



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 25, 2023

Oum Celine Ngo – celinelovesmado@yahoo.com
18 Venturi Road
Middle River, MD 21220

RE: Petitions for Variance
Case No. 2023-0155-A
Property: 18 Venturi Road

Dear Petitioner:

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 in black ink that reads "Maureen E. Murphy". The signature is fluid and cursive, with the first name "Maureen" being more prominent.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dln
Enclosure

c: Anthony A. Saka, P.E. – antosaka@msn.com

IN RE: PETITION FOR VARIANCE

(18 Venturi Road)
15th Election District
6th Council District
Oum Celine Ngo
Legal Owner

Petitioner

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*
*
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BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2023-0155-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Oum Celine Ngo, legal owner (“Petitioner”) of the subject property located at 18 Venturi Road, Middle River (“the Property”). The Petitioner is seeking a variance from Baltimore County Zoning Regulations (“BCZR”), §432.A.1.A3 to permit an Assisted Living Facility I (“ALF-I”) within 600 ft. of an existing ALF in lieu of the minimum 1,000 ft.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Petitioner appeared at the hearing along with Anthony A. Saka, PE, who prepared and sealed a site plan (the “Site Plan”). (Pet. Ex. 2A). Mr. Saka was accepted as an expert in civil engineering. (Pet. Ex. 1). There were no Protestants or interested citizens who attended.

A Zoning Advisory Comment (ZAC) was received from the Department of Planning (“DOP”) which agency is opposed to the requested relief based on the lack of unique characteristics of the Property and due to a self-imposed hardship in purchasing the Property for the purpose of operating an ALF-I which is within 1,000 ft. of another ALF. Development Plans Review (“DPR”) and Department of Environmental Protection Sustainability (“DEPS”) did not oppose the requested relief.

The Property is 0.189 acres +/- (8,228 sf) and is improved with a 2-story, 1,392 sf dwelling constructed in 1942. Mr. Saka indicated that while SDAT lists the home as measuring 6,000 sf, he measured it and can confirm that it is 8,228 sf. While it has a Venturi Rd. address, and is a corner lot, it fronts on Runway Court. The Property is zoned Density Residential (DR 5.5). It is situated within a residential neighborhood. Street view photographs were submitted. (Pet. Ex. 2B).

Petitioner purchased the home to both reside in it, and to operate, an ALF-I for up to 4 residents. The house has 5 bedrooms which can accommodate the Petitioner and the 4 residents. The Petitioner would be the sole care taker of the residents; no other employees will work or reside in the Property. Mr. Saka also verified that there will be 2 parking spaces for guests of the residents to be located in the driveway and that the parking spaces are within 10 ft. of the Property line. Petitioner will park her vehicle in the garage. Mr. Saka added that the use requires 1 parking space for every 3 beds. Petitioner confirmed that there will not be any deliveries to the Property for the operation of the ALF-I as it is a small business and she will be providing all goods and services for the residents. Petitioner will also be the sole source of transportation for the residents to medical appointments and for their other needs. As shown on the Site Plan, the Property has open space along the eastern side near Venturi Rd. for the residents to enjoy. The open space is more than 10% of the Property and is private, usable and contiguous.

Petitioner explained that she performed due diligence on the legality of operating the ALF-I at the Property prior to purchase in that she went to the Office of Zoning Review ("OZR") but stated that no information was provided to her about the 1,000 ft. requirement. When she went to apply for a use permit, she stated that she was then informed about the requirement to obtain a Variance. After learning about the Variance relief, Mr. Saka obtained a list of all of the ALFs in Baltimore County which did reveal that a licensed ALF-I operating under the name "Heavenly Home" is located at 22 Chandelle Rd., Baltimore, MD 21220 and has been operating for 6 years. (Pet. Ex. 3). Petitioner confirmed that she did not have this list prior to purchase.

Mr. Saka noted that the DOP comment opposing the ALF here was based on the GIS distance of 633 ft. from property line to property line. Mr. Saka presented a copy of the disclaimer from the GIS County system which indicates that the data contained therein could be based on errors or omissions. (Pet. Ex. 4). After seeing the disclaimer, Mr. Saka then researched the distance on Google Maps which indicated that the properties are 0.2 miles door to door which equates to 1,000 ft. (Pet. Ex. 6). He also measured the distance from the Property's front door, stopping at the centerline of Chandelle Rd. in front of 22 Chandelle Rd. to avoid trespassing, and found that the distance to be 864 ft.

Moreover, Mr. Saka studied and opined that both the parking and traffic generated by this ALF-I are less than the average daily trips ("ADT") during peak hours for a single-family home with 4 vehicles. (Pet. Ex. 9). The residents of ALF-I do not drive vehicles and the Petitioner will provide all services and deliveries for the 4 residents with her vehicle. Applying the Institute of Transportation Engineers ("ITE") to the use here, an ALF generates 0.48 trips per 1,000 sf of gross floor area ("GFA"). For this Property, he explained that GFA is 320 sf and therefore the ADTs would be less than 0.48. Similarly, using the ITE trips for 'senior housing' would generate 0.30 trips. There is also on-street parking on the streets surrounding the Property. As a result, he opined that this use will not cause parking or traffic problems for the neighborhood.

Finally, Mr. Saka prepared a comprehensive Compatibility Study which describes the Property in detail. (Pet. Ex. 5). He writes that the ALF-I is a permitted use with the DR zone and therefore is compatible with the neighborhood. Other than Heavenly Home, there are no other ALF-Is within 1,000 ft. of the Property. The Petitioner will not have any signage and intends to live in and care for the residents. He opined that the shape of the Property is irregular and that the Petitioner would suffer a practical difficulty if the relief were not granted as she would not be able to afford to stay in the home without operating the ALF-I.

Mr. Saka further opined that, other than the 1,000 ft distance using the GIS map, the ALF-I here meets the definition in BCZR, §101.1 in that it was constructed in 1942, has not been enlarged by 25% or more of ground floor area within the five years preceding the date of the use permit application, and the Property will accommodate fewer than 8 residents. Mr. Saka also confirmed that the use will meet all the requirements contained in BCZR, §432A.1.

