

MEMORANDUM

DATE: August 17, 2017
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2017-0316-A – Appeal Period Expired

The appeal period for the above-referenced case expired on August 16, 2017. 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: PETITION FOR VARIANCE

(9851 Branchleigh Road)

2nd Election District

4th Council District

HP Maryland LLC

Legal Owner

Petitioner

*

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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.

ORDER RECEIVED FOR FILING

Date 7/17/17

By Sen

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

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

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

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

ORDER RECEIVED FOR FILING

Date

By

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

ORDER RECEIVED FOR FILING

Date 7/17/17

By slh



P E T I T I O N F O R Z O N I N G H E A R I N G (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 9851 Branchleigh Rd which is presently zoned DR 3-5
Deed References: 38346/0168 10 Digit Tax Account # 1600003091
Property Owner(s) Printed Name(s) H P Maryland LLC

(SELECT THE HEARING(S) BY MARKING **X** 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. **X** a Variance from Section(s) 432A; To permit parking in the front yard with a zero side yard setback for a proposed ALFI in lieu of the required side or rear yard only with a minimum of a 10 foot side setback
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

Legal Owners (Petitioners):

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 2017-0316-A Filing Date 5/24/17

Do Not Schedule Dates: Reviewer gh

Ms. Sabrina Kent
9851 Branchleigh Rd
Randallstown, Md 21133

Zoning Property Description for
9851 Branchleigh Rd,
Randallstown Md. 21133 which is 50
feet wide at a distance
of 350 feet south of the center
line of the nearest improved
intersection of Winands Rd
60 feet wide.

The being lot #5, Block A, Section 3
in the subdivision
of The Woodlawns. Platbook 0034
folio 0127 number
of square footage 8,125 square feet.
Located in the second
election district and the 4th councilman.

Ms. Sabrina Kent
9851 Branchleigh Rd
Randallstown, Md 21133

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9851 Branchleigh Rd,
Randallstown Md. 21133 which is 50
feet wide at a distance
of 350 feet south of the center
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2017-0316-A

INTER-OFFICE CORRESPONDENCE RECOMMENDATION FORM

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@talco.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 (street) 320 feet from N E SW corner of Winands Rd. (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 _____
(Date)

TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY case # 2017-0316-A

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: _____



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 5023446

Sold To:

Sabrian Kent - CU00605346
9851 Branchleigh Rd
Randallstown, MD 21133-2003

Bill To:

Sabrian Kent - CU00605346
9851 Branchleigh Rd
Randallstown, MD 21133-2003

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

Jun 22, 2017

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: # 2017-0316-A
9851 Branchleigh Rd
W/s Branchleigh Road, 350 ft. to centerline of Winands Road
2nd Election District - 4th Councilmanic District
Legal Owner(s) HP Maryland, LLC

Variance to permit parking in the front yard with a zero side yard setback for a proposed Assisted Living Facility One in lieu of the required side or rear yard only with a minimum of a 10 ft. side setback.

Hearing: Friday, July 14, 2017 at 10:00 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.

