

85-152-X PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a 30-unit assisted living facility, a 120 bed nursing home and a 20 unit domiciliary care facility.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property, which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner:
J. Carroll Holzer, Esq.
(Type or Print Name)
Signature _____
Holzer, Maher & Demillo
305 West Chesapeake Avenue
Suite 410
Towson, MD 21204
City and State
Attorney's Telephone No.: 825-6960

Legal Owner(s):
St. Charles Associates, Ltd.
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Duff-McCune-Walker, Inc.
Name _____
Address _____
City and State _____
Phone No. 296-3333

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of October, 1984, that the subject matter of this petition be advertised, as 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 Room 106, County Office Building in Towson, Baltimore County on the 3rd day of December, 1984, at 10:30 o'clock A.M.

By _____
Zoning Commissioner of Baltimore County.

S.C.O.-No. 1 (over)

RE: CHARLESTOWN PHASE 2 DEVELOPMENT PLAN
Malden Choice Lane
and Wilkens Ave.,
1st District
Case No. CBA-84-100

ORDER

Upon the foregoing Joint Motion for Stay of Appeal, and for the reasons therein stated, it is, this ____ day of April, 1984, ORDERED, by the county Board of Appeals of Baltimore County that the above-entitled case be, and hereby is, stayed, pending further Order of this Board following the conclusion of the 1984 Comprehensive Zoning Map process.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



PHYLLIS COLE FRIEDMAN
People's Counsel

The Honorable
Jean M. H. Jung, Deputy
Zoning Commissioner
County Office Building
Towson, MD 21204

Baltimore County, Maryland
PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2188

January 8, 1985

RE: Charlestown Phase 2 - District 1
CBA-84-100; and St. Charles
Associates, Ltd. - 85-152-X

Dear Mrs. Jung:

In reply to your inquiry concerning the status of the Charlestown case, I have met with J. Carroll Holzer, Esquire, Attorney for Petitioner in both of the above cases.

Please be advised that in the first, Charlestown Phase 2, case, this office appealed the decision of the County Review Group because of the concern that the approved subdivision plan might inappropriately be expanded after a future rezoning in a way that would prejudice prospective purchasers or other interested parties. Subsequently, the parties agreed to a stay, with the understanding that development would await the 1984 Comprehensive Zoning. A copy of the Stipulation and Order of the County Board of Appeals is enclosed.

As a result of the 1984 Comprehensive Zoning, it is our understanding, based on representations of the Petitioner and the Planning Office, that the zoning was changed and is now sufficient to cover any and all of the development contemplated, present or future, on the County Review Group plan.

Accordingly, Mr. Holzer has agreed to submit a revised plan to the County Review Group. This revised plan would reflect and detail the new zoning status. There would no longer be any notation regarding future development contingent on rezoning because the comprehensive rezoning has mooted or removed that issue. Assuming that the County Review Group approves the revised plan, and assuming that there are no other problems or unforeseen circumstances, our office would then agree to a dismissal of the appeal in Charlestown Phase 2. At the same time, Petitioner would agree that the revised plan supersedes the old plan and would govern its development.

BEFORE THE COUNTY
BOARD OF APPEALS OF
BALTIMORE COUNTY
Case No. CBA-84-100

JOINT MOTION FOR STAY OF APPEAL

People's Counsel for Baltimore County, Appellant, and Charlestown Phase 2 (hereinafter Charlestown), Appellee, move jointly for a stay of the appeal in the above-entitled case, on the following grounds:

1. The County Review Group (hereinafter C.R.G.) approved the development plan (hereinafter the plan) of Charlestown, a copy of which is attached hereto.
2. The plan includes Phases 2 and 3 and, as shown, utilizes the available density under existing zoning.
3. Charlestown currently wishes to process its plans for Phase 2, and obtain such approvals as are necessary and appropriate. As to Phase 3, it is the position of Charlestown that, in the event of future rezoning to a classification permitting an increase in density, that Phase 3 could be amended to reflect the additional density.
4. People's Counsel does not object to the processing of plans for Phase 2, subject to compliance with other applicable county laws and regulations, within the currently permitted zoning density. It is, however, the position of People's Counsel that Charlestown could not avail itself of any increase in density occasioned by zoning reclassification in the event that

Charlestown proceeds to develop, sell, or lease to any members of the public any of the subject property under the plan.

5. The reason for this appeal is the controversy between the parties as to the consequences of any future zoning reclassification, as described in Paragraphs 3 and 4 hereinabove.

6. Charlestown has now requested the County Council to grant in 1984 a zoning reclassification to permit the desired increase in density.

7. In the event that the County Council grants the said reclassification in the 1984 Comprehensive Zoning Map process, Charlestown may then file an amended site plan with the C.R.G. which, if accepted, would allow Charlestown to develop according to its desired density.

8. Charlestown represents that it will not proceed with the sale or leasing of any units under its plan (Phases 2 or 3) until after the 1984 Comprehensive Zoning Map process, or, in the alternative, that it will agree to covenants to any prospective buyers or lessees requiring compliance with the existing zoning.

9. It appears, therefore, that if Charlestown is successful in obtaining rezoning as to the property under consideration, then it is probable that Phase 3 can be revised following said rezoning, and the issue presented by this appeal will be moot.

10. It appearing that it may not be necessary to resolve the controversy between the parties, subject to the outcome of the 1984 Comprehensive Zoning Map process, the parties have agreed, without prejudice to their respective positions, that it would be in the public interest to stay this appeal, subject to further

Order of the County Board of Appeals following resolution of the aforesaid comprehensive zoning reclassification issue in or about October, 1984.

11. The foregoing controversy as set forth in paragraphs one through ten has been reviewed by the Zoning Commissioner of Baltimore County on March 30, 1984, with counsel for Charlestown, Phase II, and the Zoning Commissioner desires to express his position that this Stay herein will apply to his approval of any building permit requested and he will so approve any permit of the developer of Charlestown, Phase II, with the understanding that in the event Baltimore County's Comprehensive Rezoning is not accomplished in 1984 on this subject property, the issues as defined above must be still resolved before the Zoning Commissioner, pursuant to Section 500.7 of the Zoning Regulations of Baltimore County.

J. Carroll Holzer, Esquire
Holzer, Maher & Demillo
Suite 110, 305 N. Chesapeake
Towson, Maryland 21204
825-6960
Attorney for Petitioners

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore
County
Room 223, Court House
Towson, Maryland 21204
494-2188
Peter Max Zimmerman
Deputy People's Counsel

MICROFILMED

IN THE MATTER OF
CHARLESTOWN PHASE 2
RE DEVELOPMENT PLAN
ON PROPERTY LOCATED AT
MALDEN CHOICE LANE and
WILKENS AVENUE
1st DISTRICT
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. CBA-84-100

ORDER FOR CONTINUANCE

This matter came before the Board from the approval by the CRG of the plans submitted by the Developer. People's Counsel appealed the CRG's approval.

At hearing before this Board, it was stated by People's Counsel that a proposed Order to Stay these proceedings is being worked out between the parties that would result in this matter becoming moot. Under the circumstances, it was suggested that we continue this case until such time as that Order is presented to the Board, or in the event that no such Order is presented, we will reassign a hearing date for this case. The Board will therefore continue this case at that time.

This matter is continued until a request for it being reset is submitted by Counsel for the Developer or People's Counsel.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Keith S. Franz, Acting Chairman

Date: April 17, 1984

The Honorable
Juan M. H. Jung, Deputy
Zoning Commissioner

January 8, 1985

It is expected that all of this will be accomplished in the near future. Undoubtedly, the Current Planning Office would be in the best position to judge the time for processing the revised plan.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: J. Carroll Holzer, Esquire
County Board of Appeals
Eugene A. Bohrer

PMZ:sh

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 11-14-84

Posted for: Special Exception

Petitioner: St. Charles Associates, Ltd.

Location of property: NE 1/4 of Maiden Choice Lane, 2100' NW of Williams Avenue

Location of Signs: N. E. 1/4 of Maiden Choice Lane approx. 200'

Remarks: N.W. of Williams Avenue

Posted by: J. Carroll Holzer Date of return: 11-16-84

Number of Signs: 1

November 1, 1984

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Suite 110
Towson, MD 21204

NOTICE OF HEARING
RE: NE 1/4 Maiden Choice Lane, 2100'
No. of Wilkens Avenue
Petition for Special Exception
St. Charles Associates, Ltd. - Petitioner
Case No. 85-152-X

TIME: 10:30 a.m.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 133288

DATE: 9/15/84 ACCOUNT: R-01-615-000

AMOUNT: 100.00

RECEIVED FROM: Daft-McCune-Walker, Inc.

FOR: file for plan # 79

8 008*****106601a \$174F

VALIDATION OR SIGNATURE OF CASHIER

cc: Daft-McCune-Walker, Inc.
530 East Joppa Road
Towson, MD 21204

12/14/84
85-152-X
St. Charles Associates, Ltd.

LAW OFFICES
HOLZER, MAHER & DEMILLO
305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(707) 825-6900

WASHINGTON, D.C. OFFICE
228 SHOREMAN BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005
PLEASE REPLY TO:
TOWSON

December 4, 1984

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

RE: Charlestown

Dear Mr. Jablon:

During the course of our hearing on the Special Exception in the above-captioned matter, the question of utilization of density and foreclosing of future use surfaced again in regard to a number of notes on the various exhibits which had been previously submitted in regard to Charlestown. I brought the Deputy Zoning Commissioner up to date with what had transpired in regard to Charlestown and she suggested that I draft a condition for her granting of the Special Exception which would be based upon a letter of understanding between us. I would like to meet with you to discuss what this understanding should be in order that I can draft the appropriate condition for her approval.

I have also suggested to her that I would be contacting Peter Zimmerman, People's Counsel, in order to get his approval as well, so that he might dismiss his appeal of the CRG approval which was based on the same concern. Please let me know when it would be convenient for you to meet with me.

Very truly yours,
J. Carroll Holzer

JCH:lm
cc: John Erickson

12/14 met + resolved - this is file

12/14/84
85-152-X
St. Charles Associates, Ltd.

