

**STANDARD APPLICATION**  
**Harford County**  
**Board of Appeals**  
 Bel Air, Maryland 21014

RECEIVED  
 HARFORD COUNTY COUNCIL  
 JUN 27 2019  
 ZONING BOARD OF APPEALS  
 HARFORD COUNTY, MD

Case No. 5908  
 Date Filed 6/27/19  
 Hearing Date \_\_\_\_\_  
 Receipt \_\_\_\_\_  
 Fee \_\_\_\_\_  
 Type Special Exception

**Information to be Submitted with Application**

1. A plot plan drawn to scale indicating all pertinent data.
2. A list of all adjoining property owners with mailing addresses.
3. Names and addresses of all persons having legal or equitable interest in the property.
4. All required supporting documentation or additional studies as may be required; including traffic and environmental studies, etc.

**NOTE:**  
 All applicants **MUST** schedule a pre-application meeting with the Department of Planning and Zoning prior to filing any application to the Board of Appeals.

To schedule please call 410-638-3119.

*Shaded areas for Office Use Only*

**Nature of Request and Section(s) of Code**

**CASE 5908 MAP 65 TYPE Special Exception**  
**ELECTION DISTRICT 01 TAX ID 01089951**  
**LOCATION 501 Magnolia Road, Joppa 21085**  
**BY Shenell Arrington**  
**Appealed because a special exception pursuant to**  
**Sec. 267-88F(6) of the Harford County code to operate**  
**a personal care boarding home in the R1 District**  
**requires approval by the Board.**

**Owner (please print or type)**

Name SHENELL RENE ARRINGTON Phone Number 443-760-6083  
 Address 501 Magnolia Road Joppa MD 21090  
Street Number Street City State Zip Code

Co-Applicant \_\_\_\_\_ Phone Number \_\_\_\_\_

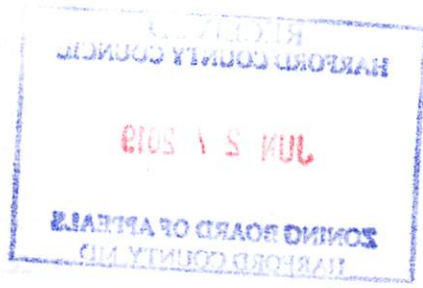
Address \_\_\_\_\_  
Street Number Street City State Zip Code

Contract Purchaser \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_

Address \_\_\_\_\_  
Street Number Street City State Zip Code



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**Land Description**

**Address and Location of Property**

Subdivision 0000 Lot Number 01089951  
Acreage/Lot Size 3.07 Election District 01 Zoning R1 Tax ID # 01089951  
Tax Map No. 0065/0657 Grid No. 0004D Parcel 0657 Water/Sewer: Private \_\_\_\_\_ Public

List ALL structures on property and current use:

Estimated time required to present case: 1/2 hr.

If this Appeal is in reference to a Building Permit, state number ND

Would approval of this petition violate the covenants and restrictions for your property? Yes \_\_\_\_\_ No

Is this property located within the County's Chesapeake Bay Critical Area? Yes \_\_\_\_\_ No

If so, what is the Critical Area Land Use designations: \_\_\_\_\_

Is this request the result of a zoning enforcement investigation? Yes \_\_\_\_\_ No

Is this request within one (1) mile of any incorporated town limits? Yes \_\_\_\_\_ No

**Request**

See Attachments.

**Justification**

See Attachments

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

**REQUEST AND JUSTIFICATION FOR MODIFICATION  
HARFORD COUNTY BOARD OF APPEALS STANDARD APPLICATION**

**Request**

Special exception approval for a personal care boarding home in R1/Urban Residential District and ~~Code Change~~ approval to allow a transient housing facility for ten (10) residents.

**Justification – Code Application**

The Subject Property consists of 3.07 – acres located at 501 Magnolia Road, Joppa ,Maryland 21085 (the “Subject Property”). The Subject Property is zoned R1 – urban residential as defined in the Harford County Zoning Code. This personal care boarding house, pursuant to an approval issued by the Board of Appeals. Applicant seeks approval for a facility containing ten (10) beds.

The Applicant will satisfy the requirements of 267-88(F)(6) of the Harford County Zoning Code, namely:

(6) Personal -Care Boarding homes. This use may be granted in the AG, RR, R1, R2, R3, R4, VB and VR districts, provided that:

(a) The proposed used shall be located in a single – family detached dwelling.

**Satisfied**

(b) The proposed use meets the lot size requirements for conventional single-family residence in the district where located.

**Satisfied**

(c) A maximum density of 1 Boarder per 2,000 square feet of lot area shall be maintained. **Satisfied**

(d) Provisions of Chapter 199 of the Harford County Code, as amended, must be met. **Satisfied**

**Justification- Limitations, Guidelines and Standards**

The proposed use will fall within the applicable limitations guidelines and standards to be adhered to by the Board of Appeals as set forth in Section 267-9(i):

1. **The Subject Properties and use thereon should not have an impact on the number of persons living or working in the immediate area, which are residential and the existing Applicant's use.**
2. **The proposed use should not have any negative impact on traffic conditions. It is anticipated that the number of trips generated by the (10) beds will be minimal, and Applicant does not intend to hire any additional staff other than the three(3) staff members needed.**
3. **The proposed use should not affect the orderly growth of the neighborhood and community, given the existing uses in the nearby area.**
4. **There will be no effect as the result of any odors, dust, gas, smoke, fumes, vibration, glare, noise as a result of the ten (10) beds.**
5. **The proposed ten (10) additional bed will not have any adverse impact on facilities, fire protection, sewage , water, trash and garbage collection or the like. The Subject Properties shall be public water and sewer. The owner of the Subject Properties will provide for trash and garbage collection.**
6. **The requested use is consistent with generally accepted engineering and planning principles and practices.**
7. **There will be no additional impact on structures in the vicinity, such as schools, houses of worship, theater, or hospital, none of which are in close proximity with the subject Property.**
8. **The proposed use is consistent with the purposes of the Code, the Master Plan and related studies for land use the like, insofar as the use is a special exception use in the R1 district .**
9. **The proposed use shall not have any environmental impact on any nearby sensitive features. There are no applicable opportunities for recreation or open space.**
10. **The proposed use shall not have any negative impacts on any cultural or historic landmarks, of which none are known on the Subject Property.**

**Change/Extension of Non-Conforming Use Requirements**

**267-20(3)** - When authorized by the Board, one nonconforming use may be substituted for another nonconforming use.

**267-21(d)** - The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions, provided that:

- (A) The proposed extension or enlargement does not change to a less restricted and more intense use.
- (B) The enlargement or extension does not exceed 50% of the gross square footage in use at the time of the creation of the nonconformity.

**Special Exceptions Requirements (Article 267-87)**

(a) Special exceptions require the approval of the Board of Appeals in accordance with 267-9 (Board of Appeals). The Board may impose such conditions limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Code and the public health, safety and welfare.

- (b) A special exception grant or approval shall be limited to the Site Plan approved by the Board. Any substantial modification to the approved Site Plan shall require further Board approval.
- (c) Extension of any use or activity permitted as a special exception shall require further Board approval.
- (d) The Board may require a bond, irrevocable letter of credit or other appropriate guarantee as may be deemed necessary to assure satisfactory performance with regard to all or some of the conditions.
- (e) In the event the development or use is not commenced within 3 years from date of final decision, after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Director of Planning shall have the authority to extend the approval for an additional 12 months or any portion thereof. (See Article 267-88 for specific requirements of Special Exception uses.)

I/We agree to provide additional information as requested by the Department of Planning and Zoning or the Hearing Examiner.

I/We do hereby declare that no officer or employee of Harford County, whether elected or appointed, has received prior hereto or will receive subsequent hereto any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or aware of the within application or petition.

I/We do solemnly declare and affirm under the penalties of perjury that this petition contains names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information and belief.

I/We agree, upon final action, to comply with all requirements or conditions imposed by the Board.