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

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

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

The Property in this case is unique in that its shape is irregular as well as the placement of the 1942 home on the Property, with its frontage facing Runway Court but its address as Venturi Rd. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the Variance for the required 1,000 ft. distance were not granted because she would not be able to remain in her home or operate a much-needed ALF. There is only 1 other ALF within 1,000 ft. of the Property. I find Mr. Saka's argument, that Google Maps measures the distance as 1,000 ft based on a measurement of 0.2 acres, is compelling. His field measurement of 864 sf which was to the centerline of Chandelle Rd. and not to the usable property line, or to the front door, which would have added more separation between the properties, also puts the distance much closer to 1,000 ft. Mr. Saka's compatibility study and his parking/traffic impact study using the ITE Manual provides additional confidence that this use, at this location, will not adversely impact the neighborhood or the ALF-I operating at 22 Chandelle Rd. The owners/operators of Heavenly Home ALF-I did not appear at this hearing in opposition, nor did any neighboring property owners.

I also find that the requested variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition and the need to provide affordable housing for senior citizens in the Middle River area who no longer care for themselves.

THEREFORE, IT IS ORDERED, this 25th day of **October, 2023**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §432.A.1.A3 to permit an Assisted Living Facility ("ALF") within 864 ft. of an existing ALF in lieu of the minimum 1,000 ft., be, and it is hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 2A) is attached hereto and incorporated herein in its entirety.
3. The Petitioner and all subsequent owners/operators of the ALF-I shall comply with the attached DPR ZAC comment.
4. During the ownership and/or operation of the ALF at the Property, the owner/operator shall comply with all requirements of BCZR, §432A.1.

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

mk 23-0629



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 18 Venturi Rd, Middle River, Maryland 21220 Currently Zoned DR 5.5
Deed Reference /47480/00439/ 10 Digit Tax Account # 1518350170
Owner(s) Printed Name(s) Oum Celine Ngo

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

3. X a **Variance** from Section(s)

432A.1.A3, BCZR to permit an ALF 1 that is within 600 feet of an existing ALF 1 in lieu of the minimum 1,000 feet.

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)

An aerial view shows that by virtue of its location at the corner of three intersecting roadways (Venturi Rd, Runway Ct, and Compression Ct), the property is at the epicenter of the neighborhood and hence in proximity to more homes within the specified 1,000 ft buffer than properties located further away from the subject intersection, therefore is relatively more prone to the burden of complying with section 432A.1.A3, BCZR. The requested ALF use is permitted in the zone and the location hardship for the variance is not created by the owner as the existence of the property preceded the enactment of the zoning act. The requested 4-bed ALF use will have fewer adverse impacts, e.g., better property maintenance, and fewer traffic and crimes than other permitted uses.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Attorney for Petitioner:

Name - Type or Print _____
Signature _____
Mailing Address _____ City _____ State _____
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Oum Celine Ngo /
Name #1 - Type or Print _____ Name #2 - Type or Print _____
[Signature] /
Signature #1 _____ Signature #2 _____
18 Venturi Rd, Middle River, MD
Mailing Address _____ City _____ State _____
21220 / 410-710-9317 celine loves mado@yahoo.fr
Zip Code _____ Telephone #'s (Cell and Home) _____ Email Address _____

Representative to be contacted:

Anthony A. Saka, P.E.
Name - Type or Print _____
[Signature]
Signature _____
3116 Paper Mill Rd Phoenix MD
Mailing Address _____ City _____ State _____
21131 / 443-858-1009 antosaka@msn.com
Zip Code _____ Telephone # _____ Email Address _____

Case Number 2023-0155-A Filing Date 7 / 19 / 2023 Do Not Schedule Dates _____ Reviewer msk

ZONING PROPERTY DESCRIPTION for:

18 Venturi Rd, Middle River, MD 21220 beginning at a point on the south side of Runway Ct which is 36 feet wide at the distance of 50 feet west of the centerline of the nearest improved intersecting street, Venturi Rd, which is 46 feet wide. The setback from the front of the building to the property line and centerline of Runway Ct is approximately 25 feet and 45 feet, respectively.

Being Lot #328, Block (N/A), Section # (N/A) in the subdivision of Victory Villa as recorded in Baltimore County Plat Book # 22, Folio # 107, containing 8,228 SQ. FT. or 0.189 Acre. Located in the 15th Election District and 5th Council District.

C



2023-0155-A

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: 2023 - 0155 - A
Property Address: 18 Venturi Road
Legal Owners (Petitioners): Oum Celine Ngo
Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): Anthony A. Saka, P.E.
Address: 3116 Paper Mill Road
Phoenix, MD
21131
Telephone Number: 443-858-1009

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

NOTE TO FILE

DATE: July 21, 2023

TO: Administrative Law Judge (ALJ) and County Review Agencies

FROM: Mitch Kellman
Zoning Review

RE: 2023-0155-A, 18 Venturi Road
Proposed Use of an ALF 1
15th Election District, 6th Councilmanic District

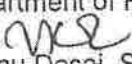
This Petition request was filed for zoning relief of the 1,000 foot minimum between a proposed and an existing assisted living facility (ALF) 1. The proposed ALF 1 is for 4 beds which does not require a minimum lot size within the property's underlying zoning classification (DR5.5); however, the last sealed site plan for hearing request shows a lot of area of 8,228 square feet and the SDAT lists a lot area of 6,000 square feet. The petitioner's engineer should justify the difference at the variance hearing. Also, the petitioner's engineer was made aware that final approval of the ALF is subject to a compatibility finding pursuant to Section 32-4-402 of the Baltimore County Code.

2023-0155-A

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

FROM: 
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For July 31, 2023
Item No. 2023-0155-A

DATE: July 31, 2023

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

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

VKD: JK
cc: file

CERTIFICATE OF POSTING

2023-0155-A

RE: Case No.: _____

Petitioner/Developer: _____

O7um Celine Ngo

October 10, 2023

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: _____

18 Venturi Road ***SIGN 1***

September 20, 2023

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



Sincerely,

September 20, 2023

(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)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 8/3/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0155-A

INFORMATION:

Property Address: 18 Venturi Road
Petitioner: Oum Celine Ngo
Zoning: DR 5.5
Requested Action: Variance

The Department of Planning has reviewed the petition for the following:

Variance - From Section 432A.1.A.3 of the Baltimore County Zoning Regulations (BCZR) to permit an Assisted Living Facility (ALF) I that is within 600 feet of an existing ALF I in lieu of the minimum 1,000 feet required.

The subject site is an approximately 8,200 square foot parcel in the Middle River area. It is improved with a two-story, single family detached dwelling with a one-story attached garage, a driveway, a walkway, a shed, and fencing. The site is a corner lot at the intersection of Venturi Road and Runaway Court. Though the property address is 18 Venturi Road, the dwelling is oriented towards Runaway Court. Uses immediately surrounding the subject site and within the neighborhood are primarily residential, single family detached dwellings. Nearby, along Martin Boulevard, there is a church, a community center, and a daycare.

