

# USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and

Inspections of Baltimore County, this 5th day of July, 2018,

that Maritza Muneton located at  
(Individual or business name)

8307 Oakleigh Rd should be and the  
(Street address)

same is hereby granted permission to operate an: Assisted Living

Facility I - 3 beds Case # 2018-0282-A

approved by Jenifer G Nugent 7/3/18

171752  
Permit (or Receipt) Number

[Signature]  
Director, Permits, Approvals and Inspections

Planner's Initials: RJA

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

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

Address 8307 Oakleigh Rd  
No. (if required) B \_\_\_\_\_

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

RE: Assisted Living Facility

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):**

Print Name of Applicant Maritza Muneton Address 8307 Oakleigh Rd. Parkville, Md. 21234 Telephone Number 448 Sunshine@gmail.com  
 Lot Address 8307 Oakleigh Rd Election District 9<sup>th</sup> Councilmanic District 5<sup>th</sup> Square Feet of Lot 9500  
 Lot Location: N E S W side/corner of Oakleigh Rd. 430 feet from N E S W corner of Patty Hill Ave  
 Land Owner(s): Maritza Muneton 10 Digit Tax Account Number 1700005891  
 Address: 8307 Oakleigh Rd Telephone Number 443 600 2150  
Parkville M.D. 21234 Email Address 448 Sunshine@gmail.com

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) .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan Property (3 copies) including lot size and sq ft of building, parking and open space - 10% lot area.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement of Compliance with Checklist Note 5.A .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings (these <u>may be waived</u> if not 5.A from the Zoning Use Permit Checklist can be stated on the plans) .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Photographs (please label all photos clearly Adjoining Buildings and Surrounding Neighborhood .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Current Zoning Classification: <u>DR 5.5</u>		

Accepted for filing by R.D. 6/14/18  
(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:  
A maximum of 3 ALF beds as per Case # 2018-0282-A

Signed by: Lynn Lanham 10/30/18 Date: \_\_\_\_\_  
For the Director, Office of Planning

RECEIVED

OCT 26 2018

Revised 2/7/11

**IN RE: PETITION FOR VARIANCE**

(8307 Oakleigh Road)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Maritza Muneton

*Legal Owner*

Petitioner

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\*

\*

\*

\*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2018-0282-A**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Maritza Muneton, legal owner of the subject property (“Petitioner”). The Petition seeks variance relief from §§ 432A.1.C.1 and 432A.1.C.2 of the Baltimore County Zoning Regulations (“BCZR”) to permit two (2) parking spaces/delivery area to be located in the front yard with a setback of 0 ft. for a proposed Assisted Living Facility (“ALF”) I in lieu of the required side or rear yard and minimum 10 ft. A site plan was marked as Petitioner’s Exhibit 1.

Maritza Muneton appeared in support of the petition. There were no Protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A substantive Zoning Advisory Committee (“ZAC”) comment was received from the Department of Planning (“DOP”). That agency opposed the request.

The site is approximately 9,500 square feet in size and zoned DR 5.5. The property is improved with a single family dwelling constructed in 1976. Petitioner would like to care for elderly and/or disabled patients in her home. An Assisted Living Facility I (“ALF”) is permitted by right (with a use permit) in the DR 5.5 zone. BCZR §432A.1.A.1. As frequently happens, an owner proposing an ALF in a single-family dwelling will require variance relief to comply with

the off-street parking regulations which are specific to this use.

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 lot is narrow and deep (approximately 50' x 200') and is therefore unique. If the Regulations were strictly interpreted Petitioner would experience a practical difficulty because she would be unable to operate an ALF. Finally, I find that the variance (subject to the conditions below) can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. The DOP expressed concern with the shared driveway which provides access to the site, and feared that the proposed ALF use would create a hardship for the adjacent owners. Petitioner presented letters of support from the adjacent owners on both sides of her home, and I believe the proposed use will not impact the neighbor's ingress and egress from their home.

Petitioner explained she would like to care for four (4) ALF patients at her home. As discussed at the hearing, I believe that an operation of that size would overcrowd the site, given the size of the dwelling and the limited space available for parking. As also discussed at the hearing, Petitioner could at a later date seek to amend this restriction upon submittal of a more detailed site plan prepared by a surveyor or engineer demonstrating that sufficient space exists to provide parking on site to safely and conveniently accommodate parking for residents, staff and medical suppliers and/or providers who might routinely visit an ALF with four (4) beds.

