

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 13 day of September, 2018, that Timothy Arnett located at 3617 Telmar Road should be and the

(Individual or business name)
(Street address)

same is hereby granted permission to operate at: Class A
Group Child Care Center
Case # 2018-0323-SPHA

170244

Permit (or Receipt) Number

[Signature]
Director, Permits, Approvals and Inspections

Planner's Initials: gh

MEMORANDUM

DATE: August 24, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0323-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on August 23, 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: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(3617 Telmar Road)
3rd Election District
4th Council District

Timothy Arnett
Legal Owner
Petitioner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2018-0323-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of Timothy Arnett, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to permit a Class A Group Child Care Center for a maximum of 12 children. A petition for variance seeks: (1) to permit a fence with a setback of 0 ft. in lieu of the required 20 ft.; and (2) to permit a metal fence in lieu of the required solid wood stockade or panel fence. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Timothy and Tanya Arnett ("Petitioners") and surveyor Bruce Doak appeared in support of the requests. 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 did not oppose the requests.

SPECIAL HEARING

Class A Group Child Care Centers are permitted by right in all residential zones. BCZR §424. Petitioners stated there are no other day care centers on their street, and the subject property is the last house on a dead-end road. Petitioners have operated a day care with 6-8 children at the

ORDER RECEIVED FOR FILING

Date

7/24/18

By

Sen

property since 2015, and have never had a complaint or concern from neighbors. As such the petition for special hearing (allowing a maximum of 12 children) will be granted.

VARIANCE

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 variance request pertains only to the fence required by the child care regulations. Petitioners installed the fence in 2014 and thus they must contend with existing site conditions. If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be required to install a new fence at great expense, and the required setbacks would leave only a 20 ft. wide section of the rear yard for the play area. Finally, I find that the variance 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. This is demonstrated by the absence of County and/or community opposition.

In its ZAC comment the DOP suggested the existing metal fence was "potentially hazardous for young children." The Petitioners disagreed, and noted their day care center has since 2014 used the fence without incident or complaint. In addition, Petitioners testified the State Department of Education inspects their home and grounds yearly as part of the day care licensure process, and that agency has never identified the fence as a safety issue or concern. As such, I do not believe Petitioners should be required to replace the existing fence.

ORDER RECEIVED FOR FILING

Date 7/24/18

By Den

THEREFORE, IT IS ORDERED this 24th day of **July, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") to permit a Class A Group Child Care Center for a maximum of 12 children, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance: (1) to permit a fence with a setback of 0 ft. in lieu of the required 20 ft.; and (2) to permit a metal fence in lieu of the required solid wood stockade or panel fence, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

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 7/24/18
By slh



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 3617 TELMAR ROAD which is presently zoned DESS
Deed References: 22564/274 10 Digit Tax Account # 0302025010
Property Owner(s) Printed Name(s) TIMOTHY ARNETT

(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

SEE ATTACHED SHEET

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

3. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

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 THE 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):

TIMOTHY ARNETT /
Name #1 - Type or Print Name #2 - Type or Print

☒ [Signature] /
Signature #1 Signature #2

3617 TELMAR ROAD BALTIMORE MD
Mailing Address City State

21207 / 410-419-4906 /
Zip Code Telephone # Email Address

BDOAK@BRUCEBDOAKCONSULTING.COM
Email Address

Representative to be contacted:

BRUCE E. DOAK
Name - Type or Print

[Signature]
Signature

3801 BAKER SCHOOLHOUSE ROAD FREEBURN MD
Mailing Address City State

21053 / 410-419-4906 /
Zip Code Telephone # Email Address

BDOAK@BRUCEBDOAKCONSULTING.COM
Email Address

CASE NUMBER 2018-0323-SP44 Filing Date 5/23/18

Do Not Schedule Dates: Reviewer [Signature]

Special Hearing Requested:

To permit a Class A Group Child Care Center

Variances Requested:

1. To permit a fence with a setback of 0 feet in lieu of the required 20 feet per Section 424.1.A BCZR
2. To permit a metal fence in lieu of the required solid wood stockade or panel fence per Section 424.1.B BCZR



Zoning Description

3617 Telmar Road
Third Election District Fourth Councilmanic District
Baltimore County, Maryland

Beginning at the southwest corner of Telmar Road (40 feet wide) and Updale Road (40 feet wide).

Being Lot #7 Block H as shown on the plat entitled "Haywood Heights" dated November 12, 1919 and recorded in the land records of Baltimore County in Plat Book 7, page 49.

Containing 7,728 square feet of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com



CERTIFICATE OF POSTING

June 28, 2018 (amended July 17, 2018)

Re:
Zoning Case No. 2018-0323-SPHA
Legal Owner: Timothy Arnett
Hearing date: July 20, 2018

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

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **3617 Telmar Arnett**.

The signs were posted on **June 28, 2018**.

The signs were inspected again on **July 17, 2018**.

Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

SIGN 1

ZONING NOTICE

CASE NO. 2018-0323-SPHA

3617 Telmar Road

**A PUBLIC HEARING WILL BE HELD BY THE ADMINISTRATIVE
LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE TOWSON, MD 21204**

DATE & TIME: Friday July 20, 2018 1:30 PM

**REQUEST: SPECIAL HEARING TO PERMIT A CLASS A GROUP CHILD
CARE CENTER FOR A MAXIMUM OF 12 CHILDREN.**

**VARIANCE TO PERMIT A FENCE WITH A SETBACK OF 0 FEET IN LIEU OF
THE REQUIRED 20 FEET. TO PERMIT A METAL FENCE IN LIEU OF THE
REQUIRED SOLID WOOD STOCKADE OR PANEL FENCE.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE

SIGN 2

ZONING NOTICE

CASE NO. 2018-0323-SPHA

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No. 110244

Date: 5/20/18

[illegible]

BUSINESS ACTUAL TIME DR

5/23/2018 5/23/2018 13:46:31 2

WALKIN TEE

RECEIPT # 053713 5/23/2018 OFLN

5.528 ZONING VERIFICATION

FD-302 (Rev. 1-25-60)

Receipt Tot 150.00

\$150.00 CR 5 8.00 CA

Baltimore County, Maryland

[illegible]

Total: 150

Rec From: Bruce Nowk

For 3617 Te / mar Rd

2018-0323-SHA

DISTRIBUTION

WHITE - CASHIER

PINK-AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**



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 5666198

Sold To:

Timothy Arnett - CU00661603
3617 Telmar Rd
Gwynn Oak, MD 21207-6265

Bill To:

Timothy Arnett - CU00661603
3617 Telmar Rd
Gwynn Oak, MD 21207-6265

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

Jun 28, 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: # 2018-0323-SPHA
3617 Telmar Road
SW corner of Telmar Road and Updale Road
3rd Election District - 4th Councilmanic District
Legal Owner(s) Timothy Arnett

Special Hearing to permit a Class A Group Child Care Center for a maximum of 12 children. Variance to permit a fence with a setback of 0 ft. in lieu of the required 20 ft. To permit a metal fence in lieu of the required solid wood stockade or panel fence.

Hearing: Friday, July 20, 2018 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

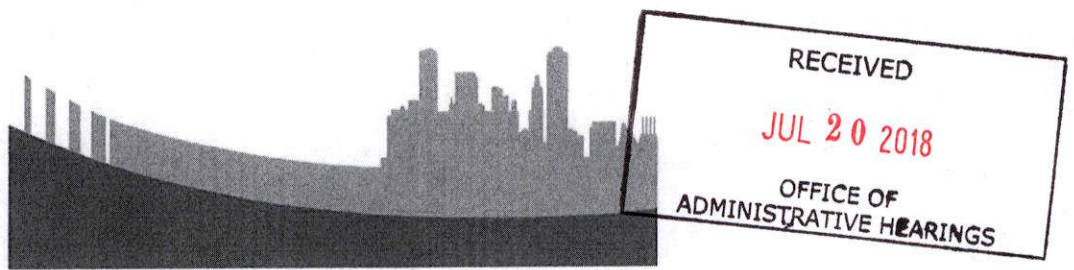
ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

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.

06/28/18 5666198

The Baltimore Sun Media Group

By S. Wilkinson
Legal Advertising



CERTIFICATE OF POSTING

June 28, 2018 (amended July 17, 2018)

Re:

Zoning Case No. 2018-0323-SPHA

Legal Owner: Timothy Arnett

Hearing date: July 20, 2018

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

Attention: Kristen Lewis

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The signs were posted on **June 28, 2018**.

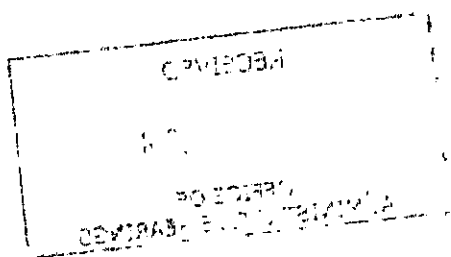
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Sincerely,

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
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**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-887-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE

502
SIGN 2

ZONING NOTICE

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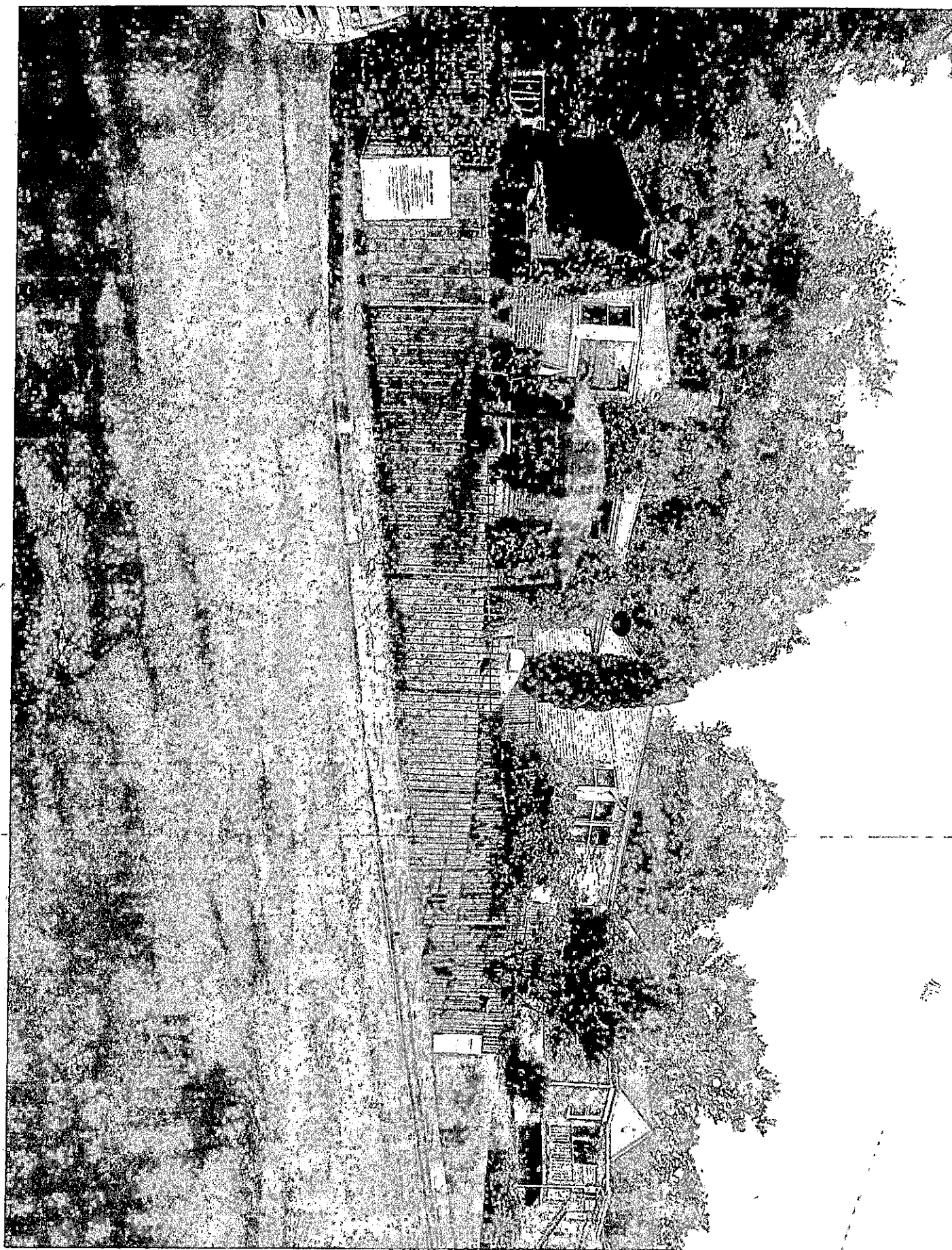
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The signs were posted on **June 28, 2018**.

The signs were inspected again on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce E. Doak".

Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

Sign 1
ZONING NOTICE

CASE NO. 2018-0323-SPHA

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SIGN 2

ZONING NOTICE

CASE NO. 2018-0323-SPHA

3617 Telmar Road

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THE HEARING IS HANDICAPPED ACCESSIBLE



KEVIN KAMENETZ
County Executive

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

June 14, 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 NUMBER: 2018-0323-SPHA

3617 Telmar Road
SW corner of Telmar Road and Updale Road
3rd Election District – 4th Councilmanic District
Legal Owners: Timothy Arnett

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Hearing: Friday, July 20, 2018 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Timothy Arnett, 3617 Telmar Road, Baltimore 21207
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JUNE 30, 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, June 28, 2018 Issue - Jeffersonian

Please forward billing to:
Timothy Arnett
3617 Telmar Road
Baltimore, MD 21207

410-419-4906

NOTICE OF ZONING HEARING

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

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE * OF ADMINISTRATIVE
3617 Telmar Road; SW corner of Telmar *
Road and Updale Road * HEARINGS FOR
3rd Election & 4th Councilmanic Districts *
Legal Owner(s): Timothy Arnett * BALTIMORE COUNTY
Petitioner(s) *
* 2018-323-SPHA

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
MAY 31 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 31st day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 2801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative 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/neighborhood 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 fifteen (15) 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: 2018-0323-SPHA
Property Address: 3617 TELMAR ROAD BALTIMORE MD 21207
Property Description: LOT 7 BLOCK H HAYWOOD HEIGHTS PB 7/49

Legal Owners (Petitioners): TIMOTHY ARNETT
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: TIMOTHY ARNETT
Company/Firm (if applicable): N/A
Address: 3617 TELMAR ROAD
BALTIMORE MD 21207

