

MEMORANDUM

DATE: June 29, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0282-A – Appeal Period Expired

The appeal period for the above-referenced case expired on June 28, 2018. 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

(8307 Oakleigh Road)

9th Election District

5th Council District

Maritza Muneton

Legal Owner

Petitioner

*

*

*

*

*

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.

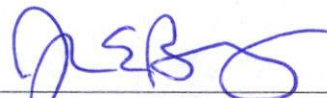
THEREFORE, IT IS ORDERED, this 29th day of **May, 2018**, by the Administrative Law

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.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm



PETITION FOR ZONING HEARING(S)

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

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

Address 8307 Oakleigh Rd which is presently zoned DR 5.5
Deed References: 18065/00430 10 Digit Tax Account # 1700005891
Property Owner(s) Printed Name(s) Maritza Muneton

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

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

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

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

3. ☒ a Variance from Section(s) ... Sections 432A.1.C.1 and 432A.1.C.2 – to permit two (2) parking spaces/delivery area to be located in the front yard with a setback of 0 feet, for a proposed Assisted-Living Facility I, in lieu of the required side or rear yard and minimum 10 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):

Maritza Muneton

Name #1 – Type or Print

Name #2 – Type or Print

Maritza Muneton

Signature #1

Signature #2

8307 Oakleigh Rd Parkville MD

Mailing Address

City

State

21234 443-600-2159 448 Sunshine@gmail

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 2018-0282-A Filing Date 4/19/18

Do Not Schedule Dates:

Reviewer RJD

ZONING PROPERTY DESCRIPTION FOR 8307 OAKLEIGH ROAD

Beginning at a point on the east side of Oakleigh Road, which has a 40-foot right of way, at a distance of +/-430 feet south of the centerline of the intersecting street Putty Hill Road, which has a 60-foot right of way. Being Lot #62 in the subdivision of HILLENDALE FARMS as recorded in Baltimore County Plat Book #8, Folio #92, containing 9500 square feet. Located in the 9th Election District and 5th Councilmanic District.

Item #0282



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 5591661

Sold To:

Martiza Muneton - CU00654526
8307 Oakleigh Rd
Parkville, MD 21234-3801

Bill To:

Martiza Muneton - CU00654526
8307 Oakleigh Rd
Parkville, MD 21234-3801

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

May 03, 2018

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: # 2018-0282-A
8307 Oakleigh Road
E/s Oakleigh Road, 430 ft. S/of Putty Hill Road
9th Election District - 5th Councilmanic District
Legal Owner(s) Martiza Muneton

Variance to permit 2 parking spaces/delivery area to be located in the front yard with a setback of 0 ft. for a proposed Assisted Living Facility I in lieu of the required rear yard and minimum 10 ft.

Hearing: Thursday, May 24, 2018 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.

5/3/2018 5591661

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising

CERTIFICATE OF POSTING

CASE NO. 2018-0282-A

PETITIONER/DEVELOPER
MARITZA MUNETON

DATE OF HEARING/CLOSING
5/24/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION:

LADIES AND GENTLEMAN:

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

8307 DAKLEIGH ROAD

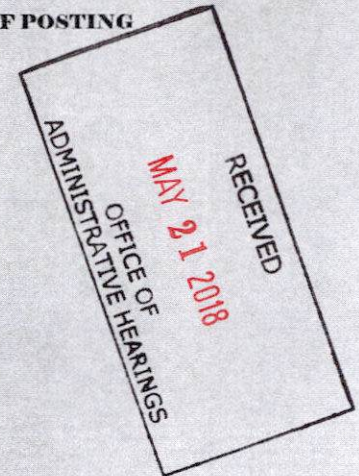
SIGN # 2

THIS SIGN(S) POSTED ON 5/3/18 2nd Pcs 5/19/18
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/19/18
SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411



ZONING NOTICE

CASE # 2018-0282-A
**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204
DATE AND TIME: Thursday, MAY 24, 2018 AT 11:00 A.M.
REQUEST: VARIANCE TO PERMIT 2 PAVING SPACES/
DEVELOPER AREA TO BE LOCATED IN THE FRONT YARD WITH
A SETBACK OF 10 FT FOR A PROPOSED ASSISTED
LIVING FACILITY 1 IN LIEU OF THE REQUIRED REAR
YARD AND MINIMUM 10 FT

FOR MORE INFORMATION, CONTACT THE ZONING COMMISSIONER AT 410-326-7300 OR VISIT THE ZONING COMMISSIONER'S WEBSITE AT www.baltimorecountymd.gov/zoning

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

5/19/18
#2
8307
DAKLEIGH
RD

Maritza Muneton
5/19/18

RECEIVED
MAY 21 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

DATE OF HEARING/CLOSING
5/24/18

LADIES AND GENTLEMAN :
THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

SIGN #

SINCERELY,
 5/19/18
SIGNATURE OF SIGN POSTER

5/10/18 J. J. J. J. J.

