

M E M O R A N D U M

DATE: April 21, 2021
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0255-SPHA – Appeal Period Expired

The appeal period for the above-referenced cases expired on April 17, 2021. 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.'

/dlw

c: Case File
Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(9917 Liberty Road) *

2nd Election District *

4th Council District *

The Comforts of Home LLC *

Legal Owner

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Petitioner

Case No. 2020-0255-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 The Comforts of Home LLC, Legal Owner (“Petitioner”) for the property at 9917 Liberty Rd., Randallstown (the “Property”). The Special Hearing requests:

- (1) To approve the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility (“ALF”) II.
- (2) To determine whether the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing is exempt from the requirements of the Baltimore County Zoning Regulations (“BCZR”) § 1B01.1.B.1.A through E by virtue of BCZR § 1B01.1.B.1.f and/or g(15).
- (3) If pursuant to Special Hearing Request No. 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR § 1B01.1.B.1.c(1), to determine that the amount of Residential Transition Area (“RTA”) provided is adequate, as shown on the Plan to Accompany Petition for Zoning Hearing.
- (4) In the alternative to Special Hearing Request No. 3 and Variance Request No. 2, pursuant to BCZR § 1B01.1.B.1.c(2), to modify the RTA required under BCZR § 1B.01.1.B.1.e (3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to Accompany Petition for Zoning Hearing to be located within the 50-foot RTA Buffer and the 75-ft. RTA setback otherwise required.

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(5) To approve one Assisted Living Bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to Accompany Petition for Zoning Hearing.

The Variance requests relief:

(1) from the BCZR, §101.1 (definition of "Assisted Living Facility II") to allow the expansion of an ALF II within the 5 year prior to the date of application by 1,700 sq. ft. (105%) in lieu of 407.5 sq. ft. (25%) otherwise permitted.

(2) In the alternative to Special Hearing Request Nos. 3 and 4, a variance from BCZR § 1B01.1.B.1.e.3 and e.5 to permit an RTA Buffer and an RTA setback, respectively, of zero (0) ft. and in lieu of the 50-ft. buffer and the 75-ft. setback required in order to accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to Accompany Petition for Zoning Hearing.

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner Shareba Kerriem of Comforts of Home LLC, appeared in support of the requested relief along with Donald Mitten of Richardson Engineering who prepared and sealed a redlined site plan (the "Redlined Site Plan"). (Pet. Ex. 3). Dino La Fiandra, Esquire represented the Petitioner. There were several Protestants and interested persons in attendance who testified in opposition.

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP"), Department of Environmental Protection and Sustainability ("DEPS") and Office of Zoning Review ("OZR") opposed the requested zoning relief.

FACTUAL FINDINGS

The Property is approximately .690 acres and is split zoned DR 3.5 and RC5. It is improved with a 1,620 sf, one-story, brick rancher home and is served by private sewer system but is connected to public water. Ms. Kerriem explained the photos of the Property. (Pet. Ex. 1A-1Q).

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On Plat No.2 of Hernwood dated March 25, 1948, the Property was Lot 17 and was planned to sit on a corner lot bound by Liberty Rd. and Staffordshire Road. (Pet. Ex. 5). At some point, Staffordshire Road was not constructed or was closed and as a result, an area of Staffordshire Rd. and/or all of Staffordshire Rd. become part of the Property. (Pet. Ex. 4). Accordingly, the Property is larger than other single lots. (Pet. Exs. 4, 5). While the Property fronts on Liberty Rd. which has commercial uses on the northern side of Liberty Rd, the Property is surrounded by residential dwellings on 3 sides.

The Petitioner purchased the Property for the purpose of operating an Assisted Living Facility I ("ACF I") which currently houses 5 senior residents. An ALF I is permitted in DR zones with a use permit and is licensed by the State of Maryland. (BCZR, §101.1 and §432A.1). An ACF I is permitted to have up to 7 residents. Ms. Kerriem testified that in December of 2017 she obtained a use permit to operate the ACF I at the Property.

Ms. Kerriem has owned The Comforts of Home, LLC for 11 years. In addition to the ALF I at the Property, Ms. Kerriem owns and operates two (2) other ALF I: 9101 Bengle Rd. and 5 Marble Dale Ct. She does not live in any of the 3 facilities and she has a staff of 5 people who rotate between them. Based on research Ms. Kerriem reviewed, as well as the number of requests she receives for senior care, she testified that there is a need for facilities in Randallstown. However, the larger facilities are often not affordable. Ms. Kerriem believes the personal care her facilities provide to the resident clients is a service to the community.

The proposal here is to expand the Property by constructing a 1,700 sf addition onto the rear of the home, to widen and lengthen the existing paved driveway, and to add a new parking lot in the rear for 6 spaces. Ms. Kerriem desires for the Property to become an ALF II to house 5 additional residents for a total of 10 residents. She believes that the Property has a large lot size

and wants to grow her business to accommodate 5 additional residents. She also presented letters of support. (Pet. Exs. 6, 7, 8, 9, 10 and 12).

Ms. Kerriem responded to questions from Cathy Wolfson of the Greater Patapsco Community Association as to her intent to expand the Property at the time of filing for the use permit in December of 2017. Ms. Wolfson characterized the instant proposal as "development by variance" and highlighted that this is a for-profit business. Ms. Wolfson emphasized that the other 2 facilities owned by the Petitioner could not be expanded which resulted in the purchase of this Property. Ms. Wolfson added that there is no practical difficulty here as the Petitioner is operating a successful ALF I with 5 beds. Ms. Kerriem responded that the practical difficulty was not being able to provide the community with 5 additional beds.

Testifying for the Petitioner was Donald Mitten, PE who was admitted as an expert in civil engineering, as a land planner, in the BCZR and in the development regulations of the BCC. (Pet. Ex. 2). Mr. Mitten testified that he prepared and sealed the Redlined Site Plan. (Pet. Ex. 3). Mr. Mitten described the Property as 150 ft. wide and 185 ft. deep which slopes from the back toward Liberty Rd. He testified that the Property is predominantly zoned DR 3.5 with a strip of RC5 in the rear.

Mr. Mitten testified that the proposed addition in the rear will be 1,700 sf, one-story building. Removal of mature trees in the rear will be required to build the addition and parking lot. There will be a new driveway on the south east side where cars could park along with parking in the rear. The Redlined Site Plan indicates that 4 total parking spaces are required (1 space per 3 beds; 10 beds = 4 spaces); the proposed parking is 6 spaces in the rear. Mr. Mitten acknowledged that both the addition and rear parking would be located within the 50 ft. buffer area and 75 ft. setback of the Residential Transition Area ("RTA"). Accordingly, Mr. Mitten requests either an

exemption from the RTA under BCZR, §1B01.1.B.1.g(15) as an Assisted Living Facility Class A, or a variance from the RTA 50 ft. buffer and 75 ft. setback.

Mr. Mitten opined that the proposed ALF II meets the Compatibility Findings in BCC, §32-4-402 because the addition and the parking are in the rear of the Property and that otherwise, he stated that the Compatibility factors are not relevant to the Petitions here. Mr. Mitten testified that the proposal meets the DR building setbacks.

In regard to the DEPS Comments dated October 29, 2020 that the proposed expansion of the building and increase in sewage flows requires a connection to the public sewer system and an abandonment of the septic system, Mr. Mitten testified that the connection to the public sewer system is not economically feasible and that he would discuss other options with DEPS. Mr. Mitten responded to questions from Cathy Wolfson regarding the similarity between a septic system for a fast-food restaurant and this commercial use; in regard to lighting spilling onto neighborhood homes; and accessibility for fire and rescue vehicles into the driveway and rear parking lot.

Also testifying for the Petitioner was Sean Owojuyigbe, a principal in the architecture firm of Proactive Design & Building Systems, Inc. who was admitted as an expert architect, licensed in the State of Maryland. Mr. Owojuyigbe prepared a Concept Plan for the interior of the addition. (Pet. Ex. 11). In the new addition, 4 bedrooms will be added (3 singles and 1 double), a staff room, office, waiting room, utility room and a storage room. Because it is conceptual, no room measurements were shown on the Concept Plan. Mr. Owojuyigbe opined that while the house has a basement, it could not be renovated to add bedrooms or other rooms. Cathy Wolfson inquired as to the use of the existing kitchen to prepare meals for 10 residents and/or whether meals would be delivered. Ms. Wolfson noted that only 1 bathroom was proposed for 5 additional residents.

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Danny Blount, 30 Millstone Rd, Randallstown, the Vice President of Hernwood Heights Community Association, asked questions and also testified. Mr. Blount testified that he lives in a rancher and that he renovated his basement to add bedrooms. He mentioned that rather than spend money on an addition, the basement could be renovated to comply with all building codes. Mr. Blount stated that Hernwood Heights Community Association did not vote in favor or against this Petition. While he sees the nature of the business as a positive, the proposed expansion will have a detrimental effect on the residential neighborhood and will set a dangerous precedent for other homeowners to operate businesses in their homes.

Also testifying was Carla Nelson Chambers, 23 Sheridan Rd. in Randallstown, who is the President of Hernwood Heights Community Association. Ms. Chambers confirmed Mr. Blount's testimony that Hernwood Heights Community Association did not take a position in support of or in opposition to the Petition. Ms. Chambers agreed that while there is a need in Randallstown for affordable assisted living facilities, there are other group homes in the area and that granting this proposal sets a bad precedent for businesses within residences. A variance granted here will run with the land and will change the character of the neighborhood. Ms. Chambers added that this expansion will increase traffic and that traffic is already a problem on Liberty Rd.

David Green, 3 Burr Oak Ct. in Randallstown is a retired Baltimore County Planner. Mr. Green questioned Mr. Mitten on the expansion of the ALF by 105% and emphasized that the expansion is out of character with the neighborhood. Mr. Mitten responded that there is no major effect on the neighboring properties. Mr. Mitten added that there is no additional traffic generated even with 5 additional residents, their guests, medical deliveries, food deliveries and staff. When questioned about the RTA buffer and setbacks, Mr. Mitten opined that while the RTA is intended to protect surrounding properties, in his opinion it applies to larger developments. Mr. Mitten

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stated that the use is compatible because the size of the development is compatible with the lot size. Additionally, Mr. Mitten testified that this Property should not have RC5 zoning and he believes it is in error.

Mr. Green testified that he is opposed to the requested relief as it is motivated by financial reasons and therefore no practical difficulty exists. He is concerned with the precedent it sets for the residential neighborhood. He finds that this Property is too small for the proposed ALF II with its addition and parking lot. Mr. Green testified that the Petitioner needs to purchase a location which is large enough and compatible for an ALF II.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005).

1. Request for Approval of ALF II.

Under BCZR, §432A.1.A.2, an ALF II is permitted by use permit if it has frontage on a principal arterial street. To become an ALF II, BCZR, §101.1 requires that it meets 3 prerequisites:

(1) is located in a structure which was built at least five years before the date of the application;

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- (2) was not enlarged by 25 % or more of ground floor area within the five years before the date of the application; and
- (3) accommodates between eight and 15 resident clients.

In this case, the Petitioner seeks to construct a 1,700 sf addition which is larger than the existing 1,620 sf single family home and will more than double the existing building footprint to 3,320 sf. This is an expansion of 105% within five (5) years prior to filing the application for a use permit for the requested ALF II. Therefore, it fails to meet the above mandatory prerequisites and Special Hearing Request No. 1 will be denied. Notably, both the DOP and OZR objected to the requested zoning relief for this reason. Anticipating the County agencies objection, Petitioner filed for Variance relief from the BCZR, §101.1 which will be address below.

2. RTA Requirements.

The Residential Transition Area requirements under BCZR, §1B01.1.B.1.b are generated in this case because the Property to be developed is zoned DR and lies adjacent to land zoned DR 3.5 (both sides) and RC5 (rear). In addition, as the Court of Special Appeals in *Lucy Ware v. People's Counsel of Baltimore County*, 223 Md. App. 669, 683 (2015) held that a change in use from residential to commercial requires compliance with the RTA. As such, the Property would be subject to the 100 ft. RTA area which includes the 75 ft. setback for the parking lot and the addition as well as a 50 ft. landscape buffer. (BCZR, §1B01.1.B.1.e(3) and (5).

In Special Hearing Request No. 2, the Petitioner seeks an exception from the RTA requirements under BCZR, §1B01.1.B.1.f ("Exception f"), or g(15) ("Exception g"). Although a Plat of Hernwood dated March 25, 1948 was presented, this Plat does not satisfy any or all of the components of Exception f, particularly without any legislative history and/or other information which explains that it applies to the facts here. Accordingly, I am not convinced that Exception f is applicable.

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With regard to Exception g entitled 'Assisted Living Facility Class A,' the Assisted Living Facility Class A was eliminated in Bill 19-2004 (although apparently not removed from the RTA regulations). By virtue of Bill 19-2004, Assisted Living Facilities are now categorized under BCZR, §101.1 into 3 groups: ALF I, ALF II and ALF III. Previously, Bill 188-1993 created 'Class A' and 'Class B' Assisted Living Facilities. Yet, even under the previous definition of 'ALF, Class A,' the Petition is not entitled to Exception g because it fails to meet that definition which read:

Section 101.1 – Definitions.

Assisted Living Facility:

* * * *

(A) Where such services are located in a converted dwelling or other building that has not been enlarged to accommodate the facility by more than 25% of ground floor area within a period of five years prior to the date of application, it shall be referred to in these regulations as Assisted Living Facilities Class A.

For these reasons, Special Hearing No. 2 will be denied.

Special Hearing Request No. 3 is duplicative of, and/or as alternative to, Variance Request No. 2 and requests a determination that the proposed RTA setback and buffer on the Redlined Site Plan are 'adequate'. There is no provision in the RTA regulations which permits a finding that proposed reductions to the 75 ft. setback or 50 ft. buffer are 'adequate.' Under BCZR, §1B01.1.B.c, either a variance [c(1)] or a modification [c(2)] can be requested. As such, Special Hearing Request No. 3 will be denied.

In regard to Special Hearing Request No. 4, Petitioner seeks a 'modification' under BCZR, §1B01.1.B.c(2) which requires a finding of Compatibility under BCC, §32-4-402(d) and a finding that any reduction will not adversely impact the residential community or development on the land

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adjacent to the property to be developed. Under the facts here, I find that the proposed 1,700 sf addition which is larger than the existing home, and the proposed parking lot in the rear will adversely impact not only the adjacent properties but the larger residential community. Both the proposed addition and parking lot are located within the 75 ft. setback and the parking lot consumes the 50 ft. landscape buffer which buffer is required to be upgraded, uncleared and landscaped. The single family homes behind the Property are zoned RC5 and will be negatively impacted by the expanded operation of this business, particularly without the 75 ft. setback and 50 ft. landscaped buffer to shield them from this expanded commercial business. The proposal eviscerates the purpose of the RTA which is to provide both distance and a landscape buffer between different uses. The house and lot on this Property are too small for expansion of this business.

Applying the Compatibility factors to the facts here, Mr. Mitten opined that those factors were met because the lot size is large enough to build the addition and parking lot. He added that most of those factors do not apply in this case. In my review of those factors, I find that those factors do apply and that the Petition fails to meet them. Specifically, Subsection (d)(2) has not been met because the large addition and rear parking lot will have an adverse impact on the homes in the RC5 zone to the rear. The open space and landscape factors in Subsections (d)(4) and (6) have not been met because the proposal eliminates the rear yard, removes mature trees, and provides no landscape RTA buffer. Lastly, Subsection (d)(8) has not been met because the scale, proportion, and massing of the addition are out of proportion with the existing homes in the neighborhood. Thus, the request for a modification has not been met under BCZR, §1B01.1.B.1.c(2) and the Special Hearing Request No. 4 will be denied.

Lastly, Special Hearing Request No. 5, seeking approval of one bed from the density associated with the RC5 zoned land was stricken on the Redlined Site Plan and that Request was

withdrawn by the Petitioner. This deletion was the result of OZR's comment that the RC 5 zone does not permit Assisted Living Facilities. Accordingly, Special Hearing Request No. 5 is moot.

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).

Variance Request No. 1 requests a variance from the BCZR, §101.1 Definition of ALF II and specifically from both the 5 year time restriction and from the 25% limit on the size of the addition. OZR provided a comment that this request is not an appropriate Variance request but should be resolved by Special Hearing. In short, this 'Variance' seeks to ignore the definition of ALF II. Petitioner wants the choice to enlarge the existing 1,620 sf home by 105% (which permitted for an ALF III) but is seeking an ALF II because, even with the 1,700 sf addition, the home is too small to accommodate more than 10 resident clients.

Even assuming the Property is 'unique' for zoning purposes due to the lot size, I find that the Petitioner will not suffer an unreasonable hardship or practical difficulty if the variance relief were denied. The Petitioner's testimony in this regard was that a practical difficulty existed because the community would not be served if her business was not able to provide 5 more beds. First, the Petitioner currently operates an ALF I and is permitted under BCZR, §101.1, to have up to 7 resident clients without filing for any relief here. However, the Petitioner concedes that the existing home is even too small to accommodate those 2 additional residents. There is a basement

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in the home which is not being utilized and could be modified and/or remodeled for the ALF I business.

Second, the 'practical difficulty' factor does not belong to the 'community' as Petitioner suggests but to the Property as it must be shown that the uniqueness of the Property creates a practical difficulty or unreasonable hardship which prevents compliance with the BCZR. In this case, there is a successful business within the existing footprint of the home and practical difficulty and unreasonable hardship cannot be driven by economic reasons. Accordingly, no practical difficulty or unreasonable hardship exists. Additionally, as DEPS highlighted, the addition of 5 residents, plus staff and visitors on the private septic system is not insubstantial, and a connection to the public sewer system is necessary.

Variance Request No. 2 requests a Variance from the RTA Regulations which was addressed in the Special Hearing relief above and, for those reasons and the lack of practical difficulty, lack of harmony with the spirit and intent of the RTA regulations which is to separate and buffer different uses and dissimilar housing types, as well as the injury to public health, safety and general welfare, the Variance Request No. 2 will be denied.

ORDER

THEREFORE, IT IS ORDERED this 18th day of **March 2021**, by this Administrative

Law Judge that the Petition for Special Hearing requests:

(1) To approve the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility ("ALF") II be and it is hereby **DENIED**.