Telephone Number: _____

Revised 5/20/2014



DONALD I. MOHLER III
County Executive

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

July 12, 2018

Timothy Arnett
3617 Telmar Road
Baltimore MD 21207

RE: Case Number: 2018-0323 SPHA, Address: 3617 Telmar Road

Dear Mr. Arnett:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 23, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Bruce E Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Pete K. Rahn
Secretary

Gregory Slater
Administrator

Date: 5/25/18

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. 2018-0323-SPHA

*Special Hearing, Variance
Timothy Annett
3617 Telmar 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

7-20

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 - REVISED
Case Number: 18-323



INFORMATION:

Property Address: 3617 Telmar Court, Lochearn, MD 21207
Petitioner: Timothy Arnett
Zoning: DR5.5
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for special hearing to permit a Class A group child care center and the petition for variance to permit a metal fence and to allow a fence setback of 0 feet to the residential property line in lieu of the required stockade style fence and 20 feet respectively.

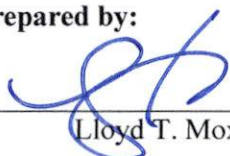
A site visit was conducted on June 7, 2018. The property has no off street parking.

The Department cannot recommend approval of the petitioned zoning relief until such time as the following concerns are addressed;

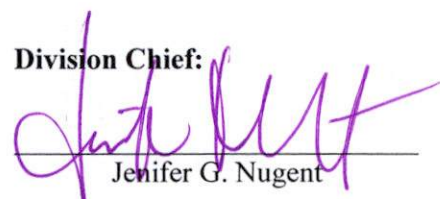
- The Petitioners must demonstrate to the satisfaction of the Administrative Law Judge the location and safe operation of a pick-up and drop off area.
- The Department finds the existing metal fence to be potentially hazardous for young children. The Department recommends any fence in association with the group child care center be of a solid wood stockade type with a minimum height of 5 feet. Said fence shall be located with sufficient setback to allow for its installation and maintenance.

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

Prepared by:


Lloyd T. Moxley

Division Chief:


Jennifer G. Nugent

AVA/JGN/LTM//lsn

c: Pat McDougall
Bruce Doak
Office of the Administrative Hearings
People's Counsel for Baltimore County

7-20

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 7, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0323-SPHA
Address 3617 Telmar Road
(Arnett Property)

Zoning Advisory Committee Meeting of **June 4, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: June 21, 2018

FROM: *ncd*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 4, 2018
Item No. 2018-0320-A, 0323-SPHA and 0326-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

*

*

*

*

*

VKD: cen
cc: file

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 7, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0323-SPHA
Address 3617 Telmar Road
(Arnett Property)

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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: 6/22/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS - REVISED
Case Number: 18-323

RECEIVED
JUL 03 2018
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS

INFORMATION:

Property Address: 3617 Telmar Court, Lochearn, MD 21207
Petitioner: Timothy Arnett
Zoning: DR5.5
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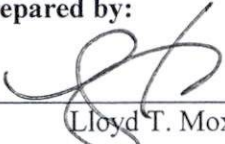
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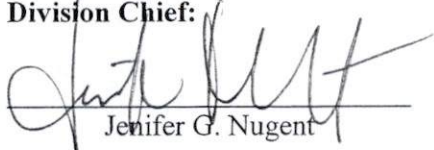
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Prepared by:


Lloyd T. Moxley

Division Chief:


Jenifer G. Nugent

AVA/JGN/LTM//lsn

c: Pat McDougall
Bruce Doak
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME ARNETT
CASE NUMBER 2018-0323-SP4A
DATE 7/20/18

[illegible]

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/21	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	NO COMMENT
6/7	DEPS (if not received, date e-mail sent _____)	NO COMMENT
	FIRE DEPARTMENT	
6/28	PLANNING (if not received, date e-mail sent _____)	Comment
5/25	STATE HIGHWAY ADMINISTRATION	NO obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 6/28/18	
SIGN POSTING (1 st)	Date: 6/28/18	by DOAK
SIGN POSTING (2 nd)	Date: 7/17/18	by DOAK
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

2018-0223-SHA

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 03 Account Number - 0302025010			
Owner Information					
Owner Name:		ARNETT TIMOTHY		Use: RESIDENTIAL	
Mailing Address:		3617 TELMAR RD BALTIMORE MD 21207-8564		Principal Residence: YES	
				Deed Reference: /22564/ 00274	
Location & Structure Information					
Premises Address:		3617 TELMAR RD BALTIMORE 21207-		Legal Description: PT LT 7 SE COR UPDALE ROAD HAYWOOD HEIGHTS	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 0007/0049
0088	0009	0408		0000	H 7 2017
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1958		1,356 SF		7,728 SF	
Property Land Area		County Use			
7,728 SF		04			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
1	YES	STANDARD UNIT	BRICK	2 full	
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2017		07/01/2017	
Land:		55,700		As of 07/01/2018	
Improvements		80,200			
Total:		135,900		144,300	
Preferential Land:		0		152,700	
				0	
Transfer Information					
Seller: ROBERTSON LYNDIA P		Date: 09/19/2005		Price: \$250,000	
Type: ARMS LENGTH IMPROVED		Deed1: /22564/ 00274		Deed2:	
Seller: ROBERTSON LYNDIA P		Date: 09/20/1988		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /07975/ 00576		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		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:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

2018-0322-S44A



Case No.: 2018-0323-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

192
8-24-18

SLR
7/24/18

No. 1	Plan	
No. 2	Aerial photo	
No. 3	Plan to Accompany photos A-O	
No. 4	Let of Support from neighbor	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

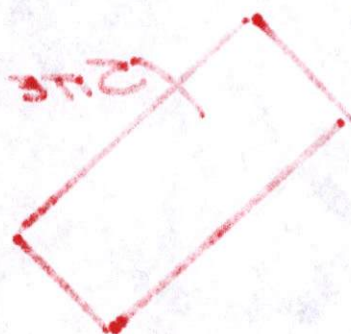
3617 Telmar Road- GIS photo



PETITIONER'S

EXHIBIT NO. 2

1965 11/27 - 11/28 1965







K



L



I



J

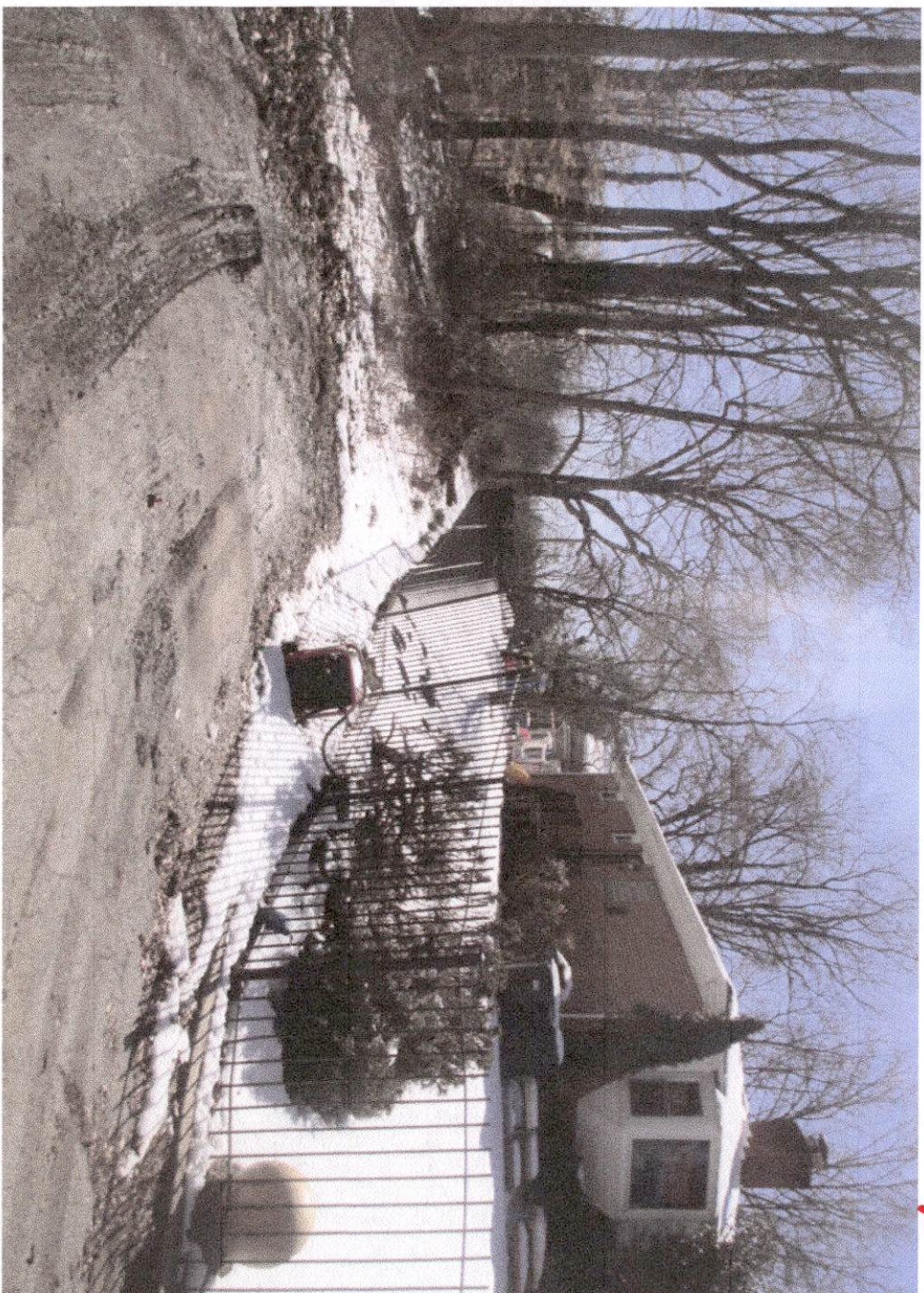


G



H





F



G

C



D



A



B





3617 Telmar rd. Baltimore, MD 21207

To whom it may concern,

I am a neighbor to the Precious Treasures Childcare Center located at 3617 Telmar rd Baltimore, MD 21207 and support the expansion of total clients from currently 8 to a possible 16 through 20 children to the Center regarding the following is observed:

- Clients will perform child pick-up's and drop off's primarily spanning a couple of minutes during the following time frames: 8-9am and 5-6pm
- Clients will not block any neighbor's drive way during pick-up's or drop off's

Name/Address/Phone

JOHNNY HOWARD
3618 TELMAR RD
GUYMON DAK MD 21207
443-820-7770

Signature

Johnny Howard

PET. No. 4

GENERAL SITE INFORMATION

- Ownership: Timothy Arnett
3617 Telmar Road Baltimore, MD 21207
- Address: 3617 Telmar Road Baltimore, MD 21207
- Deed references: SM 22564 / 274
- Area: 7,728 sq. ft. / 0.177 acre (per SDAT)
- Tax Map / Parcel / Lot / Tax account #: 88 / 408 / 7 / 03-02-025010
Lot 7 Block H "Haywood Heights" PB 71 49
- Election District: 3 Councilmanic District: 4
ADC Map: 469776 GIS tile / Zoning map: 08881 Position sheet: 16NW19
Census tract: 403202 Census block: 240054032021001
Schools: Powhatan ES Woodlawn MS Woodlawn HS
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS file 06581 and the information provided by Baltimore County on the internet.
- Improvements: Single family dwelling (1,356 sf).

OFFICE OF ZONING

Zoning: D.R. 5.5 There are no previous zoning cases on the subject parcels.

Parking Calculations

Required residential parking spaces: 2
Required Day Care parking spaces: 1 (1 employee)
Parking spaces provided on site: 0

D.R. 5.5 Setbacks for Residential Buildings

Lot width: 55 feet
Front: 25 feet from the street right of way / property line
Side: 10 feet
Rear: 30 feet

ENVIRONMENTAL IMPACT

Watershed: Gwynns Falls URDL land type: 1

- The existing dwelling is currently serviced by public water and sewer.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

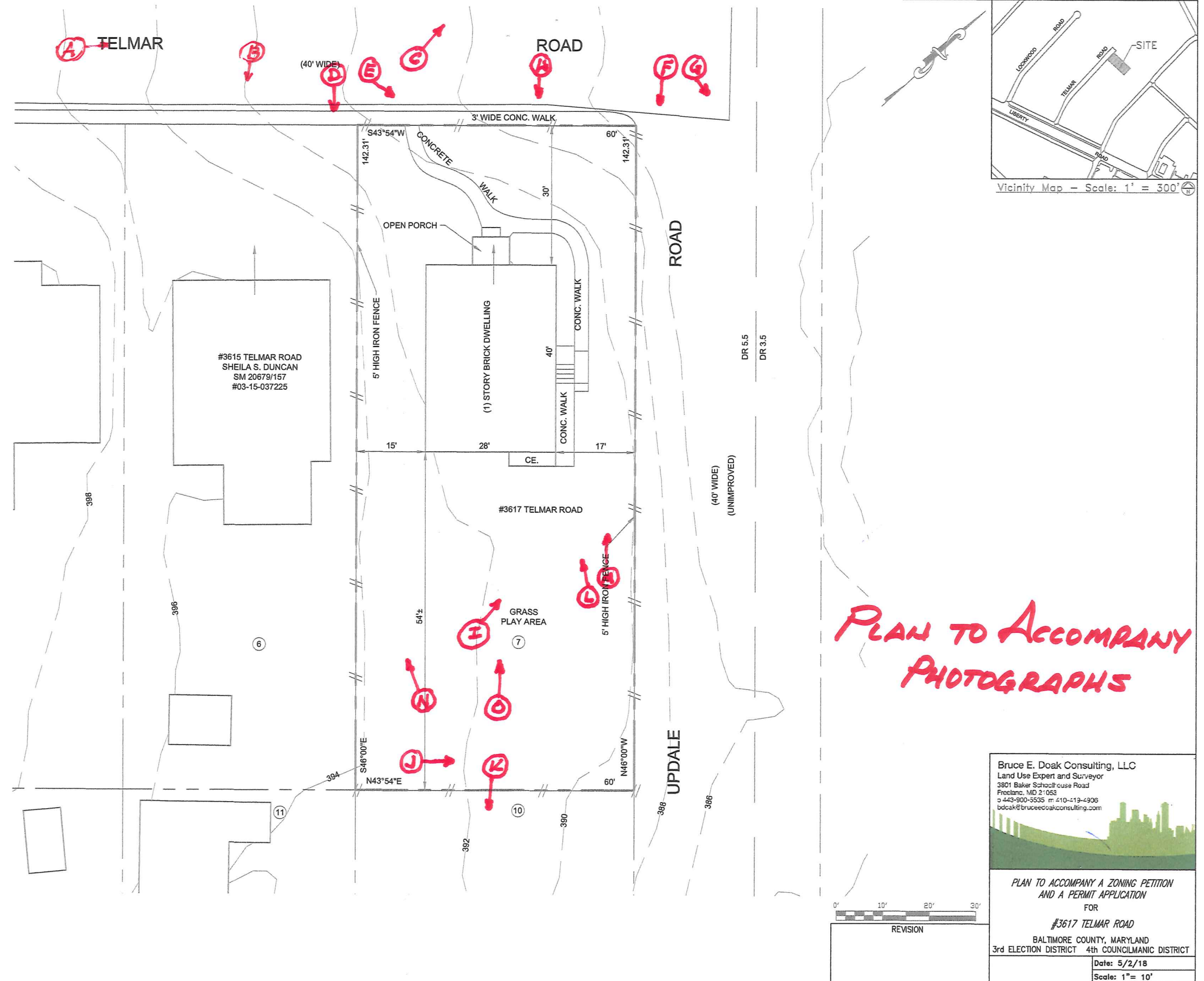
- The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the house and yard as a Class A Group Child Care Center

SPECIAL NOTES

- The drop off & pick up parking spaces will be located in front of the house in Telmar Road.
- There will be only two employees (owner plus one)
- Hours of operation: 7am-6pm
- Children to be enrolled: 12 or less
- Estimated amount of traffic: 28 trips or less



PETITIONER'S

EXHIBIT NO. 3
PHOTOS A-0

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3617 Telmar Road Baltimore, MD 21207
2. Address: 3617 Telmar Road Baltimore, MD 21207
3. Deed references: SM 22564/ 274
4. Area: 7,728 sq. ft. / 0.177 acre (per SDAT)
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Lot 7 Block H "Haywood Heights" PB 7/ 49
6. Election District: 3 Councilmanic District: 4
ADC Map: 4697F6 GIS tile / Zoning map: 088B1 Position sheet: 16NW19
Census tract: 403202 Census block: 240054032021001
Schools: Powhatan ES Woodlawn MS Woodlawn HS
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 088B1 and the information provided by Baltimore County on the Internet.
8. Improvements: Single family dwelling (1,356 sf).

OFFICE OF ZONING

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1. The existing dwelling is currently serviced by public water and sewer.
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3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

1. The subject dwelling is not historic. The subject property is not in a historic district.

PROPOSED DEVELOPMENT

To utilize the house and yard as a Class A Group Child Care Center

SPECIAL NOTES

1. The drop off & pick up parking spaces will be located in front of the house in Telmar Road.
2. There will be only two employees (owner plus one)
3. Hours of operation: 7am- 6pm
4. Children to be enrolled: 12 or less
5. Estimated amount of traffic: 28 trips or less