Approximately 633 feet, measured property line to property line on Baltimore County's GIS database, from the subject site is 22 Chandelle Road, an approved Class I Assisted Living Facility known as Heavenly Home. County GIS indicates Heavenly Home has four beds and that the use permit was issued on August 20th, 2017. Baltimore County's Office of Zoning Review confirmed to the Department of Planning via email on August 1st, 2023 that this was the nearby property triggering the need for a Variance. A screenshot of Baltimore County's GIS database showing the site and the measurement is shown at the end of this memo on Figure 1 on page 3.

The subject site is within the boundaries of the following adopted community plans: the Community Conservation Plan for Essex/Middle River, the Middle River Community Plan of 2007, the Eastern Baltimore County Revitalization Strategy, and the Eastern Baltimore County Pedestrian and Bicycle Access Plan. The listed plans do not provide relevant guidance on the petition at hand.

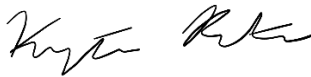
The Department of Planning contacted the representative for the petition via email on July 27th, 2023 requesting additional information on the practical difficulty or hardship making the relief necessary. In a July 31st, 2023 reply, the representative explained that the Petitioner purchased the property on April 20th,

2023 with the intention of using it as an Assisted Living Facility. When the Petitioner attempted to submit an application for a use permit for an ALF to the County's Office of Zoning Review, she was informed she would need a Variance, as there was either an existing ALF or an active application for an ALF within 1,000 feet of the subject site. In regards to hardship, the representative for the petition explained that the Petitioner has invested over \$375,000 in the site between training, purchasing the property, and various fees, and using the property as anything other than an ALF (i.e. as a rental property) would not be a viable option.

While the Department of Planning understands the Petitioner's wishes to use the subject site as an Assisted Living Facility, the Department cannot support the request. The property is not unique or unlike those around it, and the practical difficulty or hardship appears to be self-imposed. The existing Assisted Living Facility at 22 Chandelle Road has been active for almost six years, and proper due diligence by the Petitioner prior to closing on the property would have alleviated the need for the petition.

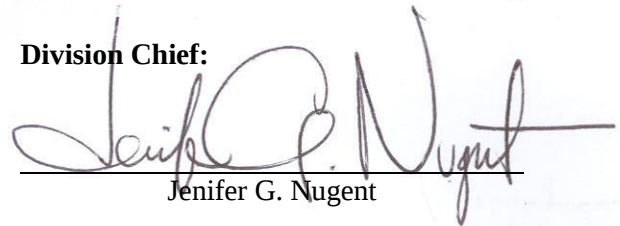
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Anthony A. Saka, P.E.
David Birkenthal, Community Planner
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Figure 1 – A screenshot of Baltimore County’s GIS database showing the subject site, 18 Venturi Road; the existing Assisted Living Facility nearby, 22 Chandelle Road; and a property line-to-property line measurement:



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: July 31, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0155-A
Address: 18 VENTURI RD
Legal Owner: Oum Celine Ngo

Zoning Advisory Committee Meeting of July 31, 2023.

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

Additional Comments:

Reviewer: Earl D. Wrenn

Compatibility Finding for 18 Venturi Rd Property
ALF1 Use Permit Application – Case No. 2023-0155-A

The subject property, which is lot #328 in the Victory Villa subdivision, is an existing one-story frame colonial single-family dwelling with an attached carport built in 1942 on the northwest corner of Venturi Rd and Runway Ct/Compression Ct intersection which are low-volume county local/subdivision roads with a 30-mph posted limit.

Venturi Rd runs in a north-south direction with a 22 ft wide paved surface and approximately 46 ft right-of-way in the vicinity of the property, Runway Ct which is the west-leg of the intersection has a 22 ft wide paved surface and approximately 36 ft right-of-way in the vicinity of the property, and Compression Ct forms the east-leg of the intersection. All three adjacent roads (Venturi Rd, Runway Ct, and Compression Ct) have curbs that allow for on-street parking in the vicinity of the property. Ingress/egress to/from the property is provided by a 12-ft paved driveway that connects the existing carport with the curb on Runway Ct, the fronting roadway. In addition, there is a 3-ft concrete walkway parallel to the driveway that connects the front porch with the curb on Runway Ct.

The property is approximately 500 feet north of Martin Blvd (Rt. 700), which is a major four-lane state collector road running in the east-west direction.

The zoning classification for the property is DR 5.5 (single family residential) which is consistent for the immediate area within the Victory Villa subdivision. Thus, the proposed level 1 assisted living facility (ALF1) is an allowable use as per the DR 5.5 classification and hence compatible with the character of the neighborhood as there will be no external or internal alteration of the property other than possible aesthetic enhancement of the landscape (if and when necessary) and moderate expansion of the 12-ft driveway to allow for the configuration of the proposed additional two 8.5 ft by 17 ft parking spaces as depicted in the Site Plan to supplement the existing carport that might be used by the property owner, Celine Oum, if she elects to also reside there as the owner-manager of the assisted living facility.

The property is characterized by a vast amount of open space that substantially exceeds the required 10 percent of the measured total area of 8,228 sq. ft. to support the recreational and ambulatory needs of the residents. In addition, the proposed 4-bed ALF1 use will generate approximately 32 percent less traffic (as per the Institute of Transportation Engineer's Trip Generation Manual), engender less negative social externalities such as criminal activities, and benefit from the relatively higher-level property maintenance protocols needed in compliance with the stringent state licensing requirements and county zoning and occupancy codes than a typical single-family dwelling use.

A typical daily activity schedules for the proposed ALF1 use are as follows:

- 7 am – 10 am → Activities of Daily Living (ADLS), breakfast, and medications
- 11 am – 7 pm → Visiting hours (only 2 visitors allowed at a time) which complies with the minimum parking requirement for 2 vehicles.
- 12 noon – 2 pm → Lunch
- 2 pm – 5 pm → Recreational and entertainment activities, social time
- 5 pm – 9 pm → Dinner, medications, and evening ADLs

The facility will be providing meals, laundry, transportation to medical appointments, and supervised recreational and other extra-curricular activities. There will be a delegating registered nurse for the residents approximately every 45 days to perform an initial assessment and to prepare the required post-hospitalization paperwork to update the care plan for residents discharged from the hospital.

The facility expects to accommodate a maximum of 4 residents who can be transported by private passenger car so it will not be necessary to acquire a bus or van. Therefore, the character of the residential neighborhood will not be compromised. In other words, the intent is to maintain the residential use and preserve or enhance the character of area even as care is provided for the elderly whose external activities are significantly less than typical for residents of single-family dwellings.

Compatibility Objectives:

1. The arrangement and orientation of the proposed building and site improvements are patterned in a similar manner to those in the neighborhood – N/A.
2. The building and parking lot layouts reinforce existing building and streetscape patterns and assure that the placement of buildings and parking lots have no adverse impact on the neighborhood. The existing carport will be used for employee/owner parking and the proposed two parking spaces will be used for visitor parking. A maximum of two visitors will be allowed at a time and hence there will be no adverse effect on neighborhood parking or traffic flow.
3. The proposed streets are connected to the existing neighborhood road network wherever possible, and the proposed sidewalks are located to support the functional patterns in the neighborhood – N/A.
4. The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and compliment existing open space systems – N/A.
5. Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design – N/A.
6. The proposed landscape design compliments the neighborhood's landscape patterns and reinforces its functional qualities – N/A.

7. The exterior signs, site lighting and accessory structure support a uniform architectural theme and present a harmonious visual relationship with the surrounding neighborhood – N/A.
8. The scale, proportions, massing and detailing of the proposed buildings are in proportion to those existing in the neighborhood – N/A.

In conclusion, the proposed 4-bed assisted living facility at 18 Venturi Rd will positively enhance or at the minimum preserve the character of the neighborhood by way of generating relatively less traffic and on-street parking maneuvers, providing relatively more frequent property maintenance (including landscaping), and caring for the elderly and physically challenged population least likely to be involved in illicit activities. However, a variance relief is being requested owing to the existence of another assisted living facility within 1,000 ft from the subject property.



CERTIFICATE OF POSTING

2023-0155-A

RE: Case No.: _____

Petitioner/Developer: _____

O7um Celine Ngo

October 10, 2023

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: _____

18 Venturi Road ***SIGN 2***

September 20, 2023

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



Sincerely,

 September 20, 2023
(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)

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 15 Account Number - 1518350170

Owner Information

Owner Name: OUM CELINE NGO Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 18 VERTURI RD Deed Reference: /48010/ 00063
BALTIMORE MD 21220-

Location & Structure Information

Premises Address: 18 VENTURI RD Legal Description:
BALTIMORE 21220-3526 VICTORY VILLA

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No: |
0090 0010 0577 15040031.04 0000 328 2021 Plat Ref: 0022/ 0107
Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1942 1,392 SF 6,000 SF 04

StoriesBasementType ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
2 YES STANDARD UNITSIDING/3 1 full

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	54,000	54,000		
Improvements	87,200	107,200		
Total:	141,200	161,200	154,533	161,200
Preferential Land:	0	0		

Transfer Information

Seller: ROBINSON RICHARD A	Date: 05/02/2023	Price: \$345,000
Type: ARMS LENGTH IMPROVED	Deed1: /48010/ 00063	Deed2:
Seller: RITZ GERTRUDE A	Date: 10/26/2022	Price: \$145,000
Type: NON-ARMS LENGTH OTHER	Deed1: /47480/ 00439	Deed2:
Seller: RITZ CHARLES F	Date: 04/21/2021	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /44540/ 00189	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

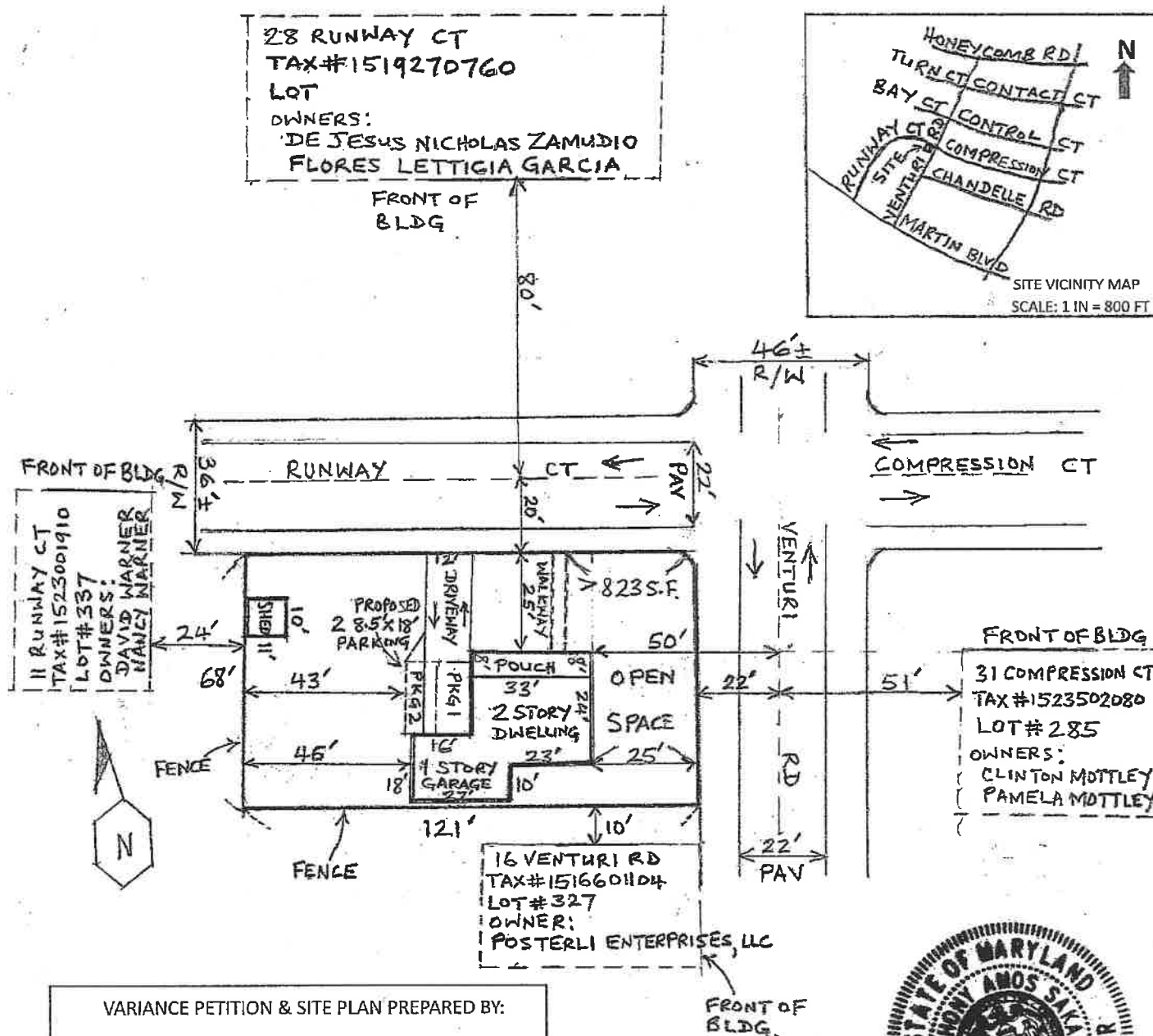
Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0155-A

GENERAL NOTES

1. SITE PLAN FOR ASSISTED LIVING FACILITY 1: 4 BEDS MAX.
2. OWNER NAME: OUM CELINE NGO
3. ADDRESS: 18 VENTURI RD, MIDDLE RIVER, MD 21220
4. SUBDIVISION NAME: VICTORY VILLA
5. LOT #: 328, BLOCK #: N/A, SECTION #: N/A
6. PLAT BOOK #: 22, FOLIO #: 107
7. GROSS SITE AREA: 12,384 SQ. FT. OR 0.284 AC
8. NET SITE AREA: 8,228 SQ. FT. OR 0.189 AC
9. ZONING MAP #: 09081
10. SITE ZONED: DR 5.5
11. BUILDING AREA: 1,392 SQ. FT
12. FLOOR AREA RATIO (1392/12384) = 0.112
13. EXISTING FREE-STANDING SIGN: N/A
14. CENSUS TRACT: 4921.01
15. WATERSHED: BACK RIVER
16. ELECTION DISTRICT: 15TH
17. COUNCIL DISTRICT: 6TH
18. DEED REF #: 48010/00063
19. 10 DIGIT TAX #: 1518350170
20. UTILITIES: PUBLIC WATER, PUBLIC SEWAGE
21. FIRE HYDRANTS: APPROX. 100 FEET FROM PROPERTY (LOCATED AT N-E QUAD. OF VENTURI RD/COMPRESSION CT INTERSECTION)
22. THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN
23. SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA
24. HISTORICAL SITE: NO
25. REQUIRED PARKING: 2 SPACES (1 SPACE PER 3 BEDS FOR ASSISTED LIVING FACILITY)
26. SETBACKS: FRONT OF BLDG TO CENTERLINE OF RUNWAY CT = 45 FT, SIDE OF BLDG TO CENTERLINE OF VENTURI RD = 50 FT (SEE SITE PLAN FOR ADJACENT LOTS)
27. HEIGHT OF STRUCTURE: 21 FT APPROX.
28. PRIOR HEARING: NO



VARIANCE PETITION & SITE PLAN PREPARED BY:

ANTHONY A. SAKA, P.E.
3116 PAPER MILL RD, PHOENIX, MD 21131
PHONE: 443-858-1009 EMAIL: ANTOSAKA@MSN.COM

DATE: 7/5/2023

ENGINEER SCALE: 1 INCH = 40 FEET



FRONT VIEW OF PROPERTY FACING RUNWAY CT



Image source: Zillow

2023-0155-A

SIDE VIEW OF THE PROPERTY FROM RUNWAY CT



Image Source: Zillow

2023-0155-A

SIDE VIEW OF PROPERTY FROM VENTURI RD



Image Source: Zillow

2023-0155-A

PROPERTY LOCATED AT THE CORNER OF VENTURI RD/RUNWAY
CT/COMPRESSION CT INTERSECTION



2023-0155-A

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

No. 221296

Date: 7/19/2023

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
001	806	0000		6150					\$500.00