*Shenele Renee Arrington* 6/3/19  
 \_\_\_\_\_  
 Signature of Owner Date

*Andrew Miller* 6/3/19  
 \_\_\_\_\_  
 Witness Date

\_\_\_\_\_  
 Signature of Co-Applicant Date

\_\_\_\_\_  
 Witness Date

\_\_\_\_\_  
 Signature of Attorney/Representative Date

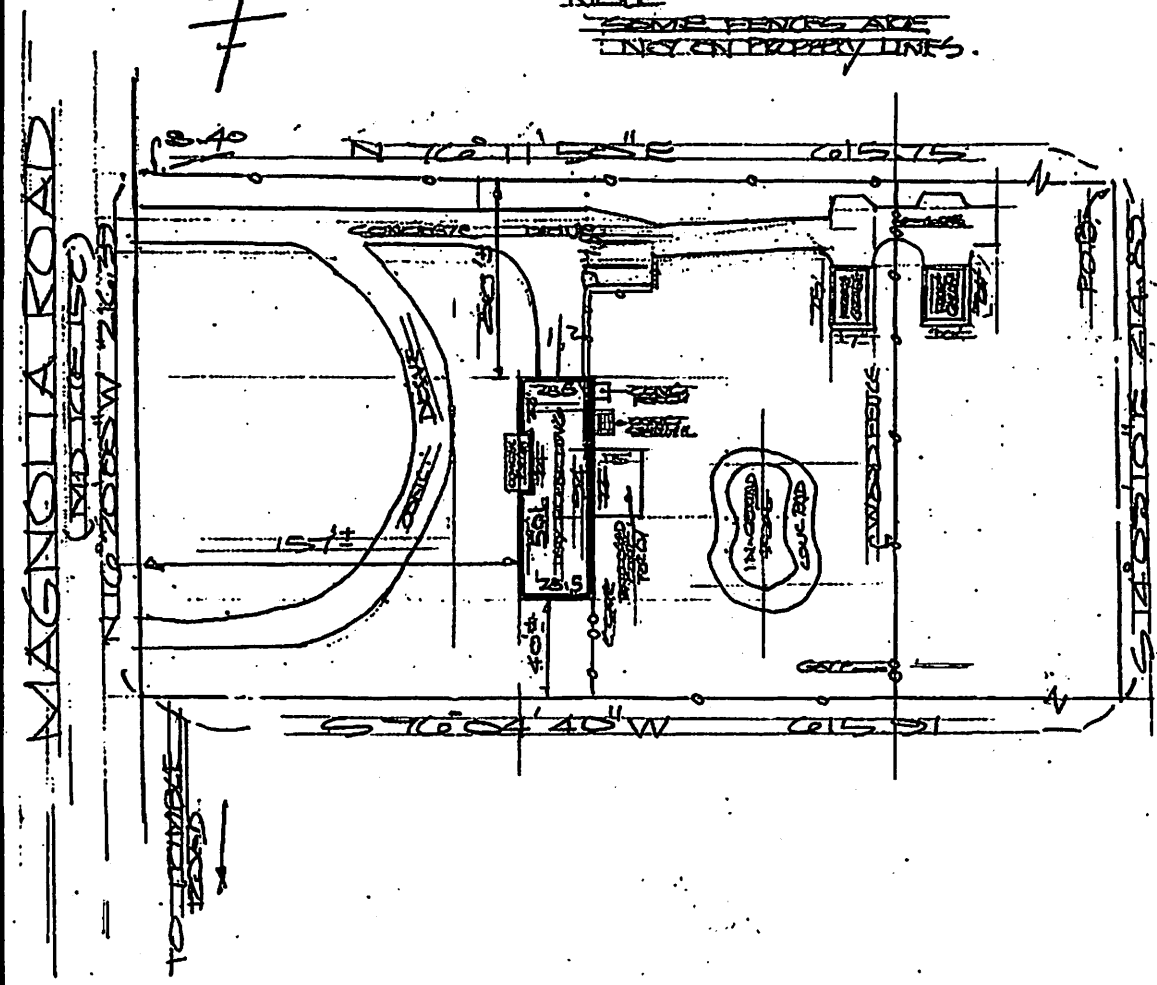
\_\_\_\_\_  
 Witness Date

\_\_\_\_\_  
 Director of Planning and Zoning Date

*[Signature]* 6-27-19  
 \_\_\_\_\_  
 Zoning Staff Date

The property is not to be used for any purpose other than that shown on this plan. Although believed accurate, it is not guaranteed.

INSIDE -  
 SOME DIMENSIONS ARE  
 ONLY ON PROPERTY LINES.



DEED REF - 7641/581

- 1) This plot is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
- 2) This plot is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- 3) This plot does not provide accurate identification of property located boundary lines but such identification may not be required for the transfer of title or securing financing or re-financing.

Professional Certification. I hereby certify that these documents were prepared by me or under my responsible charge, and that I am a duly licensed property line surveyor under the laws of the State of Maryland, License No. 79, Expiration Date 3/27/2018.

This is to certify that this drawing meets the Minimum Standards of Practice of the State of Maryland  
 All setback dimensions are + or - one foot unless otherwise noted.

5/20/17 *Wade H. Key*



**LOCATION DRAWING**  
 501 MAGNOLIA ROAD, HAGERSTOWN, MD  
**OFFICE OF**  
**MANK & KUNST**  
 POST OFFICE BOX 91  
 BENSON, MARYLAND 21018

**SCALE**  
 1" = 60'  
**DATE**  
 5/20/17  
**JOB NO.**  
 15417T