

USE PERMIT



IT IS ORDERED by the Director of the Department of Permits, Approvals and Inspections of Baltimore County, this 18th day of November, 2025, that Nicole Johnson - Nesmith located at 5928 St. Mary's Street should be and the same is hereby granted permission to operate a: Assisted Living Facility

(Individual or business name)
(Street address)

With up to 5 beds

UP-2025-0014AL

Use Permit or Zoning Case No.

A handwritten signature in black ink, appearing to read "C. P. G.", is written over a horizontal line.

Director, Permits, Approvals and Inspections

Planner's Initials JR



**FISHER, COLLINS
& CARTER, INC.**

CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS

Terrell A. Fisher, P.E., L.S.; *Founder, Co-Chairman Emeritus*
Earl D. Collins, P.E.; *Founder, Co-Chairman Emeritus*
Charles J. Crovo, Sr. P.E., L.S.; *Emeritus Member*
Paul W. Kriebel, P.E.; *Emeritus Member*
Mark L. Robel, P.L.S.; *Emeritus Member*

Frank J. Manalansan II, L.S.; *President*
Michael J. McCann; *Chief Executive Officer*
Paul G. Cavanaugh, P.E.; *Senior Vice President, Engineering & Construction*
Robert E. Walker, P.L.S.; *Director, Surveys*
Mitchell J. Kellman; *Vice President, Zoning*

November 5, 2025

To: The Baltimore County Department of Planning,
Development Review and Land Use Section
Jefferson Building
105 W. Chesapeake Avenue, Suite 101
Towson, MD 21204

Baltimore County Permits, Approvals, and Inspections (PAI),
Zoning Review Office
111 West Chesapeake Avenue, Room 124
Towson, MD 21204

Re: Compatibility Study
Proposed Assisted Living Facility Class I (ALF I)
5928 St. Mary's Street
Zoning Case No. 2025-0180-SPHA
1st Election District, 1st Councilmanic District

To Whom This May Concern,

Fisher, Collins, & Carter, Inc. (FCC), on behalf of the property owner, Nicole Johnson-Nesmith, respectfully submits this Compatibility Study, pursuant to Sections 432A.1.D of the Baltimore County Zoning Regulations (BCZR) and 32-4-402 of the Baltimore County Code (BCC). As per said Sections of the referenced Codes, a Compatibility Study is required for all Assisted Living Facilities in the DR Zones. Since the subject property is zoned DR5.5 and is intended for an ALF I, we ask you to review the enclosed narrative which is accompanied with the Site Plan for Use Permit, Zoning Order, an aerial photograph which includes the property, photos of the dwelling to be converted (to the Assisted Living Facility), and other photos of dwellings within the neighborhood.

The neighborhood, to which the subject property is part, is defined by Kent Avenue and the Walden Circle Townhouse Apartments (36/109) to the northwest, Interstate 70 (I-70) and an adjacent multi-family dwelling development to the north and northeast, Ingleside Avenue to the

southeast, and Johnnycake Road to the southwest. The neighborhood is primarily zoned DR5.5 and for the most part, maintains single-family detached dwellings, each on multiple lots that were part of an older subdivision recorded in the early 1900's (Catonsville Manor / Catonsville Gardens). [See Exhibit 1].

Based upon State Department of Assessments and Taxation (SDAT) records, the subject dwelling to be converted was constructed in 1980, which is within the same time period (1978-1982) that the other dwellings (#5930 - #5940) along the same side of the street were constructed. Although some were different styles, they were all close to the same square footage. The subject dwelling, at the time of application, will have no additions that would alter the existing typical dwelling styles or sizes. The converted single-family detached dwelling to the ALF I will have no visual impact to the typical single-family detached dwelling characteristic along the street and within the neighborhood.

As such, the Compatibility Factors, pursuant to Section 32-4-402, are as follows:

- (1) The arrangement and orientation of the proposed buildings and site improvements are patterned in a similar manner to those in the neighborhood. The subject building's orientation and parking will remain the same, keeping the pattern of building fronts the same.
- (2) The building and parking lot layouts reinforce existing building and streetscape patterns and ensure that the placement of buildings and parking lots have no adverse impact on the neighborhood. The driveway for off-street parking will remain like those in the neighborhood. No paved area(s) will be added to the existing driveway, as approved via Zoning Case 2025-180-SPHA, preserving the residential feel along the street.
- (3) The proposed streets are connected with the existing neighborhood road network wherever possible, and the proposed sidewalks are located to support the functional patterns of the neighborhood. There are no new streets proposed so there will be no change to the street or sidewalk network within the neighborhood. The residential function of the streets and sidewalks will still be maintained.
- (4) The open spaces of the proposed development reinforce the open space patterns of the neighborhood in form and siting and complement existing open space systems. No new development is proposed so the openness of the subject and adjacent properties' rear yards will be preserved.

**FISHER, COLLINS
& CARTER, INC.**

CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS

- (5) Locally significant features of the site such as distinctive buildings or vistas are integrated into the site design. Since no development is proposed, distinct buildings or vistas, if any, will not be compromised.
- (6) The proposed landscape design complements the neighborhood's landscape pattern and reinforces its functional qualities. Since there is no disturbance of earth (with this project), all existing landscaping will be maintained, consistent with the existing single-family, detached properties within the neighborhood.
- (7) The exterior signs, site lighting and accessory structures support a uniform architectural theme and present a harmonious visual relationship with surrounding neighborhood. Pursuant to the Order within Zoning Case 2025-180-SPHA, no signage is permitted (indicating the use) and no lighting is permitted on the premises except for residential lighting typically used for a residential house. These restrictions, which must be honored, will keep the converted dwelling (to the ALF I use) compatible with the existing single-family detached dwellings within the neighborhood.
- (8) The scale, proportions, massing, and detailing of the proposed buildings are in proportion to those existing in the neighborhood. The conversion from a single-family detached dwelling to an ALF I will not include any new buildings or building additions. Therefore, the existing residential theme along the street will remain the same. Any repairs or changes to the building facades will replicate materials of existing dwellings within the neighborhood.

We feel that this conversion from a single-family detached dwelling to the proposed ALF I, as approved within Zoning Case 2025-180-SPHA, will meet the compatibility objectives as described and pursuant to Section 32-4-402, BBC, and we hope you consider the same. If you need further information, please contact us at your earliest convenience.
Thank you very much for your consideration.

Sincerely,

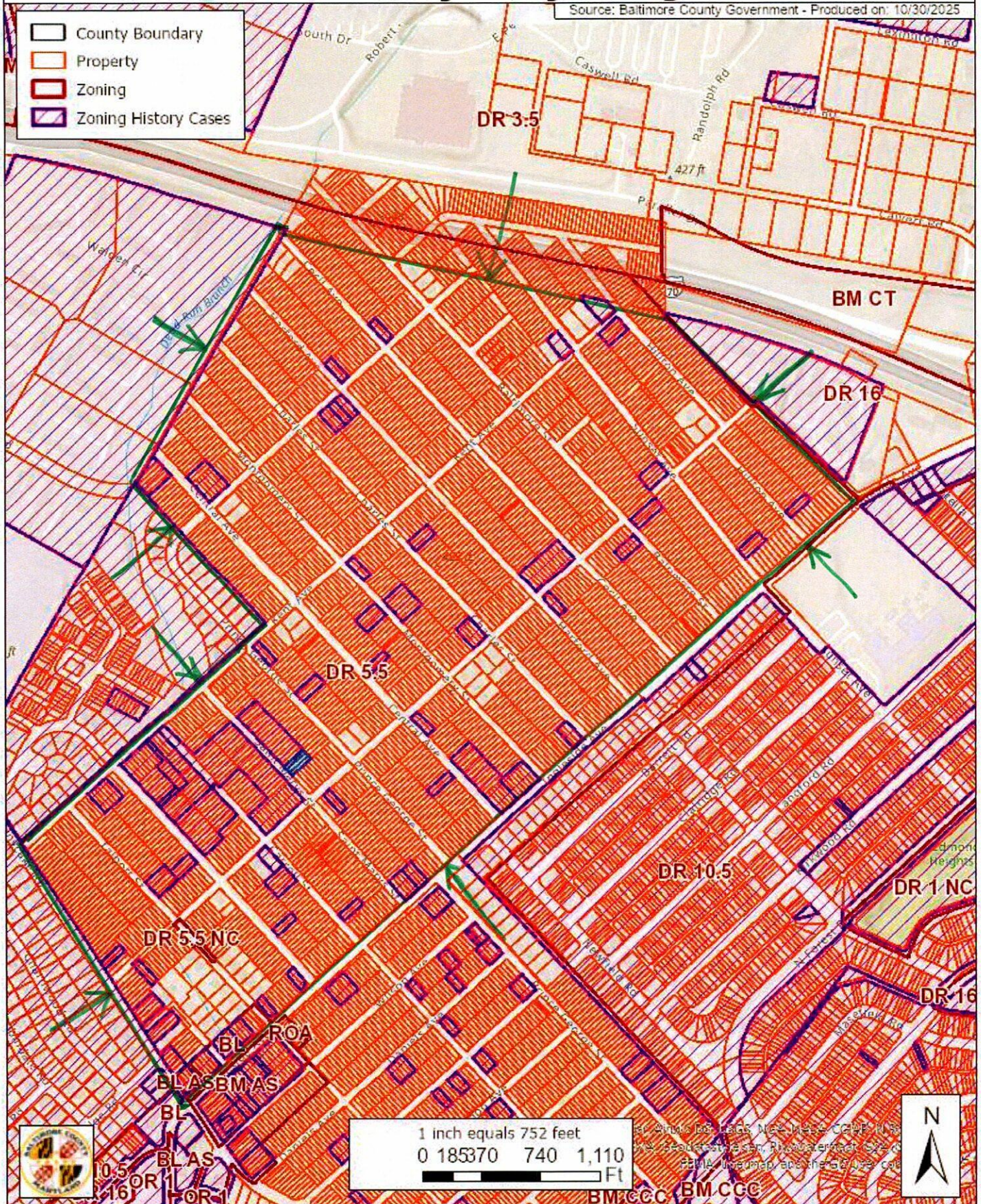


Mitch Kellman
Vice President-Zoning
Fisher, Collins & Carter, Inc.
M.Kellman@fcc-eng.com

Baltimore County - My Neighborhood

Source: Baltimore County Government - Produced on: 10/30/2025

- County Boundary
- Property
- Zoning
- Zoning History Cases



Neighborhood (Exhibit 1)

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map No Ground Rent Redemption on File No Ground Rent Registration on File

Special Tax Recapture: None

Account Number: District - 01 Account Identifier - 1900010639

Owner Information

Owner Name: JOHNSON-NESMITH NICOLE D Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 5928 ST MARYS ST Deed Reference: /31050/ 00164
BALTIMORE MD 21207-

Location & Structure Information

Premises Address: 5928 ST MARYS ST Legal Description: LTS 49,50,51
BALTIMORE MD 21207- 5928 ST MARYS ST
CATONSVILLE MANOR

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0095 0014 0185 1020028.04 0000 2 49 2025 Plat Ref: 0006/ 0109

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
1980 1,104 SF 600 SF 7,500 SF 04

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

Value Information

	Base Value	Value		
		As of 01/01/2025	As of 07/01/2025	As of 07/01/2026
Land:	70,300	85,700		
Improvements	204,200	219,700		
Total:	274,500	305,400	284,800	295,100
Preferential Land:	0	0		

Transfer Information

Seller: KILT ENTERPRISES LLC Date: 08/01/2011 Price: \$175,000
Type: ARMS LENGTH IMPROVED Deed1: /31050/ 00164 Deed2:
Seller: DEUTSCHE BANK NATIONAL TRUST COMPANY, TRUSTEE Date: 05/02/2011 Price: \$80,000
Type: NON-ARMS LENGTH OTHER Deed1: /30766/ 00160 Deed2:
Seller: LITTLEJOHN ETTA Date: 05/02/2011 Price: \$136,000
Type: NON-ARMS LENGTH OTHER Deed1: /30766/ 00139 Deed2:

Exemption Information

Partial Exempt Assessments: Class 07/01/2025 07/01/2026
County: 000 0.00
State: 000 0.00
Municipal: 000 0.00|0.00 0.00|0.00

Special Tax Recapture: None

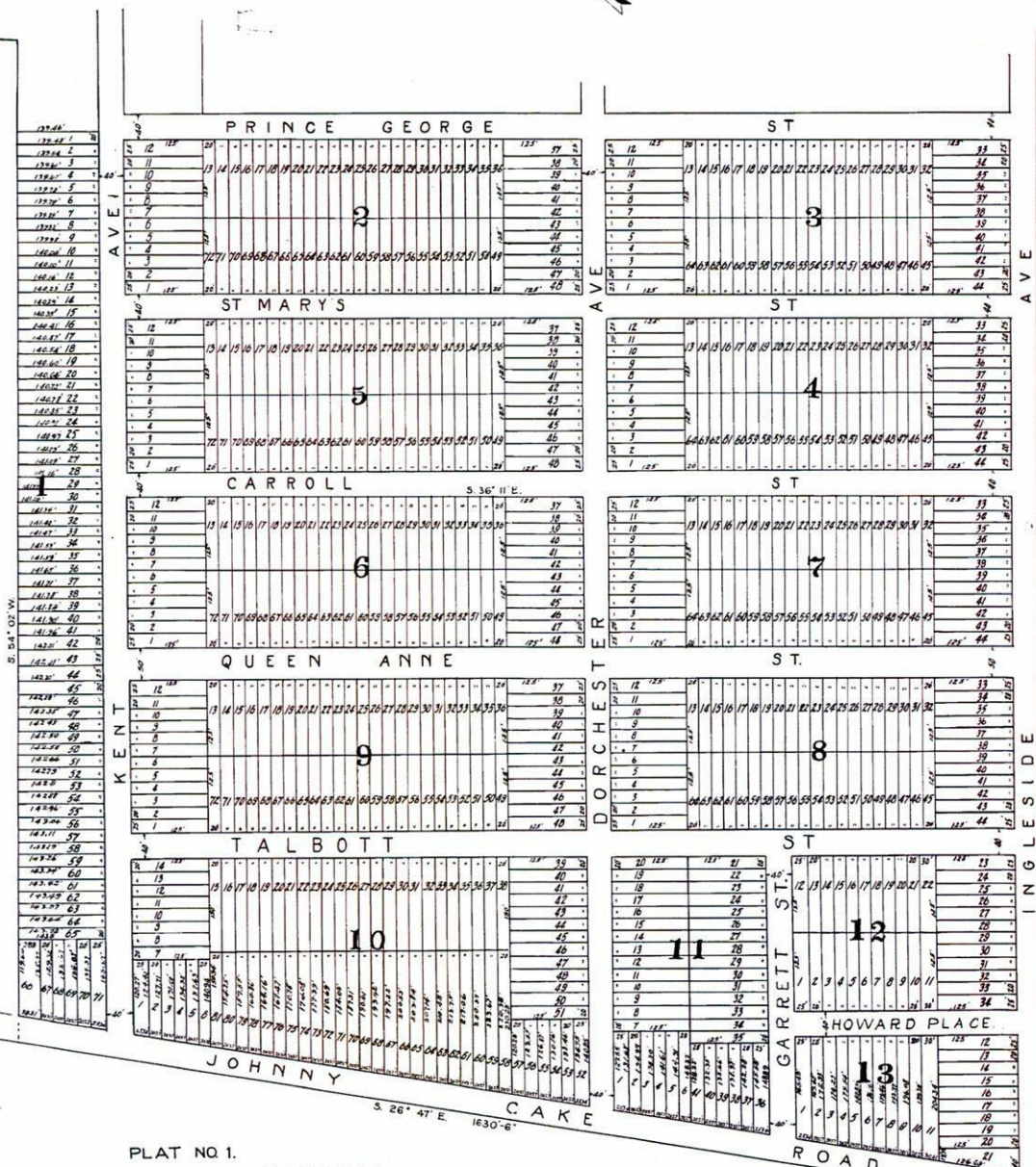
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

SDAT Data Sheet



PLAT NO. 1.
CATONSVILLE MANOR

BALTIMORE COUNTY - MARYLAND

SURVEYED & LAID OUT BY
 J. SPENCE HOWARD
 CIVIL & CONSULTING ENGR. BALTIMORE MD.

SCALE 1" = 100' APRIL 1917.

*Filed for Record
 May 25 1917.*

*Test: Wm. Cole
 Clerk*

MAR 25 1917

Recorded Plat

Baltimore County - My Neighborhood

Source: Baltimore County Government - Produced on: 10/30/2025

- County Boundary
- Property
- Zoning
- Zoning History Cases
- House Numbers

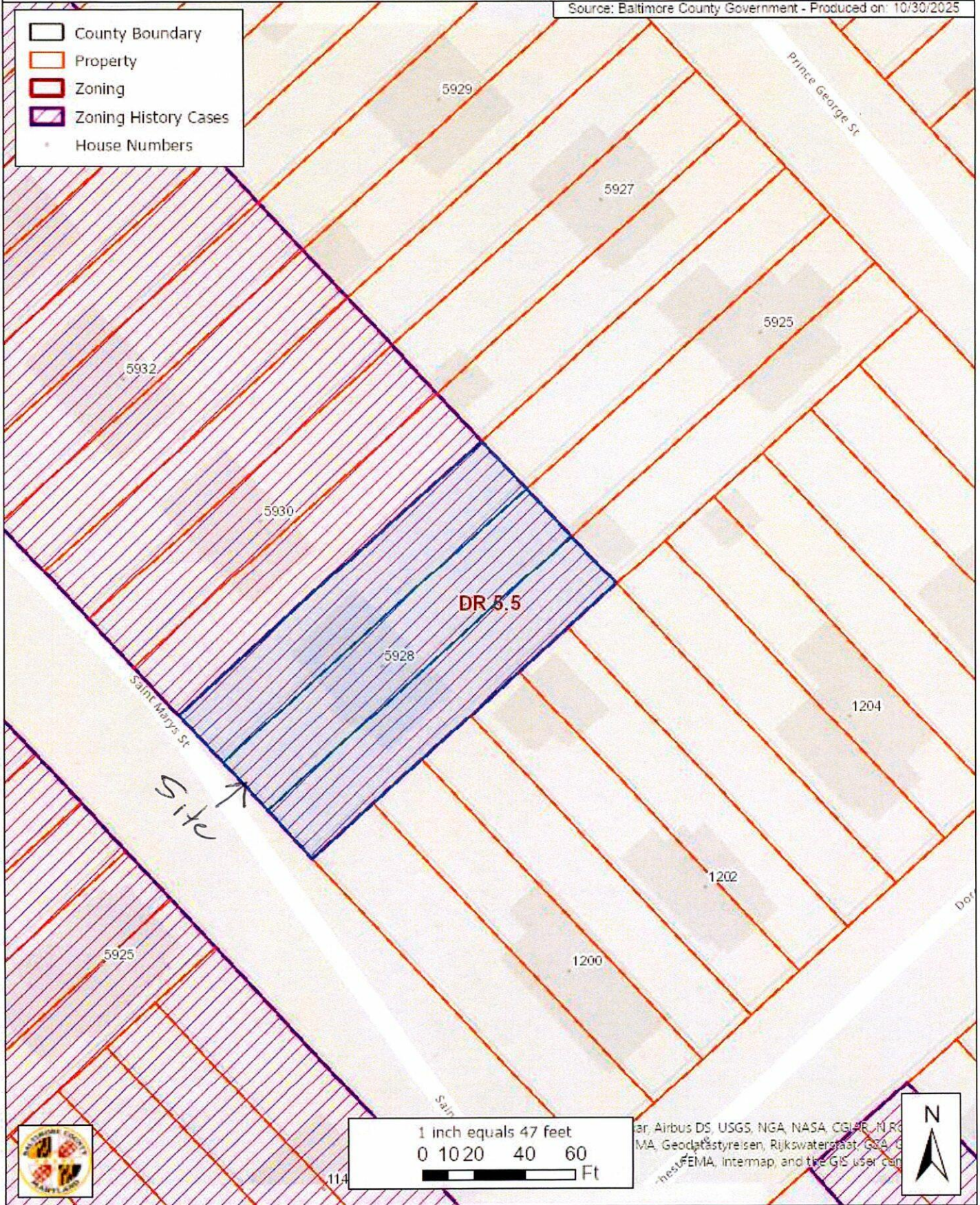


Aerial Photographs

Baltimore County - My Neighborhood

Source: Baltimore County Government - Produced on: 10/30/2025

- County Boundary
- Property
- Zoning
- Zoning History Cases
- House Numbers



1 inch equals 47 feet
0 10 20 40 60
Ft

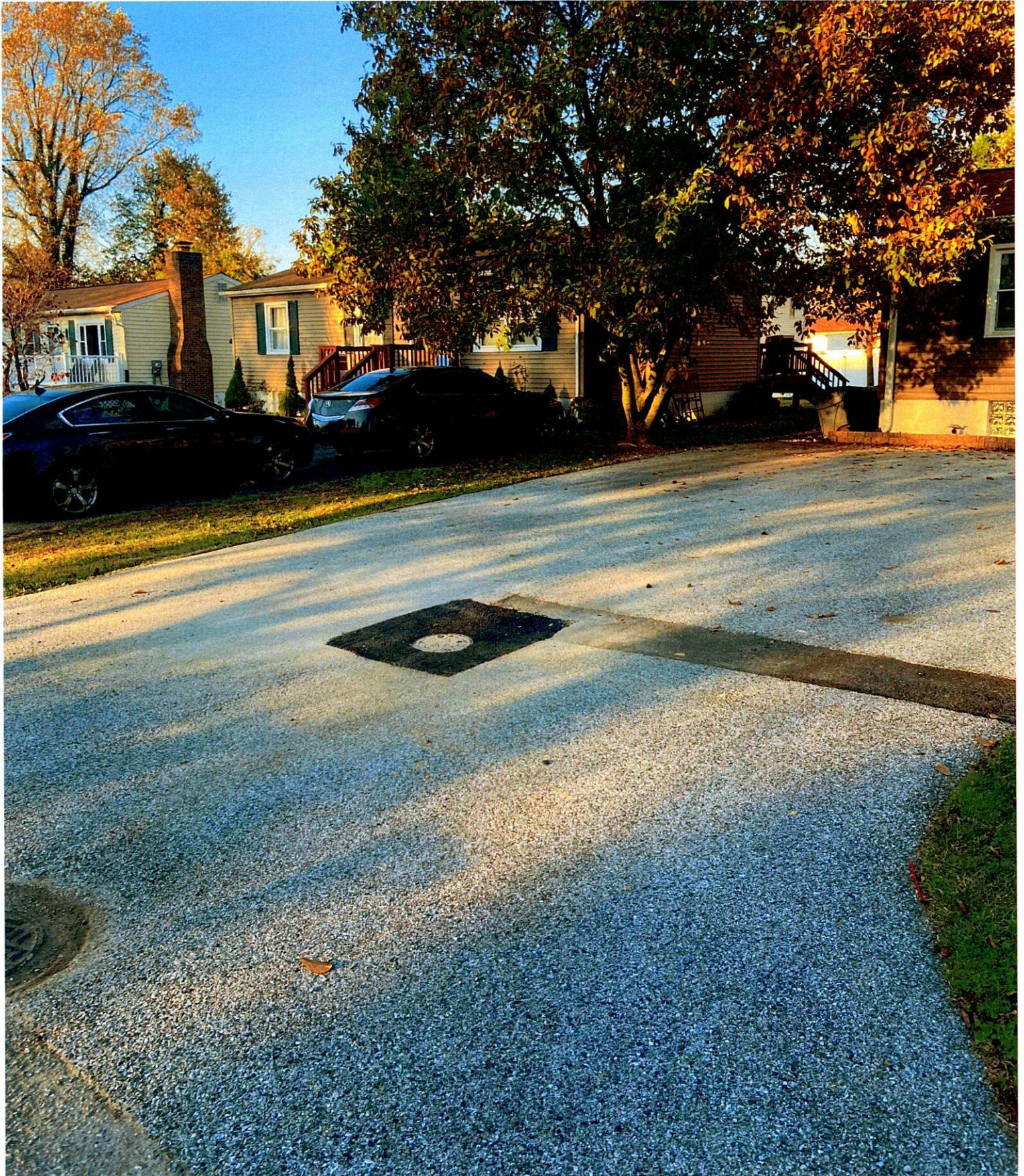


Zoning Map

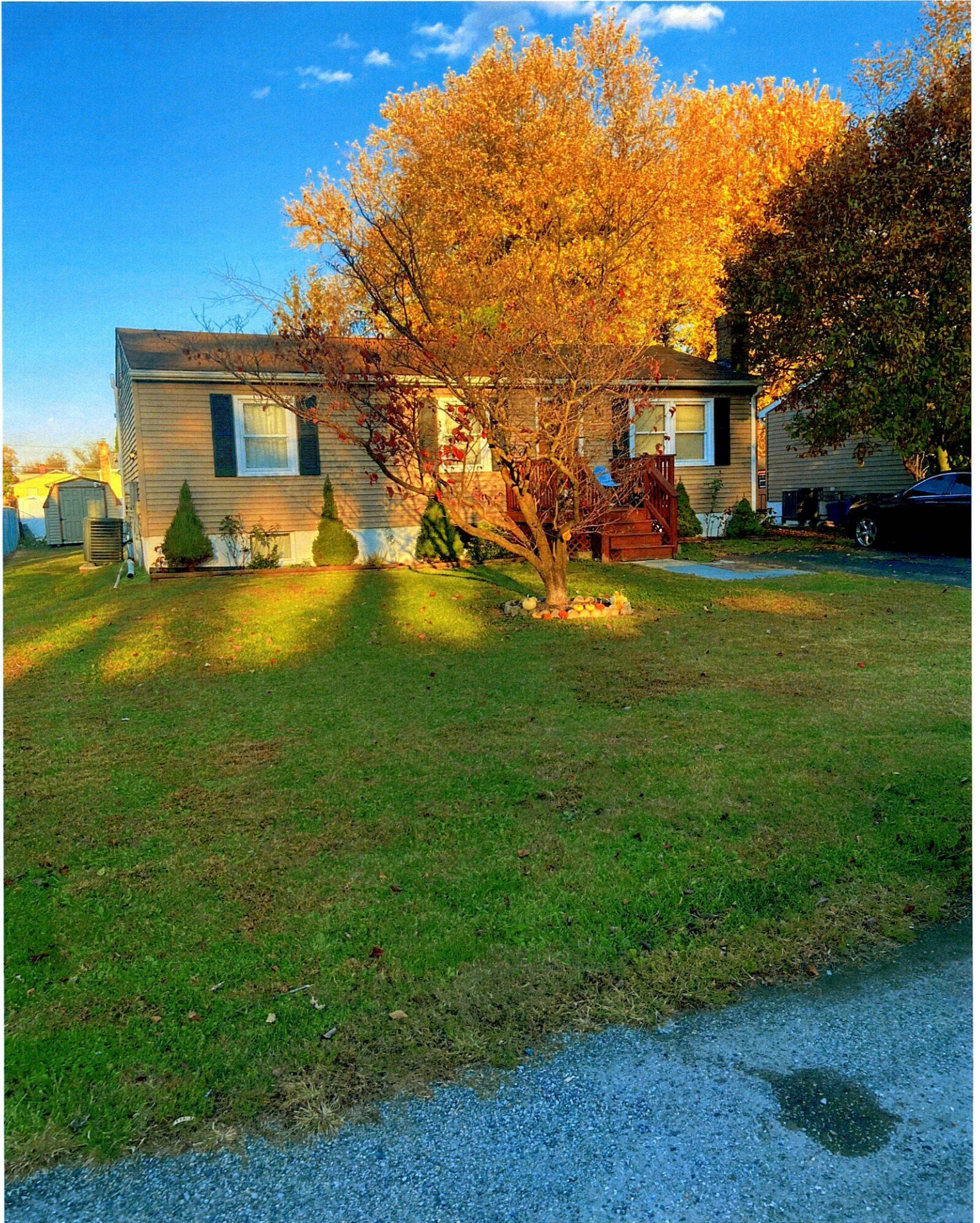
5928 ST. MARY'S STREET (SUBJECT PROPERTY)



5928 AND 5930 ST. MARY'S STREET



5930 ST. MARY'S STREET



5932 ST. MARY'S STREET



5927 ST. MARY'S STREET (OPPOSITE SUBJECT PROPERTY)



ST. MARY'S NORTHWEST DIRECTION



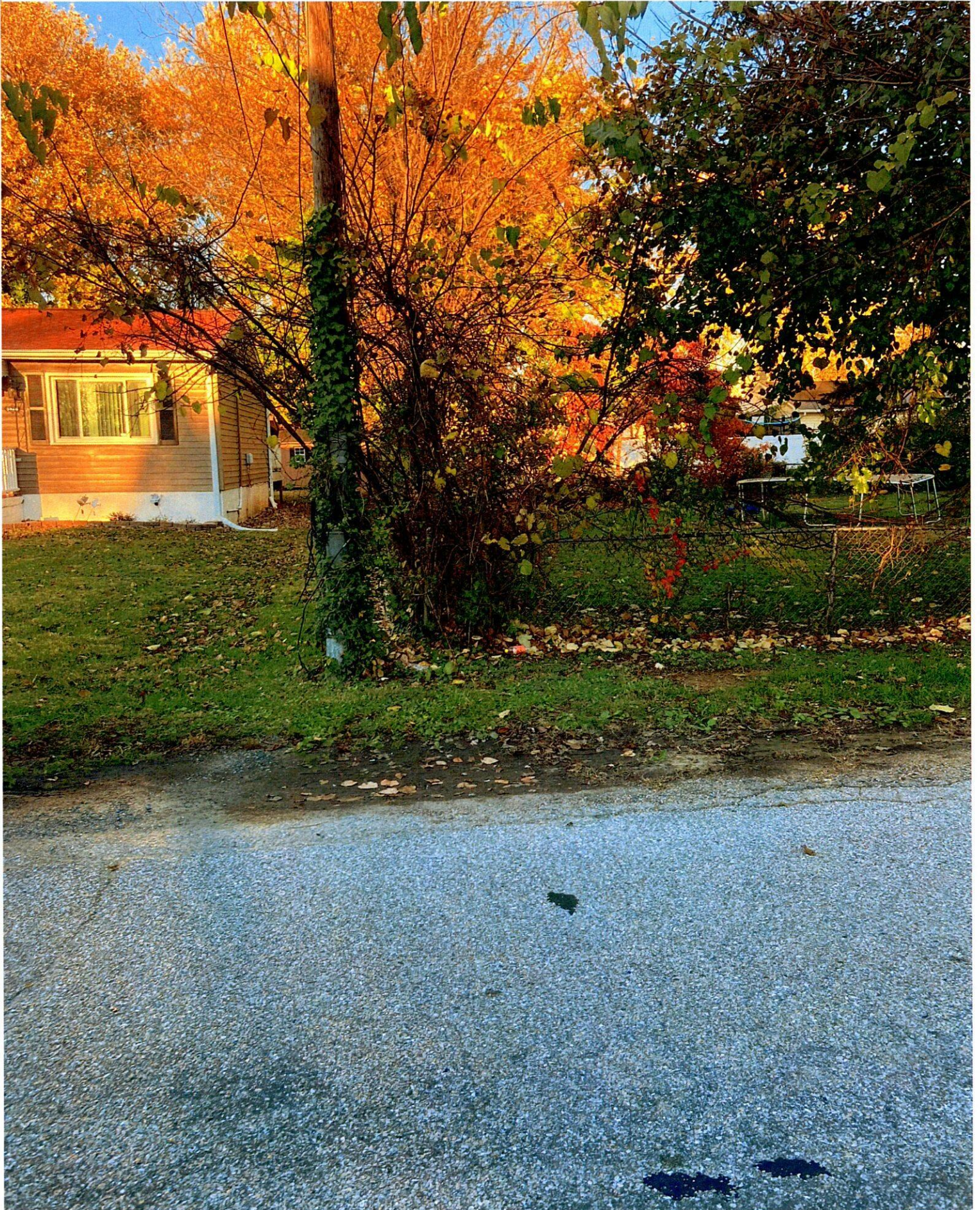
NORTHWEST VIEW OF ST. MARY'S STREET (OPPOSITE SIDE OF STREET)



CONTIGUOUS YARD AREA WITH SUBJECT PROPOERTY



CONTIGUOUS YARD AREA WITH SUBJECT PROPERTY



SOUTHEAST DIRECTION OF STREET VIEW



SITE DATA

- PROJECT NAME: 5928 ST MARYS STREET ALF I
- NET SITE AREA = 0.1721 AC OR 7,500 SF (SDAT)
- OWNER/APPLICANT: NICOLE JOHNSON-NE SMITH
- SITE ADDRESS: 5928 ST MARYS STREET
- UTILITIES - LOCATED WITHIN ST MARYS STREET
WATER: PUBLIC
SEWER: PUBLIC
- TAX MAP REFERENCES:
TAX MAP 95; G 14; P 105
TAX ID. 1900010639
- DEED REFERENCES: 31050/164
PLAT REFERENCE: 6/109, LOTS 49, 50 AND 51
- ELECTION DISTRICT: 1ST
COUNCILMANIC DISTRICT: 1ST
- EXISTING ZONING:
DR-5.5
MAP 095A2
- THE PROPERTY AND IMPROVEMENTS ARE NOT HISTORIC NOR LOCATED WITH A HISTORIC DISTRICT.
- THE SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- EXISTING USE: SINGLE FAMILY DWELLING
PROPOSED USE: CLASS I ASSISTED LIVING FACILITY (4 BEDS)
- F.A.R. ALLOWED = N/A
PROPOSED F.A.R. = N/A
- THE BOUNDARY SHOWN HEREON WAS TAKEN FROM BALTIMORE GIS INFORMATION
- URDL LAND TYPE: URBAN
- WATERSHED: GWYNN FALLS
- GROWTH TIER: INSIDE URDL
- BASED UPON BALTIMORE COUNTY GIS DATA THE SITE IS NOT WITHIN THE 100-YEAR FLOODPLAIN.
- THE EXISTING USE DOES NOT IMPACT ANY BASIC SERVICES DEFICIENT AREAS.
- BASED UPON BALTIMORE COUNTY'S "MY NEIGHBORHOOD" WEBSITE, THERE IS A ZONING CASE (1952-2360-SPH) THAT DOES NOT EFFECT THE PROPERTY.
- THE PROPERTY IS NOT LOCATED WITHIN A COMMERCIAL REVITALIZATION DISTRICT NOR ENTERPRISE ZONE.
- THE EXISTING DWELLING, AS PER SDAT, IS 1-STORY, 1,104 SF ABOVE GRADE, WITH A 6005F BASEMENT.

DATA SOURCE: BALTIMORE COUNTY GIS.