LAW OFFICES
HOLZER, MAHER & DEMILLO
305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(707) 825-6900

WASHINGTON, D.C. OFFICE
228 SHOREMAN BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005
PLEASE REPLY TO:
TOWSON

January 7, 1985

Jean M.H. Jung
Deputy Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

RE: Petition for Special Exception
St. Charles Associates, Ltd.
85-152-X

Dear Mrs. Jung:

Please be advised that I finally had my meeting with Pete Zimmerman. He will be writing to you shortly to advise you of his position. Basically, what we have agreed to is that Charlestown will file an amended CRG Plan with the County in order to show the new increased zoning. Bob Bradley of Daft, McCune & Walker is going to be talking with Jean Bober shortly as to the feasibility of that amended CRG proposal and what should be on the plan. We have concluded, along with Mr. Zimmerman, that it would be best for us to have the new amended CRG plan approved and then Pete will dismiss his appeal and the matter will be moot in regard to the CRG plan.

I have also talked with Arnold and he has submitted the enclosed statement which should be part of a condition of your decision. In reviewing the statement there is language which indicates that all of the dwellings which are being approved are on the plan. In interpreting this provision if the buildings are not on the plan, it may well be that we have to come back before you for a special hearing and I would like to avoid the necessity of any additional hearings before your office. Therefore, I would propose to have Bob Bradley of Daft, McCune & Walker place the additional buildings, which would utilize all the density allowed, under the new zoning on the plan, even though we are not sure of whether they will ultimately be in the wooded area or out on the playing field area. Once this is done, we will be in the position of being able to advise you that Mr. Jablon, Peter Zimmerman and the CRG plans are all in conformance with each other and in conformity with our verbal commitment to Councilman Ron Hickernill as to the ultimate plans of Charlestown.

If this entire procedure sounds convoluted to you and you can shortcut it in any way, specifically in regard to your decision on the special exception, I would certainly be happy to talk with you about it and work with you so you can render your decision on the special exception as promptly as possible.

Thanks again for all your patience and cooperation. It seems the more we attempt to resolve, the more problems are raised and the more complex the matter gets, however, I am hopeful that by having all the parties informed as to our plans that we can avoid any misunderstanding in the future.

Very truly yours,
J. Carroll Holzer

JCH:lm
ENCLOSURE
cc: Peter Zimmerman
John Erickson

This development plan is approved by the Zoning Commissioner based on his interpretation of the Zoning Regulations that it complies with present policy, density, and bulk controls as they are delineated in the Regulations. Any part or parcel of this tract that has been utilized for density to support dwellings shown thereon shall not be further divided, subdivided, or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a building is constructed and transferred for the purpose of occupancy.

Department of Health and Mental Hygiene
201 W. Preston Street
Baltimore, Maryland 21201

RE: Charlestown

Gentlemen:

Please be advised that as Deputy Zoning Commissioner for Baltimore County, I had occasion to hear on December 3, 1984 a Petition for Special Exception in Case No. 85-152-X on behalf of Charlestown. In that Petition for Special Exception, the applicant requested a Special Exception for a 20 unit domiciliary care facility as well as a 30 unit assisted living facility and 120 bed nursing home. I have granted the Special Exception in regard to all three of those requests, however, I have not formalized the Special Exception in an Order pending certain conditions which relate to matters other than the domiciliary care unit.

I would therefore advise you that the Special Exception for the 20 unit domiciliary care facility has been granted subject to the finalization of my Order.

Very truly yours,
Jean M.H. Jung
Deputy Zoning Commissioner

LAW OFFICES
HOLZER, MAHER & DEMILLO
305 W. CHESAPEAKE AVENUE
SUITE 110
TOWSON, MARYLAND 21204
(707) 825-6900

WASHINGTON, D.C. OFFICE
228 SHOREMAN BUILDING
801 15TH STREET, N.W.
WASHINGTON, D.C. 20005
PLEASE REPLY TO:
TOWSON

December 12, 1984

Jean M.H. Jung
Deputy Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

RE: Charlestown

Dear Ms. Jung:

I received a call from John Erickson at Charlestown indicating that the Maryland Department of Health has raised a question in regard to domiciliary care units and the issuance of their permit based on Arnold Jablon's letter of September 20, 1984 granting conditional approval. There is a time problem and I will not have completed my discussions with Mr. Jablon and Pete Zimmerman about the wording for the condition in your Order granting the Special Exception. I was wondering whether or not you could execute a letter similar to the draft which I have enclosed herein which might resolve our immediate problem.

Thanking you for your consideration.

Very truly yours,
J. Carroll Holzer

JCH:lm
ENCLOSURE



HARRY J. PISTEL, P.E.
DIRECTOR

November 1, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #79 (1984-1985)
Property Owner: St. Charles Associates, Ltd.
N/ES Maiden Choice Lane 1449' N/W from
centerline Wilkens Avenue
Acres: 26.75
District: 1st

Dear Mr. Jablon:

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

General Comments:

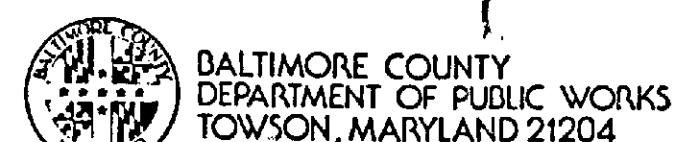
The comments supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 23 (1984-1985) are referred to for your consideration.

Very truly yours,

James A. Markle, P.E.
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EM:FW:iss

G-SW Key Sheet
11 & 12 SW 15 Pos. Sheets
SW 3 D & E Topo
101 Tax Map



HARRY J. PISTEL, P.E.
DIRECTOR

August 29, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #23 (1984-1985)
Property Owner: St. Charles Assoc., Ltd.
N/ES Maiden Choice Lane, 1539' N/W from
centerline Wilkens Avenue
Acres: 24.58 District: 1st

Dear Mr. Jablon:

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

General:

This property (Project 84099) was reviewed by the County Review Group May 24, 1984.

Comments were also supplied in conjunction with the Zoning Advisory Committee reviews of this property in connection with Item 9 (1982-1983) and Item 36, Cycle III (April-October 1972).

This office has no further comment.

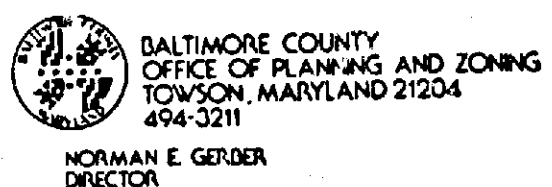
Very truly yours,

George M. Benson, P.E.
GEORGE M. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EM:FW:iss

cc: P. Koch

G-SW Key Sheet
11 & 12 SW 15 Pos. Sheets
SW 3 D & E Topo
101 Tax Map



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

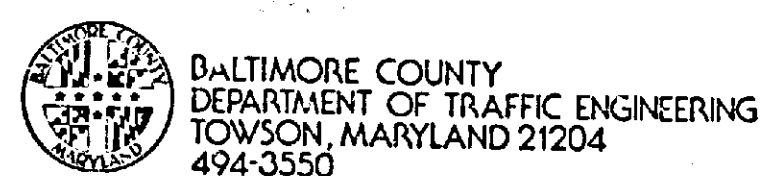
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- (X) A County Review Group meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- (X) Additional comments:

CRG approved plan on 5/24/84

James G. Bolter
James G. Bolter
Chief, Current Planning and Development

cc: James Howell



STEPHEN E. COLLINS
DIRECTOR

October 8, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 79 -2AC- Meeting of September 25, 1984
Property Owner: St. Charles Associates, Ltd.
Location: NE/S Maiden Choice Lane 1449' N/W from c/l Wilkens Avenue
Existing Zoning: D.R. 5.5, D.R. 10.5 & O-2
Proposed Zoning: Special Exception for 30 unit assisted living facility, a 120 bed nursing home and a 20 unit domiciliary care facility.

Acres: 26.75
District: 1st

Dear Mr. Jablon:

Please see attached C.R.G. comments.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF:com

Att.

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO : Mr. Robert A. Morton
DATE: October 9, 1984

FROM : C. Richard Moore

SUBJECT: Revised C.R.G. Comments To Reflect Agreements
At May 24, 1984 C.R.G. Meeting.

PROJECT NAME: Charlestown Phases IA, IV, VII & IV C.R.G. PLAN: Y

PROJECT NUMBER & DISTRICT: 101 DEVELOPMENT PLAN:

LOCATION: Maiden Choice Lane and Wilkens Avenue RECORD PLAT:

The existing southernmost entrance on Maiden Choice Lane needs to be relocated to the north as recommended previously, unless the vertical alignment of Maiden Choice Lane can be lowered prior to additional construction.

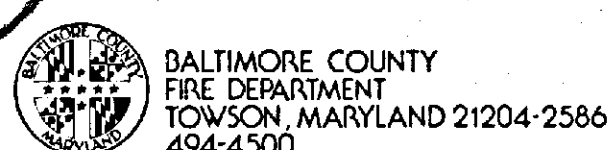
The 3- parallel and 6- perpendicular parking spaces on the main loop road needs to be eliminated.

The easternmost entrance on the inside of the curve in front of Phases IA and II needs to be eliminated or relocated 120ft. to the southwest.

Clearing and grading on the inside of curves will be needed for adequate sight distances.

C. Richard Moore
C. Richard Moore
Acting Director
Traffic Engineering

CRM/QU/com



PAUL H. RENCKE
CHIEF

September 27, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Cammareri, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: St. Charles Associates, Ltd.

Location: NE/S Maiden Choice Lane 1449' N/W from c/l Wilkens Avenue
Item No.: 79 Zoning Agenda: Meeting of 9/25/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- (X) 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *George M. Benson* Approved: *George M. Benson*
Planning Group Fire Prevention Bureau
Special Inspection Division

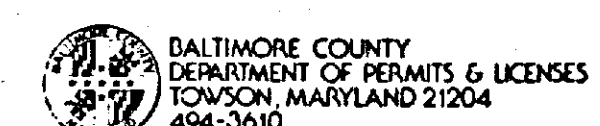
/mb * See attached sheet.

Page -2-

Item #79

Meeting of 9/25/84

- 2. Second means of vehicle shall be required for buildings #1, 2, 6, 8, and 9. Also future phase III buildings have poor access for fire apparatus.
- 4. Water supply for fire protection purposes at site is inadequate for fire protection needs, special exception should not be granted until adequate water supply is provided at site. Public Works has been advised about deficiency.



TED TALESHIR
DIRECTOR

September 25, 1984

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #79 Zoning Advisory Committee Meeting are as follows:

Property Owner: St. Charles Associates, Ltd.
Location: NE/S Maiden Choice Lane 1449' N/W from c/l Wilkens Avenue
Existing Zoning: D.R. 5.5, D.R. 10.5 & O-2
Proposed Zoning: Special exception for 30 unit assisted living facility, a 120 bed nursing home and a 20 unit domiciliary care facility.

Acres: 26.75
District: 1st.

The items checked below are applicable:

- () All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Code.
- () A building/ & other miscellaneous permit shall be required before beginning construction.
- () Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-seal drawings and signatures are required on Plans and Technical Data.
- () Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- () An exterior wall erected within 6'0" for commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot line. A firewell is required if construction is on the lot line, see Table 401, Item 2, Section 1007 and Table 1002, also Section 503.2.
- () Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____
- () A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- () Before this office can comment on the above structure, please have the owner, thru the services of a Registered Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- () Comments - All buildings shall comply with the height/area requirements of Article 5 and provide the exterior fire exposure separation distances required for the type of construction and usegroup of the above Code. From other buildings, interior lot lines or center of roadways. The project designers should be aware the 1984 B.O.C.A. Codes are being prepared for adoption and may be in force by the time this project applies for its building permit.

Noted and Approved: *Charles E. Surubas*
Charles E. Surubas, Chief
Plans Review



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

November 27, 1984

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Revised

Comments on Item # 79 / Zoning Advisory Committee Meeting are as follows:

Property Owner: St. Charles Associates, Ltd.
Location: NE/S Maiden Choice Lane 1449' N/W from c/l Wilkens Avenue
Existing Zoning: D.R. 5.5, D.R. 10.5 & 0.2
Proposed Zoning: Special exception for 30 unit assisted living facility, a 120 bed nursing home and a 20 unit domiciliary care facility.

Acres: 26.75
District: 1st.

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s _____.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- I. Comments - See attached comments.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:es



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

November 27, 1984

ITEM #79 REVISED

COMMENTS:

- 1) In our earlier discussions the courtyards around building #7 were to be designated for fire fighting use. Access was to be provided for equipment required for rescue and fire fighting purposes. To date these areas have not been so designated on plans submitted.
- 2) Paved surfaces are required for access by Fire Department equipment at the proposed hydrant adjacent to zoning line S40°-02 13W 1555.18. This too was previously discussed.
- 3) The buildings in Phase III should be numbered for future identification in the permit process.

CEB/vw

Charles E. Burnham
Bldg Plans Review.

D.R. 16

SITE DATA

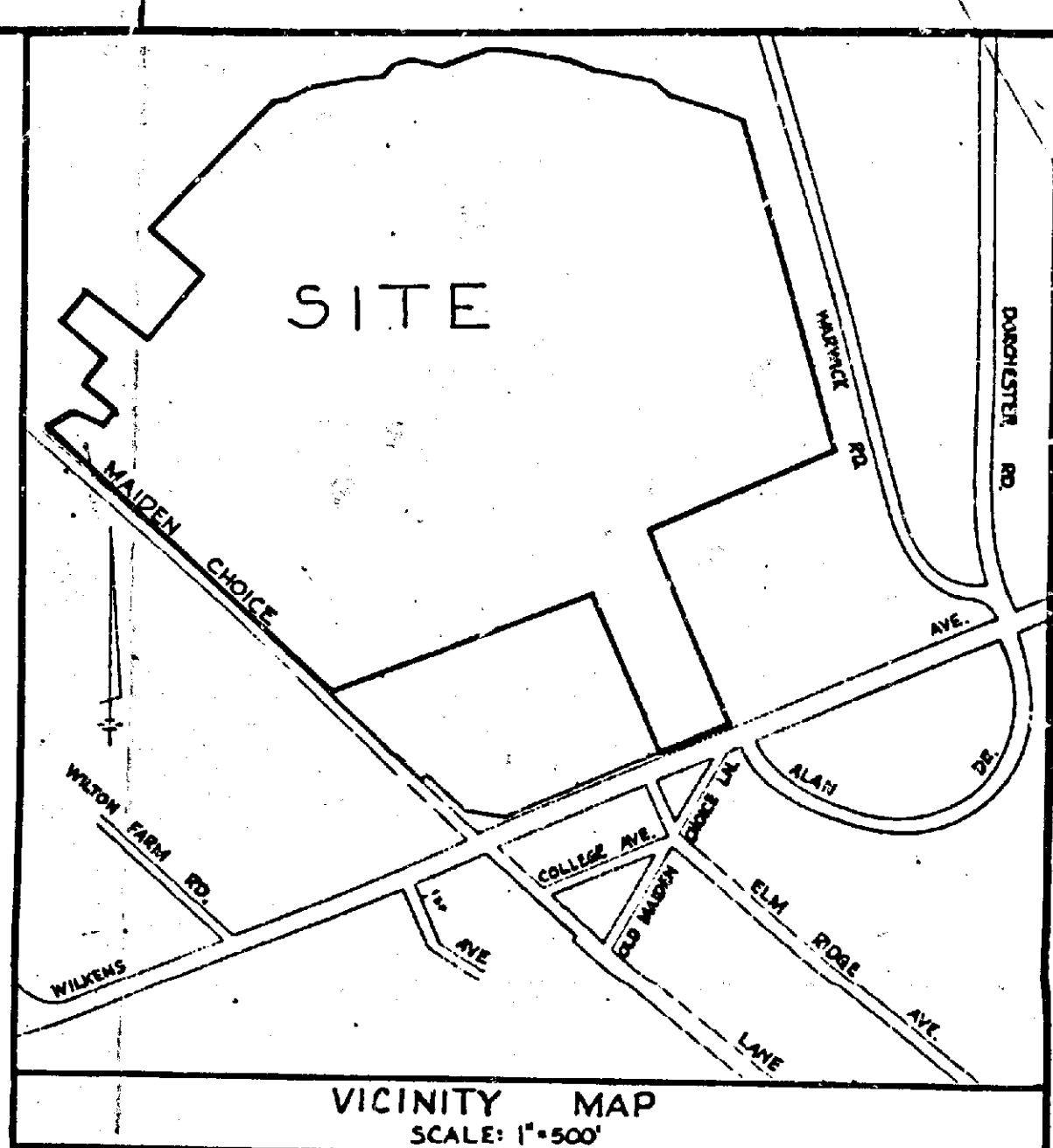
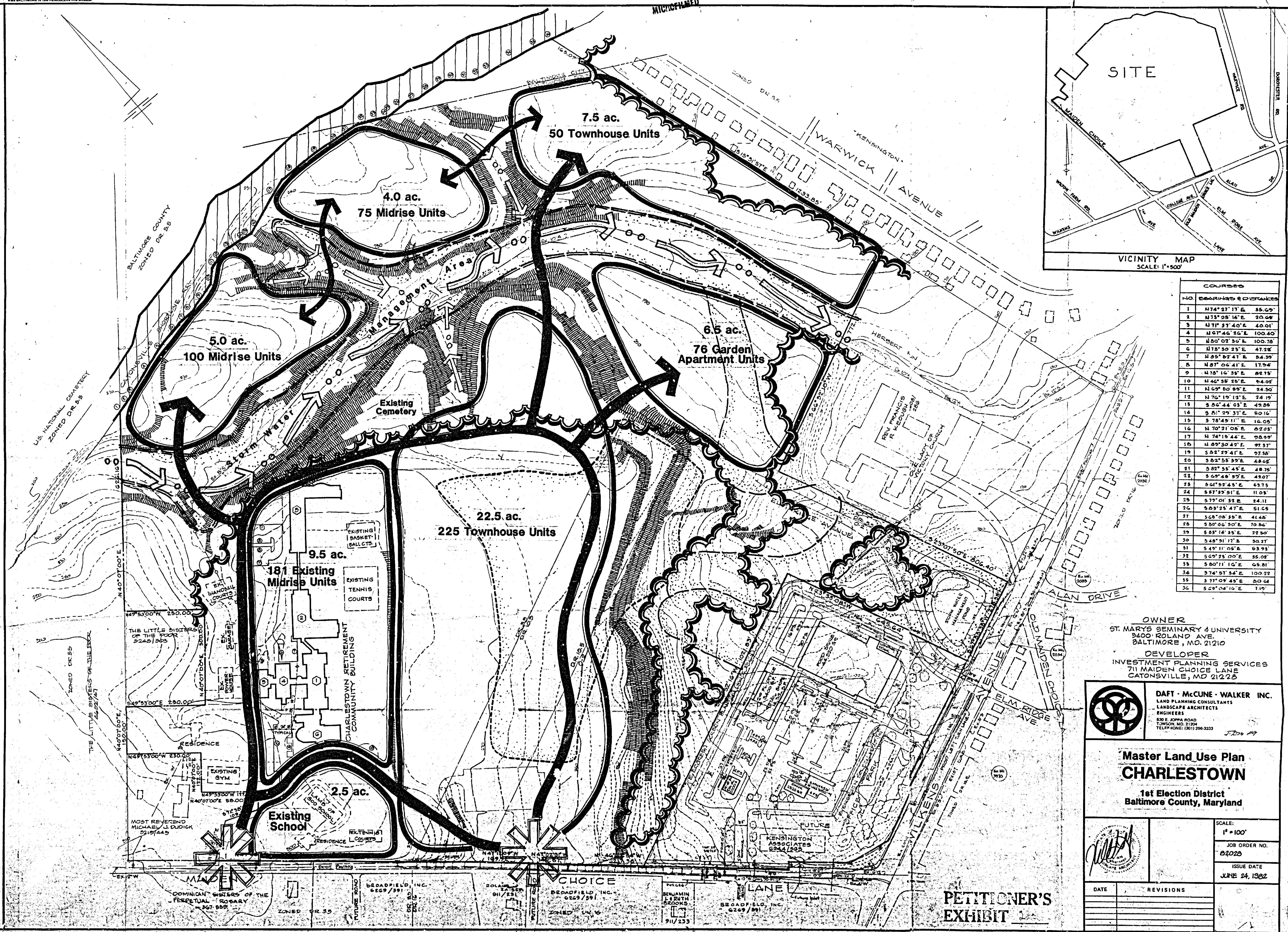
Total area of site = 105.658 acres ±.