SIGN
#1
B307
OAKLEIGH
LD

RECEIVED
OFFICE OF THE
ADMINISTRATIVE SERVICES

CERTIFICATE OF POSTING

CASE NO. 2018-0282-A

PETITIONER/DEVELOPER

MARITZA MUNETON

DATE OF HEARING/CLOSING

5/24/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE
ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

8307 OAKLEIGH ROAD

SIGN #1

THIS SIGN(S) POSTED ON

May 3, 2018

(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/3/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE

9912 MAIDBROOK ROAD

PARKVILLE, MD. 21234

443-629-3411

ZONING NOTICE

CASE # 2018-0282-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: THURSDAY, MAY 24, 2018 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT 2 PARKING SPACES/
DELIVERY AREA TO BE LOCATED IN THE FRONT YARD WITH
A SETBACK OF 0 FT. FOR A PROPOSED ASSISTED
LIVING FACILITY 1 IN LIEU OF THE REQUIRED REAR
YARD AND MINIMUM 10 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE NOW. THIS IS NECESSARY
TO CONFIRM IT, PLEASE CALL 888-734-7344
DO NOT REMOVE THIS SIGN AND POSTURE. VIOLATION OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

SIGN #1

Jonathan

5/3/18

RIGHT SIDE OF
HOUSE

CERTIFICATE OF POSTING

CASE NO. 2018-0282-A

PETITIONER/DEVELOPER

MARITZA MUNETON

DATE OF HEARING/CLOSING

5/24/18

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING ROOM 111
111 WEST CHESAPEAKE AVENUE

ATTENTION :

LADIES AND GENTLEMAN :

THIS LETTER IS TO CERTIFY UNDER PENALTIES OF PERJURY THAT THE
NECESSARY SIGN(S) EQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON
THE PROPERTY LOCATED AT

8307 OAKLEIGH ROAD
SIGN #2

THIS SIGN(S) POSTED ON May 3, 2018
(MONTH, DAY, YEAR)

SINCERELY,

Martin Ogle 5/3/18

SIGNATURE OF SIGN POSTER

MARTIN OGLE
9912 MAIDBROOK ROAD
PARKVILLE, MD. 21234
443-629-3411

ZONING NOTICE

CASE # 2018-0282-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: Room 205, Jefferson Building
105 W. Chesapeake Ave, Towson MD 21204

DATE AND TIME: THURSDAY, MAY 24 2018 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT 2 PARKING SPACES /
DELIVERY AREA TO BE LOCATED IN THE FRONT YARD WITH
A SETBACK OF 0 FT. FOR A PROPOSED ASSISTED
LIVING FACILITY 1 IN LIEU OF THE REQUIRED REAR
YARD AND MINIMUM 10 FT.

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

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER THE HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

SIGN
#2

5/3/18 LEFT SIDE OF
HOUSE

Note to file: Case #2018-0282-A

Pete Zimmerman has expressed some concerns regarding this particular case. The petitioner wants to establish an Assisted Living Facility I in her home and, in most respects, meets the required guidelines. However, she does not meet the parking and setback requirements, hence the Variance request. Mr. Zimmerman wondered at the number of beds that would be used. Since there was to be a public hearing anyway, it would seem this and other concerns would come up as a matter of course. For the record, the petitioner plans to have four beds, the maximum number allowed under her circumstances.

THE UNIVERSITY OF CHICAGO PRESS

MISCELLANEOUS CASH RECEIPT

515-311-4446 81024175
791114 552045102

0551-2551

五、附註事項

010891 104
FBI BOSTON 5/10/73 3 19

[illegible]

Rec
From: M Manion

For Zoning hearing - case # 2018-0282-A-

WHITE - CASHIER

YELLOW - CUSTOMER

PLEASE PRESS HARD!!!!

CASHIER'S VALIDATION



KEVIN KAMENETZ
County Executive

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

April 24, 2018

CORRECTED 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: 2018-0282-A

8307 Oakleigh Road

E/s Oakleigh Road, 430 ft. S/of Putty Hill Road

9th Election District – 5th Councilmanic District

Legal Owners: Maritza Muneton

Variance to permit 2 parking spaces/delivery area to be located in the front yard with a setback of 0 ft. for a proposed Assisted Living Facility I in lieu of the required rear yard and minimum 10 ft.

→ Hearing: Thursday, May 24, 2018 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204 ←


Arnold Jablon
Director

AJ:kl

C: Maritza Muneton, 8307 Oakleigh Road, Parkville 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 4, 2018.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 3, 2018 Issue - Jeffersonian

Please forward billing to:
Maritza Muneton
8307 Oakleigh Road
Parkville, MD 21234

443-600-2150

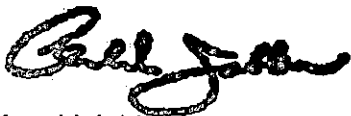
NOTICE OF ZONING HEARING

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: 2018-0282-A
8307 Oakleigh Road
E/s Oakleigh Road, 430 ft. S/of Putty Hill Road
9th Election District – 5th Councilmanic District
Legal Owners: Maritza Muneton

Variance to permit 2 parking spaces/delivery area to be located in the front yard with a setback of 0 ft. for a proposed Assisted Living Facility I in lieu of the required rear yard and minimum 10 ft.

Hearing: Thursday, May 24, 2018 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 VARIANCE
8307 Oakleigh Road; E/S Oakleigh Road,
430' S of c/line of Putty Hill Road
9th Election & 5th Councilmanic Districts
Legal Owner(s): Maritza Muneton
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2018-282-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.

RECEIVED

APR 25 2018

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 26th day of April, 2018, a copy of the foregoing Entry of Appearance was mailed to Maritza Muneton, 8307 Oakleigh Road, Parkville, Maryland 21234, Attorney for 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: 2018-0282-A
Property Address: 8307 Oakleigh Rd
Property Description: east side of Oakleigh Rd, 430' south of
Putty Hill Rd
Legal Owners (Petitioners): _____
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Maritza Muneton
Company/Firm (if applicable): _____
Address: 8307 Oakleigh Rd Parkville M.d.
21234
Telephone Number: C/43-600-2150



KEVIN KAMENETZ
County Executive

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

May 17, 2018

Martiza Muneton
8307 Oakleigh Road
Parkville MD 21234

RE: Case Number: 2018-0282 A, Address: 8307 Oakleigh Road

Dear Ms. Muneton:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 19, 2018. 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." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel

Date: 4/23/18

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

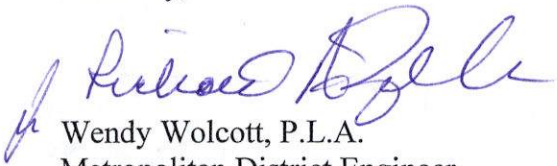
Dear Ms. Lewis:

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. 2018-0282-A

Variance
Maritza Muneton
8307 Oakleigh 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, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-282

DATE: 5/16/2018



INFORMATION:

Property Address: 8307 Oakleigh Road
Petitioner: Maritza Muneton
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit two parking spaces/delivery area to be located in the front yard with a setback of 0 feet for a proposed assisted living facility in lieu of the required side or rear yard and minimum 10 foot setback.

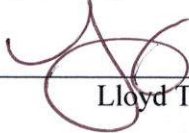
A site visit was conducted on 5/3/18. The property shares a driveway with the neighboring 8309 Oakleigh Road. There is no on street parking on Oakleigh Road.

The Department objects to granting the petitioned zoning relief.

The Department recommends that establishing nonresidential parking in support of the proposed ALF on a shared driveway will result in an undue hardship being placed upon the adjacent property owners. There is no on-street parking or space for landscaping available to mitigate the adverse impacts of the proposal.

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

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Maritza Muneton
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 30 2018

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: April 30, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0282-A
Address 8307 Oakleigh Road
(Muneton Property)

Zoning Advisory Committee Meeting of **April 30, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 5/16/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 18-282

INFORMATION:

Property Address: 8307 Oakleigh Road
Petitioner: Maritza Muneton
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance to permit two parking spaces/delivery area to be located in the front yard with a setback of 0 feet for a proposed assisted living facility in lieu of the required side or rear yard and minimum 10 foot setback.

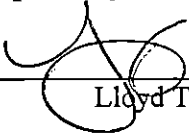
A site visit was conducted on 5/3/18. The property shares a driveway with the neighboring 8309 Oakleigh Road. There is no on street parking on Oakleigh Road.

The Department objects to granting the petitioned zoning relief.

The Department recommends that establishing nonresidential parking in support of the proposed ALF on a shared driveway will result in an undue hardship being placed upon the adjacent property owners. There is no on-street parking or space for landscaping available to mitigate the adverse impacts of the proposal.

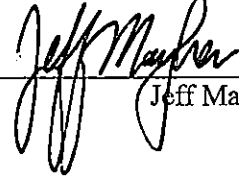
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Deputy Director:



Jeff Mayhew

AVA/KS/LTM/

c: Laurie Hay
Maritza Muneton
Office of the Administrative Hearings
People's Counsel for Baltimore County

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: April 30, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0282-A
Address 8307 Oakleigh Road
(Muneton Property)

Zoning Advisory Committee Meeting of **April 30, 2018.**

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

Reviewer: Steve Ford

CASE NAME _____
CASE NUMBER 2018-282-A
DATE 5-24-2018

[illegible]

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
<u>4/30</u>	DEPS (if not received, date e-mail sent _____)	<u>NO Comment</u>
_____	FIRE DEPARTMENT	_____
<u>5/17</u>	PLANNING (if not received, date e-mail sent _____)	<u>Objects w/Comment</u>
<u>4/23</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>5/3/18</u>	
SIGN POSTING (1 st)	Date: <u>5/3/18</u>	by <u>Ogile</u>
SIGN POSTING (2 nd)	Date: <u>5/19/18</u>	by <u>Ogile</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 - 09 Account Number - 1700005891							
Owner Information									
Owner Name:		MUNETON MARITZA			Use:		RESIDENTIAL		
					Principal Residence:		YES		
Mailing Address:		8307 OAKLEIGH RD BALTIMORE MD 21234-3801			Deed Reference:		/18065/ 00430		
Location & Structure Information									
Premises Address:		8307 OAKLEIGH RD 0-0000			Legal Description:		PT LT 62 8307 OAKLEIGH RD HILLEDALE FARMS		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0070	0018	0719		0000			62	2017	0008/0092
Special Tax Areas:									
					Town:		NONE		
					Ad Valorem:				
					Tax Class:				
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1976		936 SF		600 SF		9,500 SF		04	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
Split Foyer	YES	SPLIT FOYER	SIDING	1 full					
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of 01/01/2017		As of 07/01/2017		As of 07/01/2018	
Land:		68,600		68,600					
Improvements		132,100		136,700					
Total:		200,700		205,300		202,233		203,767	
Preferential Land:		0						0	
Transfer Information									
Seller: SECRETARY OF HOUSING & Type: NON-ARMS LENGTH OTHER				Date: 05/27/2003 Deed1: /18065/ 00430		Price: \$134,910 Deed2:			
Seller: HERGENHAHN TINA M Type: NON-ARMS LENGTH OTHER				Date: 03/07/2003 Deed1: /18262/ 00410		Price: \$135,400 Deed2:			
Seller: SECRETARY OF HOUSING AND Type: ARMS LENGTH IMPROVED				Date: 08/26/1999 Deed1: /13986/ 00035		Price: \$109,640 Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2017		07/01/2018			
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:		HOMEOWNERS TAX CREDIT							
Homestead Application Information									
Homestead Application Status: Approved 06/30/2008									
Homeowners' Tax Credit Application Information									
Date: 04/12/2018									