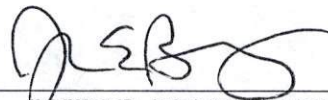
THEREFORE, IT IS ORDERED, this 29<sup>th</sup> day of **May, 2018**, by the Administrative Law

Judge for Baltimore County, that the Petition for Variance pursuant to Sections 432A.1.C.1 and 432A.1.C.2 of the Baltimore County Zoning Regulations ("BCZR") to permit two (2) parking spaces/delivery area to be located in the front yard with a setback of 0 ft. for a proposed Assisted Living Facility ("ALF") I in lieu of the required side or rear yard and minimum 10 ft., 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 her 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. Petitioner shall be permitted to have a maximum of three (3) ALF patients/beds in the subject property.

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



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JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:sln

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

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

ALF Address 8307 Oakleigh Rd  
Permit No. (if required) B \_\_\_\_\_

RECEIVED

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

JUN 27 2018

RE: Assisted Living Facility I or II

DEPARTMENT OF PLANNING

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

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

A. Maritza Muneton 8307 Oakleigh Rd Parkville Md 21234 443-600-2150 448sunshine@gmail.com  
Print Name of Applicant Address Telephone Number Email Address

Lot Address 8307 Oakleigh Rd Election District 9th Councilmanic District 5th Square Feet of Lot 9500  
 Lot Location: NE SW side/corner of Oakleigh Rd 430 feet from NE SW corner of Patty Hill Ave  
(street) (street)

Land Owner: Maritza Muneton 10 Digit Tax Account Number 1700005891  
 Address: 8307 Oakleigh Rd Parkville Md. 21234 (443) 600 2150 448sunshine@gmail.com  
Telephone Number Email Address

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

B.

Planner to confirm information acceptance  
by marking **X** below:

APPLICANT MUST PROVIDE 1 through 6

	YES	NO
1. This Recommendation Form (3 copies) .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Permit Application (if available) .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Site Plan: Property (3 copies); including lot size and square feet of buildings, parking and open space - 10% lot area .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement of Compliance with Checklist Note 5.A .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Building Elevation Drawings (these <u>may be waived</u> if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans) .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Photographs (please label all photos clearly) Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Current Zoning Classification: <u>DR 5.5</u> .....	<input type="checkbox"/>	<input type="checkbox"/>

Accepted for filing by [Signature] Date 6/14/18

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:

*Must provide landscape screening along front to screen parking area*

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

Date: 7/3/18

18-288

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

No. **171752**

Date: **6/14/18**

**PAID RECEIPT**

BUSINESS ACTUAL TIME DRW  
 6/15/2018 6/14/2018 15:17:39 5

RE: W905 WALKIN CRB  
 >> RECEIPT # 957267 6/14/2018 DFLN  
 Dept 5 528 ZONING VERIFICATION  
 CR NO. 171752

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					\$100.00

Recpt Tot \$100.00  
 \$100.00 CK \$100.00 CA  
 Baltimore County, Maryland

Total: **\$100.00**

Rec From: **M Muneton**

For: **ALF use permit**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**

**APPLICATION FOR PERMIT**  
 BALTIMORE COUNTY, MARYLAND  
 DEPARTMENT OF PERMITS, APPROVALS & INSPECTIONS  
 TOWSON, MARYLAND 21204

Date 8/4/17  
 OEA 3FH  
 Historic District/Building JK  
 Yes  No  
 District / Precinct 9 01

Permit # B  
 Control # ~~MR~~  
 XRef # \_\_\_\_\_  
 Receipt # A  
 Fee 50.  
 Total Paid 50.  
 Paid By \_\_\_\_\_  
 Inspector \_\_\_\_\_

Property Address 8307 Oakleigh Rd  
 Suite/Space/Floor \_\_\_\_\_  
 Subdivision \_\_\_\_\_  
 Tax Account # 1700005891  
 Will this building have sprinklers?  Yes  No  
 Is this property located in a floodplain?  Yes  No

**OWNER'S INFORMATION**  
 First & Last Name (Individual) Maritza Munetan  
 Corporation Name \_\_\_\_\_  
 Address 8307 Oakleigh Rd  
 City, State, Zip Parkville ave 21234  
 Seller \_\_\_\_\_