6/122 June 22 5023446

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/23/2017

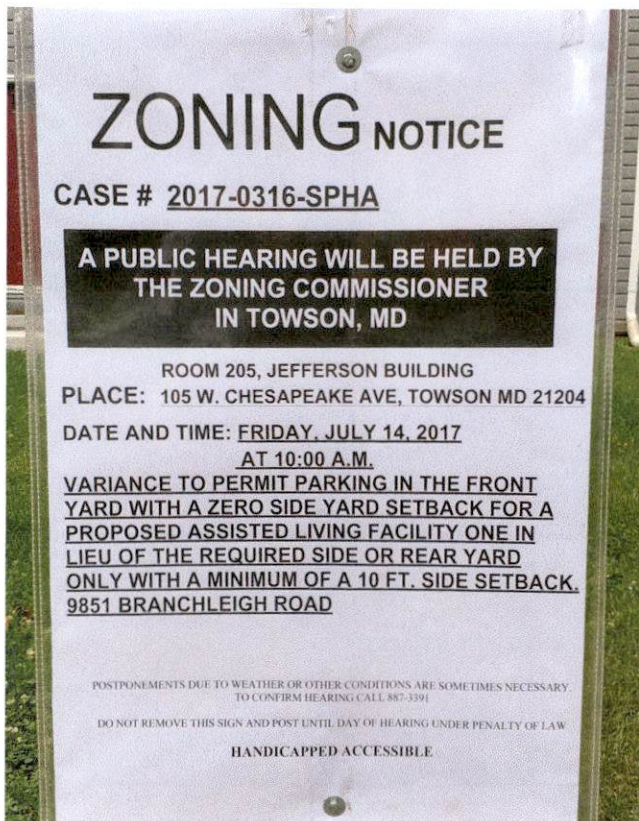
Case Number: 2017-0316-SPHA

Petitioner / Developer: SABRINA KENT of HP MARYLAND, LLC

Date of Hearing (Closing): JULY 14, 2017

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
9851 BRANCHLEIGH ROAD

The sign(s) were posted on: JUNE 23, 2017



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 22, 2017 Issue - Jeffersonian

Please forward billing to:
Sabrina Kent
9851 Branchleigh Road
Randallstown, MD 21133

518-334-2545

NOTICE OF ZONING HEARING

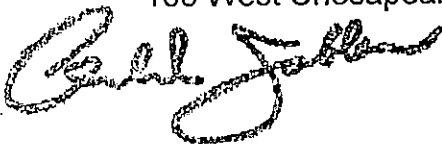
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9851 Branchleigh Road
W/s Branchleigh Road, 350 ft. to centerline of Winands Road
2nd Election District – 4th Councilmanic District
Legal Owners: HP Maryland, LLC

Variance to permit parking in the front yard with a zero side yard setback for a proposed Assisted Living Facility One in lieu of the required side or rear yard only with a minimum of a 10 ft. side setback.

Hearing: Friday, July 14, 2017 at 10:00 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.



KEVIN KAMENETZ
County Executive

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

June 8, 2017

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: 2017-0316-SPHA

9851 Branchleigh Road

W/s Branchleigh Road, 350 ft. to centerline of Winands Road

2nd Election District – 4th Councilmanic District

Legal Owners: HP Maryland, LLC

Variance to permit parking in the front yard with a zero side yard setback for a proposed Assisted Living Facility One in lieu of the required side or rear yard only with a minimum of a 10 ft. side setback.

Hearing: Friday, July 14, 2017 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: HP Maryland, LLC, 9851 Branchleigh Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 24, 2017.**
- (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.

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
9851 Branchleigh Road; W/S Branchleigh Rd, * OF ADMINISTRATIVE
S 350' to c/line of Winands Road * HEARINGS FOR
2nd Election & 4th Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): HP Maryland LLC *
Petitioner(s) *
2017-316-A

* * * * *

ENTRY OF APPEARANCE

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

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 6th day of June, 2017, a copy of the foregoing Entry of Appearance was mailed to Sabrina Kent, 9851 Branchleigh Road, Randallstown, Maryland 21133, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

RECEIVED

JUN 06 2017

**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: 2017-0316-A
Property Address: 9851 Branchleigh Rd
Property Description: Westside of Branchleigh Rd
South 350 feet to E of Winands Rd
Legal Owners (Petitioners): Sabrina Kent
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Sabrina Kent
Company/Firm (if applicable): _____
Address: 9851 Branchleigh Rd
Randallstown Md 21133
Telephone Number: (518) 334-2545

Revised 7/9/2015

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

NO 153076

Date: 5/24/17

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	206	mm		150					75.00

Total: 75.00

Rec From: Sabrina Kent

For: for Parking Variance

2017-0316-A

4851 Branchleigh Rd

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME DEW
5/24/2017 5/24/2017 09:40:08 3

