

M E M O R A N D U M

DATE: January 12, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0105-XA – Appeal Period Expired

The appeal period for the above-referenced case expired on January 11, 2019. 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

/dlw

**IN RE: PETITIONS FOR SPECIAL
EXCEPTION AND VARIANCE
(8301 Oakleigh Road)
9th Election District
5th Council District
8301 Oakleigh Road, LLC
*Legal Owner***

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2019-0105-XA**

Petitioner

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 8301 Oakleigh Road. The Petitions were filed on behalf of 8301 Oakleigh Road, LLC, legal owner of the subject property ("Petitioner"). The Special Exception petition seeks to approve a Class B child care center for as many as 20 children. The Petition for Variance seeks: **(1)** A minimum lot size of 0.197 acre in lieu of the required 1 acre; **(2)** A side yard setback of 5.5'+/- and 9'+/-, in lieu of the required 50' and a 5' and 0' side yard vegetation buffer in lieu of the required 20'; **(3)** A 5' rear vegetation buffer in lieu of the required 20'; **(4)** A maximum impervious surface of 40% in lieu of the required 25%; **(5)** A 5' RTA buffer in lieu of the required 50'; **(6)** A 5' setback for a parking lot in lieu of the required 75' and 5' buffer in lieu of the required 50'; and **(7)** For a 5' tall solid wood stockade or panel fence 5' from the property line on the North side, 10' from the property line on the West side and 0' from the property line on the south side, in lieu of the required 20'. A site plan prepared by surveyor Brian Dietz was marked as Petitioner's Exhibit 1.

Appearing in support of the petitions were Elizabeth and Robert Rosiak. Michael Pierce attended the hearing to obtain additional information about the project. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee

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Dec 12-12-18
By Sen

("ZAC") comments were received from the Department of Planning ("DOP") and the Bureau of Development Plans Review ("DPR"). The DOP objected to the request and opined that the site was too small to accommodate the proposed use.

The subject property is approximately 8602 square feet in size and zoned DR 5.5. The property is improved with a single-family dwelling constructed in 1943. Petitioner proposes to undertake significant interior renovations and proposes to operate (as a principal use) a Class B child care center with up to 20 children. Such a center is permitted by special exception in the DR zones.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use. Ms. Rosiak explained in detail how the center will operate, and no evidence was presented which would indicate the use would be injurious to the community. As such the petition for special exception 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

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2. If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

The property is narrow and deep (approx. 50' x 200') and is therefore unique. If the BCZR were strictly interpreted Petitioner would suffer a practical difficulty since it would be unable to operate the group child care center. Finally, I find that the variances 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 support of adjacent neighbors, the community and prospective clients, many of whom signed a petition expressing support for the requests.

In its ZAC comment the DOP noted (correctly) the subject property is approximately 0.2 acres in size, while the BCZR imposes a one acre minimum lot size for a child care center. BCZR §424.7.A. Of note, the one acre requirement applies to all "group child-care centers located in D.R. Zones," not just Class B centers with more than 12 children. *Id.* The BCZR defines "Group Child Care Center" in pertinent part as "a building...wherein care, protection and supervision is provided...to at least nine children." BCZR §101.1.

As such, the one acre minimum lot size would be applicable in cases seeking approval for both Class A & B group child care centers, although it is clear County review staff have not uniformly enforced that requirement. Indeed, other than perhaps a few rare exceptions, I cannot recall a group child care center case in the last several years where the lot was larger than one acre or where a variance was sought to address that deficiency. In addition, the regulation permits up to 40 children on a one acre lot, and the Petitioner here seeks only half that number. In these circumstances I do not believe the subject property is too small for the proposed use. In addition,

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Ms. Rosiak has operated a group child care center in her home since 2014, and with this successful track record I believe the use can be conducted without a detrimental impact upon the community.

Finally, Ms. Rosiak also noted that group child care centers are subject to rigorous inspection and licensing requirements of the State Board of Education. Applicable state regulations require 35 square feet of indoor space for each child (COMAR 13A.16.05.03), and 75 square feet of outdoor area for each child (COMAR 13A.16.05.12), and Petitioner satisfies both of these requirements.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 12th day of **December, 2018**, that the Petition for Special Exception to approve a Class B child care center for as many as 20 children, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance to approve: **(1)** A minimum lot size of 0.197 acre in lieu of the required 1 acre; **(2)** A side yard setback of 5.5'+/- and 9'+/-, in lieu of the required 50' and a 5' and 0' side yard vegetation buffer in lieu of the required 20'; **(3)** A 5' rear vegetation buffer in lieu of the required 20'; **(4)** A maximum impervious surface of 40% in lieu of the required 25%; **(5)** A 5' RTA buffer in lieu of the required 50'; **(6)** A 5' setback for a parking lot in lieu of the required 75' and 5' buffer in lieu of the required 50'; and **(7)** For a 5' tall solid wood stockade or panel fence 5' from the property line on the North side, 10' from the property line on the West side and 0' from the property line on the south side, in lieu of the required 20', be and is hereby GRANTED.

The relief granted herein shall be subject to and conditioned upon the following:

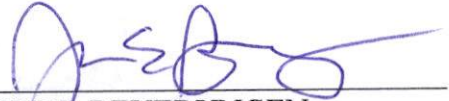
1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order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

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By Sen

2. A maximum of 20 children may be enrolled at the center.
3. Prior to issuance of permits Petitioner must submit for approval by Baltimore County a landscape plan for the site.
4. The child care center may operate only Monday-Friday from 7:00 AM-5:30 PM.

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 12-12-18

By sln



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 8301 Oakleigh Rd which is presently zoned DR 5.5
Deed References: 31380 / 130 10 Digit Tax Account # 0918475520
Property Owner(s) Printed Name(s) Robert Rosiak

(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
see Attached
3. ☒ a Variance from Section(s)
see Attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0105-XA Filing Date 10/3/18

Do Not Schedule Dates: Reviewer RD

ZONING RELIEF REQUEST FOR 8301 OAKLIEGH ROAD

SPECIAL EXCEPTION: Class B Child Care Center for as many as 20 children.

VARIANCE: Section 424.7.A – to permit a lot size of 0.197 acres in lieu of the minimum required 1 acre.

Section 424.7.B – to permit side yard setbacks of +/-5.5 feet and +/-9 feet in lieu of the required 50 feet; and 5 feet and 0 feet side yard vegetable buffer in lieu of the required 20 feet.

Section 424.7.C – to permit a 5-foot rear vegetable buffer in lieu of the required 20 feet.

Section 424.7.E – to permit an impervious surface area of 40% in lieu of the maximum allowed 25%.

Section 1B01.1.B.1.e.(3) – to permit a 5-foot Residential Transition Area in lieu of the required 50 feet.

Section 1B01.1.B.1.e.(5) – to permit a 5-foot setback for a parking lot in lieu of the required 75 feet; and permit a 5-foot buffer in lieu of the required 50 feet.

Section 424.1.B – to permit a 5-foot tall solid wood stockade or panel fence 5 feet from the property line on the north side, 10 feet from the property line on the west side, and 0 feet from the property line on the south side in lieu of the required 20 feet each.

Item #0105

Zoning Description
For
8301 Oakleigh Road

Beginning at the Northeast corner of Oakleigh Road, which is 40 feet wide, and Clearwood Road, which is 40 feet wide. Being Lot 66, in the subdivision of Hillendale Farms, as recorded in Baltimore County Plat Book ~~0197~~ Ac.8, Folio 92, containing 8602 sq.ft. of land. Also known as 8301 Oakleigh Road and located in the 9th Election District, 5th Councilmanic District.

Item #0105

CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Rosiak

December 10, 2018

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

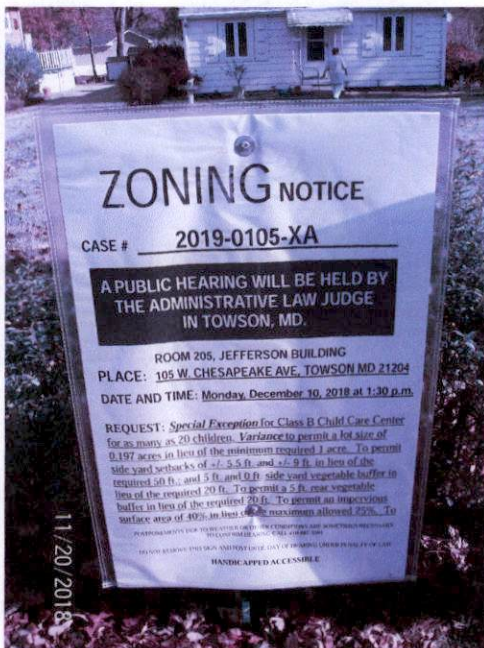
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

8301 Oakleigh Road

SIGN 1

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 November 20, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

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Ladies and Gentlemen:

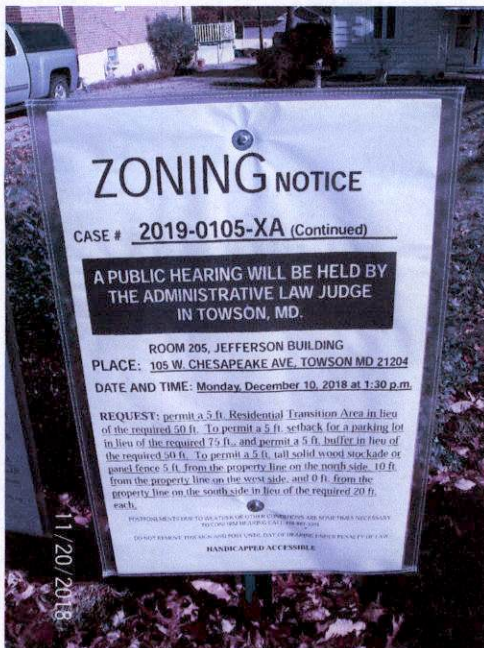
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8301 Oakleigh Road

SIGN 2

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 November 20, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

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Attn: Kristen Lewis:

Ladies and Gentlemen:

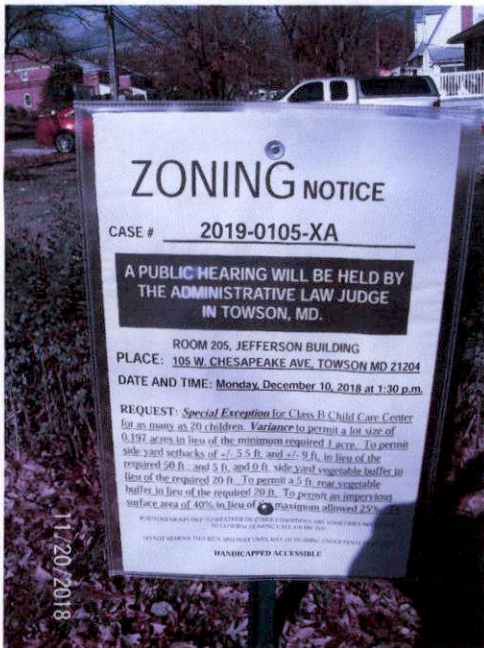
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8301 Oakleigh Road

SIGN 3

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 November 20, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

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(410) 282-7940

(Telephone Number)

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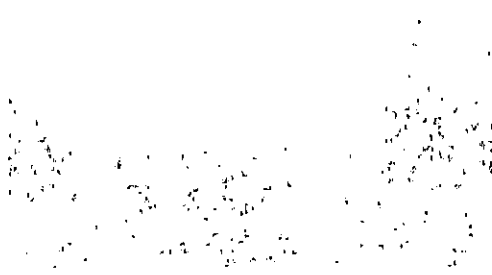
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Ladies and Gentlemen:

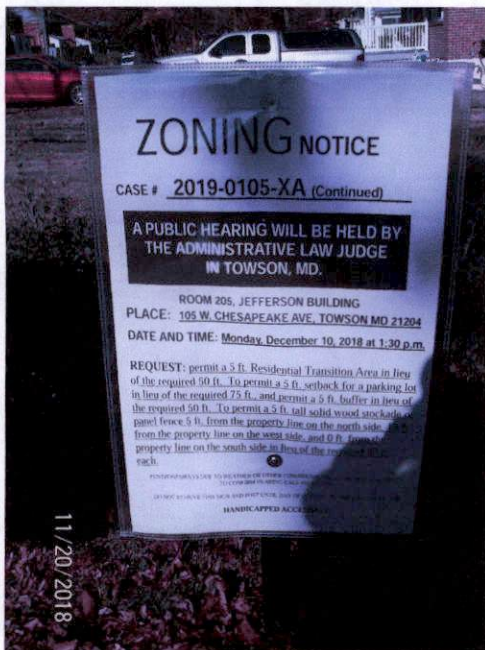
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8301 Oakleigh Road

SIGN 4

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

November 20, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

2. The second part of the paper is devoted to the study of the properties of the function $g(x)$ defined by the equation $g(x) = \int_0^x g(t) dt$. It is shown that $g(x)$ is a constant function, and its value is determined by the initial condition $g(0) = 1$.

3. The third part of the paper is devoted to the study of the properties of the function $h(x)$ defined by the equation $h(x) = \int_0^x h(t) dt$. It is shown that $h(x)$ is a constant function, and its value is determined by the initial condition $h(0) = 1$.

4. The fourth part of the paper is devoted to the study of the properties of the function $i(x)$ defined by the equation $i(x) = \int_0^x i(t) dt$. It is shown that $i(x)$ is a constant function, and its value is determined by the initial condition $i(0) = 1$.

5. The fifth part of the paper is devoted to the study of the properties of the function $j(x)$ defined by the equation $j(x) = \int_0^x j(t) dt$. It is shown that $j(x)$ is a constant function, and its value is determined by the initial condition $j(0) = 1$.

6. The sixth part of the paper is devoted to the study of the properties of the function $k(x)$ defined by the equation $k(x) = \int_0^x k(t) dt$. It is shown that $k(x)$ is a constant function, and its value is determined by the initial condition $k(0) = 1$.

7. The seventh part of the paper is devoted to the study of the properties of the function $l(x)$ defined by the equation $l(x) = \int_0^x l(t) dt$. It is shown that $l(x)$ is a constant function, and its value is determined by the initial condition $l(0) = 1$.

8. The eighth part of the paper is devoted to the study of the properties of the function $m(x)$ defined by the equation $m(x) = \int_0^x m(t) dt$. It is shown that $m(x)$ is a constant function, and its value is determined by the initial condition $m(0) = 1$.

9. The ninth part of the paper is devoted to the study of the properties of the function $n(x)$ defined by the equation $n(x) = \int_0^x n(t) dt$. It is shown that $n(x)$ is a constant function, and its value is determined by the initial condition $n(0) = 1$.

10. The tenth part of the paper is devoted to the study of the properties of the function $o(x)$ defined by the equation $o(x) = \int_0^x o(t) dt$. It is shown that $o(x)$ is a constant function, and its value is determined by the initial condition $o(0) = 1$.

11. The eleventh part of the paper is devoted to the study of the properties of the function $p(x)$ defined by the equation $p(x) = \int_0^x p(t) dt$. It is shown that $p(x)$ is a constant function, and its value is determined by the initial condition $p(0) = 1$.

12. The twelfth part of the paper is devoted to the study of the properties of the function $q(x)$ defined by the equation $q(x) = \int_0^x q(t) dt$. It is shown that $q(x)$ is a constant function, and its value is determined by the initial condition $q(0) = 1$.

13. The thirteenth part of the paper is devoted to the study of the properties of the function $r(x)$ defined by the equation $r(x) = \int_0^x r(t) dt$. It is shown that $r(x)$ is a constant function, and its value is determined by the initial condition $r(0) = 1$.

14. The fourteenth part of the paper is devoted to the study of the properties of the function $s(x)$ defined by the equation $s(x) = \int_0^x s(t) dt$. It is shown that $s(x)$ is a constant function, and its value is determined by the initial condition $s(0) = 1$.

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2019-0105-XA

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Petitioner/Developer: _____

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December 10, 2018

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Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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8301 Oakleigh Road

Group 1

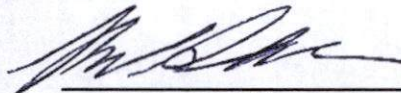
November 20, 2018

The sign(s) were posted on _____

(Month, Day, Year)



Sincerely,



November 20, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

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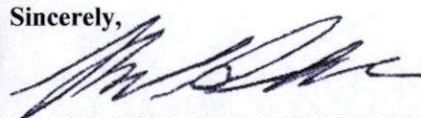
Group 2

November 20, 2018

The sign(s) were posted on _____
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Sincerely,

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(Date)

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(Print Name)