Density Calculation	Acres	Density	Units
URS 5	80.312	5.5	441.71
DR10.5	6.582	10.5	73.29
O-2	18.362	10.5	192.78
Total	105.658		707.78

Number of Proposed Units	Units
Midrise Units (existing)	181
Garden Apartment Units (proposed)	175
Townhouse Units (proposed)	76
Total Units	707

LEGEND

- Woods
- Slopes 25%+
- Primary Drainage Course
- Approx. Flood Plain
- Soil Constraint—High Water Table or Subsoil Instability
- Soil Constraint—Approx. Fill Area
- Conservation Area
- Buildable Area
- Prop. Vehicular Access Point
- Prop. Primary Access Route
- Prop. Secondary Access Route
- Abandoned Railroad R.O.W.



COURSES	NO.	BEARINGS & DISTANCES
1	N 74° 27' 17" E	35.69'
2	N 73° 25' 14" E	20.68'
3	N 71° 37' 40" E	40.01'
4	N 67° 46' 26" E	100.40'
5	N 60° 02' 50" E	100.78'
6	N 78° 50' 25" E	47.26'
7	N 85° 02' 47" E	54.39'
8	N 87° 06' 41" E	17.54'
9	N 78° 16' 38" E	82.15'
10	N 46° 38' 25" E	54.02'
11	N 69° 50' 59" E	24.50'
12	N 76° 19' 12" E	74.19'
13	S 86° 44' 03" E	42.86'
14	S 81° 29' 37" E	60.16'
15	S 78° 45' 11" E	16.05'
16	N 70° 21' 06" E	67.03'
17	N 74° 15' 44" E	58.59'
18	N 69° 30' 49" E	97.37'
19	S 82° 29' 41" E	97.38'
20	S 82° 55' 59" E	48.62'
21	S 82° 55' 45" E	48.75'
22	S 69° 48' 57" E	43.07'
23	S 61° 52' 45" E	43.73'
24	S 57° 59' 51" E	11.05'
25	S 77° 01' 32" E	24.11'
26	S 69° 25' 47" E	51.65'
27	S 68° 08' 35" E	41.42'
28	S 50° 06' 50" E	70.86'
29	S 88° 14' 35" E	27.50'
30	S 48° 51' 17" E	50.27'
31	S 47° 11' 05" E	63.93'
32	S 60° 23' 00" E	35.02'
33	S 80° 11' 16" E	45.81'
34	S 74° 57' 34" E	100.72'
35	S 71° 09' 45" E	50.04'
36	S 69° 04' 16" E	7.19'

OWNER
ST. MARY'S SEMINARY & UNIVERSITY
3400 ROLAND AVE.
BALTIMORE, MD. 21210

DEVELOPER
INVESTMENT PLANNING SERVICES
711 MAIDEN CHOICE LANE
CATONSVILLE, MD 21228

DAFT · McCUNE · WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
830 E. JORDA ROAD
TOWSON, MD. 21204
TELEPHONE: (301) 296-3333

Master Land Use Plan
CHARLESTOWN
1st Election District
Baltimore County, Maryland

	SCALE: 1" = 100'
	JOB ORDER NO. B2025
	ISSUE DATE JUNE 24, 1982
	DATE
REVISIONS	

PETITIONER'S EXHIBIT

MICROFILMED

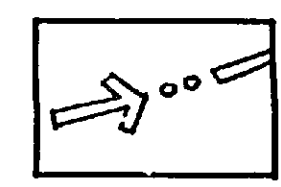
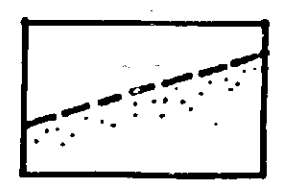
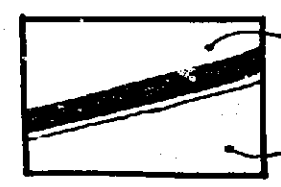
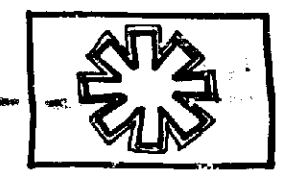
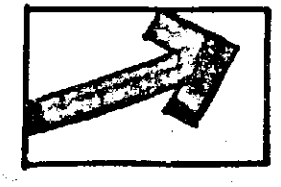
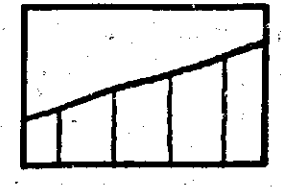
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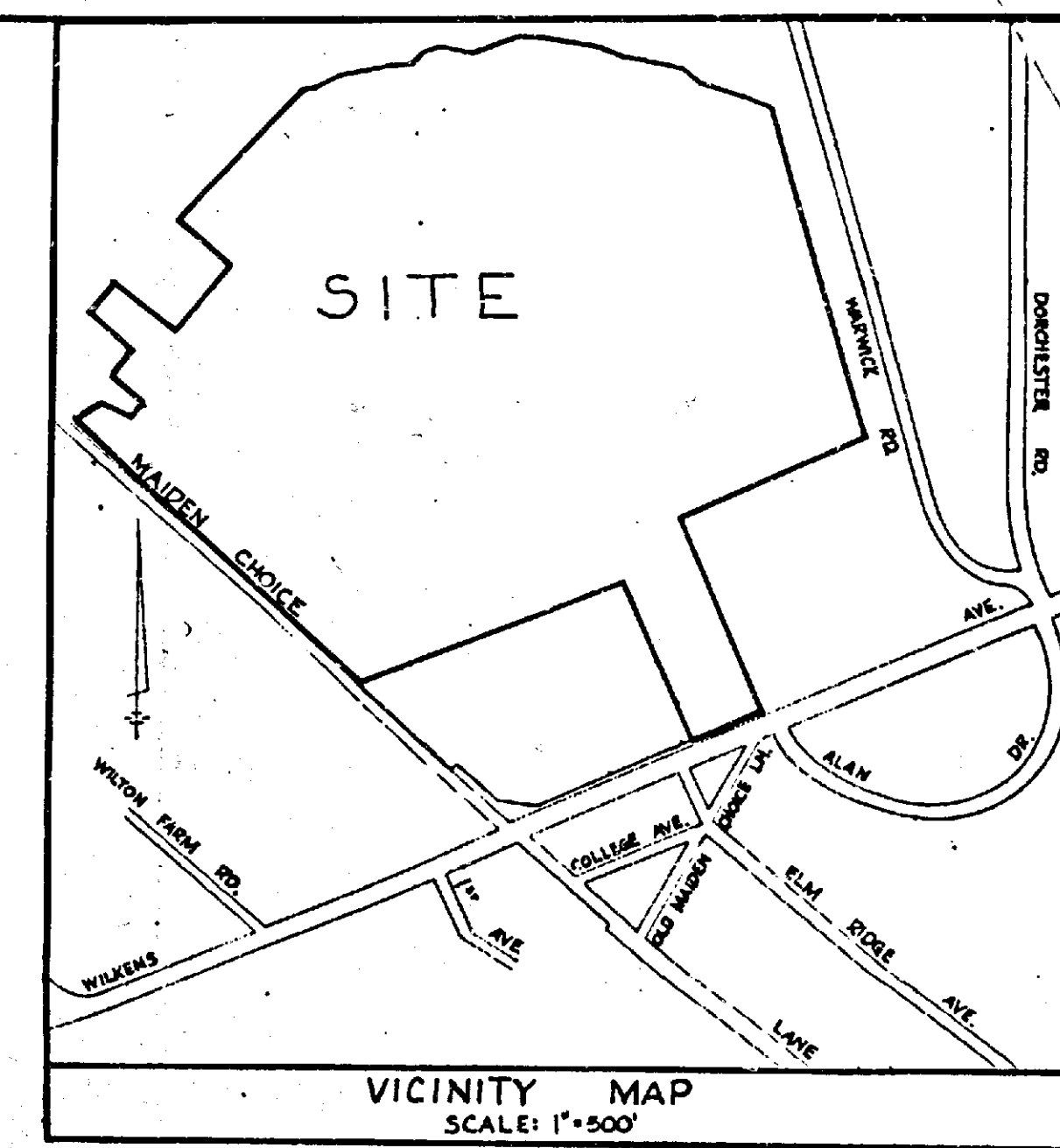
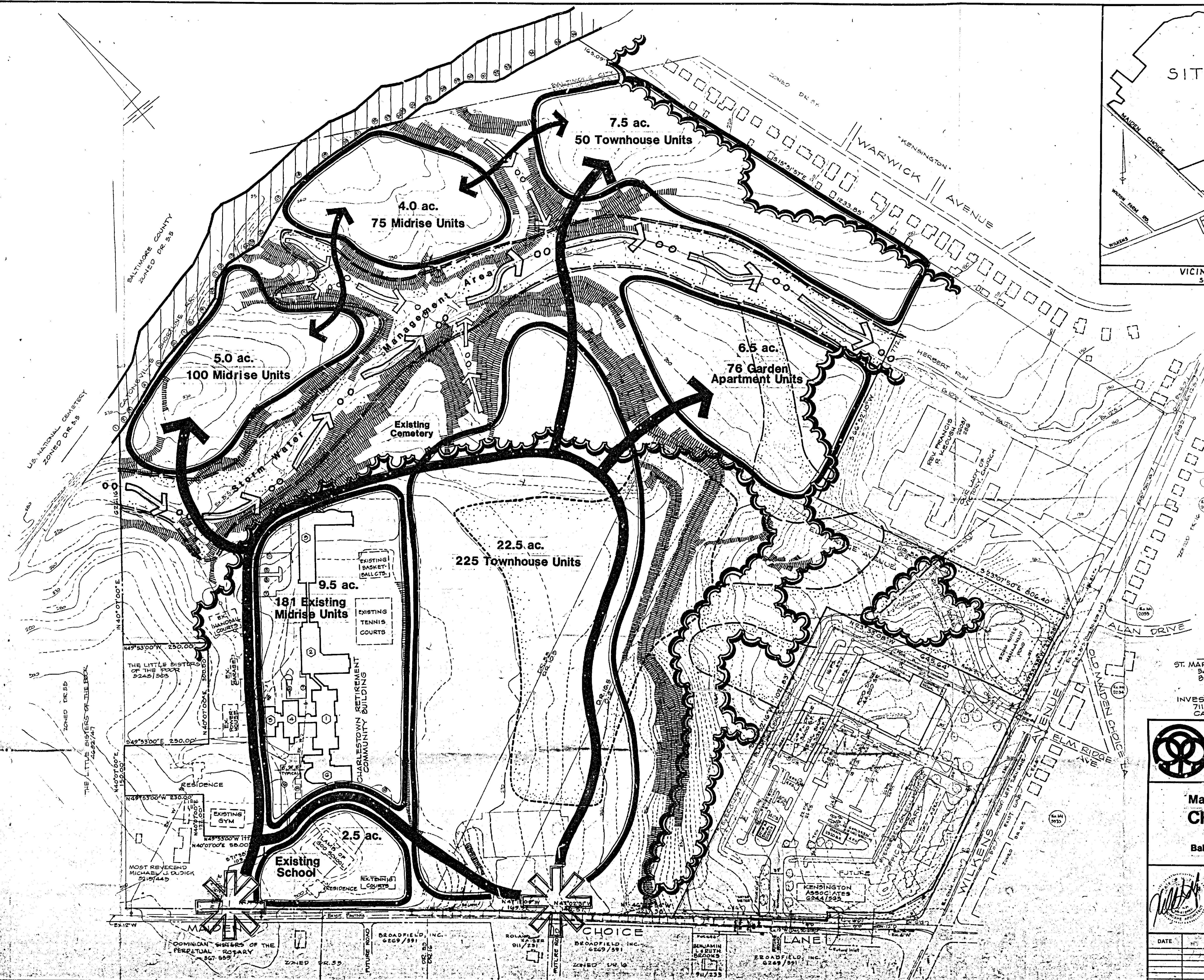
Total area of site = 105.6538 acres ±.

