

IN RE: **USE PERMIT for Child Care Center**

Class A/Day Care

3319 Upton Road

11th Election District

5th Council District

Shantae S. Whittle

Legal Owner

Petitioner

* * * * *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2024-0002cc

ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for Reconsideration of the July 1, 2024 Opinion and Order issued in the above captioned case. Specifically, legal owner/Petitioner, Shantae S. Whittle (“Petitioner”) filed an Application for a Use Permit pursuant to Baltimore County Zoning Regulations (“BCZR”), §424 and §500.4, to operate a “Group Child Care Center, Class A” which relief was granted with conditions as set forth in the Opinion and Order. The Motion for Reconsideration which was timely filed via email on July 22, 2024, seeks to amend Condition #1 which reads as follows:

1. Petitioner shall extend/install the 6 ft. white solid panel fence along the rear Property line to completely enclose the Property, connecting the new fence with the existing one. Additionally, all fence gates shall be repaired so they are fully functional and can be locked. The newly installed rear Property line fence need not be constructed 20 feet from the Property line.

The requirement of a fence surrounding the outdoor play area for in a group child care facility is found in BCZR, §424.1. B which reads in pertinent part:

General.

Family child-care homes, group child-care centers and nursery schools shall meet the following requirements:

A. * * * *

ORDER RECEIVED FOR FILING

Date

By

7/23/24
D. Magon

B. In addition, with respect to group child-care centers and nursery schools, outdoor play space abutting residential property shall be fenced. Fences shall be solid wood stockade or panel, a minimum height of five feet, and no closer to the property line than 20 feet.

From the evidence presented at the hearing, it appeared that the outdoor play area would constitute the entire side and rear yards. The photographs previously submitted into evidence showed the rear yard is bordered by trees which are not owned by the Petitioner. Moreover, because the property adjoining the rear yard may, in the future, be developable, Condition #1 was believed necessary to contain the play area, and to protect the health, safety and general welfare of the children attending the day care. Condition #1 required an additional 6 ft. tall fence to connect to the existing side yard 6 ft. tall fence.

However, in the Motion for Reconsideration, Petitioner, through additional photographs, has now clarified that the outdoor play area will be limited to the side yard only extending from the entrance gates to the front foundation wall of the detached garage. Based on the additional evidence submitted in support of the Motion for Reconsideration, I will amend Condition #1 to require at least a 5 ft. tall, solid wood stockade or panel to be installed or constructed extending from the existing 6 ft. tall white solid panel fence to the detached garage as required by BCZR, §424.1.

While Petitioner has cited some regulations pertaining to group child care which may also have to be met, those are State regulations. The regulations pertaining to this Case are County regulations. Additionally, while Petitioner has requested to install a 4 ft. metal fence, that would not meet the requirements in BCZR, §424.1.

THEREFORE, IT IS ORDERED this 23rd day of **July, 2024**, by this Administrative Law Judge that the Motion for Reconsideration is hereby **GRANTED** and Condition #1 as set forth in

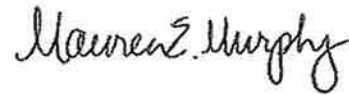
ORDER RECEIVED FOR FILING
Date 7/23/24
By [Signature]

the Opinion and Order shall be amended as follows but all other Conditions contained in the Opinion and Order shall remain the same.

The relief granted herein shall be subject to the following:

1. Petitioner shall extend and/or install a solid wood stockade or panel fence, at a minimum height of five (5) feet, to completely enclose the outdoor play area for the group child care center, connecting/extending the new fence with the existing 6 ft. tall, white panel side yard fence and the detached garage. Additionally, all fence gates shall be repaired so they are fully functional and can be locked. The newly installed outdoor play area fence need not be constructed 20 feet from the Property line.

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



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING
Date 7/23/24
By J. Wagon

Donna Mignon

From: Administrative Hearings
Sent: Tuesday, July 23, 2024 1:24 PM
To: Shantae Whittle
Cc: Helen McGrain; nawbmw@verizon.net; Debra Wiley; County Council (countycouncil@baltimorecountymd.gov); Henry Ayakwah; New PAI Address; Peoples Counsel; Peter Max Zimmerman (pzimmerman@baltimorecountymd.gov); Rebecca Wheatley (rwheatley@baltimorecountymd.gov); Taylor Bensley; Vishnubhai K Desai (vdesai@baltimorecountymd.gov)
Subject: Case No: UP-2024-0002-CC - Order on Motion for Reconsideration
Attachments: UP-2024-0002-CC - Order on Motion for Reconsideration.pdf

Good Afternoon,

Please find attached ALJ Murphy'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

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 23, 2024

Shantae Whittle – childcare21234@gmail.co.
3319 Upton Road
Parkton, MD 21234

RE: **Motion for Reconsideration**
Case No. UP-2024-0002cc
Property: 3319 Upton Road

Dear Ms. Whittle:

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,


MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

:dlm

Enclosure

c: Helen McGrain – mcgrainhelen@gmail.com
Beth McGraw-Wagner – nawbmw@verizon.net
Lisa Muhlbach – 3318 Upton Road, Parkville, MD 21234

IN RE: USE PERMIT for Child Care Center	*	BEFORE THE
Class A/Day Care	*	OFFICE OF
3319 Upton Road	*	ADMINISTRATIVE HEARINGS
11th Election District	*	
5 th Council District	*	
 Shantae S. Whittle	*	FOR BALTIMORE COUNTY
<i>Legal Owner</i>	*	
 Petitioner	*	Case No. 2024-0002cc
* * * * *		

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of an Application for a Use Permit by the legal owner, Shantae S. Whittle (“Petitioner”), of the property located at 3319 Upton Rd., Parkville, MD (the “Property”). Pursuant to Baltimore County Zoning Regulations (“BCZR”), §424 and §500.4, Petitioner filed an Application for a Use Permit with the Office of Permits, Approvals and Inspections to operate a “Group Child Care Center, Class A”. On March 3, 2024, the Application was accepted for filing by the Office of Zoning Review (“OZR”).

The Petition was properly advertised and posted. On March 19, 2024, a formal demand for a hearing was filed by Helen McGrain, 3320 Upton Rd. After several postponements were requested and granted, a public WebEx hearing was conducted virtually in lieu of an in-person hearing on June 24, 2024 at 10:00 a.m. Petitioner appeared *pro se* and testified. Neighboring property owners appeared in opposition namely: Helen McGrain, 3320 Upton Rd.; Lisa Muhlbach, 3318 Upton Rd.; and Beth McGraw Wagner, 3305 Upton Rd. No Zoning Advisory Committee (“ZAC”) comments were received from any County agencies.

The Property is 29,936 sf and is improved with a single family dwelling where Petitioner resides with her boyfriend and granddaughter. Petitioner and her boyfriend have 2 vehicles parked

ORDER RECEIVED FOR FILING

Date

By

7/1/24
[Signature]

at the Property. Street view photographs were submitted. (Pet. Exs. 1-21). As shown in the aerial photographs submitted, the Property is located within and surrounded by other residential uses. (Pet. Ex. 22, 23). Upton Rd. is a dead-end street but has street parking on both sides. The Property is zoned Density Residential (DR 5.5).

As shown in the street view photographs and site plan, the front of the home has a 6 ft. tall white, solid panel fence which extends to the right and left Property lines. (Pet. Exs. 8, 11, 13, 20, 22). In addition, the same 6 ft. tall white fence extends along the left side of the home until it ends at the rear Property line. (Pet. Exs. 8, 11, 13). Abutting the rear Property line is forested property. (Pet. Ex. 8). The right hand side of the Property has a 6 ft. tall wooden fence which belongs to 3317 Upton Rd. (Pet. Ex. 1, 2, 22). A driveway extends from Upton Rd. up to two (2) gates which are connected to the white fence and enable access into a concrete patio area. (Pet. Exs. 1, 3-5). The concrete patio area located within the side yard has an elevated pool area accessed via stairs. (Pet. Exs. 1, 2).

Petitioner requests approval to have a child care center for 11 children. While a Class A Group Child Care Center permits a maximum of 12 children, because her granddaughter resides in the home, she may only care for 11 children. The ages for the children would range from 6 weeks to preschool age; children may bring lunch, snacks and sleeping items. The hours of operation would be from 6:00 am to 6:00 pm Monday – Friday. She anticipates children being dropped off/picked up in the driveway and that traffic generated by the day care would be no different than typical residential use. In addition to herself, Petitioner will have 2 employees. There will not be any service vehicles or deliveries coming to the Property attributable to the day care. Petitioner testified, if she elected to operate a day care center for eight (8) children, no Use Permit would be required. Petitioner confirmed that there are no child care centers operate in any

adjoining properties. Petitioner will need to complete the required education and training to operate the center.

Helen McGrain testified that she and her family have resided at 3320 Upton Rd. for many years. Her primary concern is the operation of a business in a residential neighborhood and the additional traffic it will generate. Mrs. McGrain is opposed to any signage for the day care being installed on the Property as well as the conversion of any part of the Property to a parking lot. In her view, there will be at least 14 additional vehicles (12 children being transported plus 2 employees) coming and going from the Property during operating hours. Mrs. McGrain is concerned that there will not be parking along the street in front of her home.

Lisa Muhlback, 3318 Upton Rd., lives next to Mrs. McGrain. Ms. Muhlback conceded that she has 4 vehicles associated with her home, some of which park on Upton Rd., along with a camper parked at her Property on occasions. Ms. Muhlback testified that she operated an in-home day care for up to 6 children in a previous home. She is equally concerned about additional traffic which will be generated by the day care.

Beth McGraw Wagner, 3305 Upton Rd., testified that her property is located toward the end of Upton Rd. Ms. McGraw is concerned that adding 48 trips to Upton Rd. is unsafe for the residents and children who walk and ride bikes on sidewalks along or on Upton Rd. which is not only a dead-end, but curved. She mentioned that there is no crosswalk across Upton Rd.; there is only a crosswalk across Orbitan Rd. She is concerned that vehicles for the day care will make U-turns on Upton Rd.

In rebuttal, Petitioner responded that she will not have signs erected for the day care, and will not be constructing a parking lot. As a homeowner, Petitioner is invested in her home and neighborhood, will make sure there are no safety issues, and agrees to enforce use of the driveway

for drop off and pick up of children. Petitioner indicated that the requested day care will have no greater impact than a large family with vehicles.

DECISION

A request for a Class A Group child-care center requires an Application for a Use Permit to be filed pursuant to BCZR, §424.4. the Application meets the requirement of BCZR, §424.4.A.1. Additionally, the evidence must support the requirements of BCZR, §424.4.A.6 (b), (c), and (d). In regard to Subsection (b), I find that the proposed day care is consistent with the character of the surrounding community and will not adversely impact that community. The day care also meets the requirements of BCZR, §424.1 in that there is a 6 ft. tall solid panel fence around the concrete patio play area, and along the green lawn area, which extends to the rear Property line, as well as a separate fence surrounding the pool area. While the Site Plan does not show that the fence is 20 feet from the Property line, the fence was installed prior to the Petitioner's purchase and it would be cost prohibitive to have it moved inside of 20 ft. from the Property line. Moving the fence would serve no purpose and would reduce the size of the play area. However, as a condition herein, I will require that the 6 ft. tall white fence be extended and connected along the rear yard so that the entire Property is enclosed. The uncontroverted evidence also supports the finding that there are no adjoining family child-care homes, group child-care or nursery schools.

BCZR, §424.4A.6(c) requires that the use will not be detrimental to the health, safety or general welfare of the surrounding community, and that the use satisfies the objectives of BCZR, §502.1. Accordingly, while the Petitioner is not requesting a Special Exception, an analysis of the Special Exception factors is appropriate.

ORDER RECEIVED FOR FILING

Date

By

Based on the uncontroverted evidence, I find that the proposed in-home day care meets all of the Special Exception factors in BCZR, §502.1. The fact that the Property is zoned DR 5.5 is persuasive evidence that an in-home day care for 11 children is an appropriate use for the Property. Specifically, I find that the use will not be detrimental to the health, safety or general welfare of the locality as it is surrounded by other residential properties. Indeed, the Petitioner could have as many as 8 children in a day care at the Property without seeking any relief. Given that fact, I am not convinced that having 3 more small children will adversely impact the neighborhood. The Property is already improved with a single family home, and has a large play area which will be fenced-in as a condition herein. I am not persuaded that the dropping off and picking up 11 children will create congestion along Upton Rd. Vehicles coming to the Property are not parking there for any extended periods of time but just long enough to drop off/pickup. For a day care, BCZR, §409.6 requires 1 parking space per employee on the largest shift but not less than 2 spaces. To the extent that the Petitioner hires 2 employees, there are 2 parking spaces available on the driveway. There is unrestricted parking along Upton Rd.

I also find that a day care use does not create a hazard from fire, panic or other danger, particularly in a single family home where the Petitioner resides. The use will not overcrowd the land or cause undue concentration of population. This use will not interfere with provisions for schools, parks, water, sewer or transportation. There is no interference with light or air as no building improvements are planned. In regard to consistency with impermeable surface and vegetative retention provisions, and environmental resources on the Property and vicinity, there are no DEPS ZAC comments indicating that there are no environmental areas on the Property.

Lastly, under BCZR, §424.4A.6(d), I find that the Residential Transition Area ("RTA") requirements under BCZR, §1B01.1.B.1.e should be modified because the size of the Property

could never even partly meet the RTA 75 ft. parking setback or 50 ft. landscaped buffer. Notably, one of the purposes of the RTA is to assure that similar housing types are built adjacent to one another, or that adequate buffers and screening are provided between dissimilar housing types. Here, the homes are all single family dwellings and will remain. Additionally, I do not find that the RTA should apply because there is no 'development' occurring on the Property; this is simply a Use Permit requested under BCZR, §500.4. Moreover, I find that the existing fence, and the fence to be provided along the rear Property line, along with the forested area adjoining the rear of the Property, provides adequate separation between the proposed day care use and the adjoining properties.

Accordingly, for the foregoing reasons, the Use Permit will be granted.

THEREFORE, IT IS ORDERED this 1st day of **July, 2024** by this Administrative Law Judge, that the application for a Use Permit under BCZR, §500.4 and §424.1 *et seq* to operate a "Group Child Care Center, Class A" be, and it is hereby **GRANTED**, subject to the following conditions:

1. Petitioner shall extend/install the 6 ft. white solid panel fence along the rear Property line to completely enclose the Property, connecting the new fence with the existing one. Additionally, all fence gates shall be repaired so they are fully functional and can be locked. The newly installed rear Property line fence need not be constructed 20 feet from the Property line.
2. There shall be no signs erected or installed on the Property in regard to the day care center.
3. There shall be no new parking spaces or new parking areas constructed at the Property for the day care center.
4. The Petitioner shall require that all vehicles coming to the Property for drop off/pick up will pull into the driveway and/or park along Upton Rd. on same side of street as the Property.

ORDER RECEIVED FOR FILING
Date 7/1/24
By [Signature]

5. The number of children shall be limited to 11.

6. The days/hours of operation will be Monday–Friday from 6:00 am to 6:00 pm.

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

Maureen E. Murphy

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm

ORDER RECEIVED FOR FILING

Date

By

7/1/24
Dr. Mignone

Donna Mignon

From: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Sent: Monday, July 1, 2024 8:06 AM
To: Shantae Whittle
Cc: Helen McGrain; nawbmw@verizon.net; Debra Wiley; County Council; Henry Ayakwah; PAI Zoning Advisory Committee; Peoples Counsel; Peter Max Zimmerman; Rebecca Wheatley; Taylor Bensley; Vishnubhai K Desai
Subject: Case No: 2022-0002-cc Use Permit Order - 3319 Upton Road
Attachments: 2024-0002cc - Use Permit Order - 3319 Upton Road.pdf

Good Morning,

Please find attached ALJ Murphy'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

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 1, 2024

Shantae Whittle – childcare21234@gmail.co.
3319 Upon Road
Parkton, MD 21234

RE: Use Permit
Case No. UP-2024-0002cc
Property: 3319 Upton Road

Dear Ms. Whittle:

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".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

:dlm

Enclosure

c: Helen McGrain – mcgrainhelen@gmail.com
Beth McGraw-Wagner – nawbmw@verizon.net
Lisa Muhlbach – 3318 Upton Road, Parkville, MD 21234

JP-2024-0002-CC
CASE NO. 2024

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/Conditions/Comments/No Comment</u>
_____	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	_____
_____	DPW AND/OR DPW&T	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	

NEWSPAPER ADVERTISEMENT	Date: 10/4/24	
SIGN POSTING (1 st)	Date: 10/2/24	by L O'Keefe
SIGN POSTING (2 nd)	Date: _____	by _____

PEOPLE'S COUNSEL APPEARANCE	Yes ☐ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

live



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353
WWW.BALTIMORECOUNTYMD.GO
V

Cashier Christina F.

Transaction 102200

Total \$60.00

CREDIT CARD SALE \$60.00

VISA 6784

Retain this copy for statement
validation

Station: Permit Processing - Mini

19-Mar-2024 10:15:27A

\$60.00 | Method: EMV

VISA CREDIT

XXXXXXXXXXXX6784

HELEN MCGRAIN

Reference ID: 407900557780

Auth ID: 05813D

MID: *****2995

AID: A0000000031010

AthNtwkNm: VISA

SIGNATURE

Payment CMW5Y6QA8XZBA

Clover Privacy Policy

<https://clover.com/privacy>

FORMAL DEMAND FOR HEARING
(ADMINISTRATIVE VARIANCE, USE PERMITS AND USE APPROVALS)

Case Number: 2024-0002 cc

Property Address: 3319 Upton Road, Parkville, Md ²¹²³⁴

Legal Owners (Petitioners): Shantae WATTLE

TO THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY:

Protestant #1 Helen McGRAIN 410-591-5955 443-797-9810 ²¹²³⁴

Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #

mcgrainhelen@gmail.com

Email Address

the ☒ Owner(s) or ☐ Occupant(s) of

3320 Upton Rd. Parkville, Md 21234

Address City State Zip Code

Protestant #2 _____

Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #

Email Address

the ☐ Owner(s) or ☐ Occupant(s) of

Address City State Zip Code

which is located approximately 25 feet from the property (must be within 1,000 ft. of subject property),
which is the subject of the above petition, **do hereby submit a formal demand for a public hearing regarding this matter.***

I/WE HAVE SUBMITTED THE REQUIRED PROCESSING FEE FOR THIS DEMAND AND REQUEST THAT A HEARING BE SCHEDULED FOR THE SUBJECT PETITION.

*Failure to accept two proposed Hearing dates will result in the Demand request being dismissed and the Hearing will be held and/or a review by the Hearing Officer will take place without the protestants input. It is the responsibility of the protestant to verify the location, or web address, date and time of the hearing.

Helen McGrain 3-19-24

Signature Date

Signature Date

FORMAL DEMAND FOR HEARING
(ADMINISTRATIVE VARIANCE, USE PERMITS AND USE APPROVALS)

Case Number: _____
Property Address: 3319 Upton Road, Parkville, Md ²¹²³⁴
Legal Owners (Petitioners): Shantae WATTLE

TO THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY:

Protestant #1 Helen McGRAIN 410-591-5955 443-797-9810 ²¹²³⁴
Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #
mcgrainhelen@gmail.com
Email Address

the ☒ Owner(s) or ☐ Occupant(s) of
3320 Upton Rd. Parkville, Md 21234
Address City State Zip Code

Protestant #2 _____
Protestant Name(s) - Type or Print Telephone # (Cell) Alternate Phone #

Email Address

the ☐ Owner(s) or ☐ Occupant(s) of

Address City State Zip Code

which is located approximately 25 feet from the property (must be within 1,000 ft. of subject property),
which is the subject of the above petition, **do hereby submit a formal demand for a public hearing regarding this matter.***

I/WE HAVE SUBMITTED THE REQUIRED PROCESSING FEE FOR THIS DEMAND AND REQUEST THAT A HEARING BE SCHEDULED FOR THE SUBJECT PETITION.

*Failure to accept two proposed Hearing dates will result in the Demand request being dismissed and the Hearing will be held and/or a review by the Hearing Officer will take place without the protestants input. It is the responsibility of the protestant to verify the location, or web address, date and time of the hearing.

Helen McGrain 3-19-24
Signature Date

Signature Date

January 24, 2024

To: Permits, Approval, and Inspections
Room 111, County Office Bldg.
111 West Chesapeake Avenue
Towson, Maryland 21204
Telephone: 410-887-3353

A Large Family Child Care Home Registration (9-12 children in a residence) has been requested by:

Name of Applicant: SHANTAE WHITTLE

Address of Applicant: 3319 UPTON RD., PARKVILLE, MD 21234

Telephone Number: 443-803-2915 or childcare21234@gmail.com

The above-named individual has requested a large family child care home registration (9-12 children in a residence). Effective January 1, 2012, the Annotated code of Maryland was amended to include a new category of child care facilities, Large Family Child Care Homes. The COMAR Regulations governing this new category, COMAR 13A.18.01-16, became effective February 6, 2012. Since the Zoning Regulations in Baltimore County define family child care as care for up to eight (8) children in care, we understand that an applicant for this new type of facility will have to meet the local Zoning requirements set up for Class A child care centers in residences in Baltimore County. As Class A child care facilities, these large family child care homes must obtain use permits. The above-named individual has requested that this process be initiated as the first step in this application process. Please contact the above-named individual to begin this process.

After review, please complete the following and send to the **MSDE/ Office of Child Care Licensing office** at the address listed below:

**MSDE/ OCC, Region 3
409 Washington Ave., Suite LL8
Towson, MD 21204
Mail Stop 64**

A Large Family Child Care Home may operate at the above address:

YES _____ No _____ (If no, please specify the grounds for disapproval and additional action required of the applicant) _____

Name and Title: _____

Signature: _____

Date: _____

Application for Child Care Center Class A / Adult Day Care Use Permit

This Use Permit is requested in accordance with Sections 424.4 and 500.4 of the Baltimore County Zoning Regulations.

Proposed Child Care Location:

Election District: 11

Subdivision: 0000

Street Address: 3319 Upton Road 21234

Lot Number: 1 Block Number: A

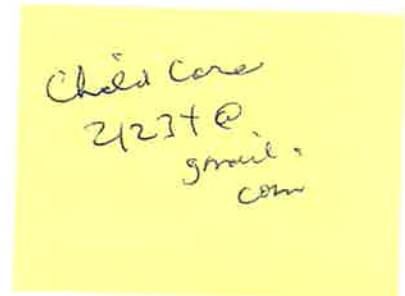
*If no lot or block number, give distance to nearest intersecting street, _____

feet, north / south / east / west of _____ Street / Road / Avenue

Lot Size: _____ x _____

Existing Nearest Child Care Center Location: (lot number, street address, etc.)

La Petite Academy of Nottingham Bldg
8601 Weather Blvd, Nottingham Md. 21236



General Information:

A. Name and Address of Applicant/Operator

Shantae S. Whittle
3319 Upton Road
Parkville Md. 21234

Telephone Number (443) 803-2915

B. Number of Employees 3 Hours of Operation 6a-6p Days of Week 5

C. Number of Children Enrolled 12

D. Estimated Amount of Traffic Generated (Drop-off / Pick-up / Deliveries):

Morning 10 Afternoon 10

E. Site Plan, drawn to scale, indicating location and type of structure on lot in question, location and dimensions of play parking area (s) arrangement, and proximity of dwellings on adjacent lots must accompany this Use Permit.

F. Snapshot of the Structure

I am aware that the zoning regulations require that the above property be posted for a period of thirty (30) days prior to the Zoning Commissioner taking any action, that said posting (sign) shall include information relative to the number of children, hours of operation, and number of employees, and that I am responsible for, and hereby agree, to pay expenses for all posting, advertising, and filing fees.

Shantae Whittle

Applicants Signature

Scheduled Dated, Certificate of Filing and Posting for a
Class A Child Care Center
Use Permit

The application for your proposed Class A Child Care Center has been reviewed and is accepted for filing by on

TYLER COX Name on 3/3/24 Date (A)

A sign indicating the proposed Child Care Center must be posted on the property for thirty (30) days before a decision can be rendered. Total cost, which includes application fee and posting, is \$75.00.

In the absence of a request for a public hearing during the 30-day posting period, decision can be expected within approximately five weeks.

Suggested Posting Date: 3/3/24
B (A + 7 Days or Next Friday)

Date Posted: 3/3/24
C (Certified Below)

Hearing Requested – YES ☐ No ☐ Date: _____

Last Day of Hearing Requests: 4/1/24
D (C + 30 Days)

Approximate Decision Date: _____
E (A + 40 Days or D + 5 Work Days)

*Within 14 days of filing

CERTIFICATE OF POSTING

District: 11

Location of Property: 3319 Upton Road
Parkville, MD 21234

Number of Signs: 1 Date of Posting: 3/3/2024

Posted by: Linda O'Keefe

TO: THE DAILY RECORD
Tuesday, April 23, 2024 - Issue

Please forward billing to:
Shantae Whittle
3319 Upton Road
Parkville, MD 21234

443-803-2915

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 and/or in person (upon request) on the property identified herein as follows:

CASE NUMBER: UP-2024-0002CC
3319 Upton Road
11th Election District – 5th Councilmanic District
Legal Owner: Shantae Whittle

Use Permit to permit a Class A Childcare Facility with the maximum allowable number of children (12).

Hearing: Tuesday, May 14, 2024 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 of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

April 11, 2024

NOTICE OF HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below), for the Property identified herein as follows:

Case Number: UP-2024-0002CC

Property Address: 3319 UPTON ROAD

Election District: 11 Council District: 5

Legal Owner: Shantae Whittle

Contract Purchaser: No Contract Purchaser was set.

USE PERMIT: To permit a Class A Childcare Facility at 3319 Upton Road, with the maximum allowable number of children (12).

Webex Hearing: Tuesday - 05/14/2024 - 10:00 AM

If an in-person hearing has been requested in writing and granted, the address location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to hearing to confirm the hearing format at 410-887-3868 (0 for operator), or via email: administrativehearings@baltimorecountymd.gov

In addition, it is a requirement that you have the Property posted with a Zoning Notice Sign by an approved poster on the Property by **April 23, 2024**. For your convenience, please see attached listing of Approved Sign Posters, and provide them this Notice. Please be advised that if the Property is not posted by this date, your hearing will be cancelled.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868
www.administrativehearings@baltimorecountymd.gov

BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

The petitioner must use one of the sign posters on this approval list. Any reposting must also be done by one of these approved posters. If you wish to select a poster not listed on the list above, prior approval by the Department of Permits, Approvals and Inspections/Zoning is required.

This department is not associated with any of the above posters, nor do we recommend any specific one. We do suggest that you contact a number of them to compare prices, since their charges may vary.

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/2/2024

Case Number: UP-2024-0002CC

Petitioner / Developer: SHANTAE WHITTLE

Date of Hearing: JUNE 24, 2024

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
3319 UPTON ROAD

The sign(s) were posted on: JUNE 2, 2024

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0002CC
3319 UPTON ROAD
PARKVILLE, MD 21234
Council District: 5, Election District: 11

USE PERMIT: To permit a Class A Childcare Facility at 3319 Upton Road, with a maximum allowable number of children (12).

Hearing Date: Monday, June 24, 2024 – 10:00 AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. (Spokane Ave.) Hearing Room 205C, Towson, MD 21204. Persons contacting the Office of Administrative Hearings a few days prior to the hearing to modify the hearing format to the phone number or email address shown below.

Office of Administrative Hearings
185 West Chesapeake Avenue, Suite 100, Towson, Maryland 21204 / Phone: 410-686-5366 ext. 211
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0002CC

3319 UPTON ROAD

PARKVILLE, MD 21234

Council District: 5, Election District: 11

USE PERMIT: To permit a Class A Childcare Facility at 3319 Upton Road, with a maximum allowable number of children (12).

Hearing Date: Monday, June 24, 2024 – 10:00 AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

2nd Sign Posted @ 3319 Upton Road ~ 6/2/2024

CASE # UP-2024-0002CC



Background Photo 1st & 2nd Sign @ 3319 Upton Road ~ 6/2/2024
CASE # UP-2024-0002CC

ATTENTION: DORINA MIGNON

DATE: 6/23/2024

Case Number: 2024-0002CC

Petitioner / Developer: SHANTAE WHITTLE

Date of Hearing: JUNE 24, 2024

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
3319 UPTON ROAD

The sign(s) were posted on: JUNE 2, 2024

The signs(s) were Re-Photographed: JUNE 23, 2024

ZONING HEARING
The Administrative Law Judge of Baltimore County,
by authority of the Zoning Act and Regulations of
Baltimore County, will hold a hearing virtually via
WebEx, and/or in-person upon request (see below)
for the Property identified herein as follows:

CASE # 2024-0002CC
3319 UPTON ROAD
PARKVILLE, MD 21234
Council District: 5, Election District: 11

USE PERMIT: To permit a Class A Childcare
Facility at 3319 Upton Road, with a maximum
allowable number of children (12).

Hearing Date: Monday, June 24, 2024 – 10:00 AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The
Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please
contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing
format as the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 101, Towson, Maryland 21204 / Phone 410-587-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0002CC

3319 UPTON ROAD

PARKVILLE, MD 21234

Council District: 5, Election District: 11

USE PERMIT: To permit a Class A Childcare Facility at 3319 Upton Road, with a maximum allowable number of children (12).

Hearing Date: Monday, June 24, 2024 – 10:00 AM

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to the hearing to confirm the hearing format at the phone number or email address shown below.

Office of Administrative Hearings

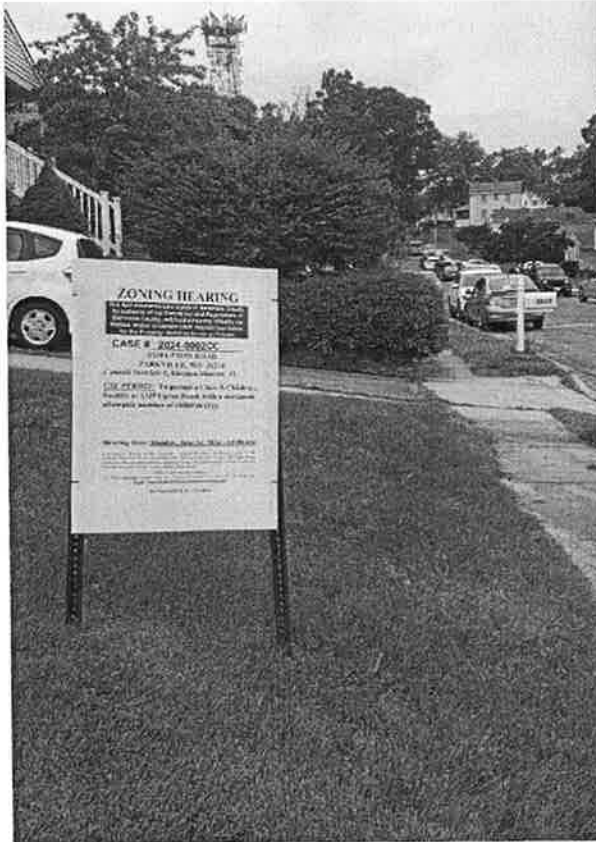
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0

Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

Re-Photographed 2nd Sign @ 3319 Upton Road ~ 6/23/2024

CASE # 2024-0002CC



Re-Photographed Front Side of
1st Sign 6/23/2024

Re-Photographed Back Side of
1st Sign 6/23/2024

3319 Upton Road
CASE # 2024-0002CC



Re-Photographed Front Side of
2nd Sign 6/23/2024

Re-Photographed Back Side of
2nd Sign 6/23/2024

3319 Upton Road
CASE # 2024-0002CC



Background Photo 1st and 2nd Sign Re-Photographed
@ 3319 Upton Road ~ 6/23/2024
CASE # 2024-0002CC

Donna Mignon

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, June 23, 2024 11:38 PM
To: Administrative Hearings
Subject: Certifications
Attachments: Upton Rd. Cert.jpeg; Upton Rd. Photo #1.docx; Upton Rd. Photo #2 .docx; Upton Rd. Photo #3.docx; Upton Rd. Photos #4.docx; Windsor Mill Rd. Cert. .jpeg; Windsor Mill Rd. Photo #1.docx; Windsor Mill Photo #2.docx; Windsor Mill Rd. Photo #3.docx

CAUTION: This message from luckylinda1954@yahoo.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 Debra,

I am attaching the Certifications along with photos for Case # 2024- 0002CC @ 3319 Upton Road and Case # 2024-0058-XA @ 7525 7545 Windsor Mill Road.
Have a Nice Cool Day,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

ATTENTION: KRISTEN LEVVIS

DATE: 3/3/2024

Building Permit Application

Petitioner / Developer: SHANTAE WHITTLE

Date of Closing: APRIL 2, 2024

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
3319 UPTON ROAD

The sign(s) were posted on: MARCH 3, 2024



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background Photo @ 3319 Upton Road ~ 3/3/2024
Building Permit Application

ATTENTION: KRISTEN LEVY

DATE: 3/3/2024

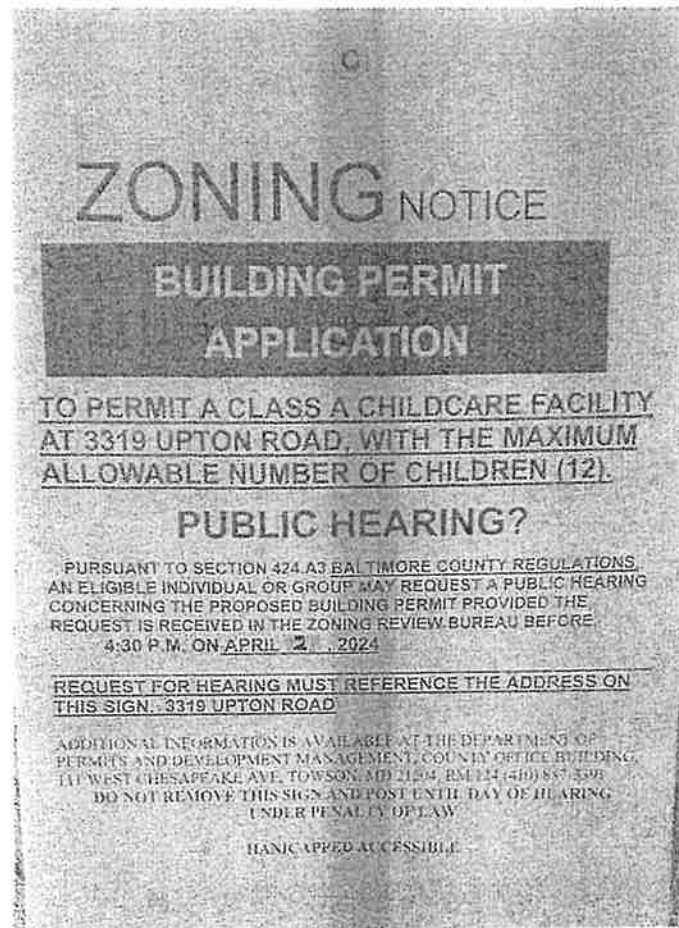
Building Permit Application

Petitioner / Developer: SHANTAE WHITTLE

Date of Closing: APRIL 2, 2024

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
3319 UPTON ROAD

The sign(s) were posted on: MARCH 3, 2024



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, MD 21030
(City, State, Zip of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



Background Photo @ 3319 Upton Road ~ 3/3/2024
Building Permit Application

6/24

Maryland The Daily Record
200 St. Paul Place
Baltimore, MD, 21202
Phone: 4435248100

MARYLAND

THE DAILY RECORD

Affidavit of Publication

To: Shantae Whittle -
3319 Upton Road
Parkville, MD, 21234

Re: Legal Notice 2617884,
CASE NUMBER: UP-2024-0002CC

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published in the State of Maryland 1 time(s) on the following date(s): 06/04/2024

By



Joy Hough
Authorized Designee of the Publisher

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 and/or in person (upon request) on the property identified herein as follows:

CASE NUMBER: UP-2024-0002CC

3319 Upton Road

11th Election District - 5th Councilmanic District

Legal Owner: Shantae Whittle

Use Permit to permit a Class A Childcare Facility with the maximum allowable number of children (12).

Hearing: Monday, June 24, 2024 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.

je4 2617884

Maryland The Daily Record
200 St. Paul Place
Baltimore, MD, 21202
Phone: 4435248100

MARYLAND

THE DAILY RECORD

Affidavit of Publication

To: Shantae Whittle -
3319 Upton Road
Parkville, MD, 21234

Re: Legal Notice 2605791,
CASE NUMBER: UP-2024-0002CC

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published in the State of Maryland 1 time(s) on the following date(s): 04/23/2024

By



Joy Hough
Authorized Designee of the Publisher

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 and/or in person (upon request) on the property identified herein as follows:

CASE NUMBER: UP-2024-0002CC

3319 Upton Road

11th Election District - 5th Councilmanic District

Legal Owner: Shantae Whittle

Use Permit to permit a Class A Childcare Facility with the maximum allowable number of children (12).

Hearing: Tuesday, May 14, 2024 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 410-887-3968, ext. 0.

ap23 2605791

Donna Mignon

From: Administrative Hearings
Sent: Monday, June 17, 2024 7:47 AM
To: 'childcare21234@gmail.com'; 'Helen McGrain'
Cc: Administrative Hearings
Subject: Use Permit Hearing: 2024-0002-CC

Good Morning,

As you are aware, a virtual Webex hearing has been scheduled for June 24, 2024 at 10:00 a.m.

Please email any and all hearing exhibits, documents, site plans, photographs or evidence of any kind that you wish to present at the hearing to our office . The documents must be submitted in PDF format at **least two full business days** in advance of the hearing to : 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.

These exhibits will be displayed on a computer screen as you explain at the hearing what you are seeking in your case. Please note that these documents are in addition to any paperwork submitted when you originally filed your petition with the Office of Zoning Review. Our Office is separate from the Office of Zoning. If our office does not receive this information, your case may not be able to be heard on this day. Thank you.

You can find more information on our website
at: <https://www.baltimorecountymd.gov/departments/adminhearings/devzoninghearings.html>

Please bring a hard copy of all exhibits and drop off in our lobby (address below) at least two full business days before the hearing date.

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

Join from the webinar link

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=mb2efb211682aaffef07301da5120d50e>

Join by the webinar number

Webinar number (access code): 2300 935 2821

Webinar password: 4321 (4321 from phones and video systems)

Panelist password: 1234 (1234 from phones and video systems)

Tap to join from a mobile device (attendees only)

+1-415-655-0001,,23009352821#4321# US Toll

Some mobile devices may ask attendees to enter a numeric password.

Join by phone

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 23009352821@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your webinar number.

If you are a host, click [here](#) and login site to view host information.

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

Donna Mignon

From: Donna Mignon
Sent: Thursday, April 11, 2024 12:55 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: LINK -

Webinar topic:

Use Permit Hearing - Virtual - Case No: UP-2024-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

Date and time:

Tuesday, May 14, 2024 10:00 AM | (UTC-04:00) Eastern Time (US & Canada)

Join link:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=mb2efb211682aaffef07301da5120d50e>

Webinar number:

2300 935 2821

Webinar password:

4321 (4321 from phones and video systems)

Join by phone

+1-415-655-0001 US Toll

Access code: 230 093 52821

Donna L. Mignon

Legal Assistant

Office of Administrative Hearing for Baltimore County

Jefferson Building

105 West Chesapeake Avenue, Suite 103

Towson, MD 21204

410-887-3868

From: Donna Mignon <messenger@webex.com>
Sent: Thursday, April 11, 2024 12:51 PM
To: Donna Mignon
Subject: (Forward to attendee) Webex webinar invitation: Use Permit Hearing - Virtual - Case No: UP-2024-0002-cc - 3319 Upton Road - Owner: Shantae Whittle
Attachments: Webex_webinar.ics

[illegible]

Join webinar

Join by the webinar number

Webinar number (access code): 2300 935 2821

Webinar password: 4321 (4321 from phones and video systems)

Tap to join from a mobile device (attendees only)

+1-415-655-0001,,23009352821#4321# US Toll

Some mobile devices may ask attendees to enter a numeric password.

Join by phone

+1-415-655-0001 US Toll

Global call-in numbers

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

Donna Mignon

From: Donna Mignon
Sent: Friday, April 26, 2024 12:09 PM
To: Kristen L Lewis
Cc: Debra Wiley
Subject: This has been rescheduled to June 24th - new link below

Webinar topic:

Use Permit Hearing - Virtual - Case No: UP-2024-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

Date and time:

Monday, June 24, 2024 10:00 AM | (UTC-04:00) Eastern Time (US & Canada)

Join link:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=mb2efb211682aaffef07301da5120d50e>

Webinar number:

2300 935 2821

Webinar password:

4321 (4321 from phones and video systems)

Join by phone

+1-415-655-0001 US Toll

Access code: 230 093 52821

Donna L. Mignon

Legal Assistant

Office of Administrative Hearing for Baltimore County

Jefferson Building

105 West Chesapeake Avenue, Suite 103

Towson, MD 21204

410-887-3868

Subject:	Use Permit Hearing - Virtual - Case No: UP-2024-0002-cc - 3319 Upton Road - Owner: Shantae Whittle
Location:	https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=mb2efb211682aaffef07301da5120d50e
Start:	Mon 6/24/2024 10:00 AM
End:	Mon 6/24/2024 11:00 AM
Show Time As:	Tentative
Recurrence:	(none)
Meeting Status:	Not yet responded
Organizer:	Cisco Webex

Use Permit Hearing
Virtual
Case No: UP-2024-0002-cc
Address: 3319 Upton Road
Owner: Shantae Whittle

When it's time, start your webinar.

Start webinar

1

Join from the webinar link

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=mb2efb211682aaffef07301da5120d50e>

Join by the webinar number

Webinar number (access code): 2300 935 2821

Webinar password: 4321 (4321 from phones and video systems)

Panelist password: 1234 (1234 from phones and video systems)

Tap to join from a mobile device (attendees only)

+1-415-655-0001,,23009352821#4321# US Toll

Some mobile devices may ask attendees to enter a numeric password.

Join by phone

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 23009352821@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your webinar number.

If you are a host, click [here](#) and login site to view host information.

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

From: Donna Mignon <messenger@webex.com>
Sent: Friday, April 26, 2024 12:08 PM
To: Donna Mignon
Subject: (Forward to attendee) Webex webinar changed: Use Permit Hearing - Virtual - Case No: UP-2024-0002-cc - 3319 Upton Road - Owner: Shantae Whittle
Attachments: Webex_webinar.ics

Use Permit Hearing
Virtual
Case No: UP-2024-0002-cc
Address: 3319 Upton Road
Owner: Shantae Whittle



Join by the webinar number

Webinar number (access code): 2300 935 2821

Webinar password: 4321 (4321 from phones and video systems)

Tap to join from a mobile device (attendees only)

+1-415-655-0001,,23009352821#4321# US Toll

Some mobile devices may ask attendees to enter a numeric password.

Join by phone

+1-415-655-0001 US Toll

Global call-in numbers

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

Donna Mignon

From: Shantae Whittle <childcare21234@gmail.com>
Sent: Monday, July 22, 2024 11:01 PM
To: Administrative Hearings
Subject: Re: Motion for Consideration Case Number UP-2024-0002 Property location 3319 Upton Road

CAUTION: This message from childcare21234@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.

Hello,

I neglected to add in my email that regulations state that the barrier for the play area must be a minimum of 4ft. That would mean the fence/ initial barrier would be 6ft with an inner barrier of 4ft to contain the play area and entry to daycare.

Thank you,
Shantae Whittle

On Mon, Jul 22, 2024 at 10:52 PM Shantae Whittle <childcare21234@gmail.com> wrote:

Good evening,

I am reaching out to request a motion for reconsideration regarding condition #1. Regarding the gates the repairs have been completed and the gates are functional with the ability to lock. Please see the photo. As part of the condition, it has been requested that I extend/install the 6ft white panel fence along the rear property line to completely enclose the property. During the hearing, I neglected to include pictures of the full rear of the property. I have included photos below to show the layout of the yard and particularly, the side I plan to use for the daycare. Please see the photos. As you can see, the property is pretty extensive. The portion of the yard that I plan to use for the daycare play area is less than a quarter of my yard space which would be the immediate grass area where the gates begin to the start of the garage wall. The regulations state that I must have 75 square feet per child for the play area. This regulation could be well met with my request. If you could view the photo that shows the view from the rear to the front gates. I would like to request that a 4 ft. metal fence be installed beginning at the front entrance of the garage that would fully extend to the current six foot fence. This would allow me to enclose the play area fully without access to the additional rear space and still continue to work and make additions to my yard as I plan to aerate with the intention to grow grass in the rear of my yard and create destination spaces and retainer wall flower beds in the future. I respectfully ask that you consider this option to the condition.

Respectfully,
Santae Whittle
443-803-2915
childcare21234@gmail.com





Donna Mignon

From: Shantae Whittle <childcare21234@gmail.com>
Sent: Monday, July 22, 2024 10:53 PM
To: Administrative Hearings
Subject: Motion for Consideration Case Number UP-2024-0002 Property location 3319 Upton Road

CAUTION: This message from childcare21234@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.

Good evening,

I am reaching out to request a motion for reconsideration regarding condition #1. Regarding the gates the repairs have been completed and the gates are functional with the ability to lock. Please see the photo. As part of the condition, it has been requested that I extend/install the 6ft white panel fence along the rear property line to completely enclose the property. During the hearing, I neglected to include pictures of the full rear of the property. I have included photos below to show the layout of the yard and particularly, the side I plan to use for the daycare. Please see the photos. As you can see, the property is pretty extensive. The portion of the yard that I plan to use for the daycare play area is less than a quarter of my yard space which would be the immediate grass area where the gates begin to the start of the garage wall. The regulations state that I must have 75 square feet per child for the play area. This regulation could be well met with my request. If you could view the photo that shows the view from the rear to the front gates. I would like to request that a 4 ft. metal fence be installed beginning at the front entrance of the garage that would fully extend to the current six foot fence. This would allow me to enclose the play area fully without access to the additional rear space and still continue to work and make additions to my yard as I plan to aerate with the intention to grow grass in the rear of my yard and create destination spaces and retainer wall flower beds in the future. I respectfully ask that you consider this option to the condition.

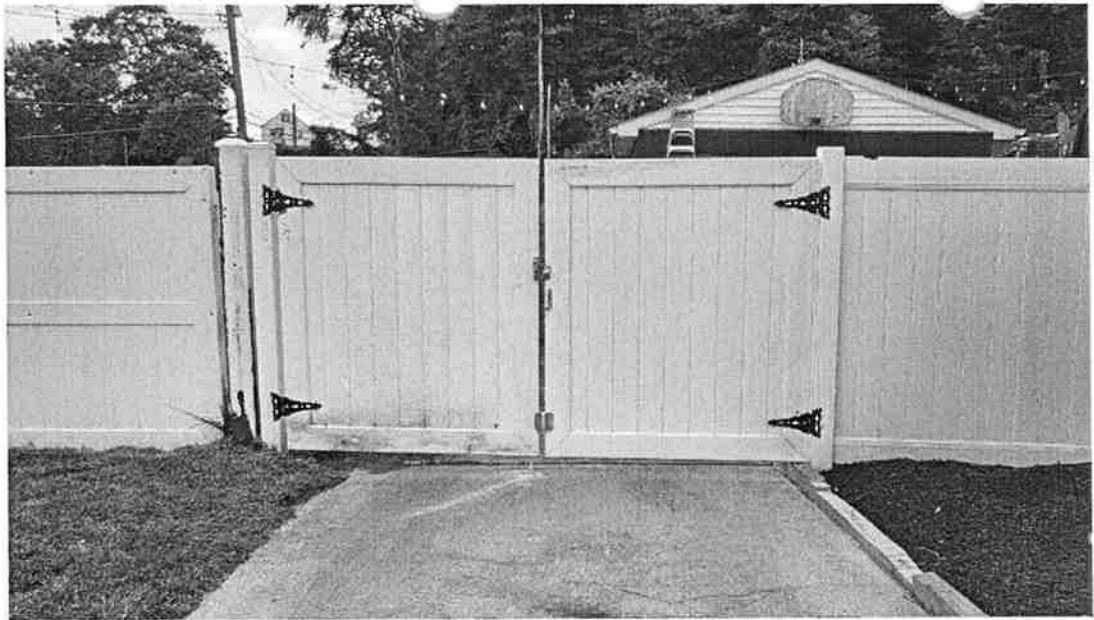
Respectfully,

Shantae Whittle

443-803-2915

childcare21234@gmail.com





Debra Wiley

From: Debra Wiley
Sent: Friday, April 26, 2024 11:58 AM
To: Shantae Whittle; Helen McGrain
Cc: Donna Mignon; Kristen L Lewis
Subject: CONFIRMATION - Scheduling of Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle
Attachments: Use Permit UP-2024-0002CC - June 24 - 10 AM - Child Care Center - Class A - 3319 Upton Road - Whittle.docx; Approved Sign Posters.pdf
Importance: High

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Monday, June 24, 2024, at 10:00 AM**. You will receive an UPDATED WebEx invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to your hearing, in addition to names you've already provided, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, **it is your responsibility to have the property posted with a sign by an approved sign poster by June 3, 2024**. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley
Sent: Thursday, April 25, 2024 5:18 PM
To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: RE: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Afternoon,

It appears that June 17, 2024 will not work for all parties.

I can offer **Monday, June 24, 2024 at 10 AM.**

Please confirm your availability and thank you.

From: Debra Wiley

Sent: Wednesday, April 24, 2024 3:04 PM

To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Afternoon Ms. Whittle,

I am in receipt of your voice mail in which you indicated that the sign posting requirement was not completed for the May 14th hearing.

I can offer you, with Ms. McGrain's consent, the new hearing date of **Monday, June 17, 2024, at 10 AM.** However, please be advised that in addition to the sign posting, an additional newspaper advertisement must be completed again. This will require another fee which said billing will be sent to you upon completion.

Let me know if this works for you and if it works for Ms. McGrain, we will confirm at that time.

Thank you.

From: Debra Wiley

Sent: Thursday, April 11, 2024 12:35 PM

To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, it is **your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024**. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley
Sent: Thursday, April 11, 2024 9:44 AM
To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Friday, April 26, 2024 11:07 AM
To: Helen McGrain; Donna Mignon
Subject: RE: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning.

Yes, we will invite Char Decker and anyone who was previously invited.

Thank you.

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Friday, April 26, 2024 10:22 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>; Helen McGrain <mcgrainhelen@gmail.com>
Subject: Re: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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.

Good morning,

Would you please extend an invitation to another neighbor that meets the distance requirements for the virtual hearing ?

Char Decker
Charscrib@verizon.net

Will the other two neighbors be notified and sent a new link?

I tried to find the application and supporting documents on the link sent in the email but I could not locate any information (looked on May 10th date)
Is there another way to search?

Thank you for your time and assistance with this matter.

Best Regards,
Helen McGrain

On Wed, Apr 24, 2024 at 3:04 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon Ms. Whittle,

I am in receipt of your voice mail in which you indicated that the sign posting requirement was not completed for the May 14th hearing.

I can offer you, with Ms. McGrain's consent, the new hearing date of **Monday, June 17, 2024, at 10 AM**. However, please be advised that in addition to the sign posting, an additional newspaper advertisement must be completed again. This will require another fee which said billing will be sent to you upon completion.

Let me know if this works for you and if it works for Ms. McGrain, we will confirm at that time.

Thank you.

From: Debra Wiley

Sent: Thursday, April 11, 2024 12:35 PM

To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>

Subject: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A
- 3319 Upton Road - Whittle

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, it is your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley

Sent: Thursday, April 11, 2024 9:44 AM

To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>

Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

April 26, 2024

NOTICE OF HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below), for the Property identified herein as follows:

Case Number: UP-2024-0002CC

Property Address: 3319 UPTON ROAD

Election District: 11 Council District: 5

Legal Owner: Shantae Whittle

Contract Purchaser: No Contract Purchaser was set.

USE PERMIT: To permit a Class A Childcare Facility at 3319 Upton Road, with the maximum allowable number of children (12).

Webex Hearing: Monday - 06/24/2024 - 10:00 AM

If an in-person hearing has been requested in writing and granted, the address location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please contact the Office of Administrative Hearings a few days prior to hearing to confirm the hearing format at 410-887-3868 (0 for operator), or via email:

administrativehearings@baltimorecountymd.gov

In addition, it is a requirement that you have the Property posted with a Zoning Notice Sign by an approved poster on the Property **by June 3, 2024**. For your convenience, please see attached listing of Approved Sign Posters, and provide them this Notice. Please be advised that if the Property is not posted by this date, your hearing will be cancelled.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868
www.administrativehearings@baltimorecountymd.gov

BALTIMORE COUNTY DEPARTMENTS OF PERMITS APPROVALS & INSPECTIONS

APPROVED SIGN POSTERS

John Altmeyer
Cell: 410-382-6580
jaltmeyer@aol.com

J. Lawrence Pilson, R.S.
Cell: 443-834-8162
lpilson@hotmail.com

Richard Hoffman
Cell: 443-243-7360
dick_e@comcast.net

Linda O'Keefe
Work: 410-666-5366
Cell: 443-604-6431
lucky linda1954@yahoo.com

Eric Hadaway
Work: 410-296-3333
ehadaway@dmw.com

Bruce E. Doak
Work: 443-900-5535
Cell: 410-419-4906
bdoak@bruceedoakconsulting.com

David Billingsley
Work: 410-679-8719
dwb0209@yahoo.com

Martin Ogle
Cell: 443-629-3411
mert1114@aol.com

Sgt. Robert A. Black
Cell: 410-499-7940
1opie@comcast.net

The petitioner must use one of the sign posters on this approval list. Any reposting must also be done by one of these approved posters. If you wish to select a poster not listed on the list above, prior approval by the Department of Permits, Approvals and Inspections/Zoning is required.

This department is not associated with any of the above posters, nor do we recommend any specific one. We do suggest that you contact a number of them to compare prices, since their charges may vary.

Debra Wiley

From: Debra Wiley
Sent: Friday, April 26, 2024 10:57 AM
To: Helen McGrain
Subject: RE: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Great to hear – I will send confirmation packet shortly to all parties.

Thank you.

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Friday, April 26, 2024 10:20 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Re: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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.

That date will will work for me
Thank you
Helen

On Thu, Apr 25, 2024 at 5:18 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon,

It appears that June 17, 2024 will not work for all parties.

I can offer **Monday, June 24, 2024 at 10 AM.**

Please confirm your availability and thank you.

From: Debra Wiley
Sent: Wednesday, April 24, 2024 3:04 PM

To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: REQUEST FOR NEW DATE - Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Afternoon Ms. Whittle,

I am in receipt of your voice mail in which you indicated that the sign posting requirement was not completed for the May 14th hearing.

I can offer you, with Ms. McGrain's consent, the new hearing date of **Monday, June 17, 2024, at 10 AM**. However, please be advised that in addition to the sign posting, an additional newspaper advertisement must be completed again. This will require another fee which said billing will be sent to you upon completion.

Let me know if this works for you and if it works for Ms. McGrain, we will confirm at that time.

Thank you.

From: Debra Wiley
Sent: Thursday, April 11, 2024 12:35 PM
To: Shantae Whittle <childcare21234@gmail.com>; Helen McGrain <mcgrainhelen@gmail.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, **it is your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024**. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley

Sent: Thursday, April 11, 2024 9:44 AM

To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>

Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.
--

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot “hold” this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner’s representative and/or the Petitioner’s counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Donna Mignon
Sent: Friday, April 12, 2024 7:28 AM
To: Helen McGrain; Debra Wiley
Subject: RE: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,
I will send invites today. Thank you.

Have a great day.

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Thursday, April 11, 2024 2:05 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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.

Hello
I have two other neighbors who would like to be on the WebEx

Lisa Muhlbach
muhlbach4@verizon.net

Beth McGraw-Wagner
nawbmw@verizon.net

Please send information for access to WebEx

I appreciate your assistance .

Best Regards,
Helen

On Thu, Apr 11, 2024 at 12:35 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, **it is your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024**. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley

Sent: Thursday, April 11, 2024 9:44 AM

To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>

Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.
--

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of

Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot “hold” this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner’s representative and/or the Petitioner’s counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Donna Mignon

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Thursday, April 11, 2024 2:05 PM
To: Debra Wiley; Donna Mignon
Subject: Re: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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.

Hello

I have two other neighbors who would like to be on the WebEx

Lisa Muhlbach
muhlbach4@verizon.net

Beth McGraw-Wagner
nawbmw@verizon.net

Please send information for access to WebEx

I appreciate your assistance .

Best Regards,
Helen

On Thu, Apr 11, 2024 at 12:35 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, **it is your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024.** For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley

Sent: Thursday, April 11, 2024 9:44 AM

To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>

Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>

Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Thursday, April 11, 2024 12:35 PM
To: Shantae Whittle; Helen McGrain
Cc: Donna Mignon; Kristen L Lewis
Subject: CONFIRMATION - Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002CC - Child Care Center - Class A - 3319 Upton Road - Whittle
Attachments: Use Permit UP-2024-0002CC - May 14 - 10 AM - Child Care Center - Class A - 3319 Upton Road - Whittle.docx; Approved Sign Posters.pdf

Good Morning,

This acknowledges our email conversations to confirm the hearing date of **Tuesday, May 14, 2024, at 10 AM**. You will receive a Webex invitation shortly; please accept and **do not share your invitation** with anyone.

If you have anyone that needs to be invited to the hearing, please reply to Donna and myself and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

As you may recall, your case must be advertised in a newspaper. Ms. Kristen Lewis from the Office of Zoning Review will assure that this is completed and the billing will be issued to you by the newspaper. She has been copied on this email.

In addition, **it is your responsibility to have the property posted with a sign by an approved sign poster by April 23, 2024**. For sign posting information, please see attached documents.

For your convenience, a link has been provided to you in reference to submitting hearing exhibits; please take a few moments to visit:

<https://www.baltimorecountymd.gov/departments/adminhearings/submit-exhibits>

Please see attached documents and make sure you're meeting all necessary requirements.

Thanks and have a great and safe day!

From: Debra Wiley
Sent: Thursday, April 11, 2024 9:44 AM
To: Helen McGrain <mcgrainhelen@gmail.com>; Shantae Whittle <childcare21234@gmail.com>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>

Sent: Thursday, April 11, 2024 9:28 AM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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

That date works for me.

Thank you for scheduling.

Best Regards

Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>

Sent: Wednesday, April 10, 2024 1:31 PM

To: Debra Wiley <dwiley@baltimorecountymd.gov>

Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>

Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov


Donna Mignon

From: Debra Wiley
Sent: Thursday, April 11, 2024 9:44 AM
To: Helen McGrain; Shantae Whittle
Cc: Donna Mignon
Subject: Scheduling of "Virtual" Hearing for Use Permit UP-2024-0002cc - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Morning,

It appears that you're mutually in agreement with the above being scheduled for a virtual hearing on Tuesday, May 14, 2024, at 10 AM, via Webex.

The confirmation packet will be sent via email today and then your invitation from Webex will arrive shortly thereafter. Please read the packet thoroughly and comply; if not, the hearing may not proceed.

Thanks and have a great and safe day.

From: Helen McGrain <mcgrainhelen@gmail.com>
Sent: Thursday, April 11, 2024 9:28 AM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from mcgrainhelen@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
That date works for me.
Thank you for scheduling.
Best Regards
Helen McGrain

On Wed, Apr 10, 2024 at 1:49 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>
Sent: Wednesday, April 10, 2024 1:31 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,

Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length

of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

Debra Wiley

From: Debra Wiley
Sent: Wednesday, April 10, 2024 1:50 PM
To: Shantae Whittle
Cc: mcgrainhelen@gmail.com; Donna Mignon
Subject: RE: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

Great - I will wait to hear from Ms. McGrain and we'll schedule it then.

Thank you.

From: Shantae Whittle <childcare21234@gmail.com>
Sent: Wednesday, April 10, 2024 1:31 PM
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Cc: mcgrainhelen@gmail.com; Donna Mignon <dmignon@baltimorecountymd.gov>
Subject: Re: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

CAUTION: This message from childcare21234@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.

Hello,

That date works for me.

Thank you,
Shantae

On Wed, Apr 10, 2024, 1:02 PM Debra Wiley <dwiley@baltimorecountymd.gov> wrote:

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Debra Wiley

From: Debra Wiley
Sent: Wednesday, April 10, 2024 1:02 PM
To: childcare21234@gmail.com; mcgrainhelen@gmail.com
Cc: Donna Mignon
Subject: Scheduling of "Virtual" Hearing for Use Permit - Child Care Center - Class A - 3319 Upton Road - Whittle

Good Afternoon :

Our office is reaching out in order to have the above-referenced "Use Permit" hearing scheduled.

Since you will be required to have the property posted with a Sign, we need to make sure you have at least 25 days to contact your sign poster, have the sign made, and then posted. In addition, a newspaper advertisement is required. However, Kristen Lewis from the Office of Zoning Review will take care of that portion of the process once your hearing date has been confirmed.

Consequently, we can provide you a hearing date for **Tuesday, May 14, 2024, at 10:00 AM**. Please reply to this email and confirm your availability for said date asap. We cannot "hold" this date for longer than 48 hours.

The hearing date is being offered without information as to whether the hearing will be contested, whether it will conclude within the time allotted, and/or whether a request for an in-person hearing will conflict with another previously scheduled in-person hearing, each of which may require a postponement of the hearing date. It is incumbent on the Petitioner, the Petitioner's representative and/or the Petitioner's counsel to determine the appropriate length of time needed for the hearing when a date is offered by OAH. Please respond if 1 hour will be sufficient.

If you have anyone that needs to be invited to your hearing, please reply and include their names and email addresses so that we can send a WebEx invitation asap. Please allow at least 48 hours prior to the hearing.

Thanks and have a great and safe day!

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration					
Special Tax Recapture: None									
Account Identifier:		District - 11 Account Number - 1600008003							
Owner Information									
Owner Name:		WHITTLE SHANTAE SHIFFON		Use:	RESIDENTIAL				
				Principal Residence:	YES				
Mailing Address:		3319 UPTON RD PARKVILLE MD 21234-		Deed Reference:	/47041/ 00437				
Location & Structure Information									
Premises Address:		3319 UPTON RD PARKVILLE 21234-3331		Legal Description:	122 N ORBITAN RD GLENSIDE PARK ADDITION				
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0071	0016	0445	11040035.04	0000		A	1	2024	Plat Ref: 0036/ 0028
Town: None									
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
1973		2,592 SF				23,936 SF		04	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
2	YES	STANDARD UNIT	SIDING/	3	2 full	1 Detached			
Value Information									
			Base Value	Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2024		07/01/2023		07/01/2024	
Land:			77,100	83,900					
Improvements			114,500	300,400					
Total:			191,600	384,300		191,600		255,833	
Preferential Land:			0	0					
Transfer Information									
Seller: DAVIS ASIA S			Date: 06/17/2022			Price: \$400,000			
Type: ARMS LENGTH IMPROVED			Deed1: /47041/ 00437			Deed2:			
Seller: 3319 UPTON RD LLC			Date: 12/20/2021			Price: \$205,000			
Type: ARMS LENGTH IMPROVED			Deed1: /46055/ 00095			Deed2:			
Seller: ARNOLD CLARICE R			Date: 06/22/2021			Price: \$160,000			
Type: ARMS LENGTH IMPROVED			Deed1: /44958/ 00086			Deed2:			
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2023		07/01/2024			
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:					

[illegible]

[illegible]

Webinar End Time	Display Name	First Name	Last Name	Role	Attendee Email
2024-06-24 11:26:46	Call-in User_2 (410591****)	N/A	N/A	panelist	
2024-06-24 11:26:46	Call-in User_3 (443803****)	N/A	N/A	panelist	
2024-06-24 11:26:46	Maureen E Murphy	Maureen	Murphy	host	mmurphy@baltimorecountymd.gov
2024-06-24 11:26:46	Shantae Whittle	N/A	N/A	panelist	childcare21234@gmail.com
2024-06-24 11:26:46	beth mcgraw-wagner	N/A	N/A	panelist	nawbmw@verizon.net
2024-06-24 11:26:46	helen	N/A	N/A	panelist	mcgrainhelen@gmail.com

Join Time	Leave Time	Attendance Duration	Connection Type	Source ID	Session Name
2024-06-24 10:08:21	2024-06-24 11:26:46	79 mins	Other app	null	Use Permit Hearing - Virtual - Case No: UP-20
2024-06-24 10:08:22	2024-06-24 10:16:49	9 mins	Other app	null	Use Permit Hearing - Virtual - Case No: UP-20
2024-06-24 10:06:53	2024-06-24 11:26:51	80 mins	Desktop app	null	Use Permit Hearing - Virtual - Case No: UP-20
2024-06-24 10:19:21	2024-06-24 11:26:44	68 mins	Mobile app	null	Use Permit Hearing - Virtual - Case No: UP-20
2024-06-24 10:07:19	2024-06-24 11:26:51	80 mins	Web app	null	Use Permit Hearing - Virtual - Case No: UP-20
2024-06-24 10:13:58	2024-06-24 11:26:51	73 mins	Web app	null	Use Permit Hearing - Virtual - Case No: UP-20

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

24-0002-cc - 3319 Upton Road - Owner: Shantae Whittle

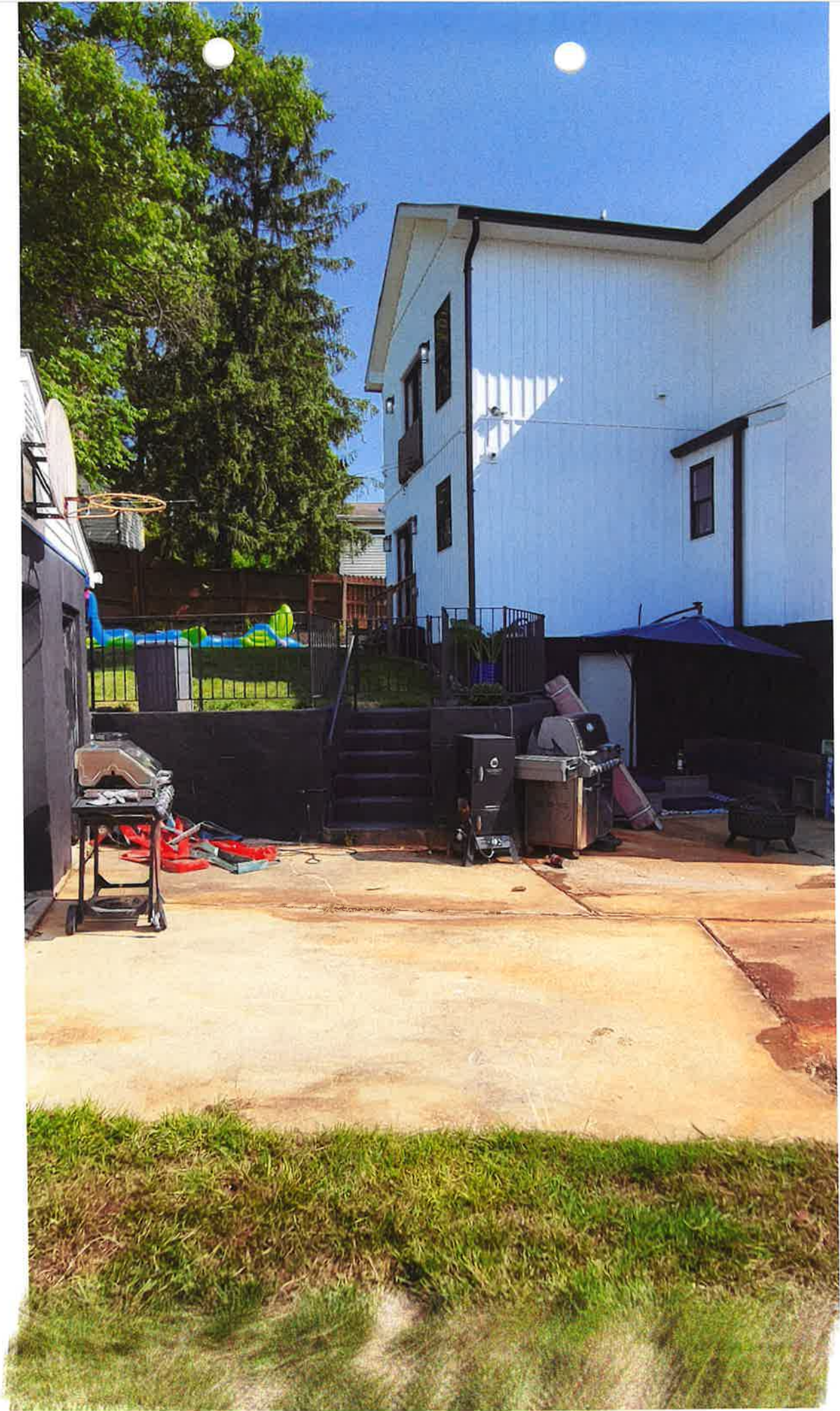
Exhibit List

8-26-24

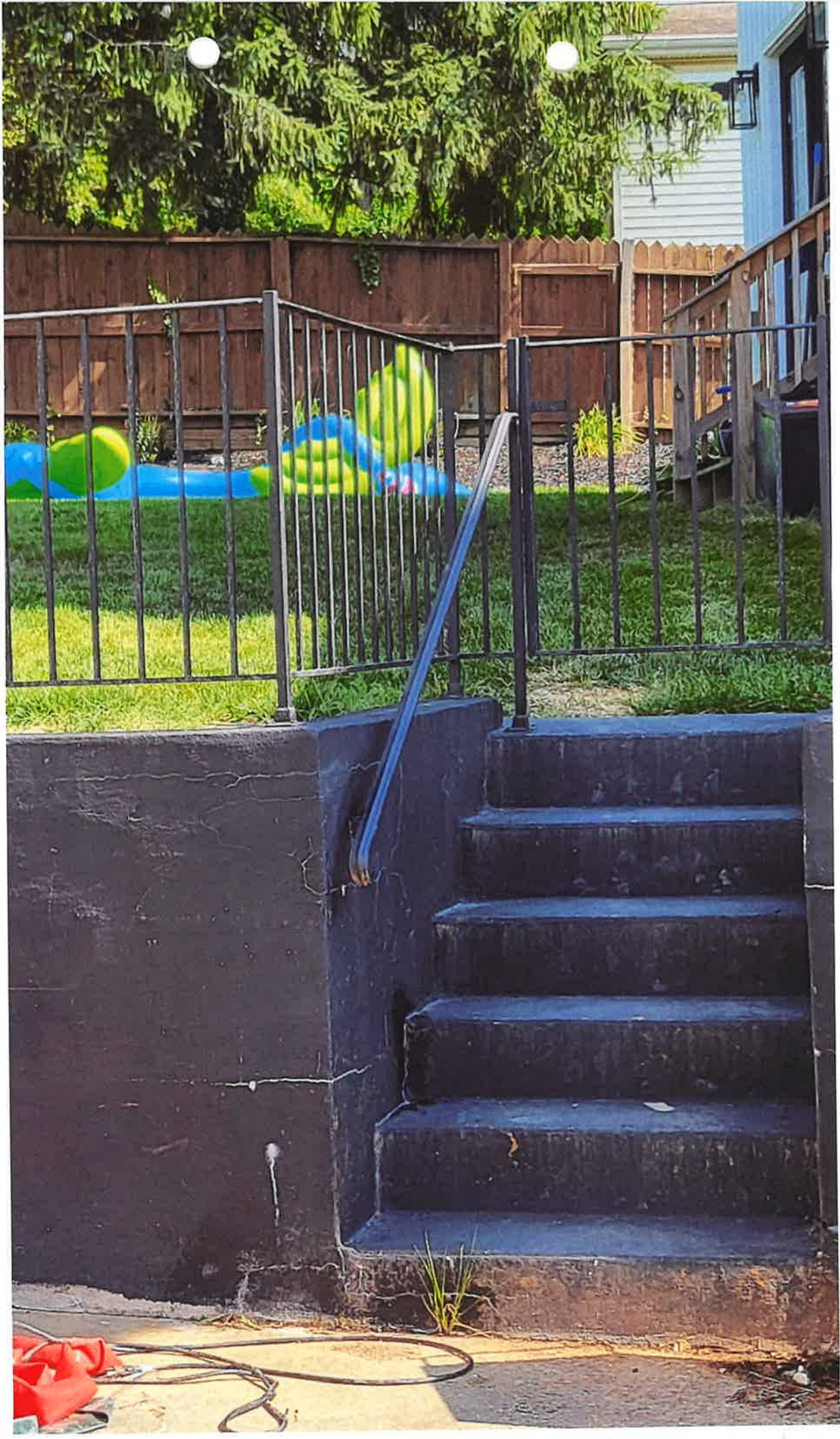
195
6-24-24

- #1 3317 Upton Road View
- #2 3317 Upton Road View #2
- #3 View behind gate to Upton Road to 3318 #1
- #4 View behind gate to Upton Road to 3320
- #5 View behind gate to Upton Road to corner home on Orbital Road
- #6 View from parking pad to Orbital road neighbor
- #7 Obstructed view to Orbital & Upton Neighbor
- #8 Additional parking Area
- #9 Additional parking Area #2
- #10 Additional parking Area #3
- #11 View behind gate to play area obstructed from Orbital neighbors
- #12 View behind gate to street
- #13 Full gated view to street
- #14 View of additional parking area and entry
- #15 View from Orbital & Upton neighbor
- #16 additional View from Orbital & Upton Neighbor
- #17 Street view from Orbital & Upton Road
- #18 Street view from Orbital & Upton Road #2
- #19 View from site 3319 Upton Road to Orbital neighbor
- #20 View from site 3319 Upton Road to gated area and daycare entry point
- #21 View from Upton Road before crossing Orbital
- #22 Site plan submitted for zoning
- #23 Google earth pictures of property

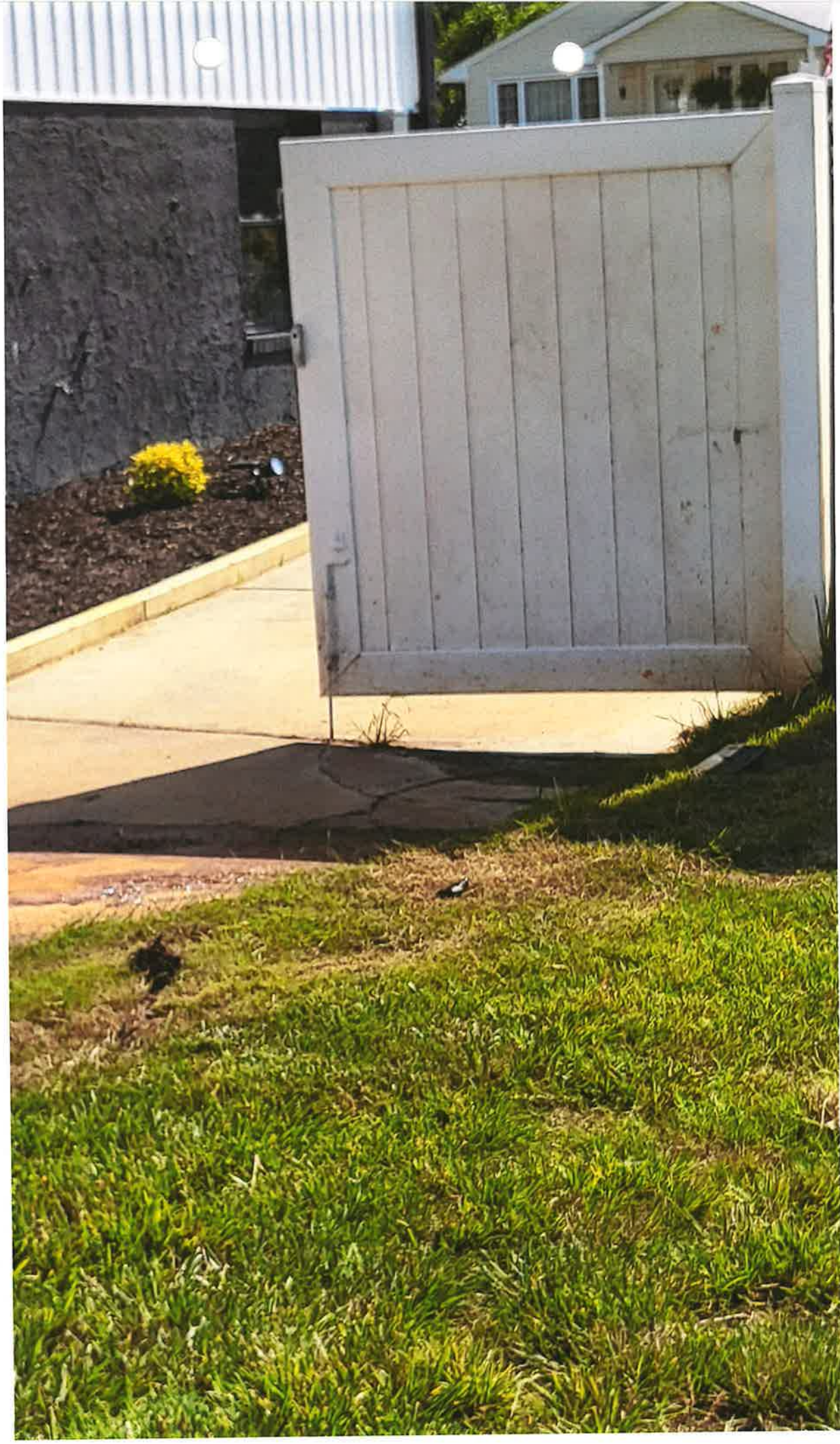
#1 3317 Upton Road View



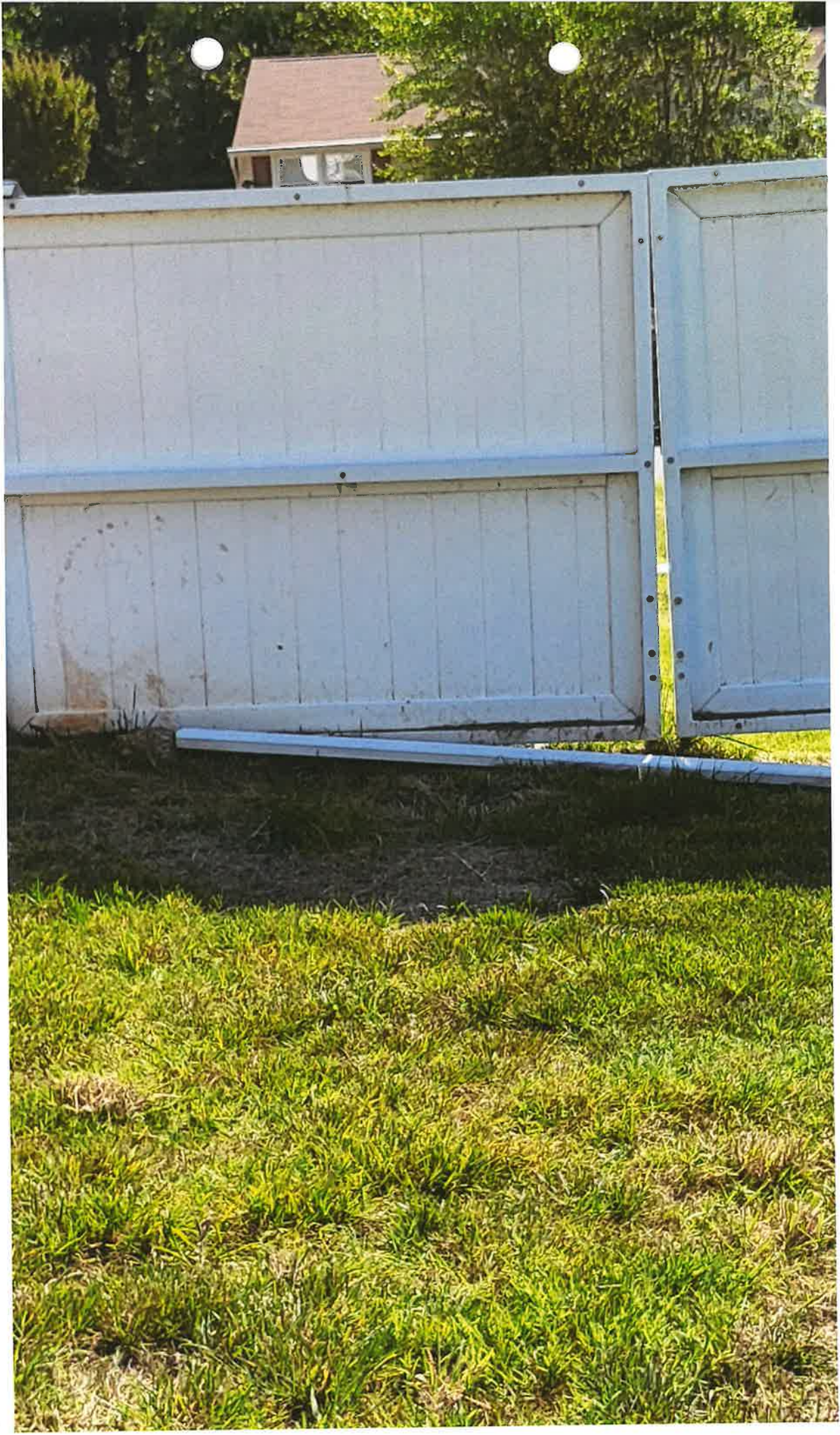
#2 3317 Upton Road View #2



#3 View behind gate to Upton Rd 7-33-18



~~XX~~ View behind gate to Lypton Road 2 to 3320



#6 View behind gate to Upton Road 3 to Courthouse on Upton Rd.



#10 View from parking pad to Orbitan Road Neighbor ~~and~~ Clifton



Obstructed View to Orbiter? Upton Neighbor



Additional parking area at 3319 Upton Road Site
#6



^{the}
possible additional parking Area in rear of 3319 Upton Rd. 2



#10
Possible additional parking area in rear of 3319 Upton Road



View ^{& 11} behind gate to play area with obstructed view to all Orbital neighbors



#12 View behind gate to street 3319 Upton Road



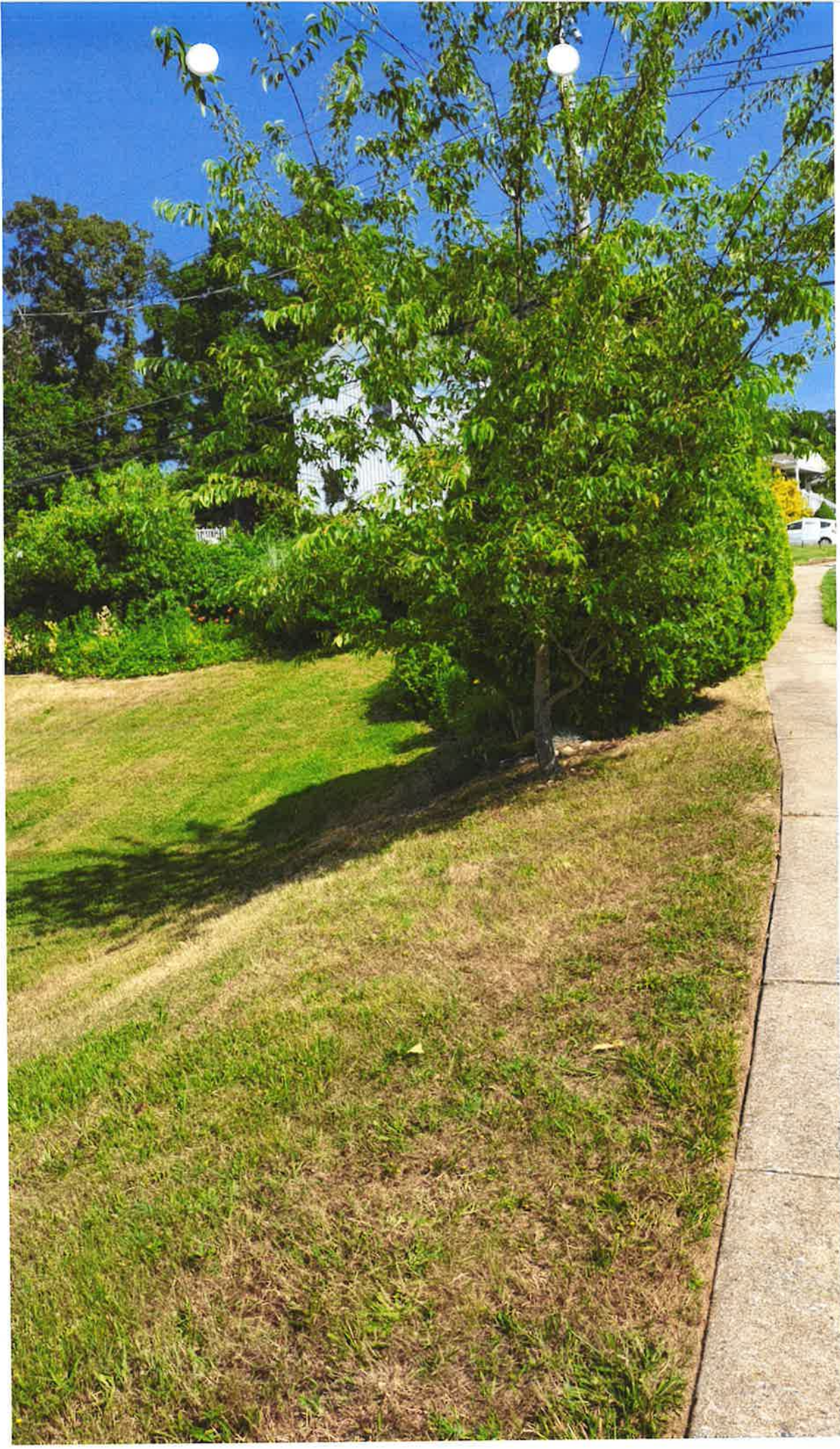
Full gated view to street 3319 Upton Road
#13



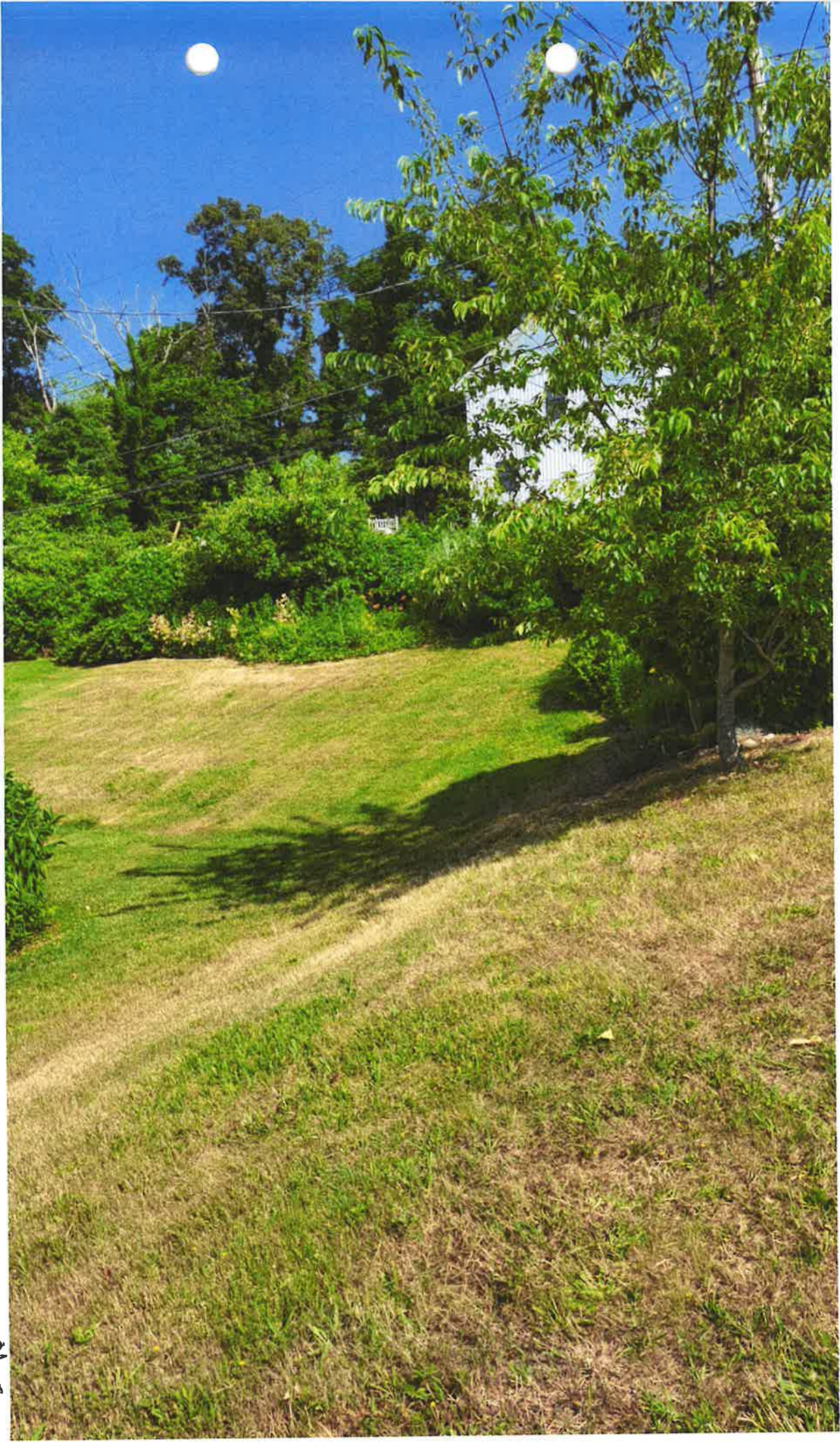
#14
View of additional parking area and entry



V10 from Orbitan to Upton Road Neighbor



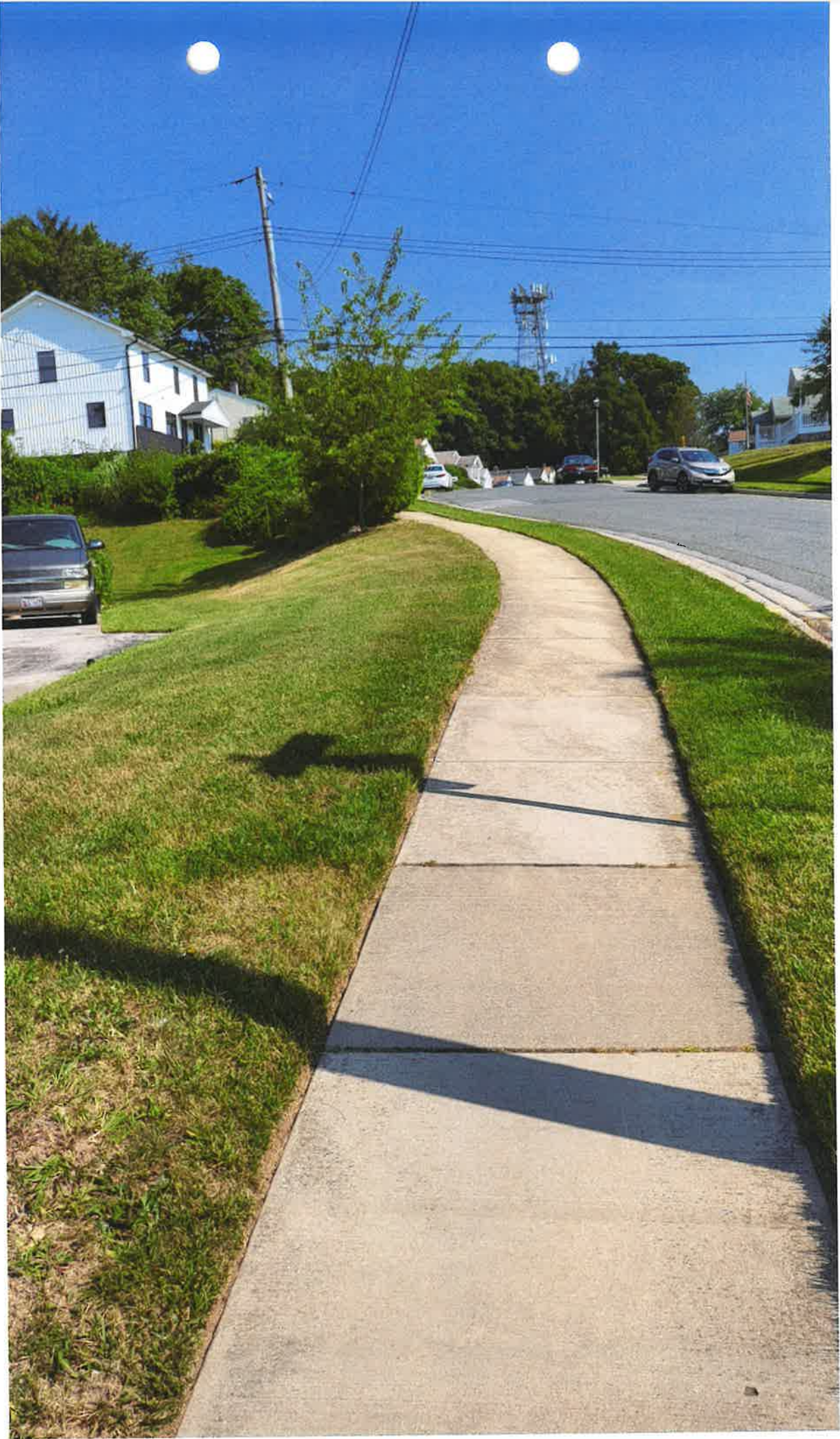
View of 3319 Lytton Road Site #2
#16



#17
Street view from Orbital & Upton Road



As Street view from Orbitan & Upton Road 2



View from front of 3319 Upton Road Site to Orbiter neighbor



View ^{#120} from sidewalk to gated area and day care entry



6/20/24, 10:49 AM

#21

View from Upton Road before crossing Orbital



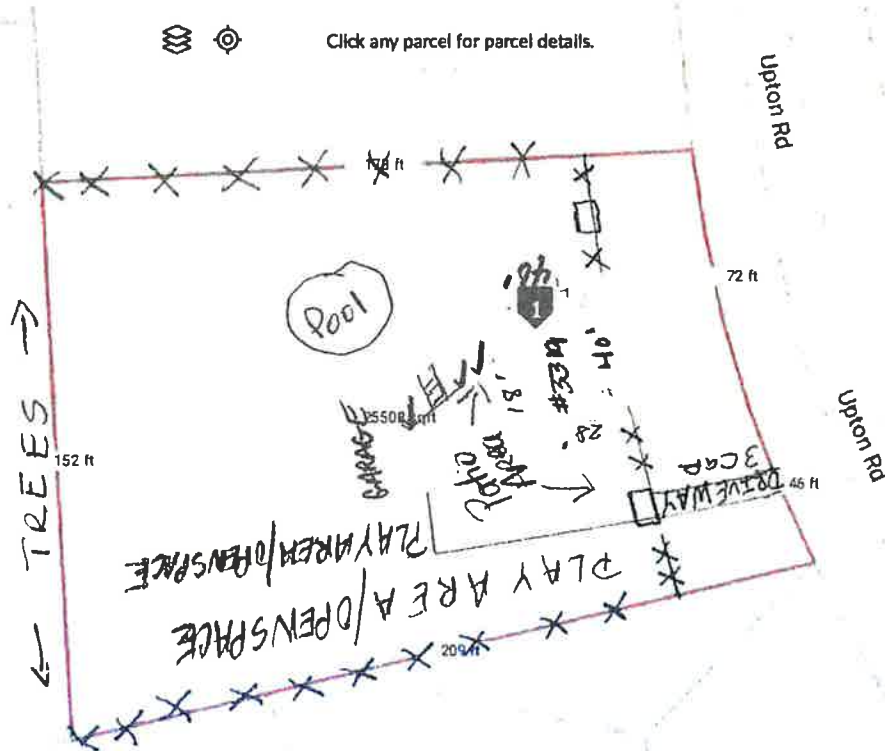
#22 Site plan

PLAT MAP

FHA/VA Case No 244-3021447

4/27/22, 7:40 PM

Matrix



- X = Tall Fence (Existing)
- = Tall Gate (Existing)
- ≡ = Steps to upper level
- ✓ = Gate

Parcel Disclaimer
Ruler
Legend

5 m

RMap data ©2022

<https://matrix.brightmls.com/Matrix/Public/InteractiveMapPopup.aspx?RecordID=156242426&TableID=50&L=1>

1/2

#22

PLAT MAP

FHA/VA Case No 244-3021447

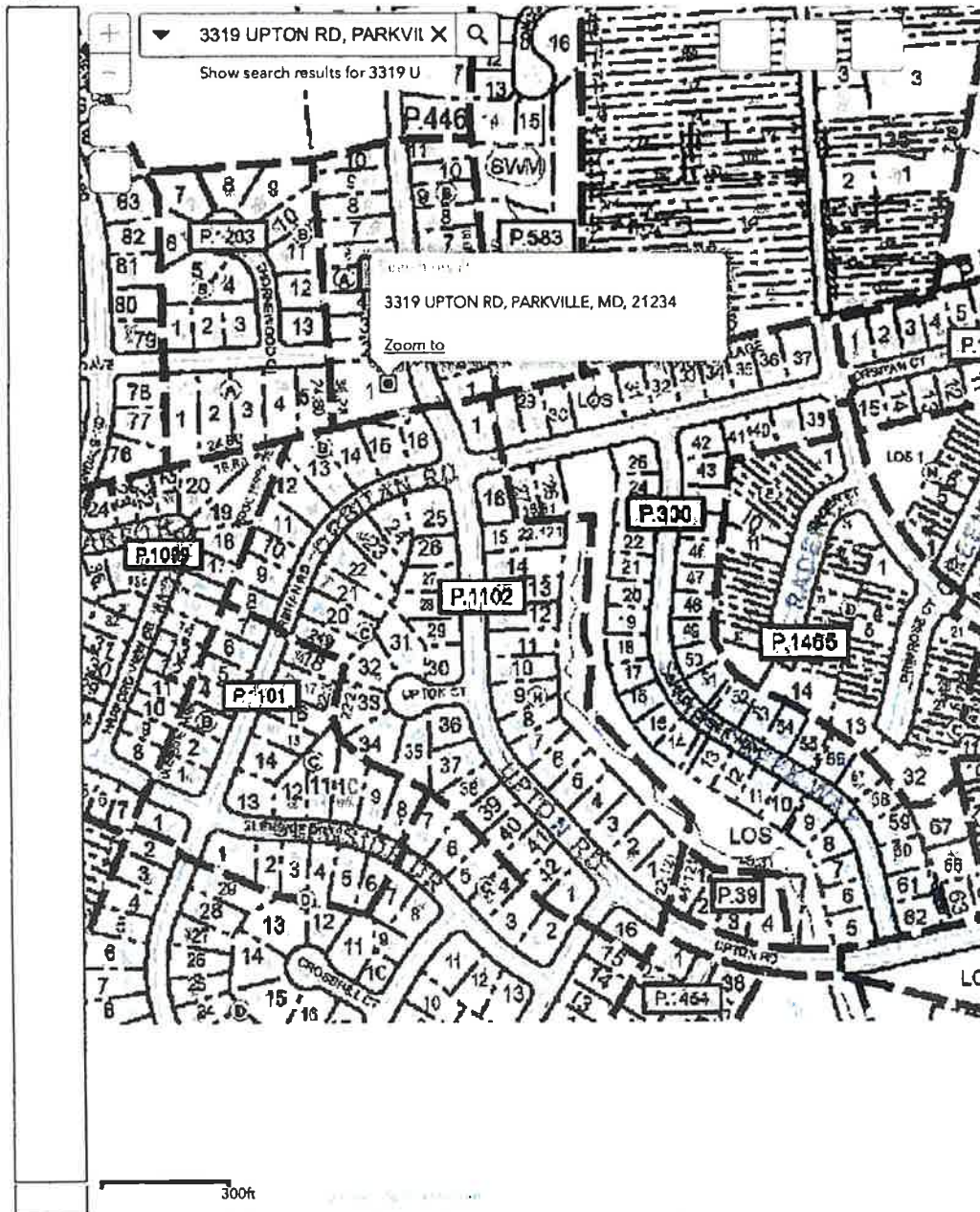
4/27/22, 7:41 PM

FINDER Online



FINDER Online

Maryland Department of Planning

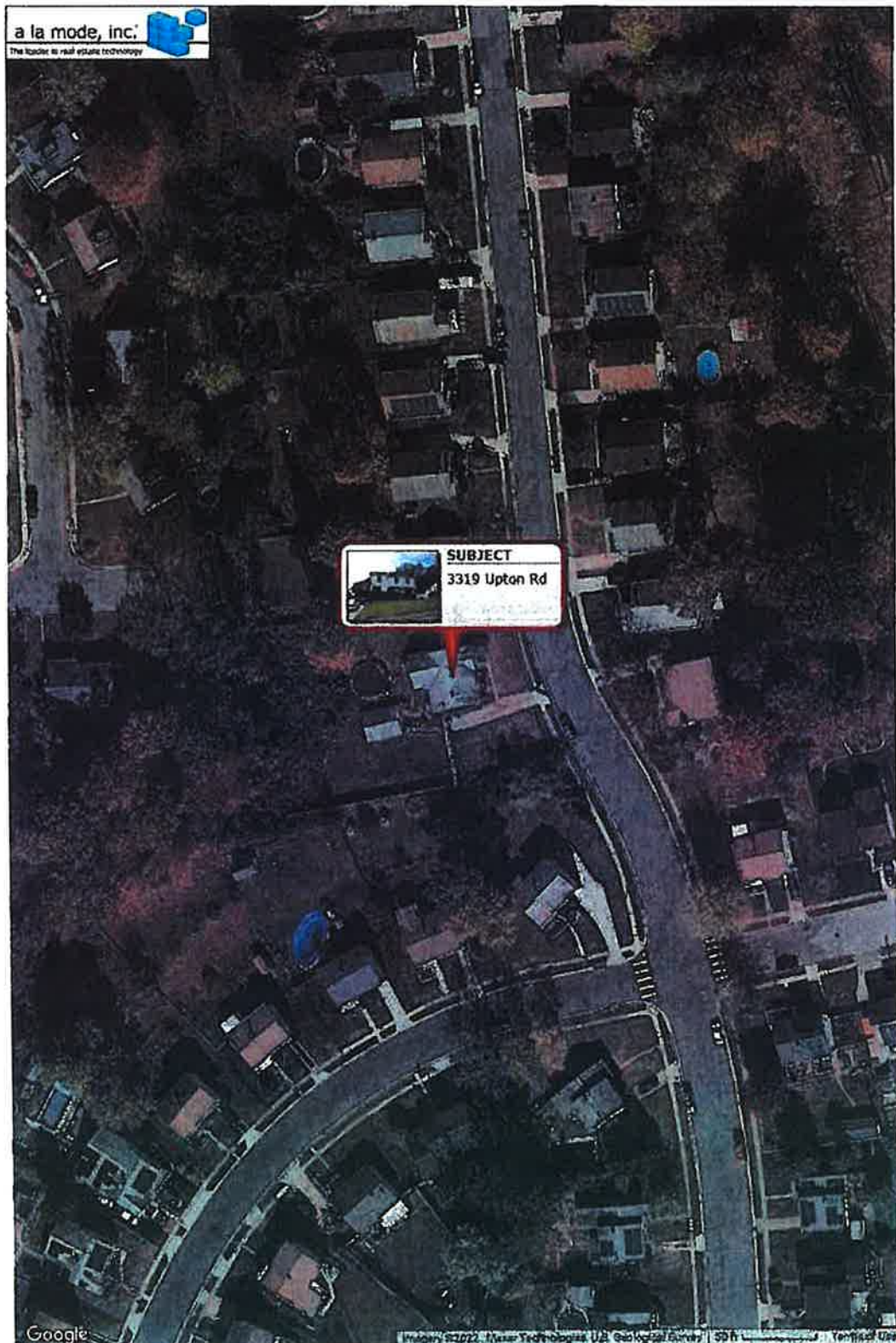


https://apps.planning.maryland.gov/finderonline/?find=04112100000609&showLayers=World_Light_Gray_Base_6568;MD_PropertyData_5216_2640;... 1/1

#22

Aerial Map

Borrower	SHANTAE WHITTLE		
Property Address	3319 Upton Rd		
City	Parkville	County	Baltimore
Lender/Client		State	MD
		Zip Code	21234



#22

Subject Exterior Photo Page

Borrower	SHANTAE WHITTLE		
Property Address	3319 Upton Rd		
City	Parkville	County	Baltimore
Lender/Client		State	MD
		Zip Code	21234



ADDRESS

3319 Upton Rd
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Location	N;Res;
View	N;Res;
Site	23,936 sf
Quality	Q4
Age	49



STREET



STREET

#22

Subject Photo Page

Borrower	SHANTAE WHITTLE		
Property Address	3319 Upton Rd		
City	Parkville	County	Baltimore
Lender/Client		State	MD
		Zip Code	21234



Subject Front

3319 Upton Rd

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Location	N;Res;
View	N;Res;
Site	23,936 sf
Quality	Q4
Age	49



REAR

NEEDS RAILING AT 2ND
LEVEL DOORS



Subject Street

#22

Subject Exterior Photo Page

Borrower	SHANTAE WHITTLE		
Property Address	3319 Upton Rd		
City	Parkville	County	Baltimore
Lender/Client		State	MD
		Zip Code	21234



RIGHT SIDE



Location	N;Res;
View	N;Res;
Site	23,936 sf
Quality	Q4
Age	49



LEFT SIDE



STREET

#22

Subject Exterior Photo Page

Borrower	SHANTAE WHITTLE				
Property Address	3319 Upton Rd				
City	Parkville	County	Baltimore	State	MD Zip Code 21234
Lender/Client					

ADDRESS

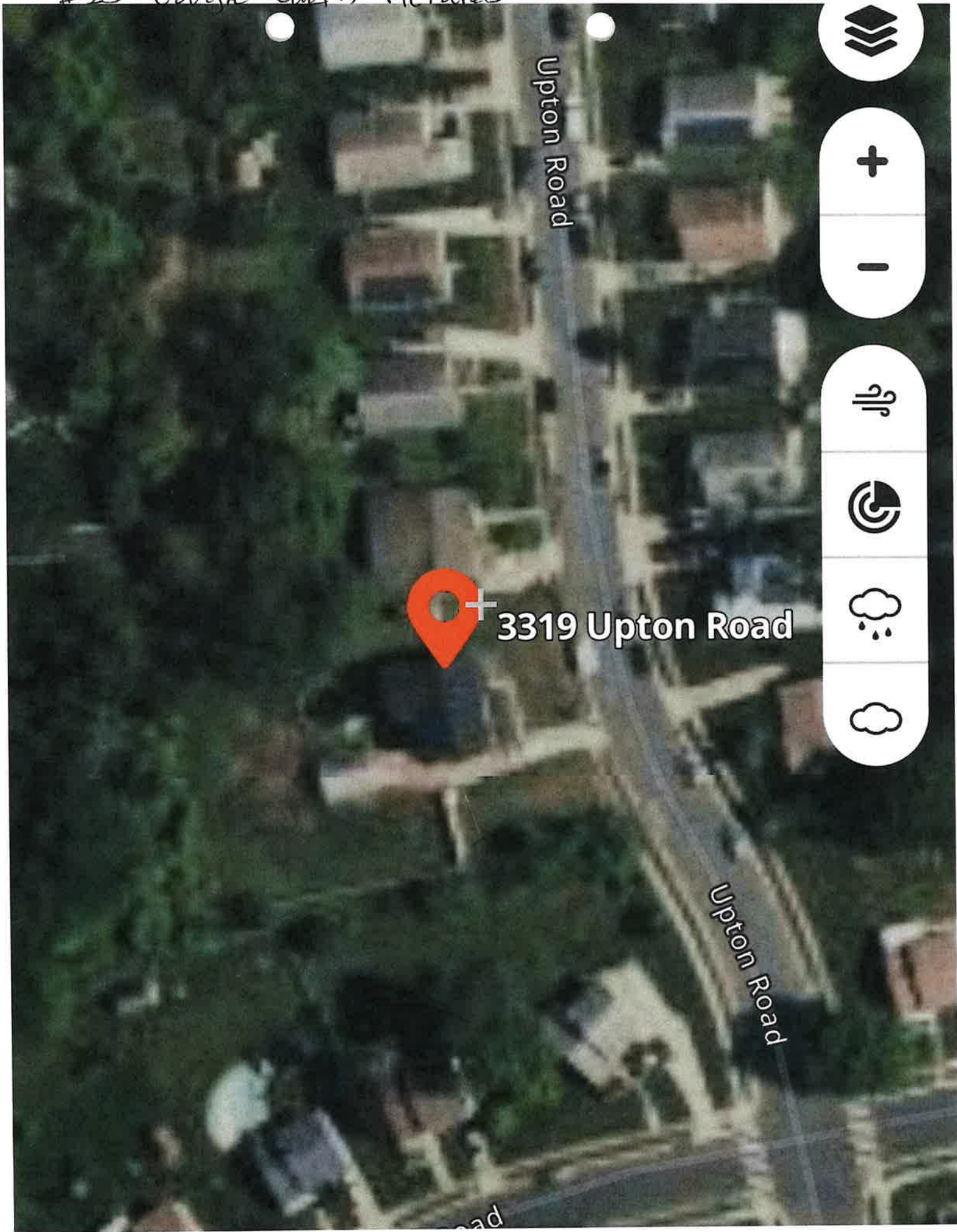
3319 Upton Rd
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Location N;Res;
View N;Res;
Site 23,936 sf
Quality Q4
Age 49



STREET



STREET



#23



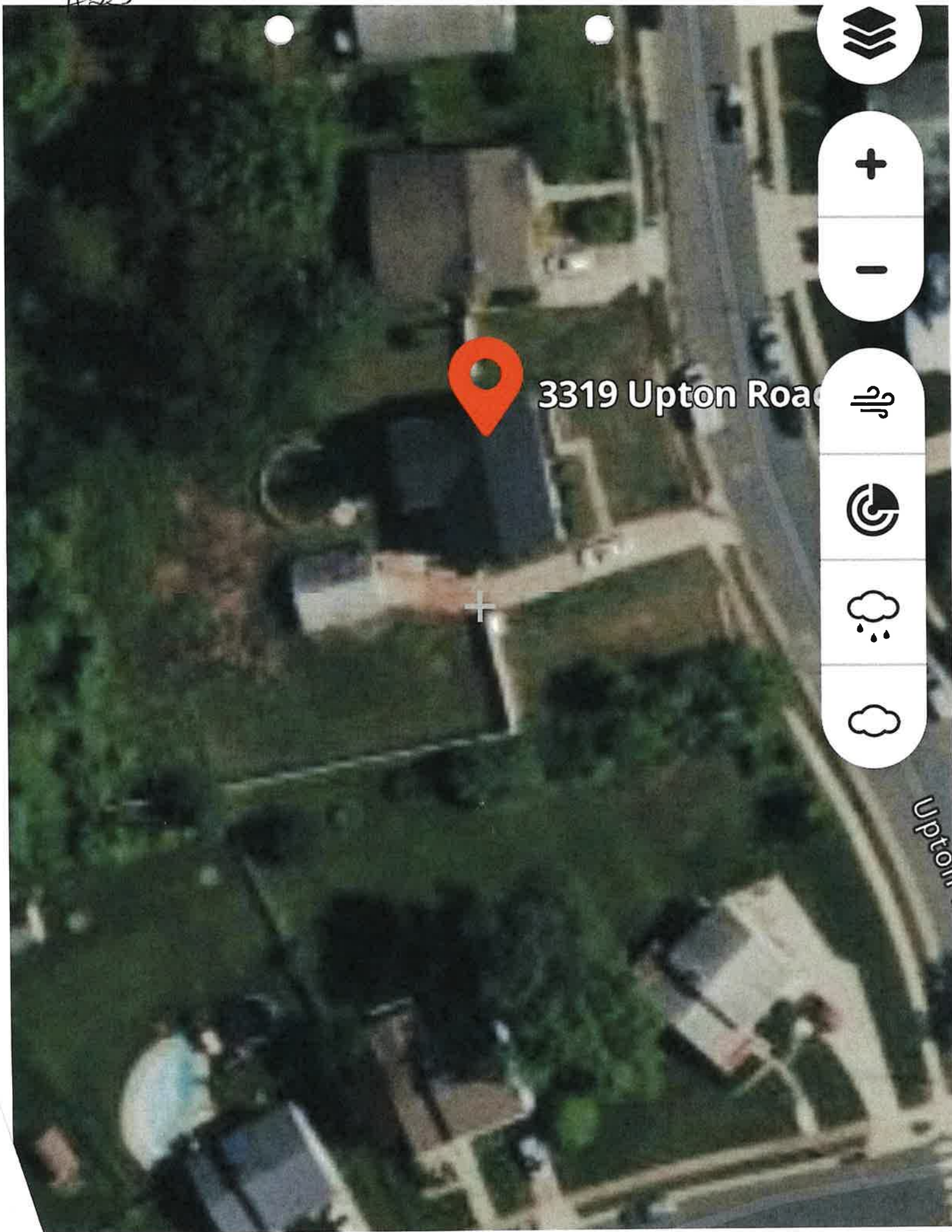
3319 Upton Road

Upton Road

Orbitan Road

Road

#23

















Upton Road