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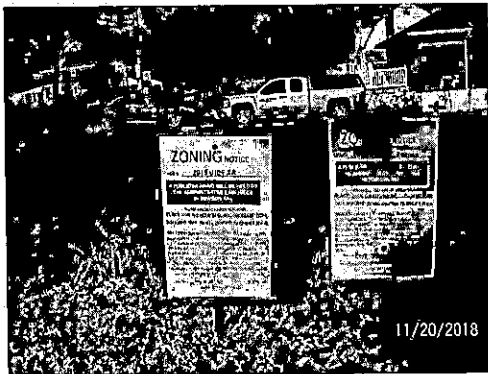
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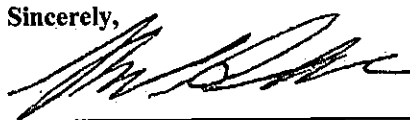
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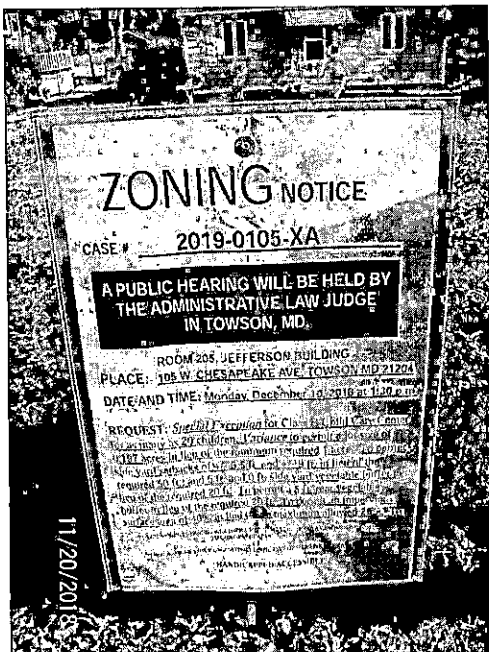
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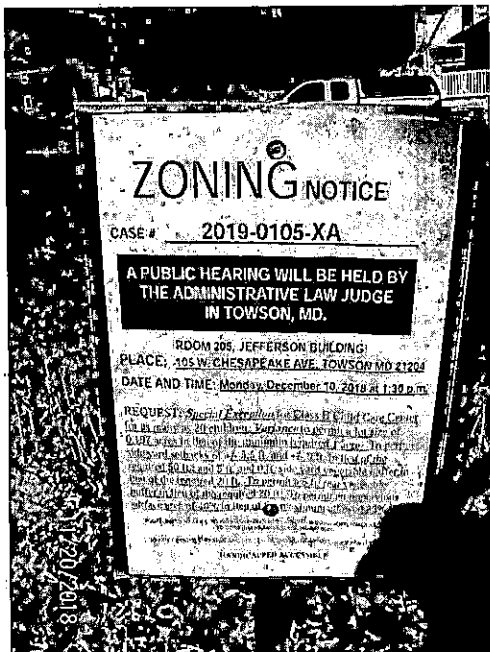
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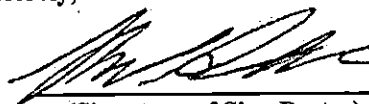
SIGN 3

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

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(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

11/20/2018

Order #: 11643255
Case #: 2019-0105-XA
Description:

NOTICE OF ZONING HEARING CASE NUMBER: 2019-0105-XA



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

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: 2019-0105-XA

8301 Oakleigh Road

NE corner of Oakleigh Road and Clearwood Road

9th Election District - 5th Councilmanic District

Legal Owners: Robert Rosiak

Special Exception for Class B Child Care Center for as many as 20 children.
Variance to permit a lot size of 0.197 acres in lieu of the minimum required 1 acre. To permit side yard setbacks of +/- 5.5 ft. and +/- 9 ft. in lieu of the required 50 ft.; and 5 ft. and 0 ft. side yard vegetable buffer in lieu of the required 20 ft. To permit a 5 ft. rear vegetable buffer in lieu of the required 20 ft. To permit an impervious surface area of 40% in lieu of the maximum allowed 25%. To permit a 5 ft. Residential Transition Area in lieu of the required 50 ft. To permit a 5 ft. setback for a parking lot in lieu of the required 75 ft., and permit a 5 ft. buffer in lieu of the required 50 ft. To permit a 5 ft. tall solid wood stockade or panel fence 5 ft. from the property line on the north side, 10 ft. from the property line on the west side, and 0 ft. from the property line on the south side in lieu of the required 20 ft. each.

Hearing: Monday, December 10, 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 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.

n20



DONALD I. MOHLER III
County Executive

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

October 29, 2018

NOTICE OF ZONING HEARING

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Robert Rosiak, 7914 Aiken Avenue, Baltimore 21234
Brian Dietz, 8119 Oakleigh Road, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 20, 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: THE DAILY RECORD
Tuesday, November 20, 2018 - Issue

Please forward billing to:
Robert Rosiak
7914 Aiken Avenue
Baltimore, MD 21234

443-980-6285

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

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(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
AND VARIANCE *
8301 Oakleigh Road; NE corner of Oakleigh * OF ADMINISTRATIVE
and Clearwood Roads *
9th Election & 5th Councilmanic Districts * HEARINGS FOR
Legal Owner(s): Robert Rosiak *
Petitioner(s) * BALTIMORE COUNTY
* 2019-105-XA

* * * * *

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

OCT 24 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 24th day of October, 2018, a copy of the foregoing Entry of Appearance was mailed to Brian Dietz, 8119 Oakleigh Road, Parkville, Maryland 21234, 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/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: 2019-0105-XA
Property Address: 8301 Oakleigh Rd
Property Description: northeast corner of Oakleigh Rd and
Clearwood Rd
Legal Owners (Petitioners): Robert Rosiak
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Robert Rosiak
Company/Firm (if applicable): _____
Address: 7914 Aiken Avenue
Baltimore, MD 21234

Telephone Number: 443-980-6285

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

No. **176254**

PAID RECEIPT

Date: **10/3/18** BUSINESS ACTUAL TIME DRW
 10/04/2018 10/03/2018 09:39:12 1

REC NCR1 WALKIN, LJR

>>RECEIPT # B14943 10/03/2018 OFLN

Dept 5 528 ZONING VERIFICATION

Amount 176254

Recpt Tot \$1,000.00

\$1,000.00 CK \$0.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$1000

Total: **\$1000**

Rec From:

For:

Zoning Hearing - Case # 2019-0105-XA

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



December 6, 2018

JOHN A. OLSZEWSKI, JR.
County Executive

Robert Rosiak
7914 Aikin Ave.
Lutherville, MD 21093

DIRECTOR
*Department of Permits,
Approvals & Inspections*

Dear Mr. Rosiak.:

RE: Case Number: 2019-0105XA, Address: 8301 Oakleigh Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 3, 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 dark ink, appearing to read "W. Carl Richards, Jr.", is written over a circular stamp that contains the same name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Brian Dietz 8119 Oakleigh Rd. Baltimore, MD 21234

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 10/22/18

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. 2019-0105-XA

Variance, Special Exception
Robert Rosiak
8301 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

12-10

RECEIVED
NOV 21 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: 11/19/2018

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-105

INFORMATION:

Property Address: 8301 Oakleigh Road
Petitioner: Robert Rosiak
Zoning: DR 5.5
Requested Action: Special Exception, Variance

The Department of Planning has reviewed the petition a special exception for a Class B Child Care Center (20 children) and the petition for variance for zoning relief as listed on the attachment submitted in support of the petition.

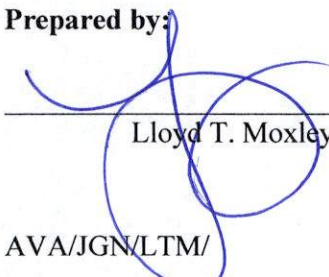
A site visit was conducted on 11/8/2018.

The Department objects to granting the petitioned zoning relief.

The proposal provides less than 20% of the minimum required area needed to establish the use. This substantial lack of area precipitates the extensive variance relief needed and precludes any viable buffers between the child care center and adjacent established residential uses to mitigate the impacts of the proposed use. The solid stockade style fence proposed to be located in the front yard and adjacent to the public right of way is not typical to the neighborhood and cannot integrate in the residential setting. For these reasons the proposal does not rise to the spirit and intent of BZCR§502.1.

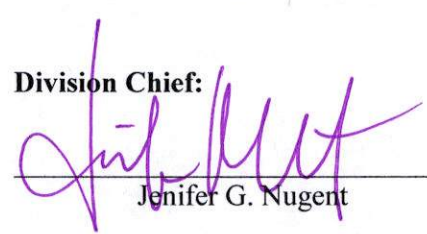
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Laurie Hay
Brian Dietz, Dietz Surveying, Co.
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: October 25, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0105-XA
Address 8301 Oakleigh Road
(Rosiak Property)

Zoning Advisory Committee Meeting of **October 29, 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 Correspondence



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DONALD I. MOHLER III
County Executive

ARNOLD JABLON
Deputy Administrative Officer,
Director, Department of Permits,
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October 29, 2018

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Arnold Jablon
Director

AJ:kl

C: Robert Rosiak, 7914 Aiken Avenue, Baltimore 21234
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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 29, 2018
Item No. 2019-0105-XA

DATE: November 8, 2018

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments

If Zoning Relief is granted a Landscape Plan is required, per the requirements of the Landscape Manual. A Lighting Plan is also required.

* * * * *

VKD: cen
cc: file



December 6, 2018

JOHN A. OLSZEWSKI, JR.
County Executive

Robert Rosiak
7914 Aikin Ave.
Lutherville, MD 21093

DIRECTOR
*Department of Permits,
Approvals & Inspections*

Dear Mr. Rosiak.:

RE: Case Number: 2019-0105XA, Address: 8301 Oakleigh Rd.

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If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: MTC

Enclosures

c: People's Counsel
Brian Dietz 8119 Oakleigh Rd. Baltimore, MD 21234

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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Department of Permits, Approvals
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BALTIMORE COUNTY, MARYLAND

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TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
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Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
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Lt. Governor
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*Variance, Special Exception
Robert Rosiak
8301 Oakleigh Road.*

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Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

CASE NAME _____
CASE NUMBER 2019-0105-XA
DATE _____

NAME	ADDRESS	CITY, STATE, ZIP	E - MAIL
------	---------	------------------	----------

[illegible]

CASE NAME

DATE _____

2019-0105

12/10/2018

E - MAIL

[illegible]

To Whom It May Concern,

I am writing this letter out of support for my son's present daycare" The Bright Star Early Learning Center".