(2) To determine whether the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing is exempt from the requirements of the Baltimore County Zoning Regulations ("BCZR") § 1B01.1.B.1.A through E by virtue of BCZR § 1B01.1.B.1.f and/or g(15) be and it is hereby **DENIED**.

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By J. Mignone

(3) If pursuant to Special Hearing Request No. 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR § 1B01.1.B.1.c(1), to determine that the amount of Residential Transition Area ("RTA") provided is adequate, as shown on the Plan to Accompany Petition for Zoning Hearing, be and it is hereby **DENIED**.

(4) In the alternative to Special Hearing Request No. 3 and Variance Request No. 2, pursuant to BCZR § 1B01.1.B.1.c(2), to modify the RTA required under BCZR § 1B.01.1.B.1.e (3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to Accompany Petition for Zoning Hearing to be located within the 50-foot RTA Buffer and the 75-ft. RTA setback otherwise required be and it is hereby **DENIED**.

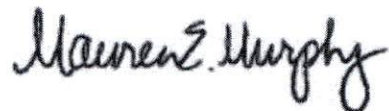
(5) To approve one Assisted Living Bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to Accompany Petition for Zoning Hearing, be and it is hereby **MOOT**.

IT IS FURTHER ORDERED the Variance relief requests:

(1) from the BCZR, §101.1 (definition of "Assisted Living Facility II") to allow the expansion of an ALF II within the 5 year prior to the date of application by 1,700 sq. ft. (105%) in lieu of 407.5 sq. ft. (25%) otherwise permitted, be and it is hereby **DENIED**.

(2) In the alternative to Special Hearing Request Nos. 3 and 4, a variance from BCZR § 1B01.1.B.1.e.3 and e.5 to permit an RTA Buffer and an RTA setback, respectively, of zero (0) ft. and in lieu of the 50-ft. buffer and the 75-ft. setback required in order to accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to Accompany Petition for Zoning Hearing, be and it is hereby **DENIED**.

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



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

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Date

By



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 9917 Liberty Road which is presently zoned DR 3.5 & RC5
 Deed References: 39737/332 10 Digit Tax Account # 2300010233
 Property Owner(s) Printed Name(s) The Comforts of Home LLC

(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

See attachment.

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 attachment.

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

To be presented at hearing.

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

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

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

Contract Purchaser/Lessee:

N/A

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Dino C. La Fiandra, Esquire

The Law Office of Dino C. La Fiandra, LLC

Name- Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305
 Towson, Maryland 21204

Mailing Address

City

State

21204

/ 443-204-3473

/ dcl@lafiandralaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

The Comforts of Home, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Shareba Kerrien

Signature #1

Signature #2

9917 Liberty Road, Randallstown, MD

Mailing Address

City

State

21133

/ (443) 857-5230

/ sakpara@aol.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Dino C. La Fiandra, Esquire

The Law Office of Dino C. La Fiandra, LLC

Name- Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305

Mailing Address

City

State

21204

/ 443-204-3473

/ dcl@lafiandralaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0255 SP/HA Filing Date 10/16/2020

Do Not Schedule Dates: _____

Reviewer gh

Petition for Zoning Hearing
9917 Liberty Road
Continuation Sheet

Special Hearing:

1. To approve the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility II.
2. To determine whether the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing is exempt from the requirements of BCZR, §1B01.1.B.1.a through .e by virtue of BCZR, §1B01.1.B.1.f and/or .g(15).
3. If, pursuant to Special Hearing Request 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR, § 1B01.1.B.1.c(1), to determine that the amount of Residential Transition Area (RTA) provided is adequate, as shown on the Plan to Accompany Petition for Zoning Hearing.
4. In the alternative to Special Hearing Request 3 and Variance Request 2, pursuant to BCZR §1B01.1.B.1.c(2), to modify the RTA required under BCZR §1B.01.1.B.1.e (3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to Accompany Petition for Zoning Hearing to be located within the 50-foot RTA Buffer and the 75-foot RTA Setback otherwise required.
5. To approve one Assisted Living Bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to Accompany Petition for Zoning Hearing.
6. Such further and other relief as the nature of this case may require.

Variances:

1. A variance from BCZR, §101.1 (definition of "Assisted Living Facility II") to allow the expansion of an Assisted Living Facility II within the 5 years prior to the date of application by 1,700 square feet (105%) in lieu of 407.5 square feet (25%) otherwise permitted.
2. In the alternative to Special Hearing Requests 3 and 4, a variance from BCZR §1B01.1.B.1.e.3 and e.5 to permit an RTA Buffer and an RTA Setback, respectively, of zero (0) feet and in lieu of the 50-foot buffer and the 75-foot setback required in order to accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to Accompany Petition for Zoning Hearing.

**ZONING PROPERTY DESCRIPTION FOR
9917 LIBERTY ROAD
2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the **southwest** side right-of-way of **Liberty Road (Maryland Route #26)** at a distance of **530 feet +/- northwest** of the centerline of the nearest improved intersecting street **Marriottsville Road**:

Thence the following courses and distances:

- (1) South 33 degrees 44 minutes 30 seconds West 200.00 feet,
- (2) North 56 degrees 15 minutes 30 seconds West 150.00 feet,
- (3) North 33 degrees 44 minutes 30 seconds East 185.00 feet,
- (4) By a curve to the left with a radius of 15.00 feet, an arc length of 23.56 feet, and a chord bearing and distance of North 11 degrees 15 minutes 30 seconds West 21.21 feet,
- (5) South 56 degrees 15 minutes 30 seconds East 165.00 feet, to the point of beginning.

Containing a net area of 30,048 square feet or 0.690 acres.



PROFESSIONAL CERTIFICATION:

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF MARYLAND, LICENSE NUMBER 16581,
EXPIRATION DATE: 08-1-2021

2020-0255-SPHA

mm 2-16-21
10AM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Monday, February 15, 2021 6:24 PM
To: Dino La Fiandra, Administrative Hearings
Subject: Recertification's For 2020-0255-SPHA
Attachments: Re-Cert 1 2020-0255-SPHA.doc; Re-Cert 2 2020-0255-SPHA.doc; Re-Cert 3 2020-0255-SPHA.doc; Re-Cert 4 2020-0255-SPHA.doc; Re-Cert 5 2020-0255-SPHA.doc; Re-Cert 6 2020-0255-SPHA.doc; Re-Cert 7 2020-0255-SPHA.doc; Re-Cert 8 2020-0255-SPHA.doc; Re-Cert Groups 1 & 2 2020-0255-SPHA.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 9917 Liberty Road. Thanks.

RECEIVED
FEB 16 2021
OFFICE OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF POSTII

2020-0255-SPHA

RE: Case No.:

Petitioner/Developer:

The Comforts of Home, LLC

February 16, 2021

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: _____

9917 Liberty Road

SIGN 1 Recertification

January 27, 2021

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

Sincerely,

February 14, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

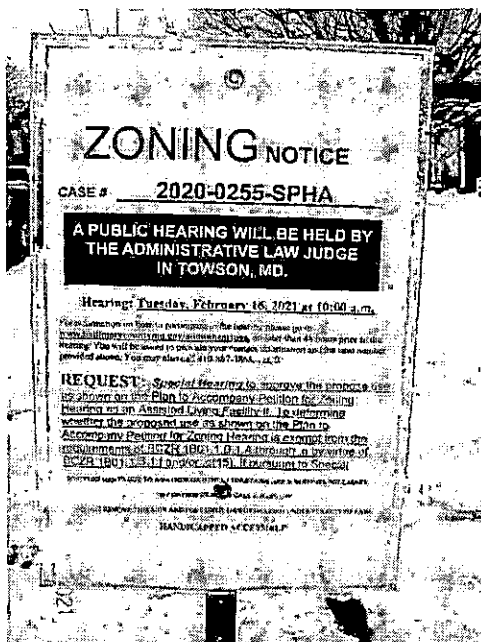
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

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Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

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Permits, Approvals and Inspections
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111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

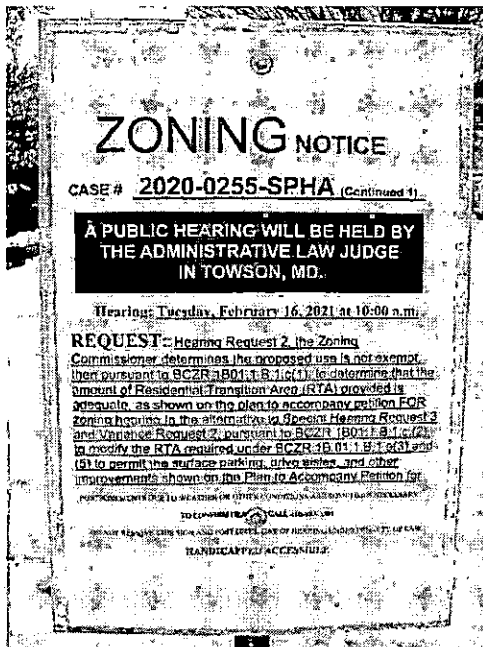
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9917 Liberty Road

SIGN 2 Recertification

January 27, 2021

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



Sincerely,

 February 14, 2021
(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

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

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:

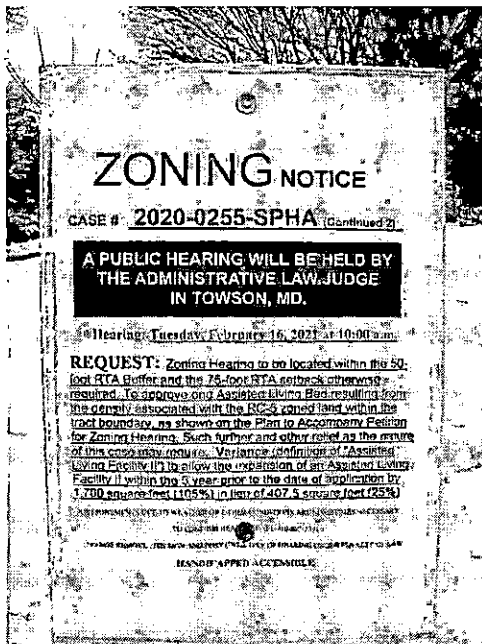
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9917 Liberty Road

SIGN 3 Recertification

January 27, 2021

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



Sincerely,

 February 14, 2021
(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)

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The Comforts of Home, LLC

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Date of Hearing/Closing: _____

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County Office Building, Room 111
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Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

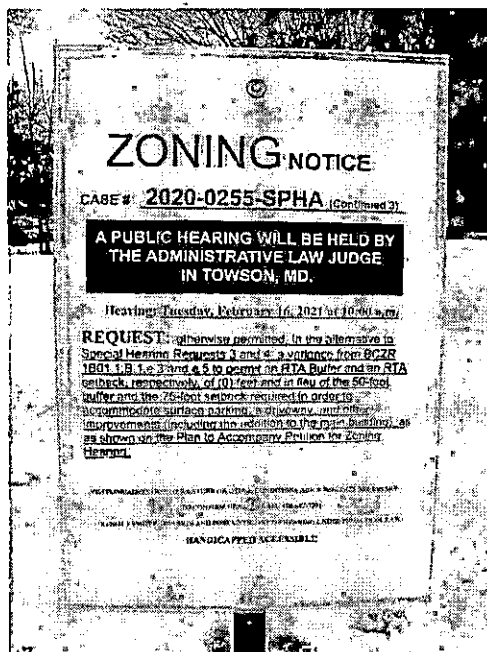
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9917 Liberty Road

SIGN 4 Recertification

January 27, 2021

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(Month, Day, Year)



Sincerely,

 February 14, 2021
(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)

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Petitioner/Developer:

The Comforts of Home, LLC

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County Office Building, Room 111
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Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

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9917 Liberty Road

SIGN 5 Recertification

January 27, 2021

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

Sincerely,

February 14, 2021

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

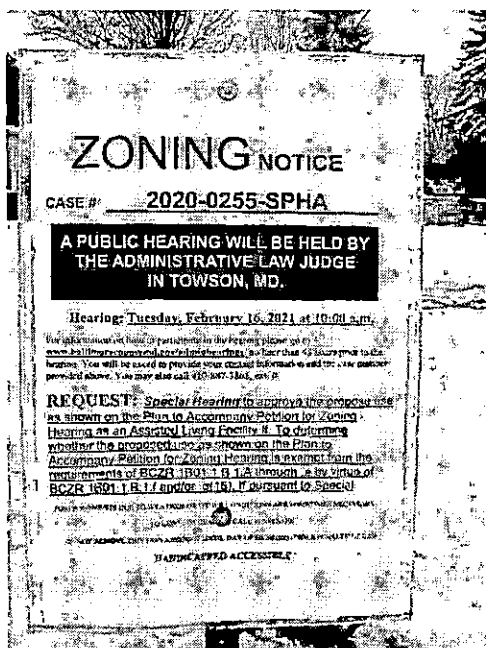
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

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Permits, Approvals and Inspections
County Office Building, Room 111
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Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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9917 Liberty Road

SIGN 6 Recertification

January 27, 2021

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

Sincerely,

February 14, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

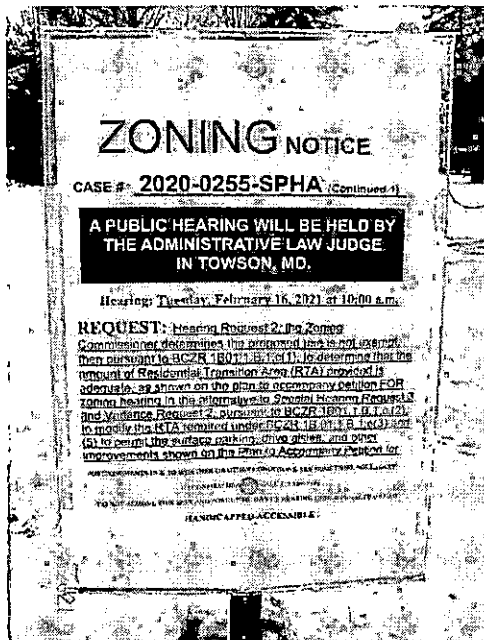
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

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Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

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:

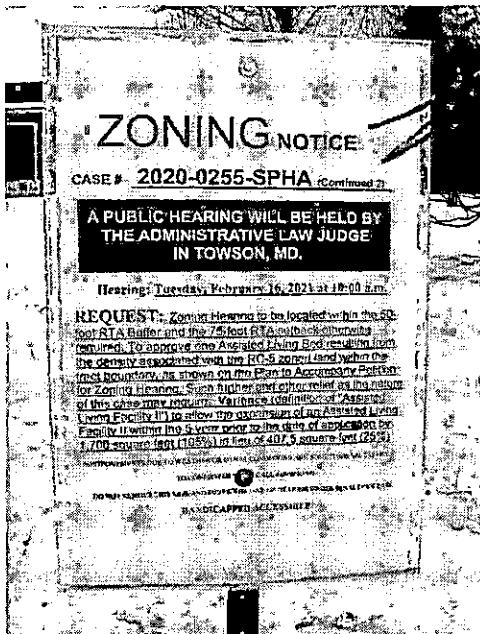
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9917 Liberty Road

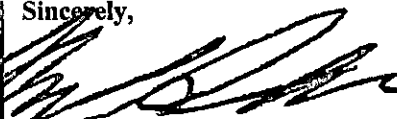
SIGN 7 Recertification

January 27, 2021

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



Sincerely,

 February 14, 2021
(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

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
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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: _____

9917 Liberty Road

SIGN 8 Recertification

January 27, 2021

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

Sincerely,

February 14, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

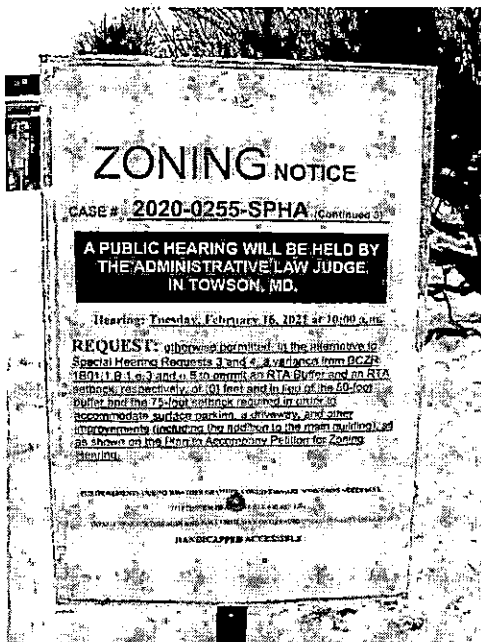
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

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Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
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Towson, Maryland 21204

Attn: Kristen Lewis:

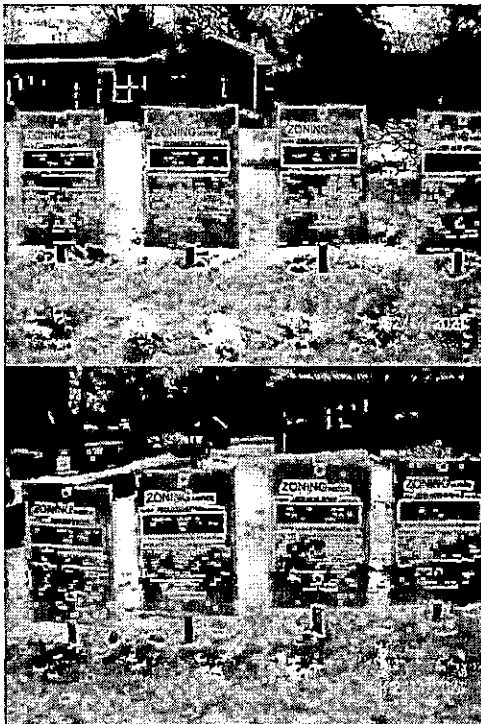
Ladies and Gentlemen:

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: _____

9917 Liberty Road **Groups 1 & 2 Recertification**

January 27, 2021

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



Sincerely,

 February 14, 2021
(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

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

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111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

Ladies and Gentlemen:

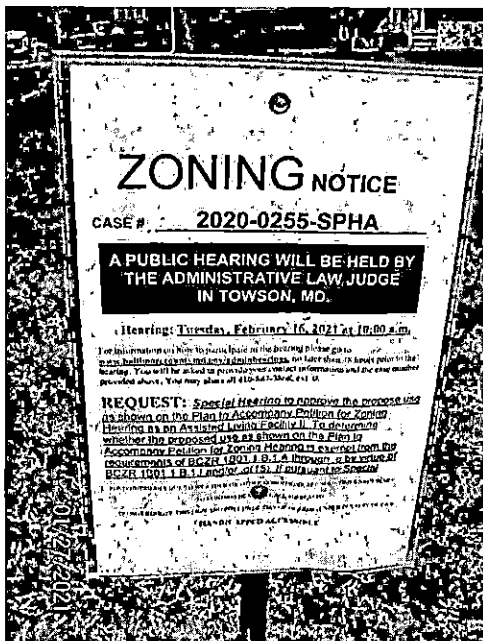
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9917 Liberty Road

SIGN 1

January 27, 2021

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



Sincerely,

 January 27, 2021

(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)

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2020-0255-SPHA

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Petitioner/Developer:

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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9917 Liberty Road

SIGN 2

January 27, 2021

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

Sincerely,

January 27, 2021

(Signature of Sign Poster) **(Date)**

SSG Robert Black

(Print Name)

1508 Leslie Road

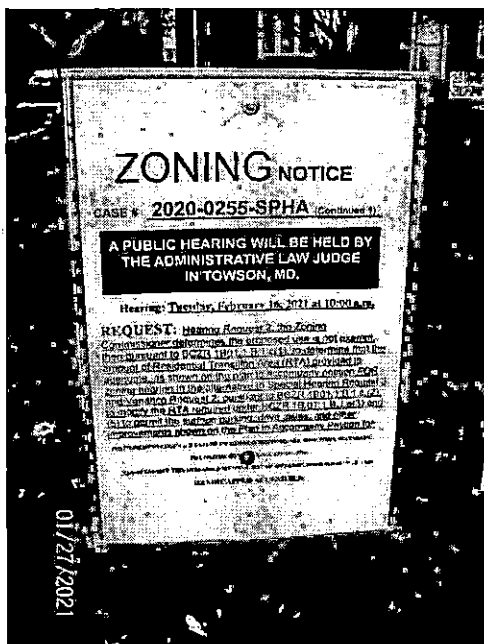
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

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:

9917 Liberty Road

SIGN 3

January 27, 2021

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

Sincerely,

January 27, 2021

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

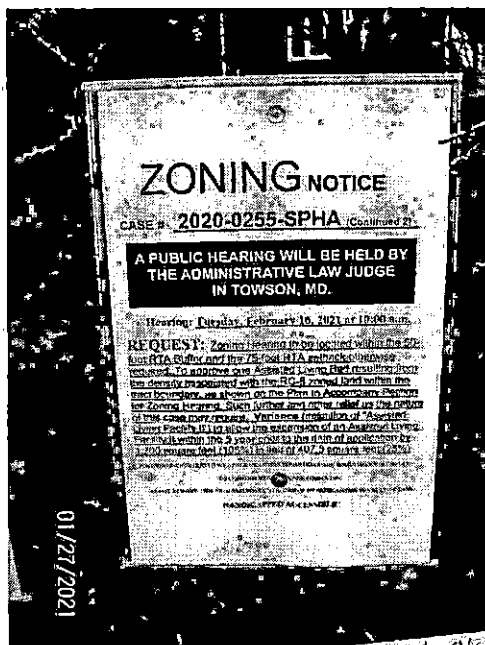
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

2020-0255-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

Date of Hearing/Closing: _____

Baltimore County Department of
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County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

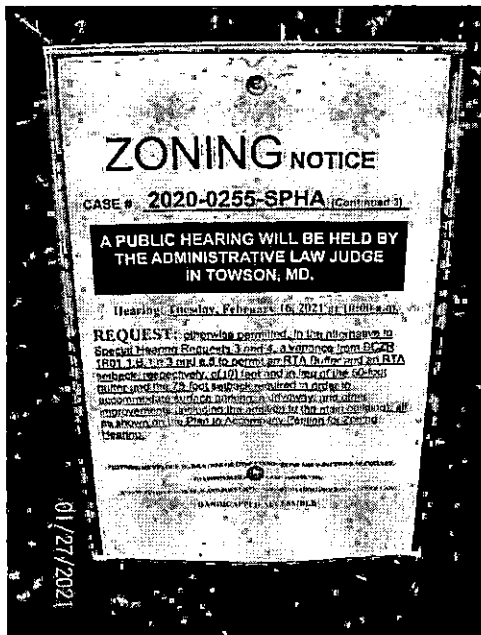
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9917 Liberty Road

SIGN 4

January 27, 2021

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



Sincerely,

 January 27, 2021
(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)

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Petitioner/Developer: _____

The Comforts of Home, LLC

February 16, 2021

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Attn: Kristen Lewis:

Ladies and Gentlemen:

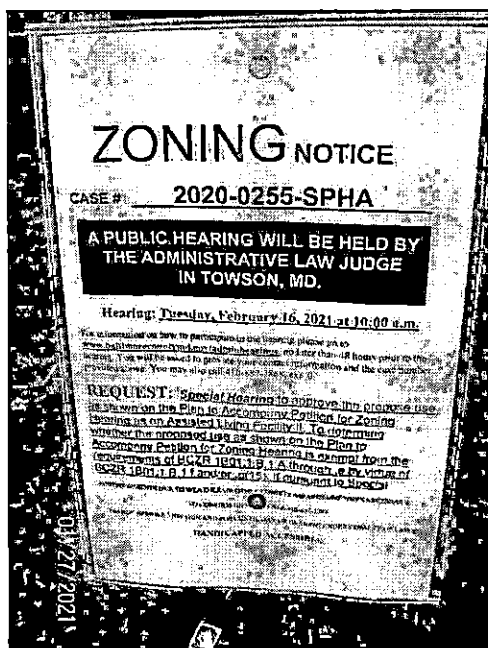
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9917 Liberty Road

SIGN 5

January 27, 2021

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



Sincerely,

 January 27, 2021
(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)

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February 16, 2021

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Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

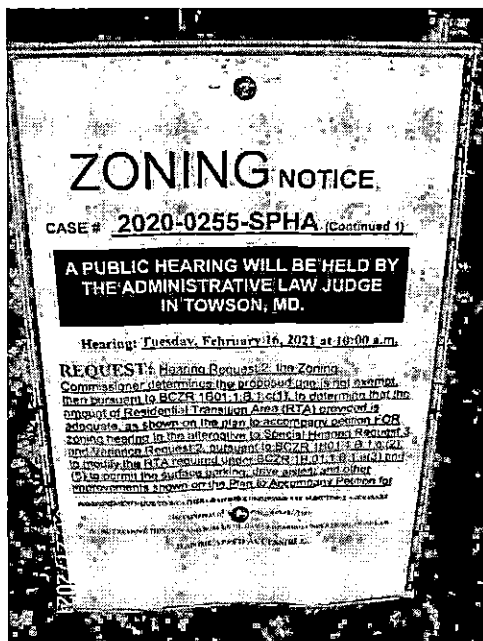
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9917 Liberty Road

SIGN 6

January 27, 2021

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



Sincerely,

January 27, 2021

(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)

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The Comforts of Home, LLC

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Attn: Kristen Lewis:

Ladies and Gentlemen:

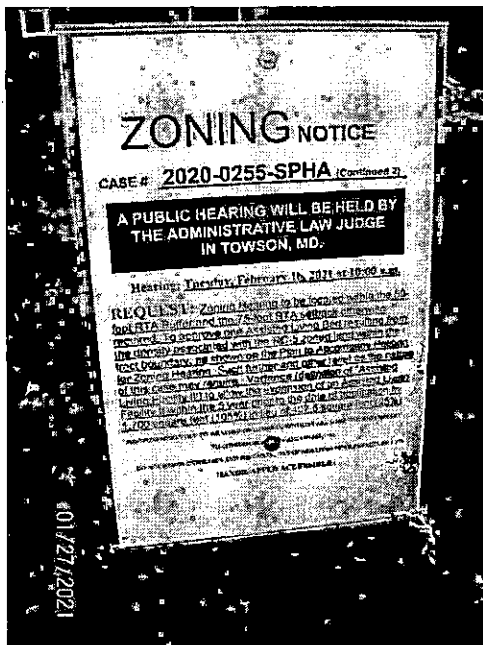
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9917 Liberty Road

SIGN 7

January 27, 2021

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



Sincerely

Sincerely,  January 27, 2021

(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)

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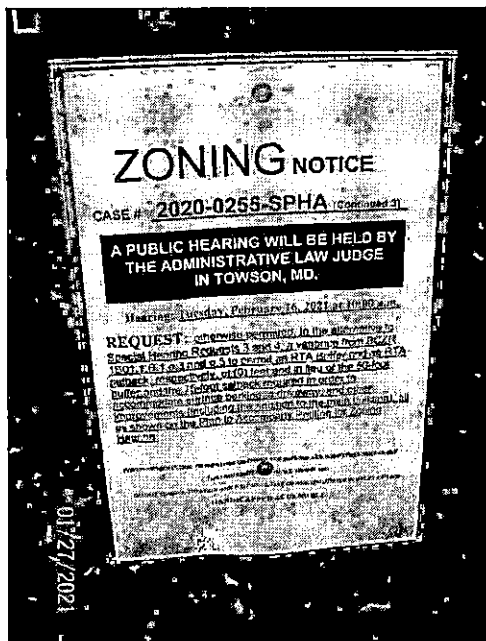
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9917 Liberty Road

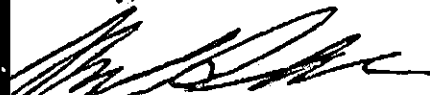
SIGN 8

January 27, 2021

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



Sincerely,

 January 27, 2021
(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)

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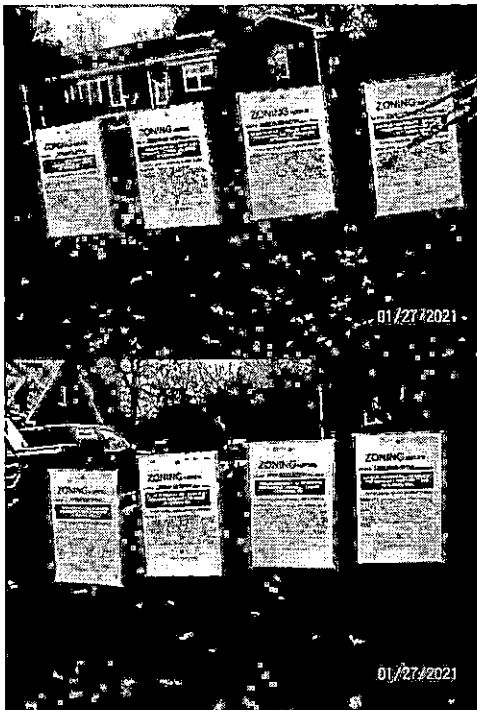
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9917 Liberty Road

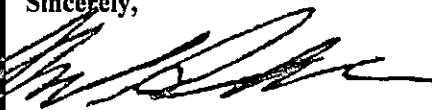
SIGN GROUPS 1 & 2

January 27, 2021

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(Month, Day, Year)



Sincerely,

 January 27, 2021

(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

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11955049
 Case #: 2020-0255-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2020-0255-SPHA

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:

1/27/2021



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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0255-SPHA

0917 Liberty Road

S/west side of Liberty Road, n/west 530 ft. to the centerline of Marriottsville Road

2nd Election District - 4th Councilmanic District

Legal Owners: The Comforts of Home, LLC

Special Hearing to approve the propose use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility II. To determine whether the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing is exempt from the requirements of BCZR 1B01.1.B.1.A through .e by virtue of BCZR 1B01.1.B.1.f and/or .g(15). If pursuant to Special Hearing Request 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR 1B01.1.B.1.e(1), to determine that the amount of Residential Transition Area (RTA) provided is adequate, as shown on the plan to accompany petition FOR zoning hearing in the alternative to Special Hearing Request 3 and Variance Request 2, pursuant to BCZR 1B01.1.B.1.e(2), to modify the RTA required under BCZR 1B01.1.B.1.e(3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to Accompany Petition for Zoning Hearing to be located within the 50-foot RTA Buffer and the 75-foot RTA setback otherwise required. To approve one Assisted Living Bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to Accompany Petition for Zoning Hearing. Such further and other relief as the nature of this case may require. Variance (definition of "Assisted Living Facility II") to allow the expansion of an Assisted Living Facility II within the 5 year prior to the date of application by 1,700 square feet (165%) in lieu of 407.5 square feet (25%) otherwise permitted. In the alternative to Special Hearing Requests 3 and 4, a variance from BCZR 1B01.1.B.1.e.3 and e.5 to permit an RTA Buffer and an RTA setback, respectively, of (0) feet and in lieu of the 50-foot buffer and the 75-foot setback required in order to accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to Accompany Petition for Zoning Hearing.

Hearing: Tuesday, February 16, 2021 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3803, ext. 0.

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

js27



January 21, 2021

JOHN A. OLSZEWSKI, JR.
County Executive

NOTICE OF ZONING HEARING C. PETE GUTWALD, AICP, Director
Department of Permits,
Approvals & Inspections

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0255-SPHA

9917 Liberty Road

S/west side of Liberty Road, n/west 530 ft. to the centerline of Marriottsville Road

2nd Election District – 4th Councilmanic District

Legal Owners: The Comforts of Home, LLC

Special Hearing to approve the propose use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility II. To determine whether the proposed use as shown on the Plan to Accompany Petition for Zoning Hearing is exempt from the requirements of BCZR 1B01.1.B.1.A through .e by virtue of BCZR 1B01.1.B.1.f and/or .g(15). If pursuant to Special Hearing Request 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR 1B01.1.B.1.c(1), to determine that the amount of Residential Transition Area (RTA) provided is adequate, as shown on the plan to accompany petition FOR zoning hearing In the alternative to Special Hearing Request 3 and Variance Request 2, pursuant to BCZR 1B01.1.B.1.c.(2), to modify the RTA required under BCZR 1B.01.1.B.1.e(3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to Accompany Petition for Zoning Hearing to be located within the 50-foot RTA Buffer and the 75-foot RTA setback otherwise required. To approve one Assisted Living Bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to Accompany Petition for Zoning Hearing. Such further and other relief as the nature of this case may require. Variance (definition of "Assisted Living Facility II") to allow the expansion of an Assisted Living Facility II within the 5 year prior to the date of application by 1,700 square feet (105%) in lieu of 407.5 square feet (25%) otherwise permitted. In the alternative to Special Hearing Requests 3 and 4, a variance from BCZR 1B01.1.B.1.e.3 and e.5 to permit an RTA Buffer and an RTA setback, respectively, of (0) feet and in lieu of the 50-foot buffer and the 75-foot setback required in order to accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to Accompany Petition for Zoning Hearing.

Hearing: Tuesday, February 16, 2021 at 10:00 a.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

Pete Gutwald
Director

PW/kl

C: Dino LaFiandra, 100 W. Pennsylvania Avenue, Ste. 305, Towson 21204
Comforts of Home, LLC, 9917 Liberty Road, Randallstown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JANUARY 27, 2021

TO: THE DAILY RECORD
Wednesday, January 27, 2021 - Issue

Please forward billing to:

Dino LaFiandra
100 W. Pennsylvania Avenue, Ste. 305
Towson, MD 21204

443-204-3473

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Pete Gutwald

Director of Permits, Approvals and Inspections 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: 2020-0255-SP4A

Property Address: 9917 Liberty Road

Property Description: _____

Legal Owners (Petitioners): The Comforts of Home, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dino C. La Fiandra, Esquire

Company/Firm (if applicable): The Law Office of Dino C. La Fiandra, LLC

Address: 100 W. Pennsylvania Avenue, Suite 305
Towson, MD 21204

Telephone Number: 443-204-3473

Revised 7/9/2015

SHAREBA A KERRIEM SOLE PROP 06-18
DBA THE COMFORTS OF HOME
 9101 BENGAL RD
 RANDALLSTOWN, MD 21133

1028
 7-163/520 MD
 5325

9-22-20
 Date

Pay To The Order Of Baltimore, Conty, Maryland \$ 1,000
One thousand Dollars

Bank of America

ACH R/T 052001633

For 9917 Liberty Rd Filling Fee Shareba

⑆052001633⑆ 446034728598⑈1028

Harland Clarke

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

No. 201274
 Date: 10/16/2020

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6.150					1000 ⁰⁰
Total:									1000 ⁰⁰

Rec From: Shareba A Kerriem Sole Prop
DBA The Comforts of Home

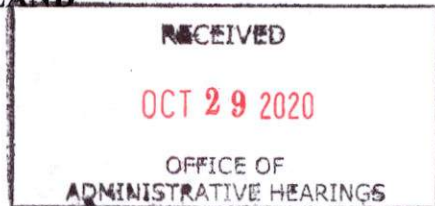
For: 9917 Liberty Road
2020-0255-SPHA
The Comforts of Home, LLC

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

**CASHIER'S
 VALIDATION**

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 29, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0255-SPHA
Address 9917 Liberty Road
(The Comforts of Home, LLC
Property)

Zoning Advisory Committee Meeting of **November 2, 2020**.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

1. According to SDAT info, original structure was built in 1960 and served by public water and a private septic system. GWM has no records regarding the size, construction or functionality of the existing septic system, nor its ability to accommodate an increase in sewage flows. Property is located in a planned public sewer area and sewer is located approximately 115 feet from the subject property. Any expansion of the existing building or increase in sewage flows would require extension of public sewer, connection to the public system and abandonment of the existing septic system.

Reviewer: Kevin Koepenick

2-16-21
10Am

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/28/2021

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-255

INFORMATION:

Property Address: 9917 Liberty Road
Petitioner: The Comforts of Home, LLC
Zoning: DR 3.5, RC 5
Requested Action: Special Hearing, Variance

I have reviewed the petition for Special Hearing and Variance to determine whether or not the Administrative Law Judge should permit the following:

Special Hearing

1. To approve the proposed use as shown on the Plan to accompany Petition for Zoning Hearing as an Assisted Living Facility II.
2. To determine whether the proposed use as shown on the Plan to accompany Petition for Zoning Hearing is exempt from the requirements of BCZR, § 1B01.1.B.1.a through .e by virtue of BCZR, § 1B01.1.B.1.f and/or .g (15).
3. If, pursuant to Special Hearing Request 2, the Zoning Commissioner determines the proposed use is not exempt, then pursuant to BCZR, § 1B01.1.B.1.c (1), to determine that the amount of Residential Transition Area (RTA) provided is adequate, as shown on the Plan to accompany Petition for Zoning Hearing.
4. In the alternative to Special Hearing Request 3 and Variance Request 2, pursuant to BCZR § 1B01.1.B.1.c (2), to modify the RTA required under BCZR § 1B.01.1.B.1.e (3) and (5) to permit the surface parking, drive aisles, and other improvements shown on the Plan to accompany Petition for Zoning Hearing to be located within the 50-foot RTA buffer and the 75-foot RTA setback otherwise required.
5. To approve one assisted living bed resulting from the density associated with the RC-5 zoned land within the tract boundary, as shown on the Plan to accompany Petition for Zoning Hearing.
6. Such further and other relief as the nature of this case may require.

