

# USE PERMIT



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

Inspections of Baltimore County, this 4<sup>th</sup> day of FEBRUARY, 2019,

that ZOYA ARONOVA located at  
(Individual or business name)

2913 GARNET ROAD, 21234 should be and the  
(Street address)

same is hereby granted permission to operate a: 4 BED ALF I

178963

Permit (or Receipt) Number

[Signature]  
Director, Permits, Approvals and Inspections

Planner's Initials: JS

Revised 10/17/11

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

No. **178963**

Date: 2/4/19

**PAID RECEIPT**

BUSINESS ACTUAL TIME IRW  
2/05/2019 2/04/2019 11:52:51 1

REG WSD1 WALKIN LJR  
>>RECEIPT # 832163 2/04/2019 OFLN

Dept 5 528 ZONING VERIFICATION  
CB NO. 178963

| Fund | Dept | Unit | Sub Unit | Rev Source/Obj | Sub Rev/Sub Obj | Dept | Obj | BS Acct | Amount   |
|------|------|------|----------|----------------|-----------------|------|-----|---------|----------|
| 001  | 806  | 0000 |          | 6150           |                 |      |     |         | \$100.00 |
|      |      |      |          |                |                 |      |     |         |          |
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|      |      |      |          |                |                 |      |     |         |          |

Kept Tot \$ 100.00  
.00 CK 100.00 CA  
Baltimore County, Maryland

Total: \$100.00

Rec From: JULIYA LEVIYEVA

For: ALF USE PERMIT

**DISTRIBUTION**

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

**CASHIER'S  
VALIDATION**

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 \_\_\_\_\_

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

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. Juliya Levitsky 2913 Garnet Rd Parkville MD 410-961-9955 Jleviy1@gmail.com  
Print Name of Applicant Address Telephone Number Email Address

Lot Address \_\_\_\_\_ Election District 9 Councilmanic District 6 Square Feet of Lot 7500

Lot Location: NES W side/corner of Garnet Rd 320 feet from NES W corner of Harford  
(street) (street)

Land Owner: Zoya Aronova, Juliya Levitsky 10 Digit Tax Account Number 0910000290

Address: 2913 Garnet Rd Parkville MD 21234 (410) 961-9955 Jleviy1@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) \_\_\_\_\_

2. Permit Application (if available) \_\_\_\_\_

3. Site Plan:  
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) → Street view → front/backyard  
Adjoining Buildings, the Proposed Building, \_\_\_\_\_  
and Surrounding Neighborhood

6. Current Zoning Classification: \_\_\_\_\_

Accepted for filing by \_\_\_\_\_  
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:

RECEIVED

NOV 28 2018

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

DEPARTMENT OF PLANNING

Date: 12/11/18

Backyard

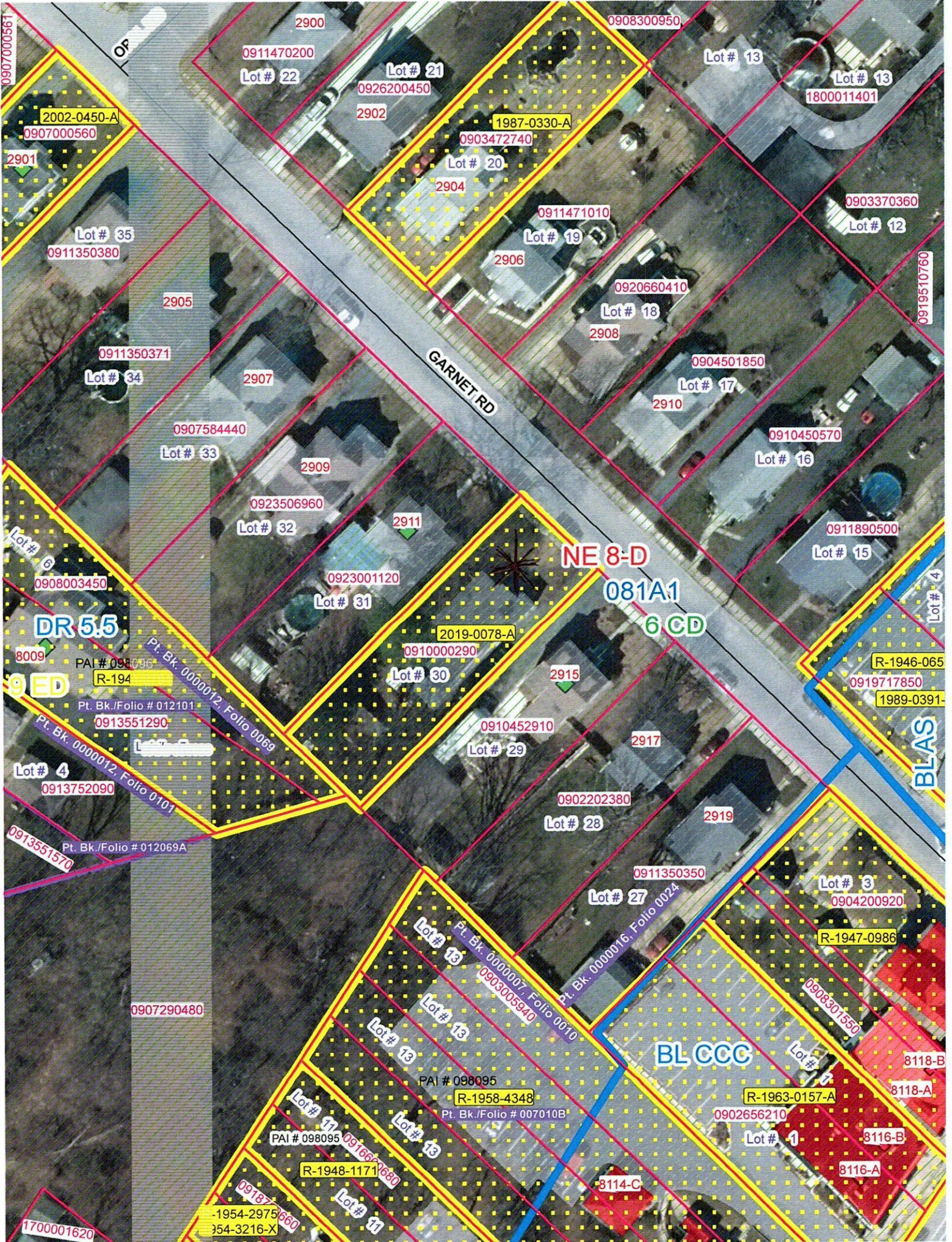


Back of house



Front of house





**IN RE: PETITION FOR VARIANCE**

(2913 Garnet Road)  
9<sup>th</sup> Election District  
6<sup>th</sup> Council District  
Zoya Aronova & Juliya Leviyeva  
*Legal Owners*

Petitioners

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

**CASE NO. 2019-0078-A**

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Zoya Aronova and Juliya Leviyeva, legal owners of the subject property ("Petitioners"). Petitioners are requesting variance relief from the Baltimore County Zoning Regulations ("BCZR") to permit a parking setback as close as 0 ft. to the property line in lieu of the required 10 ft. for a proposed Assisted Living Facility ("ALF") I. A site plan was marked as Petitioners' Exhibit 1.

Zoya Aronova & Juliya Leviyeva appeared in support of the petition. No protestants or interested citizens were in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (ZAC) comments were received from any of the reviewing County agencies.

The site is approximately 7,500 square feet in size and zoned DR 5.5. The property is improved with a single-family dwelling constructed in 1940. The house has five bedrooms: three (3) on the first floor and two (2) on the second floor. The ALF would have a maximum of three (3) patients, all of whom would reside in the bedrooms on the first floor. The site plan shows three off-street parking spaces, which complies with the BCZR: two are required for the dwelling and one for the ALF with three patients. BCZR §409.6.A.1.

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

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Date

11/7/18

By

Sen

- (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).

This dwelling, and the parking area abutting the property boundary, was constructed over 75 years ago and Petitioners must contend with these conditions. . If the Regulations were strictly interpreted Petitioners would experience a practical difficulty because they would be unable to operate the ALF. 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.

THEREFORE, IT IS ORDERED, this 7<sup>th</sup> day of **November, 2018**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance to permit a parking setback as close as 0 ft. to the property line in lieu of the required 10 ft. for a proposed Assisted Living Facility ("ALF") I, be and is hereby GRANTED.

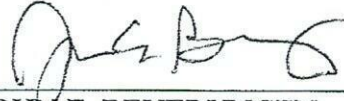
The relief granted herein shall be subject to the following:

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.
2. Petitioners must obtain from the Department of Permits, Inspections and Approvals a use permit for the operation of an ALF I.

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



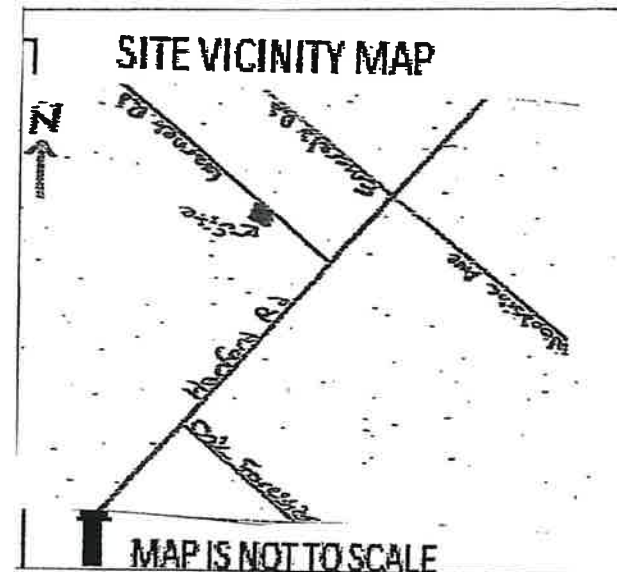
JOHN E. BEVERUNGEN  
Administrative Law Judge for  
Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 11/7/18

By sen



ZONING USE PERMIT  
PLAN FOR AN ASSISTED LIVING FACILITY I

2913 GARNET RD  
PARKVILLE MD 21234  
9<sup>TH</sup> ELECTION DISTRICT  
OWNER: ZOYA ARONOVA, JULIYA LEVIYEVA  
ADD. 2913 GARNET RD PARKVILLE MD 21234  
DATE 8/17/18  
PHONE: 443-608-0259, 410-961-9955

LOT SIZE: 7,500 SQ.FT.  
ZONING MAP N.E. 8D  
ZONE DR 5.5

PARKING: 1 SPACE FOR EACH 3 BEDS = 2 PARKING SPACES REQUIRED

EXISTING FLOOR AREAS SQ.FT.  
1<sup>ST</sup> FLOOR AND SUN ROOM = 1221 SQ.FT.  
2<sup>ND</sup> FLOOR = 601 SQ.FT.  
TOTAL = 1,822 SQ.FT.  
BASEMENT FOR STORAGE AND MECHANICAL EQUIPMENT = 925 SQ.FT.

OPEN SPACE: 0.10xLOT AREA (7,500 SQ.FT.) = 750 SQ.FT.

THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. THE BUILDING HAS NOT BEEN CONSTRUCTED IN THE PAST FIVE (5) YEARS. NO RECONSTRUCTION, RELOCATION, (EXTERIOR) CHANGES OR ADDITIONS (OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF FIVE (5) YEARS BEFORE THE DATE OF THIS APPLICATION) TO THE EXTERIOR OF THE BUILDING HAVE OCCURRED. NO ADDITIONS ARE PROPOSED TO EXCEED THIS LIMIT FOR FIVE (5) YEARS FROM THE DATE OF THIS APPLICATION.

SIGNS WILL COMPLY WITH SECTION 450 B.C.Z.R.

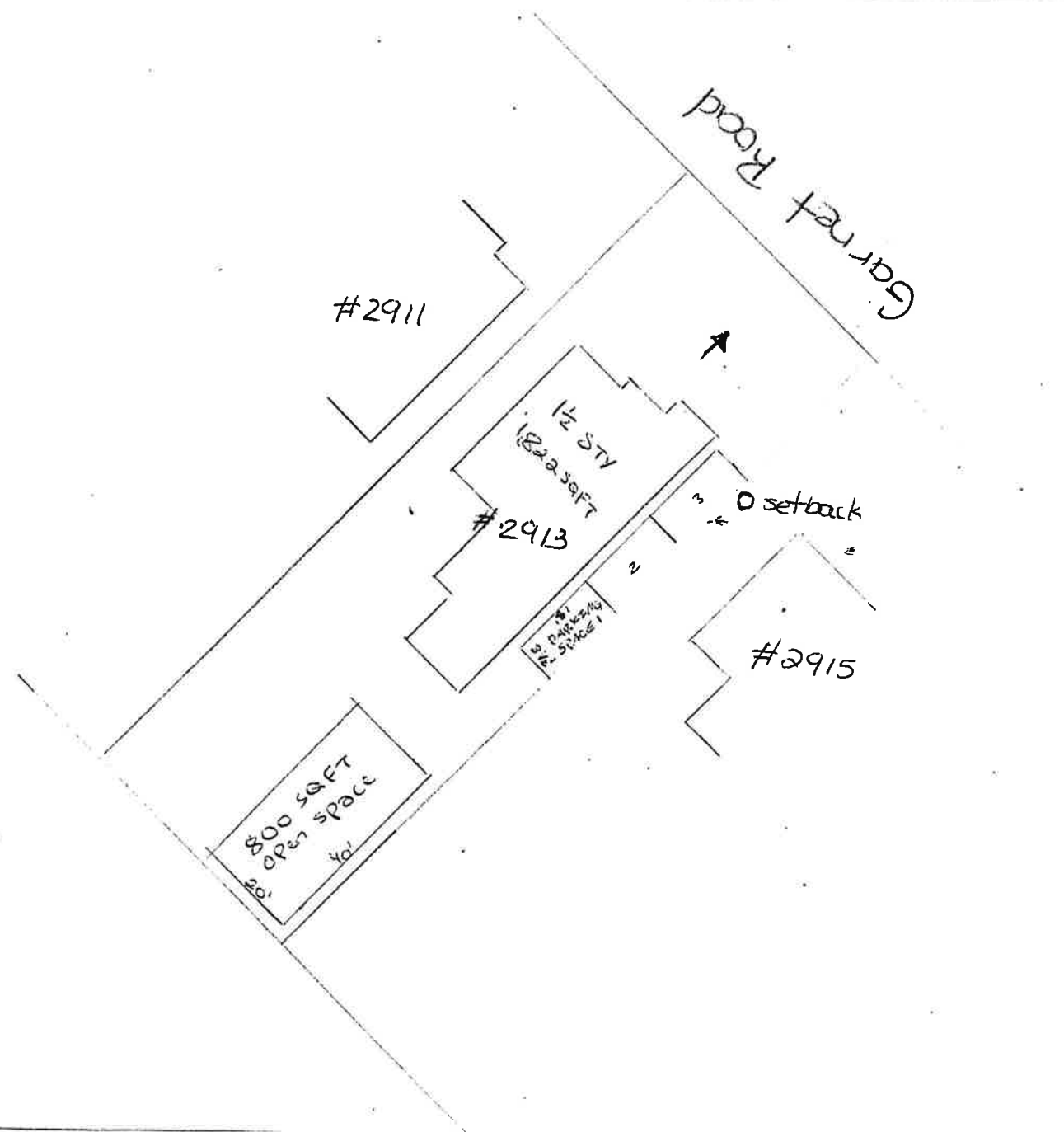
THE UNDERSIGNED (STATE IF OWNER OR APPLICANTS) ARE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION IN THIS PLAN.

SIGNATURE [Signature] DATE 11/20/18

PRINTED NAME ZOYA ARONOVA

SIGNATURE [Signature] DATE 11/20/18

PRINTED NAME Juliya Levixeva



SCALE: 1 INCH = 30 FEET