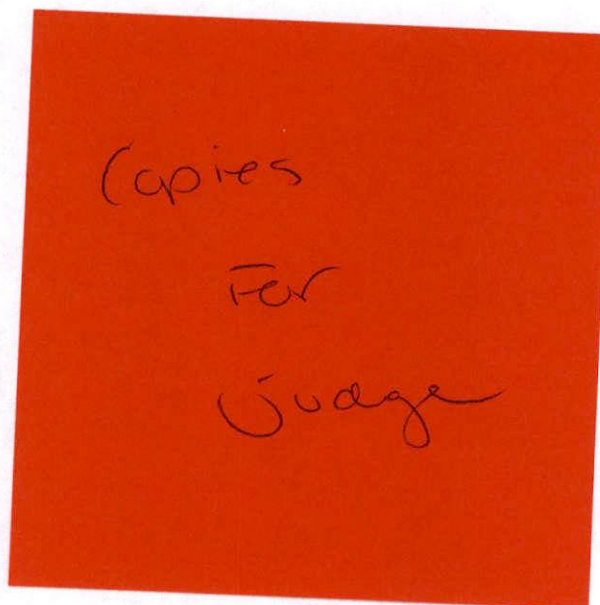
As a small family who has moved out of state a few times I can tell you personally that it can be quite stressful and unnerving leaving your child with a complete stranger. Hoping that they will treat your child with the same love and care he receives at home. From the moment we walked in to the daycare we already felt a sense of relief. They were welcoming and my child was already giving me a hard time that he didn't want to leave.

I would hope that other parents in the community would be able to feel the same way I did. By expanding there center it would allow more parents to feel that way. A sense of security knowing that their children are safe, well fed, and loved the way I know my son is.

They truly are meant to be caretakers for "our little ones" I hope that you will see this too.

Sincerely,

John and Kelly Schuler



12/03/2018

To Whom It May Concern,

I am writing this letter to give Bright Star Early Learning LLC a glowing recommendation. During my search for day cares I came across many that were sub-par. I wanted a day care where I could be at work and not worry about the care for my daughter. Bright Star Early Learning LLC is dedicated to giving excellent care to their kids.

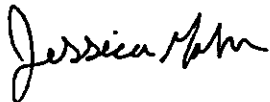
My daughter attends this day care 5 days a week since she was 6 months old and is very happy when I drop her off. We are notified of all her meals and she does fun crafts for every holiday that she really enjoys. When I have a new baby in January 2019 I will be enrolling him or her in this day care when they are 3 months old and hope they enjoy it just as much as my first child has.

When I find a good day care center like this one, I want nothing more than for them to grow and give more opportunity for other children to experience excellent care. That is why I highly recommend them to move their location and expand into a unique center.

Please feel free to contact me with any questions about this recommendation.

Thank you,

Jessica Mohr

A handwritten signature in black ink that reads "Jessica Mohr". The signature is written in a cursive style with a large, stylized 'J' and 'M'.

410-446-9167

Jessicamohr514@gmail.com

December 3, 2018

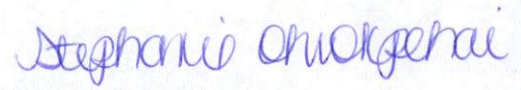
To Whom It May Concern,

As a parent, the process of finding childcare can be very stressful. You want a safe and loving environment, but have to factor in cost, safety, location, and hours. Once you find a center that meets all of your needs, you have to think about the way that daycare differs from home. For us, having a child at Brightstar Early Learning Center (BELC), there is no difference. BELC is a continuation of our daughter's home.

As a household with two parents who work full time, we feel the guilt of leaving our child for 8 or more hours a day, but our guilt is reduced knowing that she is in a safe and nurturing home-like environment. Our 9 month old is provided with structure, learning opportunities and social skills opportunities in a home-like environment.

As someone who has worked in the field of education for over ten years, I have seen firsthand the importance of a stable home environment on the success of our youth. With BELC, they are a continuation of our home environment. They create a loving and safe home away from home, which I am hopeful will lead to a successful and happy life for our child.

I am hopeful that the success of BELC can continue and they are able to grow, while continuing to provide an amazing setting for our daughter that is not different from her home environment. You do not find a place like BELC every day and the staff is absolutely amazing. We are hopeful that the plans and dreams that they have developed for growth are approved and that they can move forward with continuing to provide the absolute best care for my daughter in a new and exciting environment.



Stephanie Ohiokpehai

December 3, 2018

My name is Kathleen Crawford and my two children (Abbigail, 5 and Greyson, 3) attend Bright Star Early Learning. Since starting with this program my children have blossomed socially and academically and thrive in the care of their teachers, Elizabeth Rosiak, Angela Robinette and Trish Bona. These women care for my children on a level like no other. I am excited to see the program grow while maintaining the unique home-like atmosphere that all parents strive for. The program and its teachers are an absolute asset to the families within the community and I cannot wait to see them succeed in their new adventures.

Kathleen Crawford



To Whom it May Concern,

My daughter Brianna Allen started with Bright Star Early Learning a year ago. She is on continuous g-tube feeds as well as still in diapers at the age of 5 due to short bowel syndrome, we struggled to find a daycare that would take her for that reason alone. Betsy and Angel along with the other Bright Star employees no questions asked welcomed her into their center. Brianna has made many new friends at daycare, we are even able to have her very 1st birthday party and invite friends due to daycare! Id love to see the center expand and excited to see the new friends and things Brianna learns! Brianna loves all her daycare teachers and friends and I think it will be very beneficial to her development if they were able to expand. I fully trust Betsy and her other care takers with Brianna, she is always coming home with arts and crafts projects, pictures and goodies, I can't wait to see what they have in store. Any questions or concerns you can contact me at 443.207.1604.


Amanda Lafferty

December 6, 2018

To whom it may concern:

It took me a very long time to find a daycare center I had full confidence in leaving my daughter with. My daughter has been at Bright Star Early Learning since June of 2018 after leaving another center due to safety concerns (not an in-home center). The Bright Star staff immediately welcomed us in, listened to my concerns and have been above and beyond anything I could have imagined.

The first time we stopped at Bright Star Early Learning, I admit, I was a bit hesitant on the "in-home" daycare. As soon as we walked in, my daughter took off and started showing herself around. The comfort and ease she felt on her first experience there, was a relief for me. Their unique set-up gave off a homey, cozy vibe; super clean with lots of colors, numbers, letters and furry friends. Totally different than the standard preschool and daycare classrooms with hard floors, minimally decorated walls and a not so welcoming feel that I had also visited. After speaking with Betsy and Angel, I got the feeling that my child wouldn't be another kid in the classroom, but instead, part of an extended family.

From day 1, Betsy, Angel and Trish, have put my daughters emotional, social and physical wellness first. They are so in-tune with my child's personality and are the first to let me know if something was out of character for her. When my daughter has been out with any illnesses, they are always checking in to see how she's doing, even on the weekends.

From my experiences, it is very hard to find a group of people who are willing to open their home and hearts to your little one and think of your child outside of the 8a-5p business hours. The respect for how I parent my child and accommodations they have made for us has been phenomenal. I wholeheartedly believe that Bright Star Early Learning Center moving to a larger center, will only benefit more families in the community and I truly hope they are able to welcome more families in, as they have welcomed us.

Sincerely,

Katrina Perfidio

(mom to current 3yr old enrolled at Bright Star Early Learning)



Sincerely
Destin Horner

Thank you for your time

Dear Your Honor or whom it may concern, Hi my name is Destin Horner
an my daughter Mila has been going
to Bright Star Early Learning for
about a year now. Bright Star-EL
has been nothing but the best,
the staff is great, my daughter
loves all the staff, and going to
Daycare. When I drop mild off
I know she is in good hands.
They have activities every day. But it
would be awesome to see Bright Star-EL
grow into a unique center with more
space for activities with that home
like feel.

December 3, 2018

To Whom It May Concern:

Please accept this letter as a recommendation for Bright Star Early Learning daycare facility. The daycare provides a unique setting since it's "larger" in size when compared to most in-home centers, but still maintains that small, family, home-like atmosphere that so many parents desire when choosing a daycare facility. That atmosphere is not easy to find in a larger commercial center. I'd love to see them grow in this same capacity so they can offer something unique to the community.

My daughter (6) and son (2) attended Bright Star for one year and we only left due to our family moving. Otherwise, we would have stayed as long as possible. Betsy and her staff go above and beyond to meet the individual needs of each child in their care and treat them as their own. The team maintains open communication with parents and never allows situations that needs addressed to go unnoticed. They work collaboratively with parents to meet each child where they are. They were informative with the "Ages and Stages" Questionnaire completion and review with parents to help identify any needs the child may have.

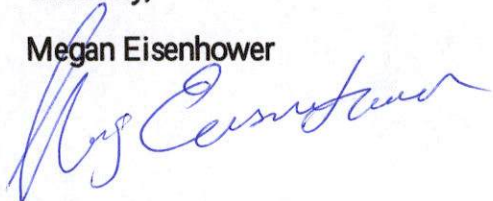
My daughter has a few special needs and they require a unique approach in learning and care. Betsy and her team never wavered in giving her what she needed and making her feel welcome in the Bright Star family. They learned sign language and posted a few regularly used signs through the center. They created a sight board for her to use and it was specific to the goals and objectives in her IEP. They truly worked tirelessly to help give her the best environment from a learning perspective.