Variances

1. A variance from BCZR, § 101.1 (definition of "Assisted Living Facility II") to allow the expansion of an Assisted Living Facility II within the 5 years prior to the date of application by 1,700 square feet (105%) in lieu of 407.5 square feet (25%) otherwise permitted.
2. In the alternative to Special Hearing Requests 3 and 4, a variance from BCZR § 1B01.1.B.1.e.3 and e.5 to permit an RTA buffer and an RTA setback, respectively, of zero (0) feet and in lieu of the 50-foot buffer and the 75-foot setback required in order to

accommodate surface parking, a driveway, and other improvements (including the addition to the main building), all as shown on the Plan to accompany Petition for Zoning Hearing.

A site visit was conducted on December 29, 2020. The area is a mix of residential and commercial uses. The petitioner proposes to substantially expand an existing Assisted Living Facility on the subject property. According to the site plan, a 1,700 square foot addition is proposed, which will more than double the existing building's footprint to 3,320 square feet. A 6-space parking area is proposed to the rear of the addition. The parking area will be accessible by widening the existing driveway to 22 feet. The existing and proposed driveway provides ingress/egress to Liberty Road.

Taking into the consideration the correspondence provided by the Zoning Review Office (Page 4 of the petition), expanding the existing building within 5 years is not permitted nor is expanding the building by [over] 100% in lieu of 25% without a use permit. Although the property is across from commercially zoned properties along Liberty Road, the immediately adjacent properties are residential. The properties to the rear of the subject property are zoned RC 5 (as is a portion of the subject property), a Rural Residential zone with building performance standards. More than doubling the building's footprint could set an unwanted precedent in the area. Therefore, the Department recommends denial of Variance request #1 to permit the expansion by 105%.

In addition to the above, the Department recommends denial of Variance request #2 to permit an RTA buffer and setback of zero (0) feet in lieu of 50 feet and 75 feet, respectively. Without any agreement with the adjacent property owner, it is unclear as to how property maintenance will be conducted without trespass. This recommendation also applies to Special Hearing request #4 and complies with the Department's general guideline of not supporting zero foot setbacks in residential areas.

For all other requested relief, the Department has no objections and shall concur with the Administrative Law Judge.

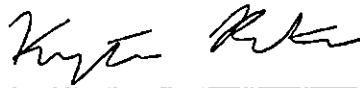
However, if the decision is made to approve the building's expansion and/or the zero foot RTA request, then the Department would recommend the following conditions be addressed:

1. To the satisfaction of the Administrative Law Judge, the petitioner should demonstrate how property maintenance will occur without trespass.
2. Provide vegetative screening and/or opaque fencing along the rear property line. Any vegetative screening should be a minimum of six (6) feet and be of an evergreen variant.
3. Temporary freestanding signs shall not be permitted on the property nor along Liberty Road. All signage shall comply with § 450 of the BCZR.
4. Prior to the issuance of any building permits, provide detailed elevations to the Department of Planning for review and approval. The building's addition should complement the fenestration and materials used in the existing building. Additionally, it should be determined at the hearing whether or not § 1A04.4 (RC 5 Performance Standards) of the BCZR will apply.
5. The driveway and parking area should be constructed of a durable and dustless surface

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

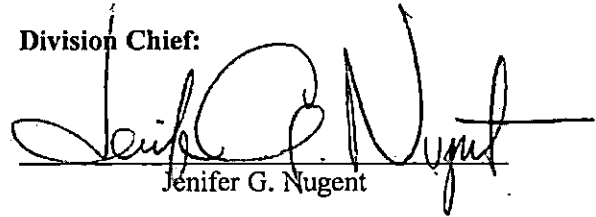
Date: 1/28/2021
Subject: ZAC # 20-255
Page 2

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP/

c: Bill Skibinski
Dino C. La Fiandra, the Law Office of Dino C. La Fiandra, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

ZAC AGENDA

Case Number: 2020-0255-SPHA **Reviewer:** Gary Hucik
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: The Comforts Of Home LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 2 **Council Dist:** 4

Property Address: 9917 LIBERTY RD

Location: Southwest side of Liberty Road Northwest 530 feet to the center line of Mariottsville Road.

Existing Zoning: DR 3.5

Area: .690 AC

Proposed Zoning:

SPECIAL HEARING:

To approve the propose use as shown on the Plan to Accompany Petition for Zoning Hearing as an Assisted Living Facility II.

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VARIANCE:

BCZR 101.1 (definition of "Assisted Living Facility II") to allow the expansion of an Assisted Living Facility II within the 5 year prior to the date of application by 1,700 square feet (105%) in lieu of 407.5 square feet (25%) otherwise permitted.

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Attorney: Dino C. La Fiandra

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 02 Account Number - 2300010233		
Owner Information		
Owner Name:	THE COMFORTS OF HOME LLC	Use: RESIDENTIAL
Mailing Address:	9917 LIBERTY RD BLDG 1 RANDALLSTOWN MD 21133-1803	Principal Residence: NO Deed Reference: /39737/ 00332
Location & Structure Information		
Premises Address:	9917 LIBERTY RD RANDALLSTOWN 21133-1803	Legal Description: .6739 AC LT17&ADJ LD SWS LIBERTY RD HERNWOOD
Map: 0066	Grid: 0023	Parcel: 0197
Neighborhood: 2050074.04	Subdivision: 0000	Section: 17
Block: 17	Lot: 2019	Assessment Year: 2
Plat No: 0014/ 0086	Plat Ref: 0014/ 0086	
Town: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1960	1,368 SF	29,359 SF
Property Land Area	County Use	
04		
Stories	Basement	Type
1	YES	STANDARD UNIT
Exterior	Quality	Full/Half Bath
BRICK/	4	2 full/ 1 half
Garage	Last Notice of Major Improvements	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2019	07/01/2020
		As of
		07/01/2021
Land:	60,300	60,300
Improvements	111,300	150,500
Total:	171,600	210,800
Preferential Land:	0	0
		197,733
		210,800
Transfer Information		
Seller: GOSSETT WILLIE O	Date: 12/12/2017	Price: \$225,000
Type: NON-ARMS LENGTH OTHER	Deed1: /39737/ 00332	Deed2:
Seller:	Date:	Price: \$0
Type:	Deed1: /11165/ 00027	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	
County:	000	07/01/2020
State:	000	07/01/2021
Municipal:	000	0.00
		0.00
		0.00 0.00
		0.00 0.00
Special Tax Recapture: None		
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		
Date:		

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

DATE: October 22, 2020

TO: Paul Mayhew, Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Gary Hucik, Planner II, Zoning Review Office
Department of Permits, Approvals & Inspections

SUBJECT: Notification Regarding Zoning Case # 2020-0255-SPHA

1. The RC 5 zone does not permit Assisted Living Facilities thereby no density is associated with that zone.
2. Assisted Living Facilities cannot be built, enlarged or an addition to the structure less than 5 years.
3. This appears to be a 100% expansion not 25% and would constitute a use variance.
4. Variance number 1 should have been a special hearing and not variance you cannot variance percentage.

Donna Mignon

From: Kristen L Lewis
Sent: Thursday, January 21, 2021 10:58 AM
To: Debra Wiley; Donna Mignon
Subject: Webex 2020-0255-SPHA

Good morning ladies,

I have another case needing a webex.

Case 2020-0255-SPHA
9917 Liberty Road
Legal Owners: Comforts of Home, LLC
2/16/21 at 10 a.m. needing 2 hours

Please send the following an invite:

Dino La Fiandra - dcl@lafiandralaw.com
Shareba Kerriem - sakpara@aol.com
Don Mitten - don@richardsonengineering.net
Seun Owojuyigbe - seunowo@proactivedbs.com

Thank you and it's almost Friday!

Kristen Lewis-Coles
P&I – Zoning Review
410-887-3391

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0255-SPHA - 9917 Liberty Road - Comforts of Home, LLC
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=efd95e985d7ce6f14c91fe4d8b7e40256>
Start: Tue 2/16/2021 10:00 AM
End: Tue 2/16/2021 12:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: webex

CAUTION: This message from messenger@webex.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 180 055 3863

Tuesday, February 16, 2021 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=efd95e985d7ce6f14c91fe4d8b7e4>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=eac43c26a77f38bf62eca49cd26a>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1800553863@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 632602

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e398ca9ee85b03bebc9e5d9491b5a3d40>

Need help? Go to <https://help.webex.com>

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 2020-0255-SPHA - 9917 Liberty Road - Comforts of Home, LLC

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=efd95e985d7ce6f14c91fe4d8b7e40256>

Start: Tue 2/16/2021 10:00 AM

End: Tue 2/16/2021 12:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: webex

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Need help? Go to <https://help.webex.com>

Donna Mignon

From: Donna Mignon
Sent: Thursday, January 21, 2021 11:43 AM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: Link - RE: Webex 2020-0255-SPHA

Event Information

Event: Zoning Hearing - 2020-0255-SPHA - 9917 Liberty Road - Comforts of Home, L
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI!>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI!>
Date and time: Tuesday, February 16, 2021 10:00 am
Eastern Standard Time (New York, GMT-05:00)
Duration: 2 hours
Description: Zoning Hearing
Case No: 2020-0255-SPHA
Address: 9917 Liberty Road
Legal Owners: Comforts of Home, LLC
Event number: 180 055 3863
Event password: 1234
Host key: 937034
Alternate Host: Deb Wiley, Henry Ayakwah, Maureen Murphy
Panelist Info:
Panelist password:
Panelist numeric password: 632602
Video Address: 1800553863@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 055 3863
Maximum number of registrants: 10000
Destination address after event:
Host image:
Attendee list available for viewing by: Host, presenter and panelists only
Event material: None
Post-event survey: No
Email configured: Pending, Approved, Rejected

Registration Information

Registration ID required: No

Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
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Don Mitten - don@richardsonengineering.net
Seun Owojuyigbe - seunowo@proactivedbs.com

Thank you and it's almost Friday!

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Dino C. La Fiandra	dcl@lafiandralaw.com	1-	New York Time	English	U.S.
Don Mitten	don@richardsonengineering.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Seun Owojuyigbe	seunowo@proactivedbs.com	1-	New York Time	English	U.S.
Shareba Kerriem	sakpara@aol.com	1-	New York Time	English	U.S.

ADRIENNE A. JONES
SPEAKER OF THE HOUSE

10th Legislative District
Baltimore County



The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401-1991

February 9, 2021

The Honorable Paul Mayhew
Chief Administrative Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 106
Towson, Maryland 21204
EMAIL: administrativehearings@baltimorecountymd.gov

Dear Judge Mayhew,

I am writing in support of the request from The Comforts of Home Assisted Living facility. Providing a service located at 9917 Liberty Road in Randallstown, Maryland, The Comforts of Home is requesting an expansion from a five bedroom facility to a 10 bedroom facility. I feel this expansion will be beneficial to those seeking the services provided by the Comforts of Home.

As the residents of our community begin to age, the service and care of the staff at The Comforts of Home become invaluable. Therefore, I hope you will look favorably on this request.

Sincerely,

A handwritten signature in cursive script that reads "Adrienne A. Jones".

Adrienne A. Jones
Speaker

mm

2-16-21

10 AM

2020-0255-SPHA

H-101 State House
Annapolis, Maryland 21401-1991
410-841-3800 · 301-858-3800
800-492-7122 Ext. 3800

Debra Wiley

2-16-21
10 Am
2020-0555-SPHA

From: Administrative Hearings
Sent: Tuesday, February 9, 2021 11:40 AM
To: Williams, Alonza
Subject: RE: Letter of Support for the Comforts of Home

Good Afternoon,

This is to acknowledge receipt of your email.

Thank you and have a great and safe day.

From: Williams, Alonza <Alonza.Williams@mlis.state.md.us>
Sent: Tuesday, February 9, 2021 11:32 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Letter of Support for the Comforts of Home

CAUTION: This message from Alonza.Williams@mlis.state.md.us originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon,

Please see letter attached.

Adrienne A. Jones
Speaker
H-101 State House
Annapolis, Maryland 21401
410-841-3800

ADRIENNE A. JONES
SPEAKER OF THE HOUSE

10th Legislative District
Baltimore County



230-
255-SPHA
2/10/21
@10-

H-101 State House
Annapolis, Maryland 21401-1991
410-841-3800 · 301-858-3800
800-492-7122 Ext. 3800

The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401-1991

February 9, 2021

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Chief Administrative Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 106
Towson, Maryland 21204

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As the residents of our community begin to age, the service and care of the staff at The Comforts of Home become invaluable. Therefore, I hope you will look favorably on this request.

Sincerely,

A handwritten signature in black ink that reads "Adrienne A. Jones". The signature is fluid and cursive, with the first name "Adrienne" and last name "Jones" clearly visible.

Adrienne A. Jones
Speaker

2/10/21
@ 12 p.m.

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Dino C. La Fiandra	dcl@lafiandralaw.com	1-	New York Time	English	U.S.
Don Mitten	don@richardsonengineering.net	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Seun Owojuyigbe	seunowo@proactivedbs.com	1-	New York Time	English	U.S.
Shareba Kerriem	sakpara@aol.com	1-	New York Time	English	U.S.

Donna Mignon

From: Donna Mignon
Sent: Monday, February 8, 2021 3:21 PM
To: 'Dino La Fiandra'
Subject: Case No: 2020-0255-SPHA - 9917 Liberty Road

Good Afternoon,

As you are aware, a virtual webex hearing has been scheduled for February 16, 2021 at 10:00 a.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date.**
Thank you.

Please note that Monday, February 15, 2021 our office is closed.

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

CASE NO. 2020-

0255-SPHA

CHECKLISTComment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

1/27/2021

SIGN POSTING (1st)

Date:

Sgt. Black by 1/27/2021

SIGN POSTING (2nd)

Date:

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes

☐

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes

☐

No

☐

Comments, if any:

In Support ltr

Donna Mignon

From: Donna Mignon
Sent: Monday, February 8, 2021 3:21 PM
To: 'Dino La Fiandra'
Subject: Case No: 2020-0255-SPHA - 9917 Liberty Road

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Thank you.

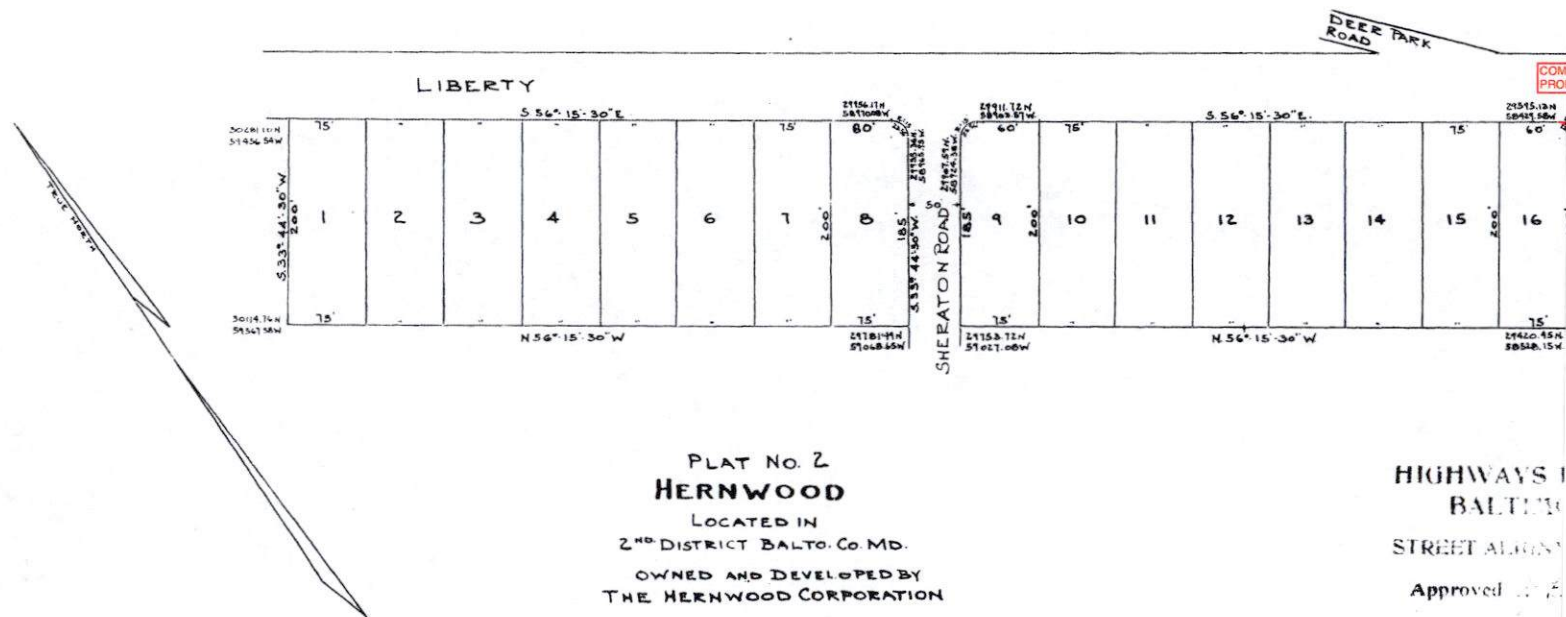
Please note that Monday, February 15, 2021 our office is closed.

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

9917 Liberty Road - Aerial Photo





PLAT NO. 2
HERNWOOD
 LOCATED IN
 2ND DISTRICT BALTO. CO. MD.
 OWNED AND DEVELOPED BY
 THE HERNWOOD CORPORATION

HIGHWAYS 1
 BALTIMORE

STREET ALIGNED

Approved: _____

Date: _____

COURSES ARE REFERRED TO TRUE MERIDIAN AND THE COORDINATES SHOWN HEREON ARE BASED ON THE SYSTEM OF COORDINATES ESTABLISHED BY BALTIMORE CITY AND ARE ESTABLISHED FROM THE FOLLOWING STATIONS:

No. 763 : 30391.60N 51549.49W.
 No. 765 : 29243.50N 51830.86W.