Total: 500.00

Rec From: Anthony A. Saka

For: Zoning Variance
188 Venturi Road
Zoning Case 2023-0155-A

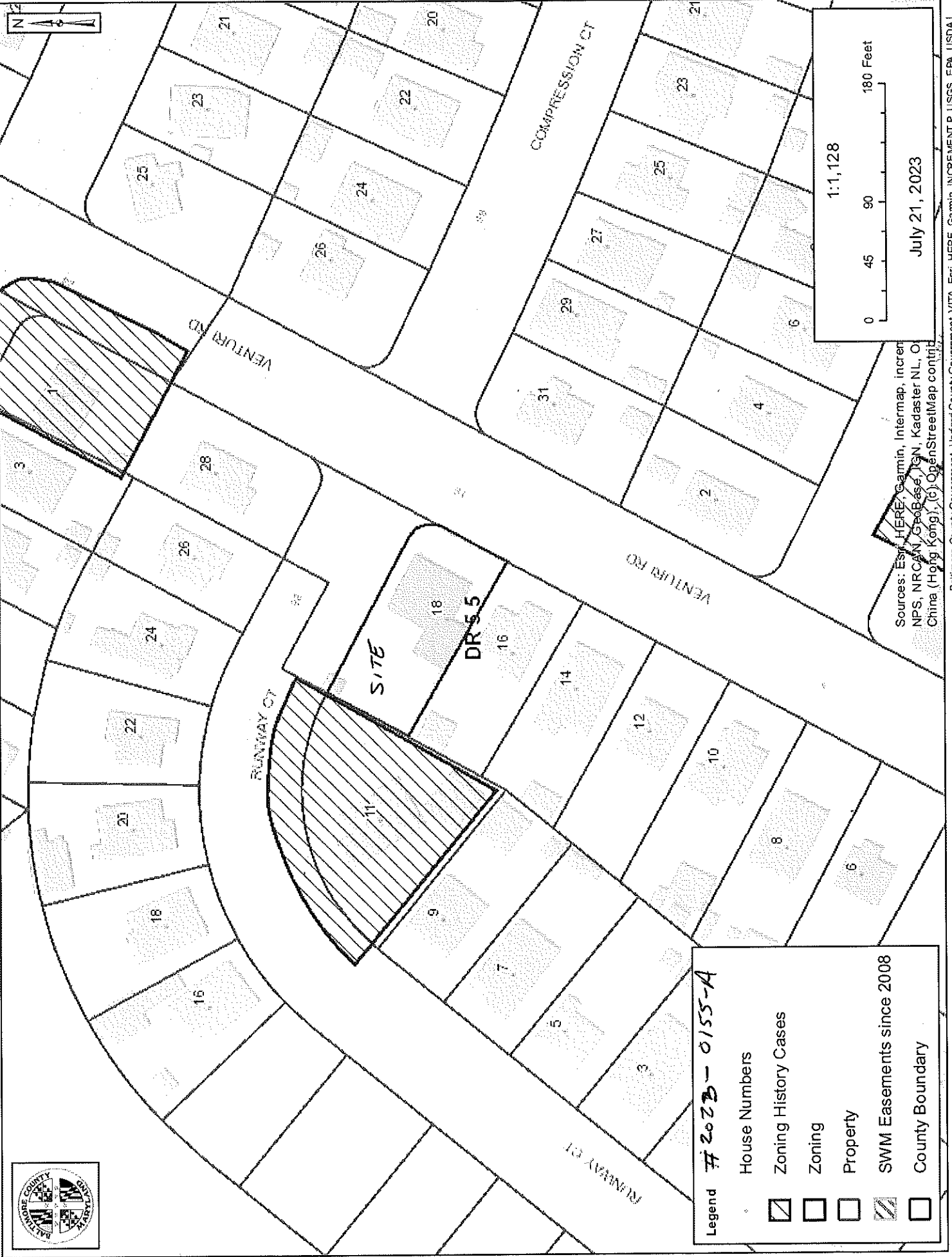
DISTRIBUTION

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

GOLD - ACCOUNTING

CASHIER'S
VALIDATION

Baltimore County - My Neighborhood

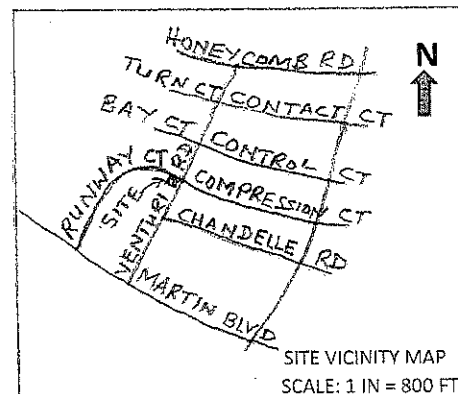


Sources: Esri, HERE, Garmin, Intermap, increment P, NPS, NRCAN, GeoBase, IGN, Kadaster NL, OpenStreetMap contributors, China (Hong Kong), (c) OpenStreetMap contributors, Baltimore County Government, Harford County Government, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USFWS, NOAA

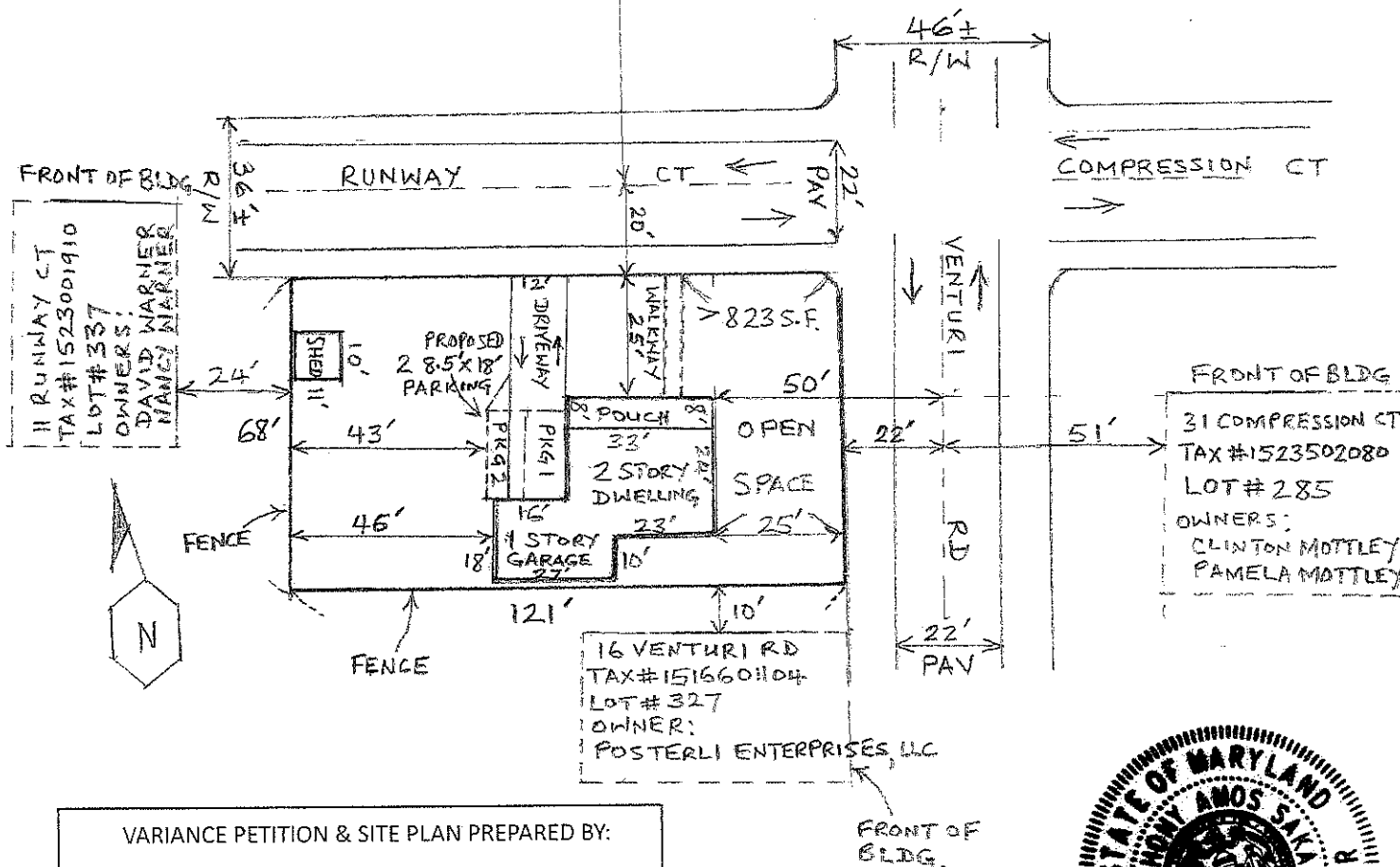
July 21, 2023

OWNERS:
DE JESUS NICHOLAS ZAMUDIO
FLORES LETTICIA GARCIA

FRONT OF
BLDG



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9. ZONING MAP #: 090B1
10. SITE ZONED: DR 5.5
11. BUILDING AREA: 1,392 SQ. FT
12. FLOOR AREA RATIO (1392/12384) = 0.112
13. EXISTING FREE-STANDING SIGN: N/A
14. CENSUS TRACT: 4921.01
15. WATERSHED: BACK RIVER
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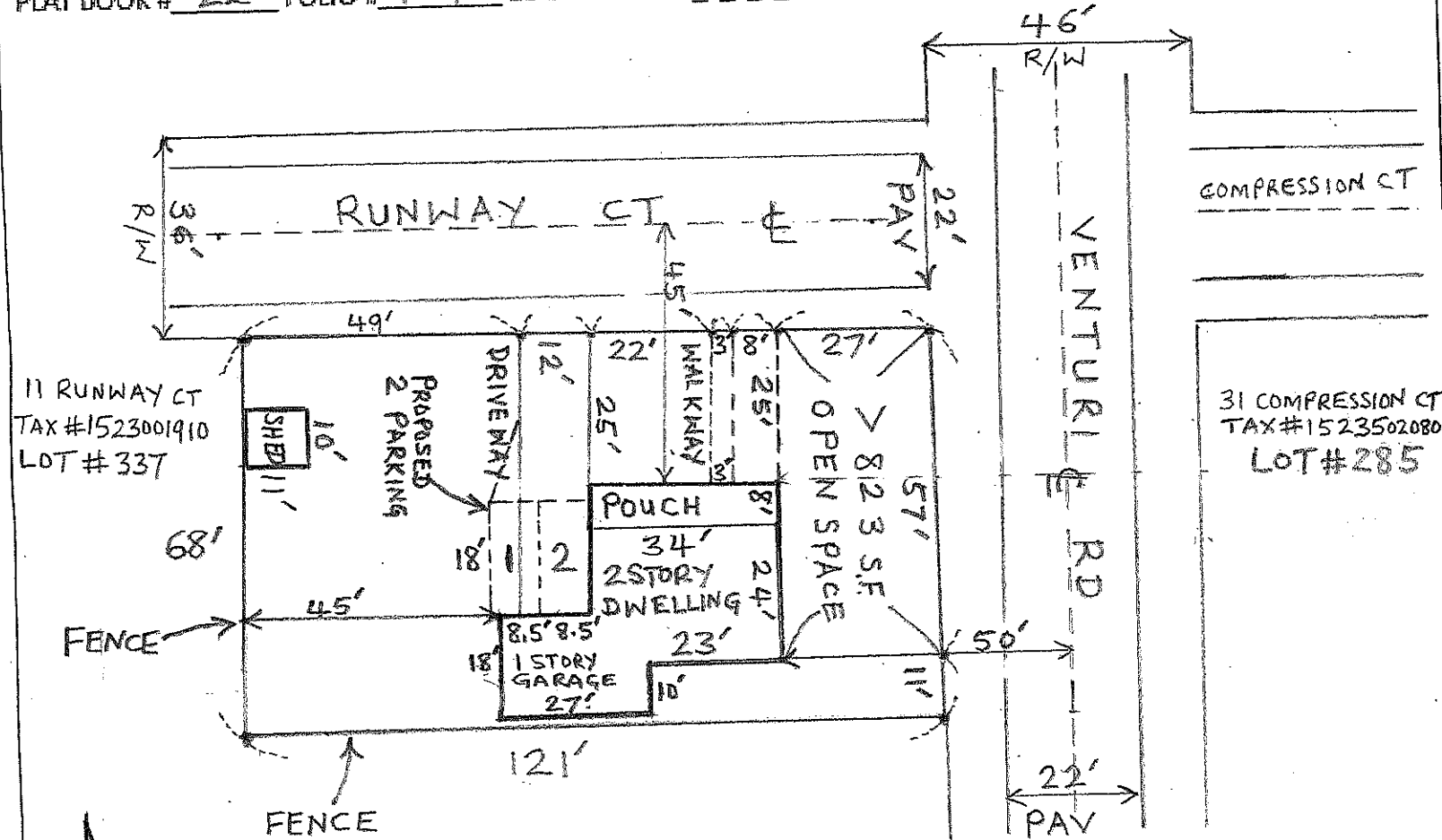
2023-0155-A

ZONING HEARING PLAN FOR VARIANCE X FOR SPECIAL HEARING _____ (MARK TYPE REQUESTED WITH X)

ADDRESS 18 VENTURI RD, MIDDLE RIVER OWNER(S) NAME(S) OUM CELINE NGO

SUBDIVISION NAME VICTORY VILLA LOT # 328 BLOCK # N/A SECTION # N/A

PLAT BOOK # 22 FOLIO # 107 10 DIGIT TAX # 1518350170 DEED REF. # 48010/00063



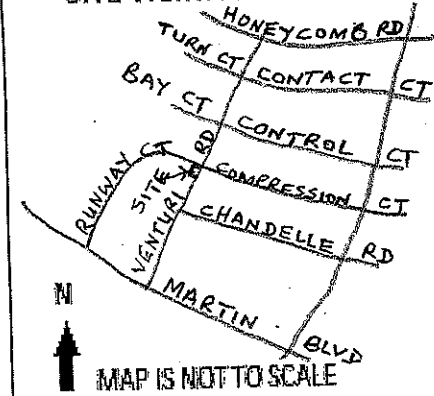
(previous site plan
filed)

PLAN DRAWN BY ANTHONY AMOS SAKA

DATE 6/29/23 SCALE: 1 INCH = 30 FEET

2023-0155-A

SITE VICINITY MAP



ZONING MAP # 09081

SITE ZONED DR 5.5

ELECTION DISTRICT 15

COUNCIL DISTRICT 6

LOT AREA ACREAGE _____

OR SQUARE FEET 6000

HISTORIC? NO

IN CBCA? NO

IN FLOOD PLAIN? NO

UTILITIES? MARK WITH X

WATER IS:

PUBLIC X PRIVATE _____

SEWER IS:

PUBLIC X PRIVATE _____

PRIOR HEARING? NO

IF SO GIVE CASE NUMBER

AND ORDER RESULT BELOW

VIOLATION CASE INFO:

SITE PLAN FOR ASSISTED LIVING FACILITY I

Zoning Use Permit

Plan for Assisted Living Facility I for a Maximum of 4 Beds

18 Venturi Rd
Middle River, Maryland 21220

15th Election District

Owner: Oum Celine Ngo

Date: 6/5/2023

Phone: 410-710-9317

Applicant: Oum Celine Ngo

18 Venturi Rd, Middle River, MD 21220

Phone: 410-710-9317

Lot Size: 8,228 SF.

Zoning Map: 090B1

Zoning: DR 5.5

Parking: 2 parking spaces required for the proposed 4 beds.

Existing Floor Areas SF.

1st Floor = 564 SF.

Front Pouch = 264 SF.

2nd Floor = 564 SF.

Total = 1,392 SF.

THE APPLICANT IS AWARE & CERTIFIES THAT A BUILDING PERMIT FOR THE INSTALLATION AND INSPECTION OF AN "AUTOMATIC SPRINKLER SYSTEM" FOR THE PRINCIPAL BUILDING ON THE PROPERTY WILL BE REQUIRED, PRIOR TO THE OPERATION AND OCCUPANCY OF AN ASSISTED LIVING FACILITY (ALF I, II, OR III), PURSUANT TO THE BALTIMORE COUNTY BUILDING CODE, SECTION 308 AND/OR SECTION 310.

Basement for Utility Equipment = 611 SF Approx

One-Story Car Garage = 300 SF Approx

Open Space: 0.10 X Lot Area (8,228 SF) = 823 SF

For proposed Four beds, required Minimum Lot Size = Not Applicable

THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. THE BUILDING HAS NOT BEEN CONSTRUCTED IN THE 5 YEARS. NO RECONSTRUCTION, RELOCATION EXTERIOR CHANGES OR ADDITIONS OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF 5 YEARS BEFORE THE DATE OF THIS APPLICATION.

Signs will comply with Section 450 BCZR

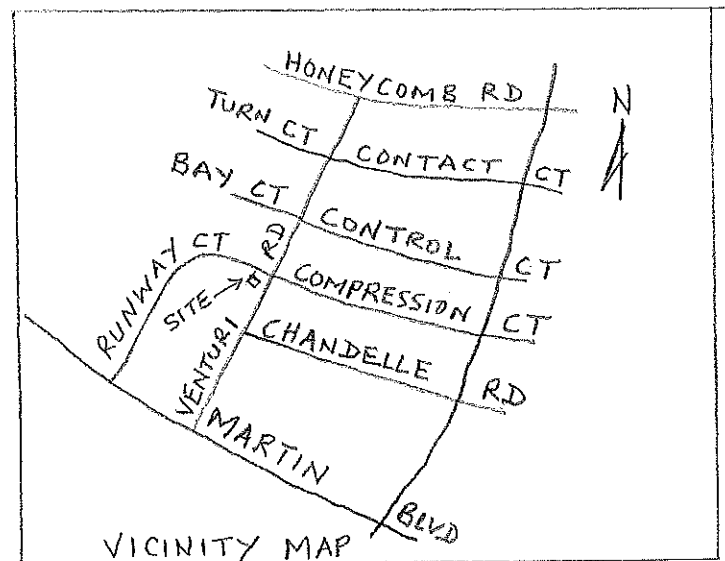
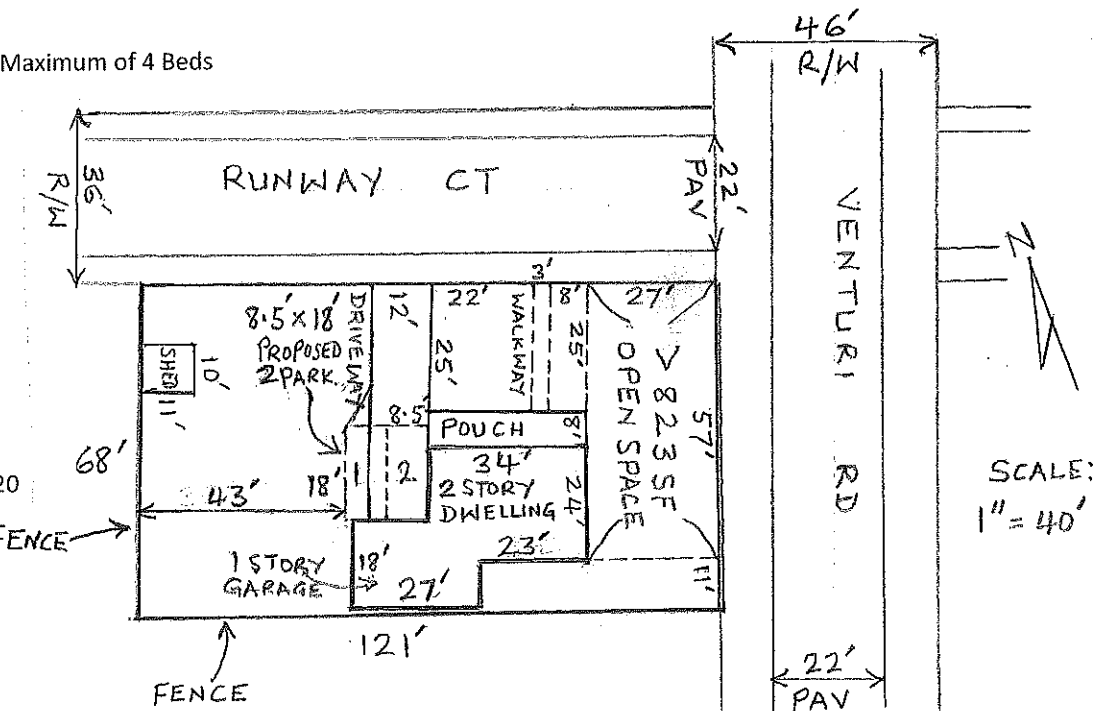
The undersigned applicants are responsible for the accuracy of this plan.

Signature: A. A. Saka Date: 6/5/2023

Anthony A. Saka

Printed Name

Engineer Scale: 1" = 40 Ft.



THE APPLICANT IS AWARE & CERTIFIES THAT IN A D.R. ZONE, AN ASSISTED LIVING FACILITY I OR II IS NOT PERMITTED WITHIN 1,000 FT OF ANOTHER PROPERTY WITH AN EXISTING ASSISTED-LIVING FACILITY I OR II OR ANOTHER PROPERTY FOR WHICH AN APPLICATION FOR A USE PERMIT HAS BEEN FILED FOR AN ASSISTED-LIVING FACILITY I OR II, PURSUANT TO SECTION 432A.1.A3, BCZR.



2023-0155-A