Density Calculation	Acres	Density	Units
DR10.5	80.312	5.5	441.71
DR10.5	6.385	10.5	73.29
DR10.5	18.362	10.5	192.78
Total	105.652		707.78

Number of Proposed Units	Units
Midrise Units (existing)	181
Garden Apartment Units (proposed)	175
Townhouse Units	76
Total Units	707

LEGEND

-  Woods
-  Slopes 25%+
-  Primary Drainage Course
-  Approx. Flood Plain
-  Soil Constraint—High Water Table or Subsoil Instability
-  Soil Constraint—Approx. Fill Area
-  Conservation Area
-  Buildable Area
-  Prop. Vehicular Access Point
-  Prop. Primary Access Route
-  Prop. Secondary Access Route
-  Abandoned Railroad R.O.W.



NO.	BEARINGS & DISTANCES
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2	N 73° 28' 14" E 20.69'
3	N 71° 21' 40" E 40.01'
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8	N 67° 06' 41" E 17.54'
9	N 75° 16' 35" E 82.73'
10	N 42° 35' 25" E 94.09'
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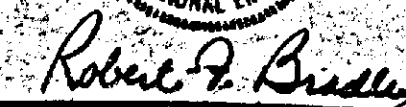
DEVELOPER
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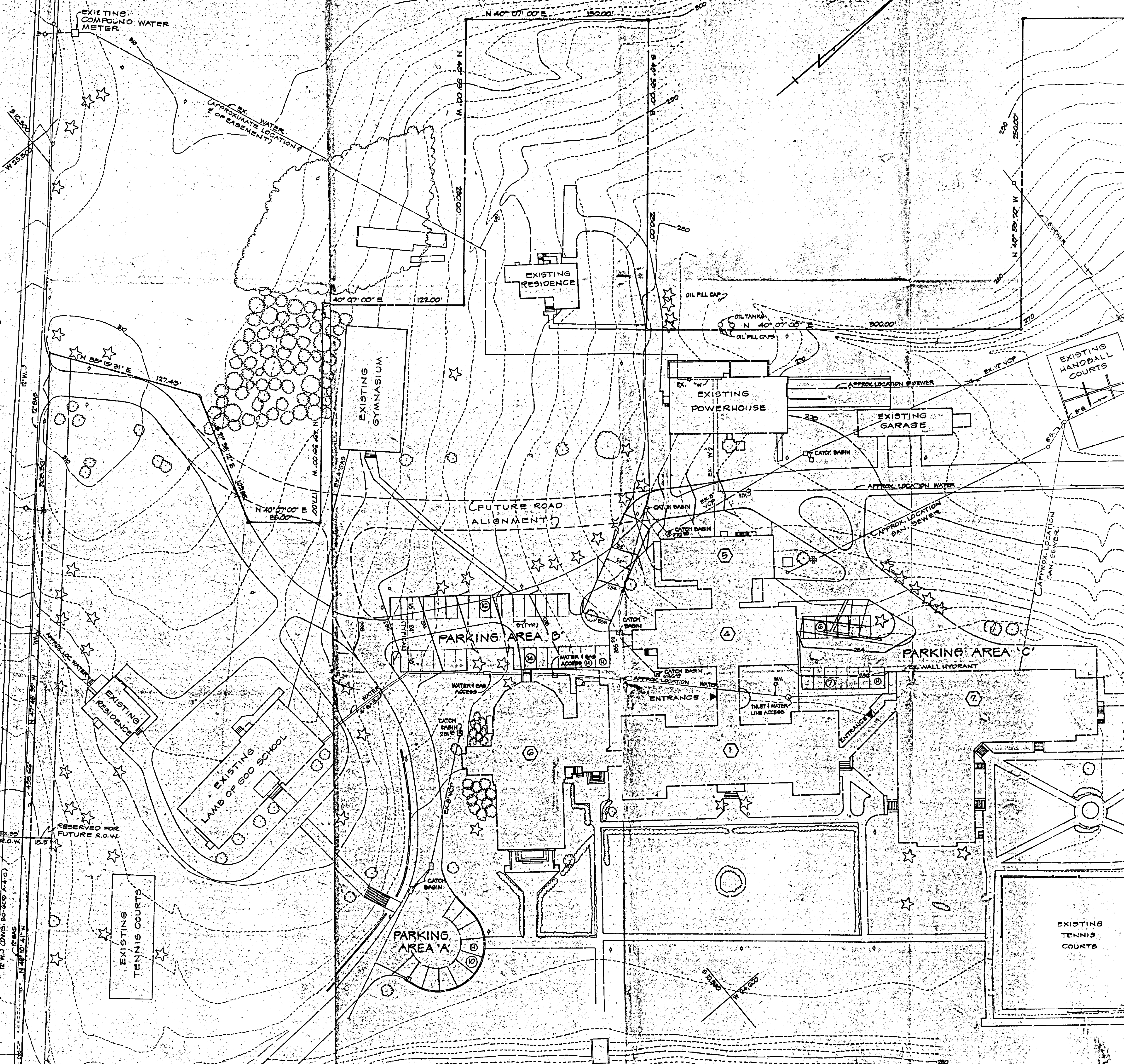
**Master Land Use Plan
CHARLESTOWN**
1st Election District
Baltimore County, Maryland

DATE	NO.	REVISIONS	SCALE: 1"=100'
			JOB ORDER NO. 62025
			ISSUE DATE JUNE 24, 1982

MICROFILMED



MAIDEN CHOICE LANE



- GENERAL NOTES
1. Total Area = 105.833 Acres.
 2. First Election District.
 3. First Councilmatic District.
 4. Census Tract Number 4007.
 5. Herbert Run Watershed - tributary to the Potomac River.
 6. Herbert Run Sewer Station.
 7. Parking:
 8. Number of spaces proposed = 91 (including 7 spaces reserved for the handicapped).
 9. Density Calculations:

Zone	Area (Acres)	Density	Units
DRS-5	80.314	10.5	481.71
DR-10.5	1.906	10.5	73.28
O-2	18.382	10.5	192.78
TOTAL	100.602		747.77

10. Total number of units proposed in Phase I = 181.

11. Existing Charles County Community Building Legend:

Existing Building System	Proposed Use	Number of Dwelling Units
Residential	Residential	54
Residential	Residential	62
Residential	Residential	12
Residential	Residential	12
Chapel	Chapel	1

12. Section 411 shall include 12,000 Car Units for use by residents in the adjacent dwelling units.

13. Source of Title: Associated Professors of St. Mary's Seminary & Trustees of St. Charles College - 1177 - 152/160 - 448/458 - Property Number 01-19-000190.

14. Average Daily Traffic = 181 V.T. = 4.5 (trip generation for garden apartments per Baltimore County Dept. = 1.172) Trip Generation, intensity factors prepared by the same Department of Transportation indicates 4.5 ADT/V.T. for carlinton and communities.

15. All building sections will have access ways for 12 handicapped.

16. Existing topographic map is from a survey prepared by C. H. Miller & Associates, Inc. dated April 30, 1961.

17. Existing utility lines shown on the above referenced field survey and the best available information.

18. The parking proposed is 16,382 square feet.

19. Old parking area is 1,000 square feet.

SITE
CH
PREPARED BY
DAFT-M
LANDS
DEVELOPMENT
INVESTMENT
EXHIBIT

EXISTING SITE DATA	PHASE I	PHASE II	REMAINING	TOTAL
1. Area:				
Net Acreage	20.720	0.778	6.332	27.830
Gross Acreage	20.720	0.778	6.332	27.830
2. Zoning:				
DR 5.5	20.197	0.466	2.462	23.125
DR 10.5	0.076	0.000	0.000	0.076
DR 16	0.293	0.312	3.870	4.475
3. Dwelling Units Permitted:				
DR 5.5	113.793	2.363	13.431	129.587
DR 10.5	0.798	0.000	0.000	0.798
DR 16	0.000	0.000	0.000	0.000
4. Dwelling Units Permitted:				
DR 5.5	4,688	4,992	62,240	71,920
DR 10.5	0.000	0.000	0.000	0.000
DR 16	0.000	0.000	0.000	0.000
5. Total Dwelling and Density Units	118,769	7,555	75,671	201,995
6. Nursing Home Average	1.9339	1.9339	1.9339	1.9339
7. Nursing Home Beds	120	120	120	120
8. Dwelling Units Proposed	183	64	166	413
9. Density Units Proposed	0	0	0	0
10. Total Number of Density and Dwelling Units	183	64	166	413
11. Assisted Living Units	378	0	0	378
12. Domiciliary Care Units	0	0	0	0
13. Nursing Home Beds	0	0	0	0

COURSES	BRICKS	CEMENT
1. 4" x 8" x 16"	17.6	55.69
2. 4" x 8" x 16"	17.6	55.69
3. 4" x 8" x 16"	17.6	55.69
4. 4" x 8" x 16"	17.6	55.69
5. 4" x 8" x 16"	17.6	55.69
6. 4" x 8" x 16"	17.6	55.69
7. 4" x 8" x 16"	17.6	55.69
8. 4" x 8" x 16"	17.6	55.69
9. 4" x 8" x 16"	17.6	55.69
10. 4" x 8" x 16"	17.6	55.69
11. 4" x 8" x 16"	17.6	55.69
12. 4" x 8" x 16"	17.6	55.69
13. 4" x 8" x 16"	17.6	55.69
14. 4" x 8" x 16"	17.6	55.69
15. 4" x 8" x 16"	17.6	55.69
16. 4" x 8" x 16"	17.6	55.69
17. 4" x 8" x 16"	17.6	55.69
18. 4" x 8" x 16"	17.6	55.69
19. 4" x 8" x 16"	17.6	55.69
20. 4" x 8" x 16"	17.6	55.69
21. 4" x 8" x 16"	17.6	55.69
22. 4" x 8" x 16"	17.6	55.69
23. 4" x 8" x 16"	17.6	55.69
24. 4" x 8" x 16"	17.6	55.69
25. 4" x 8" x 16"	17.6	55.69
26. 4" x 8" x 16"	17.6	55.69
27. 4" x 8" x 16"	17.6	55.69
28. 4" x 8" x 16"	17.6	55.69
29. 4" x 8" x 16"	17.6	55.69
30. 4" x 8" x 16"	17.6	55.69



- General Notes**
- Phase I, Charlestown was approved by the County Review Group on July 28, 1982 pursuant to the requirements of 15a-81. Phases II, III, and IV were approved by the County Review Group on May 24, 1984 (15-253) pursuant to the requirements of 15a-82.
 - A Special Hearing was held and a variance for building length exceeding 300 feet in a 30 zone was granted by the County Zoning Commission of Baltimore County on October 22, 1984 under Case No. 85-184, actual length is 361 feet. Variances for width of 10 feet or 7.4 feet in line of the permitted minimum width of 10 feet and a maximum building height of 79 feet in line of the permitted maximum of 50 feet were granted by the County Zoning Commission of Baltimore County on October 24, 1982 under Case No. 83-91-4.
 - Special Exception for a 30 unit assisted living facility, a 120 bed nursing home, and a 20 unit domiciliary care facility was granted by the County Zoning Commission of Baltimore County on January 24, 1985 under Case No. 85-152-2 (Item No. 73). Special Exception subject to 30 assisted care units to be located in Powerhouse and subject to Site Plan exhibit presented at the hearing.
 - Existing Zoning: DR 5.5, DR 10.5, DR 16 and D-2 as shown on the plans and outlined in the Density Calculations.
 - Owner: St. Charles Associates, Inc. 711 Maiden Choice Lane Catonsville, Maryland 21228
 - Minimum Setbacks: 30' Building to Tract Boundary 30' Building to Corner of Street 30' Building to Rear Right-Of-Way 30' Building to Street Right-Of-Way 30' Building to Tract Boundary 30' Building to Tract Boundary 30' Building to Tract Boundary
- There are no Residential Transition Areas associated with this development.
- 7. Landscape Planting:**
Required = 166 Units x 1 = 166 Trees (83 Major Deciduous, 83 Evergreen)
Provided = 5 Existing Trees = 5
32 Major Deciduous = 32
134 Evergreen @ 2:1 = 27
68 Small Flowering @ 2:1 = 34
166 Total Trees
- All planting will be done in accordance with the requirements of the Baltimore County Landscape Manual. A final landscape plan will be approved by the Office of Planning and Zoning prior to issuance of building permits.
 - Planting vegetation consists of meadow with some hardwood forest.
 - All Local Open Space will be owned and maintained by the Owner.
 - Total A.D.T.'s for Phase II:
166 Units @ 3.3 Trips/Unit = 548 Trips
 - The address for all units in Charlestown will be 711 Maiden Choice Lane, Catonsville, Maryland 21228.
 - All refuse is to be collected from within the buildings and placed in a dumpster at the loading dock behind Building 5 for disposal by a commercial hauler.
 - All proposed units will be leased.
 - All parking spaces will be a minimum of 8.5 feet wide by 18 feet deep. All 4-wheel wide roads will be posted, "No Parking."
 - All roadway and parking areas will be paved with eight inches of crushed stone base and three inches of bituminous concrete surface course. All roads will be private.
 - This development plan is approved by the Zoning Commission based on its interpretation of the Zoning Regulations that it complies with present zoning, density and bulk controls as they are delineated in the regulations. Any part or parcel of this tract that has been utilized for density support, including those thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a building is constructed and transferred for the purpose of occupancy.

Provisional Section Notes

- The "Provisional Section" of this partial development plan is not intended to be a final development plan. It is a preliminary plan which building application may be approved or denied. The purpose is to provide those who purchase within 300 feet of the proposed development with a reasonable understanding of the proposed development and the impact it will have on the surrounding area.
- The "Provisional Section" is not based on final engineering plans. However, it is intended to establish the final location, height, use and density of buildings, or their envelopes to within 10 feet of their final engineered location, the location and type of existing major vegetation that is to be retained, screening, parking areas and drives to the extent possible as to be consistent with the final or permanent improvements, and other pertinent amenities.
- At the time of building permit application, the "Provisional Section" of this development plan must be updated to comply in all respects to the form and content required by Section 1501.3.5 of the zoning regulations.

NOTE:
THE PURPOSE OF THIS SHEET IS TO PROVIDE TOTAL TRACT BOUNDARY INFORMATION, LIMITS OF PHASE II, SUPER PLANTING ONLY. SEE SHEET 1 OF 2 FOR ADDITIONAL DETAIL INFORMATION ON PHASE II.

DAFT-McCUNE-WALKER, INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
530 E. JOPPA ROAD
TOWSON, MD. 21204
TELEPHONE: (301) 296-3333

PARTIAL DEVELOPMENT PLAN CHARLESTOWN PHASE II
ELECTION DISTRICT NO. 1
BALTIMORE COUNTY, MARYLAND

DAFT-McCUNE-WALKER, INC.
PRINTED 8/21

Office of Planning and Zoning
Approved by:

Director of Planning _____ Date _____

Zoning Commissioner _____ Date _____

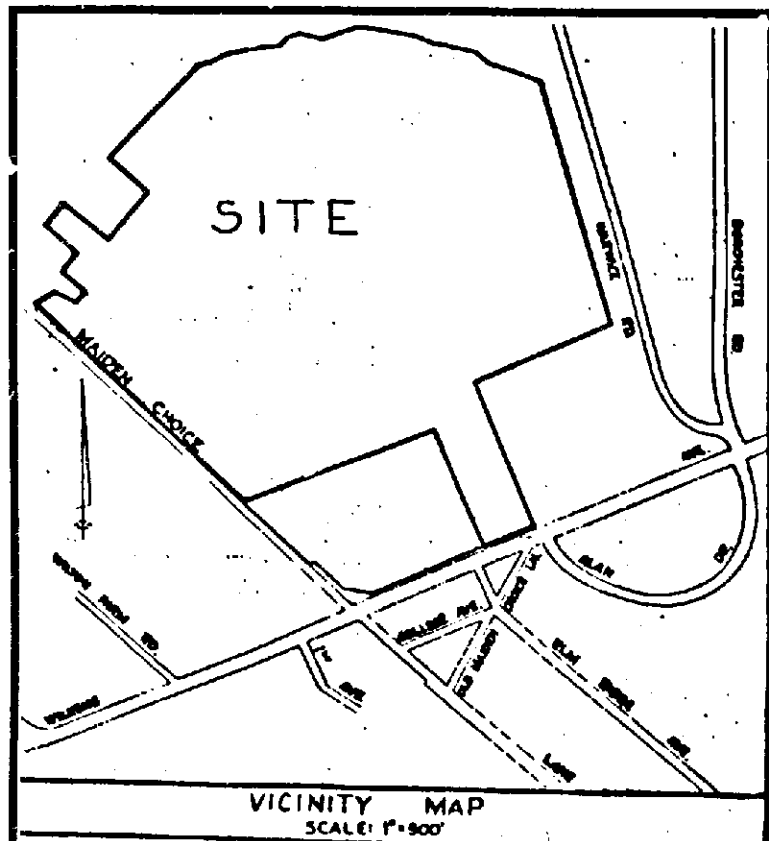
SCALE: 1" = 100'

JOB ORDER NO. 82028 B

ISSUE DATE JUNE 14, 1985

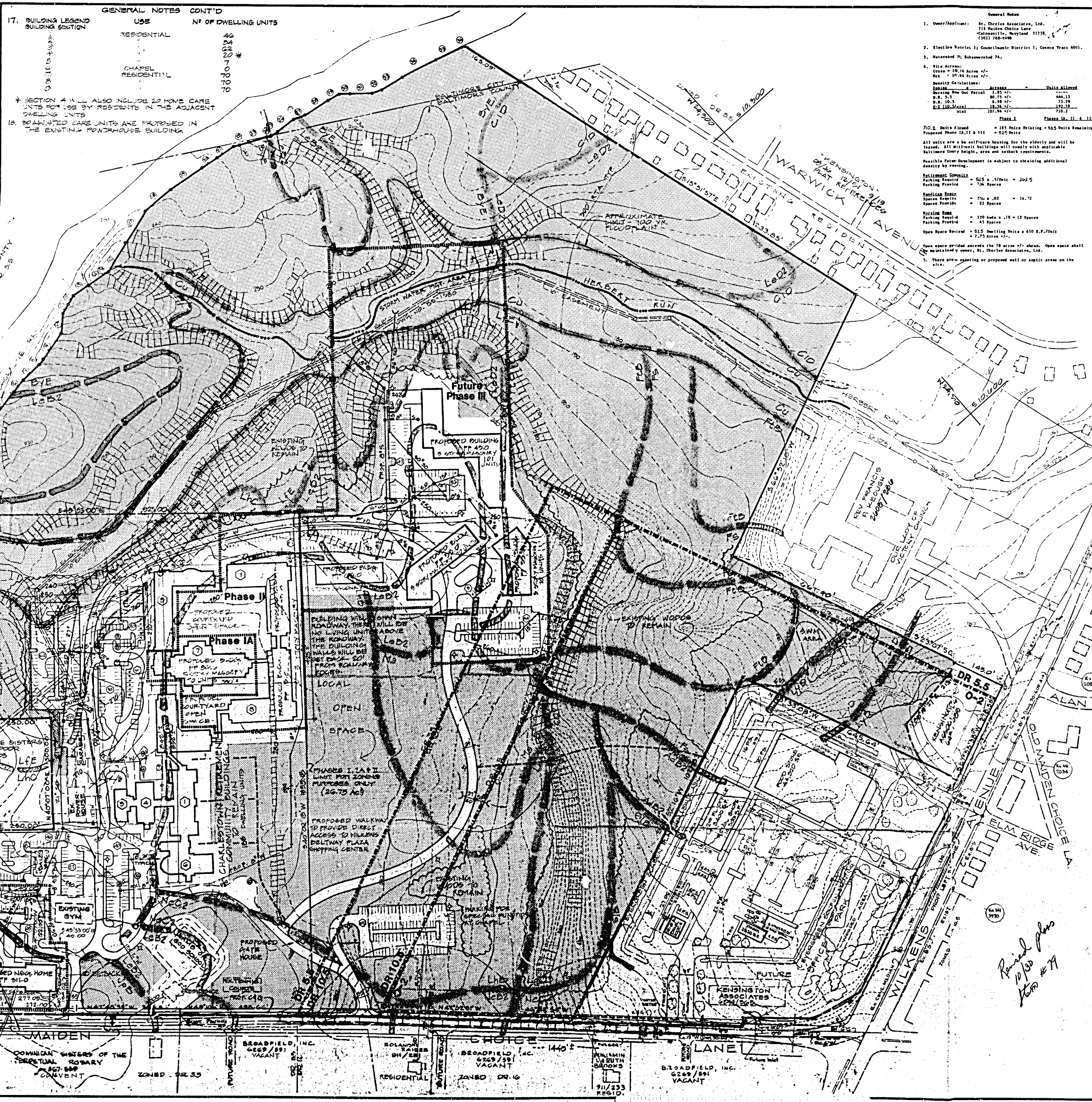
SHEET 2 OF 2

DATE	REVISIONS
7/23/85	PLANTING ARRANGEMENT
8/14/85	NURSING HOME PHASE II



COURSES

1	74° 57' 11" E	18.69
2	113° 28' 14" E	19.49
3	113° 11' 40" E	18.87
4	107° 44' 10" E	100.00
5	104° 08' 30" E	100.18
6	101° 00' 00" E	100.00
7	100° 00' 00" E	100.00
8	100° 00' 00" E	100.00
9	100° 00' 00" E	100.00
10	100° 00' 00" E	100.00
11	100° 00' 00" E	100.00
12	100° 00' 00" E	100.00
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42	100° 00' 00" E	100.00
43	100° 00' 00" E	100.00
44	100° 00' 00" E	100.00
45	100° 00' 00" E	100.00
46	100° 00' 00" E	100.00
47	100° 00' 00" E	100.00
48	100° 00' 00" E	100.00
49	100° 00' 00" E	100.00
50	100° 00' 00" E	100.00
51	100° 00' 00" E	100.00
52	100° 00' 00" E	100.00
53	100° 00' 00" E	100.00
54	100° 00' 00" E	100.00
55	100° 00' 00" E	100.00
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58	100° 00' 00" E	100.00
59	100° 00' 00" E	100.00
60	100° 00' 00" E	100.00
61	100° 00' 00" E	100.00
62	100° 00' 00" E	100.00
63	100° 00' 00" E	100.00
64	100° 00' 00" E	100.00
65	100° 00' 00" E	100.00
66	100° 00' 00" E	100.00
67	100° 00' 00" E	100.00
68	100° 00' 00" E	100.00
69	100° 00' 00" E	100.00
70	100° 00' 00" E	100.00
71	100° 00' 00" E	100.00
72	100° 00' 00" E	100.00
73	100° 00' 00" E	100.00
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94	100° 00' 00" E	100.00
95	100° 00' 00" E	100.00
96	100° 00' 00" E	100.00
97	100° 00' 00" E	100.00
98	100° 00' 00" E	100.00
99	100° 00' 00" E	100.00
100	100° 00' 00" E	100.00



GENERAL NOTES

1. Owner/Applicant: St. Charles Associates, Ltd., 711 Maiden Choice Lane, Catonsville, Maryland 21228, (301) 788-9498.

2. Location: Parcel 1; Councilmanic District 1; Census Tract 4001.

3. Watercourse: N. Submerged 74.

4. Site Acres: Gross = 10.74 Acres +/- Net = 10.74 Acres +/- Density Calculations:

Residential	1.85 +/-	444.13
Medium Density Residential	60.75 +/-	73.28
High Density Residential	10.74 +/-	172.18
Total	10.74 +/-	710.2

710.2 Units Allowed: Phase I = 185 Units Relating + 525 Units Remaining; Phase II, III & IV = 525 Units.

All units are to be self-care housing for the elderly and will be located. All multi-unit buildings will comply with applicable Baltimore County height, area and setback requirements.

Possible Future Development is subject to obtaining additional density by zoning.

Relocation of Buildings:

Relocation of Buildings	525' x 570' = 299,250
Parking Provided	746 Spaces

Handicap Access:

Handicap Access	746' x 102' = 14,712
Space Provided	22 Spaces

Burial Home:

Burial Home	120 beds x 10 = 12 Spaces
Parking Provided	45 Spaces

Open Space:

Open Space	525 Dwelling Units x 610 S.F./Unit = 320,250 S.F.
Open Space	7.75 Acres +/-

Open space provided exceeds the 78 acres +/- shown. Open space shall be maintained by owner, St. Charles Associates, Ltd.

5. There are no existing or proposed well or septic areas on the site.

6. Building numbers 1, 2, 4, 5 and 6 are listed on the National Register of Historic Places.

7. Current Ownership - St. Charles Associates, Ltd.; Deed References - Liber 646 Folio 501, Property Number 01-10-000100, Liber 643 Folio 132, Property Number 01-10-000100.

8. All proposed roadways are 24 feet wide and private. Existing road and right-of-way widths are as shown on the plan.

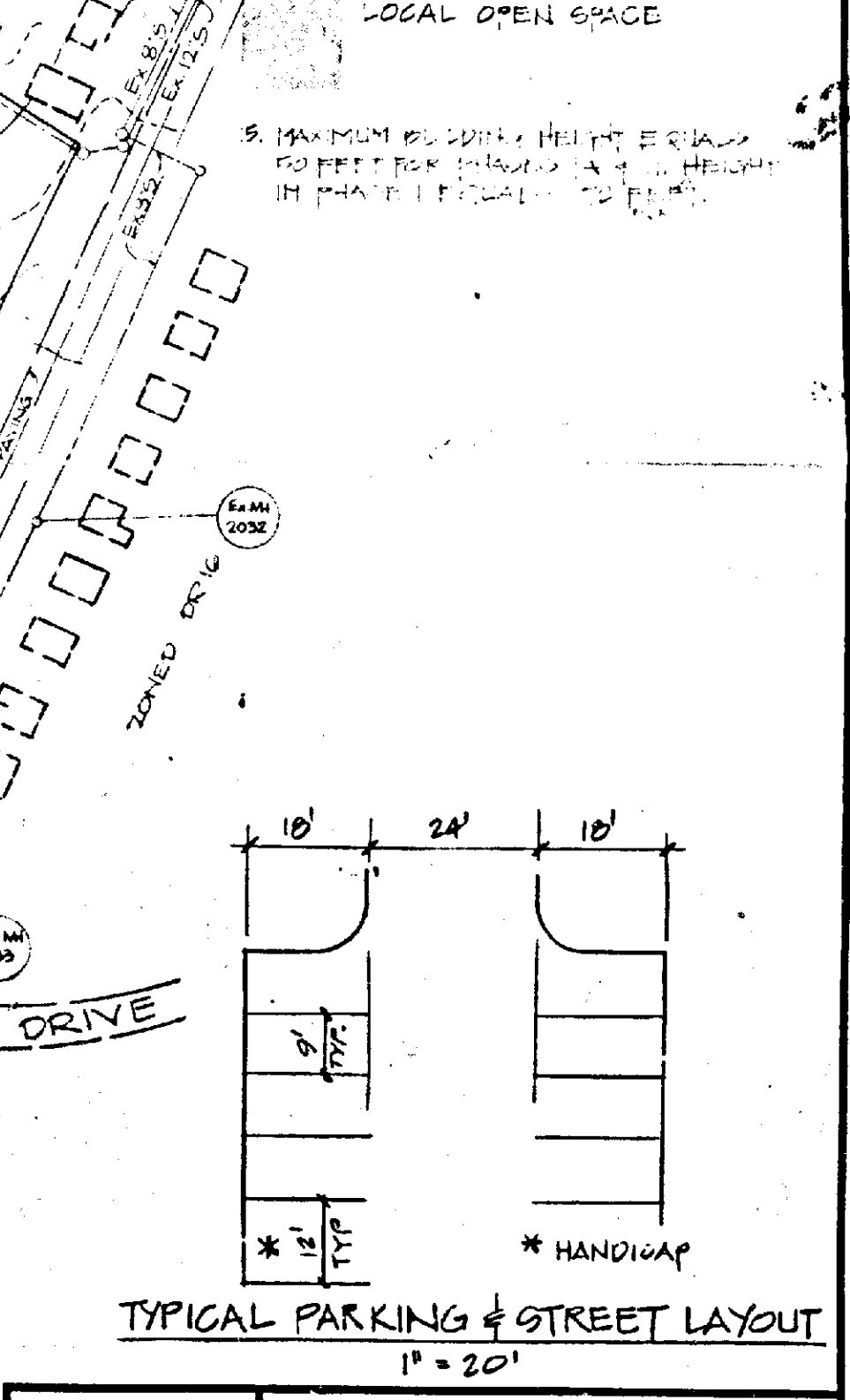
9. Estimated Average Daily Traffic = 545 Units x 3.3 = 1722.5 A.D.T./day.

10. All building sections will have access ramps for the handicapped. Exact locations will be determined at time of the final development plan.

11. There are no existing rights-of-way. Maiden Choice Lane has a proposed 70 foot right-of-way as indicated on the plan. There is one low first sanitary easement, drawing no. 551-100 as indicated on the plan.

12. Wetlands are limited to the area within the Herbert Run flood plain. There are no bodies of water associated with the floodplain on the site and they are not wet. There are no critical areas, including stream, endangered species habitat or hazardous materials on the site.

13. Proposed nursing home (Phase IV) requires a special exception under provision 1001.1.C.5, Baltimore County Zoning Regulations and a certificate of need which will be submitted to the County Council.



DAFT - McCUNE - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
630 E. JOPPA ROAD
COWSON, MD. 21204
TELEPHONE: (301) 296-3333

CHARLESTOWN PLAT
TO ACCOMPANY REQUEST
FOR SPECIAL EXCEPTION

SCALE: 1" = 100'

JOB ORDER NO. 82028-B

ISSUE DATE: JULY 10, 1984

DATE	REVISIONS
7/24/84	UNIT FOR PHASES I, II & III
9/5/84	NOTE 17 & 18

RE: CHARLESTOWN PHASE 2
DEVELOPMENT PLAN
Maiden Choice Lane
and Wilkens Ave.
1st District

BEFORE THE COUNTY
BOARD OF APPEALS OF
BALTIMORE COUNTY
Case No. CBA-84-100

JOINT MOTION FOR STAY OF APPEAL

People's Counsel for Baltimore County, Appellant, and
Charlestown Phase 2 (hereinafter Charlestown), Appellee, move
jointly for a stay of the appeal in the above-entitled case, on
the following grounds:

1. The County Review Group (hereinafter C.R.G.) approved
the development plan (hereinafter the plan) of Charlestown, a copy
of which is attached hereto.
2. The plan includes Phases 2 and 3 and, as shown, utilizes
the available density under existing zoning.
3. Charlestown currently wishes to process its plans for
Phase 2, and obtain such approvals as are necessary and
appropriate. As to Phase 3, it is the position of Charlestown
that, in the event of future rezoning to a classification
permitting an increase in density, that Phase 3 could be amended
to reflect the additional density.
4. People's Counsel does not object to the processing of
plans for Phase 2, subject to compliance with other applicable
county laws and regulations, within the currently permitted zoning
density. It is, however, the position of People's Counsel that
Charlestown could not avail itself of any increase in density
occasioned by zoning reclassification in the event that

Charlestown proceeds to develop, sell, or lease to any members of
the public any of the subject property under the plan.

5. The reason for this appeal is the controversy between
the parties as to the consequences of any future zoning
reclassification, as described in Paragraphs 3 and 4 hereinabove.

6. Charlestown has now requested the County Council to
grant in 1984 a zoning reclassification to permit the desired
increase in density.

7. In the event that the County Council grants the said
reclassification in the 1984 Comprehensive Zoning Map process,
Charlestown may then file an amended site plan with the C.R.G.
which, if accepted, would allow Charlestown to develop according
to its desired density.

8. Charlestown represents that it will not proceed with the
sale or leasing of any units under its plan (Phases 2 or 3) until
after the 1984 Comprehensive Zoning Map process, or, in the
alternative, that it will agree to covenants to any prospective
buyers or lessees requiring compliance with the existing zoning.

9. It appears, therefore, that if Charlestown is successful
in obtaining rezoning as to the property under consideration, then
it is probable that Phase 3 can be revised following said
rezoning, and the issue presented by this appeal will be moot.

10. It appearing that it may not be necessary to resolve the
controversy between the parties, subject to the outcome of the
1984 Comprehensive Zoning Map process, the parties have agreed,
without prejudice to their respective positions, that it would be
in the public interest to stay this appeal, subject to further

Order of the County Board of Appeals following resolution of the
aforesaid comprehensive zoning reclassification issue in or about
October, 1984.

11. The foregoing controversy as set forth in paragraphs
one through ten has been reviewed by the Zoning Commissioner of
Baltimore County on March 30, 1984, with counsel for Charlestown,
Phase II, and the Zoning Commissioner desires to express his
position that this Stay herein will apply to his approval of any
building permit requested and he will so approve any permit of the
developer of Charlestown, Phase II, with the understanding that in
the event Baltimore County's Comprehensive Rezoning is not
accomplished in 1984 on this subject property, the issues as
defined above must be still resolved before the Zoning
Commissioner, pursuant to Section 500.7 of the Zoning Regulations
of Baltimore County.

J. Carroll Holzer, Esquire
Holzer, Maher & Denilio
Suite 110, 305 West Chesapeake
Towson, Maryland 21204
825-8980
Attorney for Petitioners

Phyllis Cole Friedman
People's Counsel for Baltimore
County
Room 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman
Deputy People's Counsel

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of Maiden Choice Lane, 2,100'
NW of Wilkens Ave. - 1st Election
District
St. Charles Associates, Ltd. -
Petitioner
No. 85-152-X (Item No. 79)

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The herein petitioner requests a special exception for a 30 unit assisted living
facility, a 120 bed nursing home, and a 20 unit domiciliary care facility.

Testimony presented by and on behalf of the petitioner described how the nursing
home and assisted living and domiciliary care facilities would be integral parts of
the life care facilities of the Charlestown community. The proposed facilities would
be available only to residents of the community. The zoning on the property was up-
graded and intensified during the 1984 Comprehensive Map process.

No one appeared in protest.

After due consideration of the testimony and evidence presented and it appearing
that by reason of the requirements of Section 502.1 having been met and the health,
safety, and general welfare of the community not being adversely affected, the
special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County,
this 24th day of January, 1985, that the herein Petition for Special Exception
for a 30 unit assisted living facility, a 120 bed nursing home, and a 20 unit domi-
ciliary care facility, in accordance with the site plan filed herein, marked Peti-
tioner's Exhibit 1, is GRANTED, from and after the date of this Order, subject to
the following:

1. A revised site plan reflecting and detailing the current
zoning status and indicating that such zoning is sufficient
to cover any and all development contemplated, present or
future, shall be submitted to and approved by the County
Review Group (CRG).

UNDER RECEIVED FOR FILING

DATE January 24, 1985
BY Mary Carpenter (clerk)
ADMINISTRATIVE SERVICES

2. The special exception must be utilized within five
(5) years.

Jean M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 24, 1985

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Suite 110
Towson, Maryland 21204

RE: Petition for Special Exception
NE/S of Maiden Choice Lane, 2,100' NW of
Wilkens Ave. - 1st Election District
St. Charles Associates, Ltd. - Petitioner
No. 85-152-X (Item No. 79)

Dear Mr. Holzer:

I have this date passed my Order in the above captioned matter in accordance
with the attached.

Very truly yours,
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

January 2, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

J. Carroll Holzer, Esquire
305 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
NE/S of Maiden Choice Lane, 2,100' NW of
Wilkens Ave. - 1st Election
District
St. Charles Associates, Ltd. -
Petitioner
No. 85-152-X (Item No. 79)

Dear Mr. Holzer:

The Order in the above referenced case, heard on December 4, 1984, was drafted
the day after the hearing. Since that time, I have been awaiting your proposed
wording on the restriction relative to note No. 4 on the site plan. I understand
that you wish Pete Zimmerman to review the proposed restriction also. I will pro-
ceed to finalize and sign the Order as soon as I have your response.

Very truly yours,
JEAN M.H. JUNG
Deputy Zoning Commissioner

JMHJ/tuc

IN THE MATTER OF
CHARLESTOWN PHASE 2
RE: DEVELOPMENT PLAN
MAIDEN CHOICE LANE AND
WILKENS AVENUE
1st DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. CBA-84-100

ORDER OF DISMISSAL

Petition of Charlestown Phase 2 for approval of development plan on
property located on Maiden Choice Lane and Wilkens Avenue in the First District of
Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Voluntary Dismissal
of Appeal filed March 19, 1985 (a copy of which is attached hereto and made a part
hereof) from the People's Counsel for Baltimore County, Appellant in the above
entitled matter; and

WHEREAS, the said People's Counsel requests that its appeal be
dismissed as the case is moot and said appeal is no longer in the public interest,

IT IS HEREBY ORDERED, this 28th day of March, 1985, that
said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Leroy S. Spurr, Acting Chairman

William R. Evans

Patricia Phipps