REG W903 WALKIN CAN
RECEIPT # 726808 5/24/2017 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 153076

Regt Tot \$75.00
1.00 CK \$60.00 CA
\$15.00- CG
Baltimore County, Maryland

CASHIER'S
VALIDATION



KEVIN KAMENETZ
County Executive

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

July 3, 2017

HP Maryland LLC
Hillary James
9851 Branchleigh Road
Randallstown MD 21133

RE: Case Number: 2017-0316 A, Address: 9851 Branchleigh Road

Dear Ms. James:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 24, 2017. 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
Sabrina Kent, 9851 Branchleigh Road, Randallstown MD 21133

7-14-17
10 AM

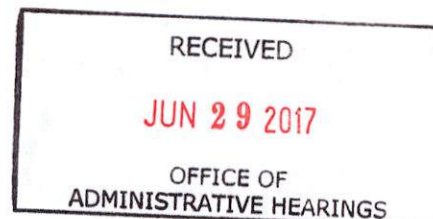
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

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

DATE: 6/26/2017

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-316



INFORMATION:

Property Address: 9851 Branchleigh Road
Petitioner: HP Maryland, LLC
Zoning: DR 3.5
Requested Action: Variances

The Department of Planning has reviewed the petition for variance to permit parking in the front yard with a zero side yard setback for a proposed assisted living facility in lieu of the required side or rear yard with a minimum of a 10 foot side setback.

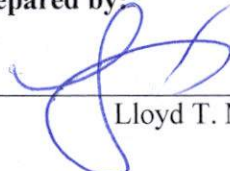
A site visit was conducted on June 13, 2017. The Department finds that the existing driveway, being the subject of the instant petition, is insufficient in providing the required two parking spaces without over hanging the public sidewalk, an arrangement not supported by the Department.

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

- The petitioner should address the deficiency in parking spaces. The Department has no objection to expanding the variance relief to permit a single space in lieu of the required two provided the petitioner can demonstrate to the satisfaction of the Administrative Law Judge that parking in the public right of way in support of the proposed ALF can be done in a safe manner. The Department does not support an expansion of the existing driveway and entrance to accommodate additional off-street parking.

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

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Dennis Wertz
Sabrina Kent
Office of the Administrative Hearings
People's Counsel for Baltimore County

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

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION

Pete K. Rahn, Secretary
Gregory Slater, Administrator

STATE HIGHWAY
ADMINISTRATION

Date: 6/7/17

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

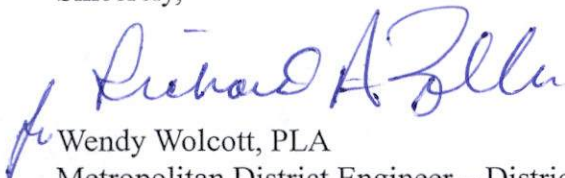
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2017-0316-A

Variance
HP Maryland LLC
9851 Branch Leigh Road.

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,



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

WW/RAZ

Maryland Department of Transportation
State Highway Administration

320 West Warren Road, Hunt Valley, MD 21030
410.229.2300 | TTY 800.735.2258 | roads.maryland.gov
My telephone number/toll-free number is 866.998.0367

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: June 6, 2017

SUBJECT: DEPS Comment for Zoning Item # 2017-0316-A
Address 9851 Branchleigh Road
(HP Maryland, LLC Property)

Zoning Advisory Committee Meeting of **June 12, 2017.**

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

Reviewer: Steve Ford

Date: 6-6-2017

C H E C K L I S TSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment

_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>6-6</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
<u>6-29</u>	PLANNING (if not received, date e-mail sent _____)	<u>No obj. w/cond.</u>
<u>6-7</u>	STATE HIGHWAY ADMINISTRATION	<u>No obj.</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION (Case No. _____)		
PRIOR ZONING (Case No. _____)		
NEWSPAPER ADVERTISEMENT	Date: <u>6-22-17</u>	
SIGN POSTING	Date: <u>6-23-17</u>	by <u>O'Keefe</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

