

Needs to Apply for Change of
Occupancy from SFD to
Boarding/Rooming House plus
any construction permits

Give to Joe
when returned from ALT
file

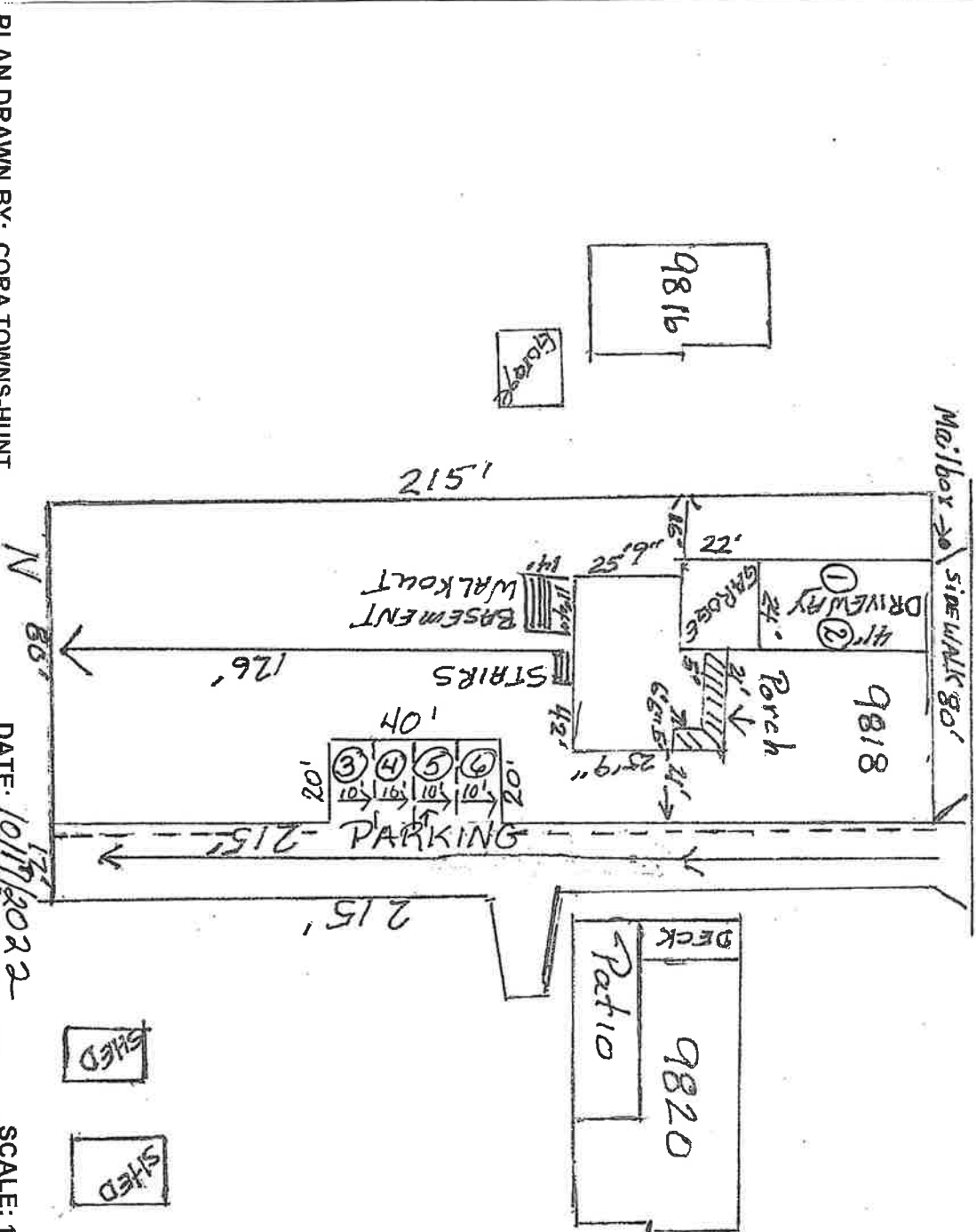
- 1.) Needs Change of Occupancy Permit
- 2.) Needs Interior Alteration Permit

