including kids kingdom in Hanover) and local restaurants and not necessarily with prior notice.

-I will take your child for walks in my neighborhood; this will require us leaving the property on foot

-If I will be taking the children more than 20 miles away from the property or on an all day trip (more than 3 hours) I will provide a permission slip for you to sign.

VACATIONS:

Child:

Advanced notice is needed for all vacations; parent is responsible to pay for all vacations at the weekly rate. (No matter how long child has been in care)

Provider:

I will take (12) vacation days per year starting over on the first of June. Parents are not responsible to pay for vacations until their child has been in care for six (6) months.

HOLIDAYS:

-I am closed and parent is responsible for paying for the following holidays:

Thanksgiving, Black Friday, Christmas Eve, Christmas Day, New Years Day, 4th July, Memorial Day & Labor Day

CONTRACT FOR CARE AT TINY TREASURE HOME DAYCARE:

I Kim Cook will provide daycare/preschool at 4910 Black Rock Road Hampstead MD 21074, under the following terms and conditions:

FEES:

All daycare fees are due on Monday or on the first day of your week (for part time). If payment is not submitted by Friday, your child can be refused at the door the following week.

DAYCARE FORMS:

The following forms must be completed & submitted prior to start date:

1. Health Inventory
2. Signed Contract
3. Emergency Information Card
 - A. No one other than those listed on the emergency form will be allowed to pick your child up without prior written notice, anyone not recognized by me, must BRING PHOTO ID matching name on release form.
 - B. Forms must be kept current, please notify me of any changes in employment, telephone numbers and addresses

ILLNESS OF CHILD:

-I am not authorized to care for sick children. Parent is responsible for providing an alternate daycare plan in the event of child's illness.

-If your child becomes ill under my care, parent will be notified & child must be picked up.

-No children can be admitted back into daycare after a contagious illness (flu, Strep throat, pink eye, Etc.) until parent submits a doctor's note.

-Parent is still responsible to pay for sick days.

ILLNESS OF PROVIDER:

-I can take (2) paid sick days per calendar year.

-If my children or I have a doctor's appointment, as much notice will be given I will try my best to schedule them around nap time and the children will be left in the care of an office-approved substitute.

SUPPLIES:

-Parent must supply (3) changes of clothes, appropriate for the current season.

-Parent must supply diapers, wipes and diaper cream (all creams must have children's names on them)

Case No.: 2017-0069-SPHA

Exhibit Sheet

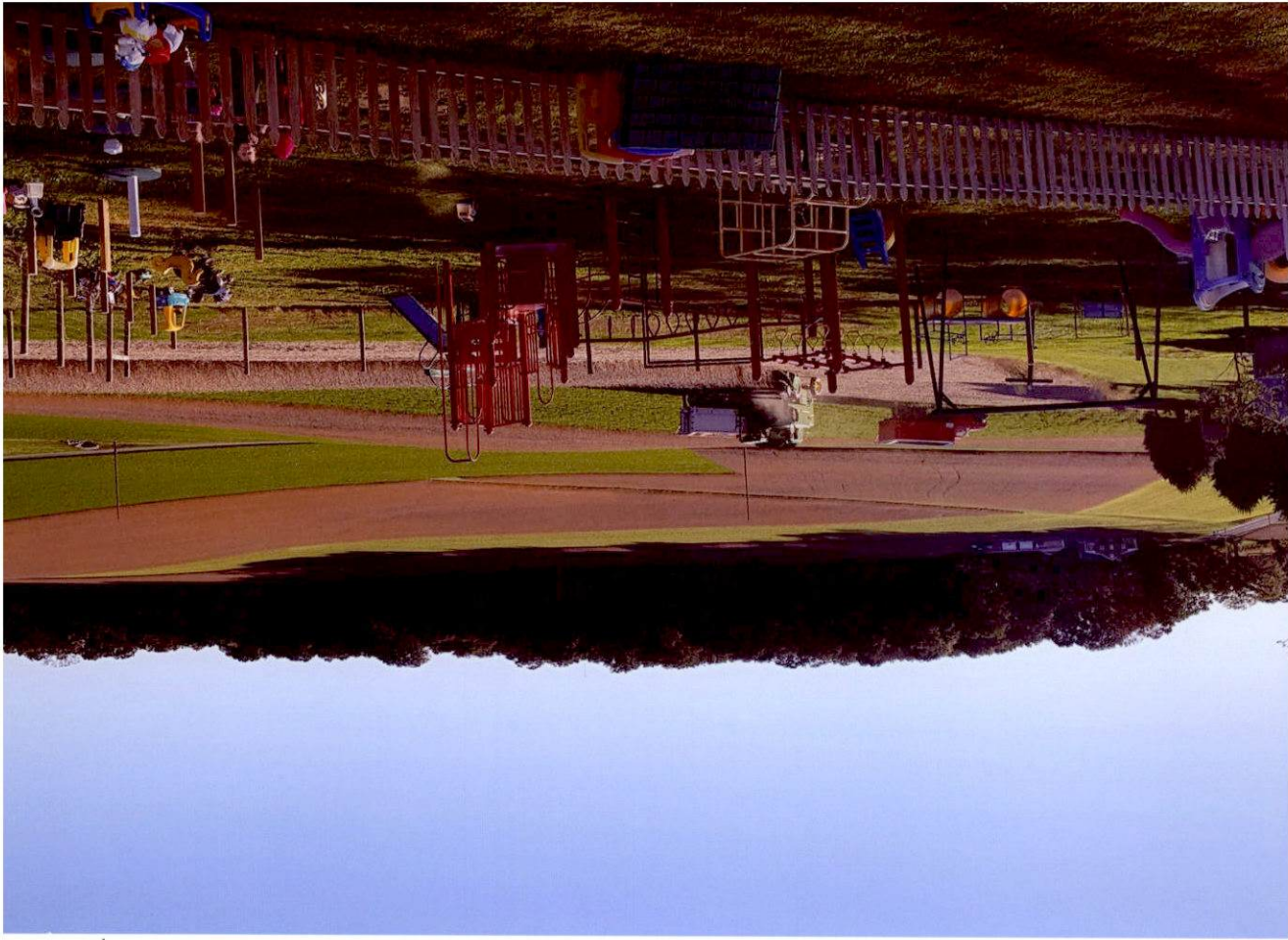
Petitioner/Developer

19W
12-5-16

Protestant

Sen
10-2-16

No. 1	Plan	
No. 2	Day Care enrollment contract	
No. 3	photos	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



EX. 3