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

**APPLICANT INFORMATION**  
 Name Maritza Munetan Phone Number 443-600 2150  
 Company (if applicable) \_\_\_\_\_  
 Address 8307 Oakleigh Rd  
 City, State, Zip Parkville, M.A. 21234  
 Applicant Signature Maritza Munetan E-Mail \_\_\_\_\_  
 Business/Tenant Name N/A  
 Contractor N/A MHIC # N/A MHBR # \_\_\_\_\_  
 Engineer \_\_\_\_\_  
 PLANS: CONST  PLOT  PLAT  DATA  EL  PL  DRC # \_\_\_\_\_

**TYPE OF IMPROVEMENT**

1. \_\_\_ New Bldg Construction
2. \_\_\_ Addition
3.  Alteration
4. \_\_\_ Repair
5. \_\_\_ Wrecking
6. \_\_\_ Moving
7.  Other ~~\_\_\_\_\_~~

**DESCRIBE PROPOSED WORK:**  
~~Change of occupancy from SFD to~~  
Applying for Asst living up to 4 people  
EXISTING SFD and add ↑  
No AHTs at this time  
Sprinkler system is required.

**TYPE OF USE**

- RESIDENTIAL**
01.  One Family
  02. \_\_\_ Two Family
  03. \_\_\_ Three and Four Family
  04. \_\_\_ Five or More Family  
(enter no. units) \_\_\_\_\_
  05. \_\_\_ Swimming Pool
  06. \_\_\_ Garage
  07. \_\_\_ Other \_\_\_\_\_

- NON-RESIDENTIAL**
08. \_\_\_ Amusement, Recreation, Place of Assembly
  09. \_\_\_ Church, Other Religious Building
  10. ----Deleted----
  11. \_\_\_ Industrial, Storage Building
  12. \_\_\_ Parking Garage
  13. \_\_\_ Service Station, Repair Garage
  14. \_\_\_ Hospital, Institutional, Nursing Home
  15. \_\_\_ Office, Bank, Professional
  16. \_\_\_ Public Utility
  17. \_\_\_ School, College, Other Educational
  18. ----Deleted----
  19. \_\_\_ Store, Mercantile, Restaurant (specify type) \_\_\_\_\_

who is going to notified the fire marshal?  
 for use of occupancy.  
 ask Registered Business name

## Robert David Duvall

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**From:** Jenifer G. Nugent  
**Sent:** Thursday, July 05, 2018 12:56 PM  
**To:** Robert David Duvall  
**Subject:** Oakleigh ROad ALF

David  
We are okay. Spoke to MS Munitone  
We are all set to approve

**Jenifer German Nugent**  
Division Chief, Development Review Division  
Baltimore County Department of Planning  
105 West Chesapeake Avenue, Suite 101  
Towson, MD 21204  
(410) 887-3480  
(410) 887-7499 direct

**IN RE: PETITION FOR VARIANCE**

(8307 Oakleigh Road)

9<sup>th</sup> Election District

5<sup>th</sup> Council District

Maritza Muneton

*Legal Owner*

Petitioner

\*  
\*  
\*  
\*  
\*

BEFORE THE OFFICE  
OF ADMINISTRATIVE  
HEARINGS FOR  
BALTIMORE COUNTY  
**CASE NO. 2018-0282-A**

\* \* \* \* \*

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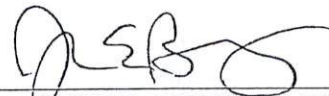
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---

JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB:slh

**INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM**

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

ALF Address 8307 Oakleigh Rd  
Permit No. (if required) B \_\_\_\_\_

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

**RE:** Assisted Living Facility I or II

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(street) (street)

Land Owner: Maritza Muneton 10 Digit Tax Account Number 1700005891  
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Telephone Number Email Address

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

**B.** Planner to confirm information acceptance by marking **X** below:

**APPLICANT MUST PROVIDE 1 through 6**

- |   | YES   | NO    |
|---|-------|-------|
| 1. This Recommendation Form (3 copies) .....  | ✓     | _____ |
| 2. Permit Application (If availabl) .....   | ✓     | _____ |
| 3. Site Plan:<br>Property (3 copies): including lot size and square feet of buildings, parking and open space – 10% lot area .....      | ✓     | _____ |
| Statement of Compliance with Checklist Note 5.A .....   | ✓     | _____ |
| 4. Building Elevation Drawings (these may be waived if note 5.A. from the Zoning Use Permit Checklist can be stated on the plans) ..... | _____ | ✓     |
| 5. Photographs (please label all photos clearly)<br>Adjoining Buildings, the Proposed Building, and Surrounding Neighborhood .....      | ✓     | _____ |
| 6. Current Zoning Classification: <u>DR 5.5</u> .....   | _____ | _____ |