I HEREBY CERTIFY THAT THE REQUIREMENTS AS SET FORTH IN SECTIONS 72A, 72B, 72C, 72D OF ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND (1931 EDITION) TITLED 'CLEANSING' AS FAR AS IT CONCERNS THE MAKING OF HAS BEEN COMPLIED WITH. SIGNED: _____

ADRIENNE A. JONES
SPEAKER OF THE HOUSE

10th Legislative District
Baltimore County



H-101 State House
Annapolis, Maryland 21401-1991
410-841-3800 • 301-858-3800
800-492-7122 Ext. 3800

The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401-1991

February 9, 2021

The Honorable Paul Mayhew
Chief Administrative Judge
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 106
Towson, Maryland 21204
EMAIL: administrativehearings@baltimorecountymd.gov

Dear Judge Mayhew,

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As the residents of our community begin to age, the service and care of the staff at The Comforts of Home become invaluable. Therefore, I hope you will look favorably on this request.

Sincerely,

A handwritten signature in cursive script that reads "Adrienne A. Jones".

Adrienne A. Jones
Speaker

December 11, 2020

Mark Bishop
7 Rosland Court
Pikesville, MD 21208
teetimemab@gmail.com

Subject: Support of Expansion of The Comforts of Home Assisted Living Facility

To Whom It May Concern:

My mother has been a resident of The Comfort of Home Assisted Living Facility (TCH) for 8 years. I choose TCH for the affordability, quality service and its' community presence. During this time, the service and professionalism displayed by this company has been nothing short of outstanding. I support the expansion of TCH at 9917 Liberty Road from 5 beds to 10 beds. Due to the success of the business over the last few years, the facility is consistently running at full capacity with a need to expand in order to meet the ever-increasing demand for assisted living in Baltimore County and throughout Maryland. The Comforts of Home has been a good neighbor and a responsible member of the Liberty Road community. We understand that technical zoning rules may present obstacles to expanding at this site. Nonetheless, we support the efforts for this modest expansion and ask that the Zoning Commissioner approve the expansion so that TCH may continue to operate and thrive at its present location, and continue to serve its existing residents and their families without relocating to a different location.

Sincerely,



Mark Bishop
Contracts Manager

November 13, 2020
Mr. W. Carl Richards,
County Office Building
111 West Chesapeake Ave, Room 124
Towson, MD 21204

Dear Mr. Richards,

This letter is to offer support to the Comforts of Home Assisted Living Facility in their petition to expand from a 5 bedroom to a 10 bedroom facility. My father, Mr. Wilbur Lucas has been a resident since May 2018. My father is 95 years old and has been extremely happy at this facility. He wanted to be in a smaller environment without the distractions of a larger facility.

The staff is very attentive and helps my father whenever needed. My dad likes to take a walk around the outside of the house just to get some exercise. He is always no more than a few yards from the house at any one time. This helps him keep his sense of independence.

During the COVID-19 pandemic, Ms. Kerriem has done a wonderful job keeping all the residents safe and healthy. She has even taken my father to medical appointments just to keep my father safe.

In closing, I feel Ms. Kerriem has done a wonderful job with the residents and wish her great success in this new venture.

Best,

A handwritten signature in black ink, appearing to read "Keith A. Holmes", with a stylized flourish extending from the end.

Keith A. Holmes

Son of Mr. Wilbur Lucas.

December 10, 2020

Please fill in the appropriate recipient

I have been working with the Comforts of Home for the past three (3) years, having placed my sister in their care since May 2018. Ms. Shareba Kerriem, owner and manager of Comforts of Home, is a no-nonsense individual who stays on top of all aspects of her facilities. She is caring and careful, and is solutions driven in her approach to all issues that may arise from day-to-day operations. .

The facility is neat and clean and reflects the attention that Ms. Kerriem puts into delivering elder care to the residents at 9101 Bengal Rd, Randallstown and her other facilities. For me, selecting the Comforts of Home for my sister, was a wise choice.

I support the proposed expansion of The Comforts of Home Assisted Living Facility ("TCH") at 9917 Liberty Road from 5 beds to 10 beds.

The Comforts of Home has been a good neighbor and a responsible member within the communities in which they operate and I support their efforts to increase care delivery capacity. The benefits of this expansion will accrue directly to the growing elderly population in and around Baltimore County and surrounding areas and is worthy of Zoning Commissioner's review and approval.

A handwritten signature in black ink, appearing to read 'H Samms', with a stylized flourish at the end.

Howard A Samms
Retired CFO – "Fortune 50" Healthcare Co.

Exhibit 11 - Conceptual Floor Plan



3 EXISTING / ADDITION CONCEPTUAL FLOOR PLAN
1/4" = 1'-0"

Room Legend

-  BATHROOM
-  BEDROOM
-  CLOSET
-  COLD & DRY STORAGE
-  CORRIDOR
-  DINING / ACTIVITY ROOM
-  ENTRANCE LOBBY
-  ENTRANCE PORCH
-  KITCHEN
-  LAUNDRY
-  LIVING ROOM
-  MED. CLOSET
-  OFFICE
-  STAFF ROOM
-  TOILET
-  UTILITY ROOM
-  WAITING AREA

ASSISTED LIVING FACILITY
THE COMFORTS OF HOME

9917 LIBERTY ROAD, BALTIMORE,
MD. 21133

COPYRIGHTED PROACTIVE DESIGN + BUILDING SYSTEMS, INC. 2016



PROACTIVED DESIGN + BUILDING SYSTEMS INC.
6606 Liberty Road, Baltimore, Maryland 21207
P: (443) 209-3107
(443) 226-8700
F: (443) 436-0148
Email: info@proactivedbs.com
Web Site: www.proactivedbs.com

MEP ENGINEERS
NW2 Engineer
3500 Boston Street Suite 226,
Baltimore, Maryland 21224
P: (443) 900-0008

Seal:

PROFESSIONAL CERTIFICATION: I HEREBY
CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
DULY LICENSED

[illegible]

CONCEPTUAL PLAN

SCHEMATIC SET

Sheet No.

A1.1



Fwd: Request

sakpara@aol.com <sakpara@aol.com>
Reply-To: sakpara@aol.com
To: "dcl@lafiandalaw.com" <dcl@lafiandalaw.com>

Fri, Jan 22, 2021 at 1:42 PM

This is the only correspondence I have from The Liberty Road Business Association. Please also add this as an addendum.

Thanks,

Shareba Kerriem

-----Original Message-----

From: LRBA Kelly Carter <lrba@lrba.biz>
To: sakpara@aol.com
Sent: Sat, Jan 9, 2021 5:54 pm
Subject: RE: Request

Good evening Shareba,

The Board of Directors made their final decision at our last meeting on Tues., 1/7 to support your endeavors.

Congratulations, I'm excited for you and your business.

So grateful for so much,
Kelly

Kelly R. Carter,
Executive Director
Liberty Road Business Association
P.O. 1417
Randallstown, MD 21133
www.LRBA.biz
T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>
Sent: Friday, January 8, 2021 8:08 AM
To: LRBA Kelly Carter <lrba@lrba.biz>
Subject: Re: Request

Good-morning Kelly and Happy New Year. Please reach out to me regarding our request for support of our expansion. Please let us know the Association's sentiments. Hope all are doing well. We look forward to hearing from you.

Shareba Kerriem,

The Comforts of Home Assisted Living

On Friday, December 4, 2020, 03:00:00 PM EST, LRBA Kelly Carter <lrba@lrba.biz> wrote:

Hi Shareba,

There's a scheduling conflict with our December 8th meeting. We had to move it to Tuesday, December 15th.

Hopefully you can make the zoom meeting on the 15th to present to the Board of Directors.

Please confirm.

Thank you,

Kelly R. Carter,

Executive Director

Liberty Road Business Association

P.O. 1417

Randallstown, MD 21133

www.LRBA.biz

T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>

Sent: Wednesday, December 2, 2020 9:34 PM

To: lrba@lrba.biz

Subject: Re: Request

Thanks Kelly. I look forward.

-----Original Message-----

From: LRBA Kelly Carter <lrba@lrba.biz>

To: sakpara@aol.com

Sent: Tue, Dec 1, 2020 10:08 am

Subject: RE: RE: Request

Hi Shareba,

I will set-up the zoom being that it's our Board of Director's mtg.

An email with the zoom link will follow later this week.

Thank you, Kelly

Kelly R. Carter,

Executive Director

Liberty Road Business Association

P.O. 1417

Randallstown, MD 21133

www.LRBA.biz

T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>

Sent: Tuesday, December 1, 2020 9:34 AM

To: lrba@lrba.biz

Subject: Re: RE: Request

Good-morning Kelly,

I'd like to present to the LRBA board on December 8th 9:15 am. Should I set up Zoom for that day. It might be easier if you did since I don't have any of their contacts. Please let me know.

Thanks,

Shareba

-----Original Message-----

From: LRBA Kelly Carter <lrba@lrba.biz>

To: sakpara <sakpara@aol.com>

Sent: Mon, Nov 30, 2020 01:13 PM

Subject: RE: Request

Good afternoon Shareba,

I literally jumped off my zoom meeting with LRBA's President and started emailing you.

You have two options; present (10 minutes) to the Board of Directors on Tuesday, December 8th at 9:15 a.m. via zoom or present in February of 2021 via zoom. I'm not sure when or how urgent your request for rezoning is needed. Please let me know at your earliest convenience.

Thank you,
Kelly

Kelly R. Carter,

Executive Director

Liberty Road Business Association

P.O. 1417

Randallstown, MD 21133

www.LRBA.biz

T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>
Sent: Monday, November 30, 2020 11:53 AM
To: lrba@lrba.biz
Subject: Re: Request

Thanks Kelly,

That's wonderful. I look forward.

Great day ahead!

Shareba

-----Original Message-----

From: LRBA Kelly Carter <lrba@lrba.biz>
To: sakpara@aol.com
Sent: Mon, Nov 30, 2020 11:42 am
Subject: RE: Request

Good morning Shareba,

All is well... and I hope the same for you!

I'm meeting with the President today, I have your request on the agenda.

Thank you for your patience, I will circle back by the close of business.

Thank you Beautiful Soul,
Kelly

Kelly R. Carter,
Executive Director
Liberty Road Business Association
P.O. 1417
Randallstown, MD 21133
www.LRBA.biz
T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>
Sent: Monday, November 30, 2020 10:29 AM
To: lrba@lrba.biz
Subject: Re: Request

Good-morning Kelly,

How are you doing? I hope you enjoyed your Thanksgiving. I'm following up with you on the letter requesting support for The Comforts of Home expansion. Please let me know when LRBA board will be able to make a decision.

Thanks,

Shareba

-----Original Message-----

From: sakpara@aol.com

To: lrba@lrba.biz

Sent: Thu, Nov 12, 2020 7:53 am

Subject: Re: RE: Request

Thanks Kelly. No problem

-----Original Message-----

From: LRBA Kelly Carter <lrba@lrba.biz>

To: sakpara <sakpara@aol.com>

Sent: Wed, Nov 11, 2020 01:58 PM

Subject: RE: Request

Hey Shareba,

I need to present it to my Board of Directors then we can make a decision.

Thank you in advance for your patience while we as a Board make a decision.

Thank you,
Kelly

Kelly R. Carter,

Executive Director

Liberty Road Business Association

P.O. 1417

Randallstown, MD 21133

www.LRBA.biz

T: 410-655-7766 F: 410-655-7767



From: sakpara@aol.com <sakpara@aol.com>

Sent: Wednesday, November 11, 2020 9:31 AM

To: lrba@lrba.biz

Subject: Request

Good-day,

The Comforts of Home Assisted living is writing with the hope that you will assist us in furthering the great work we've accomplished in the community we both serve. We are asking that you write a letter that supports the Comforts of Home expanding from a 5 bedroom facility to 10 beds. Since 2008 we have been providing quality healthcare services to the seniors of Baltimore and surrounding counties. The mission of COH is to help our clients improve their lives and maintain their dignity in the comfort and safety of our facility by carefully assessing and fully understanding their individual needs and selectively placing trained personnel to meet these needs.

Due to the success of the business over the last few years, the facility is consistently running at full capacity, with a need to expand in order to meet the ever-increasing demand for assisted living in Baltimore County and throughout Maryland. The Comforts of Home has been a good neighbor and a responsible member of the Liberty Road community. We hope that you'd support the efforts for this modest expansion and ask that the Zoning Commissioner to approve the expansion so that The Comforts of Home may continue to operate and thrive at its present location. We look forward to hearing from you and wish you all the best during these challenging times.

Kind Regards,

Shareba Kerriem, ALM

The Comforts of Home Assisted Living

9917 Liberty Road

Randallstown, MD 21133

443- 857-5230

443-378-7277- fax

Care Patrol

Safer Senior Living. Your Goal, **Our Mission.**

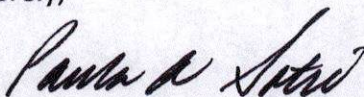
February 15, 2020

To Whom it may concern,

CarePatrol is the largest placement company for assisted living and memory care in Baltimore county and city. We have placed close to 1300 clients in Baltimore. We have over 330 residential assisted living in which we refer. Before we recommend the residential assisted living, we check their staffing, cleanliness, amenities and state surveys. We have been referring to Comforts of Home since September of 2016.

We support the expansion of The Comforts of Home Assisted Living Facility ("TCH") at 9917 Liberty Road from 5 beds to 10 beds. Due to the success of the business over the last few years, the facility is consistently running at full capacity, with a need to expand in order to meet the ever-increasing demand for assisted living in Baltimore County and City. I have been told, The Comforts of Home has been a good neighbor and a responsible member of the Liberty Road community. We understand that technical zoning rules may present obstacles to expanding at this site. Nonetheless, we support the efforts for this modest expansion and ask that the Zoning Commissioner approve the expansion so that TCH may continue to operate and thrive at its present location, and continue to serve its existing residents and their families without relocating to a different location.

Sincerely,



Paula A. Sotir BSN, MGA Certified Senior Advisor
Owner CarePatrol Baltimore
Psotir@carepatrol.com
410 494 9400

✓ Evidence

Zoning Case 2020-255-SPHA

9917 Liberty Road

Hearing Date: Tuesday February 16, 2021 @ 10 a.m.

Exhibit List

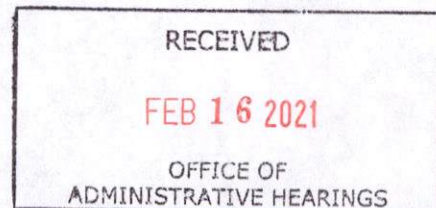
- ✓ 1A through 1Q: Photos
- ✓ 2. Don Mitten, PE, Resume
- ✓ 3. Redline Zoning Plan
- ✓ 4. Aerial Photo
- ✓ 5. Plat
- ✓ 6. Adrienne Jones Letter of Support
- ✓ 7. LRBA Email of Support
- ✓ 8. Bishop Letter of Support
- ✓ 9. Holmes Letter of Support
- ✓ 10. Samms Letter of Support
- ✓ 11. Conceptual Floor Plan
- ✓ 12. Care Patrol - Letter of Support

3/26/21
D.H.

Memorandum

DATE: February 12, 2021
TO: Office of Administrative Hearings
FROM: Dino La Fiandra
SUBJECT: Case 2020-255-SPHA - Hearing Date February 16, 2021

Enclosed herewith please find an Exhibit List and hard copies of the exhibits in the case. Digital copies have been emailed. Please let me know if you have any questions or require any additional information.