They are diligent in maintaining a clean, safe environment for the children they serve. They provide all meals and snacks for children. This is not offered by all centers and I found this extremely valuable and helpful. It only adds to the overall benefit of their center.

I'd highly recommend anyone to send their child to Bright Star and have the privilege of being cared for by Betsy and her team. The type of care and atmosphere they provide are not easily found and something to be treasured!

Sincerely,

Megan Eisenhower



December 5, 2018

To Whom it May Concern/Presiding Official

My name is Casey Allen and I am a friend and a parent of a child that currently attends the Bright Star Daycare. I am writing to advocate for the petition to grant the special exception and variance for 8301 Oakleigh Road.

My child has been attending Bright Star for over a year now and it has been one of the most educational, bonding, and secure environments my child or I have experienced. As it is, Bright Star serves the purpose of daycare provider, but it is so much more. Betsy and her team are welcoming and committed to offering the children a home-like safe surrounding. I know I can trust them with my most precious element of my life, my child. Bright Star isn't just a daycare/childcare provider, it is and becomes a part of our lives, my child and my own. The nature of Bright Side envelopes the child and the family and becomes an integral part of our every day.

My child has special needs and as a parent of such a child one must seek out not only someone who is willing to provide those extra little things but also someone who is capable of offering that special care with the same adeptness as I would. Instantly upon meeting them and continually thereafter, the team at Bright Star gave me great comfort, because I knew my child would get the same type of care that she would receive at home.

I think that might be one of the best aspects of their approach to the daycare experience for the child and parent. They get you involved and stay involved in all the nuances of day-to-day growth and change a child goes through. In step with this intimacy, the staff at Bright Star have become family and of course friends.

I advocate in favor of granting this change, because I know that this will be just another continuance of what they are offering my child currently. They will take great care in maintaining and integrating the daycare into the neighborhood. They will be involved in the neighborhood and taking those extra steps to make sure everyone is welcome there.

Warmest Regards



Casey Allen
Parent, Friend, Resident of Parkville

PETITION

Parents

To have Baltimore County approve the special acceptations and vacancies requests that would allow Bright Star Early Learning, LLC to conduct business for a daycare center for no more than 20 children at 8301 Oakleigh Road, Baltimore, MD 21234.

NAME		RESIDENCE	DATE/COUNTY
SIGN 1 <i>Jessica Mohr</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 13220 Long Green Pike	DATE OF SIGNING 12/5/18	
PRINT Jessica Mohr	CITY OR TOWN Hydes md 21082	COUNTY OF REGISTRATION Baltimore	
SIGN 2 <i>Stephonie Onikpenhai</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 11205A Greenspring Ave	DATE OF SIGNING 12/5/2018	
PRINT Stephonie Onikpenhai	CITY OR TOWN Lutherville MD 21093	COUNTY OF REGISTRATION Baltimore	
SIGN 3 <i>Kathleen Crawford</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 7802 Bagley Ave	DATE OF SIGNING 12/5/18	
PRINT Kathleen Crawford	CITY OR TOWN Parkville MD 21234	COUNTY OF REGISTRATION Baltimore	
SIGN 4 <i>Casey Allen</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1832 Darrich Drive	DATE OF SIGNING 12/5/18	
PRINT Casey Allen	CITY OR TOWN Parkville MD 21234	COUNTY OF REGISTRATION Baltimore	
SIGN 5 <i>Kelly Schuler</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1701 Pokoma Dr Apt #7	DATE OF SIGNING 12/5/18	
PRINT Kelly Schuler	CITY OR TOWN Pikesville, MD 21208	COUNTY OF REGISTRATION Baltimore	
SIGN 6 <i>Destany Abrams</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER Parkville, MD	DATE OF SIGNING 12-5-18	
PRINT Destany Abrams	CITY OR TOWN	COUNTY OF REGISTRATION Baltimore	
SIGN 7 <i>Angela Robinette</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 8319 Nunley Dr F.	DATE OF SIGNING 12-5-18	
PRINT Angela Robinette	CITY OR TOWN Parkville, MD 21234	COUNTY OF REGISTRATION Baltimore	
SIGN 8 <i>Patricia Bona</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 3805 Rolling Way	DATE OF SIGNING 12-5-18	
PRINT Patricia Bona	CITY OR TOWN Nottingham, MD 21236	COUNTY OF REGISTRATION Baltimore	
SIGN 9 <i>John Schuler</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 1701 Pokoma Dr. #7	DATE OF SIGNING 12-5-18	
PRINT John Schuler	CITY OR TOWN Pikesville MD 21208	COUNTY OF REGISTRATION Baltimore	
SIGN 10 <i>Cathy Torres</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 28 Stoneway Pl	DATE OF SIGNING 12-5-18	
PRINT Cathy Torres	CITY OR TOWN Nottingham	COUNTY OF REGISTRATION Baltimore	
SIGN 11 <i>Amanda Rafferty</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 3133 Hills Avenue	DATE OF SIGNING 12/5/18	
PRINT Amanda Rafferty	CITY OR TOWN Parkville	COUNTY OF REGISTRATION Baltimore	
SIGN 12 <i>Jeff Mohr</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 13220 Long Green Pike	DATE OF SIGNING 12/5/18	
PRINT Jeff Mohr	CITY OR TOWN Hydes md 21082	COUNTY OF REGISTRATION Baltimore	
SIGN 13 <i>Dustin Hart</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER 9257 Bellbeck RD	DATE OF SIGNING 12-5-18	
PRINT Dustin Hart	CITY OR TOWN Balt. MD 21234	COUNTY OF REGISTRATION Baltimore	
SIGN 14 <i>Tyler Orders</i>	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER Parkville, MD	DATE OF SIGNING 12-5-18	
PRINT Tyler Orders	CITY OR TOWN	COUNTY OF REGISTRATION Baltimore	
SIGN 15	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING	
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION	

SIGN 16 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 17 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 18 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 19 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 20 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION

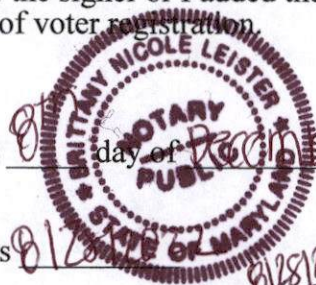
VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Elizabeth Rosiak 7914 Aiken Ave Baltimore MD
 Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this
(Seal)



My Commission Expires

Form Revised 2000 - 5:02:08:02

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

Benefits for the community are as follows:

- Economic Growth
- We participate in Maryland Excels (childcare subsidy) Allowing parents to get back in the work force.
- We accept children of all abilities
- We will be able to provide jobs for the community
- We will be able to increase property values
- Provide a safe nurturing home away from home for our community's children

PETITION

Neighbors

To have Baltimore County approve the special acceptations and vacancies requests that would allow Bright Star Early Learning, LLC to conduct business for a daycare center for no more than 20 children at 8301 Oakleigh Road, Baltimore, MD 21234.

443-506-9341

SIGN	NAME	RESIDENCE	DATE/COUNTY
1	<i>Michael Mahala</i> Michael Mahala	<i>1809 Clearwood Rd</i> PARKVILLE MD 21234	<i>12/4/18</i> BALTO MD
2	<i>Boyle Plantholt</i> Boyle Plantholt	<i>8303 OAKLEIGH Rd</i> PARKVILLE MD 21234	<i>12/4/18</i> BALTO MD
3	<i>Louis J. Hladky</i> LOUIS J. HLADKY	<i>8300 OAKLEIGH Rd</i> PARKVILLE MD 21234	<i>12/4/18</i> BALTO MD
4	<i>CAROLE ANTENZIO</i> CAROLE ANTENZIO	<i>1815 CLEARWOOD RD</i> PARKVILLE, MD	<i>12/6/18</i> BALTIMORE
5	<i>Andrew</i> ANDREW	<i>1819 Clearwood Road</i> PARKVILLE MD 21234	<i>12/6/18</i> BALTIMORE
6	<i>Bruce Wallis</i> BRUCE WALLIS	<i>1820 CLEARWOOD RD</i> PARKVILLE, MD 21234	<i>12/6/18</i> BALTIMORE
7			
8			
9			
10			
11			
12			
13			
14			
15			

SIGN 16 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 17 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 18 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 19 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION
SIGN 20 PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER CITY OR TOWN	DATE OF SIGNING COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section **must** be completed following circulation and before filing.

Robert Rosiak 7914 Aikell Ave Baltimore Md
 Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this _____ day of _____, 2018
 (Seal)

My Commission Expires _____



[Signature]
 Signature of Circulator

Bethany Yusta
 Signature of Officer Administering Oath

Notary Public
 Title of Officer Administering Oath

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
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- We participate in Maryland Excels (childcare subsidy) Allowing parents to get back in the work force.
- We accept children of all abilities
- We will be able to provide jobs for the community
- We will be able to increase property values
- Provide a safe nurturing home away from home for our community's children
- We are looking to have a unique daycare center more like home.