Homeowners' Tax Credit Application Status: Application
Received



This is the front of the house

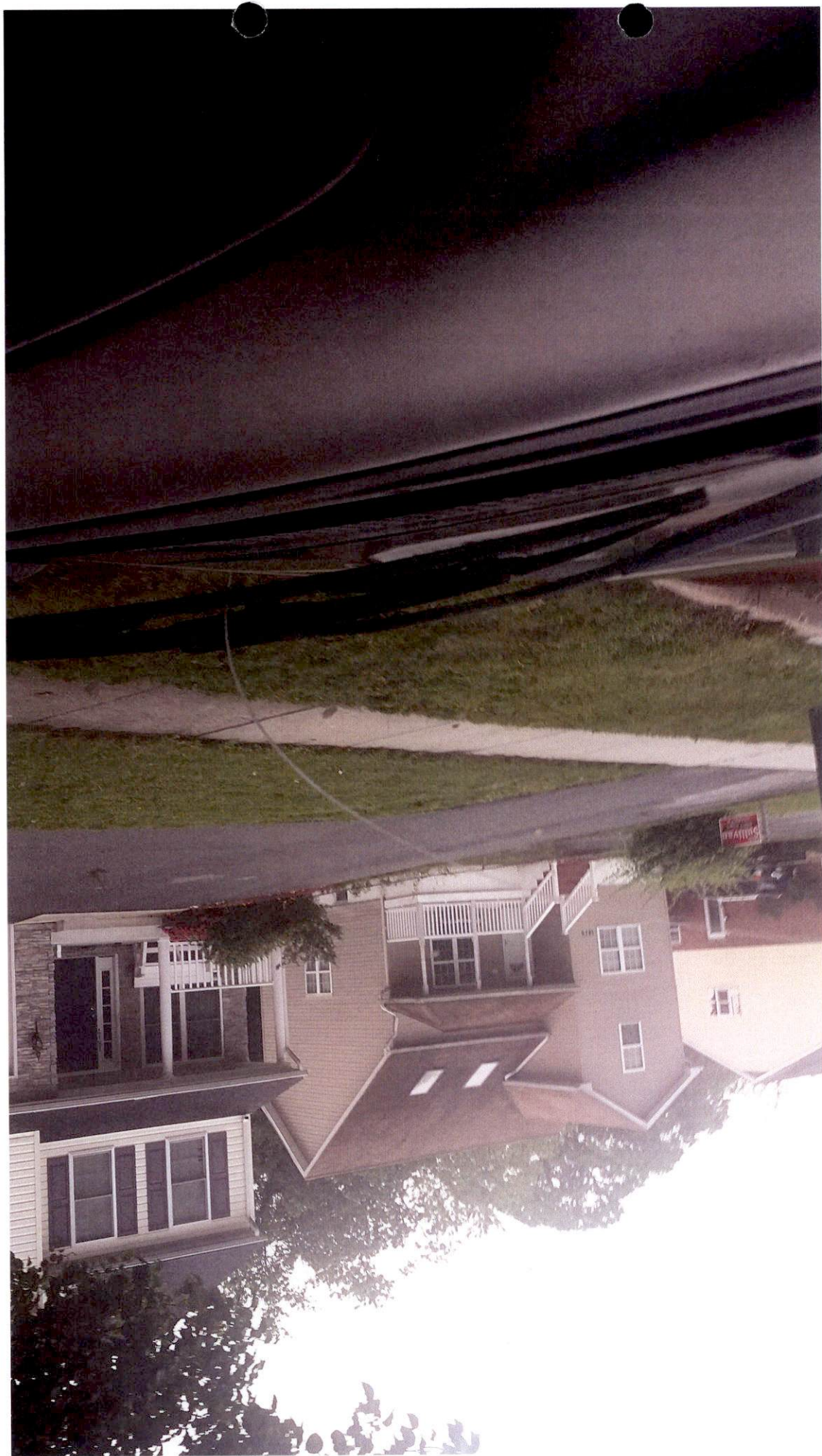


This is the front of the House

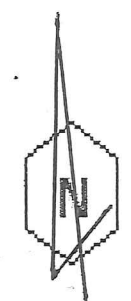
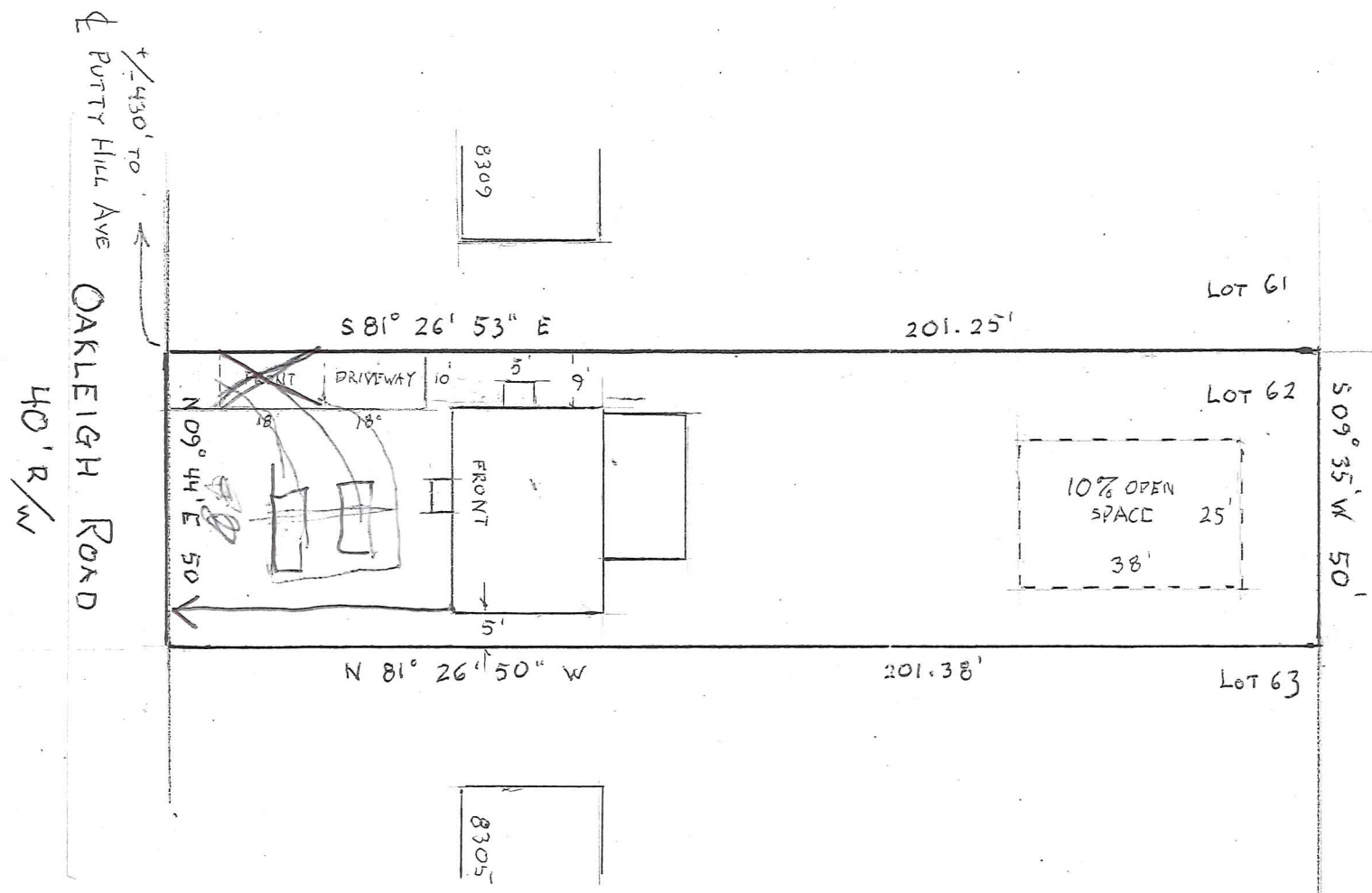
Item #0282



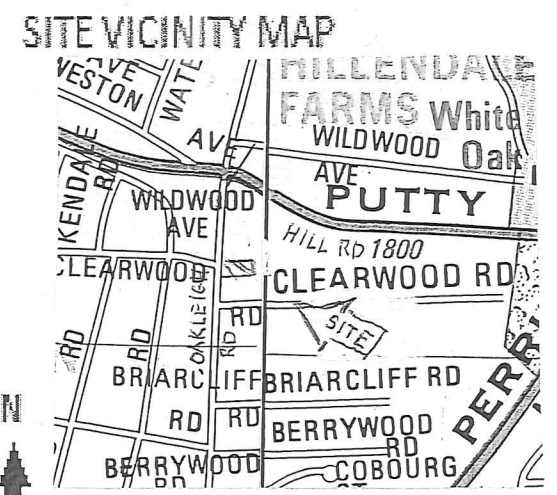




ZONING HEARING PLAN FOR VARIANCE ☒ FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)
 ADDRESS 8307 OAKLEIGH ROAD OWNER(S) NAME(S) Maritza Muneton
 SUBDIVISION NAME HILLENDALE FARMS LOT # 62 BLOCK # _____ SECTION # _____
 PLAT BOOK # 8 FOLIO # 92 10 DIGIT TAX # 1700005891 DEED REF. # 18065/00430



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

VIOLATION CASE INFO:

Handwritten: 2018-0282-A