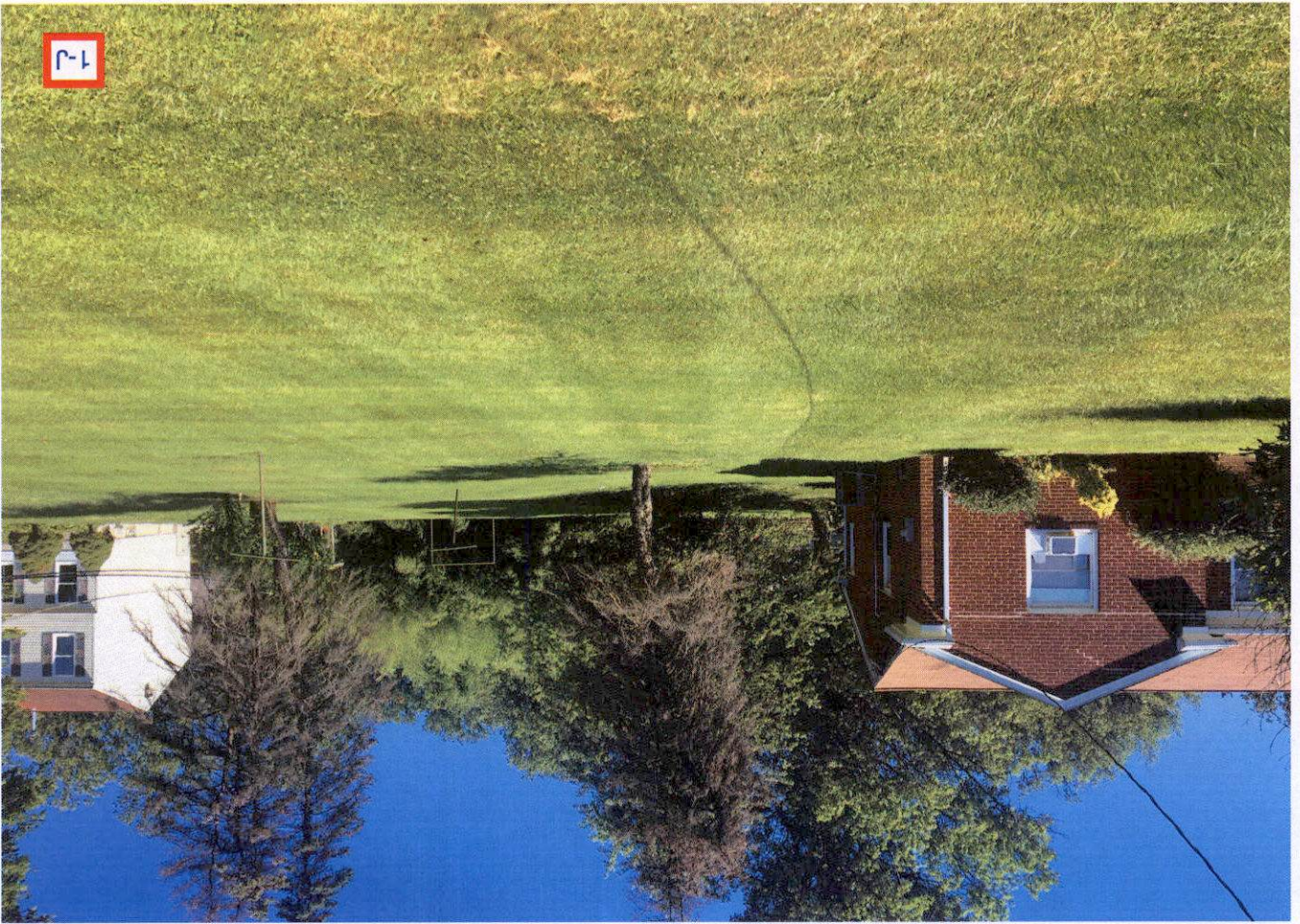






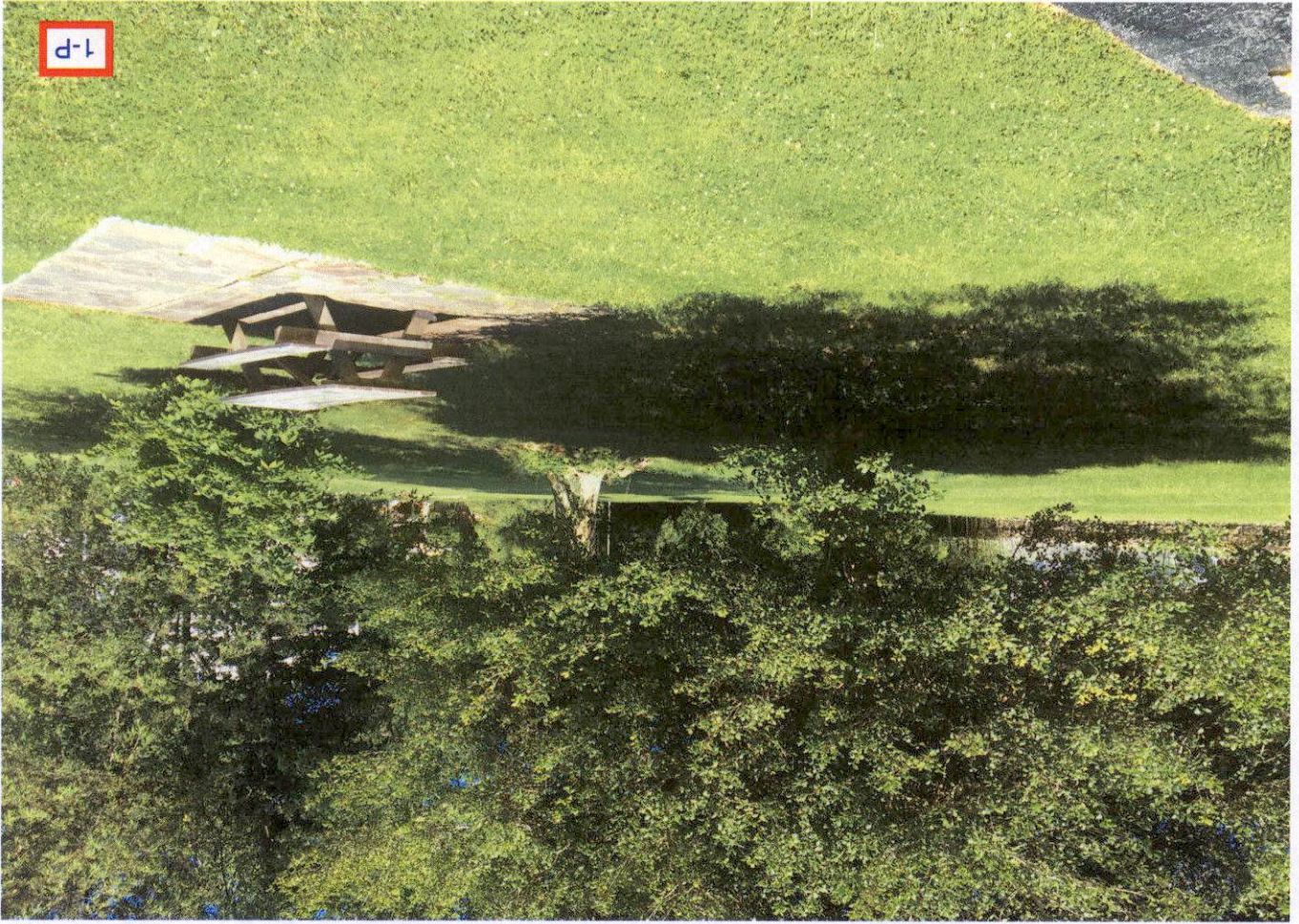
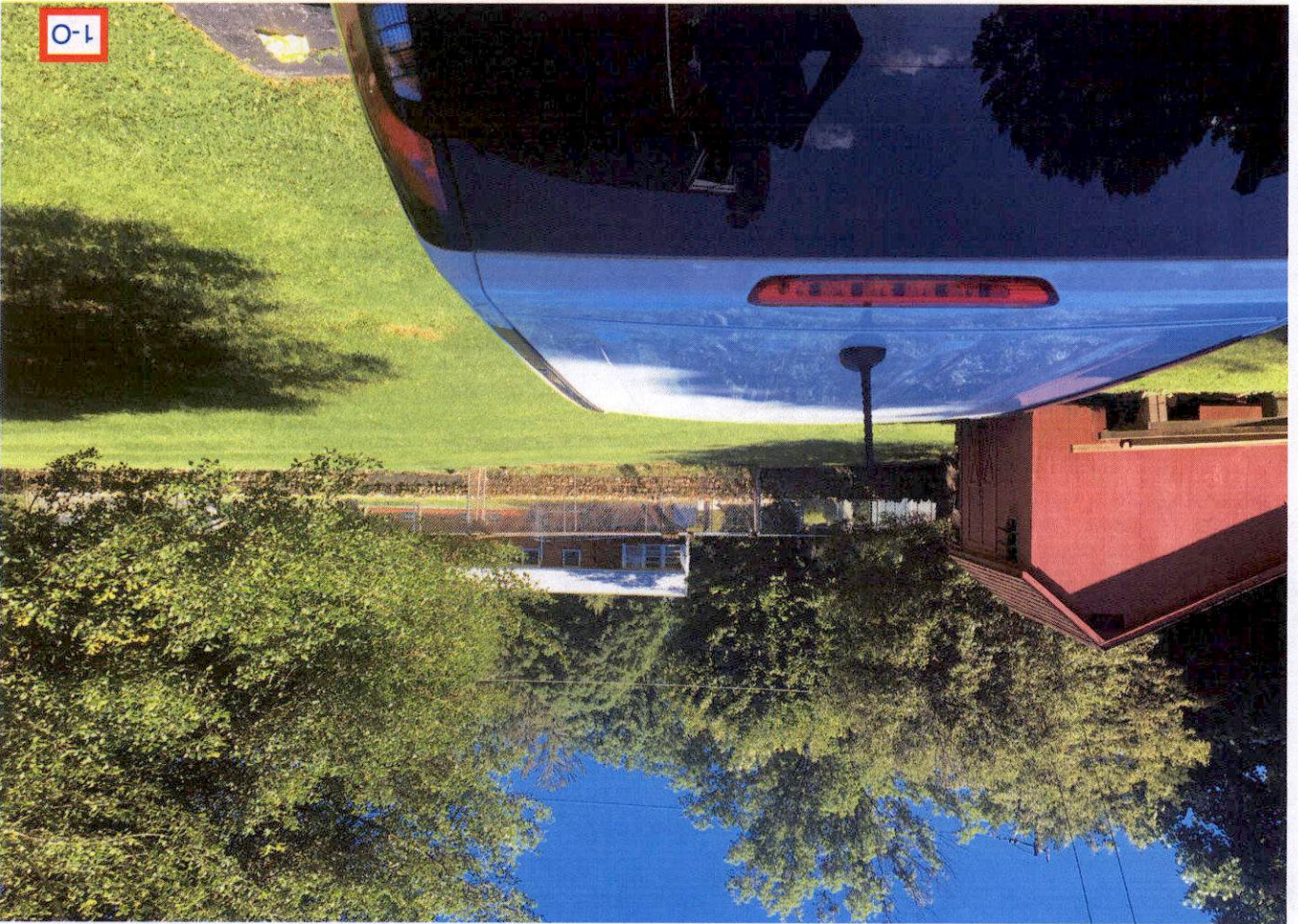














1-P

RESUME
DONALD N. MITTEN, P.E.

February 11, 2021

Position:

Consultant-Richardson Engineering
Principal prior to 2021

Years of Experience:

Richardson Engineering LLC 15
Other Firms: 19

Education:

B.S., Civil Engineering, University of Cape Town, South Africa, 1976

Active Registration:

Maryland, Professional Engineer, 1988, #16581

Qualifications:

Mr. Mitten is a Consultant with Richardson Engineering, LLC with responsibility for managing the preparation of site plans, road and utility drawings, stormwater management and sediment control drawings, and final construction documents. His project management experience includes industrial, commercial, residential, and institutional projects. He was a principal of the firm up to the end of 2020.

The following are representative projects Mr. Mitten has managed and/or personally designed:

AUTOMOTIVE

GMC Pontiac Dealership, Owings Mills, Maryland - Chief Engineer responsible site engineering for a new 15,000-SF automotive dealership.

Heritage Auto Park Expansion, Owings Mills, Maryland - Chief Engineer responsible for site engineering for a series of expansion projects including buildings, parking, and display areas at the auto park.

Chesapeake Cadillac Jaguar, Baltimore County, Maryland - Engineering for site work, storm drains, water, sewer, and stormwater management for new auto dealership on York Road.

BUSINESS / INDUSTRIAL PARK PROJECTS

Airport Square Technology Park, Anne Arundel County, Maryland - Site engineer for a 65-acre office and industrial distribution center near BWI Airport.

University of Maryland Research Park, Baltimore County, Maryland - Performed preliminary engineering studies to determine the feasibility of providing water and sewer service to the 80-acre research park. Stormwater management feasibility was evaluated and cost estimates were prepared.

Montpelier Research Park, Howard County, Maryland - Preliminary engineering for utilities and site grading;

preparation of mass grading plan and utility plan; site engineering and preparation of construction drawings, including stormwater management plans for four buildings of Phase I of the 103-acre site.

Owings Mills New Town, Area 2-C, Owings Mills, Maryland - Engineering for site work, storm drains, water, and sewer for a 3-lot commercial subdivision.

Columbia Gateway Parcel 8, Howard County, Maryland - Mass grading for a 50-acre office center site. Grading design required large quantities of fill and complex phasing to provide for interim stormwater management and sediment control.

Red Run Commons- Planning and Engineering for an 8.4 Ac. Business Park in Owings Mills MD. Tasks included mass grading, final, final grading, utility design, stormwater management and erosion and sediment control plans.

10926 Red Lion Road – Planning and engineering for a 23.9 Ac. Industrial Park. The included a 105,600 SF manufacturing facility, and multiple smaller manufacturing/storage facilities and associated parking. Three stormwater management facilities were also proposed.

COMMERCIAL

Mid-Atlantic Foods, 3800 East Baltimore Street, Baltimore, Maryland - Provided engineering for stormwater management waiver - Phase I, erosion and sediment control, forest conservation, coordinated with BGE on underground electric duct banks, and coordinated with Baltimore City, sewer, water, and other related existing utilities.

This 12.3-acre site is the former location of the Esskay Meatpacking facility in Eastern Baltimore City and is planned for a three-phase development. Phase I is a 47,500-SF baking facility with two expansion areas including a 33,000-SF freezer building and 30,000-SF baking facility. A distribution facility is planned for Phase II, and Phase III will be the maintenance facility for the truck operation.

H&S Bakery Office Building and Distribution Center, Baltimore City, Maryland - Engineering for site work, storm drains, water meter, sewer, stormwater management analysis, and stormwater management waiver for a new 57,000-SF facility on Holabird Avenue.

Riparius Center, Baltimore County, Maryland - Master planning and design of interceptors and collection systems.

Harford Mall, Bel Air, Maryland - Engineering for public roads, storm drains and sanitary sewers for a seven-lot expansion of the Harford Mall Business Park. Site engineering for Lot 13 included design of a lined stormwater management basin.

Glen Burnie Banking Center, Anne Arundel County, Maryland - New layout and entrance for Loyola Federal Bank on Crain Highway.

E.I. Kane Headquarters Building, Howard County, Maryland - Site design and engineering for a 70,000-SF headquarters/warehouse building on a seven-acre site. Utility design included a package sewage pump station.

Metro Square at Reisterstown Road, Owings Mills, Maryland - Chief Engineer responsible for site engineering for the 58,200-SF food store and 13,300 SF of collateral retail space.

Target Store, Owings Mills, Maryland - Chief Engineer responsible for civil, highway, and utility engineering for a 100,000 SF retail store with 500 parking spaces on a 12.5-acre site.

EzStorage, Owings Mills – Site design for a 4 story 115,608 SF storage facility on Lot 1 in the Red Run Commons Business Park in Owings Mills MD.

EzStorage, Catonsville – Site design for a five story 41,490 SF addition to an existing storage facility.

EzStorage, Towson – Site design for a five story 51,762 SF addition to an existing storage facility.

Wachovia Bank, Liberty Park Center – Site design for a 4,559 SF Financial Center.

Fairmount Federal Savings Bank - Site design for a 5,190 SF Financial Center.

COMMUNITY CENTERS

Bloomsbury Community Center, Catonsville, Maryland - Prepared several concept plans for the project site that included additional on-site parking and related site improvements in conjunction with renovations to a former school building and construction of a new field house for indoor basketball. Also prepared a flood study to verify related impacts on the proposed development, as well as civil engineering construction documents for the project.

Harford Village Community Center, Edgewood Harford County – Site design for a 2,700 SF community center.

DOMICILIARY PROJECTS

Hotels/Motels/Inns

Marriott Residence Inn, Annapolis, Maryland - Site engineering including utilities, roads and parking, storm drains, and stormwater management.

Marriott Courtyard Inn, Annapolis, Maryland - Site engineering including utilities, roads and parking, storm drains, and stormwater management.

Marriott Courtyard, Baltimore Washington International Airport, Maryland - Site engineering including utilities, roads and parking, storm drains, and stormwater management.

Marriott Courtyard/Fairfield Inn, Christiana, Delaware - Site engineering including utilities, roads and parking, storm drains, and stormwater management.

* **Marriott Hotels, Anne Arundel County, Maryland and Christiana, Delaware** - Site engineering, including utilities, roads and parking, storm drains, and stormwater management for four Marriott Hotels: the Residence Inn and the Courtyard Inn, Annapolis; the Courtyard, Baltimore Washington International Airport; and the Courtyard/Fairfield Inn, Christiana, Delaware.

Nursing Homes

Brighton Gardens of Towson, Assisted Living Facility, Baltimore County, Maryland - Site engineering including utilities, roads and parking, storm drains, and stormwater management for the 92-bed assisted living facility.

Residential

North Crossing, City of Frederick, Maryland - Prepared preliminary and final engineering plans for a 500-lot subdivision including public roads, utilities, storm drains, and stormwater management facilities.

Piney Ridge Village, Planned Unit Development, Sections V - VII, Carroll County, Maryland

Hunters Crossing, Planned Unit Development, Carroll County, Maryland

Ivy Hill Subdivision, Baltimore County, Maryland - Design of roads and utilities for the subdivision.

Village of Harpers Choice, Columbia, Maryland - Design of roads and utilities for Section 7 of the subdivision.

Village of River Hill, Howard County, Maryland - Design of roads, utilities, and stormwater management facilities.

Owings Mills New Town, Baltimore County, Maryland - Master planning and design of interceptors and collection systems.

Wellington Trace, Frederick County, Maryland - Master planning and design of interceptors and collection systems.

Bender Vogel Property, Harford Road – Planning and Engineering for a 17 lot residential subdivision.

The Preserve at Wrights Wharf – Engineering for a 73 lot subdivision located in Dorchester County, MD.

Greenfield, Windsor Mill Road – Engineering for a 23 Lot residential subdivision.

Clearwood Park – Engineering for a 22 lot residential subdivision.

Bishops Meadow- Engineering for a 50 lot residential subdivision in the Honeygo district of Baltimore County, MD.

Marriott Kirk Property - Engineering for a 64 lot residential subdivision in Baltimore County, MD.

Shirley Ridge – Engineering for a 17 lot subdivision in the Whitmarsh area of Baltimore County, MD

Retirement Communities

Atrium Village, Baltimore County, Maryland - Site engineering for the 276-unit high-rise facility for senior living on a seven-acre lot.

EDUCATIONAL FACILITIES

Ruxton School Addition (Ruxton Center), Towson, Maryland - Provided civil engineering including stormwater management, water meter and utilities layout, and project management for the 65,000-SF addition to the existing special education school.

Catonsville High School Renovation/Addition, Baltimore County, Maryland - Provided civil engineering for a 69,000-SF addition to the existing school.

Archbishop Curley High School, Building Entry and Plaza Improvements, Baltimore, Maryland - Provided civil engineering for an improved vehicular drop-off. The scope of work also included design surveys and parking lot reconstruction.

Archbishop Curley High School, Athletic Field Complex, Baltimore, Maryland - Provided civil engineering services for a new comfort station and terraced seating for the athletic field.

* **Sacred Heart Church & School Expansion, Glyndon, Maryland** - Provided civil engineering for several education buildings and renovation to the church.

University of Maryland Baltimore County, Field House, Catonsville, Maryland - Provided civil engineering for a new 50,000-SF field house that includes gymnasium space, multi-tiered office and recreation areas, and weight training.

Johns Hopkins University, The Bloomberg School of Public Health Wolf Street, Teaching and Research Buildings, Baltimore, Maryland - Provided civil engineering for four new 8+ level teaching and research buildings providing classrooms, office, and lecture hall space. These projects were constructed on a fast-track schedule with separate bid packages for structural foundations and superstructure.