JB 12-10-18
1:30 pm

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, December 09, 2018 8:40 PM
To: Administrative Hearings
Subject: Recertification's For 2019-0105-XA AND 2019-0118-A
Attachments: Re-Cert 1 2019-0105-XA.doc; Re-Cert 2 2019-0105-XA.doc; Re-Cert 3 2019-0105-XA.doc; Re-Cert 4 2019-0105-XA.doc; Re-Cert 2019-0105-XA Groups 1 & 2.doc; Re-Cert 1 2019-0118-A.doc; Re-Cert 2 2019-0118-A.doc

Recertification's for 8301 Oakleigh Road and 5 Glider Drive



CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Rosiak

December 10, 2018

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

8301 Oakleigh Road

SIGN 1 Recertification

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 December 7, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

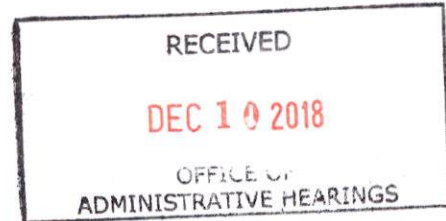
Robert Rosiak

December 10, 2018

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:



Ladies and Gentlemen:

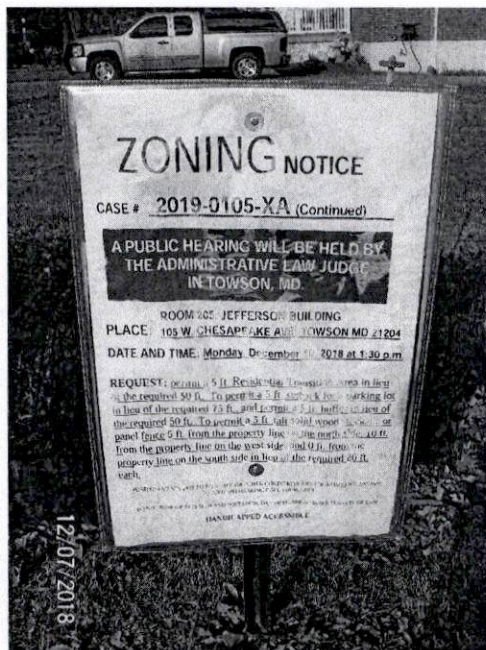
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8301 Oakleigh Road

SIGN 2 Recertification

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,


(Signature of Sign Poster)

December 7, 2018

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Rosiak

December 10, 2018

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

8301 Oakleigh Road

SIGN 3 Recertification

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

December 7, 2018

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

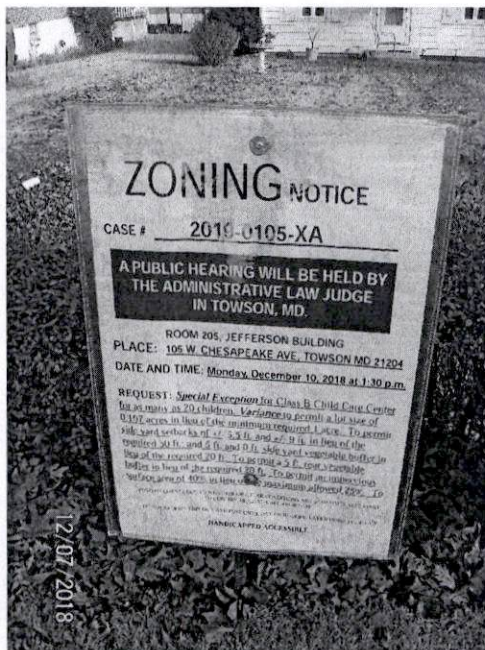
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Rosiak

December 10, 2018

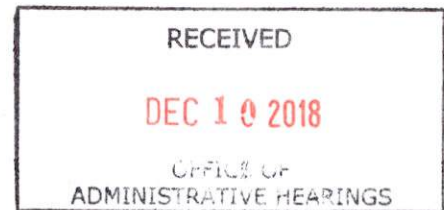
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

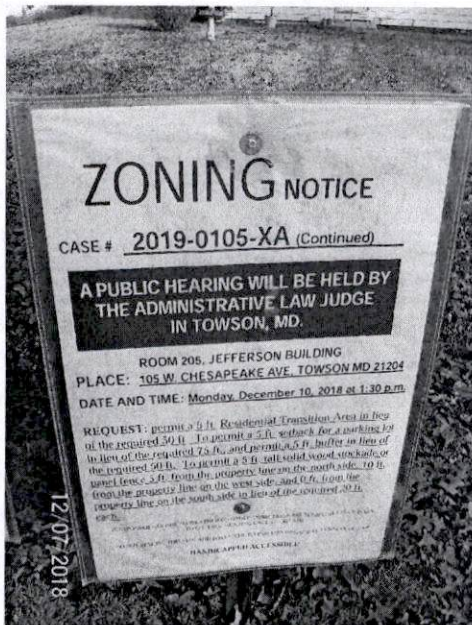


8301 Oakleigh Road

SIGN 4 Recertification

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

 December 7, 2018
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0105-XA

RE: Case No.: _____

Petitioner/Developer: _____

Robert Rosiak

December 10, 2018

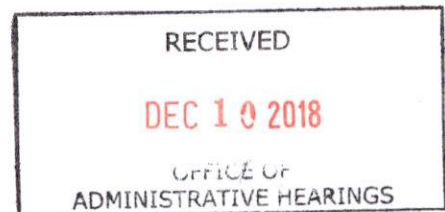
Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

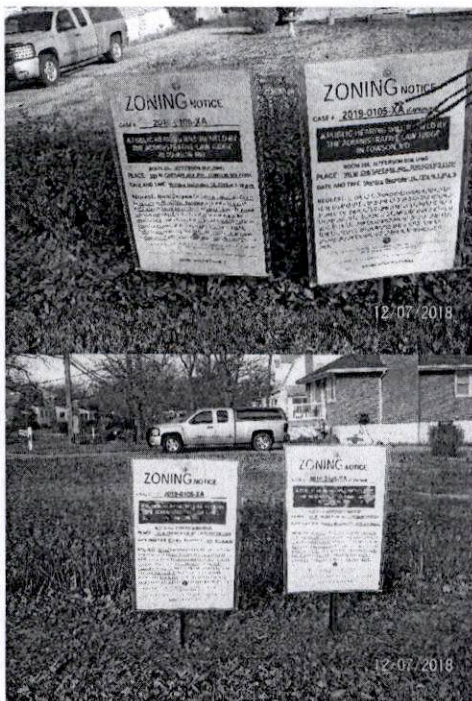
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____



8301 Oakleigh Road **Recertification Groups 1 & 2**

November 20, 2018

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

December 7, 2018

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment11/8DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment10/25DEPS
(if not received, date e-mail sent _____)N/C11/21FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)Comment - Objects10/22STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERINGNo Objection11/21

COMMUNITY ASSOCIATION

10/22

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 11/20/18SIGN POSTING (1st) Date: 11/20/18by SSG BlackSIGN POSTING (2nd) Date: 12/7/18by SSG BlackPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

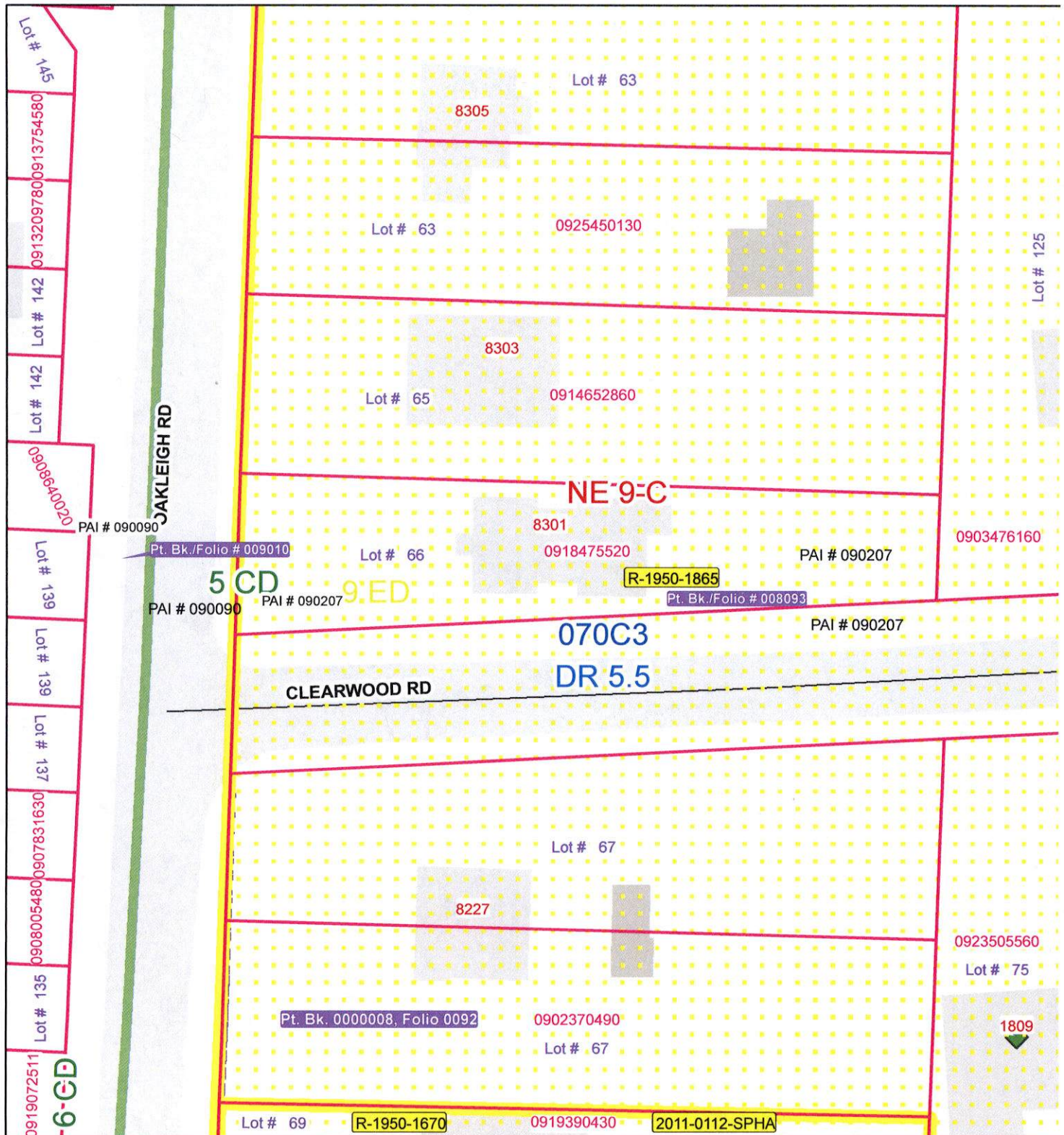
Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Account Identifier:			District - 09 Account Number - 0918475520							
Owner Information										
Owner Name:		8301 OAKLEIGH ROAD LLC			Use:		RESIDENTIAL			
Mailing Address:		7914 AIKEN AVE BALTIMORE MD 21234-			Principal Residence:		NO			
					Deed Reference:		/40654/ 00192			
Location & Structure Information										
Premises Address:		8301 OAKLEIGH RD BALTIMORE 21234-3801			Legal Description:		8301 OAKLEIGH RD HILLENDALE FARMS			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0070	0018	0719		0000			66	2017		
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use		
1943		1,254 SF				8,400 SF		04		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
1	YES	STANDARD UNIT	SIDING	1 full						
Value Information										
			Base Value		Value		Phase-In Assessments			
					As of		As of			
					01/01/2017		07/01/2018			
							As of			
							07/01/2019			
Land:		68,400		68,400						
Improvements		78,500		100,800						
Total:		146,900		189,200		161,767		169,200		
Preferential Land:		0						0		
Transfer Information										
Seller: ROSIAK ROBERT RAYMOND				Date: 09/11/2018			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /40654/ 00192			Deed2:			
Seller: ROSIAK MARY L				Date: 11/09/2011			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /31380/ 00130			Deed2:			
Seller: ROSIAK CHARLES R				Date: 11/21/2006			Price: \$0			
Type: NON-ARMS LENGTH OTHER				Deed1: /24802/ 00353			Deed2:			
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:			Special Tax Recapture:							
Exempt Class:			NONE							
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application										
Date:										

8301 Oakleigh Road, Tax #09-18-475-520



Publication Date: 10/3/2018



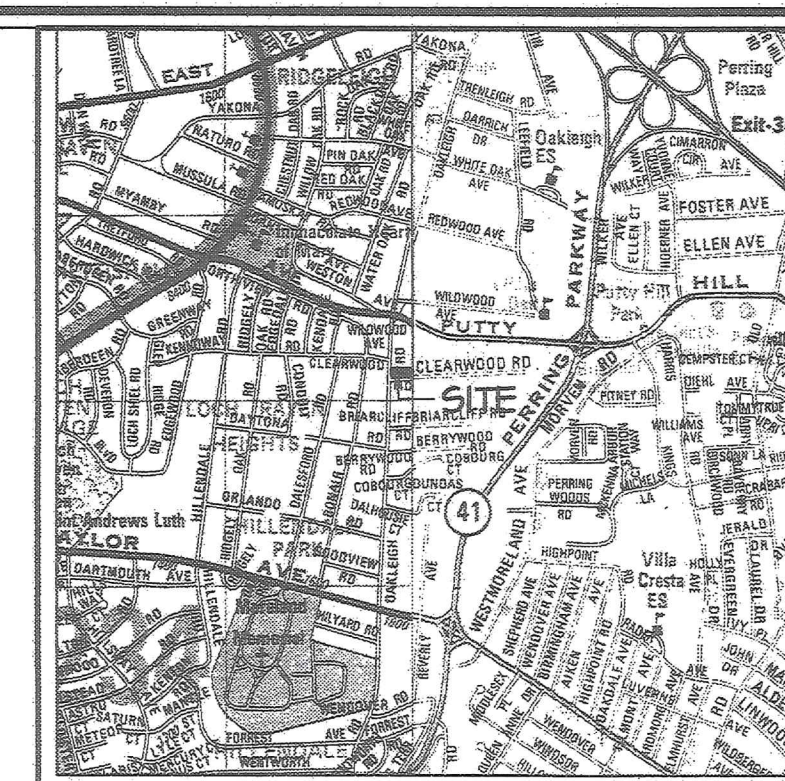
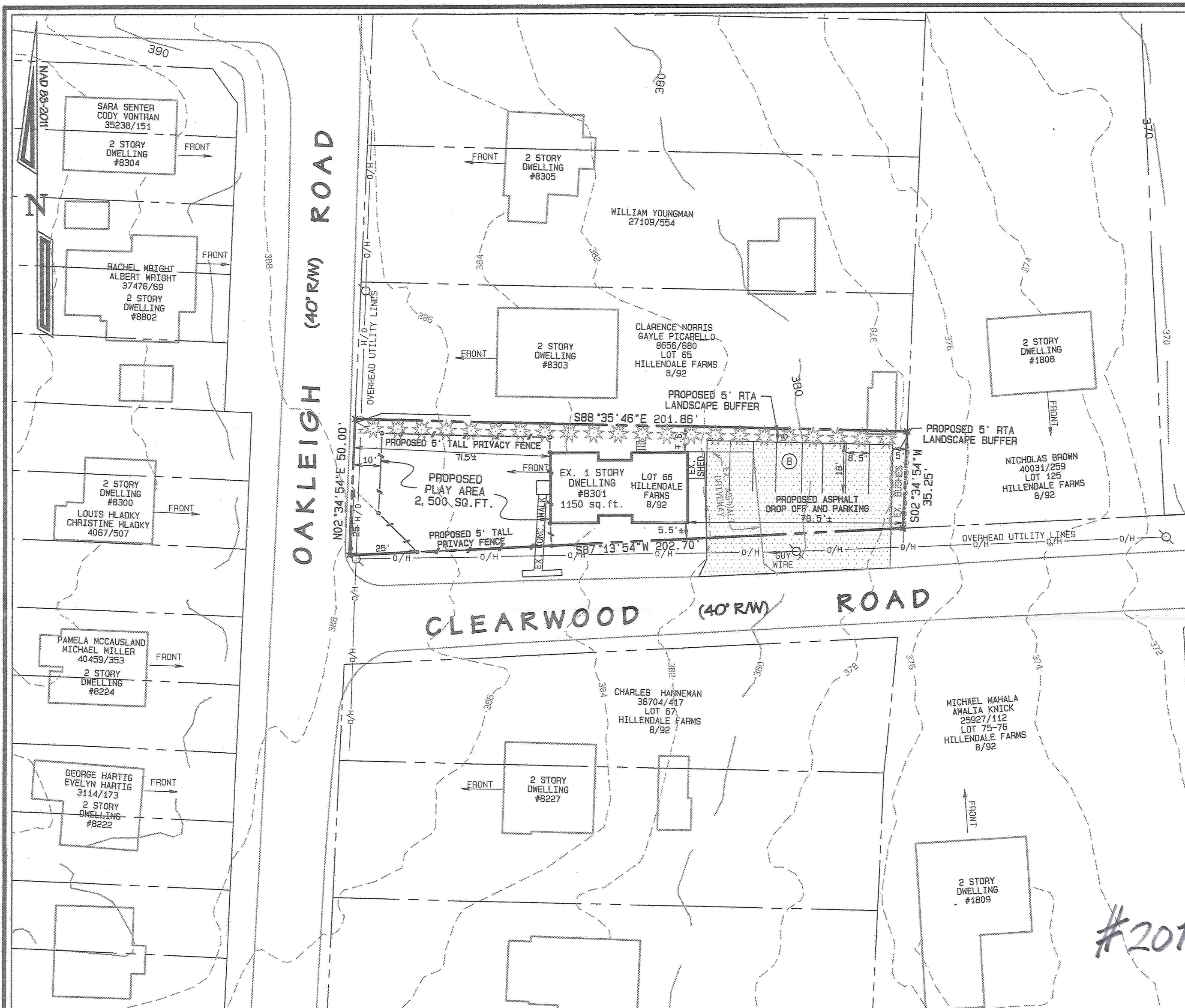
Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 10 20 40 60 80 Feet

1 inch = 40 feet

Item #0105



Vicinity Map

Scale: 1" = 2000'

Notes

1. Owner: Robert Rosiak
8301 Oakleigh Road
Baltimore MD. 21234
2. Zoned: DR-5.5
3. Area: 8602 sq.ft. or 0.197 Ac. +/-
4. This site is not in the Chesapeake Bay Critical Area.
5. This site is not in the 100 year flood plain.
6. There are no underground fuel tanks.
7. This is not a historic property/building.
8. This site is serviced by public sewer and water.
9. No prior Zoning Hearings.