SITE PLAN

ADDRESS: 9818 LYONS MILL RD, OWINGS MILLS, MD 21117-4818 OWNER(S) NAME(S): WILLIAM ROBERT STRAUSS
 10 DIGIT TAX #: 0219711810 DEED REFERENCE: 123762/00188

LYONS MILL RD

TURNING LANE



SITE VICINITY MAP
 MAP IS NOT TO SCALE
 LYONS MILL RD
 WHITE HILLS RD

ZONING MAP #: 0066

PARCEL: 0517

GRID: 0018

ZONING: DR3.5

ELECTION DISTRICT: 2

COUNCIL DISTRICT: 4

LEGISLATIVE DISTRICT: 10

LOT AREA ACREAGE: .323

LOT SQUARE FOOT: 14,080

HISTORIC: NO

FLOOD PLAIN: NO

WATER IS: PUBLIC

SEWER IS: PUBLIC

DRIVEWAY: 18' 2

SPACES: 3, 4, 5, 6
 REAR: Each space
 10' x 20'

PARKING: 6 spaces

PLAN DRAWN BY: CORA TOWNS-HUNT

DATE: 10/17/2022

SCALE: 1 INCH = 40 FEET

Jeffrey N Perlow

From: Debra Wiley
Sent: Thursday, October 13, 2022 6:12 PM
To: Jeffrey N Perlow; Administrative Hearings
Subject: RE: Case No: 2022-0001-BR 9818 Lyons Mill Road - Use Permit

Hu Jeff,

Thank you for response. We will advise Ms. Towns-Hunt of your information.

Thanks again; it is appreciated.

From: Jeffrey N Perlow <JPerlow@baltimorecountymd.gov>
Sent: Thursday, October 13, 2022 5:07 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: RE: Case No: 2022-0001-BR 9818 Lyons Mill Road - Use Permit

Donna,

Ms. Towns-Hunt must apply for a "Change of Occupancy" building permit through our Permit Processing Division's online building permit portal in order to convert the existing building to a Rooming/Boarding House. She can contact them at 410-887-3900 in regards to the Building Permit Portal online. As part of her building permit application, she will be required to upload a commercial site plan/parking plan to the Building Permit portal according to the attached checklist. If she has questions regarding the checklist requirements, she can certainly call me or if I am not available, ask for the planner on phone duty. Thanks so much!

Jeff

Jeffrey Perlow

Zoning Supervisor
Baltimore County Zoning Review Office
Department of Permits, Approvals & Inspections
410-887-3391

From: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Sent: Thursday, October 13, 2022 12:39 PM
To: Jeffrey N Perlow <JPerlow@baltimorecountymd.gov>
Cc: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: FW: Case No: 2022-0001-BR 9818 Lyons Mill Road - Use Permit

Good Afternoon Jeff,

Judge Mayhew wanted me to touch base with you. Please see the attached Order.
Should Ms. Towns-Hunt contact you regarding the submitting of the parking plan? Please advise.

Thank you.

Donna Mignon, Legal Assistant
Office of Administrative Hearings

From: Cora Towns Hunt <anangelsbetterlivingcareii@gmail.com>
Sent: Wednesday, October 12, 2022 3:52 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Subject: Re: Case No: 2022-0001-BR 9818 Lyons Mill Road - Use Permit

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

Hi

Thank you for your prompt response. Please ask Judge ALJ Mayhew if the garage can be used for the employee/caregiver? Also, who in PAI should I submit the parking plan to?

Thank you for your consideration and assistance.

Cora Towns-Hunt
443-477-9546

On Wed, Oct 5, 2022 at 3:04 PM Administrative Hearings <administrativehearings@baltimorecountymd.gov> wrote:

Good Afternoon,

Please find attached ALJ Mayhew's Opinion and Order in reference to the above matter.

Have a great and safe day.

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



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

October 5, 2022

William Robert Strauss – edgerblade@gmail.com
Cora Towns Hunt – anangelsbetterlivingcareii@gmail.com

RE: Application for a Use Permit – Rooming and Boarding
Case No. 2022-0001-BR
Property: 9818 Lyons Mill Road

Dear Mr. Strauss and Ms. Hunt:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature of Paul M. Mayhew in dark ink, written over a printed name.