Johns Hopkins University, School of Nursing Building, Baltimore, Maryland - Provided civil engineering for a new 100,000-GSF academic facility containing classrooms, lecture halls, laboratories, and conference areas. MRA carried this fast-track project through the City of Baltimore Review and Approval Process. Design was completed in six months and construction began three weeks after design initiation; the project was being constructed while the design was underway. All schedules and budgets were met.

MEDICAL FACILITIES

Greater Baltimore Medical Center, Physicians Pavilion, Baltimore County, Maryland - Engineering for site work, storm drains, and water and sewer for a high-rise building.

OFFICE BUILDINGS

Verizon-Windsor Corporate Center, Baltimore County, Maryland - Site Engineer for a 27,914-SF switch facility and office building on Lot 5B of the Windsor Corporate Center. The design effort for this project consisted of the design of an 8" FM Meter, approximately 600 LF of 42" diameter public storm drain and approximately 100 LF of 8" public sanitary sewer. Also included was the design of the private onsite utilities and parking areas. This project necessitated the design and approval of the site plans on an accelerated timetable in order to meet the client's schedule.

Automatic Data Processing Building, Baltimore County, Maryland - Site engineer for an 115,825-SF building on Lot 2A of the Riparius Center at Owings Mills. The building program along with associated parking, utilities and stormwater management facilities required a highly efficient use of the land.

Highwoods I Building, Baltimore County, Maryland - Site engineer for a 125,000 SF building on Lot 3A of the Riparius Center at Owings Mills. This building, the first of a two-building complex, required close coordination and design of site improvements to accommodate the future building.

PARKING STRUCTURES

Johns Hopkins University, The Bloomberg School of Public Health Wolf Street, Teaching and Research Buildings and Parking Garage, Baltimore, Maryland - Provided civil engineering for four new 8+ level teaching and research buildings providing classrooms, office, and lecture hall space. These projects were constructed on a fast-track schedule with separate bid packages for structural foundations and superstructure. The project also included a two-level, 120-car parking garage.

Greater Baltimore Medical Center, Parking Garage, Baltimore County, Maryland - Engineering for site work,

storm drains, water, and sewer for a new parking garage.

President Street Garage, Baltimore City, Maryland - Engineering for site work, storm drains, and water and sewer relocation for a new parking structure.

RECREATIONAL FACILITIES

NSA Fitness Center, Anne Arundel County, Maryland - Site planning and engineering for a fitness center for the National Security Agency.

RELIGIOUS FACILITIES

Christ the King Church, Baltimore County, Maryland - Provided civil engineering including stormwater management and utilities layout for the new 9,730-SF church on 5.5-acre with onsite parking. The project also involved conversion of an existing house to parish offices, as well as conversion of a barn and garage to classroom buildings.

Master Planning Services for St. Joseph Parish, Fullerton, Maryland - Master planning for a 40-acre parcel located on Bel Air Road north of the Baltimore Beltway. The site is currently occupied by a Catholic sanctuary, school and cemetery. The master planning for the site includes the provision of a community center and the replanning of the existing parking layout, schematic stormwater management, analysis of existing and proposed traffic patterns, and improvements to Bel Air Road.

Sacred Heart Church & School Expansion, Glyndon, Maryland - Provided civil engineering for several education buildings and renovation to the church.

Jesus House Baltimore, Windsor Mill Road – Planning and Engineering for a 9,048 SF daycare facility adjacent to an existing sanctuary. Work included construction documents for the widening of Windsor Mill Road and the enlargement of the existing stormwater management facility.

Perry Hall Family Worship Center. – Provided civil engineering including utilities layout and parking for a new 17,124 SF church on 9.4-acre with onsite parking.

ROADWAY PROJECTS

Owings Mills Boulevard, Baltimore County, Maryland - Design of road, storm drain, and sediment control improvements for Owings Mills Boulevard from Red Run Boulevard to Lakeside Boulevard.

Wellington Trace, Frederick County, Maryland - Design of road, storm drain, and sediment control improvements for Ballenger Creek Pike and English Muffin Way.

UTILITY PROJECTS

Utility Master Plan Update for the National Institute of Health, Washington, D.C.

Bush Creek Sewage Pumping Station, Harford County, Maryland - Responsible for site engineering, sediment control, and stormwater management design.

Lyons Mill Road 24-Inch Water Main, Baltimore County, Maryland - Utility designer for preliminary design and design of a 24" water main extension.

* **Owings Mills New Town, Baltimore County, Maryland** - Master planning and design of interceptors and collection systems.

- * **Wellington Trace, Frederick County, Maryland** - Master planning and design of interceptors and collection systems.
- * **Riparius Center, Baltimore County, Maryland** - Master planning and design of interceptors and collection systems.

WIRELESS COMMUNICATION

Various Projects for Bell Atlantic Mobile, Baltimore-metropolitan Region, Maryland - Provided site engineering and preparation of construction drawings for approximately 20 individual sites. Services also included processing the plans and variances through local jurisdictions. Sample projects are provided below:

Verizon Wireless, Oakington Tower Site, Aberdeen/Havre de Grace, Maryland - Provided site plans for the new tower site on U.S. Route 40.

Verizon Wireless, Perryman Tower Site, Harford County, Maryland - Co-location site, provided site plans for the new buildings at existing tower site.

Verizon Wireless, Riderwood Tower Site, Baltimore County, Maryland - Co-location site, provided site plans for the new buildings at existing tower site.

Verizon Wireless, Banneker Tower Site, Howard County, Maryland - Provided site plans for the new antenna installation on existing electric power tower.

Verizon Wireless, Delight Tower Site, Baltimore County, Maryland - Provided site plans and surveying services for the new tower site.

Verizon Wireless, Middle River Tower Site, County, Maryland - Provided site plans and surveying services for the new tower site.

Verizon Wireless, Rosewood Tower Site, Baltimore City, Maryland - Provided site plans for the new tower site.

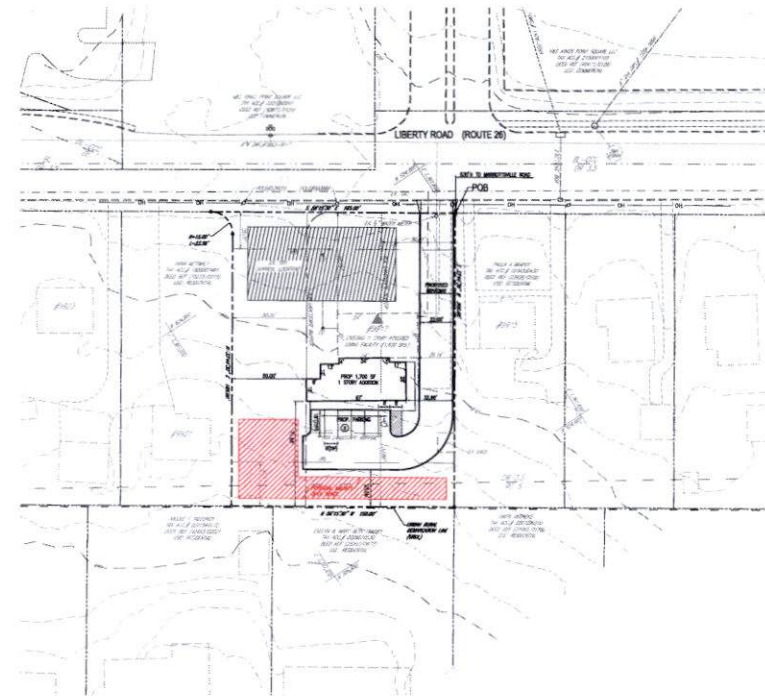
Verizon Wireless, Broadway Cellular Site, Baltimore City, Maryland - Provided survey of existing building for new roof top installation.

Verizon Wireless, Jarrettsville Tower Site, Baltimore County, Maryland - Provided site plans and surveying services for the new tower site.

Verizon Wireless, Jacksonville Switch, Jacksonville, Maryland - Provided civil engineering services for new free standing 5000-SF switching station.

Verizon Wireless, Padonia Rd. Tower Site, Baltimore County, Maryland - Provided site plans and surveying services for the new tower site.

Verizon Wireless, Sandymount Tower Site, Carroll County, Maryland - Co-location site, provided site plans for the new buildings at existing tower site.



PLAN
SCALE: 1" = 30'

[illegible]

DENSITY CALCULATION

	AREA	ALLOWABLE DENSITY	NO. OF BEES PERMITTED
SPECIAL AREA WITHIN BEEH	0.000 AC. A		0
GENERAL AREA WITHIN OR 3.5	0.791 AC. A	2.8 DENSITY UNITS	10
TOTAL	0.000 AC. A		10

NUMBER OF BEES BASED ON 1 BEE PER 2.8 DENSITY UNITS

→ SPECIAL BEES SELECTED TO ATTEND 1 OR BEES REMAIN FROM THE DENSITY

→ ADJUSTED WITH THE MAX. A YEAR

Exhibit 3



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 14391, EXPIRATION DATE: 06-01-2021

Richardson Engineering, LLC

30 East Podensic Road, Suite 500
Timonium, Maryland 21083
Phone: 410-560-1502 Fax: 443-901-1208
DOWNS@COMPASSNET.ORG

PLAN TO ACCOMPANY ZONING PETITION
FOR

THE COMFORTS OF HOME LLC
PROPERTY

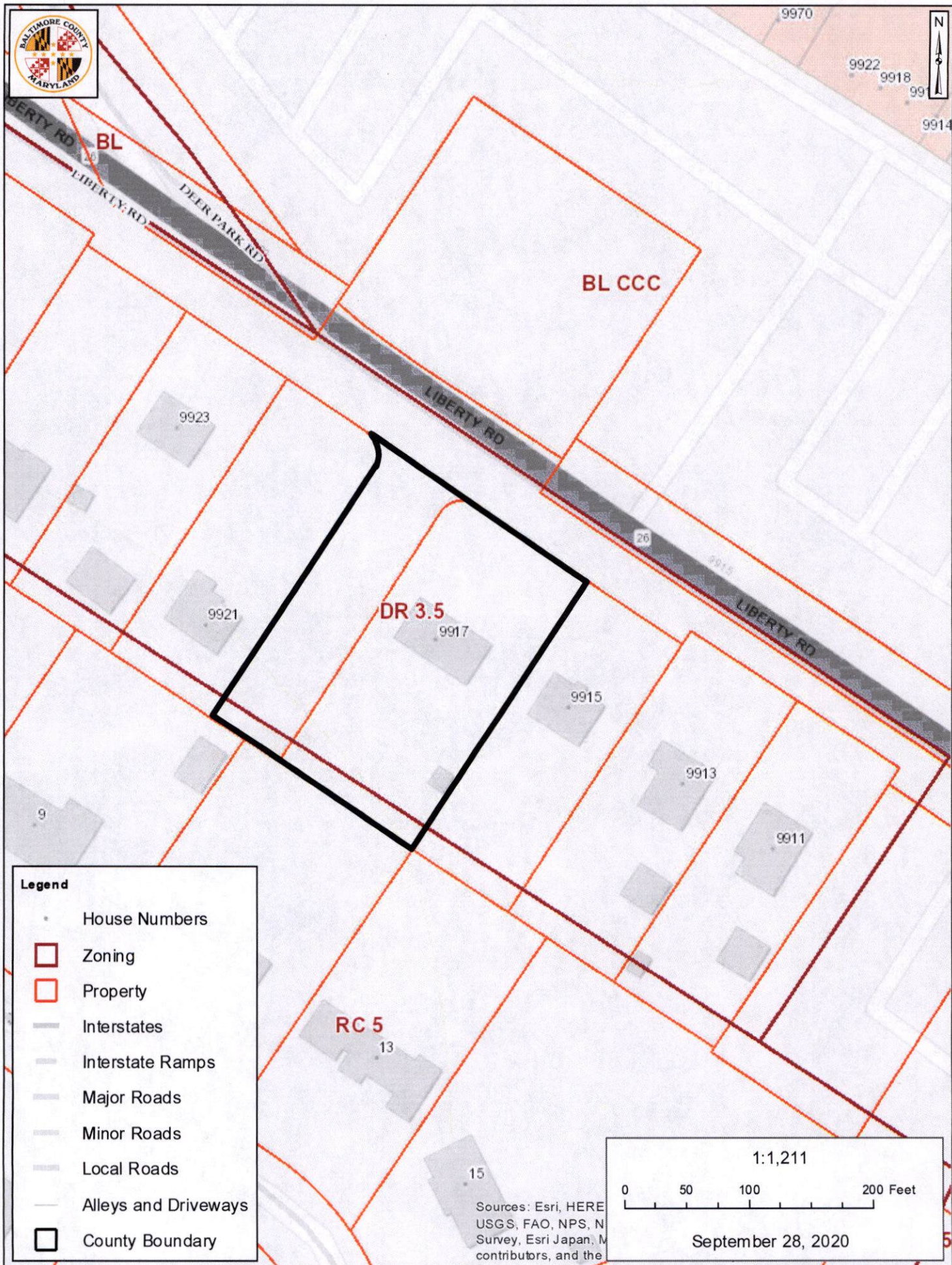
9917 Liberty Road

BALTIMORE COUNTY MARYLAND
2ND ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT

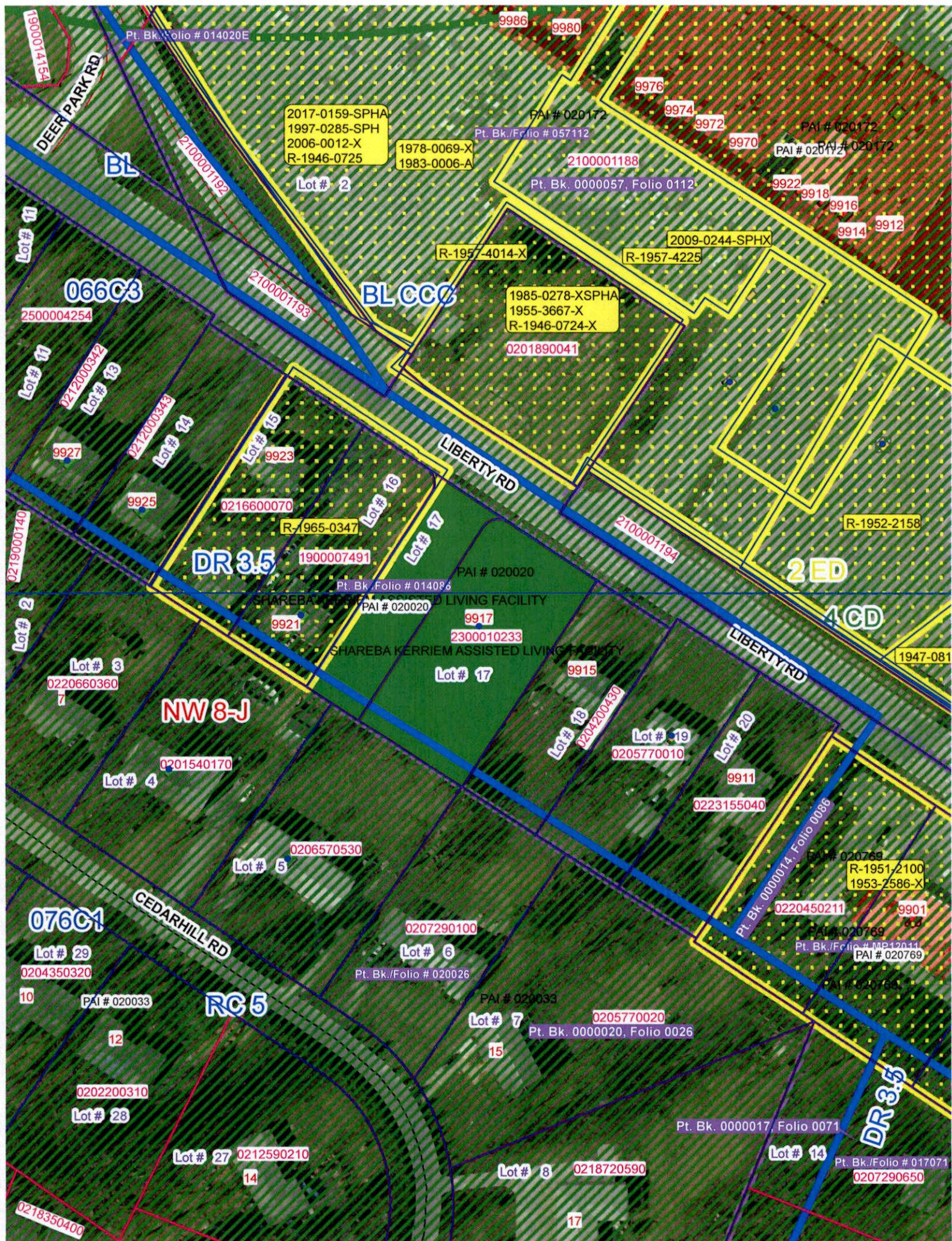
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	DATE: 09-08-20	JOB NO.: 00000	SHEET NO.: 1 OF 1

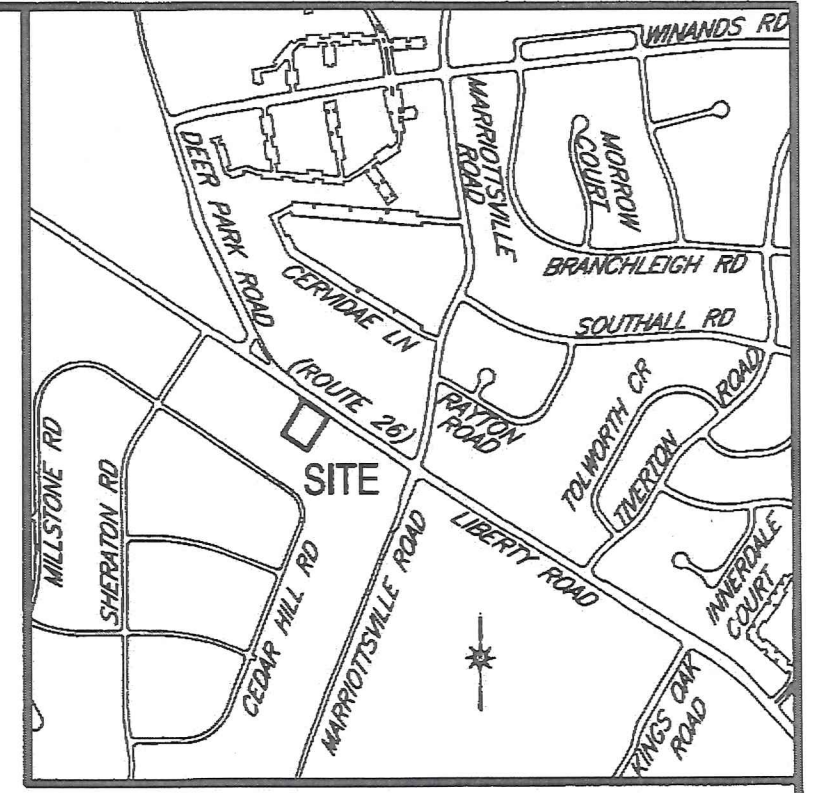
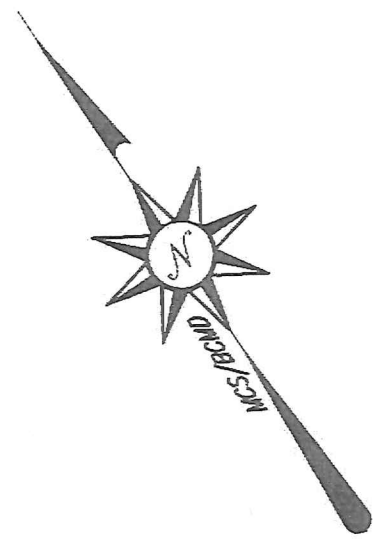


