

1. BZA Agenda (October, 2020)

Documents:

[BZA AGENDA \(OCTOBER, 2020\).PDF](#)

2. Application - Case No. 20-04 Dubai

Documents:

[APPLICATION - CASE NO. 20-04 DUBAY.PDF](#)

3. Pre-Hearing Statement - Dubai

Documents:

[PRE-HEARING STATEMENT - DUBAY.PDF](#)



BOARD OF ZONING APPEALS AGENDA

Tuesday, October 6, 2020, at 6 PM

Virtual Meeting:

www.facebook.com/WestminsterMD

www.WestminsterMD.gov

- I. Call to Order**
- II. Approval of Minutes**
- III. Public Hearings**

CASE NO: 20-02 (Rehearing)

Hearing on a motion of the Board of Zoning Appeals' Resolution and Decision dated June 23, 2020 filed by Applicants Mid-Atlantic Lubes, LLC, the contract purchaser, and property owner ABBEC Property, LLC, seeking modification of the findings and reopening the record in the case to allow **rehearing on the subject of the applicability of Zoning Ordinance Section 164-140 to the Applicants' request** for a special exception to operate a service station at 335 Gorsuch Road, Westminster, Maryland, in the B Business Zone. The Board shall consider further testimony from all interested parties, limited to the subjects raised in the Applicants' motion for modification and the Board's Order to Suspend 20-02 on July 16, 2020, including any procedural or substantive objections to Applicants' motion.

CASE NO: 20-04

An application by Kathie Dubay, the applicant and property owner Olindo and Aurora Pagulayan Trustee, requesting approval of a special exception to operate a **day-care facilities for up to eight children use, subject to the provisions of Zoning Ordinance Section 164-90 A., which references Section 164-30 G.** to be located at 221 Alymer Court Westminster, Maryland pursuant to Zoning Ordinance Article XIV: PD-9 Planned Development – 9 Zone , Section 164-90 A. Special Exceptions.

- IV. Other Business**
- V. Adjournment**

Application Fees

See fees below, plus City legal fees and court reporter fees, payable to *City of Westminster*



CITY OF WESTMINSTER

56 WEST MAIN STREET
WESTMINSTER, MD 21157

For Office Use Only

Case No.: _____
Form Received: _____
Fee Paid: _____
DCPD Reviewed: _____
Appeal Received: _____
Court Review: _____

APPLICATION FOR PUBLIC HEARING BEFORE THE BOARD OF ZONING APPEALS

In accordance with the Charter and Code of the City of Westminster, an application is made to the Board as follows:

1. Purpose of Hearing:

Applicable Fees:

- Request for special exception \$1,500, unless owner-occupied or day care \$300
- Request for variance \$1,000, unless owner occupied \$200
- Appeal of admin decision \$600
- Nonconforming uses No fee

2. Applicant Information:

Name: Kathie Dubai Address: 221 Alymer Ct, Westminster MD 21157
Telephone: 410-991-1801 Fax: - E-Mail: Kcyr04@comcast.net

3. Property Owner Information: (if Different)

Name: Olindo Pagulyan Address: 1998 Zicker Ave, Las Vegas NV 89123
Telephone: 410-236-3698 Fax: - E-Mail: opagulyan@gmail.com

4. Attorney Information: (if Applicable)

Name: _____ Address: _____
Telephone: _____ Fax: _____ E-Mail: _____

5. Address of Subject Property: 221 Alymer Ct, Westminster, MD 21157

6. Request Description: I. Kathie Dubai have been zoned since Feb 1996 for 6 children. I'm interested in being zoned for 8 children in my licensed daycare.

Please note that applications for public hearings must comply with the provisions and requirements in [Chapter 164](#), Zoning & Subdivision of Land, City of Westminster Code. All applicants are advised to review the [Rules of Order and Procedure](#) before applying.