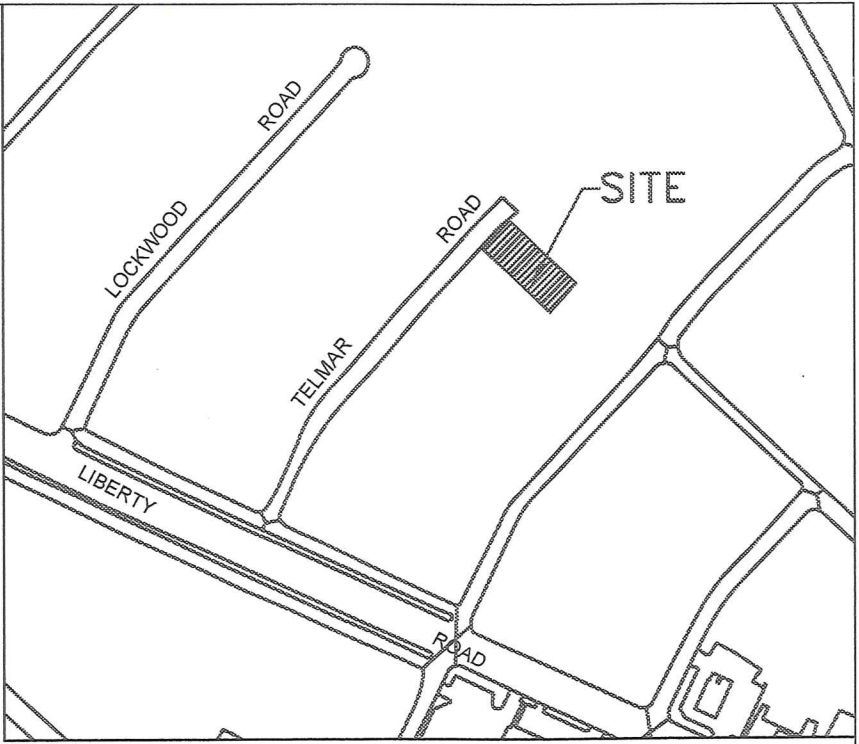
EXISTING FLOOR AREA

1ST FLOOR: 1,120 SF

TOTAL: 1,120 SF

1ST FLOOR FOR CHILD CARE CENTER

USAGE: 1,120 SF



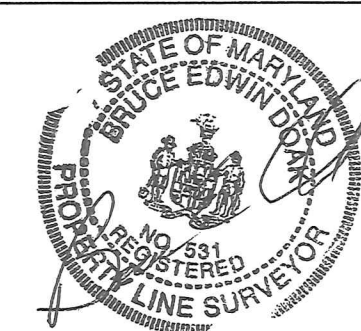
Vicinity Map - Scale: 1" = 300'

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21059
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION
AND A PERMIT APPLICATION

FOR

#3617 TELMAR ROAD
BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 4th COUNCILMANIC DISTRICT



Date: 5/2/18

Scale: 1" = 10'

PET 1

CASE # 2018-0323-SPHA

- GENERAL SITE INFORMATION**
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 - Address: 3617 Telmar Road Baltimore, MD 21207
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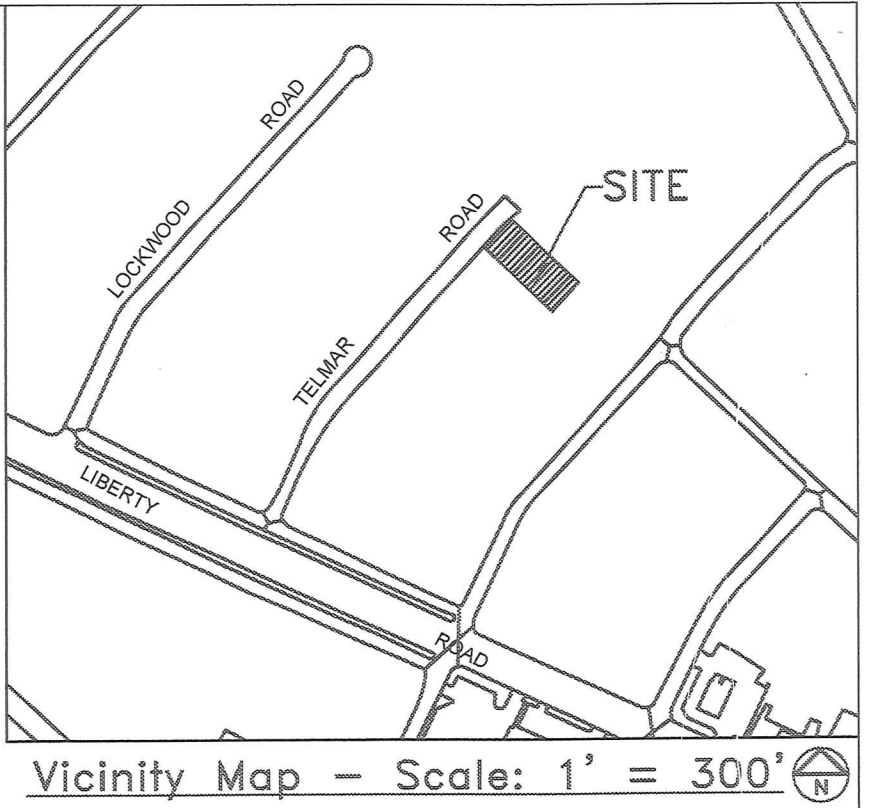
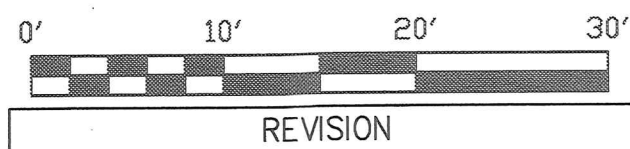
PROPOSED DEVELOPMENT

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 - There will be only two employees (owner plus one)
 - Hours of operation: 7am- 6pm
 - Children to be enrolled: 12 or less
 - Estimated amount of traffic: 28 trips or less

EXISTING FLOOR AREAS

1ST FLOOR: 1,120 SF
TOTAL = 1,120 SF
1ST FLOOR FOR CHILD CARE CENTER
USAGE: 1,120 SF



Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3901 Baker Schoolhouse Road
Froiland, MD 21063
P 443-900-5535 M 410-419-4906
bdoak@bruceedoakconsulting.com

PLAN TO ACCOMPANY A ZONING PETITION
AND A PERMIT APPLICATION
FOR
#3617 TELMAR ROAD
BALTIMORE COUNTY, MARYLAND
3rd ELECTION DISTRICT 4th COUNCILMANIC DISTRICT

Date: 5/2/18
Scale: 1"= 10'

STATE OF MARYLAND
BRUCE EDWIN DOAK
PROFESSIONAL
REGISTERED
LINE SURVEYOR