PETITION OR ZONING RE-CLA SIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I. or we. CATON. RUGGE. LNC	f,
to the Zoning Law of Baltimore County, from an	
DR 16 zone; for the following reasons:	
Because of error in new zoning map for Southwest Sector adopted County Council for Britimore County on 3/24/71, and approved and	by

See attached description

County, to use the herein described property; for	
Property is to be posted and advertised as pro	escribed by Zoning Regulations.
I, or we, agree to pay exper, es of above re-clas	ssification and/or Special Exception advertising,
posting, etc., upon filing of this petition, and furth	ner agree to and are to be bound by the zoning
regulations and restrictions of Baltimore County ad	
County.	CATON RIDGE, INC.
	and former former
	Joseph Loveman, President
Gontract-purchasor	Logal Owner
Address	Address. 333 Haxlam Lana
E. Harrison Stone	Baltimore, Maryland 21228
Petitioner's Attorney	Protestant's Atturney
Address 102 W. Pennsylvania Avenue Towson, Maryland 21204	

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in flown 106, County of the Building in Townon, Baltimore County, on the 23th day of September 19971 of 1999 clock

A. M. M. Admin Charles

NIG 17 71 PM _

ORDERED By The Zoning Co.

(over)

ner of Baltimore County this 17th

....., 1981., that the subject matter of this petition be advertised, as

9/29/71

JOSEPH D. THOMPSON, P.E. AL. 4.

CIVIL ENGINEERS & LAND SURVEYORS

TIGO 101 SHELL BUILDING - 120 EAST JOPFA ROAD

TOWGON, MARYLAND 22204 * VAlley 3-8550

DESCRIPTION OF A PART OF CATCH RIDGE NURSING HOME PROPERTY TO BE CHANGED FROM DR 5.5 TO DR 16 ZONING, HARLEM LANE, FIRST DISTRICT, BALTIMORE COUNTY, MARYLAND

BECINNING for the same at a paint on the Southermont outline of the Weekown
/Seld point by 18g 14g expt. Southerly from the Interpretation formed by the
Elementary School property. There is not read to the state of the state o

CONTAINING 6.4 acres of land, more or less,

feet to the place of beginning.



4.15.71

RE: PETITION FOR RECLASSIFICATION
Beginning 480' from the W/S of
Harlem Lane and 1140' S of Old
Frederick Road - 1st Distric.
Caton Ridge, Inc. - Petitioners
NO. 72-89-R (Item No. 50)

BALTIMORE COUNTY

BALTIMORE COUNTY

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This is a Petition for a Reclassification from a 5.5 Zone to a D. R. 16 Zone. The site is located directly behind the Shangri-La Nursing Home located on the west side of Harlem Lane, 1140 south of Old Frederick Road. The site consists of 6.4 acres and slopes steeply in a southwesterly direction from a five hundred (500) foot elevation at the northeasternmost corner to a four hundred and fifty (450) foot elevation at the southwestern-

The Petitioner's explanation (memorandum) of the reasons why, in his opinion, this Reclassification should be made, asserts that the maps as adopted on March 24, 1971, was in error. His reasons included: the present zoning status of properties in the immediate area, i.e., the Westowne Elementary School is located adjacent to and contiguous with the north property line and is bounded on the other three (3) sides by commercial zoning along the entire northern property line; D. R. 16 on the opposite side of Harlem Lane for two thirds of its frontage on said lane; and B. R. and D. R. 16 along most of its western boundary. He pointed out that the Planning Board recommended the D. R. 16 zoning along the western boundary of said school site and contends that this action is a clear indication of the need for additional apartment zoning in the Catonsville area.

The Fetitioner further contends that all traffic to and from the subject site will be by way of driveways through the existing mursing home tract and will in no way adversely affect established traffic patterns. He further indicated that it is his intention to operate the proposed apartment

Adjoining D. R. 5. 5 zoned land, i.e., the South 01 Degrees forty-five (45)

Office of Planning and Zoning.

FILING

CL

complex as an adjunct to the nursing home, primarily for the elderly and slightly incapacitated who need the security and safety of having convenient, trained nursing and medical personnel available on a twenty-four (24) hour basis. It is his belief that this type of use is needed and would complement and length the companyity.

The Petitioner through his attorney, presented additional evidence by way of testimony from an engineering expert and an architect. The engineer testified to the effect that sewerage would be made available to the site by an off site right-of-way to Longview Avenue or by a "umping station and force main to Harlem Lane. He also indicated that the topography of the site does not lend itself to development of individual homes and that the amount of storm drain run off for the apartment development as proposed would be less than a single family cottage type c. velopment. The architect gave testimony to the effect that the proposed buildings would not be over thirty (30) feet in height and would be of a design similar to the apartments under construction on the east side of Harlem Lane opposite the Westowne School. The individual apartment units would not contain more than two (2) bedrooms.

Zoning Advisory Committee comments by the Bureau of Engineering, Department of Traffic Engineering, and the Health Department substantiate the Petitioner's case insofar as traffic and utilities are concerned.

Two separate groups of protestants were present at the hearing
One group had no objections provided certain conditions and/or building restrictions could be agreed to under a private recorded agreement. The other
group, known as the Longview Improvement Association, objected on the
grounds that the proposed development would tend to increase the storm drain
run off that flows into the stream at the southwest corner of the site. Testi-

mony indicated that the stream had overflowed its bank and flooded their properties on several occasions in the past. The felt that the stream hed should be improved and channalized prior to any development of the property

After reviewing the above evidence, the Deputy Zoning Commissioner must agree that the location of the site with regard to the school,
nursing home, topography, and its ingress and egress, does lend it to a
development of higher density than it persently zoned for. Should the site
be developed as an apartment project under the present classification of
D.R. 5. 5, only thirty-five (35) units could be supported by the 6.4 acres, and
as such would certainly appear to be unreasonable. Development of the site
with individual cottages would require an excessive amount of public roads
and extensive grading that would not only be costly but would, more than
likely, increase the storm drain run off. A cottage development here would
also be undesirable from a home buyers viewpoint due to the isolation at the
rear of the Nursing Home, and the fact that the only access is by way of the
Nursing Home site.

In view of the above, it is apparent that the Comprehensive Zoning Map did not provide the subject property with developable density that is compatable with the topography, location and surroundings in general. Therefore, it is the opinion of the Deputy Zoning Commissioner, that the Comprehensive Zoning Map is in error and that the subject property should be Reclassified in part from a D. R. 5, 5 Zone to a D. R. 16 Zone.

inutes thirty (30) Seconds West 511.40 (not line and the South 88 Degrees forty-four Minutes East 391.76 (not line, subject to the approval of a s te plan by the Bureau of Public Services, State Highway Administration and the

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Deputy Zoning Con-dissioner of Baltimore County MEMORANDUN

Petitioner, Caton Ridge, Inc., asserts that the new roning map adopted by the County Council for Beltimore County for the Southwestern Sector on March 24, 1971 and approved and enacted by the County Executive on April 2, 1971 was in error in classifying the tract of land involved in these proceedings DR 5.5 instead of DR 16.

Such tract is located directly behind and west of the Shangri-La Nursing Home, also owned by Caton Ridge, Inc. and consists of approximately 6.4 acres of unimproved land. Due north of such property and the nursing home is the Westowne Elementary School. Further west of such school and northwest from the subject property is a tract zoned DR 5.5, which the Planning Board had recommended be zoned DR 16. The land adjacent to the west and south of such tract is DR 5.5. The entire area north and northwest of the Westowne Elementary School fronting on the Baltimore National Pike is all zoned commercial. Directly across from such property on the east side of Harlem Lane is a tract of land owned by the Nount DeSalles Academy. Due north of the Academy property is a tract, consisting of approximately 10 acres, which was just recently rezoned from DR 5.5 to DR 16, both by the Zoning Commissioner and the County Council.

Attached to this Memorandum and Petition is a Zoning Plat prepared by Mark Beck Associates, Towson, Maryland, showing Petitioner's planned use of the property in the event the requested zoning is granted. As can be seen by reference to such plat, access to such property is assured over the nursing home property. All of the traffic will be directed into Harlen Lane and will, in no way, affect the established patterns in the residential areas to the west. Also, the plat calls for parking areas immediately surrounding the apartment buildings, and will act as a buffer between such buildings and the adjoiring residential neighborhoods.

It is Petitioner's further intention to operate this garden apartment complex as an adjunct to the nursing home, primarily for the elderly and slightly incapacitated who need the security and safety of having convenient, trained nursing and medical personnel available on a 24 hour basis. Petitioner further believes that apartments of this type would perform an invaluable service to the community.

There is a dire need for additional apartment zoning (DR 16) in the Catonsville area. The fact that the Planning Board recommended DR 16 zoning to the northwest of such tract, clearly indicates a recognition of this need of the part of Planning. It is Petitioner's contention that apartment zoning on its property would be less offensive to the residential developments to the west and south; and yet fulfill the apartment need in the area primarily for the elderly.

For the above reasons, Petitioner believes it was error not to assign a DR 16 classification to such tract.

E. Harrison Stone

Joseph Loveman Petitioner

CATON RIDGE, INC.

ROYSTON, MUELLER, THOMAS & MCLEAN SOUTH SED 102 W FRINK AVE TOWION, MR. 21204 823-1800

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MAY 16 1972

HOYSTON, MUELLES THOMAS & MCLEAN NUMBE 809 102 W PENNA AVE TONSON, MO 21204

Charges

DEPARTMENT OF

STATE SAME COUNTY BUREAU DF PERFERENCION HEALTH DEPARTMEN

Appellant for the second ZONING ADMINISTRATE

SUILDING DEPARTMEN

Hr. George E. Gavrelis, Director Office of Planning & Zoning 301 Jefferson Building Yowson, Maryland 21204 RE: Item #50 (April - October Cycle 1971) Property Owner: Caron Ridge, Inc. Property Generic Case in 1997, Inc.
Location: Haries Line
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 15
District: ICI Sector: Southwestern
No. Acres: 6.4

May 18, 197

The loning Advisory Committee has reviewed that plans submitted with the above referenced potition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently an extension of an existing nursing home. The such joint a strength of an existing nursing home. The section that this proposed operiments is to be constructed on its vecent. The properties to telewate and south are improved with deallings, 10 call years of age, in goof repair. The property to the nerth is improved with the Nathwest Elementry Stenol. The property to the nerth is improved with the Nathwest Elementry Stenol. The property to unapproved insofar as concerned curve and guitar are concerned.

SUREAU OF ENGINEERING:

The following comments are furnished in regard to the plot submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Access to the subject site is proposed from Narian Lone via private roads through the Caton Ridge Nursing Kome.

A STATE OF THE STA

Hariam Lang is an existing County road, which has been improved

Item #50 Page 2 May 18, 1971

Sidewalk improvements are required and entrances are subject to the approval of the Traffic Enrineer of Baltimore County and the standards of the Department of Public Works.

The site lies adjacent to a stream which constitutes waters of the State. No change can be authorized for the course or cross-section of the stream without a permit from the State Department of Water Resources. The owner is responsible for an engineering study to detarmine the area of this site unich would be inunded by a 50-year storn and to provide all justification of public benefit necessary to, and to obtain the required State permit for any change in course or cr oss-section proposed. Public rights-of-way will be required for the 50-year flood plain including I foot free board.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjacent proporties, sepacially by the concentration of surface vaters. Correction of any problem which may result, due to improper grading or improper Installation of drainage facilities, would be the full responsibility of the Petitioner.

On site drainage facilities serving only areas within the site do not require construction under a County contract. Sich facilities are considered private and therefore must conform to the County Plimbing and Building Codes.

Development of this property through stripping, grading and stabilization could result in a sadiment pollution problem, damaging private and public holdings below this property. Sodiement control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading and building permits.

Waters

Public water facilities . available to benefit this property.

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Service within the site from the public system must be in accordance with the Baltimore County Bullding, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Opportunity Opportunity Opportunity Opportunity Opportunity Opportunity Opportunity Opportunity Opportuni

Item #50 Page 3 May 18, 1971

Sanitary Sewers

Public sanitary sever facilities are required to serve this property.

The Petitioner is entirely responsible for the construction of his on site private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Off site rights-of-ways appear to be necessary for the provision of public scenarge facilities to this site. If so, a record plat, grading or building pormits cannot be approved prior to acquisition of s. th rights-of-ways.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from QR 5,5 to DR 16 of 6,4 acres. This should increase the trip density from 220 to 770 trips per day. This low trip density increase should not have a major effect on the capacity of Marlen Lane.

HEALTH DEPARTMENT:

. Public water and sewer are available to the site.

Food Control Comment: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health for review and approval.

Mursing Home Comment: Prior to approval of a building application, complete plans and specifications of the building and type of equipment to be used for the food service operation must be submitted to the Maryland State Department of Health, Division of Food Control, for review and approval,

Air Pollution Comment: The building or buildings on this site may be subject to registration and compliance with the Marrland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Cepartment of Health,

FIRE PREVENTION BUREAU:

fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervels of 500 feet along an approvee road,

A second means of access is required for the site.

Item #50 Page 4 May 18, 1971

Minimum widths to the roads through site shall be 30 feet to assure passage of Fire Department equipment.

A. When pull-in parking is designed for both sides of a readway, the minimum distance from curb to curb of parking area shall be 64 feet.

8. Pull-in parking on one side of ... the distance from curb to curb shall be 44 feet.

The owner shall he required to comply with all applicable requirements of the 101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction plens are submitted for approvel.

ROARD OF EDUCATION:

The existing zoning could yield approx, 28 elem, pupils, while a change to garden apts, could yield approx, 65 elem, pupils, 14 Jr. Hi. Pupils, 6 13 Sr. Hi. pupils.

Schools servicing this areas (from Sent. 22, 1970 encoll.)

+100
+26
+73
Est.
1977-

ZONING ADMINISTRATION DIVISION:

Although the magnitude of the development is small and no real increase in trip density is anticipated on Herlem Lane, there is a very bad shortage of space for schools, since all the schools in the area are presently overcrowded, and any higher density zoning would just tend to compound the laready antising problem.

Very truly yours,

Edward D. Hardesty

Place L. Migus OLIVER L. MYERS, Chairman

E. Harrison Stone 102 W. Pennsylvania Avenue (21204)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 3, 1970

COUNTY OFFICE \$106 OLIVER L MYEN

MENBERS

BUSEAL OF DEPARTMENT OF TRAFFIC ENGINEERS.

STATE BOADS CONVE SUREAU OF MEALTH DEPARTMENT PROJECT PLANNING **** BISC 35 PASTUSS BOARD OF EDUCATION ZONING ADMINISTRATE

DAVELOR OF ST

E. Harrison Stone, Esq. 102 W. Pennsylvania Avenue Towson, Paryland 2:204

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RE: Type of Hearing: Roclassification from an A-5 zone to an RA zone Location: AC2* W. of Harlem Ana., 1140 So. of Frederick Research Analysis (Paris) Paristone Research Analysis (Inc. Section 2014) Analysis (Inc. 2014) Section 2014 (Inc. (Inc. 2014) Section 2014

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is resently an extension of an existing mursing home. The section that the proposed apartem: is to be constructed on is vecent. The properties to the west and south are improved with chedilings, I to 20 years of 123, in good reside. The property to the north is improved with the delight, I to 20 years of 123, in good reside. The property to the north is the resent of the north is improved with the stower learning sides. The property to the nost is the think of the second section of the section of the second section of the second section of the second section of the second section of the section of

Access to the subject site is promosed via private roads through the Caton Ridge Nursing Hore site from the land. This method of access is supject to the approval and requirements of the Office of Planning and Johning, Department of Traffic Engineering and Fire Bureau.

Improved with curb and needed paving elong the frontage of this proporty, and is proposed to be further improved as a Select closed readany section within a be further improved as a Select closed readany section within a behandled to the further improved as a Select closed readany section within a behandled thought for the section of the section of

E. Harrison Stone, Esq. 107 W. Pennsylvania Avenu To on, Maryland 21204 Item 253

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Sentember 7, 1970

Storm Drains:

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, a storm drainage study and storm drainage facilities and/or easements will be required in connection with the proposed development of this property,

- 2 -

The patitioner must provide necessary drainage facilities (temporary or permient) to prevent creating any nuisances or damagnary or permient). The prevent creating any nuisances or damagnary or the surface waters, Correction of any problem which may result, due to improper grading or immroper installation of drainage facilities, would be the full responsibility of the potitioner.

Sediment Controls

Development of this property through stripping, grading and stabilization couls result in a sadiment pollution problem, disabiling private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

a private water supply is available to serve this property via a private water main system from the existing 15-inch public water main in North Lene. Sufficient information in regard to water deamnis, including fire protection resufrements, is not indicated on the subject plan. The petitioner's engineer should further investigate this matter.

Public sentary severage can be made available to serve this property of constructing a null C sentary sever extension, appropriately for section of the construction of the low area between this site and longiful extension of the construction of t

In the event that richt-of-ways could not be cleared for construction of a gravity system, a private scwage numbing station could be constructed on site as indicated on the subject plan in accordance with Department of Health Regulations and Requirements. C for the cume of

ORIGINAL 72.89 OFFICE OF CATONSVILLE TIMES CATONSVILLE, MD. 21228 September 13 - 1971

THIS IS TO CERTIFY, that the annexed advertisement of

The Zoning Commissioner of Baltimore County

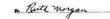
was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-

lished in Baltimore County, Maryland, once a week for one

consider week before the 13 day of Sept. 1971 . that is to say,

the same was inserted in the issue of September 9, 1971.

STROMBERG PUBLICATIONS, Inc.





CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper prirted and published in Towson, Baltimore County, Md., once the curbo one time second before the 2915 day of September 19.71, the first publication appearing on the ... 9th ... day of ... September



Cost of Advertisement, \$_

19 71

TRL SPING 494 24	
To:	Committee of property (1975)
1 10575	
75 4	IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MAIL TO COUNTHOUSE, TOWSON, MARYLAND 21204

ELEMON!		78 467
To:	pers, Sighting, Smiller, Tamon & Atlanta B. L. Person, Angl. Person & Atlanta B. L. Person, Angl. Person and	YOTAL ABOU
COLUMN TO THE PERSON	DETACH ALONG PERFORATION AND REEP THIS PORTION FOR YOUR PECONDS	COST
News 41	Politica for Refusalification for Colon Holys, Tale.	

2 51645	72 - 89- R
CERTIFICATE	
Name Control Communication of the Control Cont	Maryland
District / F. Posted for RECLASSIFI SATISS	Date of Posting SFPT: //- /97/
Petitioner CATON RINGE INC.	
CF ON FREDERICK R.J.	US OF HARIEM LANE AND IMORTS
Location of Signs: 1- W/S OF HARIEN LA 2- W/S OF HARIEN LANE 1475	T. T. S OF Old FREDERICK
Remarks Posted by Charles M. Thes	Dale of return: SPPT. 24- 1971

Coton Pring	M	APPI	NG	PRO	OGRE	55	SHE	ET.		
FUNCTION	Wall Map				Dunlicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:				Revis	ed Pla	ns;				

102 M. Person. Arenes ()) •	0	Appleased Flustian Item 50
MLT	MORE COUNTY OFFICE OF	PLAINTING AND Z	ONI NG
	County Office 8 111 V. Chesopes Toxon, Merylan	ke Avenue	
Your	Patition has been ren	el ved and accept	ted for filing
this 17th	day of August	1971	
· ~	1	Her la	Mr

Chel ram of Advisory Count too