Application for Public Hearing before the Board of Zoning Appeals (Continued - Page 2)

Subject Property - Owner's Address: 221 Alymer Ct, Westminster, MD 21157

Using SDAT, provide names and addresses of owners of all adjacent properties – including names and addresses of owners of properties on opposite sides of streets or alleys.

Property 1: Gregory & Cynthia Lessner 217 Alymer Ct, Westminster, MD 21157

Property 2: Michael & Heather Harmon 219 Alymer Ct, Westminster MD 21157

Property 3: Terrance & April Walbert 223 Alymer Ct, Westminster MD 21157

Property 4: Brian & Jessica Bailey 225 Alymer Ct Westminster MD 21157

Property 5: Edward & Karen Henry 239 Alymer Ct, Westminster MD 21157

Property 6: Dale & Jennifer Fisher 224 Alymer Ct, Westminster MD 21157

Property 7: Leon Witz 211 Alymer Ct, Westminster, MD 21157

Property 8: _____

Property 9: _____

Property 10: _____

Property 11: _____

Property 12: _____

CERTIFICATION

I CERTIFY THAT THE FOREGOING INFORMATION AND THE LIST OF ADJOINING PROPERTY OWNERS IS TRUE AND ACCURATE. I AGREE TO ABIDE BY THE RULES OF ORDER AND PROCEDURE FOR THE BOARD OF ZONING APPEALS AND ALL APPLICABLE LAWS.

Kathie A. Dubay
APPLICANT'S SIGNATURE / DATE

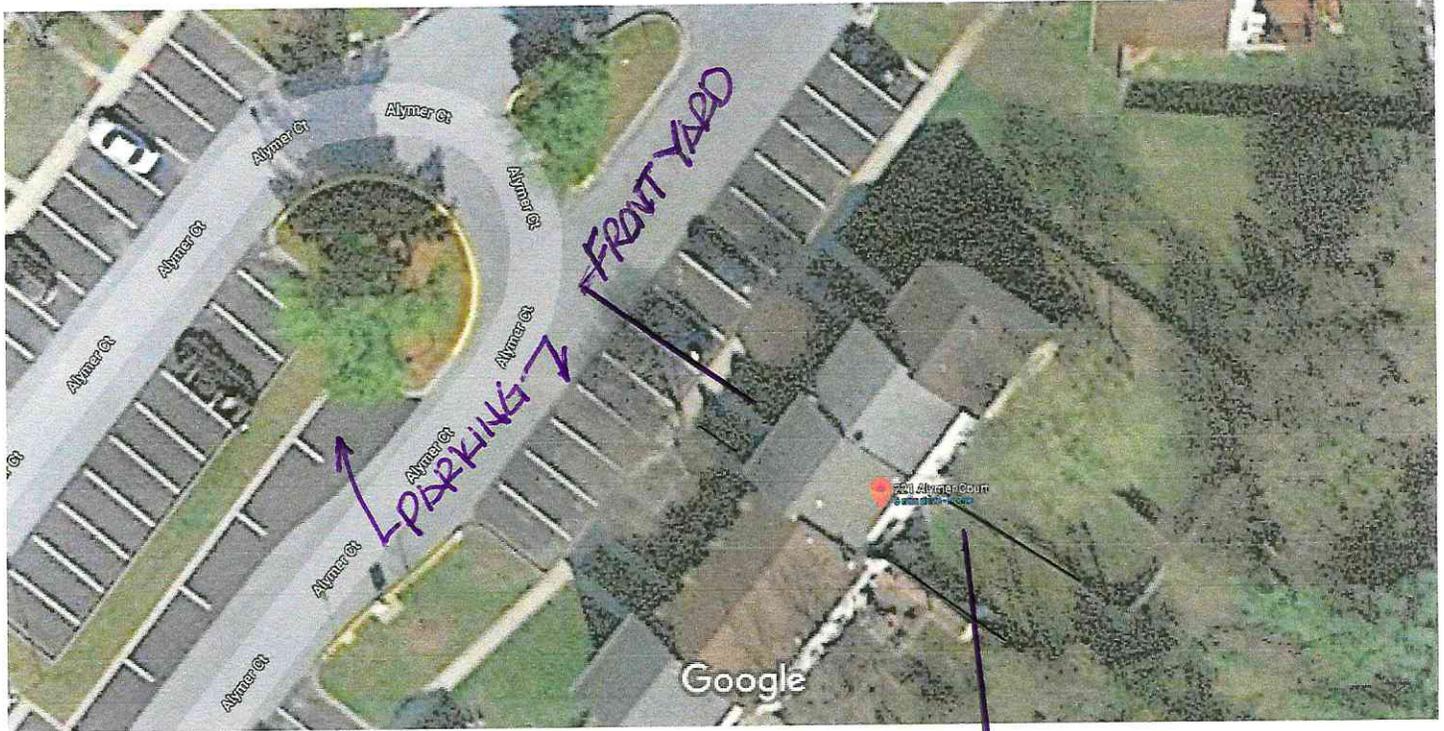
Olinda Pagulayan
Olindo Pagulayan 1-24-2020
PROPERTY OWNER'S SIGNATURE / DATE

Kathie A Dubay
APPLICANT'S PRINTED NAME / DATE

APPLICANT'S ATTORNEY SIGNATURE / DATE

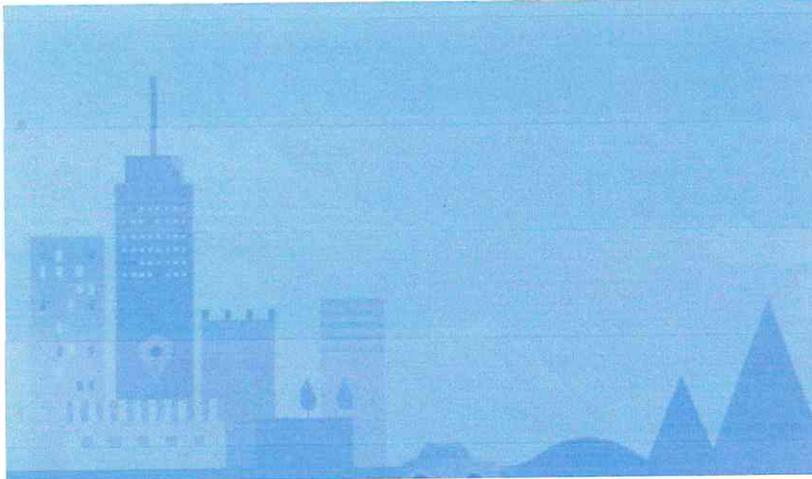
Please email signed and dated applications with all required submittals to planning@westgov.com

Google Maps 221 Alymer Ct



Map data ©2020 Map data ©2020 20 ft

BACK YARD



221 Alymer Ct

Westminster, MD 21157

Building



Directions



Save



Nearby



Send to your phone



Share

Michelle Jefferson

From: Kathie Dubay <kcyr04@comcast.net>
Sent: Wednesday, July 29, 2020 6:58 PM
To: Michelle Jefferson
Subject: Pictures





Sent from my iPhone



City of Westminster

KENNETH A. YOWAN
Mayor
CITY COUNCIL
Edward S. Calwell
President
Suzanne P. Albert
Stephen R. Chapin, Sr.
Damian L. Halstad
Gregory Pecoraro

P.O. BOX 710
WESTMINSTER, MARYLAND 21158
TELEPHONE:
Local (410) 848-9000
Baltimore Line (410) 876-1313
TDD: (410) 857-8290
FAX: (410) 876-0299

Thomas B. Beyard
Director of Planning & Public Works
John D. Dudderar
City Clerk
Stephen V. Dutterer
Director of Finance - Treasurer
Sam R. Leppo
Chief of Police

February 1, 1996

Kathie Cyr
221 Alymer Court
Westminster, Maryland 21157

Dear Ms. Cyr:

This is to certify that the application to use your residence at 221 Alymer Court, for a family day-care home not to exceed six (6) children, is acceptable under the present zoning regulations of the City.

Very truly yours,


JOHN D. DUDDERAR
City Clerk

JDD/ddr

Kathie Dubay
221 Alymer Ct
Westminster, MD 21157

September 1, 2020

RE: Prehearing Statement for zoning for daycare

City of Westminster Zoning:

I have applied for and increase of children in my home daycare. I am licensed for 6 and would like to increase to 8. Based on licensing, I can have up to 8 children. I have submitted every report, site plan, pictures and documents requested. All these documents are attached to this letter.

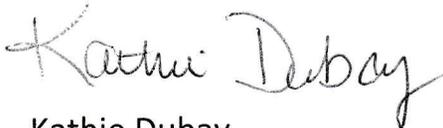
This request does not require expert testimony, simply a copy of my daycare license, which is also attached.

I have no witnesses to identify, I call no witnesses and to my knowledge, none of my neighbors oppose this expansion of the daycare children.

It is my hope this doesn't take more than fifteen minutes.

Thanks for your time.

Sincerely,

A handwritten signature in cursive script that reads "Kathie Dubay". The signature is written in black ink and is positioned above the printed name.

Kathie Dubay

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CITY OF WESTMINSTER

56 WEST MAIN STREET
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Kathie A Dubay
APPLICANT'S SIGNATURE / DATE

Olindo Pagulayan
Olindo Pagulayan 7-24-2020
PROPERTY OWNER'S SIGNATURE / DATE

Kathie A Dubay
APPLICANT'S PRINTED NAME / DATE

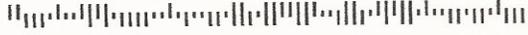
APPLICANT'S ATTORNEY SIGNATURE / DATE

Please email signed and dated applications with all required submittals to planning@westgov.com



City Of Westminster
 56 W Main Street
 Westminster, MD 21157

General Information:
 Pay Online: www.westminstermd.gov
 Billing Inquires: (410) 848-3255
 Federal Tax ID : 52-6000811

4-1
 KATHIE CYR
 221 ALYMER CT
 WESTMINSTER MD 21157-6332


Messages

Consumer Confidence Reports
www.westminstermd.gov/cranberryCCR
www.westminstermd.gov/wakefieldCCR
 For Questions/Concerns regarding water quality please email:
CityofWestminsterWTP@westgov.com

Account Information

Customer Number: 043712+001
 Service Location: 221 ALYMER CT
 Billing Date: 4/30/20
 Due Date: 5/30/20
 Last Payment Date: 2/26/20
 Previous Balance: 124.36
 Payments: 124.36
 Current Charges: 140.76
 Adjustments:
 Total Due: 140.76

Terms: Net amount due upon receipt of invoice. Gross Amount (includes penalty of 5%) due after date shown on invoice. After five days from this date water and/or sewer service will be subject to termination. A minimum charge of \$100.00 will be charged for restoring service.

Condition: If from any cause, the water should temporarily fail, no rebate shall be allowed for any claim of damages resulting from the

Billing Details

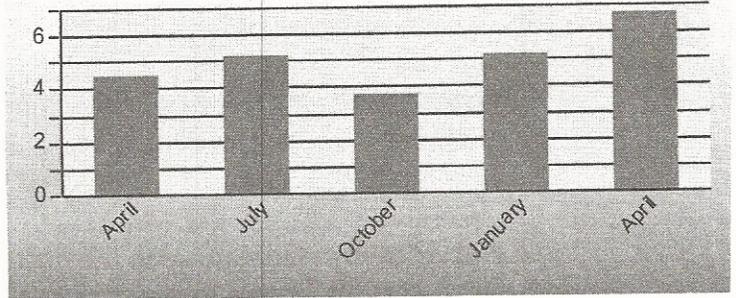
Account #: 32-00720-000 221 ALYMER CT
 Service from 2/1/2020 to 4/30/2020

Water		
Base City Water.....	23.77	
Water Consumption - City.....	28.95	
Sewer		
Base City Sewer.....	28.20	
Sewer Consumption -City.....	44.84	
Brf		
Bay Restoration Fee Residential.....	15.00	
Total Current Charges.....	140.76	

Meter Information

Meter #: 88018748
 Prev Read CCF: 447 Curr Read CCF: 456 A
 Prev Read Date: 1/9/20 Curr Read Date: 3/24/20
 Usage: 6733 Gallons

Your average water use for this billing period was 90 gallons per day.



PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. MAKE CHECK PAYABLE TO: **CITY OF WESTMINSTER**

Account Number: **32-00720-000**
 Service Location: 221 ALYMER CT
 Billing Date: 4/30/20
 Due Date: 5/30/20

AMOUNT DUE 140.76
 Gross amount due after: 5/30/20
 Gross amount: 147.80

City of Westminster
 Water/Sewer Dept.
 56 W Main Street
 Westminster, MD 21157



KATHIE CYR
 221 ALYMER CT
 WESTMINSTER MD 21157-6332



City of Westminster

KENNETH A. YOWAN
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City Clerk

JDD/ddr

Google Maps 221 Alymer Ct



Map data ©2020 Map data ©2020 20 ft

BACK YARD



221 Alymer Ct

Westminster, MD 21157

Building



Directions



Save



Nearby



Send to your phone



Share

POST IN CONSPICUOUS PLACE - This Certificate of Registration is not transferable to another person, address, or location.



**MARYLAND STATE DEPARTMENT OF
EDUCATION**

Achievement Matters Most

State of Maryland - Department of Education
Office of Child Care
CERTIFICATE OF REGISTRATION

Region: 13
County: CARROLL
Registration Number: 56546
First License/Registration Issued:
04/30/1996

This certifies that **Kathie Dubay** is registered to operate a Family Child Care Home
at: **221 Alymer Court, Westminster, MD 21157**

The Office of Child Care issues this Certificate of Registration pursuant to Family Law Article, Sections 5-550 through 5-558, and COMAR 13A.15.01-.15.

Current Status of Registration:		Approved Ages of Children in Care:		Approved Hours of Operation:		Accreditation:	
Issued on:	05/01/2014	Under 2 years old *	2	Days:	YES	Accredited:	NO
Revised on:		2 years through 5 years old	YES	Evenings:	NO	Accrediting Agency:	
Status:	Continuing - Full	5 years through 12 years old	YES	Overnight:	NO		
		13 years through 20 years old	YES	Weekends:	NO		

Maximum number of family child care children approved for care at one time: **6**

This Certificate of Registration is issued to the provider named above on condition that the provider agrees to comply with all applicable family child care laws and regulations. Failure to comply with applicable laws and regulations may result in an enforcement action against the Certificate of Registration, including but not limited to suspension or revocation of the Certificate or denial of a new Certificate. The provider must surrender this Certificate to the Office of Child Care upon suspension, revocation, voluntary closure, or denial of a new Certificate.

* No more than two children under the age of two, including the provider's own children, may be in care at any time unless approved in advance by OCC.

RESTRICTIONS/COMMENTS: THE BASEMENT MAY NOT BE USED FOR CHILD CARE. ANNIVERSARY MONTH: APRIL.

Lillian M. Lowery

State Superintendent of Schools
Maryland State Department of Education



Units 15-20 5 parking spaces



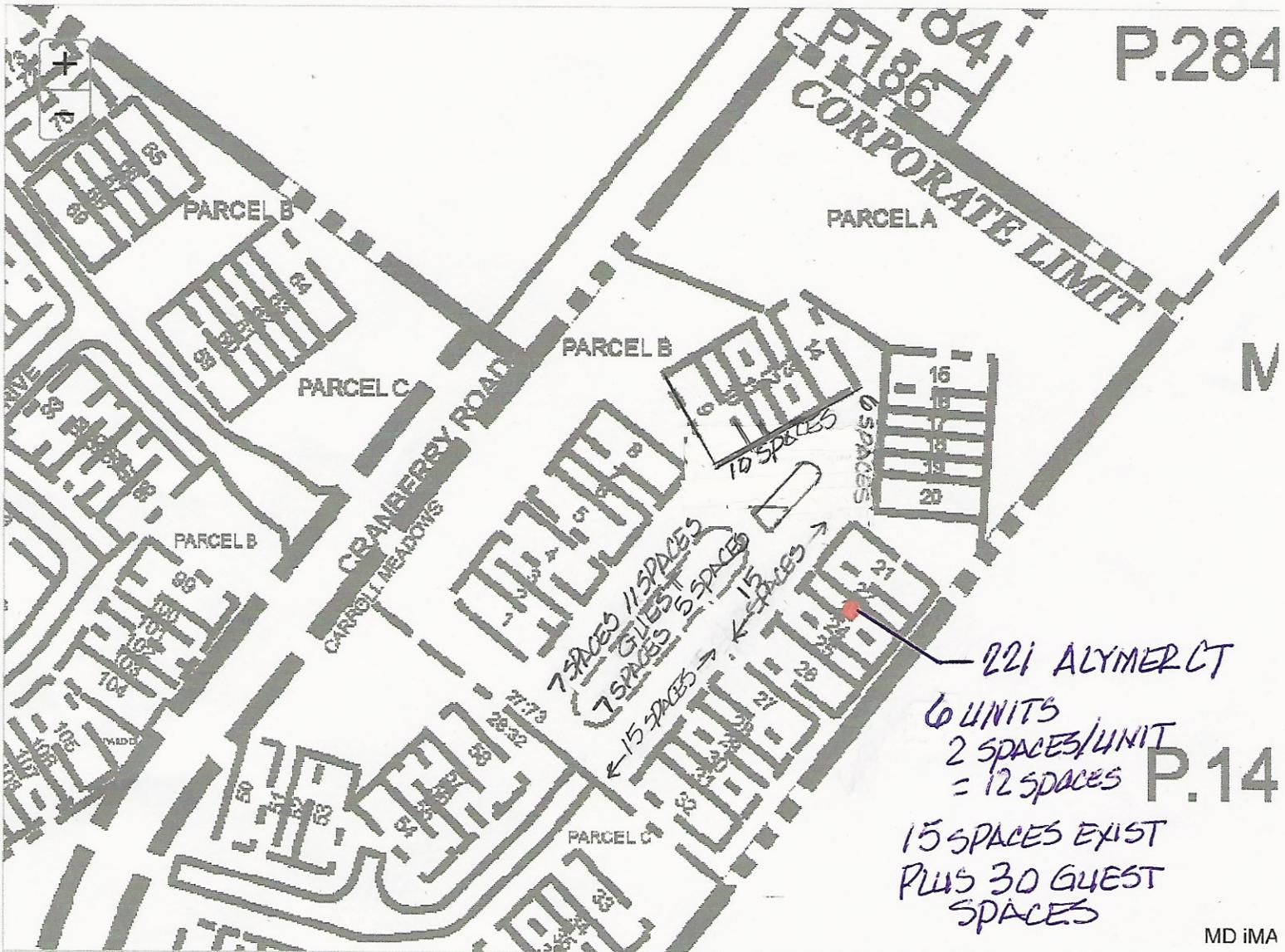
Units 21-26 15 parking spaces



Front of 221 Alymer Court



30 Guest Parking Spaces



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

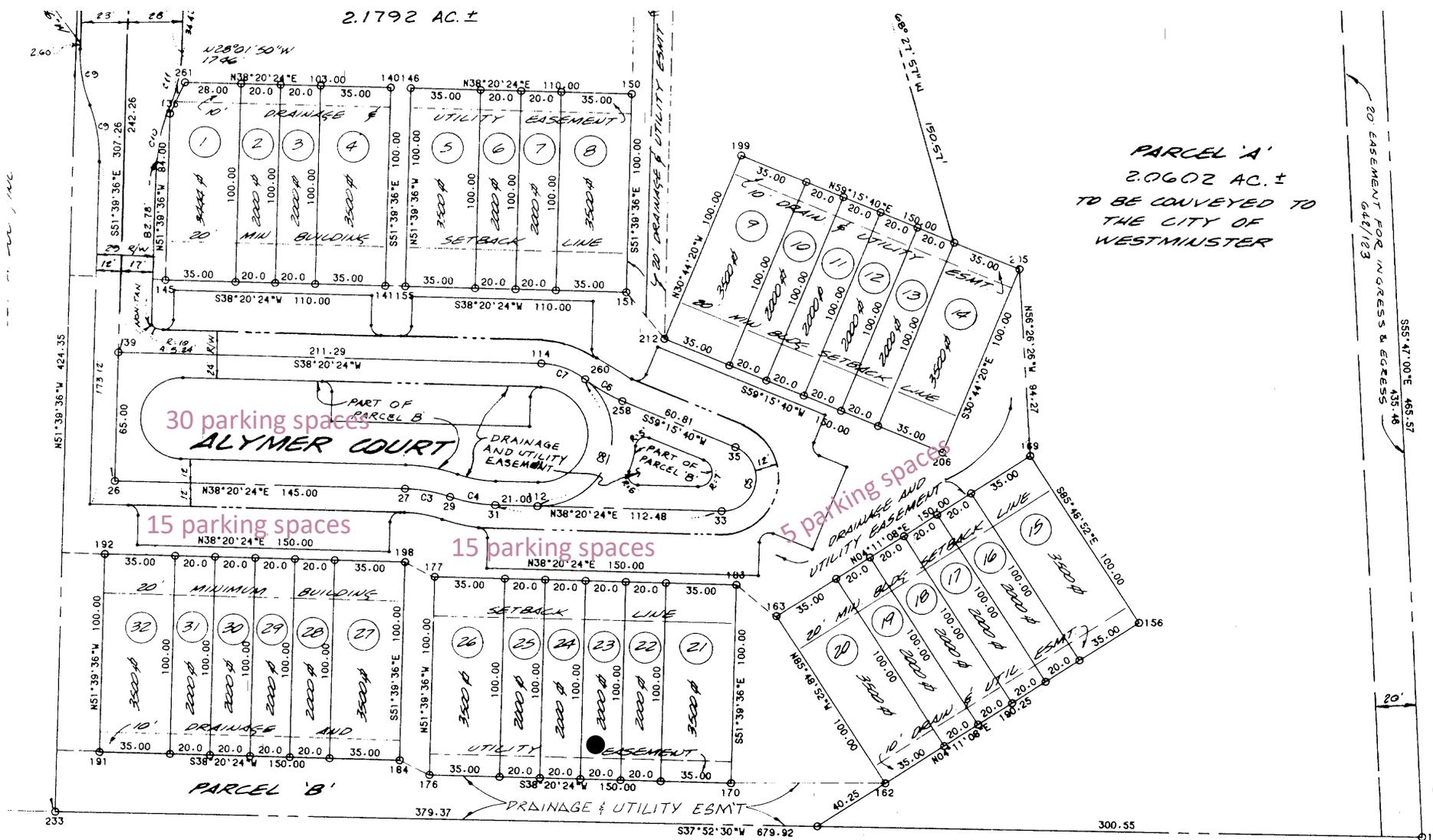
If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx> (<http://planning.maryland.gov/Pages/OurProducts/OurProducts.aspx>).

2.1792 AC. ±

PARCEL 'A'
2.0602 AC. ±
TO BE CONVEYED TO
THE CITY OF
WESTMINSTER



221 Alymer Ct

C. WAYNE HOFFMAN
698/26