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dln
Enclosure
c: See Next Page

Lynnette Brown – lynnettegbrown@comcast.net
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Gloria Bass – gbass60@gmail.com
Shilene Johnson – shilene34@icloud.com

IN RE: USE PERMIT for Business/Industrial	*	BEFORE THE
Parking in a Residential Zone		
9818 Lyons Mill Road	*	OFFICE OF
2 nd Election District		
4 th Council District	*	ADMINISTRATIVE HEARINGS
 William Robert Strass	*	 FOR BALTIMORE COUNTY
<i>Legal Owner</i>		
Cora Towns Hunt	*	Case No. 2022-0001-BR
<i>Tenant</i>		

Petitioners

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of an application for a use permit by the owner of the subject property, William Robert Strauss and Cora Towns-Hunt, (“Petitioners”). Pursuant to § 408B of the Baltimore County Zoning Regulations (“BCZR”) the owner of the subject property is requesting a Use Permit from the Office of Permits, Approvals and Inspections to operate a “Rooming and Boarding” House for a maximum of 6. A site plan was marked and admitted as Petitioners’ Exhibit 1.

Due to COVID-19, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted.

No Zoning Advisory Committee (“ZAC”) comments were received. A formal demand was filed by Lynnette G. Brown on August 15, 2022. Numerous community members attended the hearing seeking information and voicing concerns about the proposed use.

The Petitioner, William R. Strauss is the owner of the subject property. Cora Towns-Hunt has entered a lease with him in order to open and operate this proposed group home. She was present at the hearing and testified. The subject property is approximately 14,080 sq. ft. and is zoned DR 3.5. It is located at 9818 Lyons Mill Road in a subdivision of single family homes in Owings Mills. Ms. Towns-Hunt explained that for the last eight years she has operated an Assisted

Living Facility ("ALF") at 9822 Lyons Mill Road, and that her mother resides at 9820 Lyons Mill Road. She further explained that she wants to operate a 55 plus Independent Senior Living facility at this location. Her plan is to provide communal living for five residents. In addition, there will be house manager that prepares meals, does laundry, and does housekeeping. She noted that there are a growing number of "baby boomers" in need of housing options like this. She acknowledged that pursuant to BCZR § 409.6.A.1 that she must provide a minimum of one parking space for each of the residents (and the house manager) for a total of 6 spaces. Pursuant to BCZR § 408B.1.D these parking spaces must be located in the side or rear of the dwelling, unless otherwise allowed by the Administrative Law Judge. The spaces must also be landscaped "in accordance with the Class A requirements of the Landscape Manual." *Id.*

Ms. Towns-Hunt then answered numerous questions from community members and agreed to accept certain conditions if the Use Permit were approved. These conditions are imposed below. Based on Petitioner's testimony and the exhibits submitted I find that the Use Permit should be issued because I believe that it is within the spirit and intent of the zoning regulations and that it will not harm the public health, safety or welfare.

THEREFORE, IT IS ORDERED this 5th day of **October, 2022** by this Administrative Law Judge, that the application for a Use Permit from the Office of Permits, Approvals and Inspections to operate a "Rooming and Boarding" House for a maximum of 6 residents be and hereby is **GRANTED**, subject to the following conditions:

1. All residents must be at least 55 years of age.
2. The Use Permit does not authorize the provision of the services and level of care provided by an Assisted Living Facility.
3. No interior or exterior structural alterations shall be permitted.

4. No overnight guests of the residents are permitted.
5. Prior to issuance of the Use Permit the Petitioner shall submit for approval to PAI a parking plan showing 6 parking places (with no more than 2 spaces in the front of the dwelling), and which conforms with the Class A requirements of the Baltimore County Landscape Manual.
6. The Use Permit shall run only to Petitioner and Cora Towns-Hunt and shall terminate when Ms. Towns-Hunt ceases to operate the over 55 Rooming House at this location.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm