

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 8, 1990



Dennis F. Rasmussen
County Executive

Mr. Andrew J. Aulde
The Shelter/Can-American Group
Suite 500, Park Charles
218 N. Charles Street
Baltimore, Maryland 21201

RE: Maiden Choice Terrace Apartments
303 Maiden Choice Lane
CR-90-73-X
Permit Nos. B056227 & B047694

Dear Mr. Aulde:

Reference is made to your letter dated August 1, 1990 requesting confirmation that the above referenced apartment project complies with the Baltimore County Zoning Ordinance.

Please be advised that the records in this office indicate that the property is presently zoned D.R.10.5 and was granted a height variance of 40 feet as well as the special exception to permit the proposed entrance to cross the required buffer area.

Our records also indicate that the above referenced building permits were approved by this office as being in compliance with zoning requirements.

If you desire additional information or if I can be of further assistance, please contact me at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "James E. Dyer".
JAMES E. DYER
Zoning Supervisor

JED:cer

IN THE MATTER OF THE APPLICATION
OF MAJOR & CITY COUNCIL OF BALTIMORE
SHELTER DEVELOPMENT CORPORATION
FOR A ZONING RECLASSIFICATION
AND SPECIAL EXCEPTION ON PROPERTY LOCATED ON
THE NORTHEAST SIDE OF MAIDEN CHOICE LANE
BETWEEN CARROLL ROAD AND GARDEN
RIDGE ROAD FROM D.R.5.5 TO D.R.10.5
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. CR-90-73-X
(out-of-cycle)

OPINION

This case comes before this Board as an out-of-cycle Petition for Zoning Reclassification of property located on the northeast side of Maiden Choice Lane between Carroll Road and Garden Ridge Road. The property contains some 9.94 acres in area, is presented to this Board on a documented site plan with a request for a reclassification from D.R.5.5 to D.R.10.5 coupled with a Special Exception for a waiver to permit the buffered area to contain the proposed entrance to the parking area, and to permit a building height of 40' in lieu of the required 35'. The proposal as presented on the documented site plan indicates the Shelter Development Corporation's intention to erect a housing development for middle income elderly tenants. The case was heard this day in its entirety.

Petitioner first presented Andrew Aulde, the Vice President of Shelter Development Corporation. Mr. Aulde testified as to his corporation's intentions and presented exhibits showing precisely what they hoped to accomplish. He noted that the site contained some 10 acres, more or less, but that the building and parking would cover only 2.5 acres of the site. He testified that his company investigated 53 potential sites in this general area and that this was the only one that was satisfactory. He further testified that the City owned this land which was formerly used for a day camp but has been unused for many years. The City advertised the property for sale and Shelter Development Corporation was awarded the contract contingent on the granting of the zoning change. He further testified to the need for the variance to cross the residential transition area and the need for the 40' height variance to allow for a gable roof on the building. He further testified that all the requirements

Case No. CR-90-73-X
Mayor & City Council of Baltimore/Shelter Development Corporation

of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) had been complied with. Kevin Glover, the Director of Design and Development Corporation who operate a home for the elderly one-half mile away, this home serving primarily middle class elderly; evidenced his support of this Petition. Sister Stephen Cronin Marie, representing Little Sisters of the Poor, testified in favor of the project. Her home directly abuts this property but cannot take any more people. Leslie Pittler, Director of Community Development for Baltimore County, testified in favor of this project. He stated that he had testified in the City to help Shelter Development Corporation obtain title to this property. He testified at great length to the need for this facility and that Baltimore County was very anxious to provide much needed care for our elderly. By letter entered as Petitioner's Exhibit No. 10, Mr. Pittler notes that Baltimore County has tentatively agreed to provide \$500,000.00 in Community Development Block Grant Funds as a low interest loan for this property acquisition. Mr. Pat Keller, the Deputy Director of Planning for Baltimore County, testified that he has reviewed this Petition, visited the site and the nearby area and the Planning Department's recommendation was that the requested zoning be granted. Mickey Cornelius, a traffic engineer, testified that this proposal would have no adverse impact on traffic. His report attesting to this was entered as Petitioner's Exhibit No. 14. Petitioner's final witness was George Gavrelis of Daft, McCune & Walker, Inc., a land planner, who testified that he has studied this site, referred to the complete compliance of the documented site plan with Section 2-58.1 of the Baltimore County Code, noted that the Comprehensive Map Process failed to meet this need, and that it was his opinion that under the documented site plan the error of omission by the County Council would be corrected. He further testified that Section 432 of the B.C.Z.R. specifically addresses elderly housing facilities and evidences Baltimore County's

Case No. CR-90-73-X
Mayor & City Council of Baltimore/Shelter Development Corporation

desire to promote them. This brief summation of the testimony and evidence received this day is in no way to be judged complete but the record will speak for itself.

One Protestant, Mark Neneth, who owns a residence directly across the road from the proposed elderly housing facility testified that he was concerned that the additional traffic would increase the problems he now has getting in and out of his driveway and that the erection of this project may in fact decrease his property value. He testified that while the posted speed on Maiden Choice Lane is 25 m.p.h., it was his experience that most traffic travels at 45 m.p.h. and that since he must back out of his driveway any additional traffic was unwanted. This concluded testimony and evidence in this hearing. After consideration of all the testimony and evidence received, the Board is of the opinion that this Petition should be granted. To oppose this use of this unused parcel of land with the potential for in excess of 50 townhouses would be to oppose apple pie and motherhood. The case file contains many, many letters from the immediately surrounding area asking that this use be granted. There was expert testimony that in order to have a successful, viable housing facility for the elderly, at least 100 units must be contained therein. Thus, the need for the zoning change from D.R.5.5 to D.R.10.5. Section 432 of the B.C.Z.R. seems to have been directed precisely at this proposal even though it was enacted in 1988. Since the property was purchased in June of 1989, it could not have been an issue on the Comprehensive Map Process in that cycle. The Board will also note that in the Comprehensive Map Process no consideration can be granted for documented site plans. Whereas, before the Board of Appeals, if the documented site plan is not fully complied with; the Petition is moot. The Board will note for the record that the out-of-cycle request for reclassification was granted immediately and unanimously

Case No. CR-90-73-X
Mayor & City Council of Baltimore/Shelter Development Corporation

approved. The Director of Planning's report goes to great length to support this proposal. The case file contains not one scintilla of opposition to this project. After consideration of all the testimony and evidence, all the letters in the file, and all the facts and figures presented, the Board is of the opinion that the D.R.5.5 designation afforded this site is in error and that the proper zoning designation would be D.R.10.5 and will so order. The Board is of the opinion that compliance has been met for all the requirements of Section 502 of the B.C.Z.R. in regard to the special exception and that all the requirements of Section 432 of the B.C.Z.R. have been satisfied and that, therefore, the special exception and variance requested should be granted and will so order.

ORDER

It is therefore this 18th day of October, 1989 by the County Board of Appeals of Baltimore County ORDERED that the Petition to reclassify the property from D.R.5.5 to D.R.10.5 be and the same is GRANTED. It is further ORDERED that the special exception to permit the proposed entrance to cross the required buffer area and that the building height of 40' in lieu of the required 35' be and the same are GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman
James E. Schmidt
Arnold C. Foreman

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law and Zoning Regulations of Baltimore County, from an "DR 5.5" zone to an "DR 10.5" zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, from complete compliance with all restrictions of Section 1801.1.B.1.b, so as to permit the required "buffer" area to contain the proposed entrance to a parking area and so as to permit a building height of 40 feet in lieu of the required 35 feet; and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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.

Contract Purchaser:
Shelter Development Corporation
(Type or Print Name)
By: *[Signature]*
Signature: William K. Baker
Suite 500, 218 North Charles St.
Street or Box
Baltimore, Maryland 21201
City and State

Legal Owner(s):
Mayor and City Council of Baltimore
(Type or Print Name)
By: *[Signature]*
Signature: John J. Bentschel, Jr.
Real Estate Office
(Type or Print Name)
Signature

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
304 City Hall, 100 N. Holliday Street
Street or Box
Baltimore, MD 21202
City and State

210 Allegheny Avenue
Street or Box
Towson, Maryland 21204
City and State

Attorney's Telephone No.: 823-4111

Name and telephone number of legal owner, contract purchaser or representative to be contacted
John B. Howard
210 Allegheny Avenue
Towson, MD 21204
Telephone No. 823-4111



Land Planning
Engineering
Landscape Architecture
Surveying
Computer Design
Graphics

DAFT-MCCUNE-WALKER, INC. 200 East Pennsylvania Avenue, Towson, MD 21204 301 296 3333 FAX 301 296 4035
Land Planning & Development Consultants

Description To Accompany Reclassification Petition 9.94 Acre Parcel

North Side of Maiden Choice Lane
First Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Kemwood Avenue with the centerline of Maiden Choice Lane, (1) Northwest 220 feet, more or less, measured along the centerline of Maiden Choice Lane, and thence running at right angles to said centerline (2) Northeast 20 feet, more or less, to the point of beginning, being on the north side of Maiden Choice Lane, thence leaving said point of beginning and the north side of Maiden Choice Lane and running with all courses of this description referred to the Meridian of a deed dated July 2, 1913 and recorded among the Land Records of Baltimore County, Maryland in Liber W.F.C. 412, Folio 299, of Baltimore County, Maryland in Liber W.F.C. 412, Folio 299, (1) North 55 degrees 40 minutes 00 seconds East 160.59 feet, thence (2) South 45 degrees 00 minutes 00 seconds East 23.50 feet, thence (3) North 69 degrees 00 minutes 00 seconds East 82.50 feet, thence (4) North 75 degrees 00 minutes 00 seconds East 90.75 feet, thence (5) North 80 degrees 45 minutes 00 seconds East 115.50 feet, thence (6) North 83 degrees 15 minutes

Page 1 of 3

00 seconds East 82.50 feet, thence (7) North 82 degrees 45 minutes 00 seconds East 132.00 feet, thence (8) South 78 degrees 30 minutes 00 seconds East 198.00 feet, thence (9) South 75 degrees 30 minutes 00 seconds East 206.25 feet, thence (10) South 70 degrees 45 minutes 00 seconds East 100.65 feet, thence (11) South 70 degrees 09 minutes 16 seconds East 310.68 feet, thence (12) South 68 degrees 42 minutes 47 seconds East 149.32 feet, thence (13) South 76 degrees 47 minutes 26 seconds East 61.93 feet, thence (14) South 84 degrees 02 minutes 43 seconds East 22.97 feet, thence (15) South 72 degrees 47 minutes 20 seconds East 23.64 feet, thence (16) South 44 degrees 30 minutes 00 seconds West 142.45 feet, thence (17) North 72 degrees 26 minutes 16 seconds West 461.57 feet, thence (18) South 44 degrees 30 minutes 00 seconds West 252.98 feet, thence (19) North 45 degrees 10 minutes 00 seconds West 100.00 feet, thence (20) South 44 degrees 30 minutes 00 seconds West 315.00 feet, thence (21) North 45 degrees 00 minutes 00 seconds West 278.35 feet, thence (22) North 51 degrees 23 minutes 00 seconds West 113.86 feet, and thence (23) North 65 degrees 45 minutes 00 seconds West 403.86 feet to the point of beginning; containing 9.94 acres of land, more or less.

Page 2 of 3

THIS DESCRIPTION HAS BEEN PREPARED FROM DEEDS AND OTHER TITLE SOURCES AND IS FOR ZONING PURPOSES ONLY. IT IS NOT INTENDED TO BE USED FOR CONVEYANCE.
June 1, 1989
Our Job No. 89081 (L89081)



Page 3 of 3

EXHIBIT A
TRIP GENERATION ANALYSIS

	MORNING PEAK HOUR			EVENING PEAK HOUR		
	IN	OUT	TOTAL	IN	OUT	TOTAL
Trips/Unit	.09	.09	.18	.12	.10	.22
Trips/104 Units	9	9	18	13	10	23

Daily Trip Generation = 2.57 Trips/Unit = 267 Trips

Anne Arundel County
Department of Planning & Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 837-3353

J. Robert Haines
Zoning Commissioner

September 18, 1989



Shelter Development Corporation
Suite 500
218 North Charles Street
Baltimore, Maryland 21201

Re: Petition for Zoning Reclassification and Special Exception
CASE NUMBER CR-90-73-X
NE/S MAIDEN CHOICE LANE between Carroll Road and Garden Ridge Road
1st Election District - 1st Councilmanic
Legal Owner(s): Mayor & City Council of Baltimore City
Contract Purchaser(s): Shelter Development Corporation
HEARING: THURSDAY, OCTOBER 5, 1989 at 10:00 a.m.

Gentlemen:

This is to advise you that \$207.53 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE SIGNS AND POSTS RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS HEARING OR THE ORDER WILL NOT ISSUE.

Please make your check payable to "Baltimore County, Maryland" and remit it to Ms. G. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

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

No. 077295

DATE 9/25/89 ACCOUNT R 01-115-000

AMOUNT \$ 207.53

RECEIVED FROM Venable Battey Howard

FOR PA for 10/5/89 hearing CR 90-73-X

B 003 *****237533 226-F

VALIDATION OR SIGNATURE OF CASHIER

RESIDENCE OF THE PROVINCIAL
PROVINCE OF BALTIMORE

September 28, 1989

Chairman
Board of Appeals of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Case No. CR-90-73-X

Dear Mr. Chairman:

I am writing to express the support of the Little Sisters of the Poor for the zoning change requested by Shelter Development Corporation in order to develop low and moderate income rental housing for the elderly on Maiden Choice Lane. The Little Sisters of the Poor operate a Home for the Aged on a property immediately adjacent to Shelter's site.

We think that low and moderate income housing for the elderly is a very desirable use for the property. If Shelter were not pursuing this kind of development, we believe that the most likely use of the property under the present zoning would be townhouses. In our view, rental housing for low and moderate income elderly would far better fulfill the needs of the community.

In addition, we have met with Shelter representatives and have had the opportunity to review their preliminary site plan. We think Shelter's proposal provides ample buffer space for adjoining properties, and would be consistent with the overall character of the community. We have confidence in the character and credentials of the Shelter people.

In conclusion, we reiterate our support for Shelter's zoning request and ask that you grant that request.

Very truly yours,

Sr. Stephen Marie Cronin

69 SEP 29 PM 12:17
RECEIVED
COUNTY BOARD OF APPEALS

Richard James Johnson
42 Briarwood Road
Catonsville, Md. 21228
September 26, 1989

Chairman & Members
Board of Appeals
Office of Planning & Zoning
Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case #CR-90-73-X
Petition to Reclassify the Property from a
D.R.5.5 to a D.R.10.5 Zone - Special Exception

Dear Chairman and Members of Board of Appeals,

I have lived in the Paradise Community for over 13 years and I am writing in support of the proposed reclassification of the property for development, as submitted, and I request the Chairman and Members of the Board of Appeals to pass the request by Shelter development Corporation for reclassification of the property and to build on the ten acre site an apartment project to meet the "urgent needs" for affordable "elderly" housing in the Catonsville and Arbutus area.

Over the years affordable housing for the elderly among other issues facing the elderly has been a subject of great concern that has gotten a wide range of media and press coverage. I believe it's time to steer away from being a meaningless society and fulfill our civic obligations to take care of those in need.

The Shelter Development Corporation couldn't have picked a better location for the 10 acre affordable "Elderly" housing project. Their plans are compatible to the Maiden Choice Lane corridor, and as for traffic, the elderly coming and going from this site with their automobiles onto the Maiden Choice Lane corridor would be very minimal.

As a resident of the Paradise Community, I would encourage you, the Chairman and Members of the Board of Appeals to approve the petition to reclassify the property. Case #CR-90-73-X.

Thanking you in advance.

Sincerely,

Richard J. Johnson

September 21, 1989

Chairman
Board of Appeals
County Office Building
111 W. Chesapeake Ave.
Towson, MD 21204

RE: Zoning Case #CR-90-73-X
Maiden Choice Lane

Dear Mr. Chairman:

I am writing regarding the development of an elderly apartment project proposed for the property located on Maiden Choice Lane which is directly across from my house.

Although any development in the area is undesirable, this proposal seems much more compatible with the neighborhood than townhouses would be. I've been told that the development will only cover a portion of the site and the developer has agreed to provide a buffer along the road whereas townhouses would probably cover the entire site. I also believe that elderly housing will not generate as much additional traffic which is a major concern in this area.

I understand that the current owner is definitely going to sell the property and I support elderly housing as opposed to townhouses.

On August 16, 1989 we held a community meeting at my house where Andy Aulde of Shelter Development presented their plan. Fifteen neighbors attended the meeting and we discussed the pros and cons of Shelter's plan versus townhouse development. At the end my feeling was that if development is inevitable, twelve of those present indicated that they supported the elderly housing plan, although one of these people is still concerned about where the entrance will be. The other three people basically are opposed to any development on the site at all.

Sincerely,

Deborah L. Jawor

300 Maiden Choice Lane
Baltimore, MD 21228

cc: Andy Aulde

69 SEP 25 AM 10:49
RECEIVED
COUNTY BOARD OF APPEALS

September 21, 1989

Chairman, Board of Appeals
County Office Building
111 W. Chesapeake Ave.
Towson, MD 21204

RE: Zoning Case No. CR-90-73-X

Dear Sir:

I live at 424 Shady Nook Avenue, which is in the community across Maiden Choice Lane from where Shelter Development is to build an affordable senior apartment project. I also serve as president of the Shady Nook Concerned Citizens Group which was actively involved in having sound barriers erected along 698.

I am writing to indicate my support for this project because I feel there is a real need for affordable senior housing in our area. There are a lot of elderly people in this area and affordable housing is a real concern.

Further, this area has seen a lot of construction of townhouses recently, resulting in too much traffic and the clearing of a lot of land. The elderly housing project should generate less traffic and I am told the developer will create a buffer and use only a portion of the land for the building.

While I am not writing in the capacity of president, I would like to inform you that I have spoken to several of our members and they agree with both my concerns and support of the project.

Sincerely,

Mrs. Gloria Cameron

cc: Shelter Development

69 SEP 25 AM 10:48
RECEIVED
COUNTY BOARD OF APPEALS

IN THE MATTER OF
NE/S MAIDEN CHOICE LANE
BETWEEN
CARROLL ROAD AND
GARDEN RIDGE ROAD
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the County Board of Appeals of Baltimore County at the hearing for the matter captioned above on Thursday October 5, 1989 at 10:00 a.m. at Room 301, located at the County Office Building and continuing thereafter as necessary for such witness' testimony and as scheduled by the Board

Witness: Leslie M. Pittler, Esquire
Address: Director of Community Development
400 Washington Avenue
Towson, Maryland 21204
(Baltimore County)

ROBERT H. HOFFMAN
Venable, Baetjer and Howard
210 Allegheny Avenue
P. O. Box 5517
Towson, Maryland 21204
(301) 823-4111

The witness named above is hereby ordered to so appear before the County Board of Appeals. The Board requests the Sheriff to issue the summons set forth herein.

Cost: \$ 15-
Summoned: 9-14-89, 1989
Not Served: , 19

Sheriff of Baltimore County

69 SEP 20 PM 2:17
RECEIVED
COUNTY BOARD OF APPEALS

Chairman, Board of Appeals
County Office Building
111 W. Chesapeake Ave.
Towson, MD 21204
Zoning Case #CR-90-73-X

Dear Sir,
While reading the letter which recently I read the article about the affordable elderly apartment community being proposed by Shelter Development on Maiden Choice Lane. There is a great need for this type of housing in this area and I hope the Board of Appeals will be able to approve it. I live at 202 S. Springtown Ave. Cat Co. which is a few blocks from the location of the proposed development. I know from experience that the removal of too many trees and the creation of much heavier traffic on Maiden Choice Lane which causes heavy during the day and early evening.

Sincerely,

Mrs. Anne Applebaugh

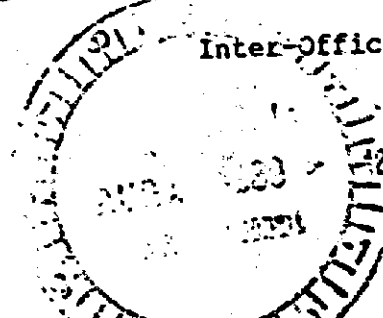
69 SEP 22 AM 10:49
RECEIVED
COUNTY BOARD OF APPEALS

CR-90-73-X
(out of cycle)

Legal Owner: Mayor and City Council of Baltimore
Contact Purchaser: Shelter Development Corporation
Location: NE/S Maiden Choice Lane between Carroll Road and Garden Ridge Road
Existing Zoning: D.R.-5.5
Proposed Zoning: Reclassification from D.R.-5.5 zone to a D.R.-10.5 zone. Special Exception for a waiver from complete compliance with all restrictions of Section 1901.1.B.1.b so as to permit the required buffer area to contain the proposed entrance to a parking area and so as to permit a building height of 40 feet in lieu of the required 35 feet.
Area: 9.94 acres
District: 1st Election District
1st Councilmanic District



BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence



August 16, 1989

TO: Baltimore County Zoning Plans Advisory Committee
FROM: W. Carl Richards, Jr.
Zoning Coordinator (887-3391)
SUBJECT: Out-of-Cycle Documented Zoning Reclassification Petition
Case Number CR-90-73-X
Legal Owner: Mayor and City Council of Baltimore
Contract Purchaser: Shelter Development Corporation
NE/S Maiden Choice Lane between Carroll Road and Garden Ridge Road
1st Election District; 1st Councilmanic District

THE ABOVE REFERENCED PETITION HAS BEEN EXEMPTED FROM THE REGULAR CYCLICAL BI-YEARLY ZONING RECLASSIFICATION PROCEDURE BY CERTIFICATION OF THE BALTIMORE COUNTY PLANNING BOARD ON JULY 20, 1989 AND BY RESOLUTION OF THE BALTIMORE COUNTY COUNCIL DATED AUGUST 7, 1989 (ATTACHED). PURSUANT TO SECTION 2-58.1(1) OF THE BALTIMORE COUNTY CODE, THE COUNTY BOARD OF APPEALS HAS SET AN EARLY HEARING DATE OF THURSDAY, OCTOBER 5, 1989 AT 10:00 A.M. BECAUSE OF THE ACCELERATED PROCEDURE, YOU ARE REQUESTED TO EXPEDITE YOUR REVIEW AND FORWARD YOUR COMMENTS PRIOR TO THE HEARING DATE. IF YOU SHOULD NEED ADDITIONAL MATERIALS TO COMPLETE YOUR COMMENTS, YOU SHOULD CONTACT THE ENGINEER, ATTORNEY OR MYSELF IMMEDIATELY.

WCR:scj



County Council of Baltimore County
Court House, Towson, Maryland 21204
(301) 887-3155

COUNCIL

Ronald B. Hickernell
FIRST DISTRICT

Melvin G. Mintz
SECOND DISTRICT

Charles A. Rappaport, III
THIRD DISTRICT

Barbara F. Bachar
FOURTH DISTRICT

Norman W. Lenczewski
FIFTH DISTRICT

William R. Evans
SIXTH DISTRICT

Dale T. Vols
SEVENTH DISTRICT

Thomas Toporovich
SECRETARY

August 8, 1989

Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Dear Mr. Hackett:

Attached please find Resolution 33-89 approving the Planning Board's certification that the zoning reclassification petition filed on behalf of Mayor and City Council of Baltimore, owner and Shelter Development Corporation, contract purchaser, for a 9.94 acre parcel of land on Maiden Choice Lane should be exempted from the regular cyclical procedure of Section 2-58.1(c) through (h), inclusive, of the Baltimore County Code, 1978, 1987 Cumulative Supplement, as amended.

This Resolution was unanimously approved by the County Council at their meeting on Monday, August 7, 1989 and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Acting Secretary

TJP:dp
Enclosure

cc: The Honorable Ronald B. Hickernell
Mr. P. David Fields

RECEIVED
COUNTY BOARD OF APPEALS
AUG 9 1989
88 AUG 9 AM 9 44

Resolution No. 33-89

Ronald B. Hickernell, Councilman
By Request of County Executive

By the County Council, August 7, 1989

A RESOLUTION to approve the Planning Board's certification that the zoning reclassification petition filed on behalf of Mayor and City Council of Baltimore, owner and Shelter Development Corporation, contract purchaser, for a 9.94 acre parcel of land on Maiden Choice Lane should be exempted from the regular cyclical procedure of Section 2-58.1(c) through (h), inclusive, of the Baltimore County Code, 1978, 1987 Cumulative Supplement, as amended.

WHEREAS, the Planning Board, by Resolution dated January 19, 1989, has certified that early action on the Petition for Zoning Reclassification filed on behalf of Mayor and City Council of Baltimore and Shelter Development Corporation requesting a reclassification of the above described property would be in the public interest; and

WHEREAS, the County Council of Baltimore County, in accordance with the provisions of Section 2-58.1(i) may approve said certification and exempt the Petition for Zoning Reclassification from the regular cycle procedures of Section 2-58.1.

NOW THEREFORE, BE IT RESOLVED by the County Council of Baltimore County, Maryland, that the certification by the Planning Board that early action on the zoning Reclassification Petition filed on behalf of Mayor and City Council of Baltimore and Shelter Development Corporation be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the Board of Appeals shall schedule a public hearing on said Petition in accordance with Section 2-58.1(i) of the Baltimore County Code.

Baltimore County
Planning Board
Towson, Maryland 21204
301-3211

July 21, 1988



Hon. William R. Evans, Chairman
Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on
Reclassification Petition
(CR-90-73XA)

Dear Mr. Evans:

At its regular monthly meeting yesterday, the Baltimore County Planning Board voted, in accordance with Section 2-58.1(i) of the County Code, to certify to the County Council that early action upon the enclosed petition for zoning reclassification filed by Shelter Development Corporation (CR-90-73XA) is manifestly required in the public interest because of the urgency of increasing the supply of affordable housing for elderly persons in Baltimore County.

The County planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely yours,

P. David Fields
Secretary to the Planning Board

Enclosure

PDF:psf

cc: Members, Baltimore County Council
Frank C. Robey, Jr., Administrative Officer
Thomas Toporovich, Secretary-Administrator, County Council
J. Robert Haines, Zoning Commissioner
William T. Hackett, Chairman, Board of Appeals
Leslie M. Pittler, Director, Dept. of Community Dev.
Robert A. Hoffman, Esquire

EVANS/JMW

85:1 PM 42 706 68
RECEIVED
COUNTY BOARD OF APPEALS

Baltimore County
Office of Planning & Zoning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-3211

P. David Fields
Director

July 17, 1989

TO: Baltimore County Planning Board
FROM: P. David Fields
SUBJECT: Request for Certification - Shelter Development Corporation

The attached letter from Robert A. Hoffman, Esq., on behalf of Shelter Development Corporation, requests certification by the Planning Board for out-of-cycle action on a zoning reclassification petition to facilitate construction of housing for the elderly at a site on Maiden Choice Lane.

Section 2-58.1(i) of the County Code authorizes the Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle-zoning schedule for an earlier hearing.

This request for certification has been reviewed by OPZ staff, in consultation with the Department of Community Development. Without taking a position on the merits of the case, we recommend that the Board should certify that early action upon this zoning reclassification petition is manifestly required in the public interest because of the urgency of increasing the supply of affordable housing for elderly persons in Baltimore County.

PDF:psf

Attachment

P. David Fields

VENABLE, BAETJER AND HOWARD

BALTIMORE, MD
WASHINGTON, D.C.
MCLEAN, VA
ROCKVILLE, MD
BETHESDA, MD
210 ALLEGHENY AVENUE
P.O. BOX 8817
TOWSON, MARYLAND 21208-8817
(301) 887-4111
FAX (301) 887-0147

July 12, 1989

Mr. P. David Fields
Director of Planning
4th Floor Attorney Office Building
Towson, Maryland 21204

Re: Petition for Zoning Reclassification and
Special Exception
Maiden Choice Lane
First Councilmanic District
Shelter Development Corporation ("Shelter"),
Contract Purchaser

Dear Mr. Fields:

The subject property, owned by the Mayor and City Council of Baltimore, is located on Maiden Choice Lane, west of Wilkens Avenue, east of Frederick Avenue, and south of the U.S. National Cemetery. The property comprises approximately 9.94 acres and is currently zoned DR 5.5. Shelter seeks to have the subject property rezoned to DR 10.5 utilizing a documented site plan, to provide affordable elderly housing in the Catonsville community.

This project will consist of a 104-unit, 3-story, U-shaped, elevator building which will include a community room, a library, a television lounge, a laundry room, storage areas, and a large interior courtyard. The project financing will utilize the low-income tax credit legislation that was included in the 1986 Federal Tax Act. This legislation allows tax credits to the developer equal to approximately 9 percent of the eligible basis of the project over 10 years. To qualify for the credits the project must be occupied by persons with incomes less than 60 percent of the

Mr. P. David Fields
July 12, 1989
Page 2

area's median income, adjusted for family size, over a period of at least 15 years.

It has been and continues to be a primary focus of the County Executive and the County Council to provide affordable elderly housing for residents throughout Baltimore County. However, sufficient property with moderate density was not provided in this area to support housing for the elderly of the type proposed by the Petitioner. The County Council failed to adequately to appreciate the need for zoning to accommodate projects of this nature and accordingly erred in retaining DR 5.5 zoning at the subject location on the 1988 comprehensive map and not rezoning the property to DR 10.5.

Pursuant to Section 2-58.1 I. of the Baltimore County Code, the Planning Board may certify to the County Council that early action upon a zoning reclassification petition is manifestly required in the public interest or because of emergency. Because of the above-stated urgent need for affordable housing for the elderly, it is submitted that the public interest for early action upon this Zoning Reclassification Petition is clear. Moreover, if early action is not taken on this Petition for Reclassification, the tax credits available for the project in 1988 may not exist in 1989.

We are therefore, respectfully requesting that the Planning Board certify to the County Council that an early hearing on this zoning reclassification petition is in the public interest.

If you have any questions I will be attending the Planning Board meeting on July 20.

Yours truly,

Robert A. Hoffman

RAH:cns

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
FROM D.R. 5.5 TO D.R. 10.5 &
PETITION FOR SPECIAL EXCEPTION : OF BALTIMORE COUNTY
RE/S Malden Choice Lane between
Carroll Rd. & Garden Ridge Rd.
1st Election District
MAYOR & CITY COUNCIL OF BALTIMORE, Zoning Case No. CR-90-73-X
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 837-2188

I HEREBY CERTIFY that on this 17th day of August, 1989, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and Marilyn K. Duker, Shelter Development Corporation, Suite 500, 218 N. Charles St., Baltimore, MD 21201, Contract Purchaser.

95-5 W 17 AUG 68
RECEIVED
COUNTY BOARD OF APPEALS

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3353
J. Robert Haines
Zoning Commissioner

July 14, 1989



Dennis F. Rasmussen
County Executive

G. Scott Barhight, Esquire
Whiteford, Taylor & Preston
300 Lafayette Building
40 W. Chesapeake Avenue
Towson, MD 21204

RE: Proposed "Assisted
Living Facility" by Victoria
Corp., Baltimore City Highwood
Day Camp, 10 Acres N/S Malden
Choice Lane opposite Kenwood Avenue
Parcels #1917, 1439 - Tax Map #101
Block 10 and Lots 1-12 block 1
Catonsville Knolls 7/50.
1st Election District

Dear Mr. Barhight:

Reference is made to your letter of July 7, 1989 requesting an advisory opinion relative to the proposed "assisted living facility" by your client, Victoria Corporation.

As a follow up to our meeting, I will confirm the following points outlined in your letter.

1. That Section 432.1.A.2 permits assisted living facilities of four or more by special exception.
2. That 77 beds would be permitted on this site without seeking any density bonuses pursuant to Section 432.3.
3. That the special exception may be granted without proving that the property is an institutional use, under institutional ownership, or on a site containing at least 10 acres.
4. That a hearing is ordinarily scheduled within approximately three months from the date that a Petition for Special Exception is accepted for filing.

G. Scott Barhight, Esquire
Re: Highwood Day Camp
July 14, 1989
Page 2

Although not specifically requested, I would also confirm that the property as shown on the enclosed outline plan is currently zoned DR 5.5 on the 1988 zoning map number SWR (enclosed). Also, when a detailed plan of the proposal is available and all RTA (Residential Transition Area) requirements are addressed, unless the building and parking are located outside of the RTA area, access from Malden Choice Lane through a required RTA buffer will require a modification by Special Exception pursuant to Section 432.4.

If you have any further questions concerning the application or when and if detailed plans are available you should contact Carl Richards in the Development Control Section of this office for a review prior to any applications being filed.

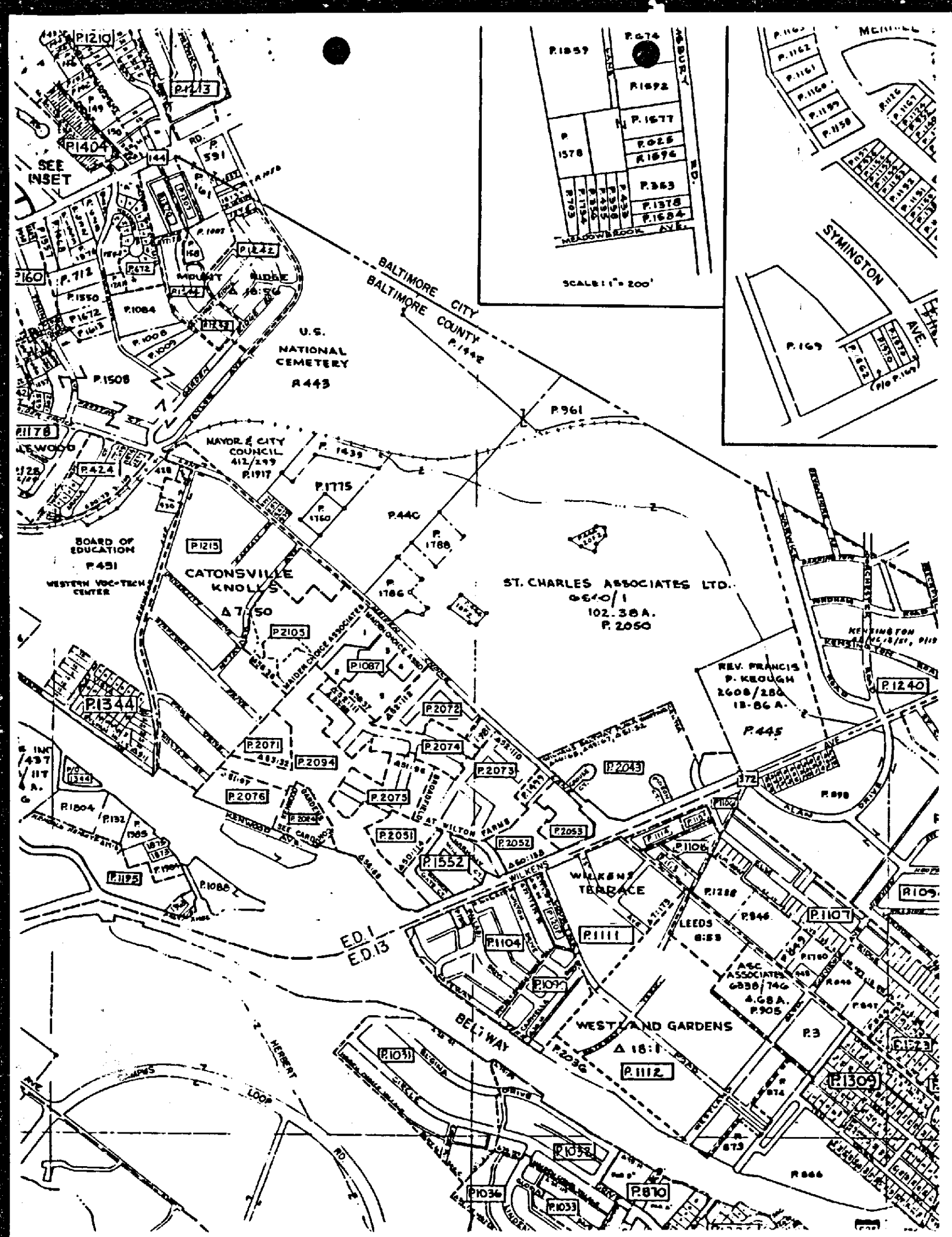
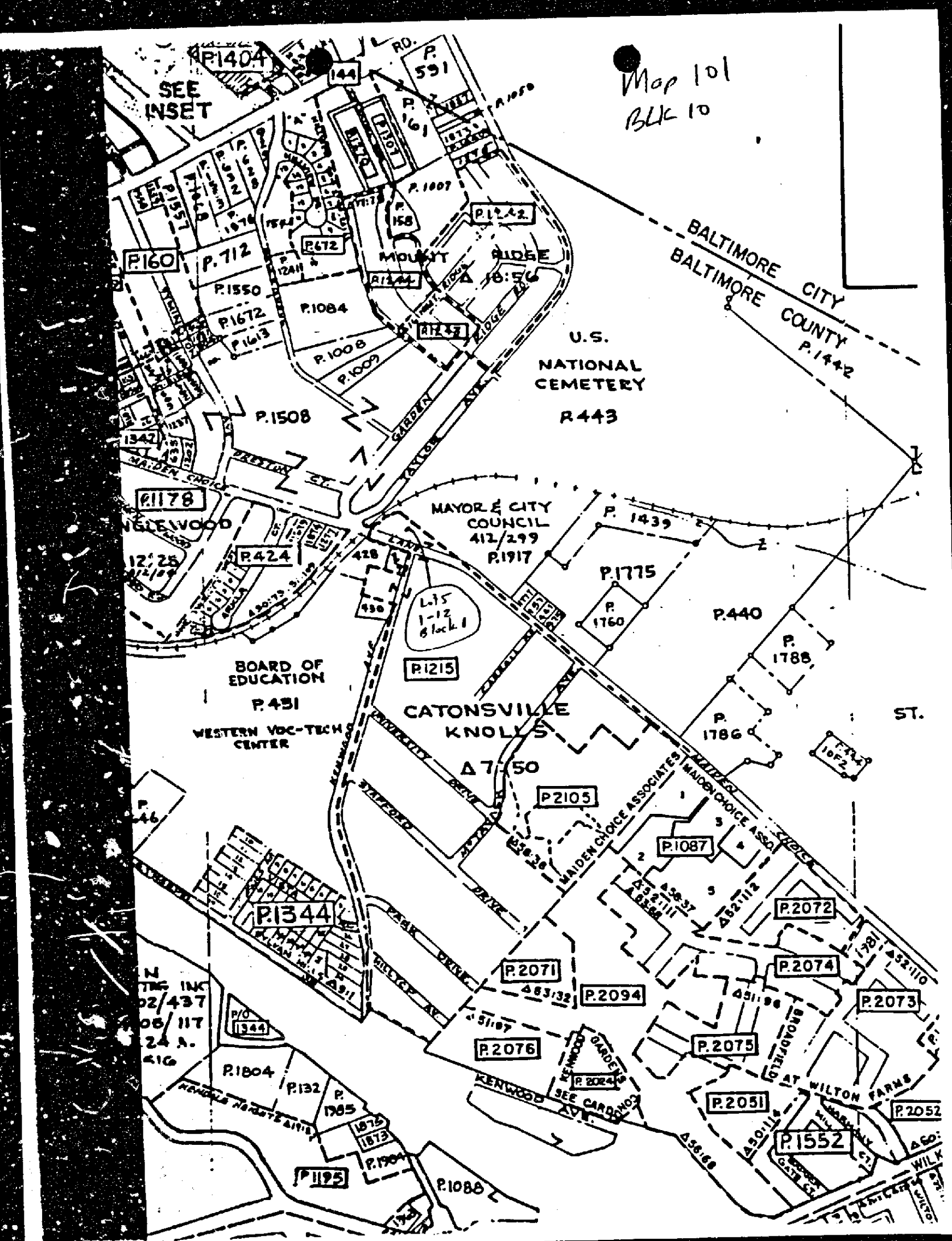
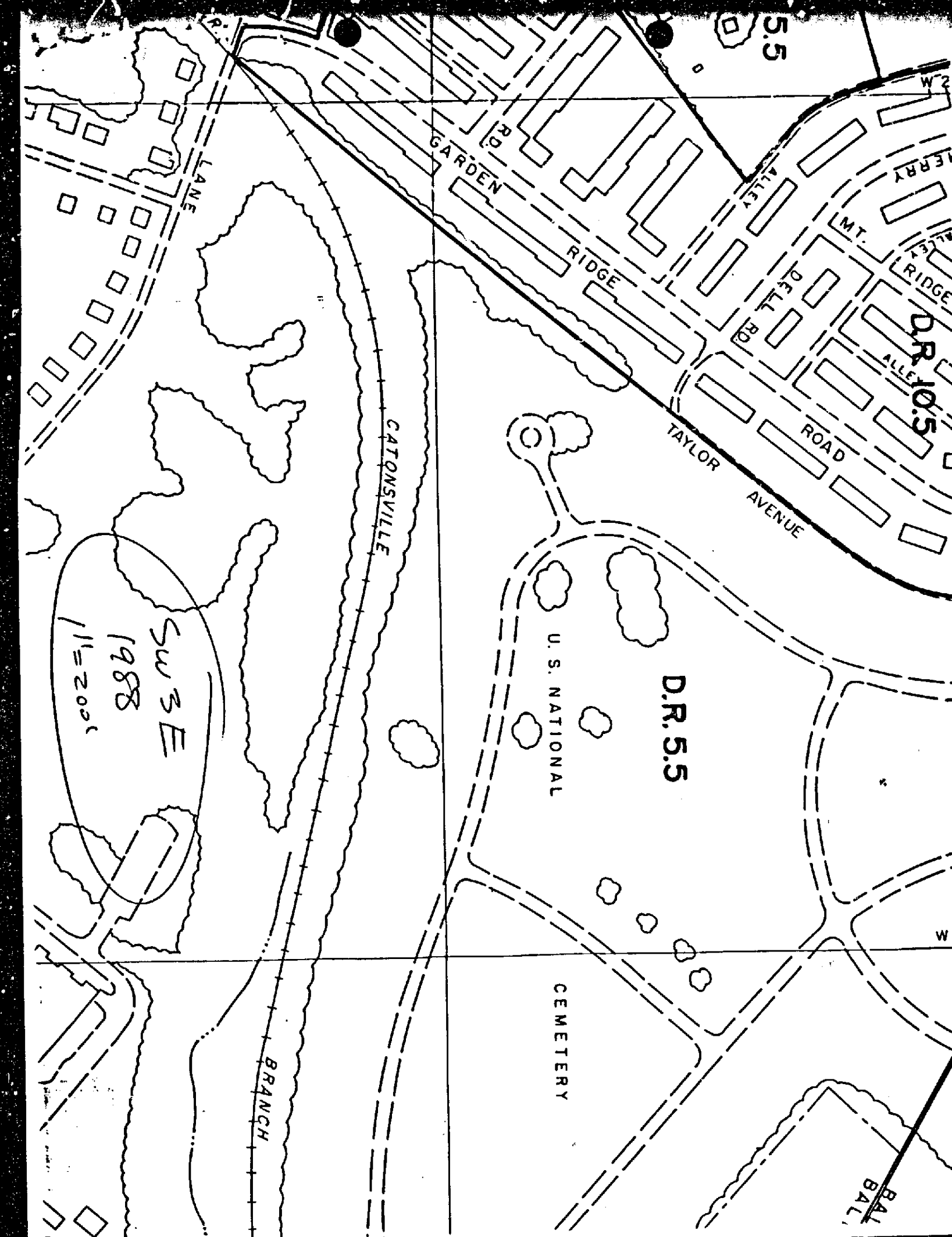
Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH/WCR/jaw

Enclosure

cc: Carl Richards



LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

SUITE 100
SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21201
TELEPHONE 301-341-4100

300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 832-2000
FAX: 301 832-2015

SUITE 400
300 N. WASHINGTON STREET, NW
WASHINGTON, D.C. 20004
TELEPHONE 202-637-0000

G. SCOTT BARHIGHT
DIRECT NUMBERS
301-832-2010

July 7, 1989

The Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Catonsville Development Property
(Highwood Day Camp Site)
Zoning Requirements

Dear Mr. Haines:

As we discussed earlier today, this office represents the Victoria Corporation regarding the above-referenced property. The Catonsville Development Property consists of five parcels owned by the Mayor and City Council of Baltimore. In early June, 1989, Baltimore City requested proposals for the purchase of this property. Baltimore City has represented that the property is zoned DR 5.5 and consists of approximately 9.97 acres. A copy of a plat provided by Baltimore City is enclosed.

The Victoria Corporation has placed a bid on the property and is proposing the development of an "assisted living facility" of approximately 77 beds pursuant to Bill 36-88.

Section 101 of the Baltimore County Zoning Regulations (BCZR) defines assisted living facilities consistent with Victoria Corporation's proposal. Section 101 also states that density for assisted living facilities shall be calculated at .25 for each bed. Since Victoria Corporation only contemplates 77 beds, and the site consists of approximately 9.97 acres, a "density bonus" pursuant to Section 432.3, BCZR, is not required.

Section 432.1.A.2, BCZR, permits assisted living facilities of four or more by special exception. Again, since Victoria Corporation is not seeking any density bonuses, the requirements of Section 432.3 which permit density increases on property containing "institutional or historic buildings" are not applicable. Therefore, the Victoria Corporation will not have to

The Honorable J. Robert Haines
July 7, 1989
Page 2

prove as a part of the petition for special exception that the property is an institutional use, under institutional ownership, or on a site containing at least 10 acres.

As I indicated during our meeting, we would appreciate a letter from your office confirming several key points, assuming that the property is zoned DR 5.5, that the proposed development will meet the definition of an "assisted living facility" and that the site consists of approximately 9.97 acres. Please confirm the following:

1. That Section 432.1.A.2 permits assisted living facilities of four or more by special exception.
2. That 77 beds would be permitted on this site without seeking any density bonuses pursuant to Section 432.3.
3. That the special exception may be granted without proving that the property is an institutional use, under institutional ownership, or on a site containing at least 10 acres.
4. That a hearing is ordinarily scheduled within approximately three months from the date that a Petition for Special Exception is accepted for filing.

Enclosed is a check made payable to Baltimore County, Maryland in the amount of \$35.00 as the fee for this advisory opinion. As this matter is of critical importance to the Victoria Corporation, we very much appreciate your time and attention to this matter. Should you have any questions or comments, please feel free to contact me.

Sincerely,
G. Scott Barhight
G. Scott Barhight

GSB:sb
Enclosure
cc: Mr. Richard J. Kendall
Robert S. Hillman, Esquire
Priscilla C. Caskey, Esquire

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

BALTIMORE, MD.
WASHINGTON, D. C.
HAGERSTOWN, MD.
ROCKVILLE, MD.
BETHESDA, MD.
FARMERS DIRECT NUMBER 8
(301) 494-9162

June 27, 1989

County Board of Appeals
of Baltimore County
Third Floor
County Office Building
Towson, Maryland 21204

Re: Petition for Zoning Reclassification and
Special Exception
Maiden Choice Lane
First Councilmanic District
Shelter Development Corporation ("Shelter"),
Contract Purchaser

Dear Board Members:

The subject property, owned by the Mayor and City Council of Baltimore, is located on Maiden Choice Lane, west of Wilkens Avenue, east of Frederick Avenue, and south of the U.S. National Cemetery. The property comprises approximately 9.94 acres and is currently zoned DR 5.5. Shelter seeks to have the subject property rezoned to DR 10.5, utilizing a documented site plan, to provide affordable elderly housing in the Catonsville community.

This project will consist of a 104-unit, three-story, U-shaped, elevator building, which will include a community room, a library, a television lounge, a laundry room, storage areas, and a large interior courtyard. The project financing will utilize the low-income tax credit legislation that was included in the 1986 Federal Tax Act. This legislation allows tax credits to the developer equal to approximately 9% of the eligible basis of the project over ten years. To qualify for the credits, the project must be occupied by persons with incomes less than 60% of the area's median income, adjusted for family size, over a period of at least 15 years.

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RECEIVED
COUNTY BOARD OF APPEALS

County Board of Appeals
of Baltimore County
June 27, 1989
Page Two

It has been and continues to be a primary focus of the County Executive and the County Council to provide affordable elderly housing for residents throughout Baltimore County. However, sufficient property with moderate density was not provided in this area to support housing for the elderly of the type proposed by the Petitioner. The County Council failed adequately to appreciate the need for zoning to accommodate projects of this nature and accordingly erred in retaining DR 5.5 zoning at the subject location on the 1988 Comprehensive Map.

The property abuts the south side of the Pennsylvania Railroad's Catonsville branch; the Little Sisters of the Poor are on the east; and the Garden Ridge Apartments are on the west. Moreover, the property is being purchased by the County Council from the Mayor and City Council of Baltimore. Had the County Council been aware that the property was being returned to the tax rolls and was suitable for development by the private sector, surely the Council would have provided an extension of the DR 10.5 zone currently located to the west to include this property. The Council erred in not making this extension and not providing adequate density for affordable housing for the elderly in an ideal location - at a site adjacent to apartments and an entrance to the parking area of the north, and an institutional use (The Little Sisters of the Poor Nursing home facility and residences for the Sisters) on the east.

Additionally, the development under the documented site plan requires a special exception to waive the RTA requirements to permit a portion of the building to be 40 feet in lieu of the 35 foot requirement and an entrance to the parking area in the RTA buffer area. The elements of the Special Exception will be met at the hearing.

It is therefore respectfully submitted that the subject property should be reclassified to DR 10.5 in accordance with the documented site plan.

Very truly yours,

Robert A. Hoffman
Robert A. Hoffman

RAH/jhr

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW

BALTIMORE, MD.
WASHINGTON, D. C.
HAGERSTOWN, MD.
ROCKVILLE, MD.
BETHESDA, MD.
FARMERS DIRECT NUMBER 8
(301) 494-9162

July 12, 1989

Mr. P. David Fields
Director of Planning
4th Floor Attorney Office Building
Towson, Maryland 21204

Re: Petition for Zoning Reclassification and
Special Exception
Maiden Choice Lane
First Councilmanic District
Shelter Development Corporation ("Shelter"),
Contract Purchaser

Dear Mr. Fields:

The subject property, owned by the Mayor and City Council of Baltimore, is located on Maiden Choice Lane, west of Wilkens Avenue, east of Frederick Avenue, and south of the U.S. National Cemetery. The property comprises approximately 9.94 acres and is currently zoned DR 5.5. Shelter seeks to have the subject property rezoned to DR 10.5 utilizing a documented site plan, to provide affordable elderly housing in the Catonsville community.

This project will consist of a 104-unit, 3-story, U-shaped, elevator building which will include a community room, a library, a television lounge, a laundry room, storage areas, and a large interior courtyard. The project financing will utilize the low-income tax credit legislation that was included in the 1986 Federal Tax Act. This legislation allows tax credits to the developer equal to approximately 9 percent of the eligible basis of the project over 10 years. To qualify for the credits the project must be occupied by persons with incomes less than 60 percent of the

Mr. P. David Fields
July 12, 1989
Page 2

area's median income, adjusted for family size, over a period of at least 15 years.

It has been and continues to be a primary focus of the County Executive and the County Council to provide affordable elderly housing for residents throughout Baltimore County. However, sufficient property with moderate density was not provided in this area to support housing for the elderly of the type proposed by the Petitioner. The County Council failed to adequately to appreciate the need for zoning to accommodate projects of this nature and accordingly erred in retaining DR 5.5 zoning at the subject location on the 1988 Comprehensive Map and not rezoning the property to DR 10.5.

Pursuant to Section 2-58.1 I. of the Baltimore County Code, the Planning Board may certify to the County Council that early action upon a zoning reclassification petition is manifestly required in the public interest or because of emergency. Because of the above-stated urgent need for affordable housing for the elderly, it is submitted that the public interest for early action upon this Zoning Reclassification Petition is clear. Moreover, if early action is not taken on this Petition for Reclassification, the tax credits available for the project in 1988 may not exist in 1989.

We are therefore, respectfully requesting that the Planning Board certify to the County Council that an early hearing on this zoning reclassification petition is in the public interest.

If you have any questions I will be attending the Planning Board meeting on July 20.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

RAH:cns

Baltimore County
Office of Planning & Zoning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-3211

P. David Fields
Director

July 17, 1989

TO: Baltimore County Planning Board

FROM: P. David Fields

SUBJECT: Request for Certification - Shelter Development Corporation

The attached letter from Robert A. Hoffman, Esq., on behalf of Shelter Development Corporation, requests certification by the Planning Board for out-of-cycle action on a zoning reclassification petition to facilitate construction of housing for the elderly at a site on Maiden Choice Lane.

Section 2-58.1(i) of the County Code authorizes the Board to certify to the County Council that expedited scheduling of a reclassification hearing by the Board of Appeals "is manifestly required in the public interest or because of emergency." Neither the certification by the Planning Board nor a concurrence by the County Council would constitute an opinion on the merits of the petition; the effect is simply to take the petition out of the normal cycle-zoning schedule for an earlier hearing.

This request for certification has been reviewed by GFD staff, in consultation with the Department of Community Development. Without taking a position on the merits of the case, we recommend that the Board should certify that early action upon this zoning reclassification petition is manifestly required in the public interest because of the urgency of increasing the supply of affordable housing for elderly persons in Baltimore County.

P. David Fields
P. David Fields

PDF:ef

Attachment

Baltimore County
Planning Board
Towson, Maryland 21204
494-3211

RECEIVED
JUL 24 1989

ZONING OFFICE

July 21, 1988

Hon. William R. Evans, Chairman
Baltimore County Council
County Courthouse
Towson, Maryland 21204

Re: Certification on
Reclassification Petition
(CR-90-73XA) FILE

Dear Mr. Evans:

At its regular monthly meeting yesterday, the Baltimore County Planning Board voted, in accordance with Section 2-58.1(i) of the County Code, to certify to the County Council that early action upon the enclosed petition for zoning reclassification filed by Shelter Development Corporation (CR-90-73XA) is manifestly required in the public interest because of the urgency of increasing the supply of affordable housing for elderly persons in Baltimore County.

The County planning staff will be pleased to assist the Council in the consideration of this matter.

Sincerely yours,

P. David Fields
P. David Fields
Secretary to the Planning Board

Enclosure

PDF:pat

cc: Members, Baltimore County Council
Frank C. Robey, Jr., Administrative Officer
Thomas Toporovich, Secretary-Administrator, County Council
J. Robert Haines, Zoning Commissioner
William T. Hackett, Chairman, Board of Appeals
Leslie M. Pittler, Director, Dept. of Community Dev.
Robert A. Hoffman, Esquire

EVANS/JWM

MAIDEN CHOICE LANE
ELDERLY AFFORDABLE HOUSING
ENVIRONMENTAL IMPACT STATEMENT
JUNE 27, 1989



August 31, 1989

NOTICE OF HEARING

Petition for Zoning Reclassification and Special Exception
Case No. CR-90-73-X
NE/S Maiden Choice Lane between Carroll Road and Garden Ridge Road
1st Election District - 1st Councilmanic
Legal Owner(s): Mayor and City Council of Baltimore
Contract Purchaser(s): Shelter Development Corporation

Beginning for the same at the intersection of the second of the two following courses and distances measured from the intersection of the centerline of Kenwood Avenue with the centerline of Maiden Choice Lane, (1) Northwest 220 feet, more or less, measured along the centerline of Maiden Choice Lane, and thence running at right angles to said centerline (2) Northeast 170 feet, more or less, to the point of beginning, being on the north side of Maiden Choice Lane, thence leaving said point of beginning and the north side of Maiden Choice Lane and running with all courses of this description referred to the Meridian of a deed dated July 2, 1913 and recorded among the Land Records of Baltimore County, Maryland in Liber W.F.C. 412, Folio 299, (1) North 55 degrees 40 minutes 00 seconds East 160.59 feet, thence (2) South 45 degrees 00 minutes 00 seconds East 23.50 feet, thence (3) North 69 degrees 00 minutes 00 seconds East 82.50 feet, thence (4) North 75 degrees 00 minutes 00 seconds East 90.75 feet, thence (5) North 80 degrees 45 minutes 00 seconds East 115.50 feet, thence (6) North 83 degrees 15 minutes

00 seconds East 82.50 feet, thence (7) North 82 degrees 45 minutes 00 seconds East 132.00 feet, thence (8) South 78 degrees 30 minutes 00 seconds East 158.00 feet, thence (9) South 75 degrees 30 minutes 00 seconds East 206.25 feet, thence (10) South 70 degrees 45 minutes 00 seconds East 100.65 feet, thence (11) South 70 degrees 09 minutes 16 seconds East 310.68 feet, thence (12) South 68 degrees 42 minutes 47 seconds East 149.32 feet, thence (13) South 76 degrees 47 minutes 26 seconds East 61.93 feet, thence (14) South 84 degrees 02 minutes 43 seconds East 22.97 feet, thence (15) South 72 degrees 47 minutes 20 seconds East 23.64 feet, thence (16) South 44 degrees 30 minutes 00 seconds West 142.45 feet, thence (17) North 72 degrees 26 minutes 16 seconds West 461.57 feet, thence (18) South 44 degrees 30 minutes 00 seconds West 252.98 feet, thence (19) North 45 degrees 10 minutes 00 seconds West 100.00 feet, thence (20) South 44 degrees 30 minutes 00 seconds West 315.00 feet, thence (21) North 45 degrees 00 minutes 00 seconds West 278.35 feet, thence (22) North 51 degrees 23 minutes 00 seconds West 113.86 feet, and thence (23) North 65 degrees 45 minutes 00 seconds West 403.86 feet to the point of beginning, containing 9.94 acres of land, more or less.

Petition to reclassify the property from an D.R.5.5 to an D.R. 10.5 zone.

Special Exception for a waiver from complete compliance with all restrictions of Section 1801.1.B.1.b so as to permit the required buffer area to contain the proposed entrance to a parking area and so as to permit a building height of 40 feet in lieu of the required 35 feet.

TIME: 10:00 a.m.

DATE: THURSDAY, October 5, 1989

LOCATION: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Page 2

September 28, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John B. Howard, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 90-73-X
Petitioner: Mayor & City Council of Baltimore
Reclassification Petition

Dear Mr. Howard:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October-April reclassification cycle (Cycle V). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and/or commenting agencies' standards and policies, you are requested to review these comments, make your own judgment as to their accuracy and submit the necessary amendments to this office on or before October 26, 1989. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

In view of the fact that the submitted site plan does not indicate a proposed use at this time, the comments from this Committee are general in nature. If the request is granted and an additional hearing is required at a later date, more detailed comments will be submitted at that time.

If you have any questions concerning the enclosed comments, please feel free to contact the Zoning Office at 867-3391 or the commenting agency.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. John J. Hentschel, Jr.
Ms. Marilyn K. Duker

cc:

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 887-3554

August 25, 1989

Mr. William T. Hackett
Chairman, Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Zoning Case No. CR-90-73-X
Legal Owner:
Contract Purchaser:
Location:

Existing Zoning:
Proposed Zoning:

Area:
District:

Dear Mr. Hackett:

The existing D.R.-5.5 zoning can be expected to generate approximately 562 vehicle trips per day. The proposed D.R.-10.5 zoning can be expected to generate approximately 884 vehicle trips per day. The proposed 104 elderly housing units can be expected to generate approximately 343 vehicle trips per day.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MEF/lw

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2886
(301) 887-4500

August 23, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MAYOR AND CITY COUNCIL OF BALTIMORE

Location: NE/S MAIDEN CHOICE LANE BETWEEN CARROLL ROAD AND GARDEN RIDGE ROAD

Item No.: CR-39-73-X Zoning Agenda: AUGUST 23, 1989

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet intervals along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Additional fire hydrant required at entrance drive and Maiden Choice Lane also relocate on-site fire hydrant on island on southwest side of building.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Building has poor access for fire apparatus. Building shall be within 30 feet of paved road and have paved access on east side of building.

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", 1988 edition prior to occupancy.

REVIEWER: Noted and Approved
Planning Group
Special Inspection Division

JK/kek

AUG 28 1989

BALTIMORE COUNTY, MARYLAND

Inter-office Correspondence

TO: William T. Hackett, Chairman DATE: March 12, 1990
Baltimore County Board of Appeals

FROM: James E. Dyer
Zoning Supervisor

SUBJECT: Case # C.R.-90-73-X (Documented Site Plan)
(Out of Cycle Reclassification)
Application of Mayor and City Council of Baltimore/
Shelter Development Corporation (New Name: Park Canton)

This correspondence is in reference to our review of a refinement to the above documented site plan brought about as a result of C.R.G. review and approval.

We believe the changes having to do with the location of local open space, grading, parking, and building footprint are of a minor nature. Attached hereto is a plan showing these changes. Please review and advise as to whether or not your concur with our conclusions.

William T. Hackett
Concurrence/Approval

(Please return this memo and attached plan to the Zoning Office for filing in Case File No. C.R.-90-73-X)

JED/jat

cc: Peter A. Paff, Public Services Bureau

CR-90-73-X

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
3/18/89
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204
Zoning Item # CR-90-73-X
Property Owner: Mayor and City Council of Baltimore
Location: NE/S Maiden Choice Lane District: 1
Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chiller generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Material and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____ must be _____ conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2162.
- () Others _____

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

- The actual trips per day generated by the proposed development would not be significantly more than a similar use in a D.R. 5.5 zone.
- The zoning history of the property has not changed since 1971.
- Public water and sewer service is available to the site.
- County Review Group will be required, if the petitioners request is granted. The rezoning, if approved, should be contingent upon meeting CRG and any revisions to the plan as a result of CRG should be accommodated.
- The County does not usually review City owned property located within the County because comprehensive zoning is generated by development interests, County, or community concern. Based upon community need and the service that such a facility would serve, staff recommends that the subject request be granted.

Site Description

The site is currently unimproved with the exception of some stone foundations and roads that were used when Baltimore City operated a day camp (closed for over a decade).

Much of the site is covered with scrub vegetation and secondary growth. There are several specimen oaks located along the southwestern portion of the property. An existing vegetated buffer exists between the railroad right-of-way and the National Cemetery.

Traffic/Roads

Malden Choice Lane has two travel lanes on a 30-foot right-of-way. The posted speed limit is 30 miles per hour. The proposed use can be expected to generate 343 A.D.T.S. (average daily trips) per day.

Properties in the Vicinity

The subject property is bounded by the United States National Cemetery and the Pennsylvania Catonsville Branch Railroad right-of-way to the south.

Existing single-family detached housing lies to the north of the site and the Mount Ridge Apartments are located to the east.

The Saint Martin's Home for the Aged Little Sisters of the Poor is located just west of the subject site.

Water/Sewer

The parcel is served by public water and sewer. The area is designated as W-1, S-1 (existing service area) according to the Master Water and Sewer Plan.

Documented Site Plan

The documented site plan indicates a three-story, u-shaped elevator building containing 104 units. Possible accessory uses include the following:

- Administrative/management building; ground maintenance and laundry facilities.
- Common recreation/meeting room with kitchen.
- Lounges, card and game rooms and other common facilities for the use of residents and their guests.
- Separate storage space for the use of residents outside of their apartments.

The maximum permitted units for a parcel in a D.R. 10.5 zone of this size would be 104 units. Fifty-four dwelling units would be permitted on a parcel of this size in a D.R. 5.5 zone. The plan indicates that a more than adequate amount of parking will be provided on site.

Approved/Proposed Plans

The petitioner's site is located in the southwestern region of Baltimore County. This area lies outside of the Catonsville, Arbutus, Lansdowne, Halethorpe Study areas.

The County recognizes the need for this particular type of development as proposed by the applicant. With regard to elderly housing, the draft 1989 Master Plan has established the following policy: "The citizens of Baltimore County should be made to assist special groups such as the elderly..." Furthermore, an action of this plan under the Community Development heading states, "As a part of future refinements of zoning and other land use control, consider options such as density unit bonuses, new types and configurations of housing, planned retirement developments and revisions to the regulations for Planned Unit Developments."

Serving a necessary function in the community, the Saint Martin's Home for the Aged Little Sisters of the Poor and the Charlestown Retirement Community are both located on Malden Choice Lane, just west of the petitioner's site. These facilities complement the general community because each site was developed and landscaped to meet high standards. The immediate area of the petitioner's site is served by existing medical facilities and retail shopping. The Medical Facilities are located on the south side of Malden Choice Lane, approximately 1/2 of a mile from the site. The Wilkens Beltway Plaza is located on the southeast corner of Wilkens Avenue and Malden Choice Lane.

Recommendation

For the reasons stated above, the Office of Planning and Zoning recommends that the petitioner's request be granted.

Land Planning & Development Consultants

March 1, 1990

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Alleghany Avenue
P.O. Box 5517
Towson, Maryland 21285-5517

Re: Shelter/Malden Choice
Documented Site Plan
Project No. 89081.A

Dear Rob:

Enclosed are copies of the documented site plan for the subject property, which were approved by the Board of Appeals in Case CR-98-73-X, and a proposed amended CRG Plan, which is being reviewed for administrative approvals.

Carl Richards has declined to provide zoning clearance for the amended CRG Plan, because it is not identical to the documented plan reviewed and accepted by the board with the rezoning. Carl refused to recognize that the documented plan was based on a precise building envelope that provides for and covers the proposed building and its uses, entrances, driveways, and building setbacks. He will not consider Notes 8, 9, 12, 13, 14, and 17 all of which established maximum or minimum standards and were intended to provide the needed and appropriate developmental flexibility authorized by the county code. Note 17 states that the documented site plan and its details are conceptual and are subject to modifications by CRG. Other notes indicate other possible flexibility within the precise envelope relative to grading, landscaping, topography, and grading, building footprints and details.

The amended CRG Plan merges two stormwater management ponds into one (topography and grading), redesignates local open space as required by CRG, and refines the parking area to provide for more internal greenery and easier driving for elderly residents. All of these revisions are within the maximum building envelope shown on the documented site plan.

It is my opinion that these changes are not violative of the documented site plan, and are authorized without further action by the Board of Appeals. Carl disagrees and states he needs official concurrence from the board.

RECEIVED MAR - 2 1990

Andrew Aulde
October 5, 1989
Page Two

In order to project the additional traffic that will be generated by the development of the proposed housing project, The Traffic Group, Inc. conducted 24-hour volume counts at another Shelter Development facility in the area. This facility was located along College Parkway and contained 172 dwelling units. The Traffic Group, Inc. conducted counts at the driveways to this facility for a three day period, and the results of these counts are also contained in the Appendix to this report. Using the results obtained from the study of the College Parkway site, a trip generation analysis was prepared for the proposed site and this analysis is presented on Exhibit A of this letter.

The trip generation analysis shows that the subject site will generate a minimal amount of traffic. During the morning and evening peak hours, 18 and 73 trips are projected, respectively. For a 24-hour total, 267 daily trips are projected as a result of the development of the Shelter Development property.

It is noted that the additional trips projected to be generated by the Shelter Development property are not significant and would not change the levels of service along the road system in the study area.

Under the existing DR-5.5 zoning, approximately 55 townhouse dwelling units could be constructed on the site, which would generate at least 500 trips per day. This analysis shows that the proposed use of the subject site results in a fifty percent (50%) reduction in trips from that which could be expected under the current zoning of the subject property.

The Traffic Group, Inc. also reviewed the prepared site plan and conducted an evaluation of the sight distance at the proposed access location along Malden Choice Lane. Malden Choice Lane has a posted speed limit of 25 MPH in the vicinity of the site and a required sight distance of 350 feet in each direction along Malden Choice Lane is necessary. Based on a field review of the location of the site access point, it was determined that the site access is located on the crest of a hill and provides for good sight distance in both directions, in excess of 500 feet both northbound and southbound along Malden Choice Lane.

The data and analyses presented in this letter have illustrated that the proposed rezoning of the subject property and subsequent development of a maximum of 104 elderly housing units will not have an adverse impact on the surrounding area road system. Acceptable traffic conditions currently exist and are projected to remain in the study area. Furthermore, the proposed use of

Robert A. Hoffman, Esquire
Page 2
March 1, 1990

Time is of the essence and we need to resolve the issues quickly. Please take care of this.

Very truly yours,

George R. Gavreilis
George R. Gavreilis
Vice President

CRG/lmr

Enclosures

cc: Mr. Andrew Aulde, Shelter
Mr. W. Carl Richards, Zoning Coordinator

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 14, 1989.

THE JEFFERSONIAN
and
CATONSVILLE TIMES

S. Zebe Orlean

Publisher

PO 17143
reg. M3499
price \$157.53

TRUSTEES' SALE
OF
IMPROVED DWELLING
PROPERTY
17143
17143
17143

Andrew Aulde
October 5, 1989
Page Three

the subject site is projected to result in fewer trips than would be expected from the development of the subject site as currently zoned.

Sincerely,

Mickey A. Cornelius

Mickey A. Cornelius, P.E.

MAC/lmr

cc: Wes Guckert

(dl2)

BAI MORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold F. (Pat) Keller, III, Deputy Director
TO: Office of Planning & Zoning Date: September 27, 1989

Leslie M. Pittler, Director
FROM: Department of Community Development

Zoning Reclassification Case #CR90-73X,
SUBJECT: Shelter Development Corporation

Shelter Development Corporation, the contract purchaser of a 9.9 acre site on Malden Choice Lane in Catonsville, has submitted a petition for an out-of-cycle zoning reclassification of that parcel from Density Residential 5.5 to Density Residential 10.5. This request is based on Shelter Development's interest in the construction of 101 units of housing for the elderly on that parcel.

Shelter Development has discussed their development plans with this department, as they intend to utilize state and local funds for development financing in order that the apartments constructed would be affordable to moderate income seniors. We have agreed to provide to the developer contingent upon approval of the County Council, \$500,000 in Community Development Block Grant funds as a low interest loan for property acquisition. The project would also be eligible, again contingent on County Council approval, for a property tax deferral to further enable project feasibility. Combined with State Rental Housing Production Program funds and federal low-income housing tax credits, this assistance would allow all of the proposed apartments to house elderly households with income below 60 percent of the area median income.

We support Shelter Development's request for a zoning reclassification because of the tremendous public purpose which the proposed development would serve. There is a dramatic and growing need for affordable senior housing in Baltimore County, a need which is especially great in the Catonsville area. Shelter Development, with similar state and local assistance, is successfully developing a 101 unit elderly facility in Dundalk. We are quite impressed by and thankful for that firm's commitment to affordable senior housing and I am hopeful that their plans for the Malden Choice Lane site will be realized.

THE TRAFFIC GROUP, INC.

414 East Joppa Road
Towson, Maryland 21204
Telephone: 204-583-8405
Telecopier 301-321-8458

October 5, 1989

Shelter-Can American
Andrew Aulde
218 North Charles Street
Suite 500
Baltimore, Maryland 21201

RE: Shelter Development-Malden Choice Lane
Our Job No.: 90914

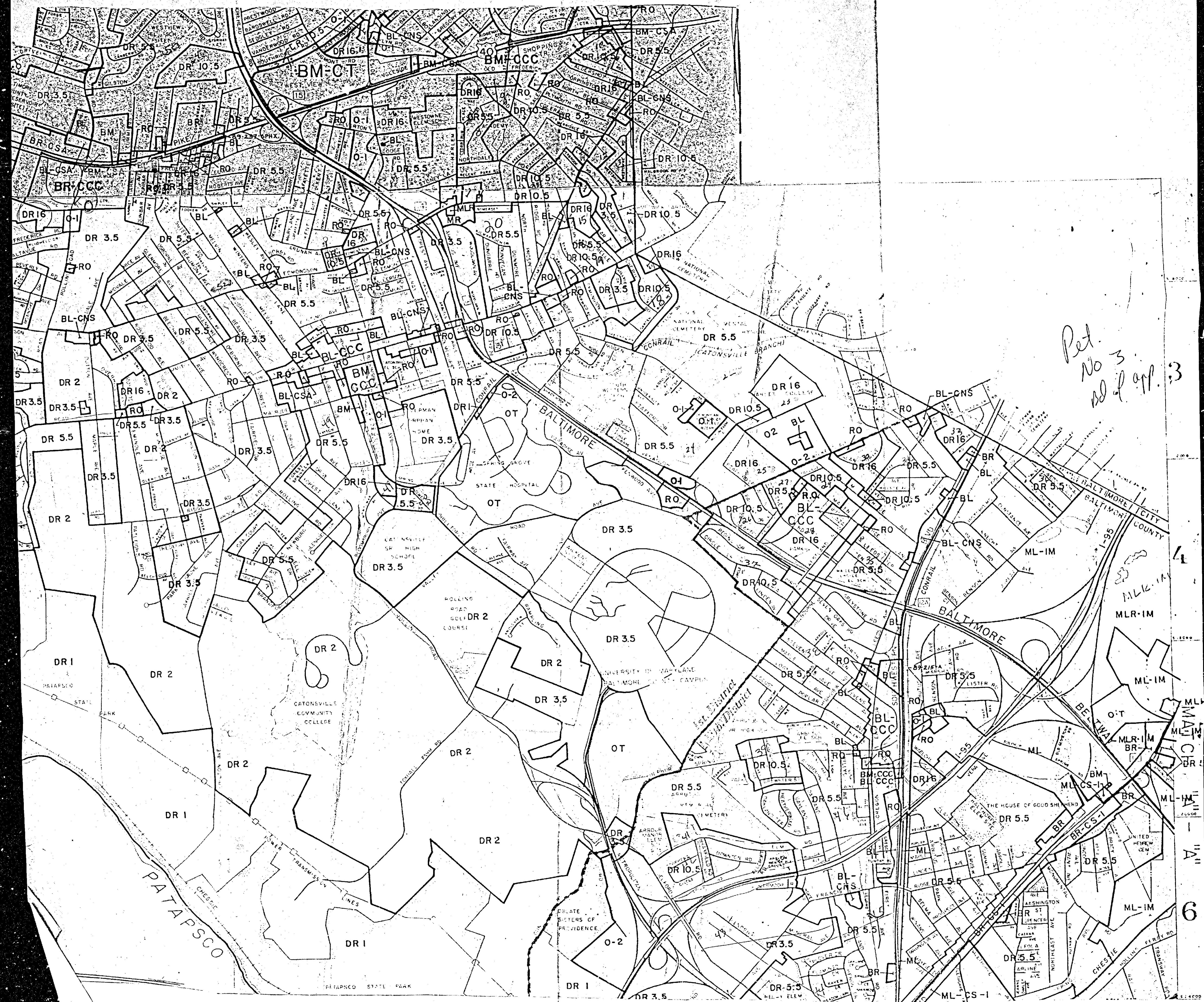
Dear Andy:

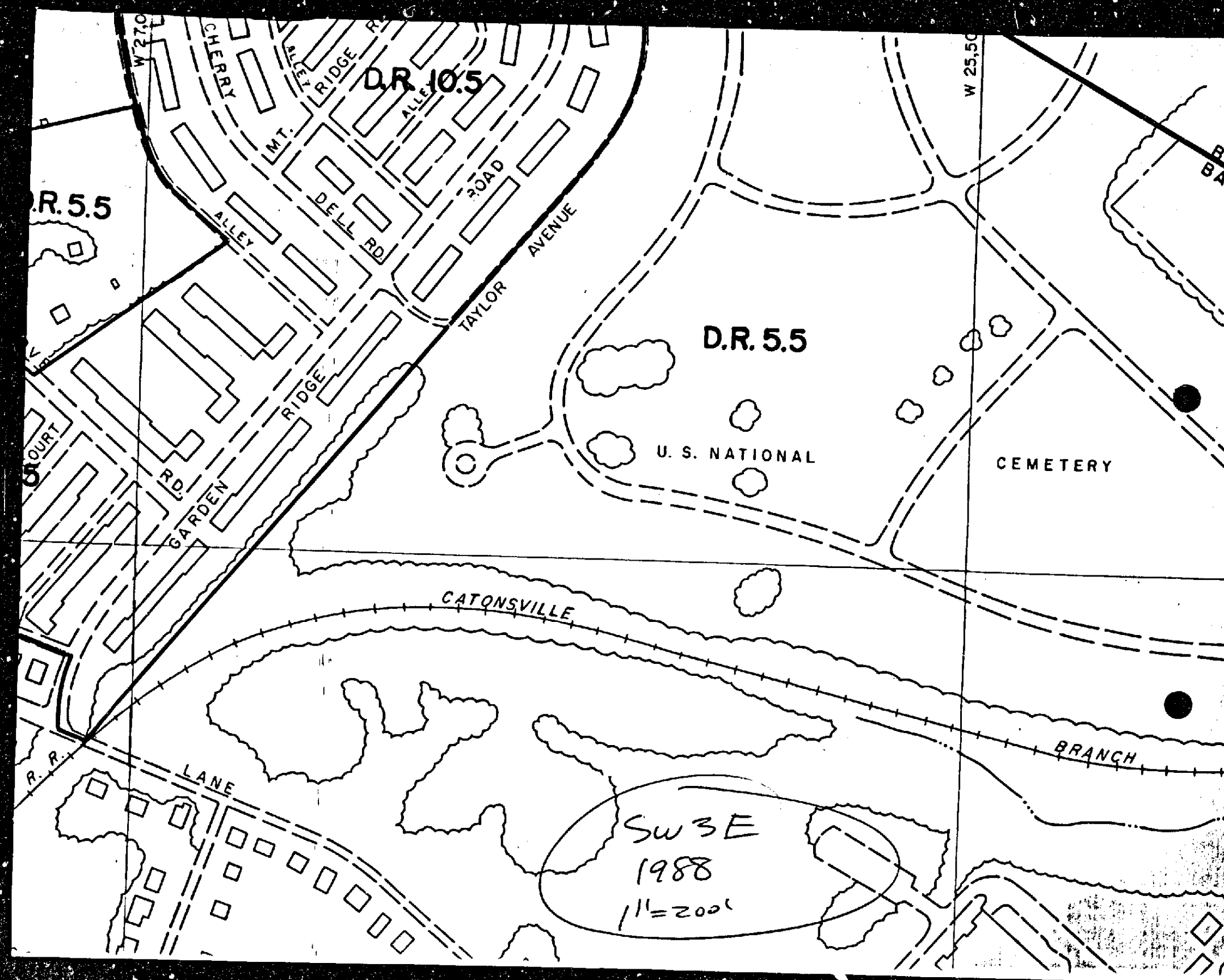
As you requested, The Traffic Group, Inc. has conducted an evaluation of the proposed impact of the development of the Shelter-Can American property along Malden Choice Lane and its impact on the surrounding area road system. Our analyses have indicated that the proposed development of the Shelter property will not have an adverse impact on the surrounding area road system.

The proposed site is located along the north side of Malden Choice Lane, approximately seven-tenths of a mile west of Wilkens Avenue in Baltimore County, Maryland. The proposed site is planned to be developed with a maximum of 104 affordable housing residential units. Access to the subject property is planned at one location along Malden Choice Lane.

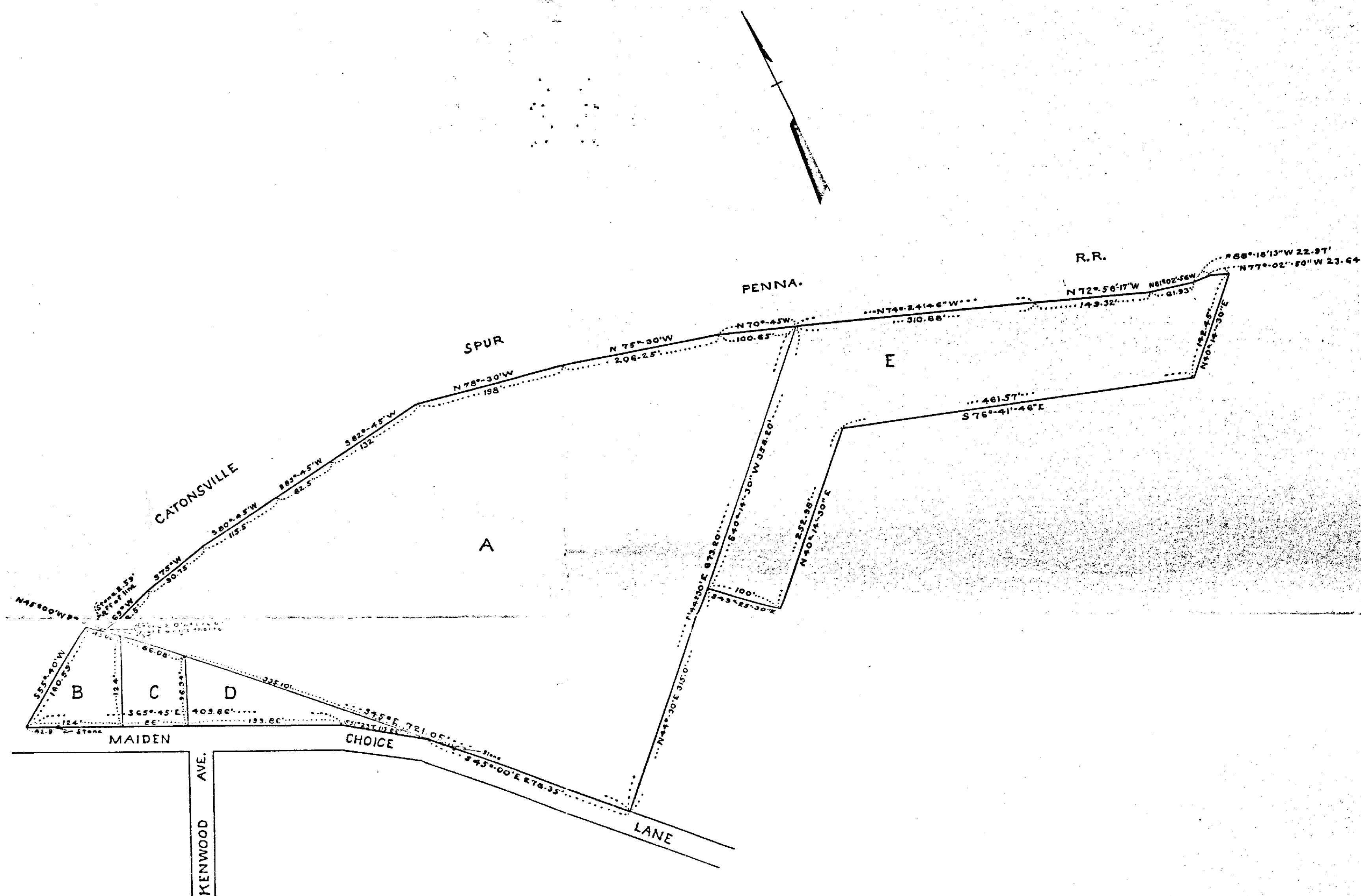
The Traffic Group, Inc. conducted an intersection turning movement count from 7-9 AM and 4-6 PM at the intersection of Wilkens Avenue and Malden Choice Lane which was identified as the key intersection in the study area. Based on the existing peak hour volumes and current lane use at this intersection, the intersection of Malden Choice Lane with Wilkens Avenue was shown to operate at good Levels of Service "A" during the morning peak hour and "B" during the evening peak hour. The capacity worksheet for this analysis is attached to the Appendix of this letter.

A review of information obtained from Baltimore County indicates that their records also reflect similar Level of Service "B" conditions at the intersection of Malden Choice Lane and Wilkens Avenue.





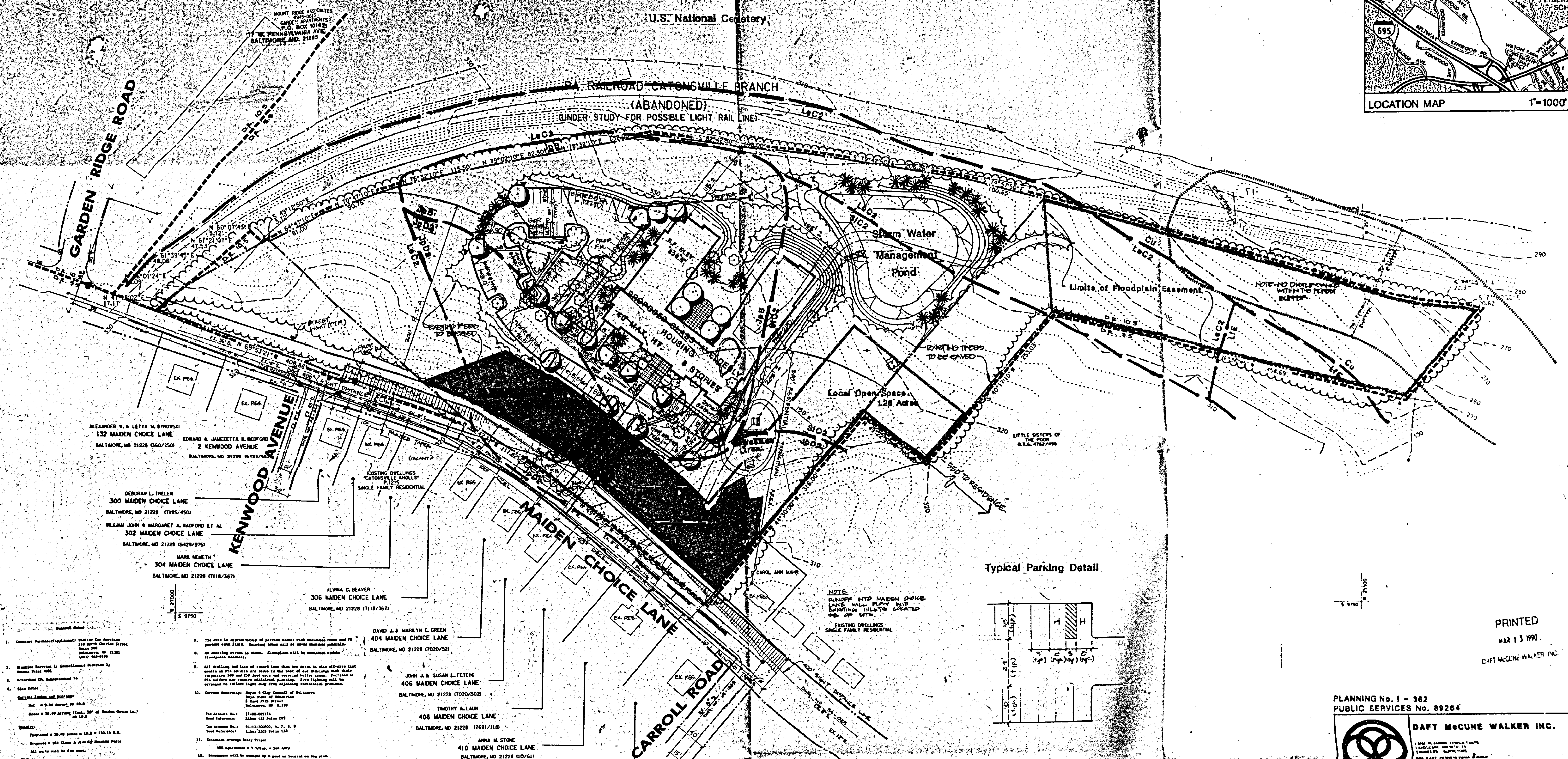
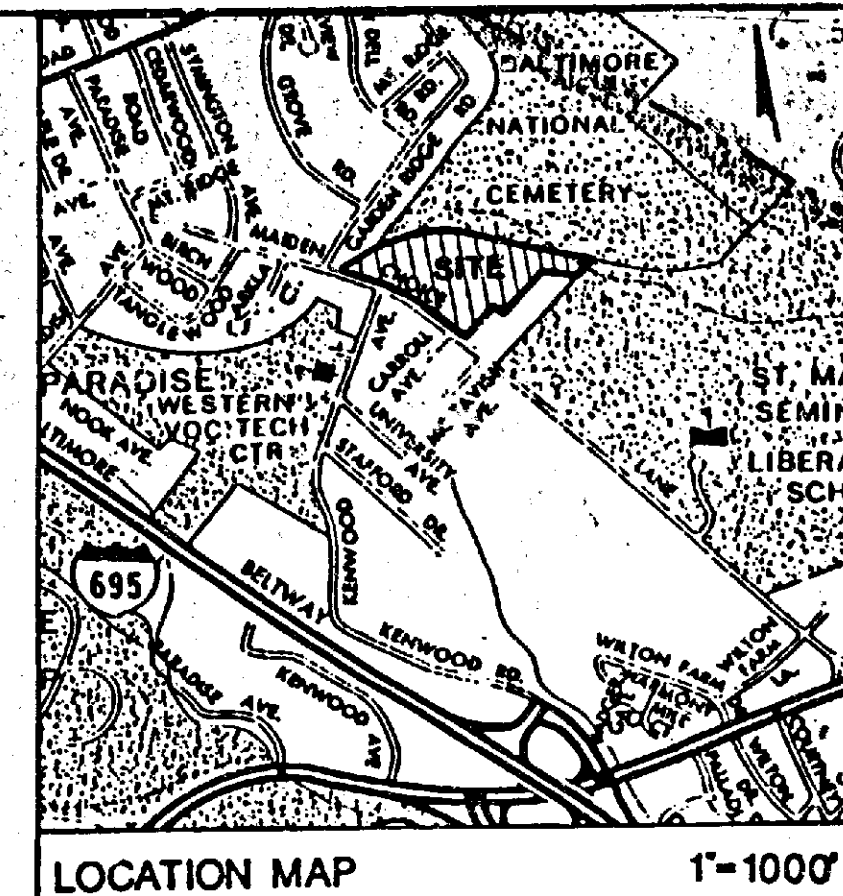
SEE LEDGER S-180



DRAWN BY: M.L.S.
 TRACED BY: G.X. 1/15/27
 CHECKED BY: J.R.
 REFILED: 7-17-58 C.E.C.

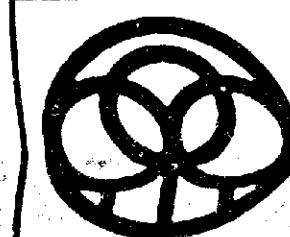
See Plots: 147-A-8 & 147-A-8b

CITY OF BALTIMORE
DEPARTMENT OF PUBLIC WORKS
BUREAU OF SURVEYS
LAND RECORDS
HIGHWOOD DAY CAMP
PARENTAL SCHOOL No.300
Scale: 1"=100' Date: 7-17-58



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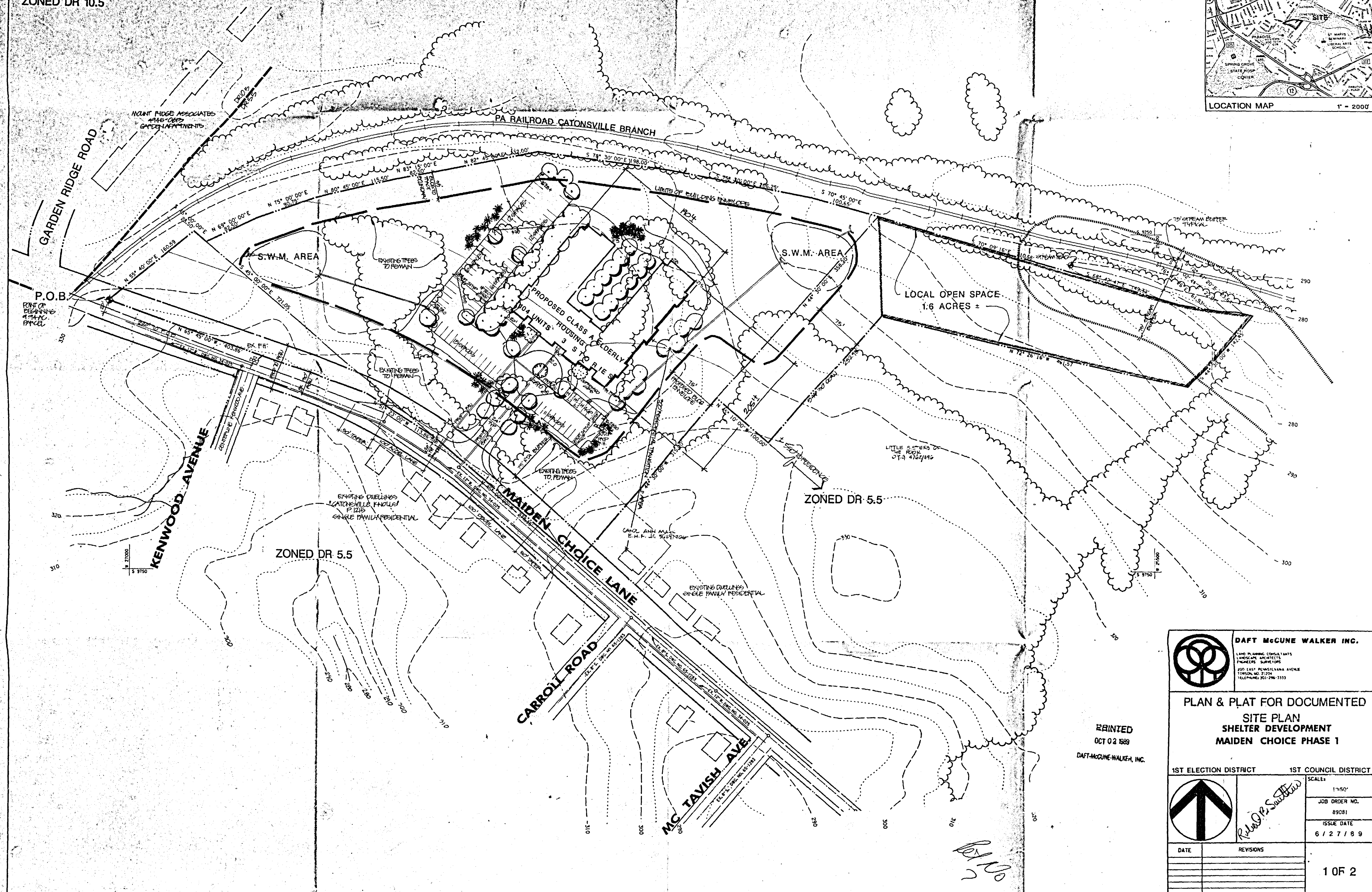
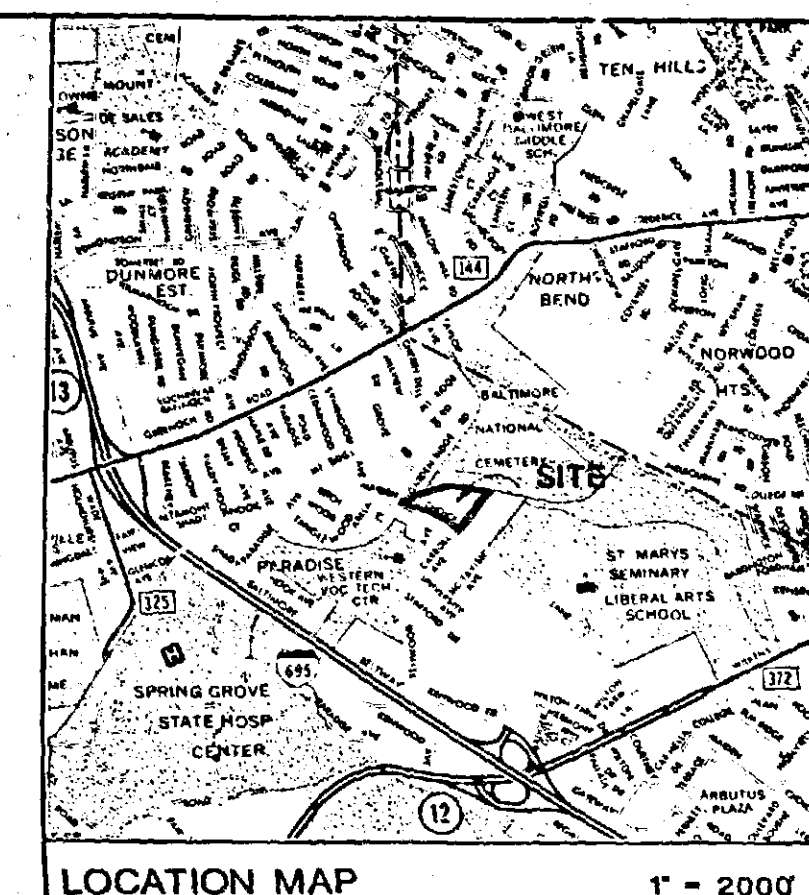
PLANNING No. 1 - 362
PUBLIC SERVICES No. 89264



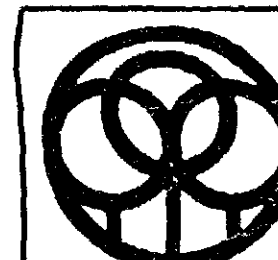
1st Amended CRG Plan
SHELTER DEVELOPMENT
MAIDEN CHOICE LANE

1ST ELECTION DISTRICT		1ST COUNCIL DISTRICT	
		SCALE:	1" = 50'
			JOB ORDER NO. B9081.A
			ISSUE DATE 2 / 19 / 90
DATE	REVISIONS	1 of 1	

U.S. NATIONAL CEMETERY



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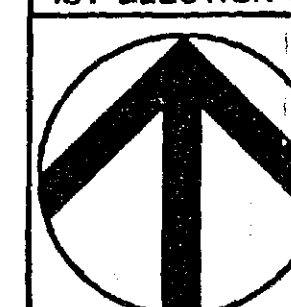


DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
3033

PLAN & PLAT FOR DOCUMENTED
SITE PLAN
SHELTER DEVELOPMENT
MAIDEN CHOICE PHASE 1

1ST ELECTION DISTRICT

1ST COUNCIL DISTRICT



John P. Sullivan

DATE	REVISIONS

1 OF 2

GENERAL NOTES

Shelter/Maiden Choice Lane

Notes for Documented Site Plan

1. Existing zoning is DR 10.5.
2. Proposed zoning is DR 10.5.
3. Existing Use - Site is undeveloped, there are no structures to be retained.
4. Proposed Principal Use - An elderly housing facility with no assisted living or nursing units. A 24 hour residential use with a maximum of 5 employees.
5. Proposed Accessory Uses - In accordance with the provisions of Section 432.15, BCZ, the following accessory uses are contemplated:
 - a. Administrative management, building and ground maintenance and laundry facilities
 - b. Common recreation/meeting room with kitchen
 - c. Lounges, card and game rooms and other common facilities for the use of residents and their guests
 - d. Separate storage space for the use of residents outside of their apartments.
6. Maximum Number of Dwelling Units - This documented site plan proposes a maximum of 104 dwelling units.

a. Net Site Area	9.94 Acres
b. Gross Site Area (Includes 30 feet of Maiden Choice Lane)	10.49 Acres
c. Maximum Permitted Units @ DR10.5	110 Units
d. Maximum Proposed Units	104 Units
e. Desired Density	9.91 Units/Acre
7. Off-Street Parking
 - a. Class A Elderly Housing Requirement 1 space for each 1-1/2 dwelling units
 - b. Maximum Proposed Units 104 Units
 - c. Required Parking 70 Spaces Min
 - d. Spaces to be Provided 85 Spaces Max

- e. Paving will be of a durable, dustless surface which shall be properly drained to not create any undesirable conditions.
- f. On-site lighting will be arranged to reflect light away from adjoining premises and to not shine into the path of oncoming cars.
- g. All parking spaces will be striped.
- h. Loading area is as shown.
- i. All parking spaces to be 8-1/2'x18' - 3 Handicapped spaces are provided.
8. Landscaping and screening are shown conceptually and will be in compliance with the requirements of the adopted Landscape Manual.
9. Topography and major vegetation shown is based on Baltimore County 200 scale photography and is therefore subject to revision and refinement based on subsequent field run data. There are no unusual natural formations.
10. Signs - signs for the proposed elderly housing facility shall be limited to:
 - a. Name and address of the premises not exceeding one square foot in area (Section 413.1a, BCZ).
 - b. A sign not exceeding 15 square feet in area identifying this apartment rental project (Section 413.1d, BCZ).
 - c. Directional or informational signs not exceeding 15 or 25 square feet in area and involving no advertising aspect (Section 413.1e(1) and (3), BCZ).
11. Development of the site is not expected to result in a substantial increase in sound, other vibrations, dust, odors, gases, light and heat beyond that associated with typical medium density residential development. See accompanying environmental impact statement.
12. Major changes in grade are illustrated conceptually by proposed contour lines. They are subject to refinement as field-run topography is secured and as final site plans and architecture are developed.
13. Architectural Style, Exterior Materials

Architecture and exterior materials are as shown on the attached architectural drawings. Details are subject to modification as final plans and architecture are prepared and/or refined. Building footprints may be modified slightly. Materials may be siding, brick and/or stucco.

14. Street Right-of-Way - Proposed right-of-way and paving details are as shown for Maiden Choice Lane. They are based on preliminary plans by Baltimore County and are subject to modifications as plans are reviewed by CBC or as may be modified by waiver.
15. This site abuts a railroad which now is inactive. Portions of the railroad right-of-way still contain tracks.
16. An existing stream is shown. There is no 100 year floodplain.
17. Future Actions - At such time as the proposed DR 10.5 documented site plan reclassification is resolved, a plan shall be submitted to CBC for review and approval. This documented site plan and its details are conceptual and are subject to modification by CBC. In no case shall the number of dwelling units exceed 104 units, the number of parking spaces be greater than 85 spaces, or the location of the building and accessory parking be beyond the maximum building envelope shown on this plan.
18. Vegetation in local open space may be selectively thinned to provide recreational opportunities for the residents of this project.
19. All boundary information shown herein is based on deed references and not on a field boundary survey.

Additional Notes

- A special exception is included as a component of this documented site plan reclassification request to permit a maximum building height of 40 feet in a residential transition area in lieu of the permitted 35 foot height and to waive complete compliance for the 75 foot buffer for parking and a 50 foot front yard buffer in an RTA as authorized by Section 432.4 BCZ and as required by 1801.181.b1 and 1801.181.b3(b) BCZ.
- The site is not listed as a National Register or Landmark Historic Site nor is it in a Baltimore County Historic District.
- This site is proposed to be developed as a Class A housing for the elderly defined in Section 101 BCZ as:

Class A: A building, a section of a building, or a group of buildings that contains dwellings where the occupancy of the dwellings is restricted to persons 60 years of age or older or to couples where either the husband or wife is 60 years of age or older, and to any person, regardless of age, who has a physical or developmental disability. Class A housing for the elderly is constructed under the applicable provisions of a federal or state housing or tax act.



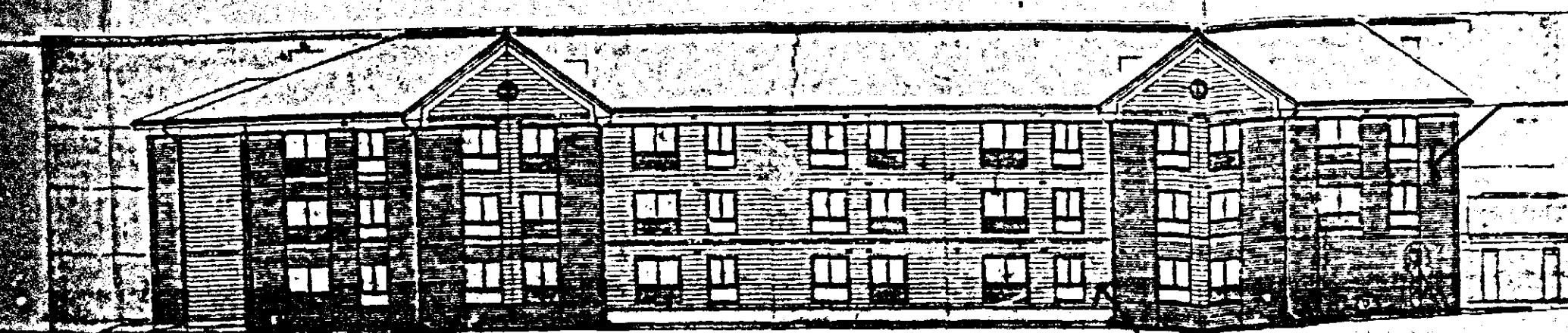
NORTH ELEVATION (NORTH WING)



EAST ELEVATION



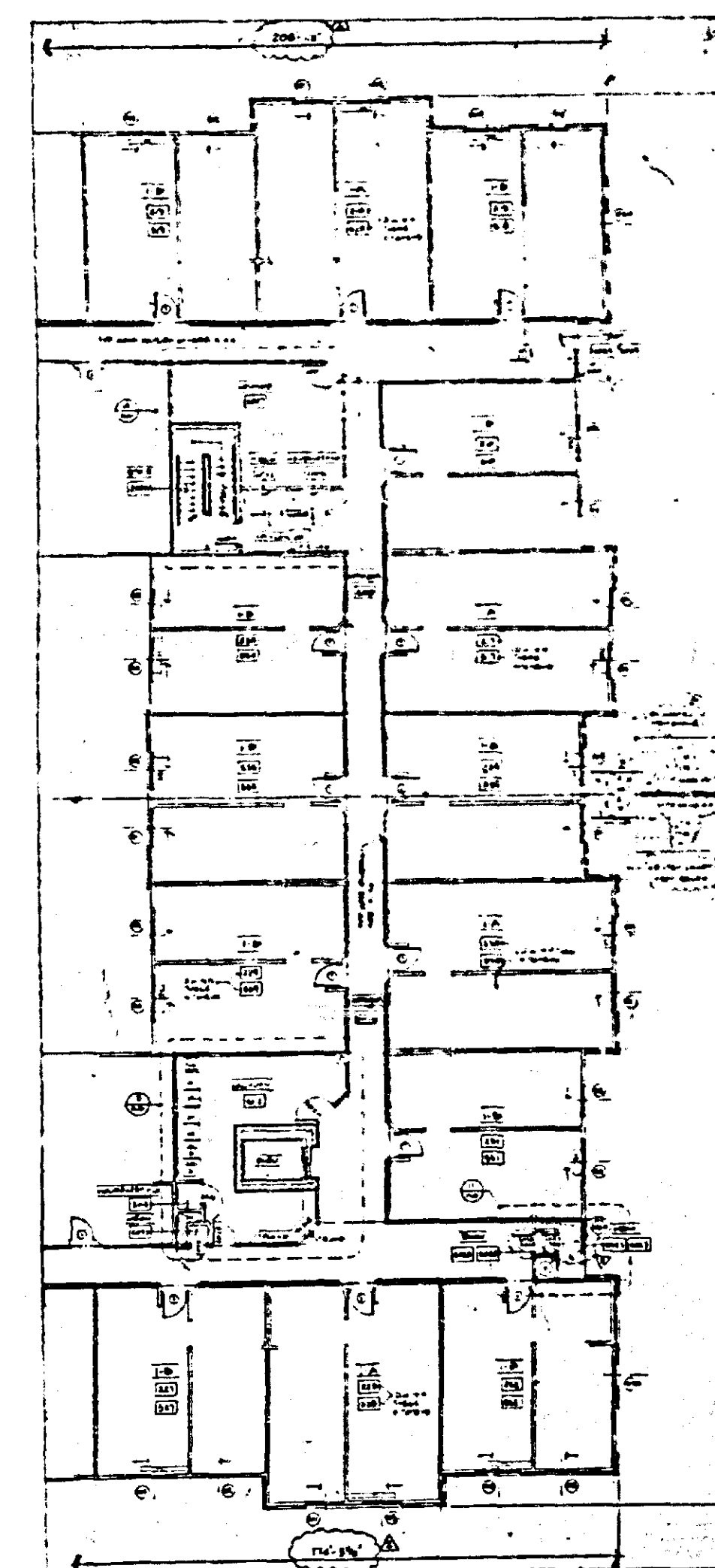
WEST ELEVATION



SOUTH ELEVATION

TYPICAL FACE BRICK

TYPICAL ALUMINUM LAP SIDING



PARTIAL SECOND FLOOR PLAN

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OCT 02 1989

DAFT-McCUNE-WALKER, INC.



DAFT - McCUNE - WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS

300 E. PENNSYLVANIA AVE
TOWSON MD 21204
TELEPHONE (301) 798-3325

PLAN & PLAT FOR DOCUMENTED SITE PLAN

SHELTER DEVELOPMENT MAIDEN CHOICE PHASE 1

1ST ELECTION DISTRICT 1ST COUNCIL DISTRICT

DATE	REVISIONS	SCALE: NOT TO SCALE
		JOB ORDER NO. 89081
		ISSUE DATE 6/27/89
		2 of 2

Ref No 6