LEGEND	
SYMBOL	DESCRIPTION
---	EXISTING CONTOUR 2" INTERVAL
---	EXISTING CONTOUR 10" INTERVAL
---	EXISTING TREE LINE
---	EXISTING PROPERTY LINE
---	EXISTING ADJOINING LOT
GgB	SOIL LINES AND TYPES
GgC	SOIL LINES AND TYPES
SB	WETLAND/STREAM LIMIT
FB	FOREST BUFFER

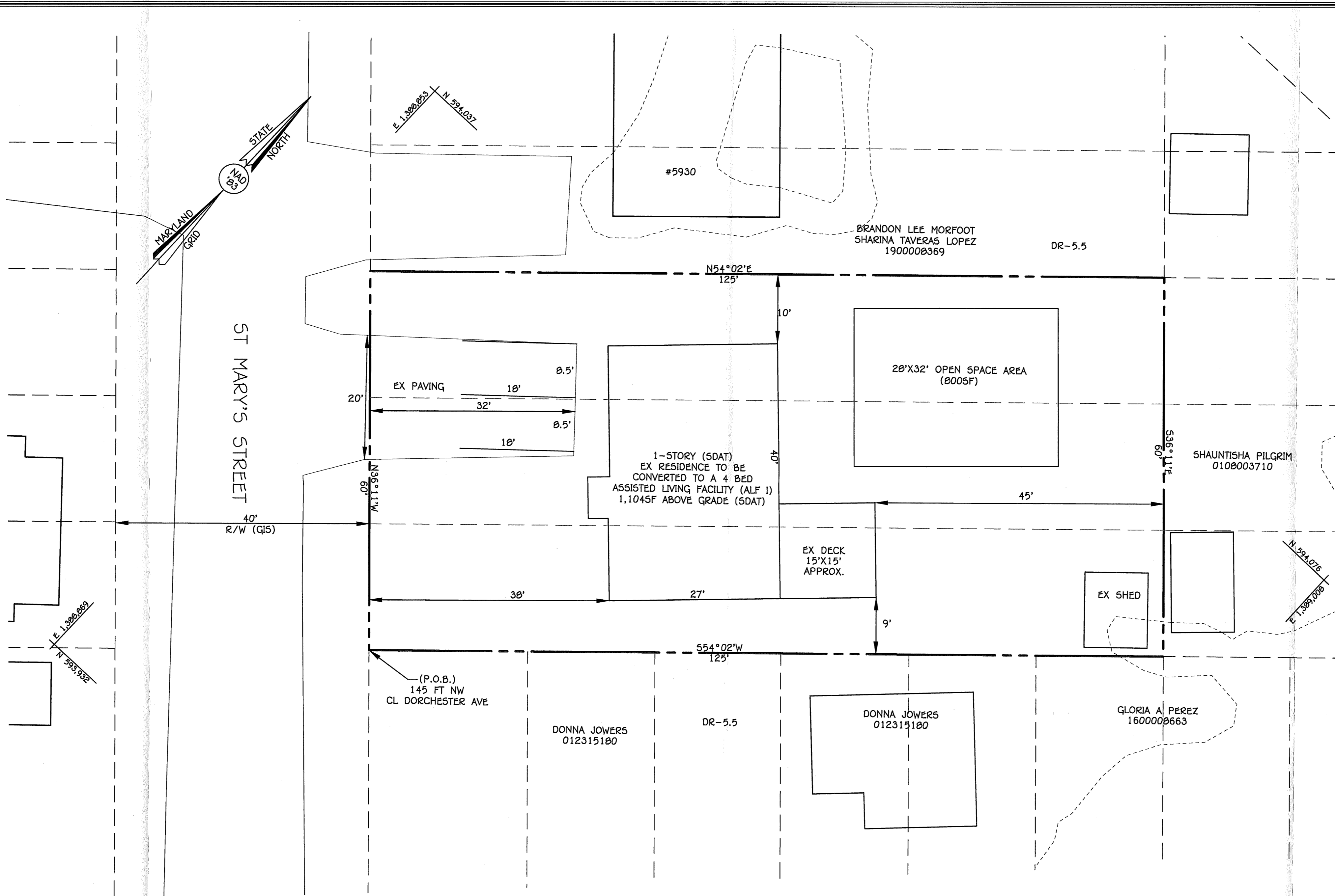
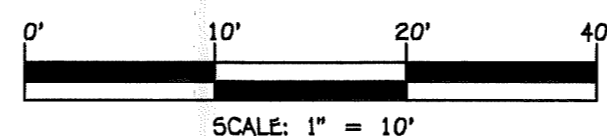


PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY DIRECTION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 27020, EXPIRATION DATE: 01/25/26.

PAUL G. CAVANAUGH, P.E. DATE
THIS PLAN IS SEALED AND SIGNED FOR ZONING COMPLIANCE ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

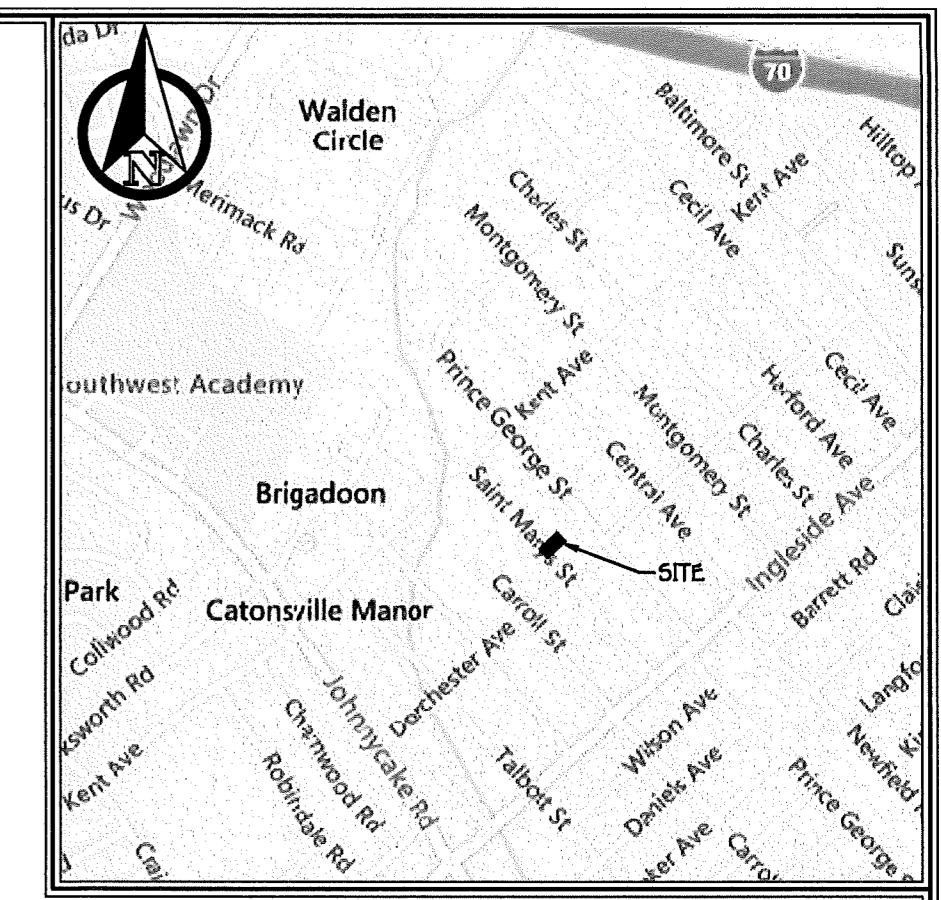
OWNER/APPLICANT

NICOLE JOHNSON-NE SMITH
5928 ST MARYS ST
BALTIMORE, MD 21207
NJOHNSONNESMITH@YAHOO.COM
443-622-5050



ASSISTED LIVING FACILITY CLASS I NOTES:

- MINIMUM OPEN SPACE REQUIRED: 0.1721AC OR 7,4975F X 0.10= 7505F
MINIMUM OPEN SPACE PROVIDED: 8005F
- REQUIRED PARKING: 1 SPACE PER 3 BEDS
4 BEDS PROPOSED= 2 SPACES
PARKING PROVIDED: 2 SPACES (MIN. 8.5'X18')
- THIS BUILDING HAS NOT BEEN ORIGINALLY CONSTRUCTED TO ACCOMMODATE ELDERLY HOUSING OR AN ASSISTED LIVING FACILITY. THE BUILDING HAS NOT BEEN CONSTRUCTED IN THE PAST 5 YEARS. NO RECONSTRUCTION, RELOCATION, EXTERIOR CHANGES OR ADDITIONS OF 25% OR MORE BASED ON THE GROUND FLOOR AREA AS OF 5 YEARS BEFORE THE DATE OF THIS APPLICATION TO THE EXTERIOR OF THE BUILDING HAVE OCCURRED. NO ADDITIONS ARE PROPOSED TO EXCEED THIS LIMIT FOR 5 YEARS FROM THE DATE OF APPLICATION.
- THE APPLICANT IS AWARE & CERTIFIES THAT IN A D.R. ZONE, AN ASSISTED LIVING FACILITY I OR II IS NOT PERMITTED WITHIN 1,000 FEET OF ANOTHER PROPERTY WITH AN EXISTING ASSISTED LIVING FACILITY I OR II OR ANOTHER PROPERTY FOR WHICH AN APPLICATION FOR A USE PERMIT HAS BEEN FILED FOR AN ASSISTED LIVING FACILITY I OR II, PURSUANT TO SECTION 432A.1.A.3, BCZR.
- ANY PROPOSED SIGNS WILL COMPLY WITH SECTION 450 (BCZR) AND ALL ZONING SIGN POLICIES OR A ZONING VARIANCE IS REQUIRED.
- THE APPLICANT IS AWARE & CERTIFIES THAT A BUILDING PERMIT FOR THE INSTALLATION AND INSPECTION OF AN "AUTOMATIC SPRINKLER SYSTEM" FOR THE PRINCIPAL BUILDING ON THE PROPERTY WILL BE REQUIRED, PRIOR TO THE OPERATION AND OCCUPANCY OF AN ASSISTED LIVING FACILITY (ALF I, II OR III), PURSUANT TO THE BALTIMORE COUNTY BUILDING CODE, SECTION 308 AND/OR SECTION 310.



VICINITY MAP
SCALE: 1" = 1000'

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
& VARIANCE (5928 St. Mary's Street) * OF ADMINISTRATIVE
1st Election District * HEARINGS FOR
1st Council District * BALTIMORE COUNTY
Nicole Johnson-Nesmith *
Legal Owner * CASE NO. 2025-0180-SPHA

THEREFORE, IT IS ORDERED, this 16th day of October 2025, by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing to approve a modified parking plan to allow the existing parking configuration is hereby GRANTED; and
IT IS FURTHER ORDERED, that variance from BCZR §432.1 to allow an assisted living facility within 1000 ft. of another assisted living facility is hereby GRANTED.

- The relief granted herein shall be subject to the following:
- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition;
 - The proposed use is subject to a compatibility finding under BCZR § 432A.1.D;
 - No lighting is permitted on the premises except residential lighting typically used for a residential home;
 - No signage is permitted indicating the use.

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

[Signature]
DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

AMENDED OPINION AND ORDER

THEREFORE, IT IS ORDERED, this 31st day of October 2025, by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing to approve a modified parking plan to allow the existing parking configuration is hereby GRANTED; and
IT IS FURTHER ORDERED, that variance from BCZR §432.1 to allow an assisted living facility within 1000 ft. of another assisted living facility is hereby GRANTED.

- The relief granted herein shall be subject to the following:
- Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition;
 - The proposed use is subject to a compatibility finding under BCZR § 432A.1.D;
 - No lighting is permitted on the premises except residential lighting typically used for a residential home;
 - No signage is permitted indicating the use;
 - This variance approval shall terminate upon the issuance of a valid use & occupancy permit for an Assisted Living Facility on the premises, such that the variance granted herein shall not continue to run with the land or otherwise impact proximity restrictions under BCZR for other properties within the community.¹

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

[Signature]
DEREK J. BAUMGARDNER
Administrative Law Judge
for Baltimore County

**5928 ST. MARY'S STREET
PLAN TO ACCOMPANY A ZONING USE
PERMIT FOR AN ASSISTED LIVING
FACILITY CLASS I (4 BEDS MAXIMUM)**

TAX MAP 95 GRID 14 PARCEL 105
1ST ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND
COUNCILMANIC DISTRICT: 1ST ZONED: DR-5.5
SCALE: 1"=20' DATE: NOVEMBER, 2025