Accepted for filing by [Signature] Date 6/14/18

**TO BE FILLED IN BY THE OFFICE OF PLANNING ONLY!**

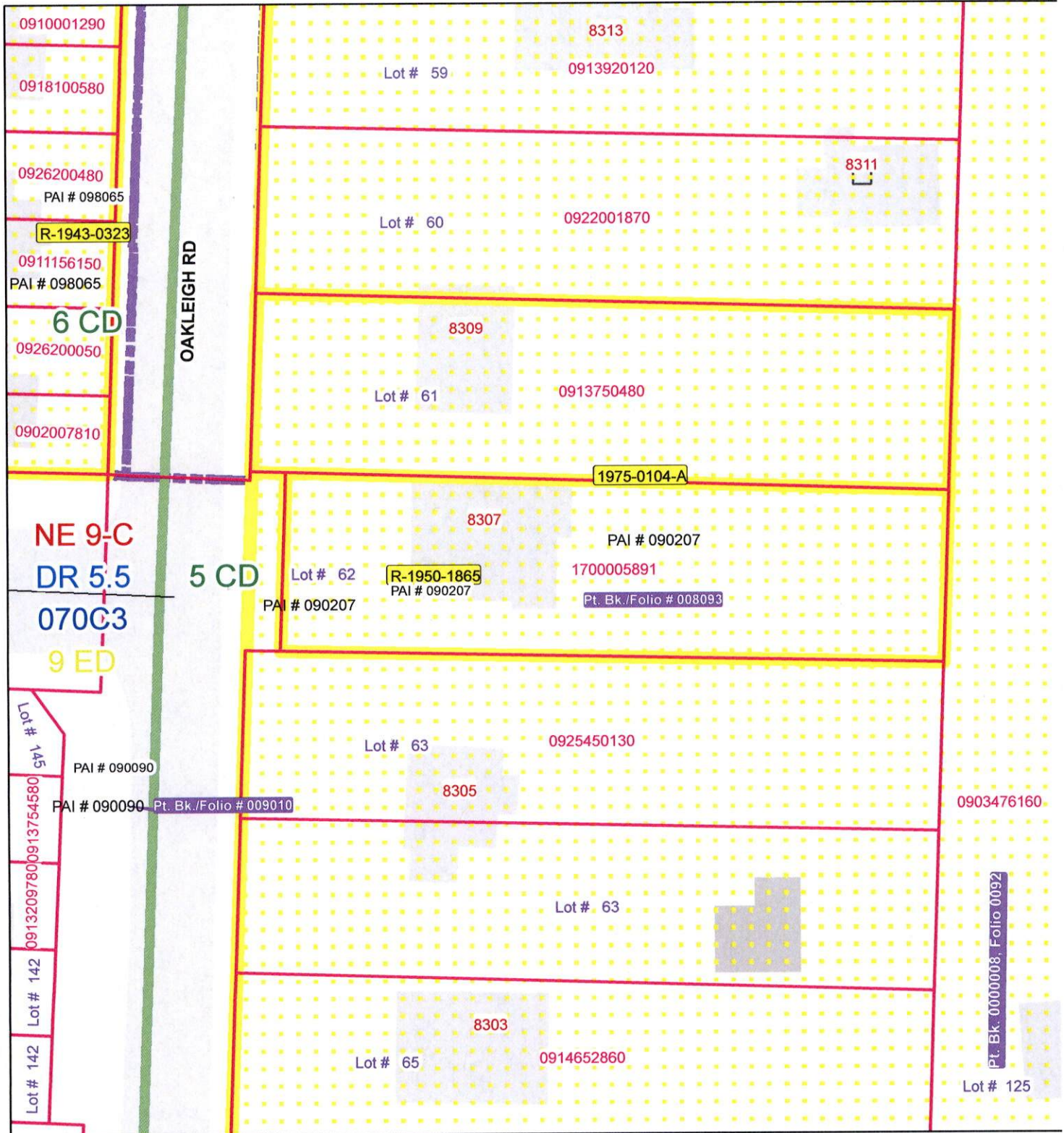
**RECOMMENDATIONS / COMMENTS:**

- 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: \_\_\_\_\_

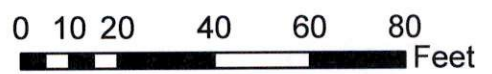
# 8307 Oakleigh Road



Publication Date: 6/14/2018

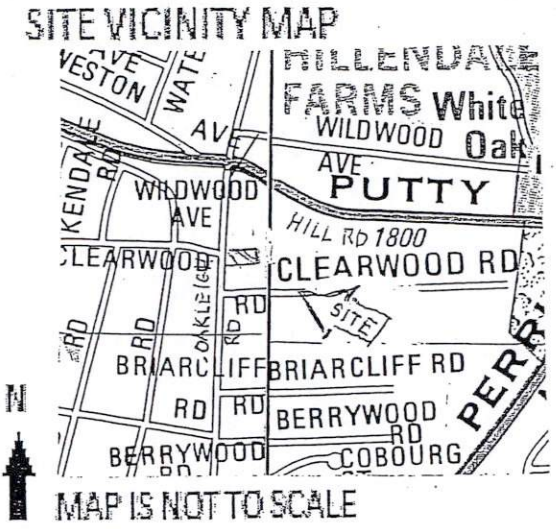


Publication Agency: Permits, Approvals & Inspections  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

ZONING HEARING PLAN FOR VARIANCE  FOR SPECIAL HEARING \_\_\_\_\_ (MARK TYPE REQUESTED WITH X)  
 ADDRESS 8307 OAKLEIGH ROAD OWNER(S) NAME(S) Maritza Muneton  
 SUBDIVISION NAME HILLENDALE FARMS LOT # 62 BLOCK # \_\_\_\_\_ SECTION # \_\_\_\_\_  
 PLAT BOOK # 8 FOLIO # 92 10 DIGIT TAX # 1760005891 DEED REF. # 18065/00430