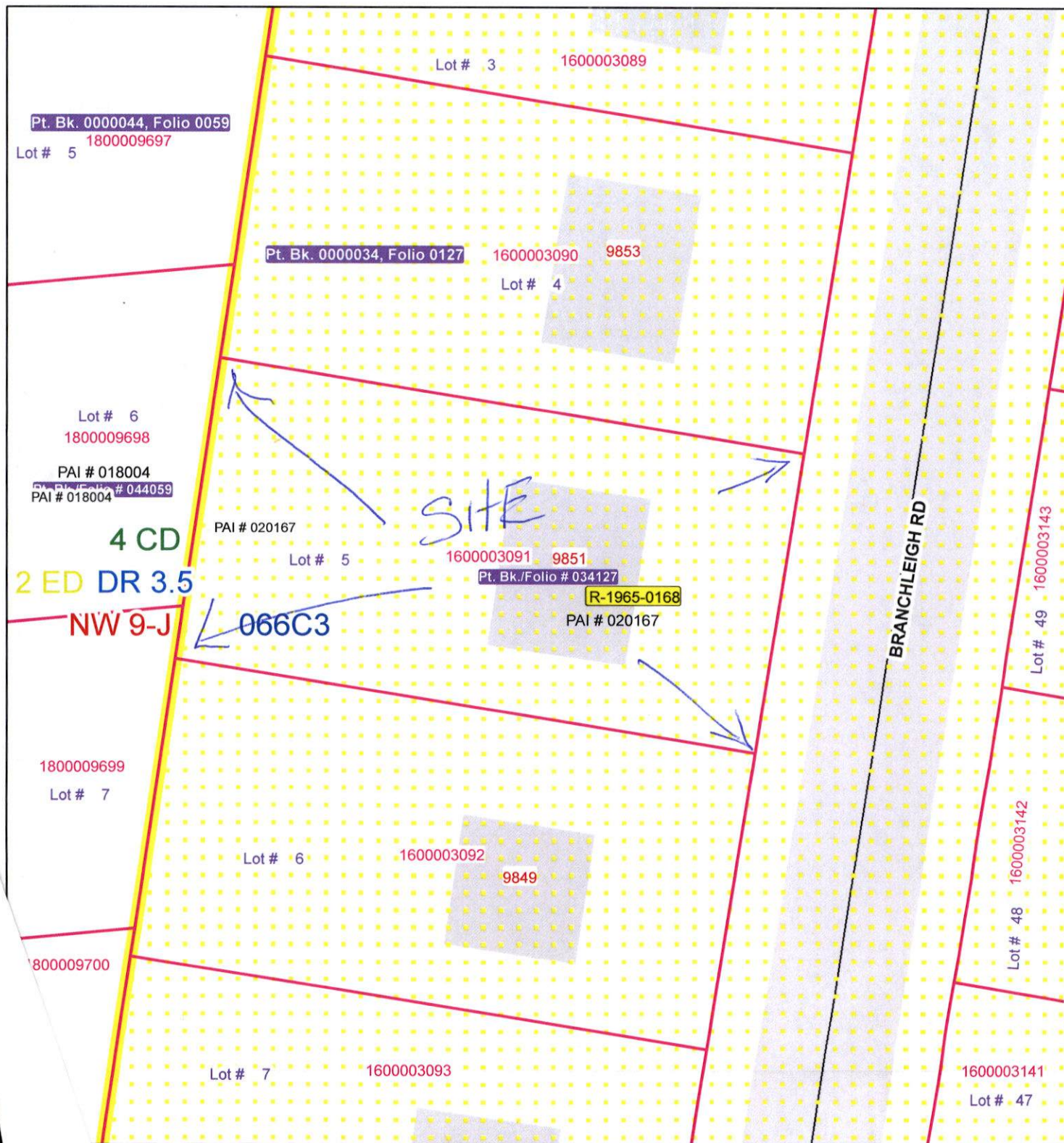
Comments, if any: _____

Real Property Data Search

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:	RESIDENTIAL	
Mailing Address:	9851 BRANCHLEIGH RD RANDALLSTOWN MD 21133-2003		Principal Residence:	NO	
			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:
0066	0023	0483		0000	3
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	4
A	5	2016		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
Split Foyer	YES	SPLIT FOYER	SIDING	2 full/ 1 half	
Last Major Renovation					
Value Information					
Base Value		Value	Phase-in Assessments		
		As of 01/01/2016	As of 07/01/2016	As of 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					
Homeowners' Tax Credit Application Information					

9851 Branchleigh Road



on Date: 4/14/2017

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



0 5 10 20 30 40
Feet

1 inch = 30 feet

2017-0316-A

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

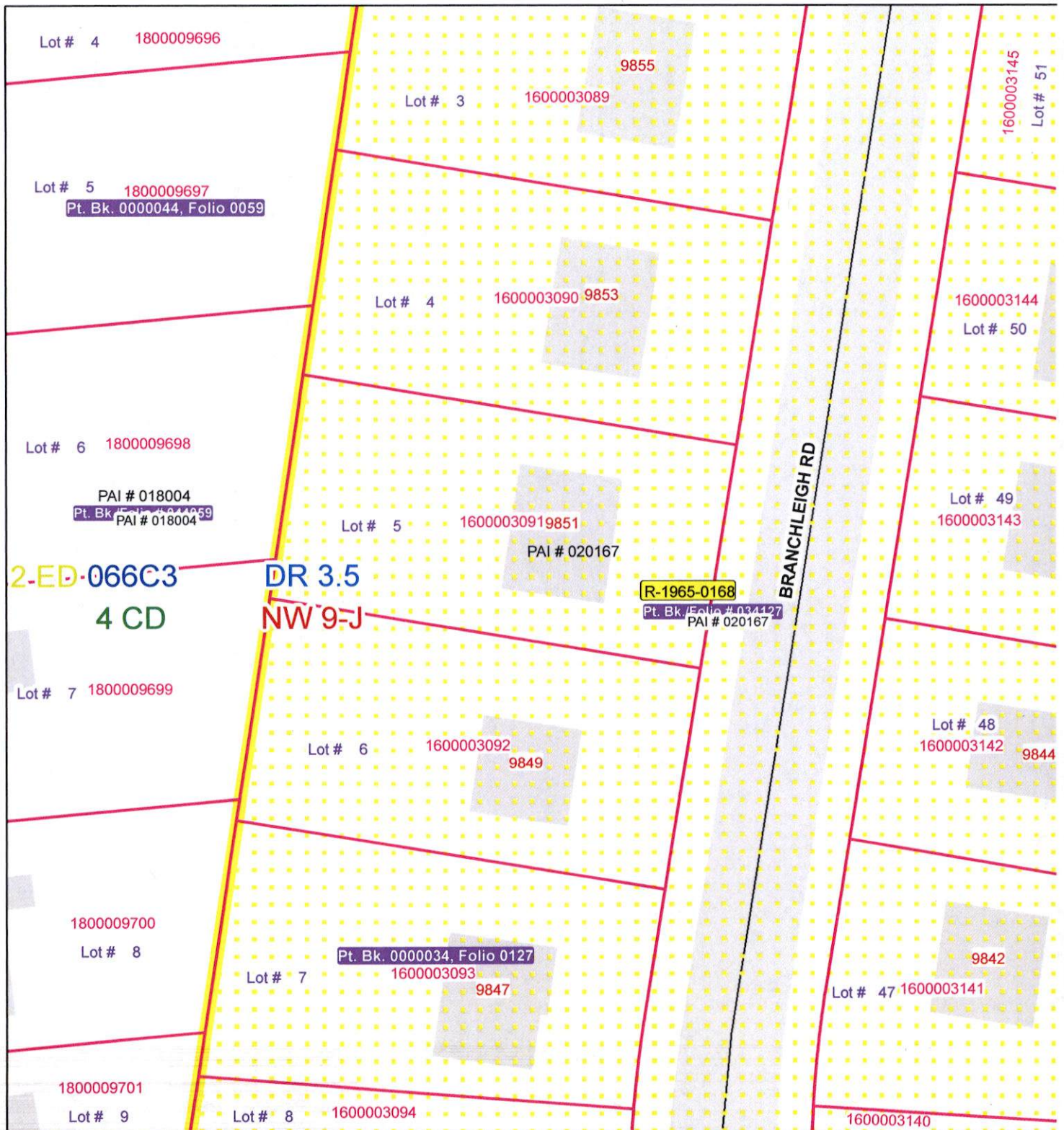
311.1 Storage Group S. Storage Group S includes, among others, the use of a building or portion thereof, for storage that is not classified as any other occupancy.

311.1.1 Accessory storage spaces. A room or space for storage purposes that is less than 100 m² in area and accessory to another occupancy classified as part of that occupancy. These 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 of materials 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

5051 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

2017-0316-A

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 01/01/2016	As of 07/01/2016		As of 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:			
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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										

2017-0316-A

Lot # 4 1800009696

Lot # 1600003088

Lot # 3

1600003089

9855

Lot # 5 1800009697

Pt. Bk. 0000044, Folio 0059

Pt. Bk. 0000034, Folio 0127

1600003090

9853

Lot # 4

PAI # 018004

Pt. Bk./Folio # 044059

PAI # 018004

Lot # 6 1800009698

4CD
DR 3.5
066C3

2ED

NW 9-J

Lot # 5

PAI # 020167

1600003091

9851

Pt. Bk./Folio # 034127

1800009699

Lot # 7

Lot # 6

1600003092

9849

1800009700

Lot # 8

Lot # 7

1600003093

9847

BRANCHLEIGH RD

1600003144

1600003143

Lot # 49

1600003142

Lot # 48

1600003141

Lot # 47

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)

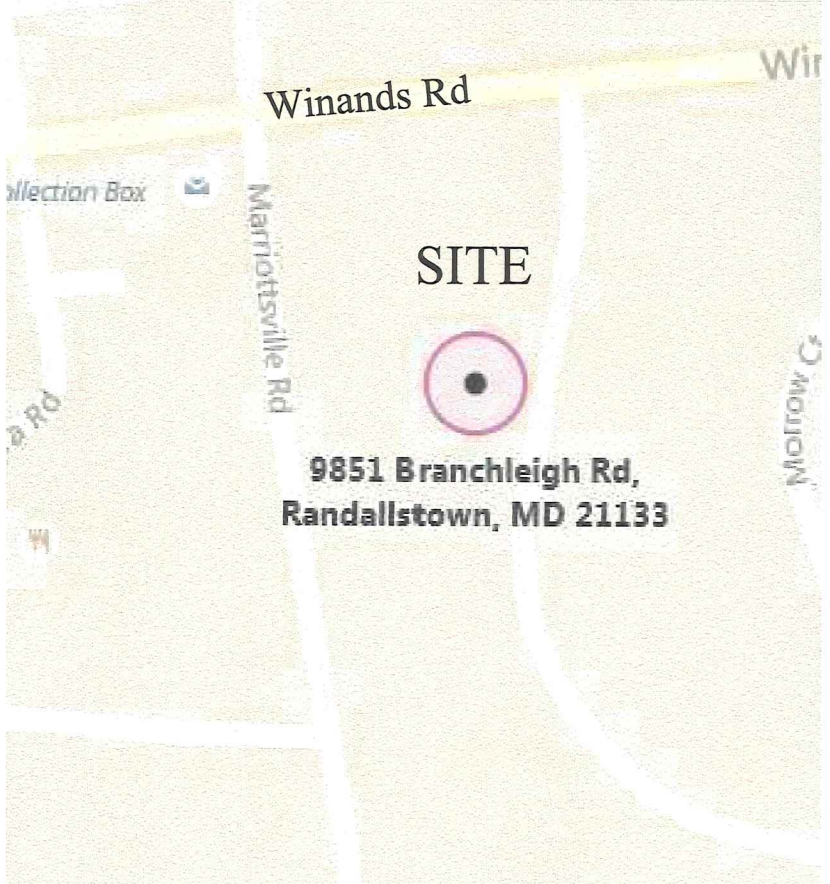
SUBDIVISION NAME: WOODLANDS, LOT: 5, BLOCK: A, SECTION: 3