Plat to Accompany a Petition for a Special Exception and Variance for a Class B Child Care Facility ROSIAK PROPERTY

8301 Oakleigh Road
Baltimore County, Maryland

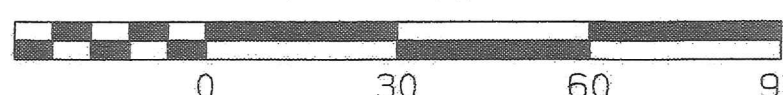
9th Election District 5th Councilmanic District
Scale: 1"=30' Date: August 13, 2018

CLASS B CHILD CARE NOTES

1. NUMBER OF EMPLOYEES: 2
2. NUMBER OF CHILDREN TO BE ENROLLED: 20
3. HOURS OF OPERATION: 7 am to 5 pm
4. ESTIMATED AMOUNT OF TRAFFIC: 15
5. EXISTING FLOOR AREAS: 1st FLOOR 1,150 sq.ft.

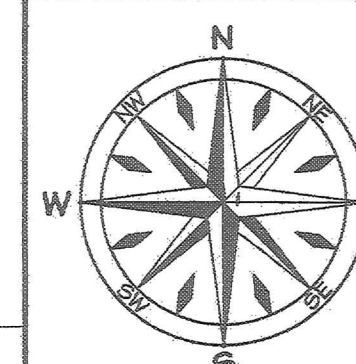
GRAPHIC SCALE

1"=30'



Revisions

Date



Dietz Surveying, Co.

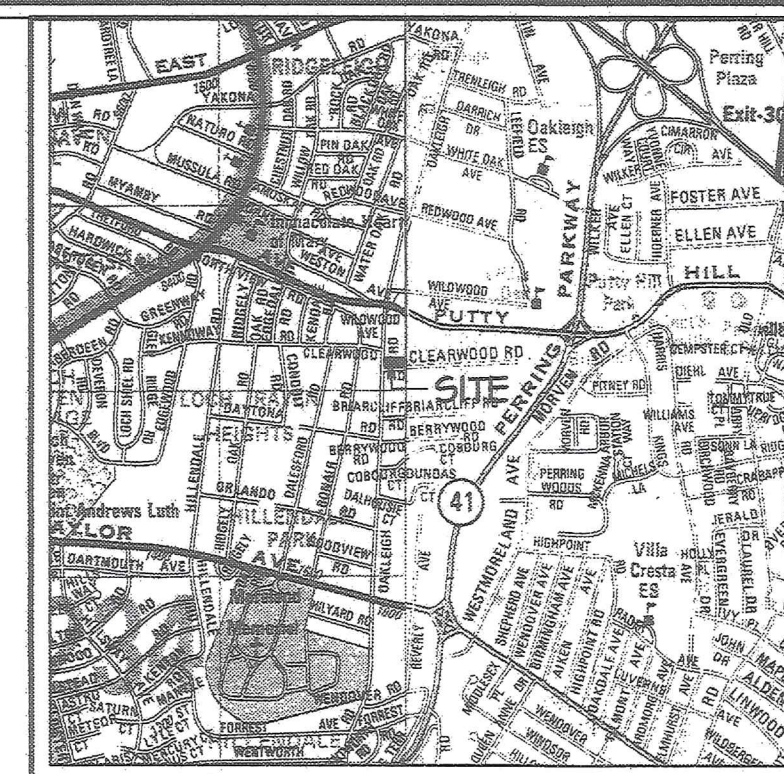
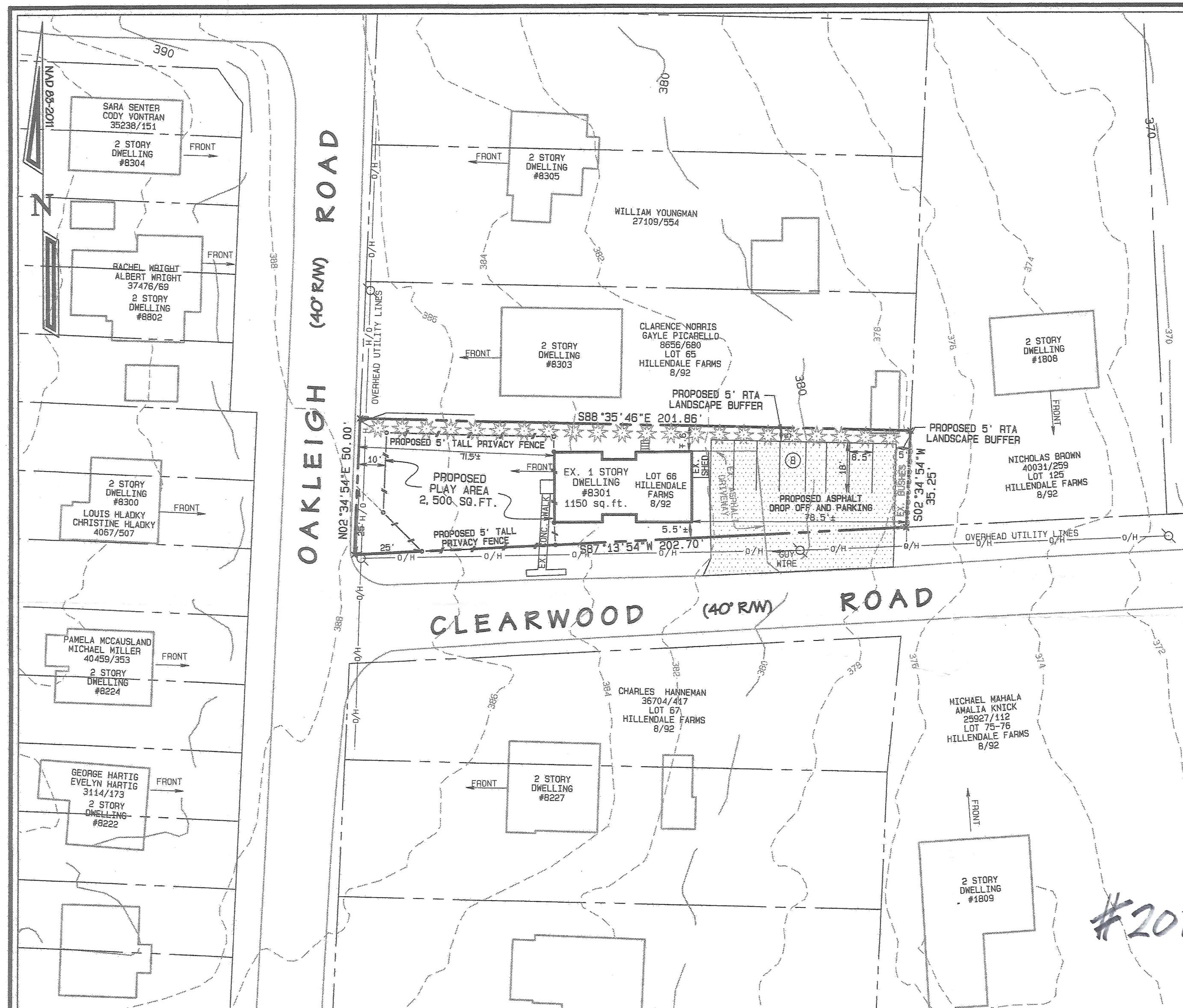
Land Surveying and Land Planning

8119 Oakleigh Road Baltimore MD 21234
Ph 410-661-3160, Fax 410-661-3163
www.dietzsveying.com

Plot Date: 10/2/2018

Job No. 18150

File Name: J:\Oakleigh Rd 8301\Oakleigh Rd 8301.prd



Vicinity Map

Scale: 1" = 2000'

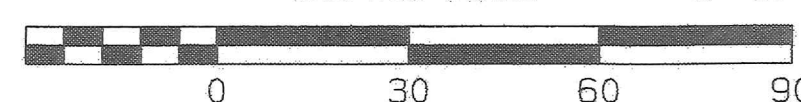
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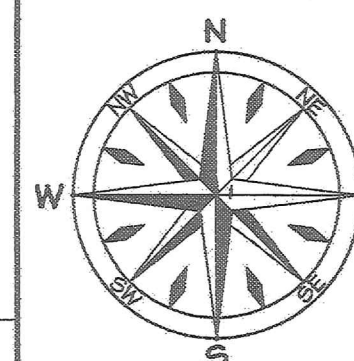
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Baltimore County, Maryland

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PET. EX. 1