9917 Liberty Road

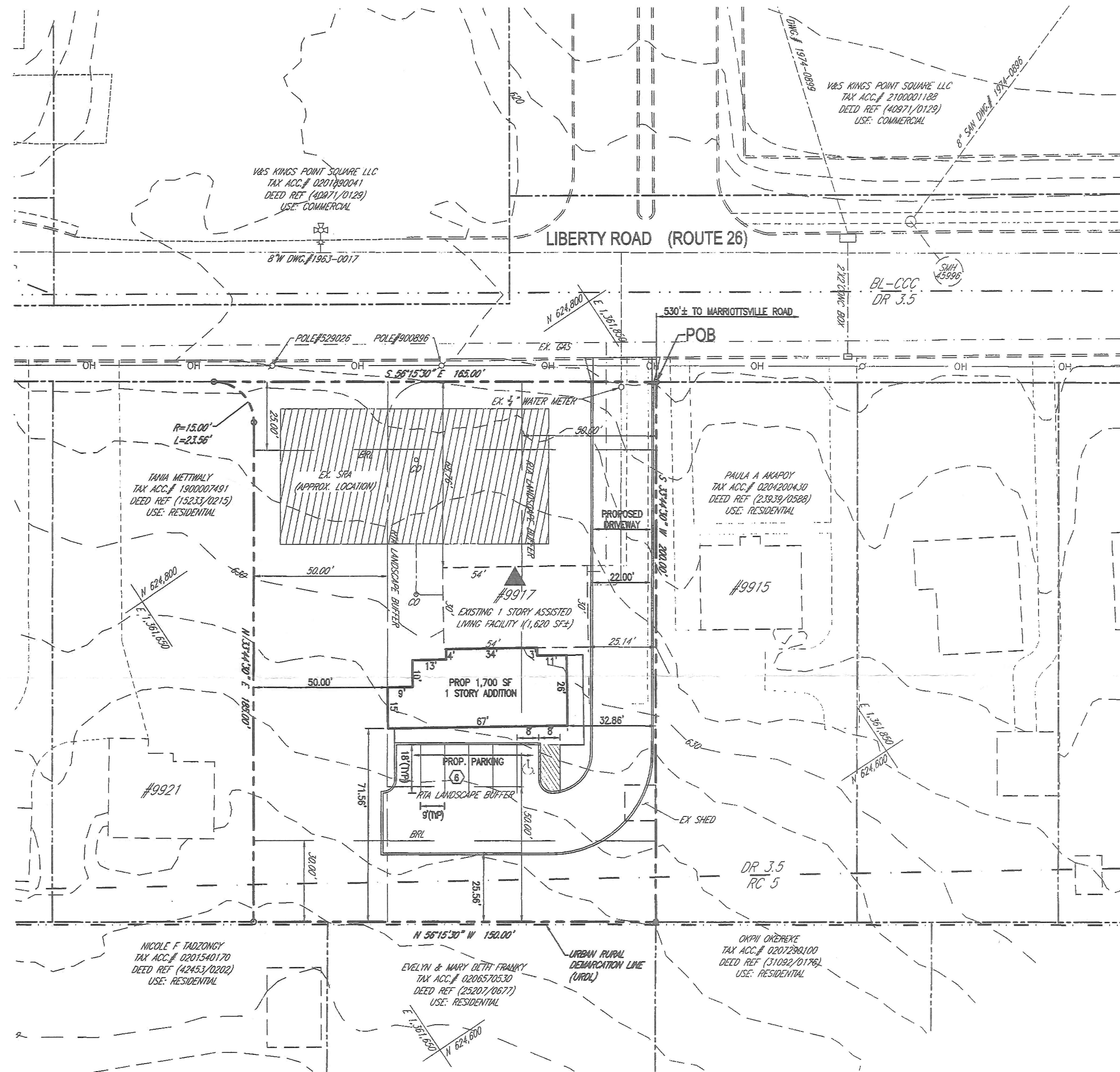


0000-0255-SDHA





LOCATION MAP
SCALE: 1" = 1,000'



PLAN
SCALE: 1" = 30'

GENERAL NOTES:

- OWNER:
THE COMFORTS OF HOME LLC
9917 LIBERTY ROAD
RANDALLSTOWN, MD. 21133
- SITE AREA:
GROSS: 34,998 SF OR 0.803 AC.±
NET: 30,048 SF OR 0.690 AC.±
- EXISTING BUILDING AREA: 1,820 SF
PROPOSED ADDITION AREA: 1,700 SF
TOTAL PROPOSED BUILDING AREA: 3,320 SF
- UTILITIES
WATER PUBLIC
SEWER PRIVATE
- USE
EXISTING: SINGLE STORY CLASS I ASSISTED LIVING FACILITY
PROPOSED: SINGLE STORY CLASS II ASSISTED LIVING FACILITY
- DEED REF: 39737/332
- TAX ACCOUNT: #2300010233
- COUNCILMANIC DISTRICT: 4TH
- REGIONAL PLANNING DISTRICT: HARRISONVILLE
- CENSUS TRACT: 4022.01
- WATERSHED: GWYNNIS FALLS
- EXISTING ZONING: DR3.5 & RC5
(PER 200 SCALE GIS TILE # 66C3 & 76C1)
- TAX MAP #66, GRID #23, PARCEL #197
- PREVIOUS ZONING CASES:
NO KNOWN ZONING CASES.
- NO PREVIOUS BUILDING PERMITS ON FILE. THE EXISTING STRUCTURE WAS BUILT IN 1960.
- THE SITE LIES WITHIN FLOOD ZONE "X" (MINIMAL FLOOD HAZARD) AS SHOWN ON F.I.R.M. # 2400100215F, DATED AUGUST 26 2006.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- PARKING CALCULATIONS
REQUIRED: 1 SPACE PER 3 BEDS

11 BEDS @ 1 SPACE/3 BEDS	4 SPACES
TOTAL PARKING PROVIDED (1 HC AND 5 STANDARD)	6 SPACES
- SETBACKS FOR DR 3.5

TYPE	REQUIRED	PROVIDED
FRONT	25'	68.76'±
SIDE FACE TO SIDE FACE	20'	42'±
REAR	30'	71.56'±
- BASIC SERVICE MAPS (2020)

TYPE	DEFICIENT	(Y/N)	NOTE
WATER	N	-	-
SEWER	N	-	-
TRANSPORTATION	N	-	-
- ALL SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) SECTION 450, OR VARIANCES WILL BE SOUGHT.
- THE PROPERTY IS LOCATED WITHIN THE URD.
- THE PROPERTY IS NOT LOCATED WITHIN 1,000 FEET OF ANOTHER ASSISTED LIVING FACILITY.
- AT LEAST 10% OF THE PROPERTY IS USEABLE, CONTIGUOUS AND PRIVATE OPEN SPACE.

DENSITY CALCULATION

	AREA	ALLOWABLE DENSITY	NO OF BEDS PERMITTED
GROSS AREA WITHIN RC5	0.052 AC.±		1*
GROSS AREA WITHIN DR 3.5	0.751 AC.±	2.6 DENSITY UNITS	10
TOTAL	0.803 AC.±		11
NUMBER OF BEDS BASED ON 1 BED PER 0.25 DENSITY UNITS			

* SPECIAL HEARING REQUESTED TO APPROVE 1 BED RESULTING FROM THE DENSITY ASSOCIATED WITH THE RC 5 ZONE.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208
DON@RICHARDSONENGINEERING.NET

PLAN TO ACCOMPANY ZONING PETITION FOR

THE COMFORTS OF HOME LLC PROPERTY

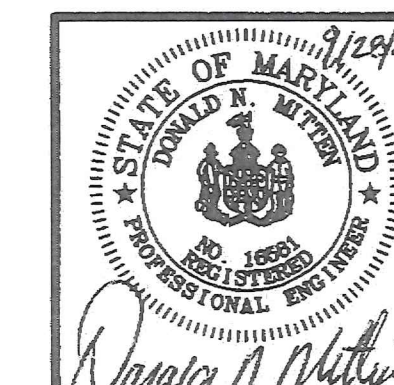
9917 Liberty Road

BALTIMORE COUNTY
2ND ELECTION DISTRICT

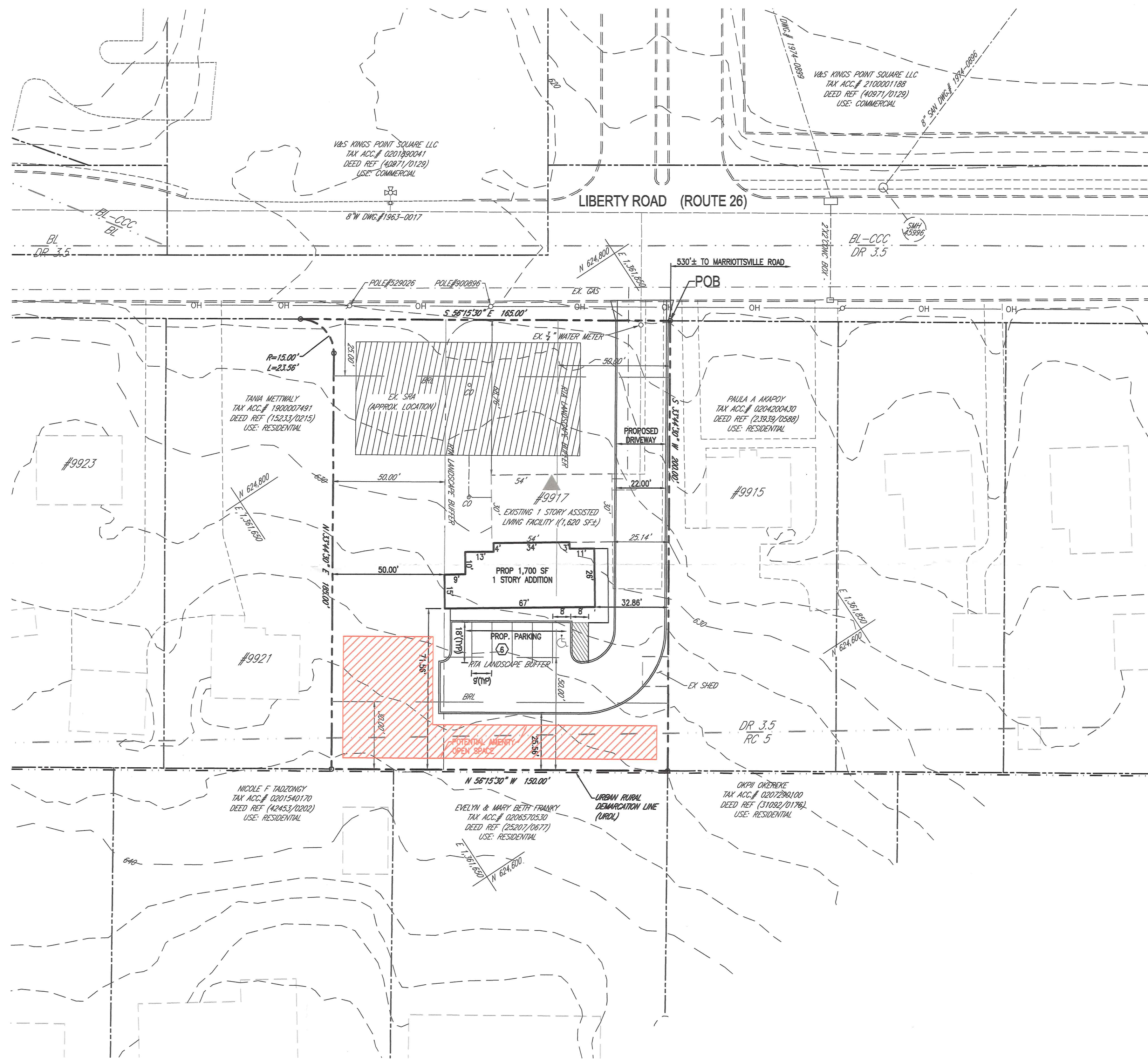
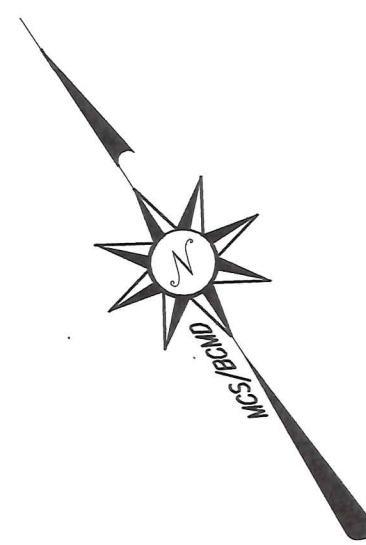
MARYLAND
4TH COUNCILMANIC DISTRICT

REVISIONS	DRAWN BY:	CHECKED BY:	SCALE:
	DNM	DNM	1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	09-28-20	20092	1 OF 1

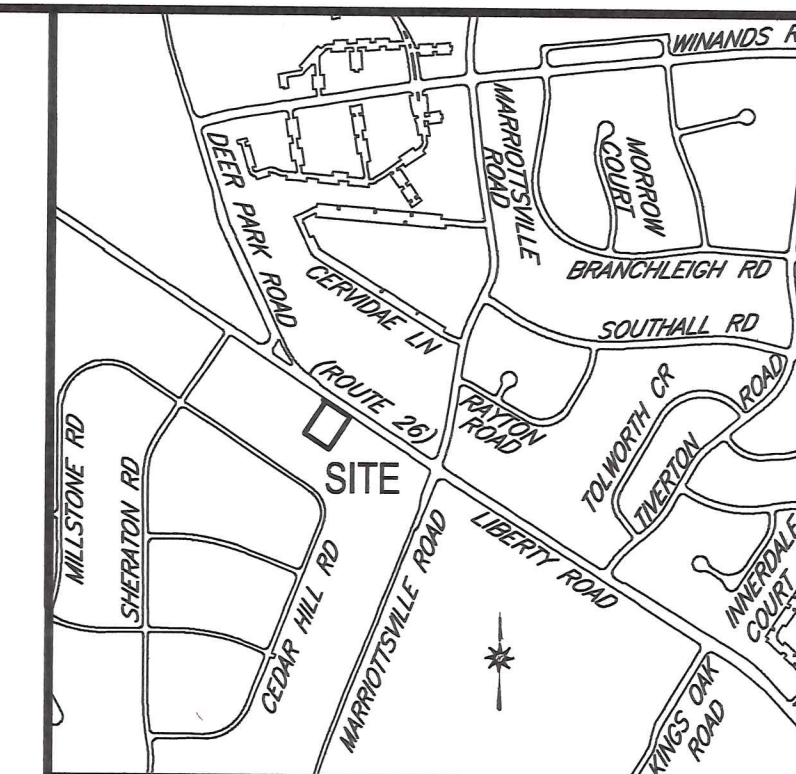
PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE
NUMBER 16581, EXPIRATION DATE: 08-01-2021



2020-0255-SPHA



PLAN
SCALE: 1" = 30'



LOCATION MAP
SCALE: 1" = 1,000'

GENERAL NOTES:

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THE COMFORTS OF HOME LLC
9917 LIBERTY ROAD
RANDALLSTOWN, MD. 21133
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SEWER PRIVATE
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- TAX ACCOUNT: #2300010233
- COUNCILMANIC DISTRICT: 4TH
- REGIONAL PLANNING DISTRICT: HARRISONVILLE
- CENSUS TRACT: 4022.01
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(PER 200 SCALE GIS TILE # 66C3 & 76C1)
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REQUIRED: 1 SPACE PER 3 BEDS
10 BEDS @ 1 SPACE/3 BEDS
TOTAL PARKING PROVIDED (1 HC AND 5 STANDARD) 6 SPACES
- SETBACKS FOR DR 3.5
TYPE REQUIRED PROVIDED
FRONT 25' 68.78'±
SIDE FACE TO SIDE FACE 20' 42'±
REAR 30' 71.56'±
- BASIC SERVICE MAPS (2020)
TYPE DEFICIENT (Y/N) NOTE
WATER N -
SEWER N -
TRANSPORTATION N -
- ALL SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR) SECTION 450, OR VARIANCES WILL BE SOUGHT.
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NUMBER OF BEDS BASED ON 1 BED PER 0.25 DENSITY UNITS

* SPECIAL HEARING REQUESTED TO APPROVE 1 BED RESULTING FROM THE DENSITY ASSOCIATED WITH THE RC-5 ZONE.

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PLAN TO ACCOMPANY ZONING PETITION FOR

THE COMFORTS OF HOME LLC PROPERTY

9917 Liberty Road

BALTIMORE COUNTY
2ND ELECTION DISTRICT

MARYLAND
4TH COUNCILMANIC DISTRICT

REVISIONS
RENG REVISED DENSITY CALCULATION-ADDED AMENITY OPEN SPACE 2-11-21

DRAWN BY: DNM	CHECKED BY: DNM	SCALE: 1" = 30'
DATE: 09-28-20	JOB NO.: 20092	SHEET NO.: 1 OF 1

PROFESSIONAL CERTIFICATION:
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NUMBER 16561, EXPIRATION DATE: 06-01-2021