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, 3beds = 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

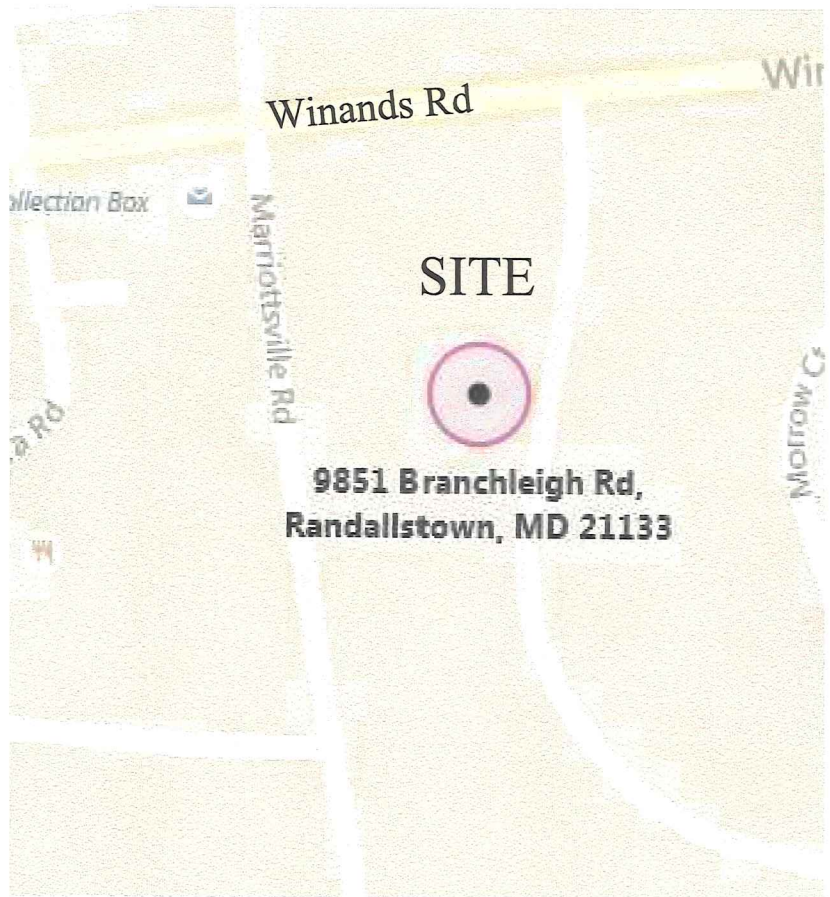
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PLAN FOR A ASSISTED LIVING FACILITY I
ADDRESS: 9851 BRANCHLEIGH RD OWNER(S) NAME(S) HP MARYLAND LLC
ADDRESS : 9851 BRANCHLEIGH RD APPLICANT(S) NAME(S) MS.SABRINA KENT
EMAIL / PHONE : sabrinakent36@yahoo.com (518-334-2545)

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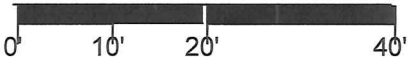
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WATER IS: PUBLIC X PRIVATE	
SEWER IS: PUBLIC : X PRIVATE	
PRIOR HEARING : NO	

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PLAN DRAWN BY ANTHONY OBUEKWE DATE 4-13-2017

SCALE: 1 " = 20 FEET



2017- 0316-A

PET-Ex. 1