ZONING USE PERMIT PLAN  
FOR AN ASSISTED LIVING FACILITY I

8307 OAKLEIGH ROAD  
PARKVILLE, MARYLAND 21234

OWNER: MARITZA MUNETON  
PHONE: 443-600-2150

LOT SIZE: 9500 SQUARE FEET  
ZONE: DR 5.5

PARKING: 1 SPACE FOR EACH 3 BEDS  
3 BEDS PROPOSED  
PARKING REQUIRED: 1  
PARKING PROVIDED: 2

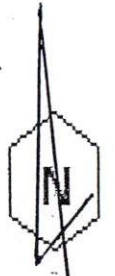
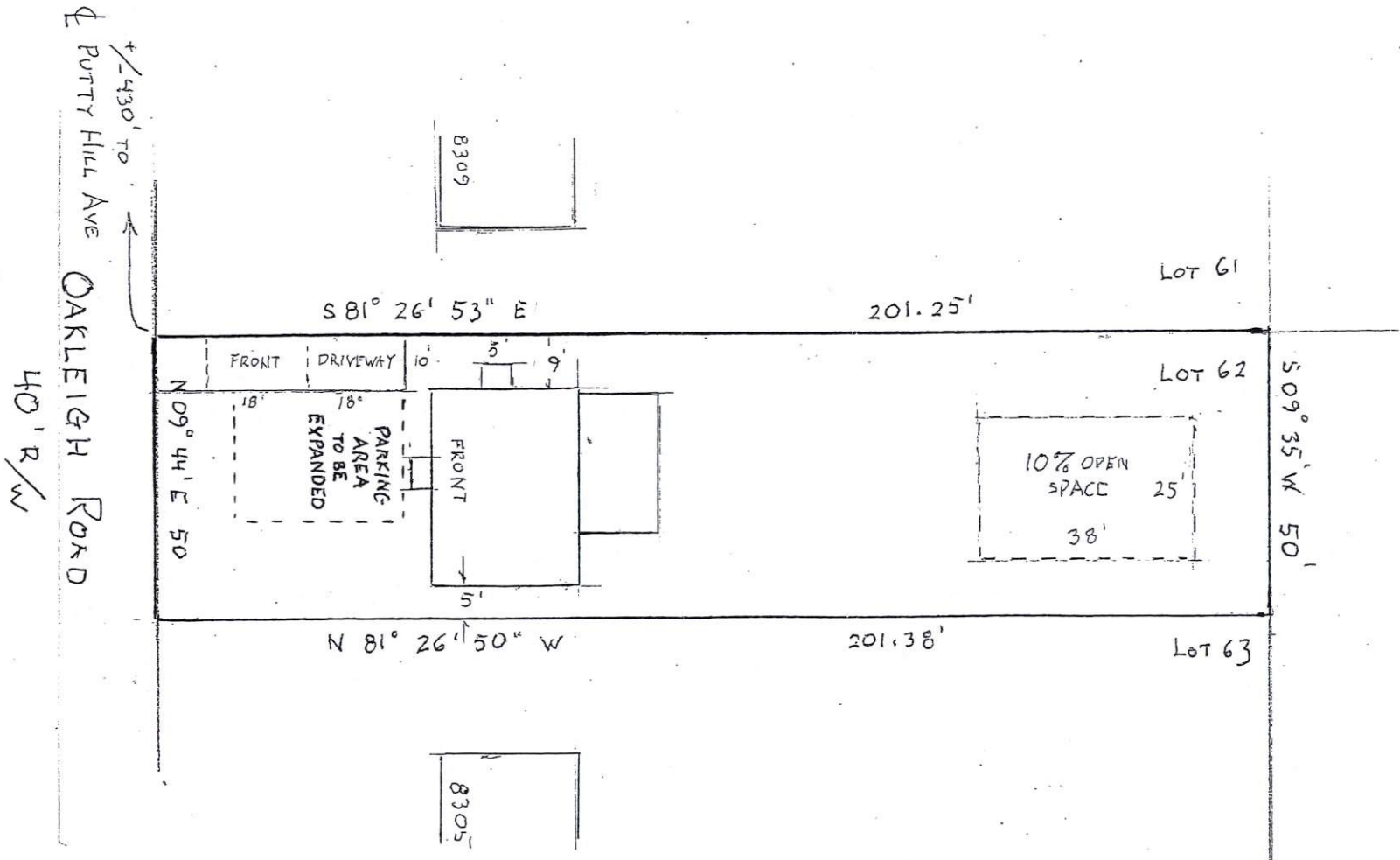
OPEN SPACE: 0.10 X 9500 = 950 SQUARE FEET  
PROVIDED: 25 X 38 = 950 SQUARE FEET

EXISTING FLOOR AREAS SQUARE FEET  
1<sup>st</sup> FLOOR = 1520 SQUARE FEET  
2<sup>nd</sup> FLOOR = 1520 SQUARE FEET  
TOTAL = 3040 SQUARE FEET

THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY, NO CONSTRUCTION, RELOCATION, EXTERIOR CHANGES OR ADDITIONS OF 25% OR MORE IN GROUND FLOOR AREA AS IT HAS EXISTED FOR 5 YEARS BEFORE THE DATE OF THIS APPLICATION HAS OCCURRED TO THE EXTERIOR OF THE BUILDING. NO ADDITIONS ARE PROPOSED.

ANY SIGNS WILL COMPLY WITH SECTION 450 BCZR.

Maritza Muneton 6-14-2018  
SIGNATURE DATE  
Maritza Muneton  
PRINTED NAME



PLAN DRAWN BY \_\_\_\_\_ DATE \_\_\_\_\_ SCALE: 1 INCH = 30 FEET

ZONING MAP# 070C3  
 SITE ZONED DR 5.5  
 ELECTION DISTRICT 9th  
 COUNCIL DISTRICT 5th  
 LOT AREA ACREAGE \_\_\_\_\_  
 OR SQUARE FEET 9500  
 HISTORIC? No  
 IN CBCA? No  
 IN FLOOD PLAIN? No  
 UTILITIES? MARK WITH X  
 WATER IS: PUBLIC  PRIVATE \_\_\_\_\_  
 SEWER IS: PUBLIC  PRIVATE \_\_\_\_\_  
 PRIOR HEARING? YES  
 IF SO GIVE CASE NUMBER  
 AND ORDER RESULT BELOW  
#R-1950-1865  
#1975-0104-A

VIOLATION CASE INFO: