IN RE: PETITIONS FOR SPECIAL HEARING, EXCEPTION AND ZONING VARIANCE
SE cor. York and Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE # 90-145-SPHXA

****

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein, pursuant to the Petitions for Special Hearing and Special Exception, request a waiver under Section 432.4 from complete compliance with the restrictions of Section 1B01.1.B.1.b (R.T.A. buffers); a parking ratio of one (1) off-street parking space for each three (3) beds, pursuant to Section 409.6 and the removal of the special exception granted in case No. 78-276-X; and approval of an assisted living facility containing a maximum of eighty (80) beds, pursuant to Section 432.1.A.2. The Petitioners have also requested, pursuant to Section 4A02.4.F.1 for a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility, and a variance, if deemed necessary, to permit a parking ratio of one (1) off-street space per three (3) beds in lieu of the required one (1) space per two (2) beds under Section 409.6, as more particularly described on Petitioners' Exhibit No. 5.

The Petitioners were represented by Robert Hoffman, Esquire and John Howard, Esquire. Appearing and testifying on behalf of the Petitioners were Paul Klaassen, Founder of Sunrise Retirement Homes; Dick Kendall, President of Victoria Corporation; Wes Guckert, Traffic Consultant; Les Pittler, Director, Dept. of Community Development; William Kirwin, Land Planner; Steve Kinsey, Architect and Professional Engineer. Appearing and noting their appearance on behalf of the Petitioners were Gwenn R. Plake, Carol Sanders, Paul Lee, William and Betty Gebhardt, Bonnie Dunlapp, Margaret K.Gail, Ruth Smith, Mary Larsen, Henry and Helen Naumann and Nancy Trout. Appearing and testifying as Protestants were Eileen Riley, President of the Wiltondale Improvement Association, Joyce Routson, President of Towson Manor Association, John Chapman, Consulting Engineer and Anne Orrell, Past President of the Towson Manor Association. Appearing and noting their appearance as Protestants were Jack and Judith M. Giacomo, Ella B. Fowler, John S. Chapmans, Nina E. Hughes, George and Camille Sawyer, Louis Mangione, Audrey Odell, Edward and Pauline Brandt, Alice E. Held, Ken Kinsey, Judith Lane, John J. Appel, Jr., Mary Jo Beck, Tim Davisson and Ruth E. DeMeo.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

Testimony indicated that the subject property known as 7925 York Road, consists of 1.88 acres +/-, zoned D.R. 16 and is improved with a three (3) story dwelling converted to an office building and existing shed.

The Petitioners have proposed the construction of an assisted living facility known as "Victoria House" on the subject site which is indicated on Petitioners' Exhibits No. 1 and 5.

Mr. Klaassen testified that Victoria House will receive "mansion-style" architecture and will maintain a residential type character. He stated that the population will remain relatively small for this type facility to avoid the "institutional feel" that is generally associated with this type of facility. He testified that of the approximate 1,000 residents who have been placed in similar type facilities by his corporation, only three have retained their automobiles, therefore, he does not anticipate the subject facility having any negative impact whatsoever on traffic in this neighborhood. Mr. Klaassen testified that the bedrooms will be offered in various sizes and price range (rents from approximately $1,000 to $2,300.00 per month). Services provided the residents will include, but not be limited to, laundry, three meals per day, planned social activities and attention to special personal needs of the residents which do not require around-the-clock care.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

Mr. Kendall, President of Victoria Corporation, testified that Victoria House will cater to that segment of the elderly population that have special, physical and/or mental needs, but do not necessarily require 24 hour per day care. He testified regarding the importance of locating such facilities near established neighborhoods. He testified that, at least, four low income individuals will be placed in the facility. Mr. Kendall also testified that in an attempt to provide maximum open space for its residents, the proposed building was moved closer to the northeast property line to preserve the mature Japanese Maple tree located on the western corner of the site.

Mr. Guckert testified regarding the impact the proposed site would have on traffic in this community. Based upon studies conducted by his office, Mr. Guckert concluded that the proposed facility would not adversely affect traffic patterns in this community and otherwise would have no detrimental impact on the health, safety or general welfare of the neighborhood.

Mr. Les Pittler testified that there is a need in Baltimore County to provide affordable housing for the elderly and he generally supports projects aimed at filling this gap.

Mr. Kerwin testified that the proposed site for the Victoria House project is an excellent location in view of the fact that it is located in close proximity to a hospital, pharmacy, established neighborhood and downtown Towson. Mr Kerwin testified that the Petitioner would suffer an undue hardship and practical difficulty should the requested variances be denied and that, in his opinion, the proposal is within the spirit and intent of the Baltimore County Zoning Regulations (B.C.Z.R.). Regarding the special hearing requested relative to the R.T.A. buffers, Mr. Kerwin testified that, in his opinion, the character of the project is consistent with the D.R. 16 zone and, therefore, calls for a relaxation of the R.T.A. regulations.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

Mrs. Riley testified that, as a Protestant, her concerns lie with the existing traffic congestion in this community which largely results from Towson State University students parking in this neighborhood. She testified that, in her opinion, the proposed Victoria House would only exacerbate the traffic congestion in this neighborhood. She is opposed to the requested variance.

Mrs. Routson testified that her community association is concerned with increased parking and traffic problems which they anticipate will result from the construction of the proposed Victoria House. She also testified that, in her opinion, the proposed building is too large for this site and will create additional storm water management problems which the community currently experiences. She also stated that her community association was concerned that the vegetative buffers indicated on Petitioners' Exhibit No. 5 is inadequate.

Mr. John Chapman, a retired consulting engineer, stated that, in his professional opinion, the proposed Victoria House will require over development of this particular site and will, otherwise, be incompatible with this community.

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Date 1/5/90
By

Mrs. Anne Orrell, Past President of the Towson Manor Association, testified that as a resident of Aigburth Road, she is well acquainted with the parking and traffic problems experienced by this community. She testified that she is concerned that the Petitioners' proposal will exacerbate these problems. She is, therefore, opposed to the requested variances.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions delineated in Sections 432.4 and 502.1 are satisfied.

Pursuant to section 432.4 of the B.C.Z.R., the Zoning Commissioner may, by special exception, . . . modify or waive the residential transition area restrictions in cases where an elderly housing facility development would be severely or adversely affected by the restrictions set forth in paragraph 1B01.1.B.1.b, if the Zoning Commissioner determines that:

> "A. Compliance with all or part of the residential transition area restrictions would cause unreasonable hardship on the development."
>
> B. The quality of the site design and amenities provided would justify a modification or waiver of the residential transition area restrictions.
>
> C. The development will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties and the general neighborhood."

In the opinion of the Zoning Commissioner, compliance with the R.T.A. restrictions would indeed cause unreasonable hardship on the Petitioners, in that the subject site would be unbuildable for the use proposed. Compliance with the R.T.A. restrictions would leave a mere vestige of the subject site for development which would cause an unreasonable hardship on the development.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

The quality of the site design for Victoria House and the amenity open space provided in conjunction with the restrictions accompanying this Order, justify a waiver of the R.T.A. restrictions. The proposed location of Victoria House on the subject site will provide significant open space for the elderly residents and preserve many of the existing mature trees on this site. The development will not be detrimental to the use, peaceful enjoyment, economic value or development of the surrounding properties in the general neighborhood.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 5 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

The Petitioners have also requested, pursuant to the Petition for Special Hearing, the removal of the special exception granted in case No. 78-276-X. As the existing structure is slated to be razed and, obviously, will no longer be used for office space, the matter is moot and, therefore, the Petitioners' request for relief will be granted.

The Petitioners have also requested, pursuant to the Petition for Special Hearing, the approval of a parking ratio of one off-street parking space for each three (3) beds, pursuant to Section 409.6 of the B.C.Z.R. It is the opinion of the Zoning Commission, in view of the variance relief granted below, that Petitioners' request for Special Hearing is moot and, therefore, denied.

Additionally, Petitioners have requested a special variance, pursuant to Section 4A02.4.F.1 and a variance to permit the aforementioned parking ratio of one (1) off-street space per three (3) beds in lieu of the required one space for two (2) beds under Section 409.6, as aforementioned. Testimony indicated that Petitioners' situation is unique in that very few, if any, residents of Victoria House will own automobiles. Therefore, there should always be open parking spaces. Further, as the subject site is serviced by a bus route, it is reasonable to expect that a number of Victoria House employees will be riding the bus to work in lieu of driving personal automobiles. Even if they do not ride the bus and all employees drive a car, the parking lot will be less than half full. There are traditionally very few visitors to these homes.

ORDER RECEIVED FOR FILING
Date 1/5/90
By

The Zoning Commissioner may, within the guidelines of Section 4A02.4.F.1, grant a petition for a special zoning variance from the provisions of the transportation standards of the basic service map (see generally Section 4A02). In the opinion of the Zoning Commissioner, the impact of the development proposed will be less than that assumed by the district standard that would otherwise restrict the development. It is also the opinion of the Zoning Commissioner, based upon the testimony and evidence produced, that the granting of the Petition will not adversely affect a person, whose application was filed prior to the Petitioners' application, in accordance with sub-section 4A02.3.G.2.B. Additionally, it is clear from the testimony that if the variance from Section 409.6 is granted, that such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good. It is the opinion of the Zoning Commissioner that the Petitioners have met the standards set forth in McLean v. Soley, 270 Md. 208 (1973) and Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1978) for the granting of area variances.

Upon considering the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. Further, denying the requested variances would require the reduction of the proposed open space and would also require the reduction of the vegetative buffer. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on the Petitions held, and for the reasons given above, the relief

ORDER RECEIVED FOR FILING
Date 1/5/90
By

IN RE: CRG DECISION *

and *

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES *

SE cor. York and Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic District

Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.

Petitioners

IN THE

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

CASE NOS.: CBA-89-188 and 90-145-SPHXA

* * * * * * * * * * * * * * * * * *

SUBPOENA

Dear Mr. Clerk:

Please issue a subpoena to the Director of Public Works of Baltimore County t~ provide the record tapes of the CRG Meeting which took place ~. October 13, 1989.

Board of Appeals
of Baltimore County

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) [redacted] 887-3180

HEARING ROOM -
Room 301, County Office Bldg.

February 7, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. CBA-89-188 VICTORIA HOUSE OF TOWSON
SE/corner York & Aigburth Roads
(7925 York Road)
9th Election District; 4th Councilmanic District

RE: CRG Decision

10/13/89 - CRG Meeting wherein the Plan was approved.

and

CASE NO. 90-145-SPHXA ERIC A. DOTT, ET UX

SE -assisted living facility w/80 beds; and waiver from complete compliance with RTA requirements;
SPH -waiver from complete compliance with RTA buffers and parking; removal of SE granted in Case No. 78-276-X;
VAR -from provisions of the transportation standards

1/5/90 -Z.C.'s Order DENYING in part; GRANTING in part with restrictions.

ASSIGNED FOR: WEDNESDAY, JUNE 6, 1990 at 10:00 a.m.

cc: Joyce B. Routson, Pres., et al Towson Manor Assoc., Inc.	Appellants
Robert A. Hoffman, Esquire	Counsel for Developer
John B. Howard, Esquire	" " "
Victoria Corporation	Developer/Cross-Appellant
Paul Lee Engineering, Inc.	Engineer
J. Carroll Holzer, Esquire	Counsel for Towson Manor Assoc., Inc./Appellants
Richard J. Kendall, Pres. Victoria Corporation	Cross-Appellant

Mr. Paul Klaasen
M. A. Shamberg
Mr. John Chapmans
Ms. Audrey G. Odell
Ms. Eileen Riley
Les Pittler
✓People's Counsel for Baltimore County
P. David Fields
Pat Keller
Current Planning, Developers Eng. Div., Economic Dev. Comm., Robert E. Covahey, David L. Thomas, S. Wallis, J. Robert Haines, Ann M. Nastarowicz, James E. Dyer, W. Carl Richards, Jr., Docket Clerk - Zoning, Nancy C. West, Arnold Jablon

LindaLee M. Kuszmaul
Legal Secretary

FEB 0 8

P.C.

Case No. CBA-89-188 Victoria House of Towson combined with 90-145-SPHXA Eric A. Dott
2/7/90 - Following parties notified of hearing set for Wed., June 6, 1990 at 10:00 a.m.:

Joyce B. Routson
John B. Howard, Esq.
Paul Lee Engineering, Inc.
Richard J. Kendall
M. A. Shamberg
Ms. Audrey G. Odell
Les Pittler
P. David Fields
Current Planning
Economic Dev. Comm.
David L. Thomas
J. Robert Haines
James E. Dyer
Docket Clerk - Zoning
Arnold Jablon

Robert A. Hoffman, Esq.
Victoria Corp.
J. Carroll Holzer, Esq.
Mr. Paul Klaasen
Mr. John Chapmans
Ms. Eileen Riley
People's Counsel
Pat Keller
Developers Eng. Div.
Robert E. Covahey
S. Wallis
Ann M. Nastarowicz
W. Carl Richards, Jr.
Nancy C. West

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

February 6, 1990

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception
SE Cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on February 5, 1990 by Richard J. Kendall, President of the Victoria Corporation on behalf of the Contract Purchaser. All materials relative to the case have been previously forwarded to your office.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J ROBERT HAINES
Zoning Commissioner

JRH:jat

cc: Richard J. Kendall
Victoria Corporation
400 W.Pennsylvania Avenue
Towson, Maryland 21204

Board of Appeals
Case No. 90-145-SPHXA
Page 2

J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Avenue, Suite 205
Towson, Maryland 21204

Robert Hoffman
210 Allegheny Avenue
Towson, Md. 21204

John Howard
210 Allegheny Avenue
Towson, Md. 21204

Paul Klaasen
10322 Blake Lane
Oakton, Virginia 22124

A. Shamberg
Rosenfelt & Woolfolk
10706 Reisterstown Road, Ste. 8
Owings Mills, Md. 21117

John Chapmans
66 Cedar Avenue
Towson, Md. 21204

Joyce Routson
1242 Marburth Avenue
Towson, Md. 21204

Audrey G. Odell
23 Hilltop Rd.
Towson, Md. 21204

Eileen Riley
623 Wilton Rd.
Towson, Md. 21204

Leslie Pittler, Director, Community Development

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

Victoria
CORPORATION

February 5, 1990

J. Robert Haines
Zoning Commissioner
For Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re. Case # 90-145-SPHXA Petitions for Special Exception and Variances, SE Corner York and Aigburth, 7925 York Road; The Victoria Corporation.

Dear Sir:

The Victoria Corporation, A Maryland Corporation with an interest in the subject matter, hereby appeals to the Board of Appeals the Special Exception pursuant to Section 432.1.A.2 which was granted by the Order of the Commissioner in the above referenced case dated January 5, 1990. A check for the filing fees is enclosed.

Respectfully submitted,

Richard J. Kendall
President

RECEIVED
FEB 5 1990
ZONING OFFICE

400 West Pennsylvania Avenue • Towson, Maryland 21204 • 301/882-7200

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

February 6, 1990

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing, Special Exception and Zoning Variance
SE cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on January 25, 1990, by J. Carroll Holzer, Esq., Attorney for Towson Manor Association. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:jat

Enclosures

cc: J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Ave., Suite 205
Towson, Maryland 21204

Board of Appeals
Case No. 90-145-SPHXA
Page 2

Robert Hoffman
210 Allegheny Avenue
Towson, Maryland 21204

John Howard
210 Allegheny Avenue
Towson, Maryland 21204

Paul Klaasen
10322 Blake Lane
Oakton, Virginia 22124

Dick Kendall
400 W. Pennsylvania Avenue
Towson, Maryland 21204

A. Shamberg
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10706 Reisterstown Road, Ste 8
Owings Mills, Md. 21117

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Towson, Maryland 21204

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Towson, Md. 21204

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Towson, Md. 21204

Eileen Riley
623 Wilton Rd.
Towson, Maryland 21204

Leslie Pittler, Director, Community Development

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

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

J. Robert Haines
Zoning Commissioner

Dennis F. [illegible]

Your petition has been received and accepted for filing this 5th day of August, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: A. Eric Dott, et ux

Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

oOo

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

October 18, 1989

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

RE: Item No. 20, Case No. 90-145-SPHXA
Petitioner: A. Eric Dott, et ux
Petition for Zoning Variance, Special Hearing and Special Exception

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. A. Eric Dott
Mr. Richard Kendall

SHA

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

RECEIVED
AUG 10 1989
ZONING OFFICE

August 8, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
The Victoria Corporation
(Proposed 3 story retirement home)
Zoning meeting 7/25/89
E/S York Road
MD 45
at Aigburth Road
Item #20

Dear Mr. Haines:

After reviewing the submittal for a special exception for an assisted living facility containing a maximum of 80 beds, we offer the following:

The plan must be revised to show a future 80' right-of-way on York Road.

Also, we will need three additional copies of the plan for review by our Traffic personnel and we reserve the right to require a traffic impact study for review and approval, prior to issuance of building permits.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Creston J. Mills, Jr. Chief
Engineering Access Permits Division

LB/es

cc: Paul Lee Engineering Inc.
Mr. J. Ogle

My telephone number is (301) 333-1350

NOV. 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 16, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: A. Eric Dott, owner & The Victoria Corporation, Contract Purchaser, Item 20
Zoning Petition No.90-145-SPHXA

The petitioner requests a Special Zoning Variance, Variance, Special Hearing, and a Special Exception to permit an assisted living facility containing a maximum of 80 beds.

In reference to this request, staff offers the following comments:

A CRG meeting or waiver will be required for the proposed project. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.

A landscape plan must be submitted for approval prior to the issuance of any building permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

OCT 17 1989

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

Dennis F. [illegible]

RECEIVED
AUG 3 1989
ZONING OFFICE

July 31, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.

Very truly yours,

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

MSF/lab

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

7/[illegible]
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

AUG 16 1989

Zoning Item # 20, Zoning Advisory Committee Meeting of July 25, 1989
Property Owner: A. Eric Dott, et ux
Location: SE corner of York and Aigburth Rds. District:
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 charbroiler 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 appurtenances 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 Maternal 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 asbestoes, 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 887-2762.

( ) Others ____________

G.R. Ulrich
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

Dennis F. Rasmussen
County Executive

JULY 26, 1989

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

RE: Property Owner: A. ERIC DOTT

Location: SE CORNER OF YORK AND AIGBURTH ROADS

Item No.: 20 Zoning Agenda: JULY 25, 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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. ACCESS FOR FIRE APPARATUS SHALL BE PROVIDED WITHIN 30 FEET OF BUILDING ON EAST AND WEST SIDES.

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: Capt J. Kelly
Planning Group
Special Inspection Division

Noted and Approved Capt [illegible]
Fire Prevention Bureau

JK/KEK

JUL 28 1989

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 31, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Revised Comments
A. Eric Dott, owner and The Victoria Corporation, Contract Purchaser, Item 20
Zoning Petition No. 90-145-SPHXA

The petitioner requests a Special Zoning Variance, ~~Variance,~~ Special Hearing, and a Special Exception to permit an assisted living facility containing a maximum of 80 beds.

In reference to this request, Staff offers the following comments:

- A CRG meeting or waiver will be required for the proposed project. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.
- A landscape plan must be submitted for approval prior to the issuance of any building permits.

Site has direct access to the No. 8 bus line.

Analysis of the plat accompanying this request indicates a 5 ft. landscaping buffer along the east side property line. A mature buffer already exists along a large portion straddling the property line. Every effort should be made not to disturb this existing buffer. Supplemental planting should be provided in areas where there is no existing buffer.

Assisted living facilities serve a necessary function in the community and Staff recognizes the need for this particular type of development. For the reasons stated above, the Office of Planning and Zoning recommends that the Petitioner's request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl

90/145SP

NTY, MARYLAND

CRG DATE: 10/13/89
PRE-CRG DATE: 10/2/89

PLAN: 8/1/89

REV.: REV.:

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKE
(O) NON-COMPLIANCE IS CIRCLED
BE ADVISED (NOT NECESSARY FOR

requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 5th day of January, 1990, that the Petition for Special Hearing to approve a parking ratio of one off-street parking space for each three (3) beds, pursuant to Section 409.6, is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve the removal of the special exception granted in case No. 78-276-X is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception to approve an assisted living facility containing a maximum of eighty (80) beds, pursuant to Section 432.1.A.2 is hereby GRANTED; and

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Exception for a waiver under Section 432.4 from compliance with all restrictions of Section 1B01.1.B.1.b regarding residential transition area requirements is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance, the request for zoning variance from Section 4A02.4.F.1 from the provisions of the transportation standards of the basic service map for the redevelopment of the existing offices to an assisted living facility is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Zoning Variance for a parking ratio of one off-street space per three (3) beds in lieu of the required one space per two (2) beds under Section 409.6, in accordance with Petitioner's Exhibit 5, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this

ORDER RECEIVED FOR FILING
Date 1/5/90
By

Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall move the "chiller" noted on Petitioners' Exhibit No. 5 to the southwest side of the building adjacent to the steps indicated thereon, and shall be surrounded by a six (6) foot wooden privacy fence.

3. The Petitioners shall erect a six (6) foot high wooden privacy fence along the top of the retaining wall indicated on Petitioners' Exhibit No. 5. Said privacy fence shall run the entire length of the retaining wall from the proposed building to the vegetative buffer along the southeast side of the property line.

4. The Petitioners shall construct a six (6) foot high wooden privacy fence six (6) feet inside the easterly boundary line to run the length of the parking spaces indicated on Petitioners' Exhibit No. 5.

5. The Petitioners shall provide a twelve (12) foot vegetative buffer along the eastern boundary line of the subject site consistent with that depicted in Attachment No. 1 appended hereto.

6. Prior to the issuance of a building permit, the Petitioners shall provide the Baltimore County Landscape Planner with a landscape plan for approval and, subsequently, submit a copy of said plan to the Zoning Commissioner for final approval.

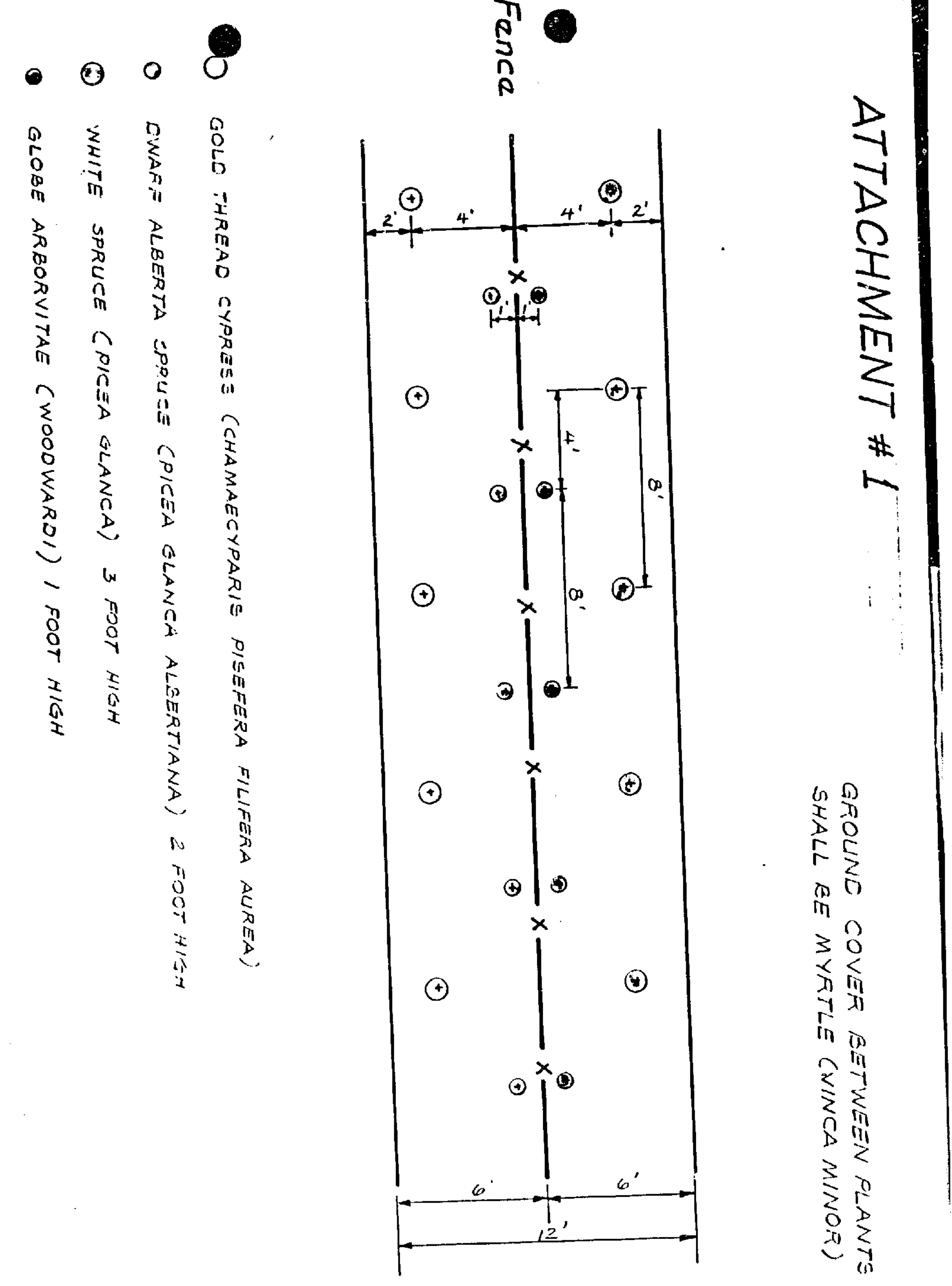
7. Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

8) The assisted living facility approved herein shall contain no more than eighty (80) beds.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 1/5/90
By

JRH:mmn
cc: Peoples Counsel


ATTACHMENT # 1
GROUND COVER BETWEEN PLANTS SHALL BE MYRTLE (VINCA MINOR)
Fence
2'
4'
4'
2'
4'
8'
8'
6'
6'
12'
GOLD THREAD CYPRESS (CHAMAECYPARIS PISIFERA FILIFERA AUREA)
DWARF ALBERTA SPRUCE (PICEA GLAUCA ALBERTIANA) 2 FOOT HIGH
WHITE SPRUCE (PICEA GLAUCA) 3 FOOT HIGH
GLOBE ARBORVITAE (WOODWARD) 1 FOOT HIGH

RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
EXCEPTION AND ZONING VARIANCE * ZONING COMMISSIONER
SE cor. York and Aigburth Roads * OF BALTIMORE COUNTY
7925 York Road * CASE # 90-145-SPHXA
9th Election District
4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Petitioners

* * * * * * * * * * * * *

NOTICE OF APPEAL

Towson Manor Association by and through their attorney, J. Carroll Holzer, hereby enter an appeal to the County Board of Appeals from the decision of the Zoning Commissioner granting the Petition for Special Hearing, Special Exception and Zoning Variances in the above captioned case. Attached to this notice is Petitioner's check for the appeal.

J. CARROLL HOLZER
Holzer, Maher & Demilio
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
(301) 825-6960
Attorney for Petitioner

RECEIVED
JAN 25 1990
ZONING OFFICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 1990, a copy of the aforegoing Notice of Appeal was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204 and Mr. Robert Haines, Zoning Commissioner of Baltimore County, Cunty Office Building, Towson, Maryland 21204.

J. Carroll Holzer

cc: Joyce Routson

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

July 25, 1990

J. Carroll Holzer, Esquire
305 W. Pennsylvania Avenue
Suite 105
Towson, Maryland 21204

Re: Case No. CBA-89-188 and 90-145-SPHXA (Victoria House of Towson and Eric A. Dott, et ux)

Dear Mr. Holzer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject cases.

Sincerely,

Linda Lee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Joyce B. Rouston, Pres. - Towson Manor Assoc., Inc.
Robert A. Hoffman, Esquire
John B. Howard, Esquire
Victoria Corporation
Paul Lee Engineering, Inc.
Richard J. Kendall, Pres. - Victoria Corporation
Mr. Paul Klaasen
M. A. Shamberg
Mr. John Chapmans
Ms. Eileen Riley
Les Fittler
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
✓Docket Clerk - Zoning
Current Planning
Developers Engineering Division
Economic Development Commission
Robert E. Covahey
David L. Thomas
S. Wallis
Nancy C. West, Asst. County Attorney
Arnold Jablon, County Attorney

IN RE: CRG DECISION * IN THE
and * COUNTY BOARD OF APPEALS
IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES * OF BALTIMORE COUNTY

SE cor. York and Aigburth Roads *
7925 York Road * CASE NOS.: CBA-89-188 and 90-145-SPHXA
9th Election District
4th Councilmanic District *

Legal Owner: Eric A. Dott, et ux. *
Contract Purchaser: Victoria Corp. *

Petitioners

* * * * * * *

CONSENT ORDER

This case consolidates three appeals to this Board, all related to the proposed redevelopment of the subject property, which is located at the southeast corner of York and Aigburth Roads, from an office building to an assisted living facility. The first appeal was filed by Joyce R. Routson, President of the Towson Manor Association, on November 13, 1989; it challenged the October 13, 1989 approval by the County Review Group (CRG) of a development plan submitted on behalf of property owners, A. Eric and Esther Jackson Dott, and contract purchaser, Victoria Corporation.

A second appeal was filed with this Board by J. Carroll Holzer, Esquire, attorney for the Towson Manor Association, on January 25, 1990; and a cross-appeal was filed by Richard J. Kendall, President, on behalf of Petitioner Victoria Corporation, on February 5, 1990. Both of the latter appeals were from the January 5, 1990 Opinion and Order of the Zoning Commissioner of Baltimore County in Case No. 90-145-SPHXA.

The Zoning Commissioner's Order in Case No. 90-145-SPHXA: 1) granted the relief requested in a Petition for Special Exception filed on behalf of the Dotts and Victoria Corporation, by approving (under §432.1.A.2 of the Baltimore County Zoning Regulations (BCZR)) the establishment of an assisted living facility containing a maximum of eighty (80) beds, and by waiving (under §432.4, BCZR) compliance with all of the residential transition area restrictions of §1B01.1.B.1.b, BCZR; 2) granted part of the relief requested in a Petition for Special Hearing filed on behalf of those same parties, by approving the removal of the special exception granted in Case No. 78-276-X; 3) denied the remainder of the relief requested in the said Petition for Special Hearing, on grounds that the granting of the Petition for Zoning Variances (see below) made the request moot; and 4) granted the relief requested in a Petition for Zoning Variances filed on behalf of the same parties, by approving a special variance (under §4A02.4.F.1, BCZR) from the transportation provisions of the County's basic services mapping standards, and by approving a parking ratio of one (1) off-street parking space per three (3) beds in lieu of the one (1) space per two (2) beds required by §409.6, BCZR. The Zoning Commissioner's Order was subject to eight conditions listed at the end of the Order.

Representatives of the Towson Manor Association and the Wiltondale Improvement Association, as well as numerous individual neighbors of the subject property, appeared before the CRG and the Zoning Commissioner below to protest the redevelopment of the subject property. The neighbors' opposition has centered on the scale of the proposed building, as well as potential negative parking, traffic, and service area impacts.

The parties to these appeals, being the Towson Manor Association and Victoria Corporation, and their respective counsel, have met and negotiated in an effort to reach agreement on modifications to the proposed assisted living facility that will reduce any potential negative impacts on the surrounding neighborhood. The parties have subsequently advised this Board that they have arrived at an agreement and wish to settle these appeals on terms to be incorporated into a Final Order of this Board.

Attached hereto are three Exhibits. Exhibit 1 is the "Plat to Accompany Petitions for Special Hearing, Special Exception and Variances" (the "Special Exception Plat"), which was submitted to and approved by the Zoning Commissioner. Exhibit 2 is the "CRG Plan - Victoria House of Towson" (the "CRG Plan"), which was submitted to and approved by the CRG. Exhibit 3 is the "Plat Indicating Proposed Buffer Planting, Chiller & Fence Locations, Entry Drive and Building Dimension Reductions" (the "Revised Landscape Plan"), which describes

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
CRG DATE: 10/13/89
PRE-CRG DATE: 10/2/89

FROM: ZONING OFFICE

PROJECT NAME: Victoria House of Towson
PLAN: 8/1/89
REV.:
REV.:

LOCATION: SE/corner York Road
and Aigburth Road

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN

DISTRICT: 9c4

1. On 7/14/89 under item #20, 1990 zoning hearings were applied for and accepted for filing in the zoning office for the following corrected requests:

   A. Special Exception for an assisted living elderly housing facility for a maximum of 80 beds pursuant to Section 432.1.A.2 and to waive or modify the Residential Transition Restrictions of Section 1B01.1.B.1.b pursuant to Section 432.4 (B.C.Z.R.).

   B. Special Hearing to remove/abandon the previously granted and "in place" special exception in zoning case #78-276-X and to approve a reduction/modification in the required parking to 1/3 beds pursuant to Section 409.6.A.1.

   C. Variance to Section 4A02.4.F.1 to permit a special variance from the Transportation Standards of the basic services map for the redevelopment of existing offices to an assisted living facility and Section 409.6.A.1 to permit 1 off-street parking space per (3) beds in lieu of the required 1 space per two beds.

   Case number 90-145-SPHXA has been assigned and a hearing date has been set for 10/31/89 and 11/2/89 at 9:30 a.m. in Room 106, County Office Building.

2. R.T.A. -- Include on the plan and clearly label all off-site sources of R.T.A. on-site, including all dwellings and small lots of record less than 2 acres. All off-site buildings within 300 feet of a proposed unlike use must be labeled with the existing use. Dwellings must be labeled "existing dwelling" and all vacant lots must include the acreage. All lot and deed divisional lines that adjoin or are across street from the subject property must be shown clearly. The most restrictive R.T.A. arcs must be labeled with the required and applicable 300' or 250' R.T.A. radius dimensions and included on the plan print. Clearly and conspicuously note on the

---

plan: "ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS". Clearly label all unlike building fronts. Provide, designate, dimension and clearly outline in a bold line the PROVIDED R.T.A. buffers to the extent possible on the proposed plan. Identify waiver or modification of restrictions locations on the plan print.

3. The sign shown on the plan print is limited to a 1 square foot non-illuminated sign pursuant to Section 413.1.a and Zoning Policy SI-1.E.1. This must be noted on the plan and a larger sign must be determined "generic" to qualif under Section 413.1.e (15 sq. ft., counting both sides) or a variance would be required prior to final zoning approval. Include a sign elevation on the plan with the height, size, sq. ft., and illumination (if any) proposed.

4. Identify Class "A" or Class "B" elderly housing facility on the plan as defined in Section 101 (B.C.Z.R.) and note on the plan that the facility will meet the Fire Protection Association Life Safety Code, 1985 edition and list the sections with which it complies (Section 101, B.C.Z.R.). Include a typical parking space (dimensioned) and note that all parking and maneuvering areas are to be paved (indicate type) and permanently striped per Section 409 (B.C.Z.R.). When the plan is revised in the C.R.G. process, the elevations and plan detail addressing these comments must be included on the revised public hearing plans to be delivered to John Lewis in the Zoning Office under reference to the zoning case and these comments.

5. Final zoning approval is contingent upon the resolution of all comments and the outcome of the required public hearing. It shall be the responsibility of the owner, developer or developer's engineer to rectify any anticipated conflicts with the Baltimore County Zoning Regulations well in advance of any expected final zoning approval.

WCR

W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:scj

RE: PETITIONS FOR SPECIAL HEARING
EXCEPTION AND ZONING VARIANCE
SE cor. York and Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE # 90-145-SPHXA

* * * * * * * * * * * * *

NOTICE OF APPEAL

Towson Manor Association by and through their attorney, J. Carroll Holzer, hereby enter an appeal to the County Board of Appeals from the decision of the Zoning Commissioner granting the Petition for Special Hearing, Special Exception and Zoning Variances in the above captioned case. Attached to this notice is Petitioner's check for the appeal.

RECEIVED
JAN 23 1990
ZONING OFFICE

J. CARROLL HOLZER
Holzer, Maher & Demilio
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
(301) 825-6960
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 1990, a copy of the aforegoing Notice of Appeal was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204 and Mr. Robert Haines, Zoning Commissioner of Baltimore County, Cunty Office Building, Towson, Maryland 21204.

J. Carroll Holzer

cc: Joyce Routson

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

receipt
№ 1226

90-145-SPHA

Date

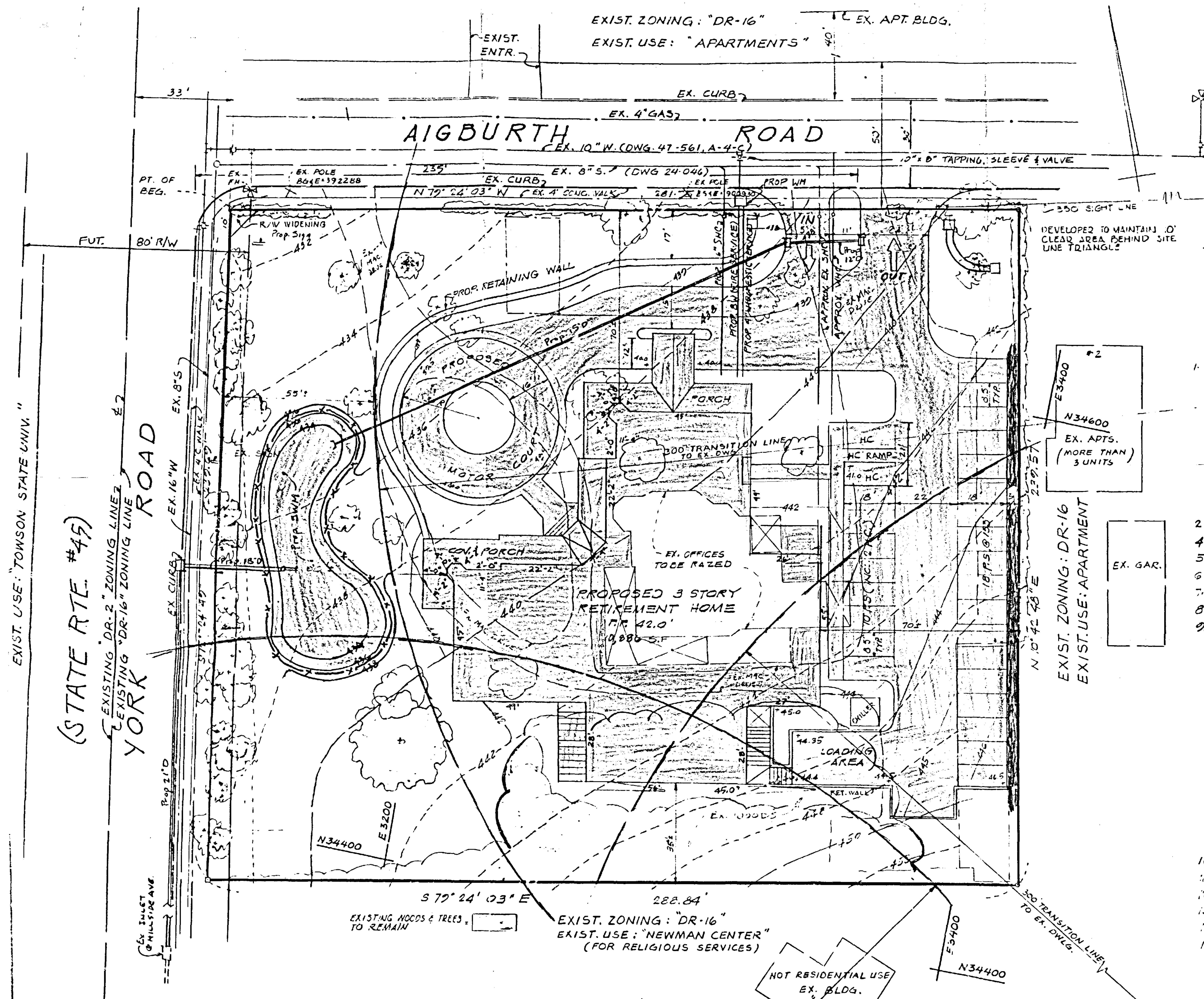
2/02/90

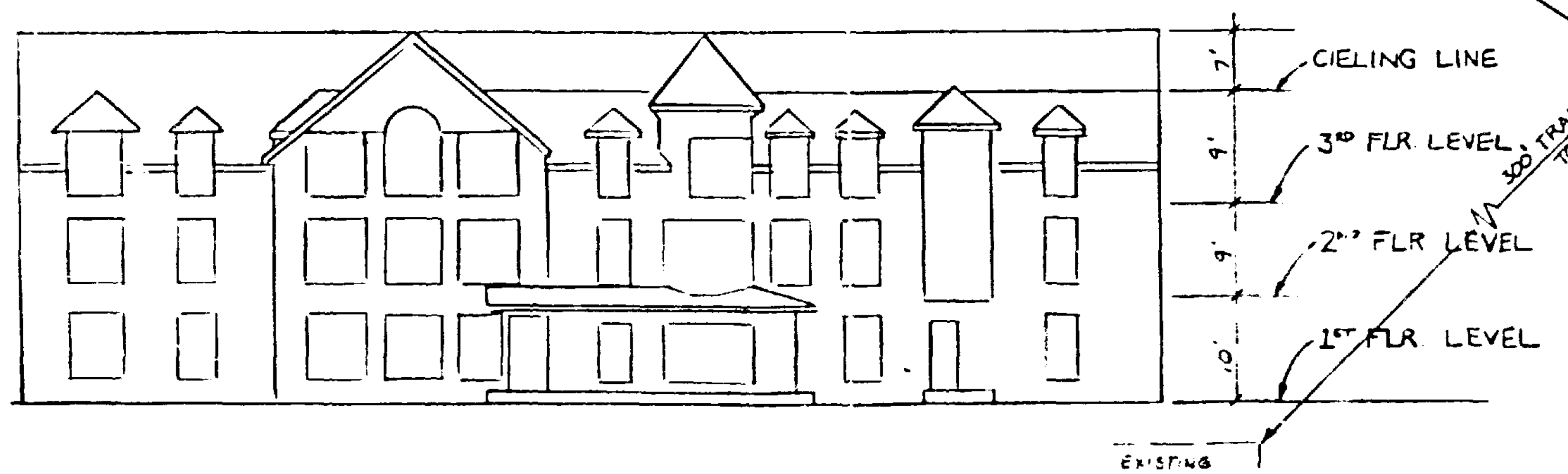
APPEAL FEES
120 -OF A SPECIAL EXC. ORDER
140 -OF ALL OTHER ORDERS
150 -POSTING SIGNS / ADVERTISING

LAST NAME OF OWNER: DOTT

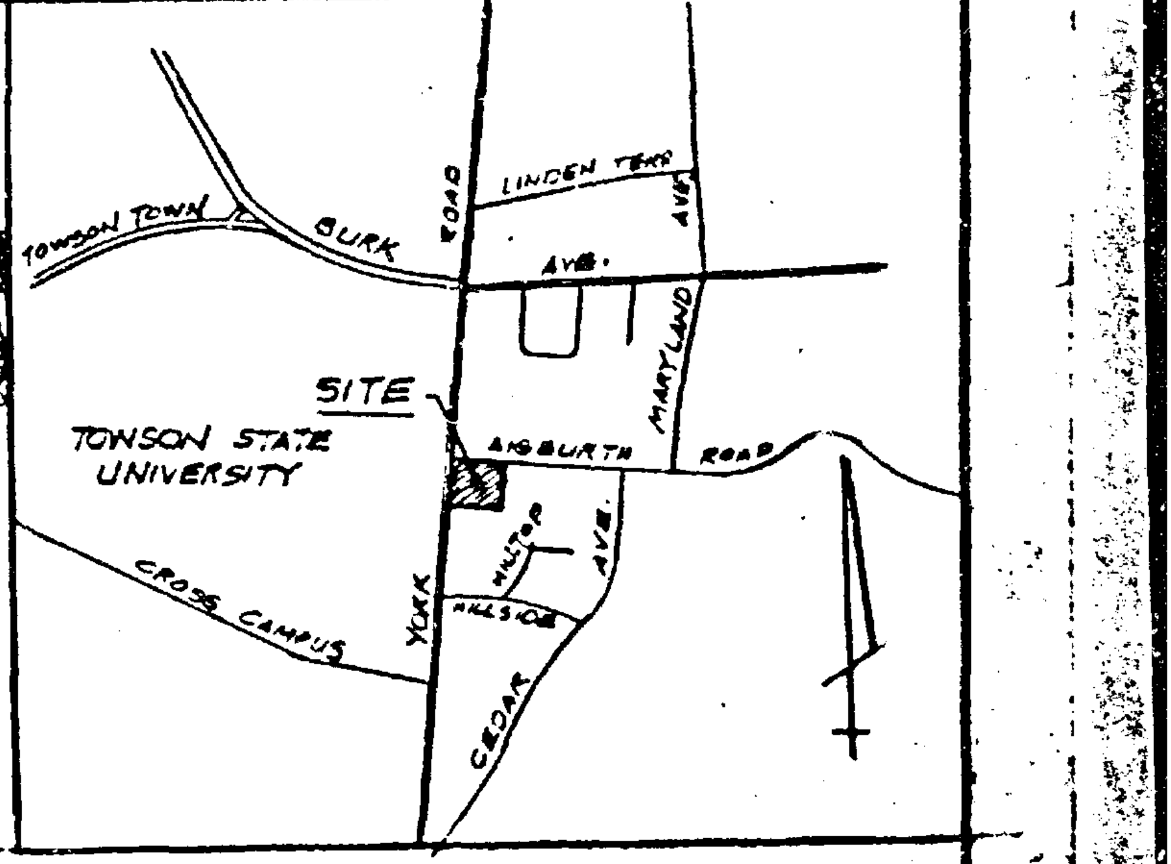
Please make checks payable to: Baltimore County

Cashier Validation: B [illegible]


EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EX. APT. BLDG.
EXIST. ENTR.
EX. CURB
EX. 4" GAS
AIGBURTH ROAD
EX. 10" W. (DWG. 47-561, A-4-C)
EX. 8" S. (DWG 24-046)
10" x 8" TAPPING, SLEEVE & VALVE
EX. CURB
EX. 4' CONC. WALK
N 79° 24' 03" W
EX. POLE
PROP. WM
PT. OF BEG.
R/W WIDENING
PROP. RETAINING WALL
350 SIGHT LINE
DEVELOPER TO MAINTAIN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
FUT. 80' R/W
EXIST. USE: "TOWSON STATE UNIV."
(STATE RTE. #45)
YORK ROAD
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
EX. 16" W
EX. 8" S
EX. CURB
PROPOSED MOTOR COURT
PORCH
300' TRANSITION LINE TO EX. DWG.
HC
HC RAMP
EX. OFFICES TO BE RAZED
PROPOSED 3 STORY RETIREMENT HOME
F.F. 42.0
LOADING AREA
EX. APTS. (MORE THAN 3 UNITS)
EX. GAR.
N34600
E3400
EXIST. ZONING: DR-16
EXIST. USE: APARTMENT
N 10° 42' 28" E
N34400
E3200
S 79° 24' 03" E
288.84'
EXISTING WOODS & TREES TO REMAIN
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER" (FOR RELIGIOUS SERVICES)
NOT RESIDENTIAL USE EX. BLDG.
300' TRANSITION LINE TO EX. DWG.
EXISTING DWELLING


CIELING LINE
3RD FLR LEVEL
2ND FLR LEVEL
1ST FLR LEVEL
300' TRANSITION LINE TO EX. DWG.

FRONT ELEVATION
NOT TO SCALE


TOWSON TOWN
BURK
ROAD
LINDEN TER
AVE.
MARYLAND AVE.
SITE
TOWSON STATE UNIVERSITY
AIGBURTH ROAD
YORK
CROSS CAMPUS
CEDAR AVE.

VICINITY MAP
SCALE: 1" = 1000'

Victoria House

1X-547

GENERAL NOTE:

1. a. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON
   b. APPLICANT VICTORIA CORPORATION
   400 W. PENNSYLVANIA AVE.
   TOWSON. MD. 21204
   TEL. 301-882-7200
   c ENGINEER PAUL LEE ENGINEERING INC.
   304 W. PENNSYVANIA AVE.
   TOWSON. MD. 21204, TEL. 301-821-5941
   d. SCALE: 1" = 20'
   e DATE 8-1-89

2 & 3 AS SHOWN
4. ELECTION DIST. 9
5 COUNCILMANIC DIST. 4
6. CENSUS TRACT = 4908
7. WATERSHED = 23 SUBSEWERSHED = 55
8. COORDINATES: AS SHOWN
9. a. SITE ACREAGE
   NET AREA = 1.55 Ac.
   0.33 Ac. (1/2 ROAD R/W)
   GROSS AREA = 1.88 Ac.
   b. COMMON OPEN SPACE
   REQD. OPEN SPACE = 20 UNITS @ 650#/UNIT = 13,000# = 0.30 AC.
   PROP. " " = WAIVER REQUESTED
   c. PARKING
   REQUIRED PARKING (1 P.S/2 BEDS) = 40 P.S.
   PARKING SHOWN (INC. 2 HC) = 28 P.S. (VARIANCE REQUESTED)
   d. DENSITY: 1.88 @ 16 UNITS/AC. = 30.00 UNITS
   ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
   PROPOSED: ASSISTED LIVING UNITS = 80 BEDS
   UNITS ARE FOR RENT
   e. LANDSCAPE: PER LANDSCAPE MANUAL - STREET $522/40 = 14$
   PARKING $29/12 = \frac{3}{17}$
   f FLOOR AREA RATIO: N/A

10. BEARINGS & DISTANCE: AS SHOWN
11. PROPOSED & EXISTING WELL: N/A
12. " " SEPTIC: N/A
13. SEWER & WATER LINES W/ REF. DWG. No. AS SHOWN
14. FIRE HYDRANT: AS SHOWN
15. SOIL TYPE

AREA	TYPE	BLDG.	PARKING	CLASS
1.60	GIB	SLIGHT	MODERATE	B

EXISTING DWELLING

16 EX. TOPOGRAPHY: AS SHOWN
17. PROP. GRADING: AS SHOWN
18. EX. WOODED AREA & VEGETATION: AS SHOWN
19 LOCATION & PROP. PLANTING: SEE LANDSCAPE
20 EX. STREAM: N/A
21. FLOODPLAINS: N/A
22 EX. BLDGS & PROP. STATUS ON THE SITE: AS SHOWN
23 HISTORIC BLDGS.: N/A
24. EX. BLDGS. ADJACENT TO THE SITE: AS SHOWN
25. CURRENT ZONING OF SITE DR-16
26. TRANSITION: SPECIAL EXCEPTION REQUESTED
   a. EXIST. USES: GENERAL & MEDICAL OFFICES
   PROPOSED USE: ASSISTED LIVING FACILITY
   b. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN
   c BLDGS SETBACK & DIST. BET. BLDGS: VARIANCE
   d BUFFER & SCREENING AREAS: VARIANCE
   e EX. & PROP LIGHTING: /
27 OWNER:
   A. ERIC & ESTHER J. DOTT
   601 E. SEMINARY AVE.
   TOWSON, MD. 21204
   DEED REF. 2198-307
   PROPERTY NO. 09-04-500930
28 OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN
29. PROP. LOT & BLDGS. LAYOUT: AS SHOWN
30 COMMON OPEN SPACE: WAIVER REQUESTED
31. PROP. PARKING LAYOUT: AS SHOWN
32. STREET- PAVING & RIGHT-OF-WAY: AS SHOWN
33. PANHANDLE DRIVEWAYS: N/A
34. ESTIMATED AVERAGE DAILY TRIP (ADTS) = 130
35 HANDICAPPED PARKING: AS SHOWN
36. EASEMENTS: AS SHOWN
37. EX. & PROP. STORM DRAINS: AS SHOWN
38. EX. & PROP. UTILITY SYSTEM: AS SHOWN
39. SWM AREA
   a. WAIVER REQUESTED
40. WETLANDS: N/A
41. CRITICAL AREAS: N/A
42. ARCHEOLOGICAL SITES: N/A
43 ENDANGERED SPECIES HABITAT: N/A
44. HAZARDOUS MATERIALS SITE: N/A

NOTES:

1. SIGNS - AS PERMITTED IN SEC. 413 OF THE ZONING REGULATIONS. SIGN VARIANCES TO BE APPLIED FOR AT A LATER DATE
2. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, SPECIAL HEARING FOR PARKING VARIANCE AND SPECIAL VARIANCE FROM THE TRANSPORTATION STANDARDS OF THE BASIC SERVICES MAPS APPLIED FOR IN CASE NO. 90-145-SPHXA
3. ALL PARKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPED PER SECTION 409 (B.C.Z.R.)
4. THIS ASSISTED LIVING FACILITY IS A CLASS "B" FACILITY AS DEFINED IN SECTION 101 (BCZR) AND WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE, 1985 EDITION, CHAPTER 21.
5. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS.
6. DUMPSTER ROOM TO BE IN BASEMENT. TO BE PICKED UP AS REQ'D.

PROTESTANT'S EXHIBIT 5

REVISED CRG PLANS
Frank Fisher
Current Planning (2)

OCT 6 1989

PUBLIC SERVICES CRG NO. 89225
PLANNING NO. IX-547

	DATE	REVISIONS
Drafting	10-6-89	REV. PER PRE-CRG COMMENTS
Check		
Design		
Check		

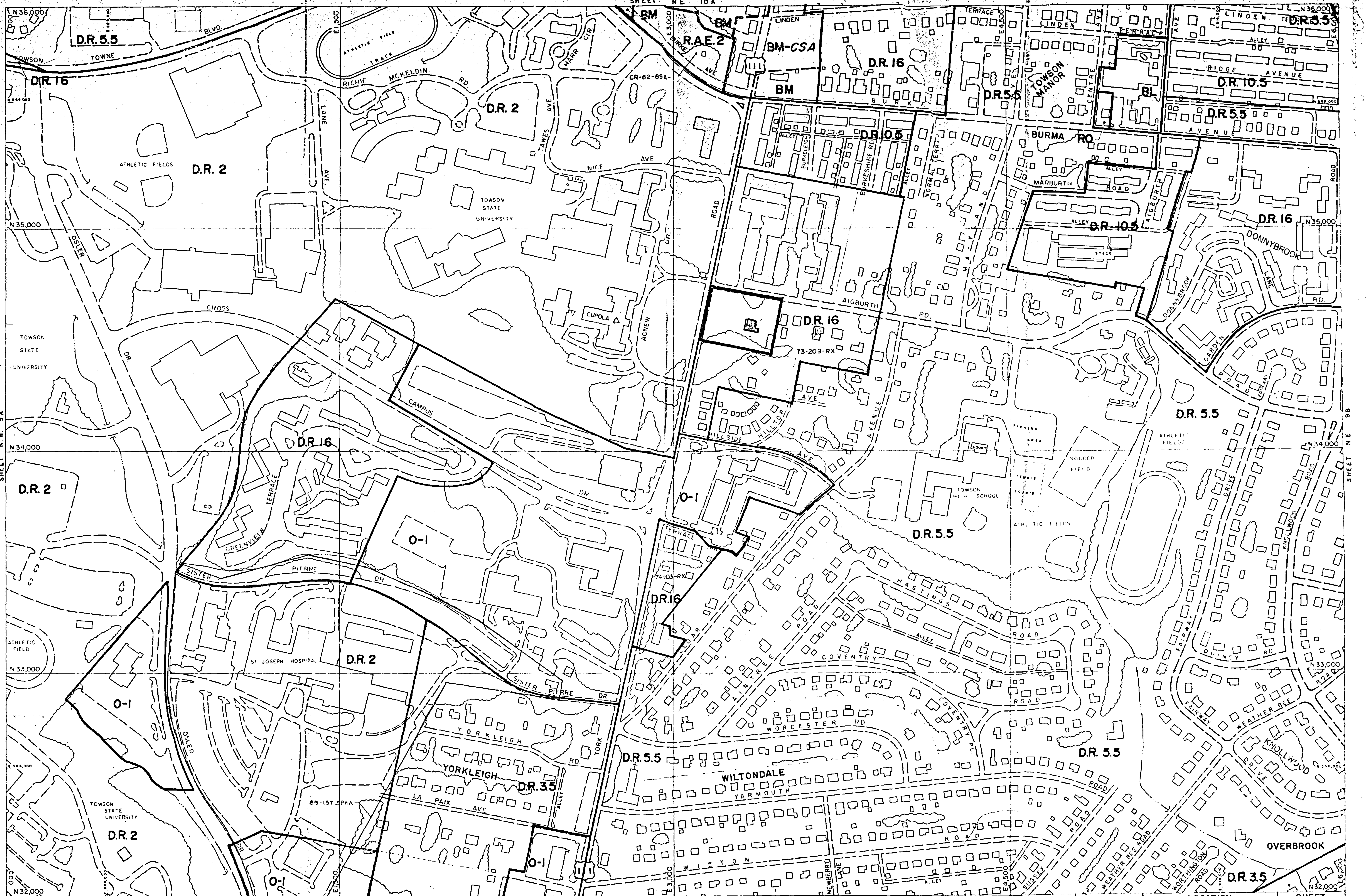
ENGINEER
PAUL LEE ENGINEERING, INC.
304 PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL 821-5941

DEVELOPER
VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 882-7200

OWNER
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD 21204

CRG PLAN
VICTORIA HOUSE OF TOWSON
SOUTHEAST CORNER OF YORK & AIGBURTH ROADS
ELECTION DISTRICT NO 9
BALTIMORE COUNTY, MD.

SHEET	DATE	JOB NUMBER
1 OF 1	8-1-89 SCALE 1" = 20'	85067


SHEET NE 10A
BM
R.A.E.2
BM-CSA
D.R.16
D.R.5.5
TOWSON MANOR
BL
D.R.10.5
BURMA RO
D.R.2
D.R.16
O-1
D.R.5.5
D.R.3.5
LINDEN TERRACE
RIDGE AVENUE
BURKE AVE
TOWSON TOWNE BLVD.
RICHIE MCKELDIN RD.
NICE AVE
ATHLETIC FIELDS
TOWSON STATE UNIVERSITY
OSLER DR.
CROSS CAMPUS DR.
CUPOLA
AIGBURTH RD.
73-209-RX
HILLSIDE AVE
HILLTOP AVE
DONNYBROOK LANE
TOWSON HIGH SCHOOL
SOCCER FIELD
GREENVIEW TERRACE
SISTER PIERRE DR
74-103-RX
ST JOSEPH HOSPITAL
HASTINGS ROAD
COVENTRY ROAD
WORCESTER RD.
YORKLEIGH RD.
YORKLEIGH
LA PAIX AVE
89-137-SPHA
WILTONDALE
YARMOUTH ROAD
KNOLLWOOD DRIVE
WEATHER BEE RD
AIRWAY
FAIRWAY
QUINCY RD
OVERBROOK
WILTON ROAD
NEWBERRY LANE
SUSSEX ROAD
WORTHINGTON ROAD
CR-82-69A
N 36,000
N 35,000
N 34,000
N 33,000
N 32,000
E 1,500
E 3,000
E 4,500
E 6,000
SHEET N.W. 9A
SHEET NE 9B
SHEET N.E 8A

O-NE N-NW

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

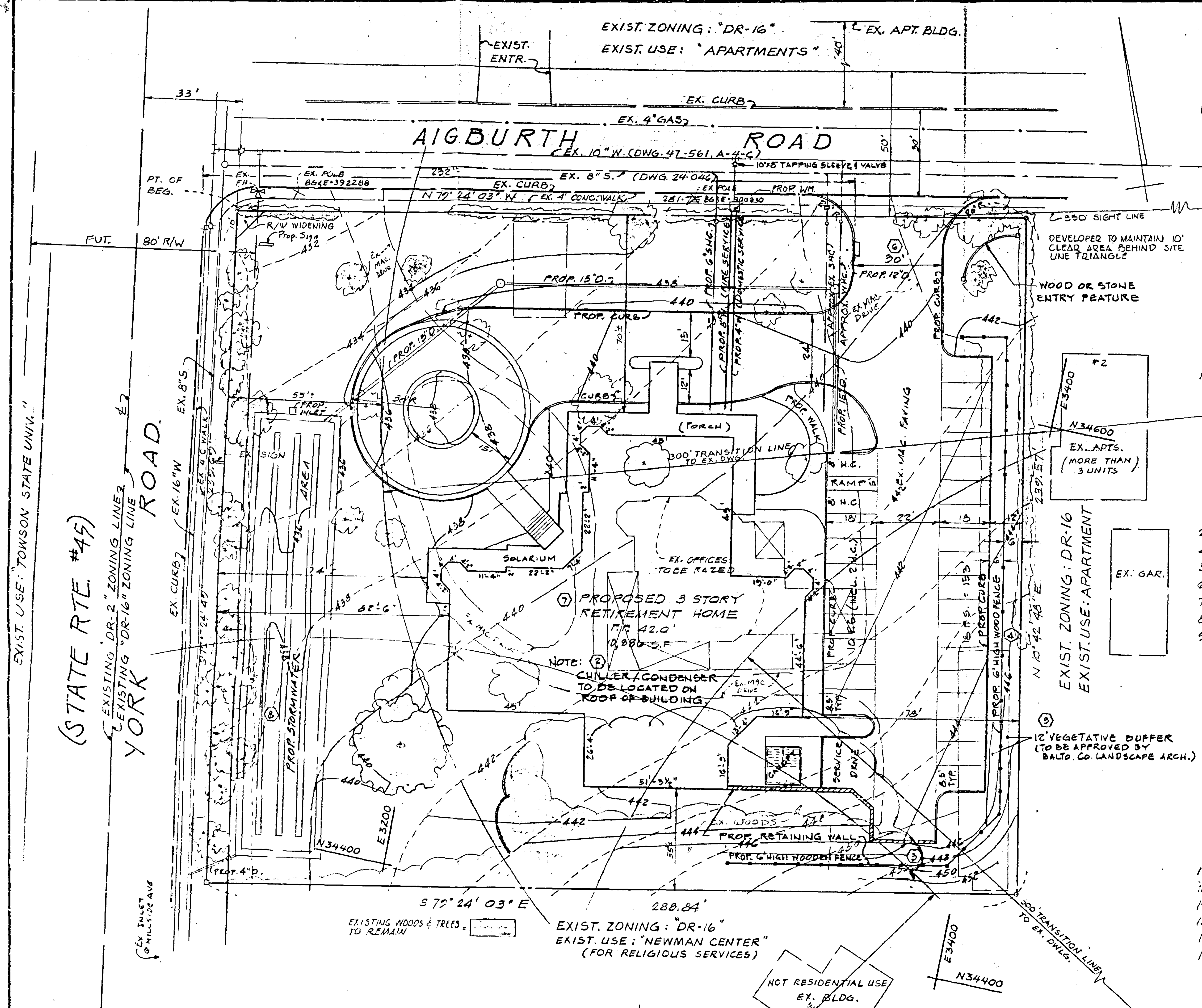
Dale T. Volz
Chairman, County Council

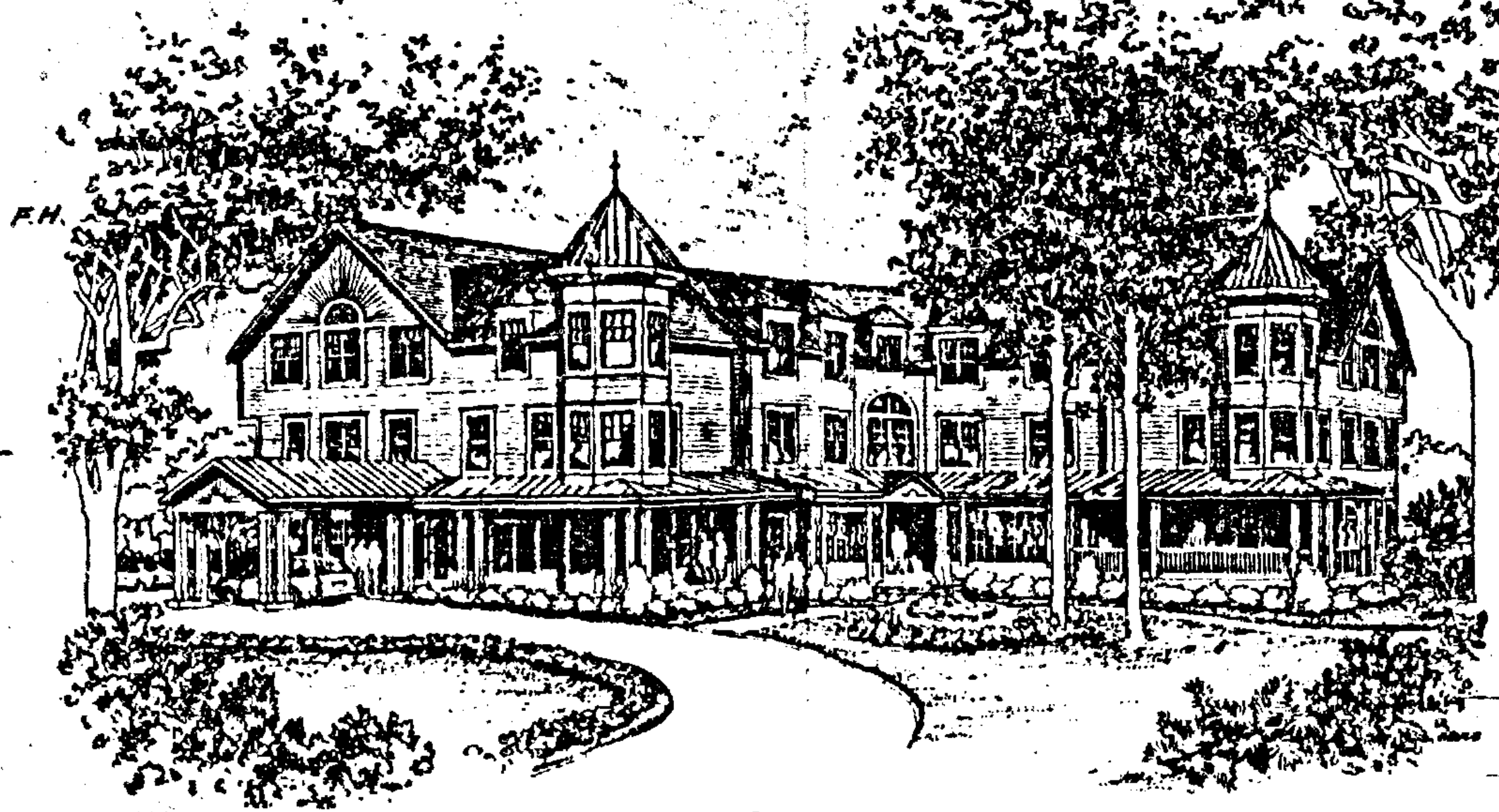
THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

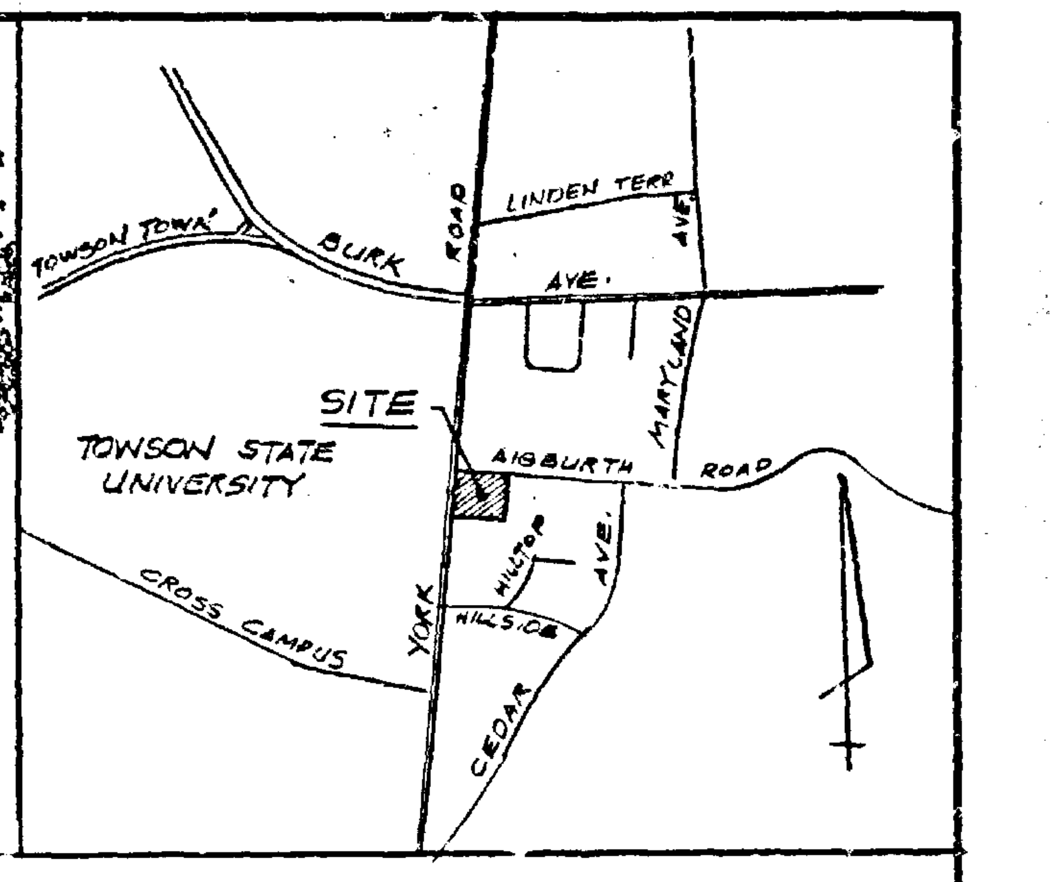
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WILTONDALE TOWSON	N.E. 9-A
DATE OF PHOTOGRAPHY JANUARY 1986		

PETITIONER'S EXHIBIT 8


EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EX. APT. BLDG.
EXIST. ENTR.
33'
40'
EX. CURB
EX. 4" GAS
AIGBURTH ROAD
EX. 10" W. (DWG. 47-561, A-4-G)
10"x8" TAPPING SLEEVE & VALVE
EX. 8" S. (DWG. 24-046)
50'
30'
PT. OF BEG.
EX. FH
EX. POLE BG&E=392288
232'±
EX. CURB
N 77° 24' 03" W
EX. 4' CONC. WALK
EX. POLE 281-75 BG&E-300930
PROP. WM.
350' SIGHT LINE
DEVELOPER TO MAINTAIN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
WOOD OR STONE ENTRY FEATURE
R/W WIDENING
Prop. Sign
FUT. 80' R/W
EX. MAC. DRIVE
PROP. 15" O.
PROP. CURB
PROP. 6" SHC.
(FIRE SERVICE)
PROP. 4" W (DOMESTIC SERVICE)
APPROX. EX. SHC.
APPROX. W.H.C.
EX. MAC. DRIVE
PROP. 12" O.
PROP. CURB
30'
PROP. 15" O.
30' R
15'
CURB
(PORCH)
PROP. WALK
PROP. 15" O.
EX. MAC. PAVING
300' TRANSITION LINE TO EX. DWG.
H.C.
RAMP
H.C.
18'
22'
13'
12'
EX. APTS. (MORE THAN 3 UNITS)
#2
E3400
N34600
239.57'
EXIST. ZONING: DR-16
EXIST. USE: APARTMENT
EX. GAR.
EX. USE: "TOWSON STATE UNIV."
(STATE RTE. #45)
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
YORK ROAD
EX. 8" S.
EX. 16" W
EX. 4' C. WALK
EX. CURB
S 12° 24' 49" W
55'±
PROP. INLET
EX. SIGN
AREA
PROP. STORMWATER
24'
82'-6"
SOLARIUM
EX. OFFICES TO BE RAZED
PROPOSED 3 STORY RETIREMENT HOME
F.F. 42.0'
10,886 S.F.
NOTE: ② CHILLER/CONDENSER TO BE LOCATED ON ROOF OF BUILDING
EX. MAC. DRIVE
PROP. CURB
10 P.S. (INCL. 2 H.C.)
18 P.S. = 153
PROP. CURB
PROP. 6' HIGH WOOD FENCE
N 10° 42' 48" E
12' VEGETATIVE BUFFER (TO BE APPROVED BY BALTO. CO. LANDSCAPE ARCH.)
78'
SERVICE DRIVE
8.5' TYP.
51'-3½"
EX. WOODS
PROP. RETAINING WALL
PROP. 6' HIGH WOODEN FENCE
E3200
N34400
PROP. 4" D.
S 77° 24' 03" E
288.84'
EXISTING WOODS & TREES TO REMAIN
EX. INLET @ HILLSIDE AVE
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER" (FOR RELIGIOUS SERVICES)
NOT RESIDENTIAL USE EX. BLDG.
E3400
N34400
300' TRANSITION LINE TO EX. DWLG.
EXISTING DWELLING




TOWSON TOWN
BURK
ROAD
LINDEN TERR.
AVE.
MARYLAND AVE
SITE
TOWSON STATE UNIVERSITY
AIGBURTH ROAD
CROSS CAMPUS
YORK
HILLSIDE
AVE
CEDAR

VICINITY MAP
SCALE: 1"=1000'

Victoria House

GENERAL NOTE:

1. a. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON
   b. APPLICANT VICTORIA CORPORATION
      400 W. PENNSYLVANIA AVE.
      TOWSON, MD. 21204
      TEL. 301-882-7200
   c. ENGINEER PAUL LEE ENGINEERING, INC.
      304 W. PENNSYLVANIA AVE.
      TOWSON, MD. 21204, TEL. 301-821-5941
   d. SCALE: 1"=20'
   e. DATE 8-1-89

EXIST. DWLG.

2 & 3 AS SHOWN
4. ELECTION DIST. 9
5 COUNCILMANIC DIST. 4
6. CENSUS TRACT = 4908
7. WATERSHED = 23 SUBSEWERSHED = 55
8. COORDINATES: AS SHOWN
9. a. SITE ACREAGE
   NET AREA = 1.55 AC.
   0.33 AC. (½ ROAD R/W)
   GROSS AREA = 1.88 AC.
   b. COMMON OPEN SPACE
   REQD. OPEN SPACE = 20 UNITS @ 650#/UNIT = 13,000# = 0.30 AC.
   PROP. " " = WAIVER REQUESTED
   c. PARKING
   REQUIRED PARKING (1 PS/2 BEDS) = 40 P.S.
   PARKING SHOWN (INC. 2 HC) = 28 P.S. (VARIANCE REQUESTED)
   d. DENSITY: 1.88 @ 16 UNITS/AC. = 30.00 UNITS
   ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
   PROPOSED: ASSISTED LIVING UNITS = 80 BEDS
   UNITS ARE FOR RENT
   e. LANDSCAPE: PER LANDSCAPE MANUAL - STREET $522/40 = 14$
   PARKING $28/12 = \frac{3}{17}$
   f. FLOOR AREA RATIO: N/A
10. BEARINGS & DISTANCE: AS SHOWN
11. PROPOSED & EXISTING WELL: N/A
12. " " SEPTIC: N/A
13. SEWER & WATER LINES W/ REF. DWG. No. AS SHOWN
14. FIRE HYDRANT: AS SHOWN
15. SOIL TYPE

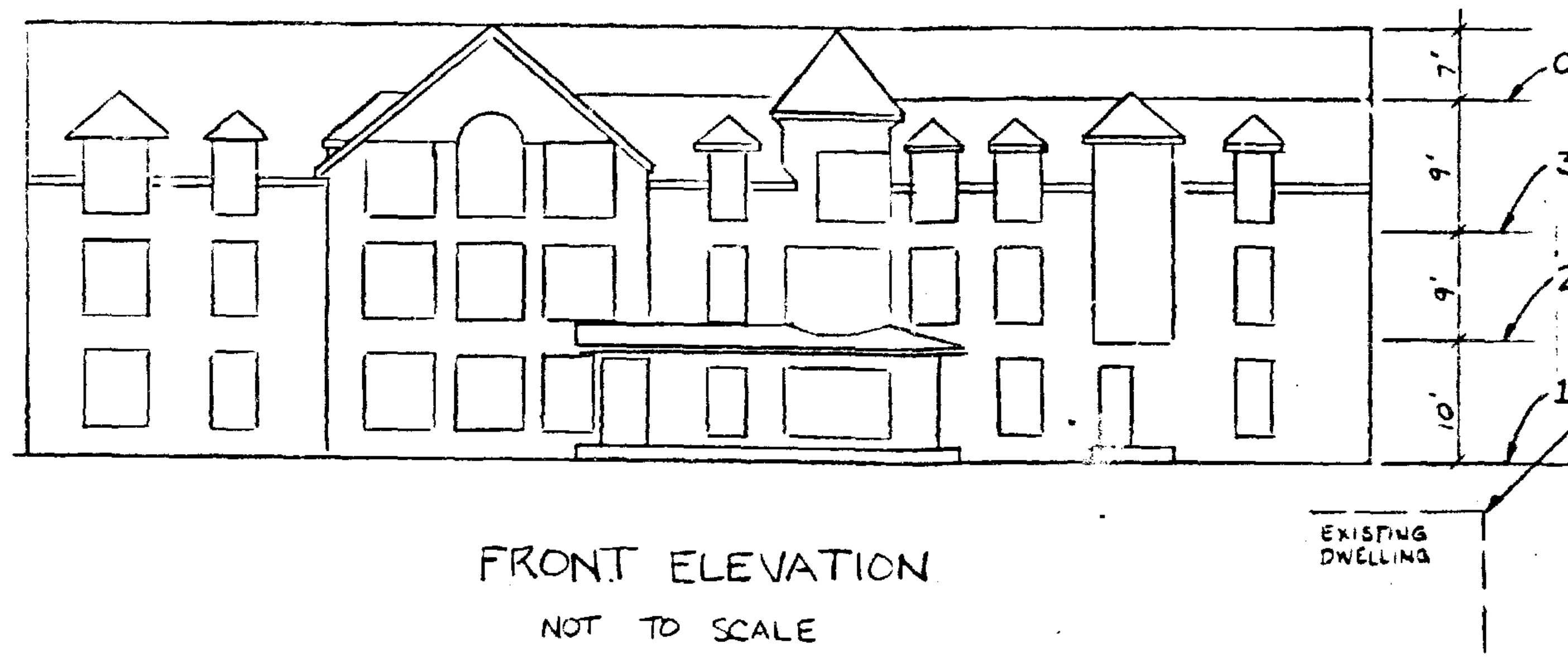
AREA	TYPE	BLDG.	PARKING	CLASS
1.60	GIB	SLIGHT	MODERATE	B

16. EX. TOPOGRAPHY : AS SHOWN
17. PROP. GRADING : AS SHOWN
18. EX. WOODED AREA & VEGETATION: AS SHOWN
19. LOCATION & PROP. PLANTING : SEE LANDSCAPE
20. EX. STREAM : N/A
21. FLOOD PLAINS : N/A
22. EX. BLDGS & PROP. STATUS ON THE SITE: AS SHOWN
23. HISTORIC BLDGS.: N/A
24. EX. BLDGS. ADJACENT TO THE SITE: AS SHOWN
25. CURRENT ZONING OF SITE DR-16
26. TRANSITION: SPECIAL EXCEPTION REQUESTED
    a. EXIST. USES: GENERAL & MEDICAL OFFICES
    PROPOSED USE: ASSISTED LIVING FACILITY
    b. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN
    c. BLDGS SETBACK & DIST. BET. BLDGS: VARIANCE
    d. BUFFER & SCREENING AREAS: VARIANCE
    e. EX. & PROP LIGHTING : /
27. OWNER;
    A. ERIC & ESTHER J. DOTT
    601 E. SEMINARY AVE.
    TOWSON, MD. 21204
    DEED REF. 2198-307
    PROPERTY NO. 09-04-500930
28. OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN
29. PROP. LOT & BLDGS. LAYOUT: AS SHOWN
30. COMMON OPEN SPACE: WAIVER REQUESTED
31. PROP. PARKING LAYOUT: AS SHOWN
32. STREET- PAVING & RIGHT-OF-WAY: AS SHOWN
33. PANHANDLE DRIVEWAYS: N/A
34. ESTIMATED AVERAGE DAILY TRIP (ADTS) = 130
35. HANDICAPPED PARKING: AS SHOWN
36. EASEMENTS : AS SHOWN
37. EX. & PROP. STORM DRAINS: AS SHOWN
38. EX. & PROP. UTILITY SYSTEM: AS SHOWN
39. SWM AREA
    a. WAIVER REQUESTED
40. WETLANDS: N/A
41. CRITICAL AREAS: N/A
42. ARCHEOLOGICAL SITES: N/A
43. ENDANGERED SPECIES HABITAT: N/A
44. HAZARDOUS MATERIALS SITE: N/A

NOTES:

1. SIGNS-AS PERMITTED IN SEC 413 OF THE ZONING REGULATIONS. SIGN VARIANCES TO BE APPLIED FOR AT A LATER DATE
2. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, SPECIAL HEARING FOR PARKING VARIANCE AND SPECIAL VARIANCE FROM THE TRANSPORTATION STANDARDS OF THE BASIC SERVICES MAPS APPLIED FOR IN CASE NO. 90-145-SPHXA
3. ALL PARKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPED PER SECTION 409 (B.C.Z.R.)
4. THIS ASSISTED LIVING FACILITY IS A CLASS "B" FACILITY AS DEFINED IN SECTION 101 (BCZR) AND WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE, 1985 EDITION, CHAPTER 21.
5. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A.R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS.
6. DUMPSTER ROOM TO BE IN BASEMENT, TO BE PICKED UP AS REQ'D.
7. NO WELLS, SEPTIC SYSTEMS OR UNDERGROUND FUEL TANKS EXIST ON SITE.

ZONING CASE NO. 90-145-SPHXA
SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCES ORDER (1-5-90)


CIELING LINE
3RD FLR LEVEL
2ND FLR. LEVEL
1ST FLR. LEVEL
7'
9'
9'
10'
300' TRANSITION LINE TO EX. DWLG.
EXISTING DWELLING

FRONT ELEVATION
NOT TO SCALE

⬡ DENOTES LOCATION OF RESTRICTIONS

RESTRICTIONS - Case # CBA-89-188 & 90-145 SPHXA

① The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this COnsent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

⑨ Victoria Corporation shall collect trash & garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.

⑩ Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

⑪ The assisted living facility approved herein shall contain no more than eighty (80) beds.

PUBLIC SERVICES CRG NO. 89225
PLANNING NO. IX-547

Paul Lee

Drafting	DATE	REVISIONS
Check	10-6-89	REV. PER PRE-CRG COMMENTS
Design	6-7-90	REV. PER ZONING RESTRICTIONS
Check		

ENGINEER
PAUL LEE ENGINEERING, INC.
304 PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 821-5941

DEVELOPER
VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 882-7200

OWNER
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD. 21204

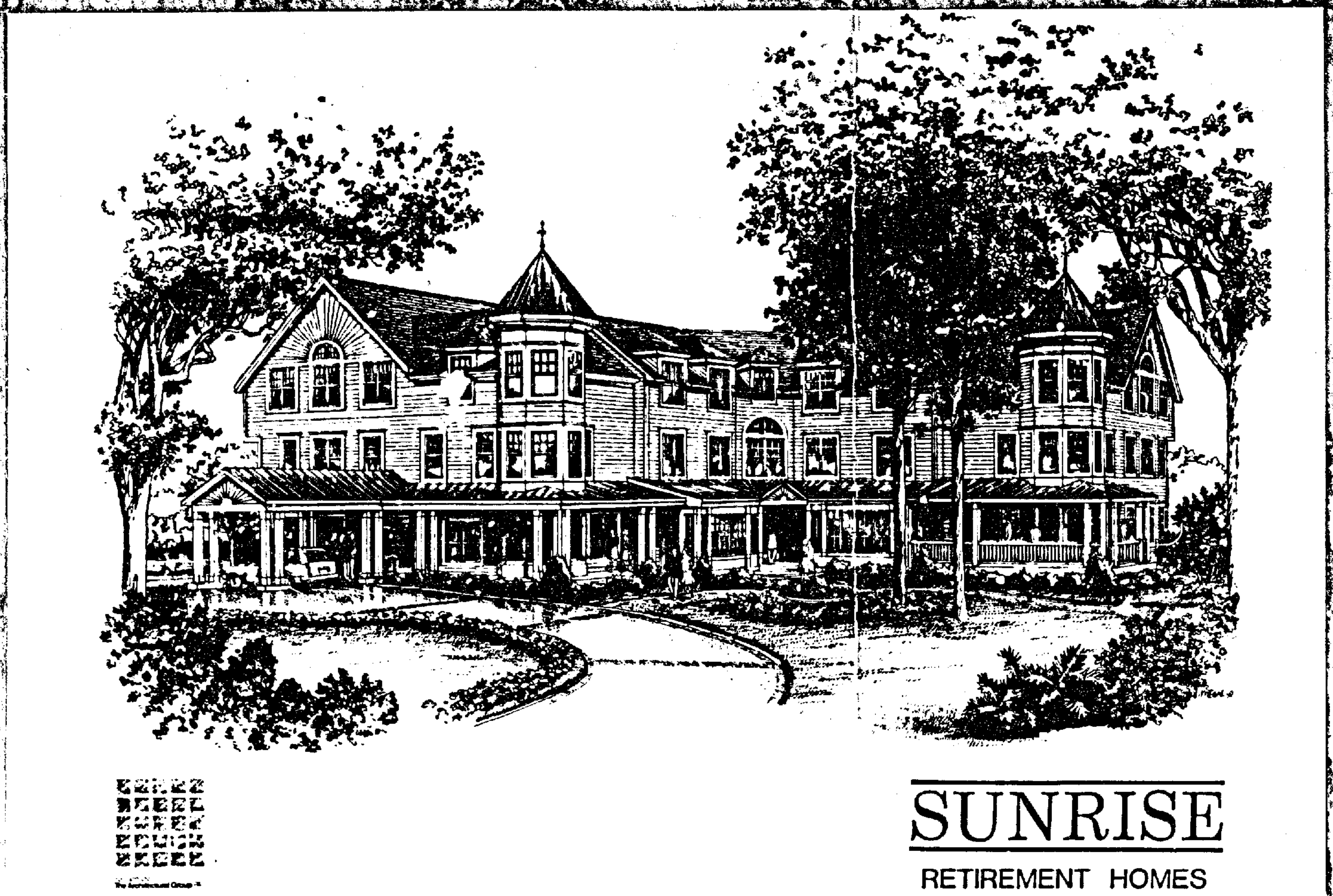
CRG PLAN
VICTORIA HOUSE OF TOWSON
SOUTHEAST CORNER OF YORK & AIGBURTH ROADS
ELECTION DISTRICT NO. 9
BALTIMORE COUNTY, MD

SHEET	DATE	JOB NUMBER
1 OF 1	8-1-89	88064
	SCALE 1"=20'	

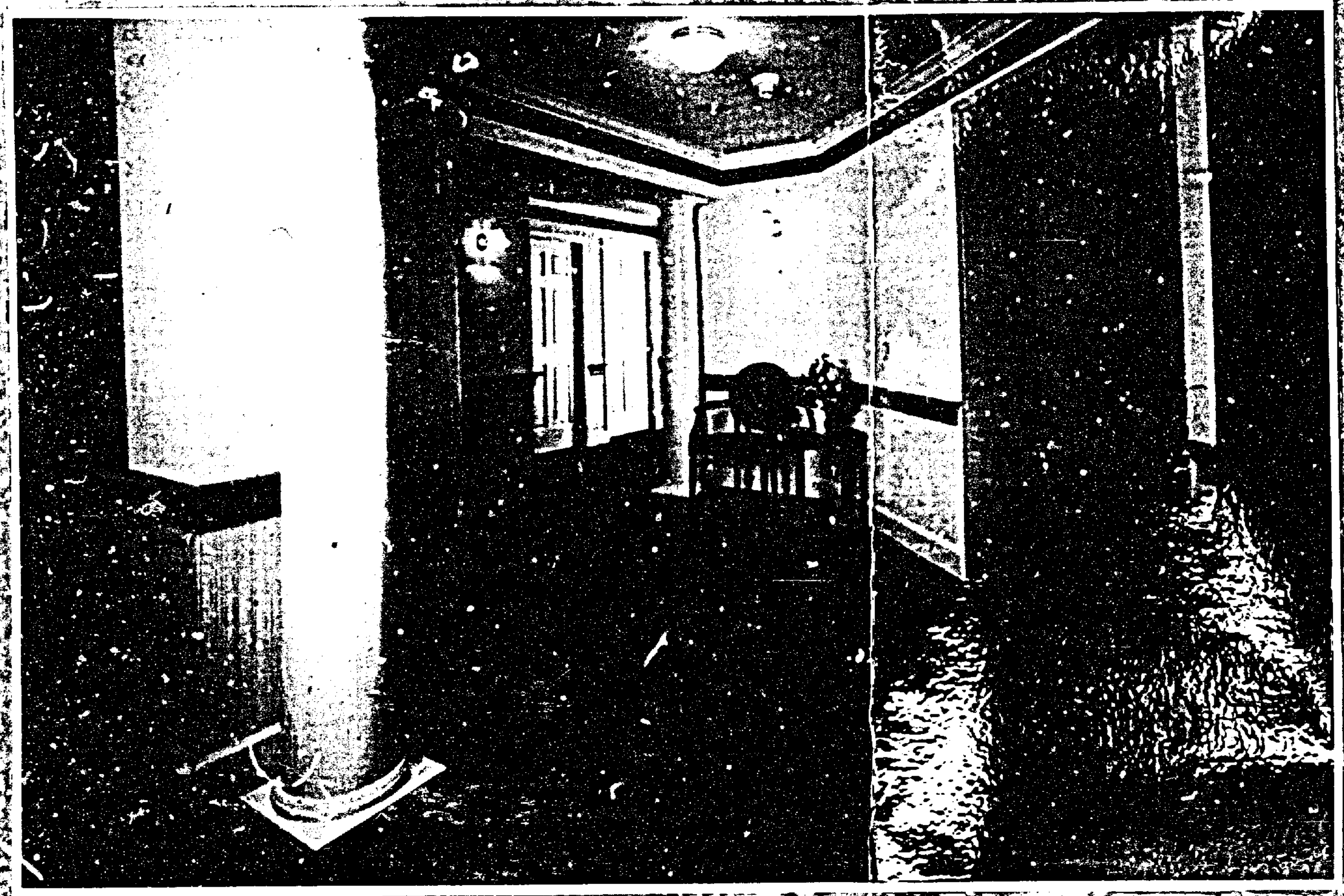
Pet. Ex 1

Victoria House

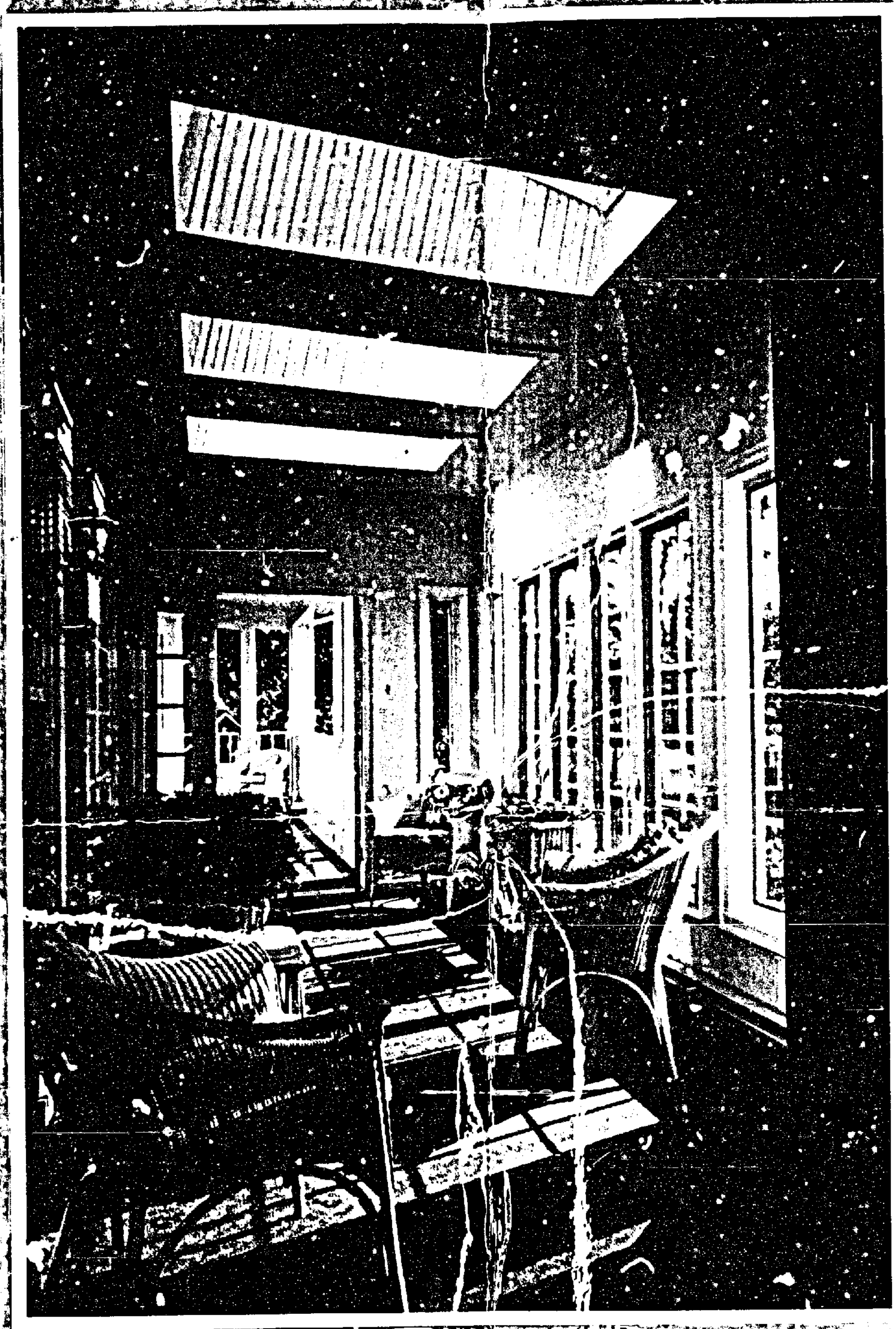
of TOWSON



Victoria House is modeled after this recently completed residentially-scaled retirement home in Arlington, Virginia.



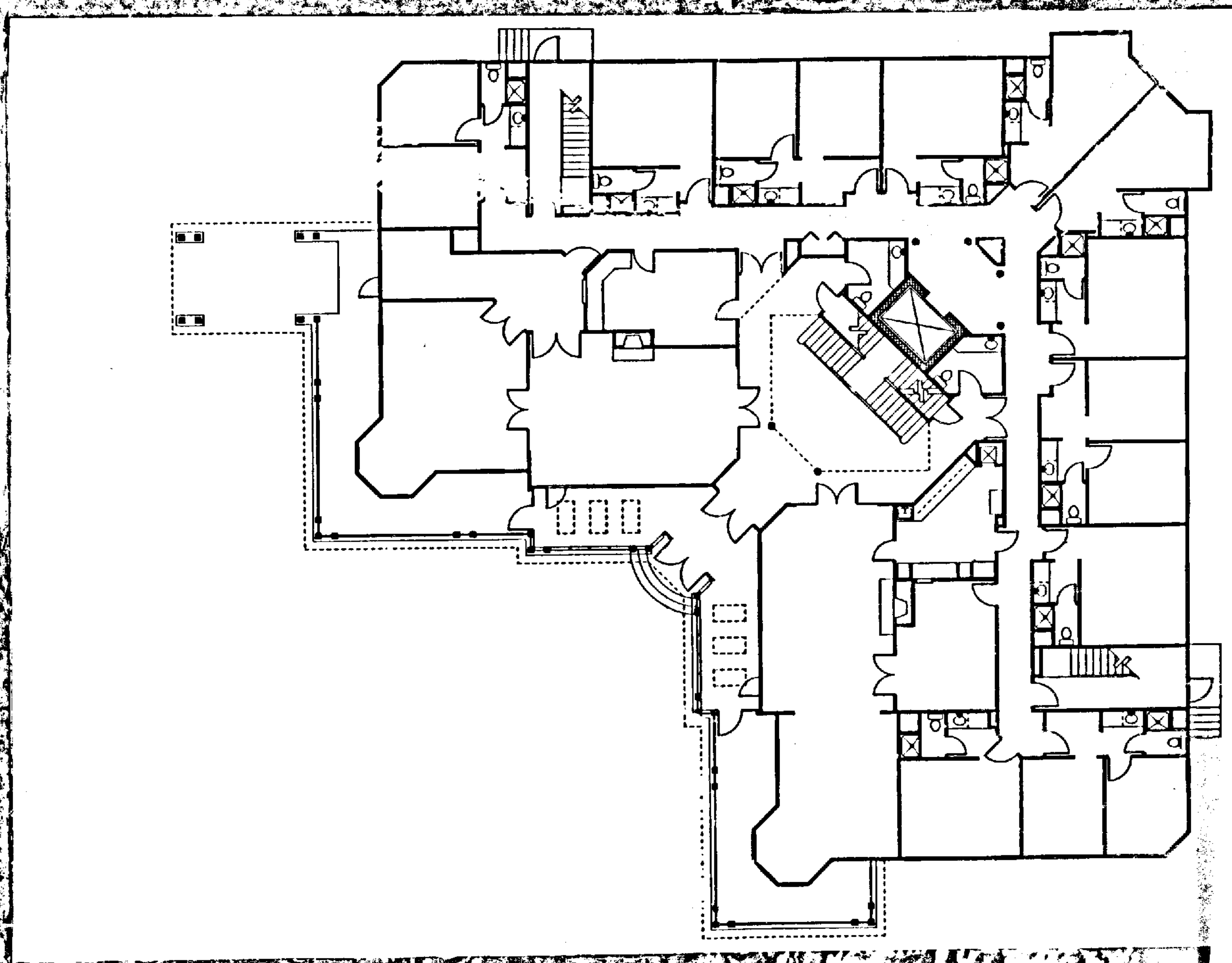
Typical upper floor corridor at elevator.



A view of the sunroom with [illegible]

[illegible]

Street corner view looking towards the main entry.



First level floor plan.

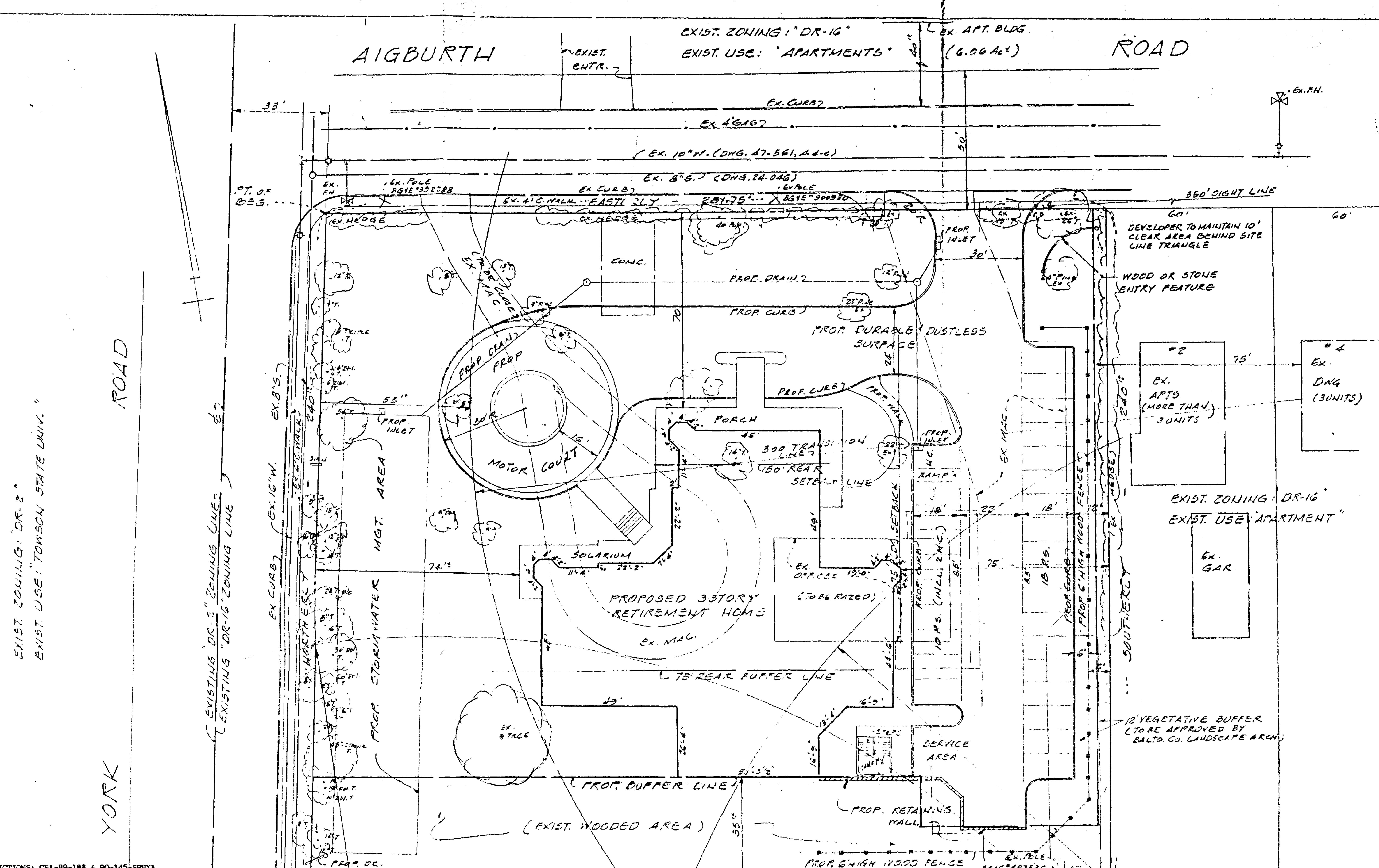
Reg Narmour
The Architectural Group PA
Charlotte NC
Raleigh NC
Washington DC
Tampa FL
Myrtle Beach SC

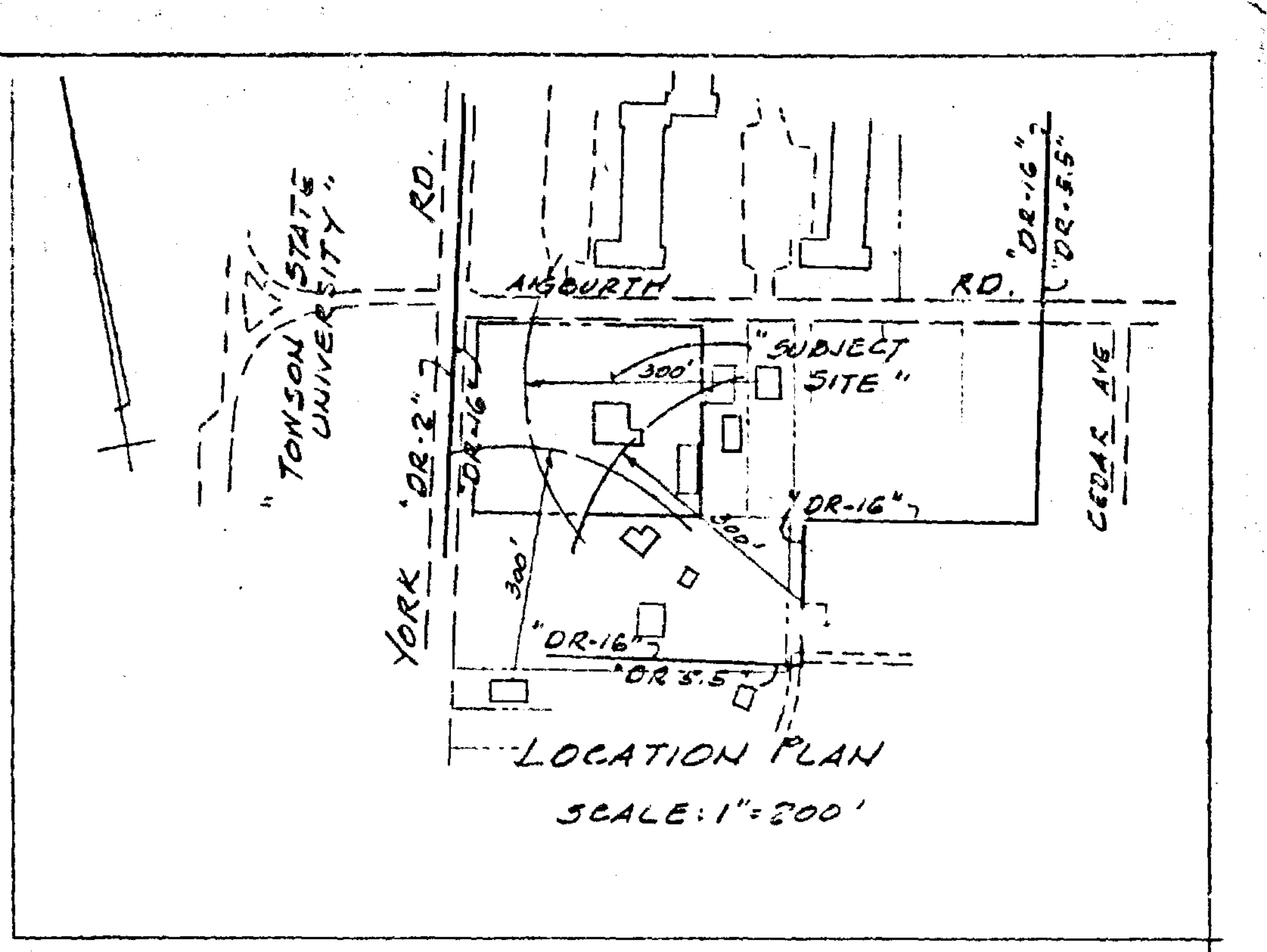
[illegible] is [illegible] developed and operated by Sunrise Retirement Homes.

PETITIONER(S) EXHIBIT ( )

PETITIONER'S EXHIBIT 1

90-145 SPHX


AIGBURTH
ROAD
EXIST. ENTR.
EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EX. APT. BLDG. (6.06 Ac±)
60'
50'
33'
EX. CURB
EX. 4" GAS
EX. 10"W. (DWG. 47-561, A-4-c)
EX. 8"S. (DWG. 24-046)
PT. OF BEG.
EX. F.H.
EX. POLE BG1E #392288
EX. POLE BG1E #900350
EX. 4' C. WALK
EASTERLY - 281.75'
EX. HEDGE
CONC.
PROP. DRAIN
PROP. CURB
PROP. INLET
30'
350' SIGHT LINE
60'
60'
20
EX. F.H.
DEVELOPER TO MAINTAIN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
WOOD OR STONE ENTRY FEATURE
PROP. DURABLE DUSTLESS SURFACE
PROP. DRAIN
PROP.
MOTOR COURT
30' R.
16'
55'±
PROP. INLET
PORCH
45'
300' TRANSITION LINE
150' REAR SETBACK LINE
PROP. CURB
PROP. WALK
H.C. RAMP
#2 EX. APTS (MORE THAN 3 UNITS)
75'
#4 EX. DWG (3 UNITS)
EX. MAC.
EXIST. ZONING: DR-16
EXIST. USE: "APARTMENT"
EX. GAR.
SOLARIUM
74'±
PROPOSED 3 STORY RETIREMENT HOME
EX. OFFICES (TO BE RAZED)
75' BLDG. SETBACK
10 P.S. (INCL. 2 H.C.)
18 P.S.
18'
22'
18'
75
PROP. CURB
PROP. 6' HIGH WOOD FENCE
EX. HEDGE
SOUTHERLY
240'±
75' REAR BUFFER LINE
12' VEGETATIVE BUFFER (TO BE APPROVED BY BALTO. CO. LANDSCAPE ARCH.)
SERVICE AREA
STEPS
CANOPY
PROP. RETAINING WALL
PROP. BUFFER LINE
51'3½"
(EXIST. WOODED AREA)
35'±
PROP. 6' HIGH WOOD FENCE
EX. POLE BG16 #487536
EX. TREE
PROP. STORMWATER MGT. AREA
NORTHERLY
EX. 4' C. WALK
EX. 16"W.
EX. 8"S.
EX. CURB
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
YORK
ROAD
EXIST. ZONING: "DR-2"
EXIST. USE: "TOWSON STATE UNIV."
PROP. DR.
WESTERLY - 281.75'
406.16'
300' TRANSITION TO EX. DWG.
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER" (FOR RELIGIOUS SERVICES)
(1.86 Ac±)
NOT RESIDENTIAL USE EX. BLDG
EX. BLDG. NOT RESID. USE
300' TRANSITION LINE
EX. DWG.
EX. BLDG. NOT RESIDENTIAL USE


TOWSON STATE UNIVERSITY
RD.
AIGBURTH RD.
SUBJECT SITE
300'
"DR-16"
"DR-2"
"DR-5.5"
YORK
CEDAR AVE
LOCATION PLAN
SCALE: 1" = 200'

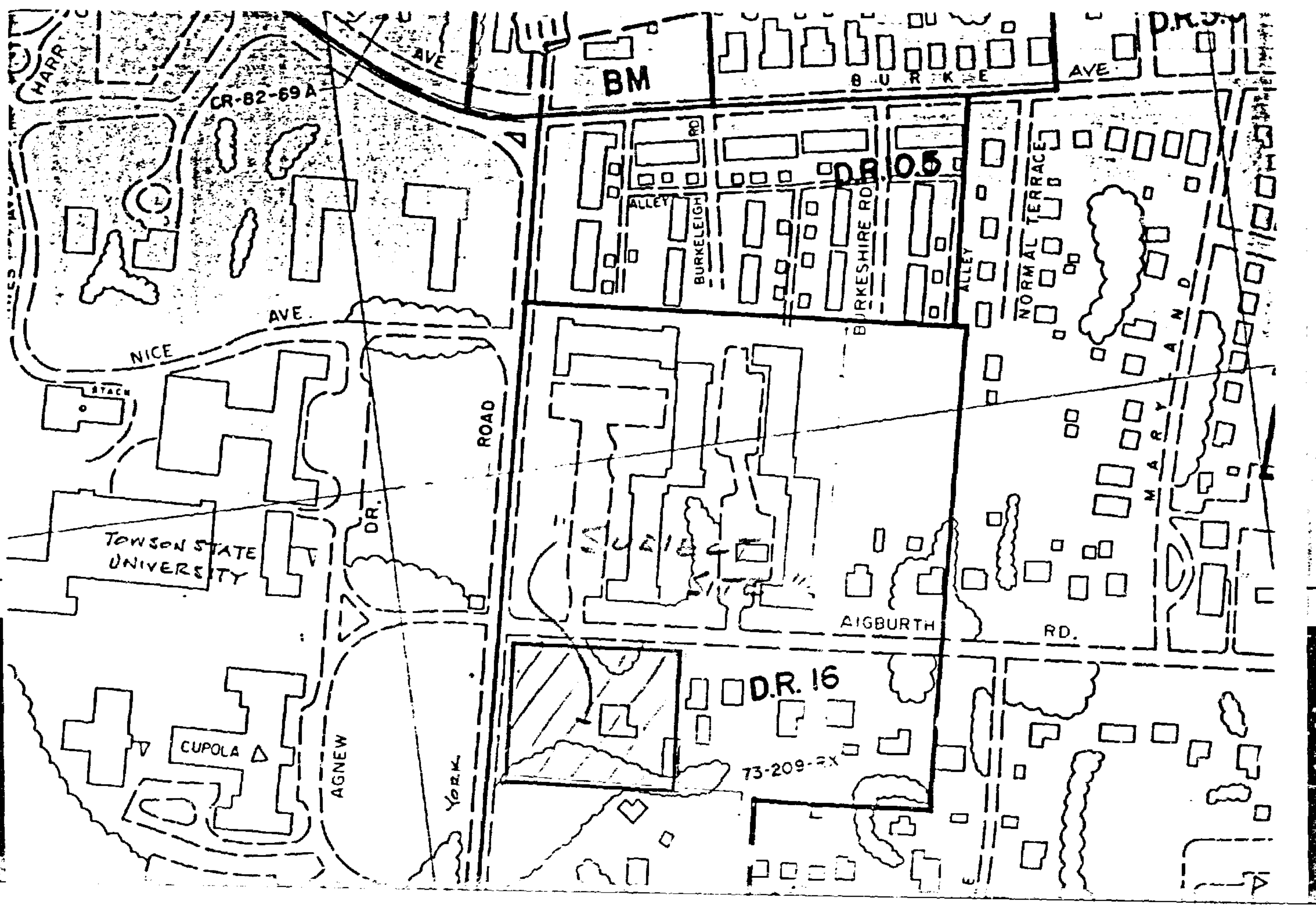
GENERAL NOTES

1. AREA OF PROPERTY = 1.55 Ac± NET - 1.88 Ac± GROSS
2. EXISTING ZONING OF PROPERTY = "DR-16"
3. EXISTING USE OF PROPERTY = "MEDICAL & GENERAL OFFICES"
4. PROPOSED ZONING OF PROPERTY = "DR-16 W/SPECIAL EXCEPTION"
4. PROPOSED USE OF PROPERTY = "ASSISTED LIVING FACILITY"

5. NUMBER OF PERMITTED UNITS = 16 × 1.88 = 30 UNITS
NUMBER OF PERMITTED BEDS (1BED/0.25U) = 120 BEDS
6. NUMBER OF PROPOSED BEDS = 80 BEDS
7. REQUIRED OFF-STREET PARKING (1PS/2BEDS = 40 P.S.
8. NUMBER OF PARKING SPACES SHOWN (INCL. 2H.C.) = 28 P.S.
9. PROPERTY SERVED BY PUBLIC UTILITIES
10. PETITIONER REQUESTING A SPECIAL EXCEPTION FOR AN ASSISTED LIVING ELDERLY HOUSING FACILITY FOR A MAX. OF 80 BEDS PURSUANT TO SECT. 432.1.A.2 & TO WAIVE OR MODIFY THE RESIDENTIAL RESTRICTIONS OF SECT. 1B01.1.B.1.b PURSUANT TO SECT. 432.4 (BCZR).
11. PETITIONER REQUESTING A SPECIAL HEARING TO REMOVE/ABANDON THE PREVIOUSLY GRANTED AND IN PLACE "SPECIAL EXCEPTION IN ZONING CASE #78-276-X & TO APPROVE A REDUCTION/MODIFICATION IN THE REQUIRED PARKING TO 1/3 BEDS PURSUANT TO SECT. 409.6.A.1.
12. PETITIONER REQUESTING A VARIANCE TO SECT. 4A02.4.F.1 TO PERMIT A SPECIAL VARIANCE FROM TRANSPORTATION STANDARDS OF THE BASIC SERVICE MAP FOR THE REDEVELOPMENT OF EXISTING OFFICES TO AN ASSISTED LIVING FACILITY AND SECT. 409.6.A.1 TO PERMIT 1 OFF STREET PARKING SPACE PER 3 BEDS IN LIEU OF THE REQ'D. 1 SPACE PER 2 BEDS
13. MAX. BLDG. HEIGHT IN RTA = 35', IF RTA DOES NOT APPLY, USE CMP SETBACKS.
14. SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCES GRANTED (1-5-90) CASE #90-145-SPHXA (SEE RESTRICTIONS)

RESTRICTIONS: CBA-89-188 & 90-145-SPHXA

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Consent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The chiller or condensers proposed to be installed by the Petitioners shall be located on the roof of the building, as noted on Exhibit 3.
3. The Petitioners shall erect a six (6) foot high wooden privacy fence behinh the retaining wall shown on Exhibit 3. Said privacy fence shall run the entire length of the retaining wall from the proposed building to the vegetative buffer along the southeast side of the property line.
4. The Petitioners shall construct a six (6) foot high wooden privacy fence six (6) feet inside the easterly boundary line to run the length of the parking spaces shown on Exhibit 3.
5. The Petitioners shall provide landscaping as shown on Exhibit 3, including but not limited to a twelve (12) foot vegetative buffer along the eastern boundary line of the subject site.
6. The entranceway to and driveways on the subject property, as redeveloped, shall be in the location and configuration shown on Exhibit 3.
7. The building location, footprint, and dimensions shall be shown on Exhibit 3.
8. The stormwater management facility for the site shall consist of an underground structure.
9. Victoria Corporation shall collect trash and garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.
10. Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.
11. The assisted living facility approved herein shall contain no more than eighty (80) beds.


#20
BM
BURKE AVE.
CR-82-89A
DR 10.5
BURKELEIGH RD.
BERKSHIRE RD.
ALLEY
NORMAN TERRACE
NICE AVE.
ROAD
DR.
TOWSON STATE UNIVERSITY
AIGBURTH RD.
DR. 16
73-209-RX
CUPOLA
AGNEW
YORK

PLAT TO ACCOMPANY PETITION

FOR

SPECIAL EXCEPTION, SPECIAL HEARING AND VARIANCES

#7925 YORK ROAD

S.E. CORNER YORK & AIGBURTH RDS.

ELECT. DIST. 9

BALTIMORE CO., MD.

SCALE: 1" = 20'

JULY 10, 1989
OCT. 17, 1989
REV. JUNE 13, 1990 REV. PLAN PER APPEAL BOARD ORDER

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE
TOWSON, MARYLAND 21204

#88-064

PETITIONER(S) EXHIBIT (   )

PETITIONER'S EXHIBIT 6

90-145SPHX

CARDIFF
HALL EAST
APARTMENTS
435-4600
7800 YORK ROAD
Dinner THEAT

TELEPHONE
879-[illegible]70

Charles E. Hunt, D. D. S.
1916 Belair Road
Fallston, Maryland 21047

10/31/89

To whomever it may concern:

I am very much disenchanted by the thought of building a geriatric center in the midst of our residential neighborhood, since it would add more traffic to an already very hazardous little one way street called Cedar Avenue.

Very Sincerely,
Charles E. Hunt D.D.S.

To whom it may Concern:

I definitely oppose the building of the Victoria House at Aig. Rd. & York Rd.

We have many senior citizens that have to walk in this area. We have enough traffic with Towson High School Students. We do not need any more

Thank you
Mrs. F. A. Bozer
8-10 Cedar Ave.
Towson, Md.
21204

---

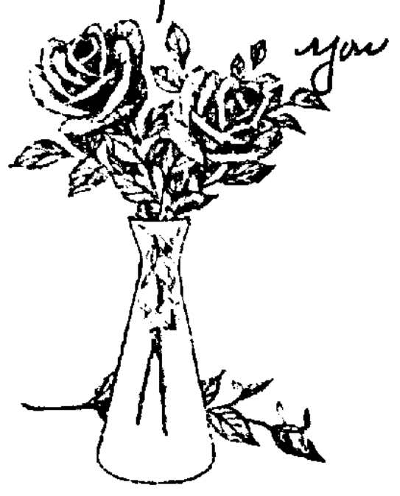
16 Cedar Ave
Balto. Md. 21204

Mr. J. Robert Haines

Dear Sir:

Victoria House - I think the house is to large for the size of the lot.

The traffic is bad enough without more cars - They of Victoria house says there will not any cars because the people will be over 80 yrs but then they said the government says they have to take anyone over 62 yrs. old. So you know there will be cars -



Thank you.
Ella B Fowler

Monday, October 30, 1989.

Mr. J. Robert Haines, Zoning Commissioner
Baltimore County Office Bldg.
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Haines,

As the third generation of my family to live in our home on the corner of York Rd and Hillside Avenue, I have seen a lot of changes in my neighborhood over the years. During my childhood at this address, the beautiful Towson Nurseries were across the street (to the S.E.); the small, sedate Towson State Teachers College, to the west; and a lovely old farm, south-west. All of that is now long gone.

Over the past 35 years or so, many unwelcomed changes have been made to this area. With these changes came heavier traffic & parking problems, more noise and activity, more dirt and trash. I can not think of a single change that brought an improvement over what had previously existed. I have learned to live with these changes but not to appreciate them.

At this point, I feel compelled to object strenuously to the proposed location of Victoria House on the corner of York and Aigburth. I do not look forward to any development that will bring still more traffic congestion, etc. and I believe Victoria House surely would. Furthermore, I believe Victoria House as proposed would overwhelm the site it would occupy not allowing enough attractive open space. I feel that this facility would further change the character of this community both in appearance and usage. Lastly, I can not conceive of "the frail elderly" living in a location so close to Towson State University. The area across York Rd. from this proposed facility is a field on which students enjoy unsupervised outdoor sports and impromptu rallies - not a quiet, peaceful spot!

Please do not allow this facility to be developed at this location!

Very truly yours,
Barry Allen Slike (Mrs.)
7901 York Road
Towson, Md. 21204

JOHN & TINA CRATEN
21 HILLTOP AVE.
TOWSON, MD. 21204

LEGG MASON
Legg Mason Wood Walker, Inc.

111 South Calvert Street
P.O. Box 1476
Baltimore, MD 21203-1476
(301) 539-3400

10/27/89

Mr. J. Robert Haines, Zoning Commissioner
Balto. Co.
County Office Bldg.
111 W. Chesapeake Ave.
Towson, MD. 21204

Dear Mr. Haines,

This letter is in reference to the upcoming hearings — Oct. 31, 1989 & Nov. 2, 1989 — on Victoria House (corner of Aigburth and York Rd.) in Towson.

My wife and I are homeowner's in this immediate area (21 Hilltop Ave.) and we strongly object to this proposed zoning. This is a quiet residential neighborhood and we would like to keep it that way.

The proposed zoning is calling for a scale that is too large for the site. The attendant congestion, traffic and parking (which is already unbearable due to uncontrolled Towson Univ. student parking) would wreak havoc on an otherwise peaceful community.

Please register our vote as a resounding OPPOSED!

Thank You.

John J. Craten
Tina C. Craten

18½ Cedar Avenue
Towson, MD 21204
October 28, 1989

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
County Office Building
111 West Chesapeake Ave.
Towson, MD 21204

Dear Mr. Haines,

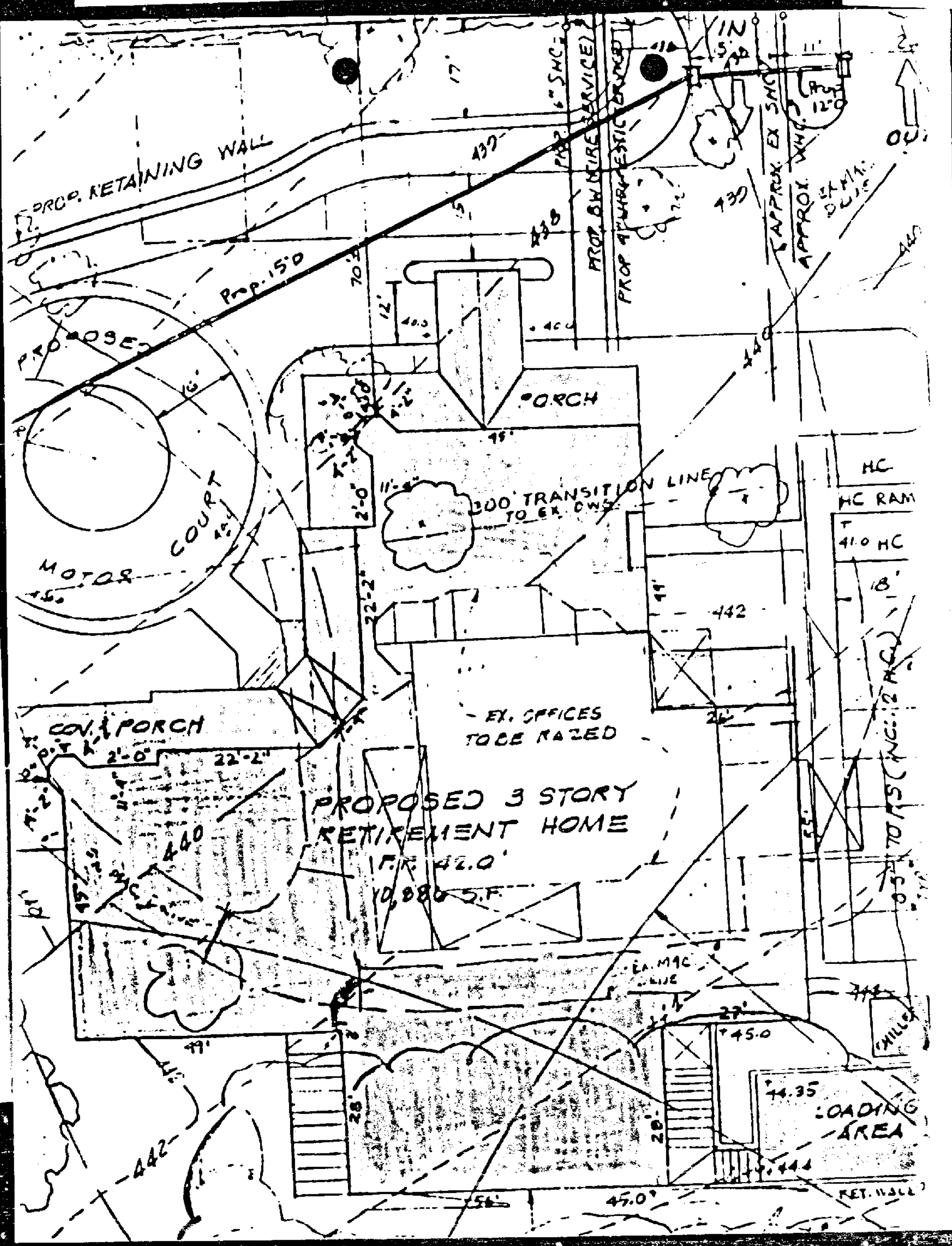
I would like to register my opposition to the proposed Victoria House development as it now is presented. I believe it is far too large-scale a project for that small a site. The large building would overpower the other buildings on the block, which are set back from York Rd. As one drives north on York Road from the county line, one can see the sudden change at Burke Avenue; there are houses and abundant greenery to the south, and generally ugly urban sprawl to the north. This Victoria House proposal would pave the way for the turnover of the residential south York Road corridor to become another area of unattractive overdevelopment.

The Towson Manor area is already plagued by excessive noise in the morning when the dumpsters of the York at Terracedale office development are emptied. Someday I plan to measure the decibel level of this event, in hopes of charging the company with noise pollution! It is impossible to sleep through this raquet, and several residents with young children suffer almost daily from the effects of early wakening for no good reason. I believe the same will be true if Victoria House is built; residents of that block will be disrupted by early a.m. noise. Because the proposed building is so large, the dumpsters would necessarily be placed quite near existing residences.

Traffic and parking are two other major problems impossible to overlook. The plan for site development does not allow sufficient parking for visitors, staff, and residents. It cannot be assumed that none of the residents will possess cars: the parking lots at places like Edenwald in the county, and Kirkwood House at the city/county line testify otherwise.

I am not opposed to all development, but I am opposed to overdevelopment. This southeast area of the York Road corridor needs to protect its residential character, lest it become just another segment of the York Road "strip."

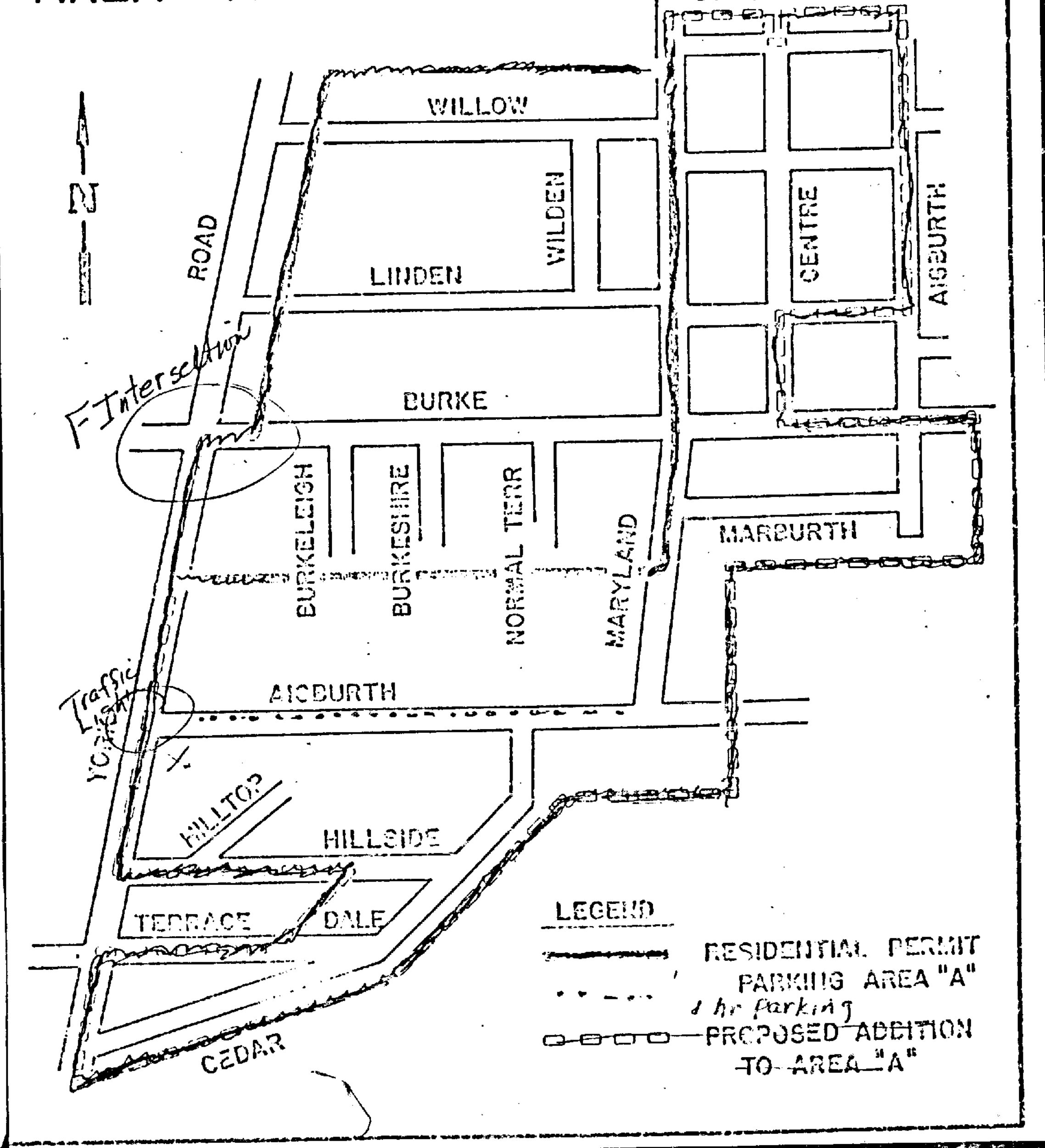
Sincerely,
Susan S. Hartman

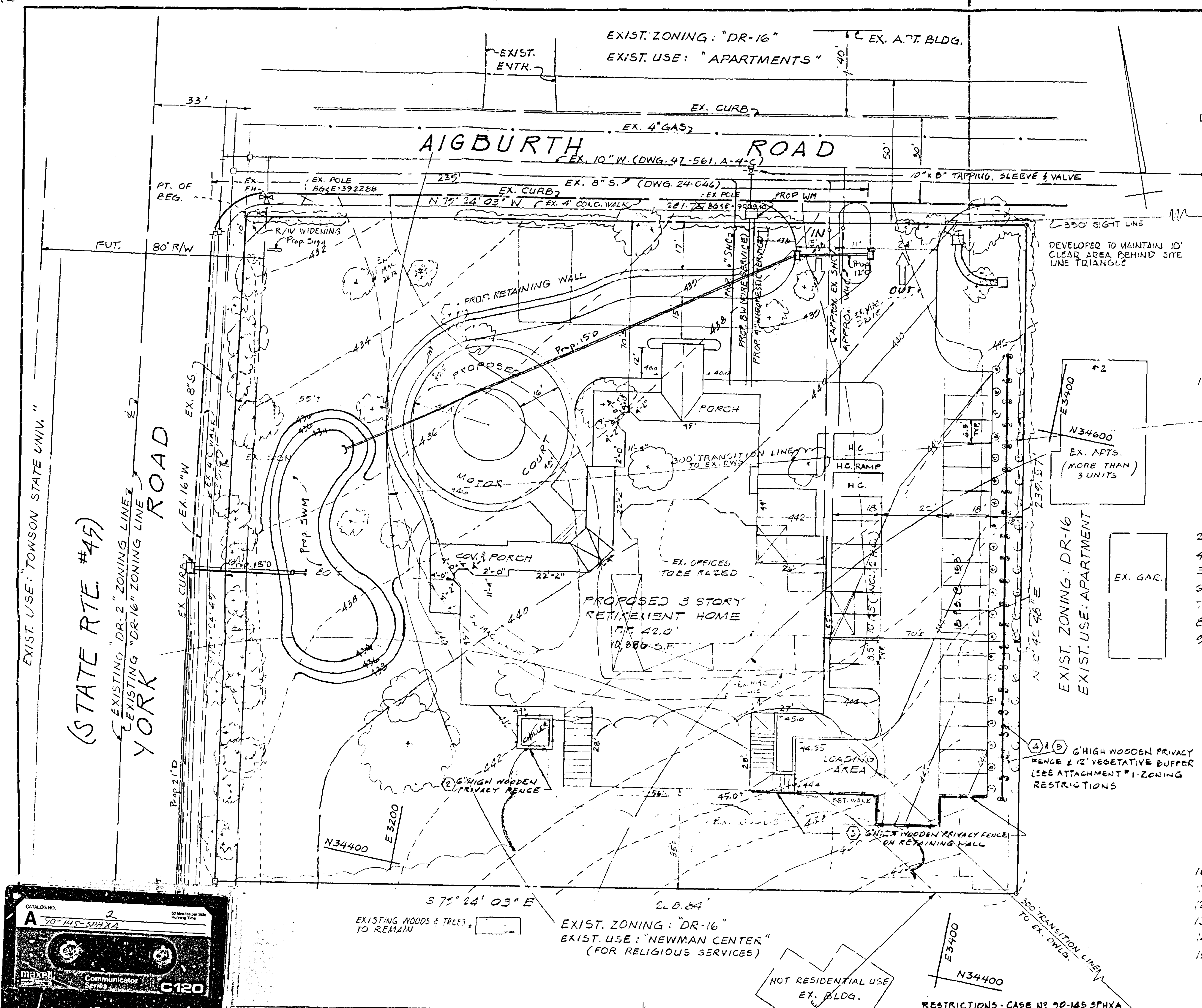


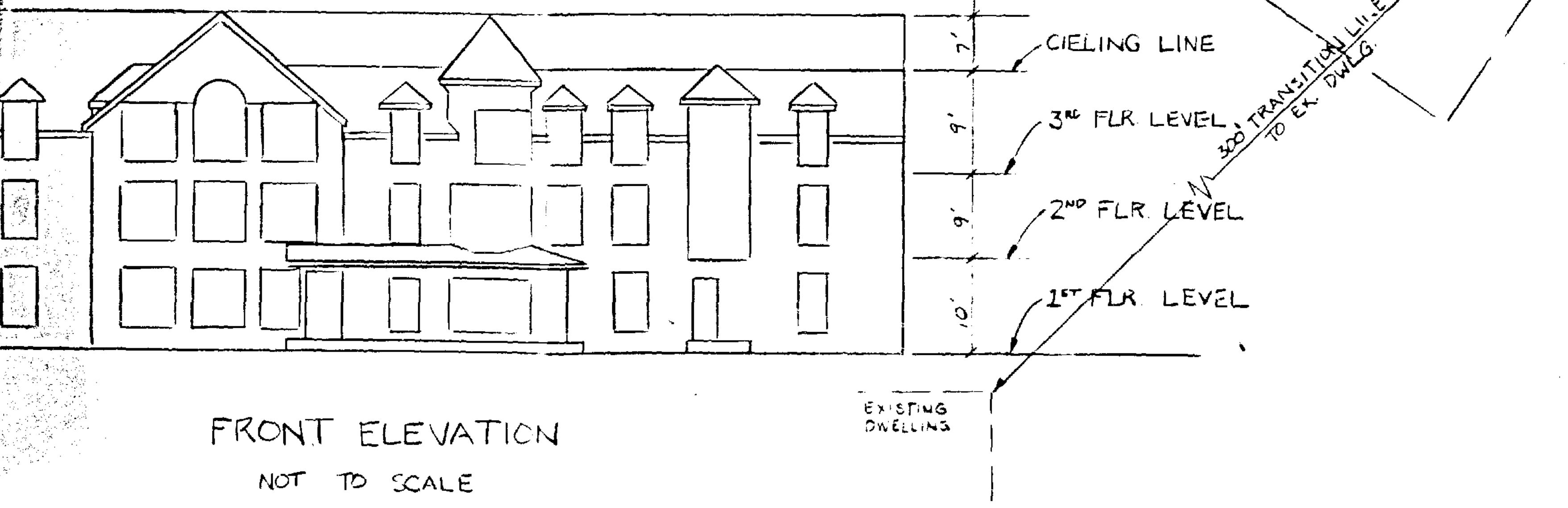
No. 91-80

PROTESTANT'S EXHIBIT 6

PERMIT PARKING
AREA "A"




EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EX. APT. BLDG.
EXIST. ENTR.
33'
EX. CURB
EX. 4" GAS
AIGBURTH ROAD
EX. 10" W. (DWG. 47-561, A-4-C)
EX. 8" S. (DWG. 24-046)
10" x 8" TAPPING, SLEEVE & VALVE
PT. OF BEG.
EX. POLE
EX. CURB
N 79° 24' 03" W
EX. 4' CONC. WALK
235'
PROP. WM
350' SIGHT LINE
DEVELOPER TO MAINTAIN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
FUT. 80' R/W
R/W WIDENING
PROP. RETAINING WALL
OUT
IN
PROPOSED MOTOR COURT
PORCH
300' TRANSITION LINE TO EX. DWLG.
H.C.
H.C. RAMP
EX. APTS. (MORE THAN 3 UNITS)
E3400
N34600
EX. GAR.
COV. PORCH
EX. OFFICES TO BE RAZED
PROPOSED 3 STORY RETIREMENT HOME
FF. 42.0
10,886 S.F.
Prop. SWM
LOADING AREA
6' HIGH WOODEN PRIVACY FENCE
6' HIGH WOODEN PRIVACY FENCE & 12' VEGETATIVE BUFFER (SEE ATTACHMENT #1 ZONING RESTRICTIONS
6' HIGH WOODEN PRIVACY FENCE ON RETAINING WALL
EXIST. ZONING: DR-16
EXIST. USE: APARTMENT
(STATE RTE. #45)
YORK ROAD
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
EXIST. USE: TOWSON STATE UNIV.
EX. 16" W
EX. 8" S
EX. CURB
N34400
E3200
S 79° 24' 03" E
EXISTING WOODS & TREES TO REMAIN
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER" (FOR RELIGIOUS SERVICES)
NOT RESIDENTIAL USE EX. BLDG.
300' TRANSITION LINE TO EX. DWLG.
E3400
N34400
EXISTING DWELLING


CIELING LINE
3RD FLR LEVEL
2ND FLR LEVEL
1ST FLR LEVEL
EXISTING DWELLING

FRONT ELEVATION

NOT TO SCALE

RESTRICTIONS - CASE Nº 90-145 SPHXA

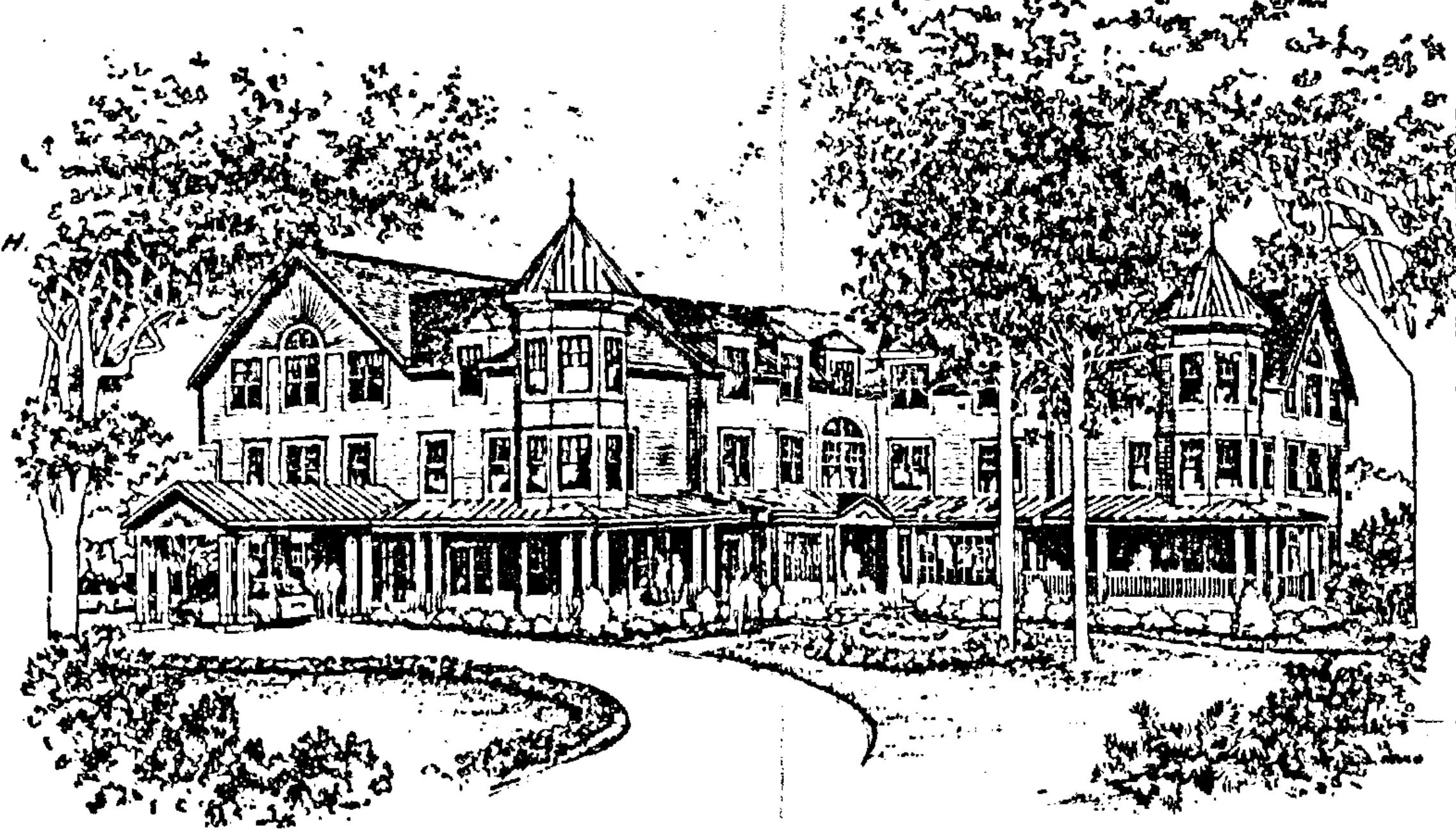
① The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

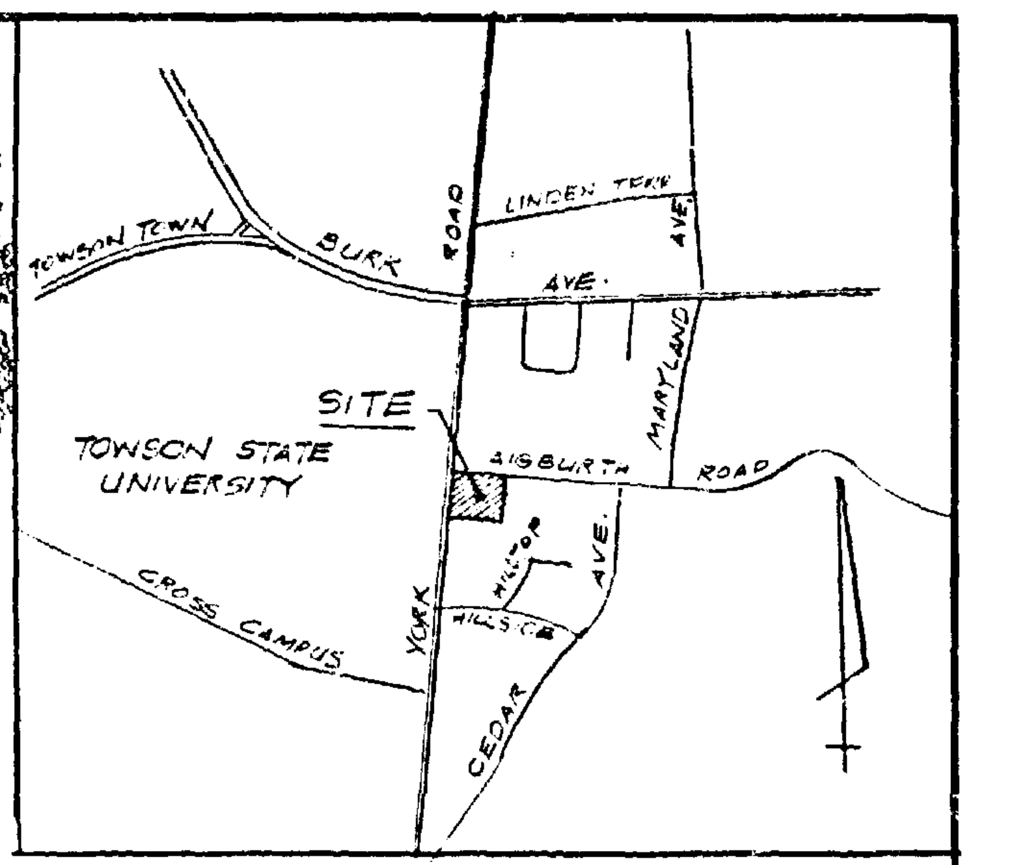
⑥ Prior to the issuance of a building permit, the Petitioners shall provide the Baltimore County Landscape Planner with a landscape plan for approval and, subsequently, submit a copy of said plan to the Zoning Commissioner for final approval.

⑦ Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

⑧ The assisted living facility approved herein shall contain no more than eighty (80) beds.

RESTRICTIONS ②-⑤ NOTED ON PLAN.




TOWSON TOWN
BURK AVE.
LINDEN TERR.
ROAD
MARYLAND AVE.
SITE
TOWSON STATE UNIVERSITY
AIGBURTH ROAD
YORK
HILTON AVE.
CROSS CAMPUS
CEDAR

VICINITY - MAP
SCALE: 1" = 1000'

Victoria House

GENERAL NOTE:

1. a. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON
b. APPLICANT VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MD. 21204
TEL. 301-882-7200
c ENGINEER PAUL LEE ENGINEERING INC.
304 W. PENNSYVANIA AVE.
TOWSON, MD. 21204, TEL. 301-821-5941
d. SCALE: 1" = 20'
e DATE 8-1-89
2 & 3 AS SHOWN
4. ELECTION DIST. 9
5 COUNCILMANIC DIST. 4
6. CENSUS TRACT = 4908
7. WATERSHED = 23 SUBSEWERSHED = 55
8. COORDINATES: AS SHOWN
9. a. SITE ACREAGE
NET AREA = 1.55 Ac.
0.33 Ac. (1/2 ROAD R/W)
GROSS AREA = 1.88 AC.
b. COMMON OPEN SPACE
REQD. OPEN SPACE = 20 UNITS @ 650#/UNIT = 13,000# = 0.30 AC.
PROP. " " = WAIVER REQUESTED
c. PARKING
REQUIRED PARKING (1 P.S/2 BEDS) = 40 P.S.
PARKING SHOWN (INC. 2 HC) = 28 P.S. (VARIANCE REQUESTED)
d. DENSITY: 1.88 @ 16 UNITS/AC. = 30.00 UNITS
ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
PROPOSED: ASSISTED LIVING UNITS = 80 BEDS
UNITS ARE FOR RENT
e. LANDSCAPE: PER LANDSCAPE MANUAL - STREET 522/40 = 14
PARKING 28/12 = 3
17
f FLOOR AREA RATIO: N/A
10. BEARINGS & DISTANCE: AS SHOWN
11. PROPOSED & EXISTING WELL: N/A
12. " " SEPTIC: N/A
13. SEWER & WATER LINES W/ REF. DWG. No. AS SHOWN
14. FIRE HYDRANT: AS SHOWN
15. SOIL TYPE

AREA	TYPE	BLDG.	PARKING	CLASS
1.60	61B	SLIGHT	MODERATE	B

16 EX. TOPOGRAPHY: AS SHOWN
17. PROP. GRADING: AS SHOWN
18. EX. WOODED AREA & VEGETATION: AS SHOWN
19. LOCATION & PROP. PLANTING: SEE LANDSCAPE
20 EX. STREAM: N/A
21. FLOODPLAINS: N/A
22 EX. BLDGS & PROP. STATUS ON THE S
23 HISTORIC BLDGS.: N/A
24. EX. BLDGS. ADJACENT TO THE SITE
25. CURRENT ZONING OF SITE DR-16
26. TRANSITION: SPECIAL EXCEPTION REQUESTED
a. EXIST. USES: GENERAL & MEDICAL OFFICES
PROPOSED USE: ASSISTED LIVING FACILITY
b. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN
c BLDGS SETBACK & DIST. BET BLDGS: VARIANCE
d BUFFER & SCREENING AREAS: VARIANCE
e EX. & PROP. LIGHTING:
27. OWNER:
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD 21204
DEED REF. 2198-307
PROPERTY NO. 09-04-500930
28 OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN
29. PROP. LOT & BLDGS. LAYOUT: AS SHOWN
30. COMMON OPEN SPACE: WAIVER REQUESTED
31. PROP. PARKING LAYOUT: AS SHOWN
32. STREET- PAVING & RIGHT-OF-WAY: AS SHOWN
33. PANHANDLE DRIVEWAYS: N/A
34. ESTIMATED AVERAGE DAILY TRIP (ADTS) = 130
35. HANDICAPPED PARKING: AS SHOWN
36 EASEMENTS: AS SHOWN
37. EX. & PROP. STORM DRAINS: AS SHOWN
38. EX. & PROP. UTILITY SYSTEM: AS SHOWN
39. SWM AREA
a. WAIVER REQUESTED
40. WETLANDS: N/A
41. CRITICAL AREAS: N/A
42. ARCHEOLOGICAL SITES: N/A
43 ENDANGERED SPECIES HABITAT: N/A
44. HAZARDOUS MATERIALS SITE: N/A

NOTES:

1 SIGNS-AS PERMITTED IN SEC 413 OF THE ZONING REGULATIONS. SIGN VARIANCES TO BE APPLIED FOR AT A LATER DATE
2. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, SPECIAL HEARING FOR PARKING VARIANCE AND SPECIAL VARIANCE FROM THE TRANSPORTATION STANDARDS OF THE BASIC SERVICES MAPS APPLIED FOR IN CASE NO 90-145-SPHXA
3 ALL PARKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPED PER SECTION 409 (B.C.Z.R.)
4. THIS ASSISTED LIVING FACILITY IS A CLASS "B" FACILITY AS DEFINED IN SECTION 101 (BCZR) AND WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE, 1985 EDITION, CHAPTER 21.
5. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A.R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS.
6. DUMPSTER ROOM TO BE IN BASEMENT, TO BE PICKED UP
7. NO [illegible] SYSTEMS OR UNDERGROUND FUEL TANKS EXIST ON SITE.
ZONING CASE NO. 90-145-SPHXA
SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCES ORDER (1-5-90)
① ZONING RESTRICTIONS (SEE NOTES & PLAN)

BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On
10-13-89 With The Following Action Taken
PLAN APPROVED
Plan Approved DPW
Plan Approved OPZ Francis Morsey
Approval Expiration Date 10-13-92
Plan Disapproved
Continued Mtg. Required
Plan Referred To Plan. Bd.

Paul Lee

PUBLIC SERVICES CRG NO. 89225
PLANNING NO. IX-547

Ex IV

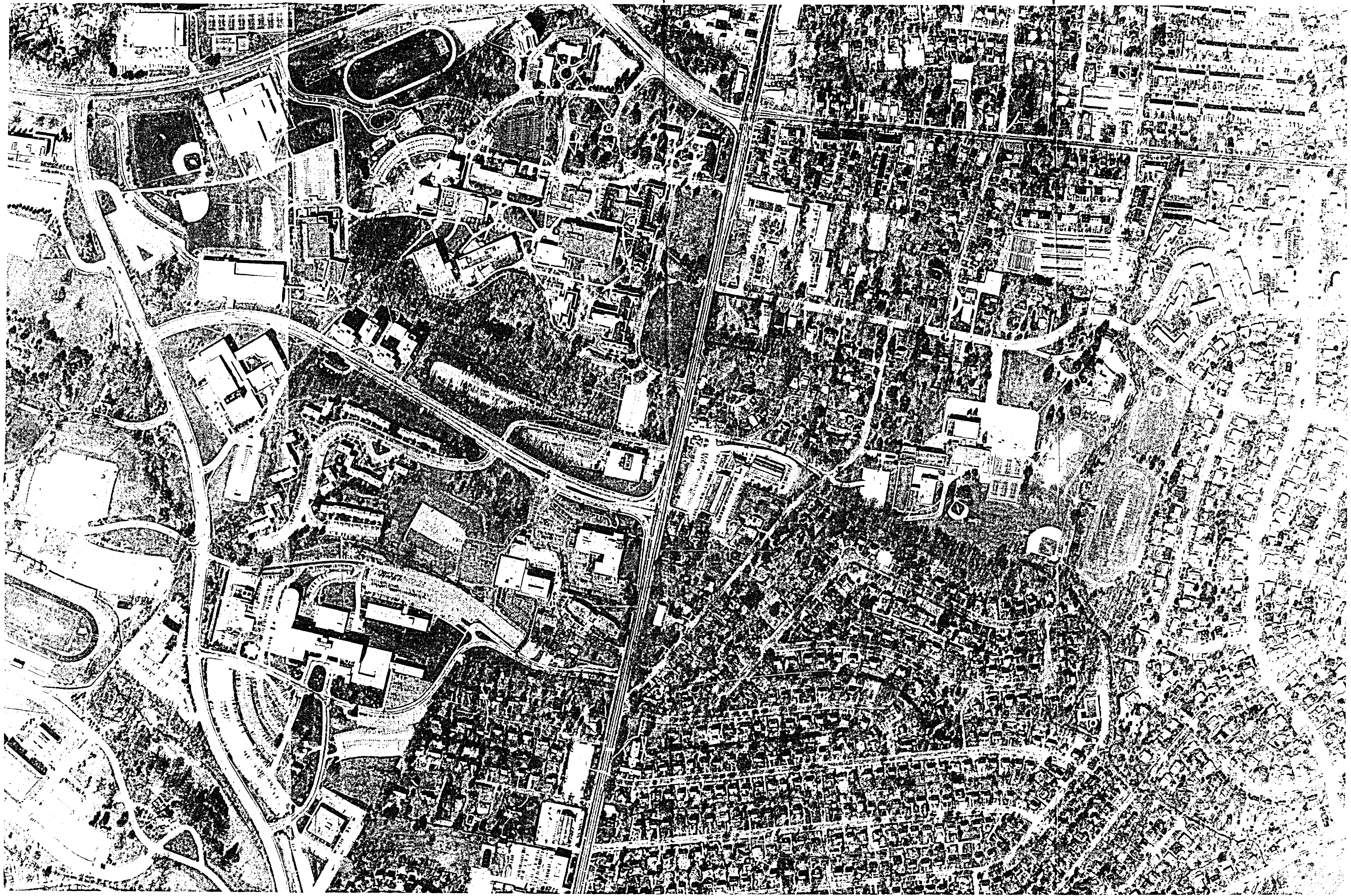
COMMENTS REVISIONS	ENGINEER	DEVELOPER	OWNER	CRG PLAN	SHEET	DATE	JOB NUMBER
	PAUL LEE ENGINEERING, INC. 304 PENNSYLVANIA AVE. TOWSON, MARYLAND 21204 TEL. 821-5941	VICTORIA CORPORATION 400 W. PENNSYLVANIA AVE. TOWSON, MARYLAND 21204 TEL. 882-7200	A. ERIC & ESTHER J. DOTT 601 E. SEMINARY AVE. TOWSON, MD 21204	VICTORIA HOUSE OF TOWSON SOUTHEAST CORNER OF YORK & AIGBURTH ROADS ELECTION DISTRICT NO 9 BALTIMORE COUNTY, MD	1 OF 1	8-1-89 SCALE 1" = 20'	88064

CATALOG NO. 2
A 90-145-SPHXA
maxell Communicator Series C120

10-13-89
Side B C-90
Scotch 542 Dictating Cassette

CATALOG NO. 1
A 90-145-SPHXA 10/31/90
maxell Communicator Series C120

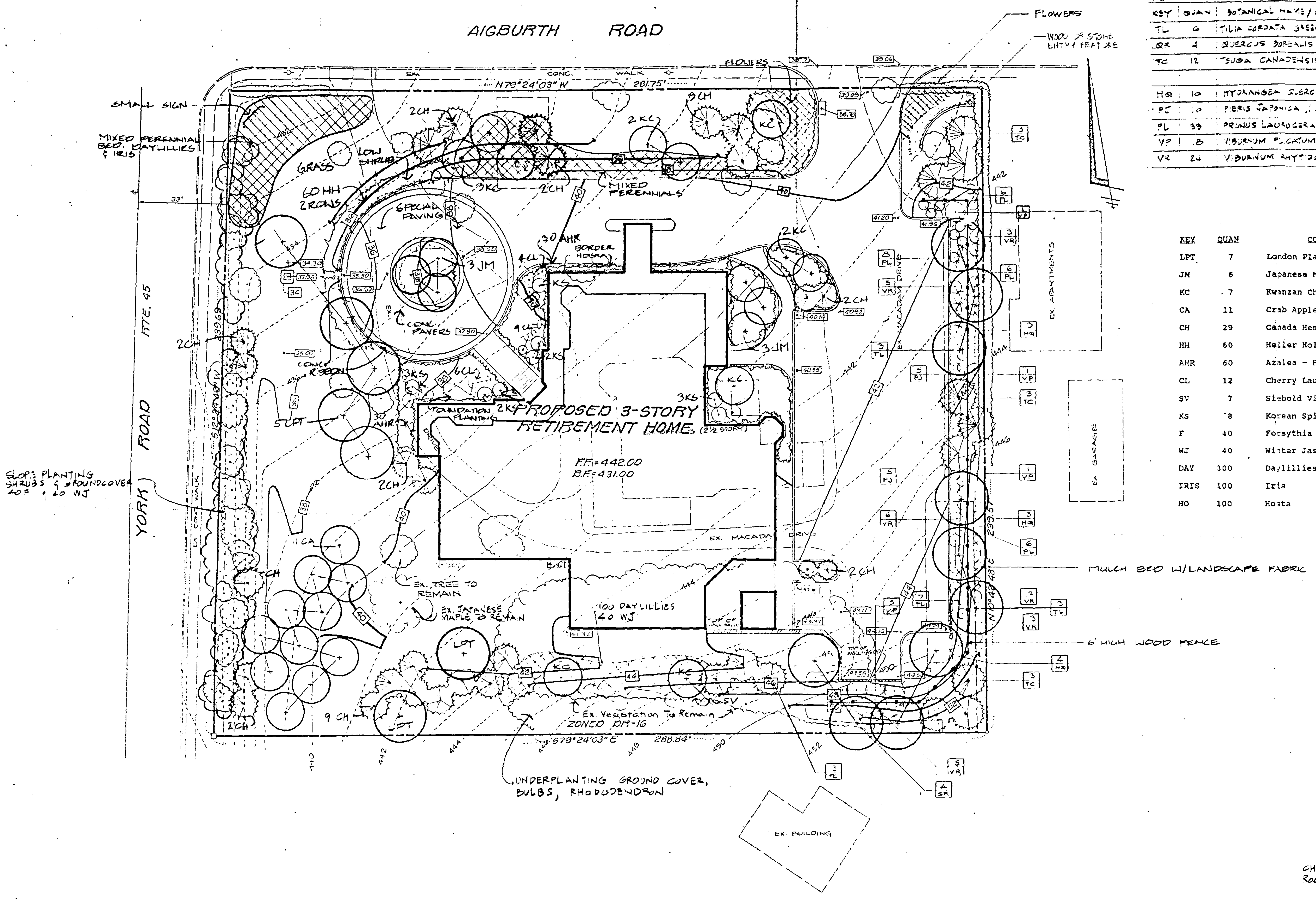
2D



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200'±	WILTONDALE TOWSON	N.E. 9-A
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401


AIGBURTH ROAD
YORK ROAD
RTE. 45
FLOWERS
WOOD & STONE ENTRY FEATURE
SMALL SIGN
MIXED PERENNIAL BED, DAYLILLIES & IRIS
GRASS
LOW SHRUB
60 HH 2 ROWS
SPECIAL PAVING
MIXED PERENNIALS
30 AHR
BORDER HOSTA
3 JM
CONC. PAVERS
CONC. RIBBON
FOUNDATION PLANTING
PROPOSED 3-STORY RETIREMENT HOME
(2½ STORY)
F.F.=442.00
B.F.=431.00
EX. MACADAM DRIVE
EX. APARTMENTS
EX. GARAGE
SLOPE PLANTING SHRUBS & GROUNDCOVER 40 F & 40 WJ
11 CA
EX. TREE TO REMAIN
EX. JAPANESE MAPLE TO REMAIN
100 DAY LILLIES 40 WJ
Ex Vegetation To Remain ZONED DR-16
N79°24'03"W 281.75'
S79°24'03"E 288.84'
UNDERPLANTING GROUND COVER, BULBS, RHODODENDRON
MULCH BED W/LANDSCAPE FABRIC
6' HIGH WOOD FENCE
EX. BUILDING
5 LPT
9 CH
2 CH
3 KS
2 KC
3 KC
4 CL
6 CL
LPT
KC
SV
CONC. WALK

PLANT SCHEDULE · BUFFER PLANTING

KEY	QUAN	BOTANICAL NAME / COMMON NAME	SIZE / COND.	SPACING
TL	6	TILIA CORDATA 'GREENSPIRE' GREENSPIRE LITTLELEAF LINDEN	2-2½" CAL. / B&B	-
QR	4	QUERCUS BOREALIS (RUBRA) / NORTHERN RED OAK	2-2½" CAL. / B&B	-
TC	12	TSUGA CANADENSIS / CANADIAN HEMLOCK	7-8' HT / B&B	2' o/c
HQ	10	HYDRANGEA QUERCIFOLIA 'SNOW QUEEN' / OAK LEAF HYDRANGEA	24-30" / B&B	5' o/c
PJ	10	PIERIS JAPONICA / JAPANESE ANDROMEDA	24-30" / B&B	4' o/c
PL	33	PRUNUS LAUROCERASUS 'SCHIPKAENSIS'	24-30" / B&B	4' o/c
VP	8	VIBURNUM PLICATUM 'TOMENTOSUM' / DOUBLEFILE VIBURNUM	3-4' / B&B	-
VR	24	VIBURNUM RHYTIDOPHYLLUM / LEATHERLEAF VIBURNUM	3-4' / B&B	5' o/c

KEY	QUAN	COMMON NAME	SIZE
LPT	7	London Plane Tree	2-1/2 - 3" Cal.
JM	6	Japanese Maple	8 - 10' Hgt.
KC	7	Kwanzan Cherry	8 - 10' Hgt.
CA	11	Crab Apple - Varieties	5 - 6' Hgt.
CH	29	Canada Hemlock	5 - 6' Hgt.
HH	60	Heller Holly	18 - 24"
AHR	60	Azalea - Hershey Red	18"
CL	12	Cherry Laurel	3 - 4' Hgt.
SV	7	Siebold Viburnum	3 - 4' Hgt.
KS	8	Korean Spice Viburnum	3 - 4' Hgt.
F	40	Forsythia	18 - 24"
WJ	40	Winter Jasmine	18 - 24"
DAY	300	Daylillies	
IRIS	100	Iris	
HO	100	Hosta	

CHILLER / CONDENSER TO BE LOCATED ON ROOF OF BUILDING.

NOTE: PLANTING MAY BE CHANGED AS A RESULT OF COMPLETION OF UTILITY & STORMWATER MANAGEMENT PLANS.

PLAT INDICATING PROPOSED BUFFER PLANTING, FENCE, & CHILLER LOCATIONS & BUILDING DIMENSION & ENTRY DRIVE MODIFICATIONS

Ex III

WFK WILLIAM F. KIRWIN, INC.
Land Planning · Landscape Architecture
28 E. Susquehanna Avenue
Towson, MD 21204
Phone 301 337 0075

REVISIONS

NO	DATE	DESCRIPTION

DEVELOPER
VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
(301) 882-7200

OWNER
A. ERIC & ESTHER J. DOTT
601 E. SEMINAR AVE.
TOWSON, MARYLAND 21204

PLAN PREPARATION

DRAWN BY T.L.S.	DATE 5-11-90
DESIGNED BY M.W.K.	SCALE 1" = 20'
CHECKED BY	

VICTORIA HOUSE OF TOWSON

ELECTION DISTRICT NO.9 BALTIMORE COUNTY, MARYLAND

DRAWING NO.

SHEET NO.
of

the modifications to the Special Exception Plat and the CRG Plan, all of which have been agreed to by the parties and are incorporated into the following Final Order of this Board.

Therefore, IT IS ORDERED by the County Board of Appeals, this 25th day of July, 1990, that:

(1) The CRG Plan attached hereto as Exhibit 2 (with modifications to the buffer, to the location of the proposed chiller or condensers, and to the configuration of the entranceway, and with minor modifications to redraw the ~~smaller~~ building footprint so that it reflects, at an accurate scale, the stated building dimensions, all as required by the restrictions set out below and all consistent with the Revised Landscape Plan attached hereto as Exhibit 3) be and it is hereby APPROVED;

(2) The Petition for Special Exception filed by the Dotts and Victoria Corporation be and it is hereby GRANTED, so that the Petitioners may establish on the subject property an assisted living facility containing a maximum of eighty (80) beds as shown on attached Exhibit 1, with the modifications shown on Exhibit 3, and the Petitioners are excused from complying with the residential transition area requirements of §1B01.1.B.1.b, BCZR, also as shown on said Exhibits;

(3) The Petition for Special Hearing filed by the same Petitioners, insofar as it relates to removal of the special exception granted in Case No. 78-276-X, be and it is hereby GRANTED, but otherwise be and it is hereby DENIED; and

---

(4) The Petition for Zoning Variances filed by the same Petitioners be and it is hereby GRANTED, so that, to the extent that the proposed development as shown on the Exhibits requires it, the Petitioners are excused from complying with the transportation provisions of the basic services mapping standards of §4A02.4.F.1, BCZR, and parking shall be provided for the proposed development at a rate of one (1) parking space for each three (3) assisted living beds in lieu of the ordinary rate, set forth in §409.6, BCZR, of one (1) parking space for each two (2) beds.

All of the relief granted above is subject to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Consent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The chiller or condensers proposed to be installed by the Petitioners shall be located on the roof of the building, as noted on Exhibit 3.

3. The Petitioners shall erect a six (6) foot high wooden privacy fence behind the retaining wall shown on Exhibit 3. Said privacy fence shall run the entire length of

---

the retaining wall from the proposed building to the vegetative buffer along the southeast side of the property line.

4. The Petitioners shall construct a six (6) foot high wooden privacy fence six (6) feet inside the easterly boundary line to run the length of the parking spaces shown on Exhibit 3.

5. The Petitioners shall provide landscaping as shown on Exhibit 3, including but not limited to a twelve (12) foot vegetative buffer along the eastern boundary line of the subject site.

6. The entranceway to and driveways on the subject property, as redeveloped, shall be in the location and configuration shown on Exhibit 3.

7. The building location, footprint, and dimensions shall be as shown on Exhibit 3.

8. The stormwater management facility for the site shall consist of an underground infiltration structure.

9. Victoria Corporation shall collect trash and garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.

10. Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

---

11. The assisted living facility approved herein shall contain no more than eighty (80) beds.

COUNTY BOARD OF APPEALS
FOR BALTIMORE COUNTY

William T. Hackett
CHAIRMAN, William T. Hackett

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

John G. Disney
John G. Disney

ORDR0151.JAA

20

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-145-SPHXA

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a waiver under Section 432.4 from complete compliance with all restrictions of Section 1B01.1.B.1.b (RTA buffers) and a parking ratio of 1 offstreet parking space for each three (3) beds pursuant to Section 409.6 and to remove the Special Exception granted in Case No. 78-276-X.

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

I, or we, agree to pay expenses of the above Special Hearing 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.

A
3C
9th
3-13-5
200 8F
1000 8F
DP 6

Contract Purchaser:
The Victoria Corporation
(Type or Print Name)
By: R. Kendall
Signature Richard Kendall, President
400 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Legal Owner(s):
A. Eric Dott
(Type or Print Name)
A. Eric Dott
Signature
Esther Jackson Dott
(Type or Print Name)
Esther Jackson Dott
Signature

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-4111

601 E. Seminary Avenue
Address Phone No.
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John B. Howard
Name
210 Allegheny Avenue
Towson, Maryland 21204 823-4111
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5 day of Aug, 1989, 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 31st & 2nd day of Oct & Nov, 1989, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date
By

Z.C.O.—No. 1

(over)

20

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-145-SPHXA

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 an assisted living facility containing a maximum of 80 beds pursuant to Section 432.1.A.2.; and a waiver under Section 432.4 from complete compliance with all restrictions of Section 1B01.1.B.1.b (RTA Requirements).

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:
The Victoria Corporation
(Type or Print Name)
By: R. Kendall
Signature Richard Kendall, President
400 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Legal Owner(s):
A. Eric Dott
(Type or Print Name)
A. Eric Dott
Signature
Esther Jackson Dott
(Type or Print Name)
Esther Jackson Dott
Signature

Attorney for Petitioner:
John B. Howard, Esquire
(Type or Print Name)
John Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-4111

601 E. Seminary Avenue
Address Phone No.
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John B. Howard, Esquire
Name 210 Allegheny Avenue
Towson, Maryland 21204 823-4111
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of Aug, 1989, 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 31st & 2nd day of Oct - Nov, 1989, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date
By

Z.C.O.—No. 1

(over)

#20

REVISED
7-19-89

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-145-SPHXA

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 Variance from Section 4A02.4.F.1 for a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility, and a variance, if deemed necessary to permit a parking ratio of 1* of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

*offstreet space per three (3) beds in lieu of the required 1 space per two (2) beds under Section 409.6.
To be determined at hearing.

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

I, or we, agree to pay expenses of above Variance 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:
The Victoria Corporation
(Type or Print Name)
By: R. Kendall
Signature Richard Kendall, President
400 W. Pennsylvania Avenue
Address
Towson, Maryland 21204
City and State

Legal Owner(s):
A. Eric Dott
(Type or Print Name)
A. Eric Dott
Signature
Esther Jackson Dott
(Type or Print Name)
Esther Jackson Dott
Signature

Attorney for Petitioner:
John B. Howard
(Type or Print Name)
John Howard
Signature
210 Allegheny Avenue
Address
Towson, Maryland 21204
City and State
Attorney's Telephone No.: 823-4111

601 E. Seminary Avenue
Address Phone No.
Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
John B. Howard
Name
210 Allegheny Avenue
Towson, Maryland 21204 823-4111
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5 day of August, 1989, 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 31st & 2nd day of Oct & Nov, 1989, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
Date
By

(over)

20

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5941

DESCRIPTION

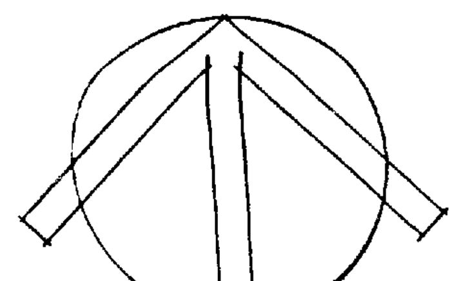
#7925 York Road
Southeast Corner York & Aigburth Roads
Ninth Election District
Baltimore County, Maryland

Beginning for the same at a point located at the intersection of the east side of York Road and the south side of Aigburth Road, said point also being located 33 feet ± from the center of York Road, thence binding along the south side of Aigburth Road, (1) Easterly 281.75 feet, thence leaving said south side of Aigburth Road (2) Southerly 240 feet ±, and (3) Westerly 281.75 feet to the east side of York Road, thence binding on the east side of York Road, (4) Northerly 240 feet ± to the point of beginning.

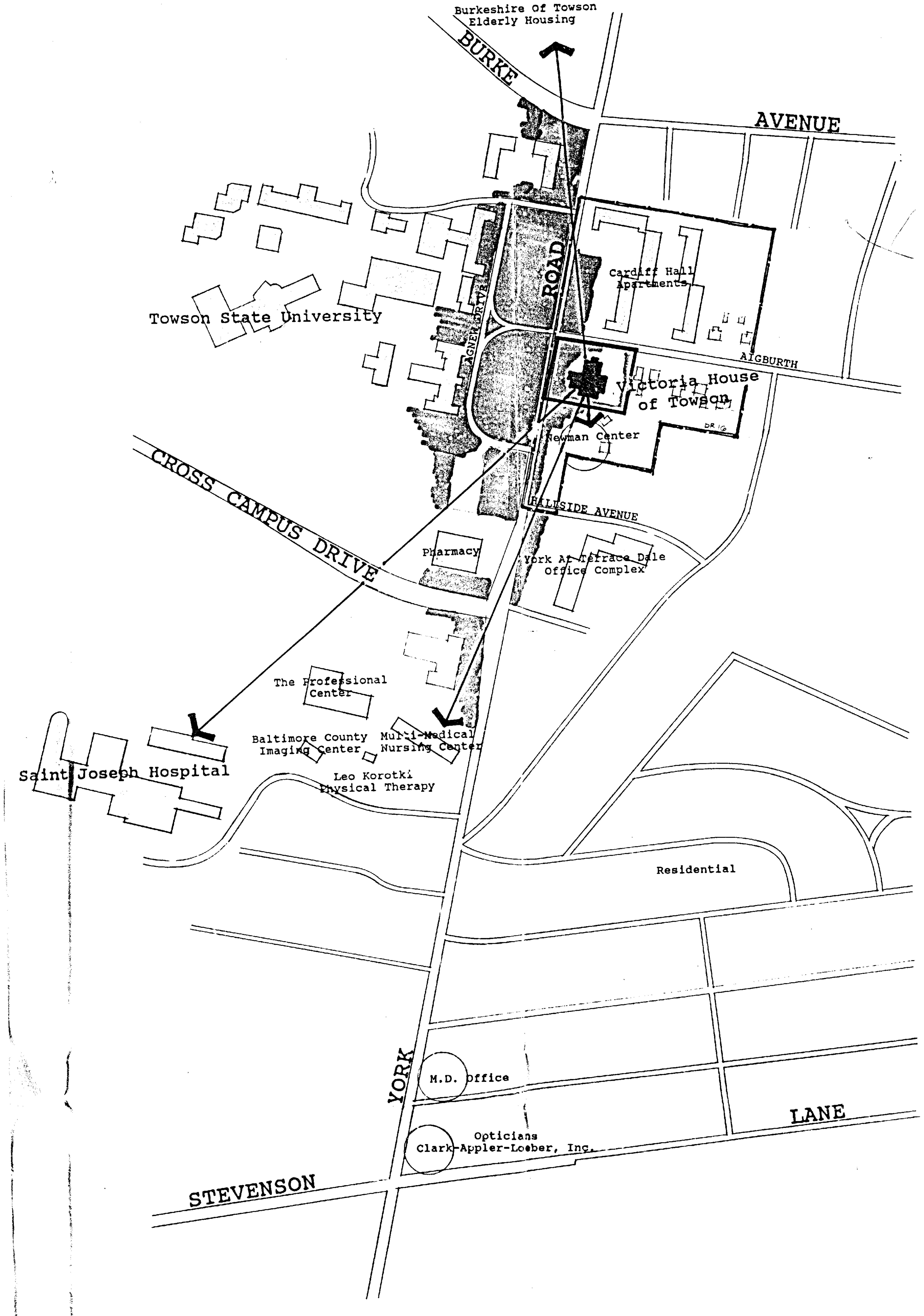
Containing 1.55 acres (67,620 s.f.) of land, more or less.

PAUL LEE
No. 6907

Engineers — Surveyors — Site Planners 7/12/89
J.O.88064



SCALE: 1" = 200'


Burkeshire Of Towson
Elderly Housing
BURKE
AVENUE
ROAD
Cardiff Hall
Apartments
Towson State University
WAGNER DRIVE
AIGBURTH
Victoria House
of Towson
Newman Center
CROSS CAMPUS DRIVE
HILLSIDE AVENUE
Pharmacy
York At Terrace Dale
Office Complex
The Professional
Center
Baltimore County
Imaging Center
Multi-Medical
Nursing Center
Saint Joseph Hospital
Leo Korotki
Physical Therapy
Residential
YORK
M.D. Office
Opticians
Clark-Appler-Loeber, Inc.
LANE
STEVENSON

**PROTESTANT'S
EXHIBIT 12**

October 31, 1989

The Honorable J. Robert Haines
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-145-SPHXA: 7925 York Road, Towson, MD

Dear Mr. Haines:

By authority of the Board of Directors of Knollwood-Donnybrook Improvement Association, Inc., this letter sets forth our Association's position in this matter.

Our Association believes that the variances requested by Victoria Corporation for the proposed development of the subject property are excessive and that the scale of the building is incompatible with the residential neighborhood.

In addition, our Association is opposed to the proposed development for the following additional reasons:

(1) The proposed structure and use will have a detrimental effect on the already poor availability of parking. The proximity of the location to Towson State University has resulted in the neighboring streets' being used by students of the University. The additional need for parking required by employees and visitors of the proposed structure will increase the parking problem.

(2) The proposed structure and use will have a detrimental effect on traffic at the already congested intersection of York Road and Aigburth Road. Inclement weather, e.g., heavy rains and icy conditions, already have made the intersection dangerous. The additional traffic caused by employees and visitors of the proposed structure will add to the traffic problem.

Sincerely,

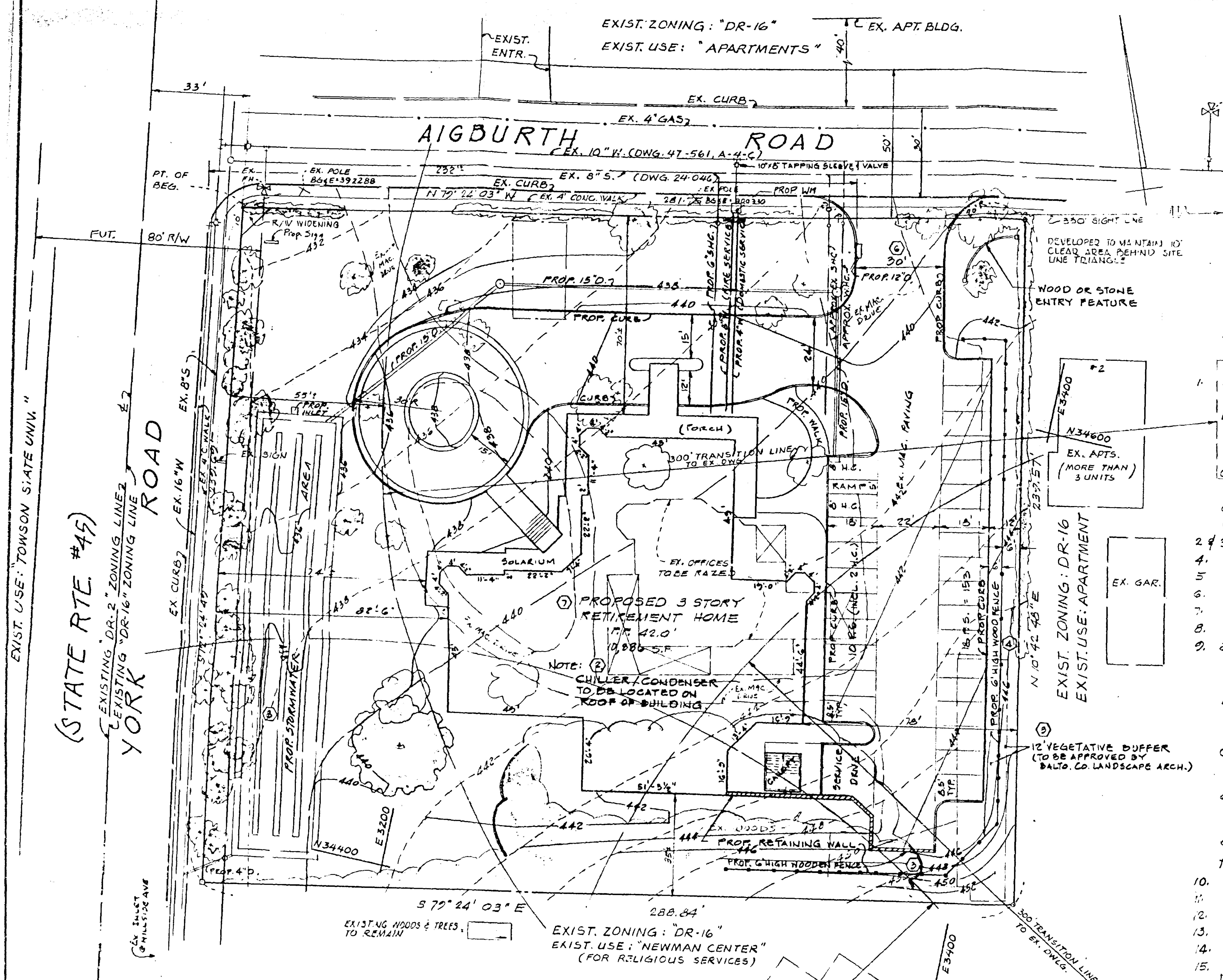
Rudolph E. DeMeo, President
Knollwood-Donnybrook Improvement
Association, Inc.

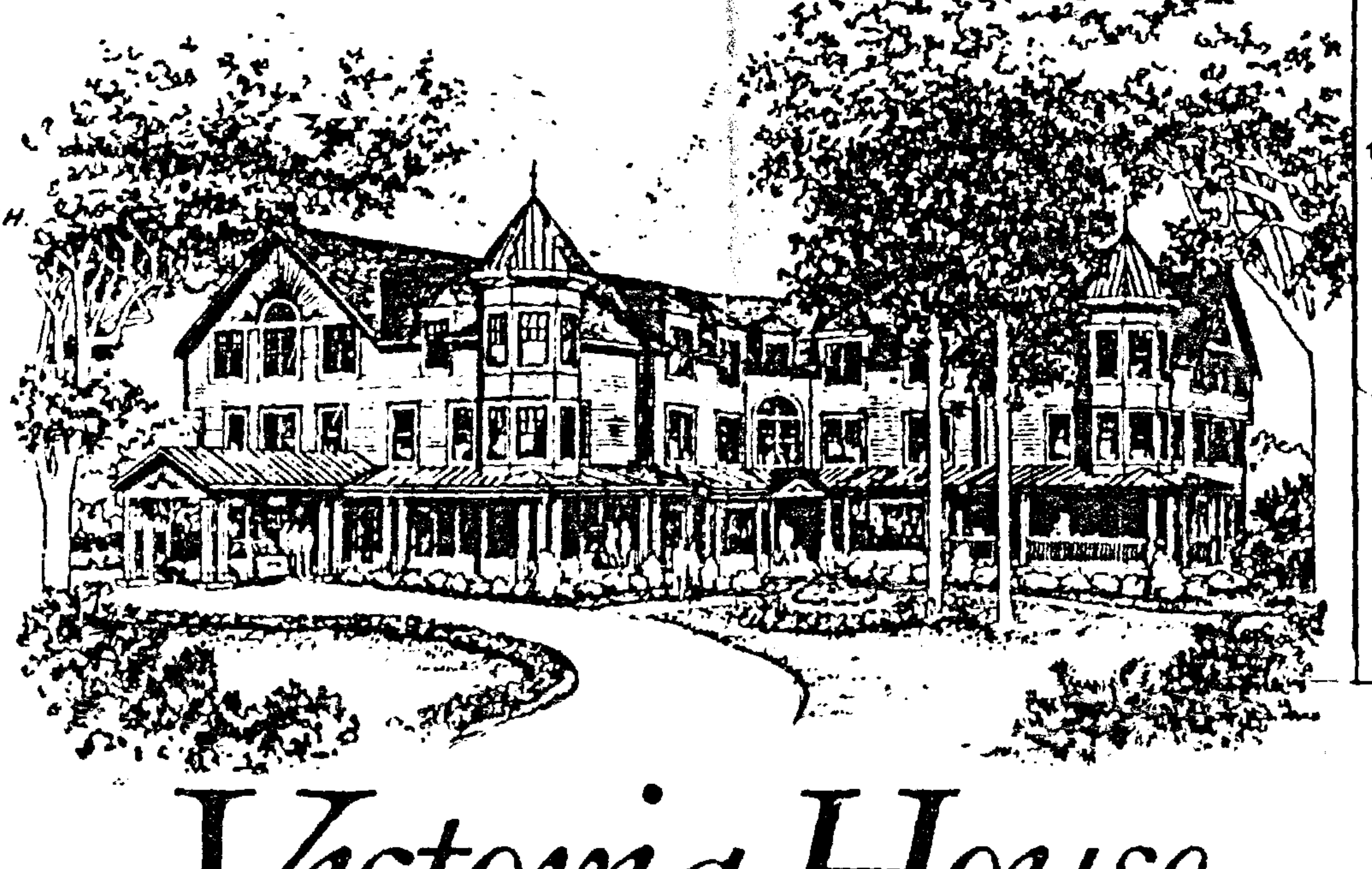
WFK WILLIAM F. KIRWIN, INC.
Land Planning/Landscape Architecture
28 E. Susquehanna Avenue
Towson, MD 21204
Phone 301/337 0075

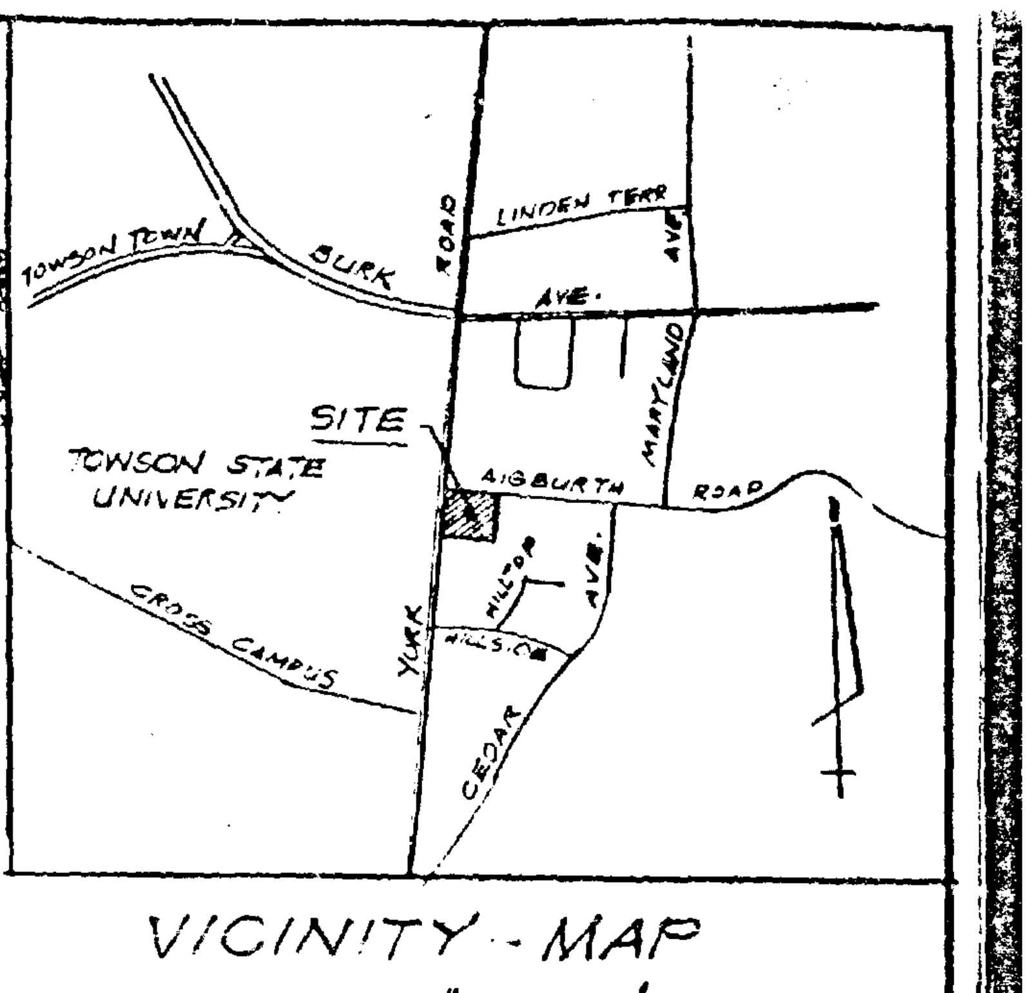
·VICINITY ANALYSIS·

VICTORIA HOUSE OF TOWSON · OCT 27. 1989

**PETITIONER'S
EXHIBIT 9**


EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EX. APT. BLDG.
EXIST. ENTR.
33'
40'
50'
30'
EX. CURB
EX. 4" GAS
AIGBURTH ROAD
EX. 10" W. (DWG. 47-561, A-4-C)
10"x8" TAPPING SLEEVE & VALVE
EX. 8" S. (DWG. 24-046)
EX. CURB
232'±
PT. OF BEG.
EX. F.H.
EX. POLE BG&E 392288
N 79° 24' 03" W
EX. 4' CONC. WALK
281.75
EX. POLE BG&E 800330
PROP. WM
R/W WIDENING
Prop. Sign
FUT. 80' R/W
EX. MAC. DRIVE
PROP. 15" D.
PROP. CURB
PROP. 15' D.
30' R
55'±
PROP. INLET
EX. SIGN
AREA
EX. 8" S
EX. 16" W
EX. 4' C. WALK
EX. CURB
S 10° 24' 49" W
PROP. STORMWATER
EXIST. USE: "TOWSON STATE UNIV."
(STATE RTE. #45)
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
YORK ROAD
E 3200
N34400
PROP. 4" D.
EX. INLET @ HILLSIDE AVE
S 79° 24' 03" E
288.84'
EXISTING WOODS & TREES TO REMAIN
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER" (FOR RELIGIOUS SERVICES)
SOLARIUM
(PORCH)
300' TRANSITION LINE TO EX. DWG.
EX. OFFICES TO BE RAZED
⑦ PROPOSED 3 STORY RETIREMENT HOME
F.F. 42.0'
10,886 S.F.
NOTE: ② CHILLER/CONDENSER TO BE LOCATED ON ROOF OF BUILDING
EX. MAC. DRIVE
CURBS
PROP. 6" SHC.
PROP. 8" W. (FIRE SERVICE)
PROP. 4" W. (DOMESTIC SERVICE)
APPROX. EX. SHC.
APPROX. W.H.C.
EX. MAC. DRIVE
PROP. 12" D.
⑥ 30'
PROP. WALK
PROP. 15" D.
EX. MAC. PAVING
H.C.
RAMP
H.C.
PROP. CURB
10 P.S. (INCL. 2 H.C.)
18 P.S. = 153
PROP. CURB
PROP. 6' HIGH WOOD FENCE
④
N 10° 42' 48" E
239.57'
SERVICE DRIVE
PROP. RETAINING WALL
PROP. 6' HIGH WOODEN FENCE
③
EX. WOODS
330' SIGHT LINE
DEVELOPED TO MAINTAIN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
WOOD OR STONE ENTRY FEATURE
PROP. CURB
EX. F.H.
E3400
N34600
#2
EX. APTS. (MORE THAN 3 UNITS)
EXIST. DWLG.
EX. GAR.
EXIST. ZONING: DR-16
EXIST. USE: APARTMENT
⑤ 12' VEGETATIVE BUFFER (TO BE APPROVED BY BALTO. CO. LANDSCAPE ARCH.)
300' TRANSITION LINE TO EX. DWLG.
E3400
N34400
NOT RESIDENTIAL USE EX. BLDG.
300' TRANSITION LINE TO EX. DWLG.
EXISTING DWELLING
432
434
436
438
440
442
444
446
448
450




TOWSON TOWN
BURK
LINDEN TERR
AVE.
ROAD
MARYLAND
SITE
TOWSON STATE UNIVERSITY
AIGBURTH
ROAD
CROSS CAMPUS
YORK
CEDAR
AVE.

VICINITY MAP
SCALE: 1"=1000'

Victoria House

GENERAL NOTE:

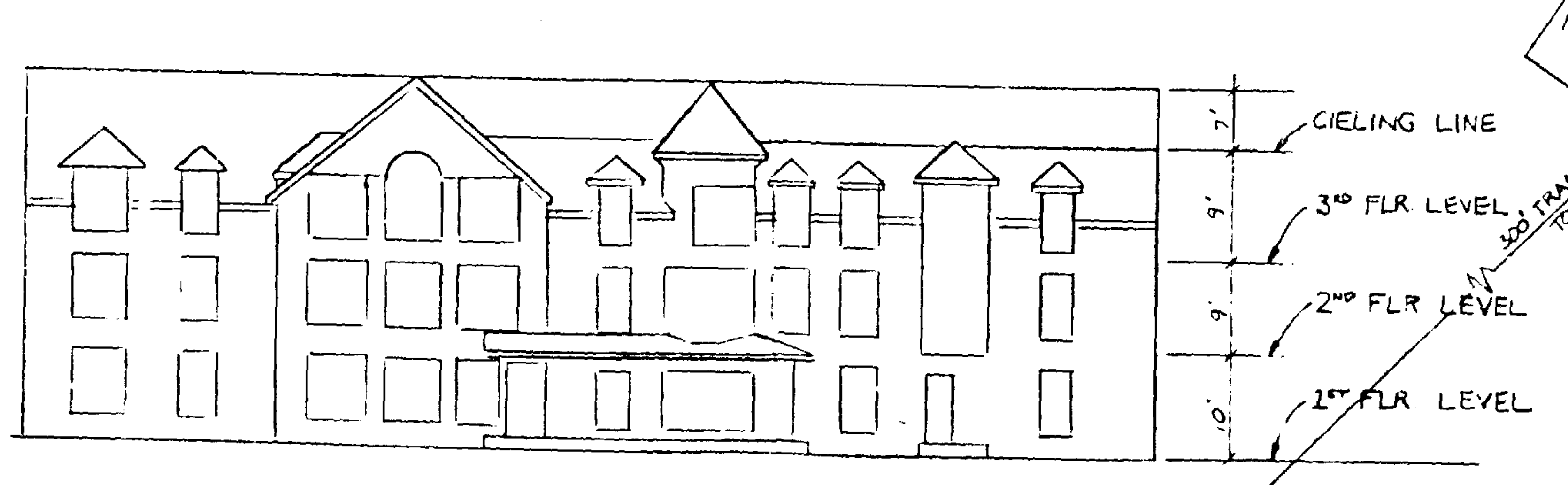
1. a. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON
   b. APPLICANT
      VICTORIA CORPORATION
      400 W. PENNSYLVANIA AVE.
      TOWSON. MD. 21204
      TEL. 301-882-7200
   c. ENGINEER
      PAUL LEE ENGINEERING INC.
      304 W. PENNSYVANIA AVE.
      TOWSON, MD. 21204, TEL. 301-821-5941
   d. SCALE: 1"=20'
   e. DATE 8-1-89
2 & 3 AS SHOWN
4. ELECTION DIST. 9
5. COUNCILMANIC DIST. 4
6. CENSUS TRACT = 4908
7. WATERSHED = 23 SUBSEWERSHED = 55
8. COORDINATES: AS SHOWN
9. a. SITE ACREAGE
   NET AREA = 1.55 AC.
   0.33 AC. (1/2 ROAD R/W)
   GROSS AREA = 1.88 AC.
   b. COMMON OPEN SPACE
   REQD. OPEN SPACE = 20 UNITS @ 650#/UNIT = 13,000# = 0.30 AC.
   PROP. " " = WAIVER REQUESTED
   c. PARKING
   REQUIRED PARKING (1 P.S./2 BEDS) = 40 P.S.
   PARKING SHOWN (INC. 2 HC) = 28 P.S. (VARIANCE REQUESTED)
   d. DENSITY: 1.88 @ 16 UNITS/AC. = 30.00 UNITS
   ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
   PROPOSED: ASSISTED LIVING UNITS = 80 BEDS
   UNITS ARE FOR RENT
   e. LANDSCAPE: PER LANDSCAPE MANUAL - STREET $522/40 = 14$
   PARKING $37/12 = 3$
   17
   f. FLOOR AREA RATIO: N/A
10. BEARINGS & DISTANCE: AS SHOWN
11. PROPOSED & EXISTING WELL: N/A
12. " " SEPTIC: N/A
13. SEWER & WATER LINES W/ REF. DWG. No. AS SHOWN
14. FIRE HYDRANT: AS SHOWN
15. SOIL TYPE

AREA	TYPE	BLDG.	PARKING	CLASS
1.60	61B	SLIGHT	MODERATE	B

16. EX. TOPOGRAPHY: AS SHOWN
17. PROP. GRADING: AS SHOWN
18. EX. WOODED AREA & VEGETATION: AS SHOWN
19. LOCATION & PROP. PLANTING: SEE LANDSCAPE
20. EX. STREAM: N/A
21. FLOODPLAINS: N/A
22. EX. BLDGS & PROP. STATUS ON THE SITE: AS SHOWN
23. HISTORIC BLDGS.: N/A
24. EX. BLDGS. ADJACENT TO THE SITE: AS SHOWN
25. CURRENT ZONING OF SITE DR-16
26. TRANSITION: SPECIAL EXCEPTION REQUESTED
    a. EXIST. USES: GENERAL & MEDICAL OFFICES
    PROPOSED USE: ASSISTED LIVING FACILITY
    b. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN
    c. BLDGS SETBACK & DIST. BET. BLDGS: VARIANCE
    d. BUFFER & SCREENING AREAS: VARIANCE
    e. EX. & PROP. LIGHTING: 1
27. OWNER:
    A. ERIC & ESTHER J. DOTT
    601 E. SEMINARY AVE.
    TOWSON, MD 21204
    DEED REF. 2198-307
    PROPERTY NO. 09-04-500930
28. OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN
29. PROP. LOT & BLDGS. LAYOUT: AS SHOWN
30. COMMON OPEN SPACE: WAIVER REQUESTED
31. PROP. PARKING LAYOUT: AS SHOWN
32. STREET-PAVING & RIGHT-OF-WAY: AS SHOWN
33. PANHANDLE DRIVEWAYS: N/A
34. ESTIMATED AVERAGE DAILY TRIP (ADTS) = 130
35. HANDICAPPED PARKING: AS SHOWN
36. EASEMENTS: AS SHOWN
37. EX. & PROP. STORM DRAINS: AS SHOWN
38. EX. & PROP. UTILITY SYSTEM: AS SHOWN
39. SWM AREA
    a. WAIVER REQUESTED
40. WETLANDS: N/A
41. CRITICAL AREAS: N/A
42. ARCHEOLOGICAL SITES: N/A
43. ENDANGERED SPECIES HABITAT: N/A
44. HAZARDOUS MATERIALS SITE: N/A

NOTES:

1. SIGNS AS PERMITTED IN SEC. 413 OF THE ZONING REGULATIONS. SIGN VARIANCES TO BE APPLIED FOR AT A LATER DATE
2. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, SPECIAL HEARING FOR PARKING VARIANCE AND SPECIAL VARIANCE FROM THE TRANSPORTATION STANDARDS OF THE BASIC SERVICES MAPS APPLIED FOR IN CASE NO. 90-145-SPHXA
3. ALL PARKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPED PER SECTION 409 (B.C.Z.R.)
4. THIS ASSISTED LIVING FACILITY IS A CLASS 'B' FACILITY AS DEFINED IN SECTION 101 (BCZR) AND WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE, 1985 EDITION, CHAPTER 21.
5. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS.
6. DUMPSTER ROOM TO BE IN BASEMENT, TO BE PICKED UP AS REQ'D
7. NO WELLS, SEPTIC SYSTEMS OR UNDERGROUND FUEL TANKS EXIST ON SITE.


CIELING LINE
3RD FLR LEVEL
2ND FLR LEVEL
1ST FLR LEVEL
7'
9'
9'
EXISTING DWELLING

FRONT ELEVATION
NOT TO SCALE

⬡ DENOTES LOCATION OF RESTRICTIONS

RESTRICTIONS - Case # CBA-89-188 & 90-145 SPHXA

① The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this COnsent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return and be responsible for returning, said property to its original condition.

⑨ Victoria Corporation shall collect trash & garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.

⑩ Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

⑪ The assisted living facility approved herein shall contain no more than eighty (80) beds.

BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
ZONING CASE NO. 90-145 SPHXA
SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE ORDER (1-5-90)
This Plan Was Reviewed By The CRG On
10-13-89 With The Following Action Taken
REVISED
PLAN APPROVED
Plan Approved DPW
Plan Approved OPZ Francis Mo
Approval Expiration Date 10-13-92
PUBLIC SERVICES CRG NO. 89225
PLANNING NO. IX-547

RECEIVED
JUN 27 1990
PLANNING

	DATE	REVISIONS
Drafting		
Check	10-6-89	REV. PER PRE-CRG COMMENTS
Design	6-7-90	REV. PER ZONING RESTRICTIONS
Check		

ENGINEER
PAUL LEE ENGINEERING, INC.
304 PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 821-5941

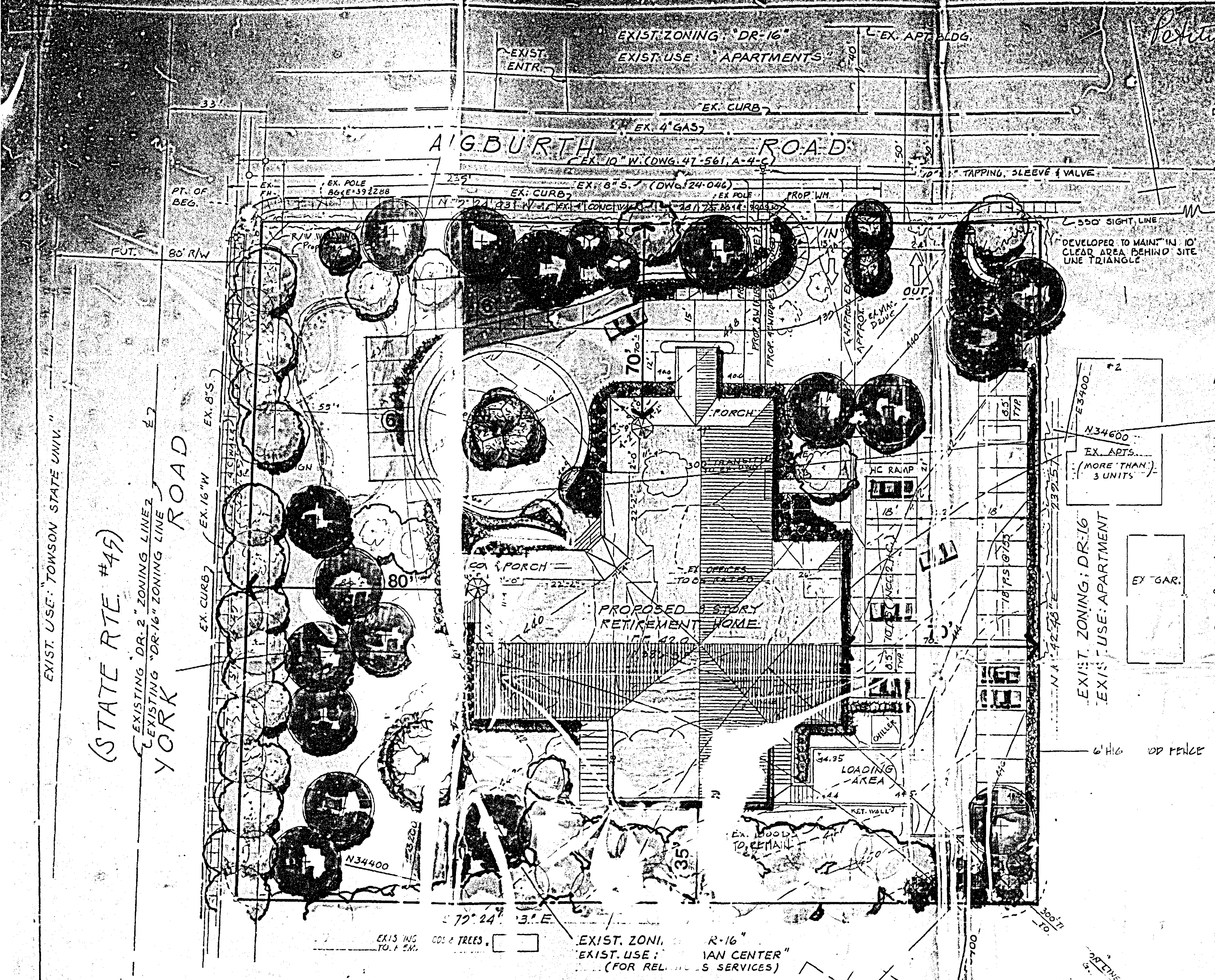
DEVELOPER
VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 882-7200

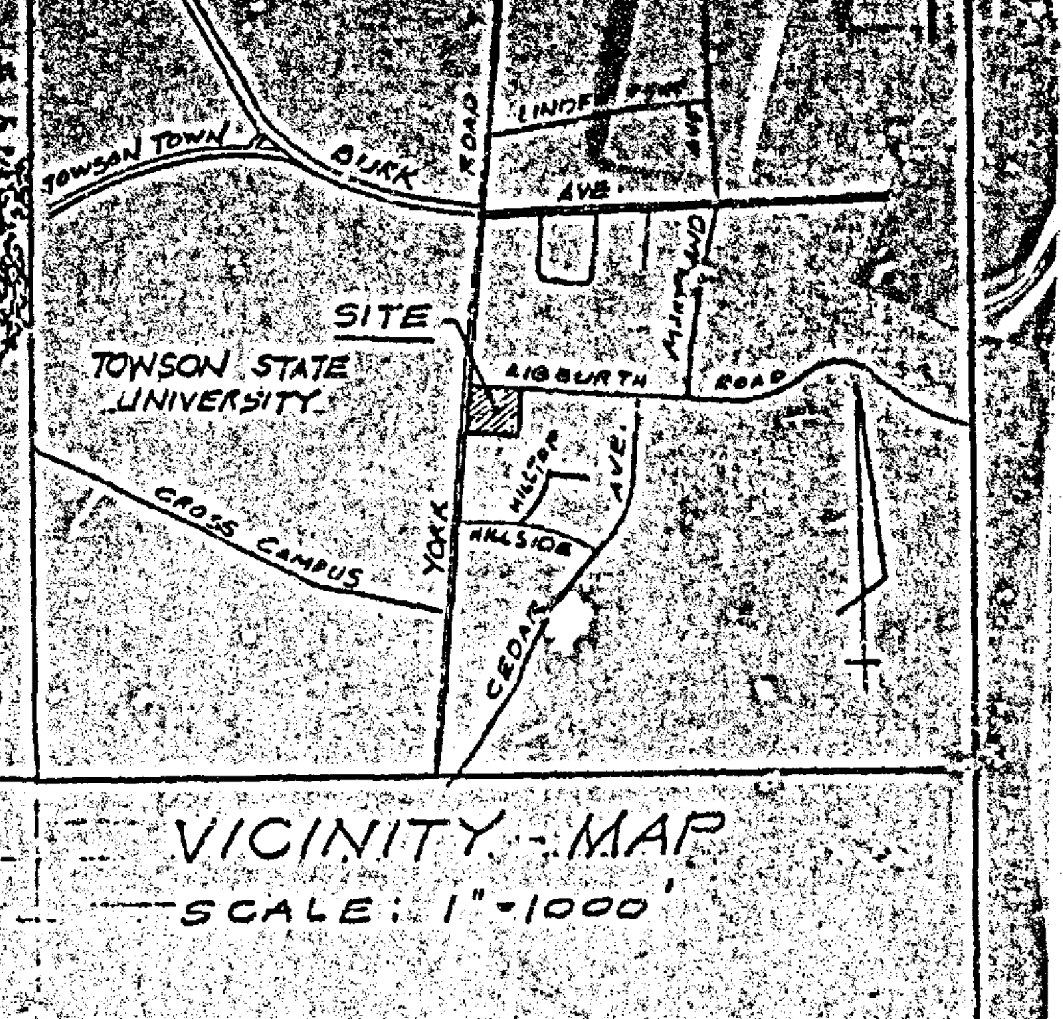
OWNER
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD. 21204

CRG PLAN
VICTORIA HOUSE OF TOWSON
SOUTHEAST CORNER OF YORK & AIGBURTH ROADS
ELECTION DISTRICT NO. 9
BALTIMORE COUNTY, MD

SHEET 1 OF 1
~~DATE~~ 8-1-89
SCALE 1"=20'
JOB NUMBER 88064

Petitioner's Exhibit #5


EXIST. ZONING "DR-16"
EXIST. USE "APARTMENTS"
EX. APT. BLDG.
EXIST. ENTR.
EX. CURB
EX. 4" GAS
AIGBURTH ROAD
EX. 10" W. (DWG. 47-561, A-4-C)
EX. 8" S. (DWG. 24-046)
10" TAPPING, SLEEVE & VALVE
PT. OF BEG.
EX. POLE
EX. CURB
PROP. W.M.
550' SIGHT LINE
DEVELOPER TO MAINT. IN 10' CLEAR AREA BEHIND SITE LINE TRIANGLE
FUT. 80' R/W
EXIST. USE: "TOWSON STATE UNIV."
(STATE RTE. #45)
EXISTING "DR-2" ZONING LINE
EXISTING "DR-16" ZONING LINE
YORK ROAD
EX. 16"W
EX. CURB
EX. 8"S
PORCH
HC RAMP
PROPOSED 3 STORY RETIREMENT HOME
EX. OFFICES TO BE RAZED
LOADING AREA
CHILLER
RET. WALL
EX. WOODS TO REMAIN
N34600
N34400
EX. APTS. (MORE THAN 3 UNITS)
EXIST. DWLG.
EX. GAR.
EXIST. ZONING: DR-16
EXIST. USE: APARTMENT
6' HIGH WOOD FENCE
EXIST. ZONI... R-16"
EXIST. USE: ...AN CENTER"
(FOR REL...S SERVICES)
EXISTING WOODS & TREES TO REMAIN
IN
OUT


TOWSON TOWN BLVD.
SITE
TOWSON STATE UNIVERSITY
CROSS CAMPUS
AIGBURTH ROAD
YORK
CEDAR AVE.

VICINITY MAP
SCALE: 1"=1000'

Victoria House

GENERAL NOTE:

1. a. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON

b. APPLICANT VICTORIA CORPORATION
400 W PENNSYLVANIA AVE.
TOWSON, MD. 2120
TEL. 301-882-7200

c. ENGINEER PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MD. 21204 TEL. 301-821-5941

d. SCALE: 1"=20'

e. DATE 8-1-89

2 & 3 AS SHOWN

4. ELECTION DIST. 9

5. COUNCILMANIC DIST. 4

6. CENSUS TRACT = 4908

7. WATERSHED = 23 SUBSEWERSHE = 55

8. COORDINATES: AS SHOWN

9. a. SITE ACREAGE
NET AREA = 1.55 AC.
0.33 AC. (½ RD. R/W)
GROSS AREA = 1.88 AC.

b. COMMON OPEN SPACE
REQD. OPEN SPACE = 20 UN @ 650 UNIT = 13,000 = 0.30 AC.
PROP. " " " = WAIVER REQUESTED

c. PARKING
REQUIRED PARKING (1 P.S./ BEDS) = 40 P.S.
PARKING SHOWN C. ... = 28 P.S. (VARIANCE REQUESTED)

d. DENSITY: 1.88 @ 16 UNITS/A = 30.00 UNITS
ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
PROPOSED ASSISTED LIVING UNITS = 80 BEDS
UNITS ARE FOR RENT

e. LANDSCAPE: PER LANDSCAPE MANUAL - STREET 522/40 = 14
PARKING 28/12 = 3
17

FLOOR AREA RATIO: N/A

BEARINGS & DISTANCE: AS SHOWN

PROPOSED & EXISTING WELLS: N/A

" " SEPTIC: N/A

... & WATER LINES W... ... No. AS SHOWN

14. ...RANT: AS SHOWN

15\.

AREA	BLDG.	PARKING	CLASS
1.60	LIGHT	MODERATE	8

...TIONAL PARKING REQUIRED
...TIONAL PARKING SHOWN

16. EX. TOPOGRAPHY: AS SHOWN

17. PROP. GRADING: AS SHOWN

18. EX. WOODED AREA & VEGETATION: AS SHOWN

19. LOCATION & PROP. PLANTING: SEE LANDSCAPE

20. EX. STREAM: N/A

21. FLOODPLAINS: N/A

22. EX. BLDGS & PROP. STATUS ON THE SITE: AS SHOWN

23. HISTORIC. BLDGS.: N/A

24. EX. BLDGS. ADJACENT TO THE SITE: AS SHOWN

25. CURRENT ZONING OF SITE DR 16

26. TRANSITION: SPECIAL EXCEPTION REQUESTED
a. EXIST. USES: GENERAL & MEDICAL OFFICES
PROPOSED USE: ASSISTED LIVING FACILITY

b. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN

c. BLDGS. SETBACK & DIST. BET. BLDGS.: VARIANCE

d. BUFFER & SCREENING AREAS: VARIANCE

e. EX. & PROP LIGHTING:

27. OWNER:
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD. 21204
DEED REF. 2198-307
PROPERTY NO. 09-04-500930

28. OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN

29. PROP. LOT & BLDGS. LAYOUT: AS SHOWN

30. COMMON OPEN SPACE: WAIVER REQUESTED

31. PROP. PARKING LAYOUT: AS SHOWN

32. STREET-PAVING & RIGHT-OF-WAY: AS SHOWN

33. PANHANDLE DRIVEWAYS: N/A

34. ESTIMATED AVERAGE DAILY TRIP (ADTS) - VARIANCE REQUESTED

35. HANDICAPPED PARKING: AS SHOWN

36. EASEMENTS: AS SHOWN

37. EX. & PROP. STORM DRAINS: AS SHOWN

38. EX. & PROP. UTILITY SYSTEM: AS SHOWN

39. SWM AREA
a. WAIVER REQUESTED

40. WETLANDS: N/A

41. CRITICAL AREAS: N/A

42. ARCHEOLOGICAL SITES: N/A

43. ENDANGERED SPECIES HABITAT: N/A

44. HAZARDOUS MATERIALS SITE: N/A

NOTES:

1. SIGNS - AS PERMITTED IN SEC. 413 OF THE ZONING REGULATIONS. SIGN VARIANCES TO BE APPLIED FOR AT A LATER DATE.
2. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, SPECIAL HEARING FOR PARKING VARIANCE AND SPECIAL VARIANCE FROM THE TRANSPORTATION STANDARDS OF THE BASIC SERVICES MAPS APPLIED FOR IN CASE NO. 90-145-SPHXA.
3. ALL PARKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPED PER SECTION 409 (B.C.Z.R.)
4. THIS ASSIS... FACILITY IS A CLASS... FACILITY AS DEFINED IN SECTION ... WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY ... CHAPTER 21.
5. ALL OFF-SITE ... AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT ... ON-SITE ARE SHOWN WITH THE REQUIRED 300 ... AND ... FEET ARCS.

PETITIONER'S EXHIBIT 5.14

90-145SPHX

MICROFILMED

LANDSCAPE KEY

- MAJOR DECIDUOUS TREE
- MINOR DECIDUOUS TREE
- EVERGREEN TREE
- SHRUBS
- GROUND COVER
- EXISTING TREE
- EXISTING WOODS TO REMAIN

LANDSCAPE REQUIREMENTS

A. 1 TREE PER 40 LF OF ROAD FRONTAGE (522 LF. / 40) = 14 TREES

B. 1 TREE PER 12 PARKING SPACES (28 PS. / 12) = 3 TREES

C. SCREEN PARKING FROM PUBLIC RD. & ADJACENT RESIDENTIAL ZONE

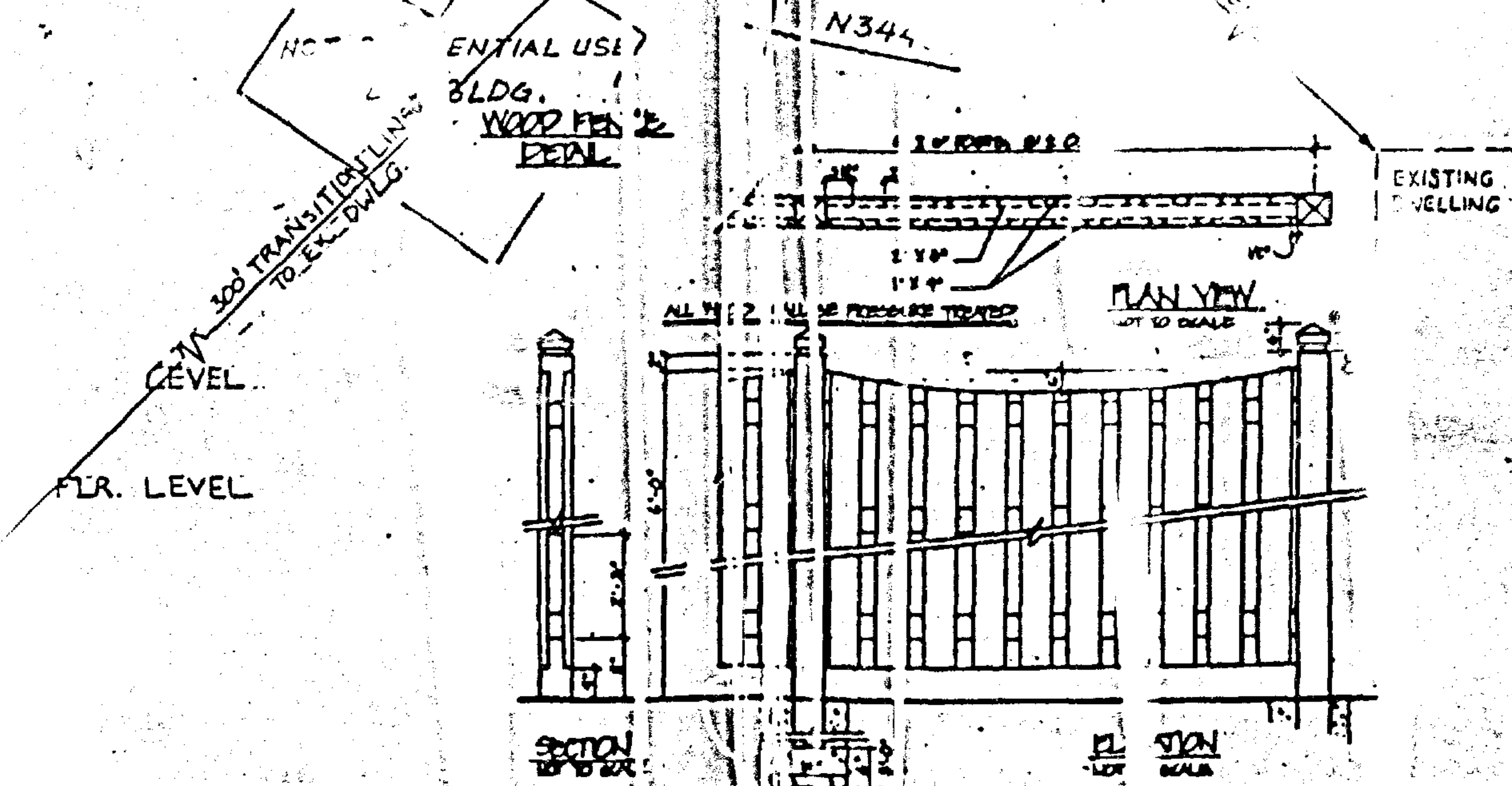
D. SCREEN LOADING ZONE

TOTAL PLANTING REQUIRED = 17 TREES + SCREENING

LANDSCAPE PROVIDED

19 MAJOR DECIDUOUS TREES
10 MINOR DECIDUOUS TREES
8 EVERGREEN TREES
SHRUBS & GROUND COVER

TOTAL PLANTING PROVIDED = 37 TREES + SCREENING


...ENTIAL USE BLDG.
WOOD FENCE DETAIL
300' TRANSITION LINE TO EX. DWLG.
LEVEL
FLR. LEVEL
PLAN VIEW
EXISTING DWELLING
SECTION
ELEVATION

PUBLIC SERVICES CRG NO. 89225
PLANNING NO. IX-547

LANDSCAPE PLAN ...-89

Drafting	DATE	REVISIONS
Check		
Design		
Check		

ENGINEER
PAUL LEE ENGINEERING, INC.
304 PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 821-5941

DEVELOPER
VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MARYLAND 21204
TEL. 882-7200

OWNER
A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD 21204

CRG PLAN
VICTORIA HOUSE OF TOWSON
SOUTHEAST CORNER OF YORK & AIGBURTH ROADS
ELECTION DISTRICT NO. 9
BALTIMORE COUNTY, MD.

SHEET	DATE	JOB NUMBER
1 OF 1	8-1-89	88064
	SCALE 1"=20'	

IN RE: CRG DECISION * IN THE

and * COUNTY BOARD OF APPEALS

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES * OF BALTIMORE COUNTY

SE cor. York and Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic District * CASE NOS.: CRA-89-188 and 90-145-SPHXA

Legal Owner: Eric A. Dott, et ux.
Contract Purchaser: Victoria Corp.

Petitioners

* * * * * * *

CONSENT ORDER

This case consolidates three appeals to this Board, all related to the proposed redevelopment of the subject property, which is located at the southeast corner of York and Aigburth Roads, from an office building to an assisted living facility. The first appeal was filed by Joyce R. Routson, President of the Towson Manor Association, on November 13, 1989; it challenged the October 13, 1989 approval by the County Review Group (CRG) of a development plan submitted on behalf of property owners, A. Eric and Esther Jackson Dott, and contract purchaser, Victoria Corporation.

A second appeal was filed with this Board by J. Carroll Holzer, Esquire, attorney for the Towson Manor Association, on January 25, 1990; and a cross-appeal was filed by Richard J. Kendall, President, on behalf of Petitioner Victoria Corporation, on February 5, 1990. Both of the latter appeals were from the January 5, 1990 Opinion and Order of the Zoning Commissioner of Baltimore County in Case No. 90-145-SPHXA.

The Zoning Commissioner's Order in Case No. 90-145-SPHXA: 1) granted the relief requested in a Petition for Special Exception filed on behalf of the Dotts and Victoria Corporation, by approving (under §432.1.A.2 of the Baltimore County Zoning Regulations (BCZR)) the establishment of an assisted living facility containing a maximum of eighty (80) beds, and by waiving (under §432.4, BCZR) compliance with all of the residential transition area restrictions of §1B01.1.B.1.b, BCZR; 2) granted part of the relief requested in a Petition for Special Hearing filed on behalf of those same parties, by approving the removal of the special exception granted in Case No. 78-276-X; 3) denied the remainder of the relief requested in the said Petition for Special Hearing, on grounds that the granting of the Petition for Zoning Variances (see below) made the request moot; and 4) granted the relief requested in a Petition for Zoning Variances filed on behalf of the same parties, by approving a special variance (under §4A02.4.F.1, BCZR) from the transportation provisions of the County's basic services mapping standards, and by approving a parking ratio of one (1) off-street parking space per three (3) beds in lieu of the one (1) space per two (2) beds required by §409.6, BCZR. The Zoning Commissioner's Order was subject to eight conditions listed at the end of the Order.

Representatives of the Towson Manor Association and the Wiltondale Improvement Association, as well as numerous individual neighbors of the subject property, appeared before the CRG and the Zoning Commissioner below to protest the redevelopment of the subject property. The neighbors' opposition has centered on the scale of the proposed building, as well as potential negative parking, traffic, and service area impacts.

The parties to these appeals, being the Towson Manor Association and Victoria Corporation, and their respective counsel, have met and negotiated in an effort to reach agreement on modifications to the proposed assisted living facility that will reduce any potential negative impacts on the surrounding neighborhood. The parties have subsequently advised this Board that they have arrived at an agreement and wish to settle these appeals on terms to be incorporated into a Final Order of this Board.

Attached hereto are three Exhibits. Exhibit 1 is the "Plat to Accompany Petitions for Special Hearing, Special Exception and Variances" (the "Special Exception Plat"), which was submitted to and approved by the Zoning Commissioner. Exhibit 2 is the "CRG Plan - Victoria House of Towson" (the "CRG Plan"), which was submitted to and approved by the CRG. Exhibit 3 is the "Plat Indicating Proposed Buffer Planting, Chiller & Fence Locations, Entry Drive and Building Dimension Reductions" (the "Revised Landscape Plan"), which describes the modifications to the Special Exception Plat and the CRG Plan, all of which have been agreed to by the parties and are incorporated into the following Final Order of this Board.

Therefore, IT IS ORDERED by the County Board of Appeals, this 25th day of July, 1990, that:

(1) The CRG Plan attached hereto as Exhibit 2 (with modifications to the buffer, to the location of the proposed chiller or condensers, and to the configuration of the entranceway, and with minor modifications to redraw the ~~smaller~~ building footprint so that it reflects, at an accurate scale, the stated building dimensions, all as required by the restrictions set out below and all consistent with the Revised Landscape Plan attached hereto as Exhibit 3) be and it is hereby APPROVED;

(2) The Petition for Special Exception filed by the Dotts and Victoria Corporation be and it is hereby GRANTED, so that the Petitioners may establish on the subject property an assisted living facility containing a maximum of eighty (80) beds as shown on attached Exhibit 1, with the modifications shown on Exhibit 3, and the Petitioners are excused from complying with the residential transition area requirements of §1B01.1.B.1.b, BCZR, also as shown on said Exhibits;

(3) The Petition for Special Hearing filed by the same Petitioners, insofar as it relates to removal of the special exception granted in Case No. 78-276-X, be and it is hereby GRANTED, but otherwise be and it is hereby DENIED; and

(4) The Petition for Zoning Variances filed by the same Petitioners be and it is hereby GRANTED, so that, to the extent that the proposed development as shown on the Exhibits requires it, the Petitioners are excused from complying with the transportation provisions of the basic services mapping standards of §4A02.4.F.1, BCZR, and parking shall be provided for the proposed development at a rate of one (1) parking space for each three (3) assisted living beds in lieu of the ordinary rate, set forth in §409.6, BCZR, of one (1) parking space for each two (2) beds.

All of the relief granted above is subject to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Consent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The chiller or condensers proposed to be installed by the Petitioners shall be located on the roof of the building, as noted on Exhibit 3.

3. The Petitioners shall erect a six (6) foot high wooden privacy fence behind the retaining wall shown on Exhibit 3. Said privacy fence shall run the entire length of the retaining wall from the proposed building to the vegetative buffer along the southeast side of the property line.

4. The Petitioners shall construct a six (6) foot high wooden privacy fence six (6) feet inside the easterly boundary line to run the length of the parking spaces shown on Exhibit 3.

5. The Petitioners shall provide landscaping as shown on Exhibit 3, including but not limited to a twelve (12) foot vegetative buffer along the eastern boundary line of the subject site.

6. The entranceway to and driveways on the subject property, as redeveloped, shall be in the location and configuration shown on Exhibit 3.

7. The building location, footprint, and dimensions shall be as shown on Exhibit 3.

8. The stormwater management facility for the site shall consist of an underground infiltration structure.

9. Victoria Corporation shall collect trash and garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.

10. Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.

11. The assisted living facility approved herein shall contain no more than eighty (80) beds.

COUNTY BOARD OF APPEALS
FOR BALTIMORE COUNTY

William T. Hackett
CHAIRMAN, William T. Hackett

Harry E. Buchheister, Jr.
Harry E. Buchheister, Jr.

John G. Disney
John G. Disney

ORDR0151.JAA

90-145
SPHXA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Copies

NAME	ADDRESS
✓Robert Hoffman	26 Allegany Ave
✓John Howard	"
Paul Klaassen	10322 Blake Lane Oakton, VA 22124
Dick Kendall	400 W Penn. Towson, Md
Gunnar Plake	400 W Penn., Towson, Md
Carl Saunders	400 W. Penn. Ave. Towson Md.
Paul Lee	304 W. Penna Ave 21204
BILL KIRWIN	28 E. Susquehanna Ave. Towson 21204
Wes Guckert + Derek [illegible]	THE TRAFFIC GROUP 414 East Joppa Rd Towson
William GEBHARDT (67)	5405 GREENWAY RD 21234
Bonnie [illegible] (36)	Loch Raven Apts
Margaret R. [illegible] (7?)	Loch Raven Village apts
Ruth Smith	Loch Raven Village Apts.
Mary Larson	" " " "
Helen Naumann	Loch Raven Village apts
Henry Naumann	" " " "
Nancy Trout	" " " "
Betty Gebhardt	Loch Raven Village Apts

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
JUDITH M. GIACOMO	17 AIGBURTH RD, TOWSON 21204
ELLA B. FOWLER	16 CEDAR AVE TOWSON 21204
✓ JOHN S.H. CHAPMAN	66 CEDAR AVE TOWSON 21204
Anne Orrell	23 Aigburth Rd
Nina E. Hughes	111 MARBURTH AVE. 21204
✓ Joyce Boutson	142 Marburth Ave 21204
George W. Sawyer	12 Aigburth Rd.
Camille E. Sawyer	22 AIGBURTH Rd.
LOUIS MANGIONE	1523 DOXBURY RD.
JACK L. GIACOMO	17 AIGBURTH Rd.
✓ Audrey G. Odell	23 Hilltop Rd 21204
PAULINE C BRANDT	73 CEDAR AVE 21204
Edward E Brandt	73 CEDAR AVE 21204
ALICE E. HELD	2 AIGBURTH RD 21204
KEN KINSEY	18 Aigburth RD.
Judith Lane	10 Maryland Ave 21204
John J. Appel Jr.	129 Marburth Ave. 21204
✓ Eileen RILEY	623 Wilton Rd., Towson 21204
Mary Jo Beck	17 Hilltop Ave. 21204
TIM DAVISSON	64 CEDAR AVE TOWSON 21204
Rudolph E. DeMeo	906 Fairway Drive Towson, Md. 21204

BURKLEIGH SQUARE COMMUNITY ASSOCIATION
P. O. BOX 6713
TOWSON, MARYLAND 21204

October 30, 1989

J. Robert Haines
Zoning Commissioner,
Baltimore County
Towson, MD 21204

Dear Mr. Haines,

I am writing to you on behalf of the Burkleigh Square Community Association. The members that I have spoken to are in agreement in opposition to the proposed zoning variance for the property located at 7925 York Road. Like the members of the other area community associations, we feel that the scope of proposed variance and the scale of the building is not compatible with our residential neighborhood.

Sincerely,

Donald H. Romano
President, Burkleigh
Square Community Association

RECEIVED
NOV 6 1989
ZONING OFFICE

Joe

RECEIVED
NOV 3 1989
ZONING OFFICE

November 1, 1989

90-145-SPHXA

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County Office Bldg.
111 W. Chesapeake Ave.
Towson, Md. 21204

Dear Mr. Haines:

I am unable to attend the hearing scheduled for the week of October 29, 1989 regarding the Victoria House project. Please be advised that I support the Towson Manor Association in their opposition to the zoning variance requested for the Victoria House project.

Thank you for your attention.

Yours truly,

John E. Simms Jr.
John E. Simms Jr.
7935 York Rd.
Towson, Md. 21204

For File

IN THE MATTER OF
S.E. CORNER OF YORK AND
AIGBURTH ROADS (7925 YORK
ROAD) 9TH ELECTION DISTRICT

THE VICTORIA CORPORATION,
PETITIONER

* BEFORE THE
* ZONING COMMISSIONER OF
* BALTIMORE COUNTY
* CASE NO. 90-145-SPHXA

* * * * * * * * * * *

RETURN OF PRIVATE PROCESS SERVER

Pursuant to Maryland Rule 2-126(a), I, the undersigned, hereby certify that service of process was executed on Leslie M. Pittler, Esquire on October 30, 1989, by delivering and leaving a copy of the summons.

I further certify that I am over eighteen years of age and am not a party to this action. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true to the best of my knowledge, information and belief.

Barbara A White
Barbara A. White

File Copy

IN THE MATTER OF
S.E. CORNER OF YORK AND
AIGBURTH ROADS (7925 YORK
ROAD) 9TH ELECTION DISTRICT

THE VICTORIA CORPORATION,
PETITIONER

* BEFORE THE
* ZONING COMMISSIONER OF
* BALTIMORE COUNTY
* CASE NO.: 90-145-SPHXA

* * * * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the Zoning Commissioner of Baltimore County at the hearing for the matter captioned above on Tuesday October 31, 1989 at 9:30 a.m. in Room 106, located at the County Office Building and continuing thereafter as necessary for such witness' testimony and as scheduled by the Commissioner.

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

ROBERT A. 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 Zoning commissioner of Baltimore County. The Commissioner board requests the Sheriff to issue the summons set forth herein.

J. Robert Haines
Zoning Commissioner of
Baltimore County

Cost: $_________________, 19__
Summoned: _________________, 19__
Not Served: _________________

Sheriff of Baltimore County

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(301) 823-4111
FAX (301) 821-0147

BALTIMORE, MD
WASHINGTON, D. C.
MCLEAN, VA
ROCKVILLE, MD
BEL AIR, MD

RICHARD M. VENABLE (1839-1901)
EDWIN G. BAETJER (1868-1945)
CHARLES MCH. HOWARD (1870-1942)

WRITER'S DIRECT NUMBER IS

July 25, 1989

Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attn: Gwen

Re: Plake Properties
Item No. 20

Dear Gwen:

On July 11, 1989, we filed on behalf of Plake Properties a Petition for Zoning Variance, Petition for Special Hearing and Petition for Special Exception. A total of $525.00 was paid for the cost of filing these petitions when the fee should not have exceeded the maximum fee which is $450.00. The County therefore owes us a credit of $75.00.

On July 19, 1989, I filed a revised Petition for Zoning Variance which has a filing fee of $35.00. Kate suggested that I contact you in order that th $35.00 filing fee could be deducted from the amount the County owes us and that the remaining $40.00 could be applied to any advertising and posting fees which may become due.

Should you have any questions, please do not hesitate to call.

Thank you.

Sincerely,

Barb
Barbara A. White
Legal Assistant

PROTESTANT'S
EXHIBIT 12

October 31, 1989

The Honorable J. Robert Haines
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-145-SPHXA: 7925 York Road, Towson, MD

Dear Mr. Haines:

By authority of the Board of Directors of Knollwood-Donnybrook Improvement Association, Inc., this letter sets forth our Association's position in this matter.

Our Association believes that the variances requested by Victoria Corporation for the proposed development of the subject property are excessive and that the scale of the building is incompatible with the residential neighborhood.

In addition, our Association is opposed to the proposed development for the following additional reasons:

(1) The proposed structure and use will have a detrimental effect on the already poor availability of parking. The proximity of the location to Towson State University has resulted in the neighboring streets' being used by students of the University. The additional need for parking required by employees and visitors of the proposed structure will increase the parking problem.

(2) The proposed structure and use will have a detrimental effect on traffic at the already congested intersection of York Road and Aigburth Road. Inclement weather, e.g., heavy rains and icy conditions, already have made the intersection dangerous. The additional traffic caused by employees and visitors of the proposed structure will add to the traffic problem.

Sincerely,

Rudolph E. DeMeo, President
Knollwood-Donnybrook Improvement
Association, Inc.

TRAFFIC STUDY FOR PROPOSED VICTORIA HOUSE SITE
PROPERTY AIGBURTH RD. & YORK RD. S.E. CORNER
7925 YORK RD.
FRIDAY OCTOBER 27, 1989

PROTESTANT'S
EXHIBIT 9

TIME
7:00 AM - 9:00 AM

ON SITE
VIEWER NAME + ADDRESS:
JUDITH M. GIACOMO
17 AIGBURTH RD., TOWSON

	IN	OUT	TOTAL
7:00 - 7:30 AM			
7:30 - 8:00 AM	✓✓✓		(4 in)
8:00 - 8:30 AM	✓		
8:30 - 9:00 AM			

TIME
11:00 AM - 2:00 P.M.

ON SITE
VIEWER: NAME + ADDRESS

	IN	OUT	TOTAL
11:00 - 11:30 AM			
11:30 - 12:00 P.M.			
12:00 - 12:30 P.M.			
12:30 - 1:00 P.M.			
1:00 - 1:30 P.M.			
1:30 - 2:00 P.M.			

TIME
4:00 P.M. - 6:00 P.M.

ON SITE
VIEWER NAME + ADDRESS
JACK L. GIACOMO
17 AIGBURTH RD., TOWSON

	IN	OUT	TOTAL
4:00 - 4:30 P.M.			
4:30 - 5:00 P.M.	✓	✓✓	(4 ins 3 out)
5:00 - 5:30 P.M.	✓✓✓	✓	
5:30 - 6:00 P.M.			

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH ROAD + YORK ROAD

SATURDAY, OCTOBER 28, 1989

TIME 7:00 AM – 9:00 AM

ON SITE VIEWER: NAME + ADDRESS
Joyce Routson 142 Marburth

	IN	OUT	TOTAL
7:00 – 7:30 AM.			-0-
7:30 – 8:00 AM			
8:00 – 8:30 AM			
8:30 – 9:00 AM			

TIME 11:00 AM 2:00 P.M.

ON SITE VIEWER: NAME + ADDRESS
① Cynthia R. [illegible]
② Ed + Pauline Brandt 73 Cedar

	IN	OUT	TOTAL
11:00 – 11:30 AM	0	0	
11:30 – 12:00 P.M	0	0	
12:00 – 12:30 P.M.	0	0	3 out
12:30 – 1:00 P.M.		H=2	2 in
1:00 – 1:30 P.M.			
1:30 – 2:00 P.M.	1-1-	1	

TIME 4:00 PM 6:00 P.M.

ON SITE VIEWER: NAME + ADDRESS
Ella B Fowler 16 Cedar Ave

	IN	OUT	TOTAL:
4:00 – 4:30 P.M.	boy walked in 0	1	1 out
4:30 – 5:00 P.M.	0	0	0 in
5:00 – 5:30 P.M	0	0	
5:30 – 6:00 P.M.	0	0	

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH ROAD + YORK ROAD

SUNDAY, OCTOBER 29, 1989

TIME 7:00 AM – 9:00 AM

ON SITE VIEWER: NAME + ADDRESS
Jack J Giacomo, 17 Aigburth Rd 21204

	IN	OUT	TOTAL
7:00 – 7:30 AM			NONE
7:30 – 8:00 AM			
8:00 – 8:30 AM			
8:30 – 9:00 AM			

TIME 11:00 AM – 2:00 P.M.

ON SITE VIEWER: NAME + ADDRESS
11 15, 12 30 Janet Meyer 19 Aigburth Rd 212..
11 11 15, 12 30 Bernard Meyer Jr. 19 Aigburth Rd
Carl E. Brett Hillside Ave 1:00 to 2:00

	IN	OUT	TOTAL
11:00 – 11:30 AM			
11:30 – 12:00 PM			2 in
12:00 – 12:30 PM	12:42pm parked in car walked direction Newman center		
12:30 – 1:00 PM		~~car left~~	
1:00 – 1:30 P.M.			2 out
1:30 – 2:00 P.M.	1:43 parked and went in to the building (office?) (truck)	car left at 1:35 truck left at 2:00	

TIME 4:00 PM – 6:00 P.M.

ON SITE VIEWER: NAME + ADDRESS
① Judy Lee 10 Maryland Ave
② [illegible]

	IN	OUT	TOTAL:
4:00 – 4:30 AM			NONE
4:30 – 5:00 AM			
5:00 – 5:30 P.M.			
5:30 – 6:00 P.M.			

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH RD. + YORK RD., TOWSON

MONDAY, OCTOBER 30, 1989

TIME 7:00 AM – 9:00 AM (Foggy)

ON SITE VIEWER: NAME + ADDRESS
John S.H. Chapman
66 Cedar Ave 21204

	IN	OUT	TOTAL
7:00 – 7:30 AM	0	0	0
7:30 – 8:00 AM	7:50 1	0	*
8:00 – 8:30 AM	0	0	(2 in) 0
8:30 – 9:00 AM	8:50 1	0	*

TIME 4:00 PM – 6:00 P.M.

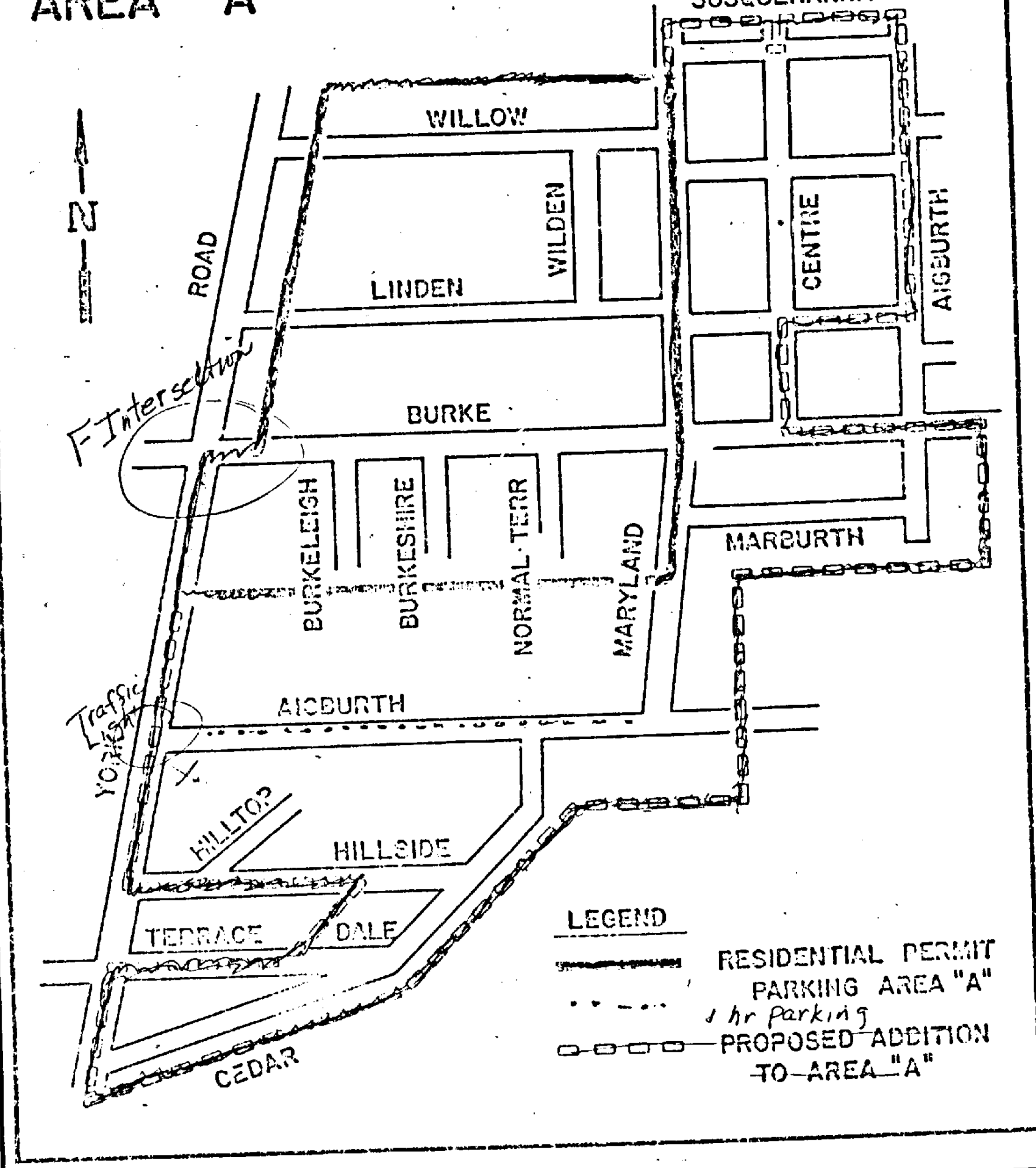
ON SITE VIEWER: NAME + ADDRESS
ANNE ORRELL, 23 AIGBURTH Rd.

	IN	OUT	TOTAL
4:00 – 4:30 P.M.	1 4:05	1 4:15	4 in
4:30 – 5:00 P.M.	1 4:55	1 4:35	3 out
5:00 – 5:30 P.M.	1 5:25		
5:30 – 6:00 P.M.	1 5:50	1 5:35	

Res. 91-80

PROTESTANT'S EXHIBIT 6

PERMIT PARKING AREA "A"



October 30, 1989

Student Population:

Full-time - Headcount -	9,300
Part-time -	6,000
Total:	15,300
Full-time Day	10,500 (approx.) (This number represents the total students on campus daily from approximately 7:00 a.m. until approximately 4:00 p.m.)

Permits Issued:

Faculty/Staff -	1,783
Student -	7,282
Total:	9,065

Parking Space:

Current -	4,351 (includes faculty/staff)
*Future -	5,226

*The new parking garage is scheduled for completion in late November.

The accepted national turnover ratio is 2.5:1. This ratio accounts for the daily turnover of student parking spaces based on the variance of class scheduling.

CHARLES ECKELS
ASSO. V.P. ADMINISTRATIVE SERVICES

830-3310

PROTESTANT'S EXHIBIT 7

Stoneleigh Community Association, Inc.
Baltimore, Maryland 21212

October 27, 1989

Joyce B. Routson, President
The Towson Manor Community Association
142 Marburth Avenue
Towson, Maryland 21204

Dear Ms. Routson:

On behalf of Steve Close, President of the Stoneleigh Community Association, I am enclosing herewith a letter opposing the proposed retirement home that will be before the Zoning Commissioner's Office for a hearing on October 31st and November 2nd. Please submit this letter to the hearing officer at that time. If you have any questions please contact the undersigned during the day at (301) 685-4558.

Thank you for your cooperation.

Very truly yours,

J. Shawn Alcarese
J. Shawn Alcarese

JSA/mlw
enclosure

PROTESTANT'S EXHIBIT 4

Stoneleigh Community Association, Inc.
Baltimore, Maryland 21212

October 27, 1989

The Honorable J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

Dear Commissioner Haines:

On behalf of the Board of Governors of the Stoneleigh Community Association we would like to go on record as opposing the construction and use of the three-story, 33,000 square foot structure that is proposed and slated for hearing before your offices on October 31st and November 2nd, 1989. The recent commercial encroachment along the York Road corridor has had an adverse impact on the residential communities that abut York Road. This structure is proposed for an area other than one of sole commercial use and would unduly increase an already congested traffic situation with the added around-the-clock employees and visitors that this structure and use proposes.

Please note the formal objection and opposition of the Stoneleigh Community and its community association in this matter.

Thank you for your cooperation.

Very truly yours,

Steve Close, President

SC/mlw

PROTESTANT'S EXHIBIT 4

IN RE: PETITION SPECIAL VARIANCE W/S of Beaver Dam Road, 151' S of Cockeysville Road – 8th Election District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
Beaver Springs Joint Venture, Petitioner	*	Case No. 87-229-A

PETITIONER'S EXHIBIT 7

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special variance to permit the construction of a hotel in lieu of an office building which had been approved by the County Review Group (CRG) and for which building permits had been issued prior to the adoption of the Basic Service Maps, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Andrew S. Poffel, appeared and testified and was represented by Counsel. Testifying on behalf of the Petitioner were George E. Gavrelis, an expert planner, and Wes Guckert, a traffic engineer. There were no Protestants.

Testimony indicated that the subject property, zoned M.L.-I.M. and located on Beaver Dam Road, was approved by the CRG in April, 1985 for the development of two office buildings. Permits for the office buildings were issued on March 25, 1986. Soon thereafter, the Basic Service Maps adopted by the Baltimore County Council went into effect, which approved the designation of the intersection of York and Padonia Roads as an "E" intersection. The impact of this designation was to deny the issuance of any building permits, pursuant to Section 500.1, Baltimore County Zoning Regulations (BCZR), or the approval of any subdivision after the effective date of the adoption of the Basic Service Maps. See Sections 4A02.3.G.1 and 4A02.3.G.4.A.6, BCZR. The BCZR provides the Zoning Commissioner with the authority to grant special variances from the restrictions imposed by Section 4A00.1, et al., BCZR.

October 30, 1989

Student Population:

Full-time - Headcount -	9,300
Part-time -	6,000
Total:	15,300
Full-time Day	10,500 (approx.) (This number represents the total students on campus daily from approximately 7:00 a.m. until approximately 4:00 p.m.)

Permits Issued:

Faculty/Staff -	1,783
Student -	7,282
Total:	9,065

Parking Space:

Current -	4,351 (includes faculty/staff)
*Future -	5,226

*The new parking garage is scheduled for completion in late November.

The accepted national turnover ratio is 2.5:1. This ratio accounts for the daily turnover of student parking spaces based on the variance of class scheduling.

CHARLES ECKELS
ASSO. V.P. ADMINISTRATIVE SERVICES
830-3310

PROTESTANT'S EXHIBIT 7

IN RE: PETITION SPECIAL VARIANCE * BEFORE THE
W/S of Beaver Dam Road, 151' S of Cockeysville Road - 8th Election District * ZONING COMMISSIONER
* OF BALTIMORE COUNTY
Beaver Springs Joint Venture, Petitioner * Case No. 87-229-A

PETITIONER'S EXHIBIT 7

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special variance to permit the construction of a hotel in lieu of an office building which had been approved by the County Review Group (CRG) and for which building permits had been issued prior to the adoption of the Basic Service Maps, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Andrew S. Poffel, appeared and testified and was represented by Counsel. Testifying on behalf of the Petitioner were George E. Gavrelis, an expert planner, and Wes Guckert, a traffic engineer. There were no Protestants.

Testimony indicated that the subject property, zoned M.L.-I.M. and located on Beaver Dam Road, was approved by the CRG in April, 1985 for the development of two office buildings. Permits for the office buildings were issued on March 25, 1986. Soon thereafter, the Basic Service Maps adopted by the Baltimore County Council went into effect, which approved the designation of the intersection of York and Padonia Roads as an "E" intersection. The impact of this designation was to deny the issuance of any building permits, pursuant to Section 500.1, Baltimore County Zoning Regulations (BCZR), or the approval of any subdivision after the effective date of the adoption of the Basic Service Maps. See Sections 4A02.3.G.1 and 4A02.3.G.4.A.6, BCZR. The BCZR provides the Zoning Commissioner with the authority to grant special variances from the restrictions imposed by Section 4A00.1, et al., BCZR.

In the instant matter, building permits had been issued prior to the "moratorium" established by the adoption of the Basic Service Maps, and thereby, were "grandfathered" against imposition of the moratorium. The issuance of a building permit, by definition, includes County authorization for the necessary reserve-capacity use certificate, and therefore, the sole issue here is the imposition of the traffic district standards to the impacted intersection. Section 4A02.3.G.6. The Petitioner, however, now wishes to substitute a hotel for one of the office buildings, a use permitted as of right in an M.L. Zone. Testimony and evidence presented by Mr. Guckert indicated that the substituted use would create 75 trips per peak hour, i.e., the evening, compared to 189 trips created by the supplanted office building. The Department of Traffic Engineering concurs.

The hotel would not be a full service hotel--no restaurant, bar, or cocktail lounge and no typical large amenities usually associated with a full service hotel—rather, it is aimed at those needing temporary extended living quarters.

The Petitioner seeks relief from Section 4A02.3.G.1, pursuant to Section 4A02.4.F.1, BCZR.

It can be argued that, in this situation, a special variance is not needed inasmuch as the substitution of uses creates less traffic than the original use. Indeed, such argument is meritorious, and it is hereby so ruled. When a building permit has been issued prior to the imposition of a moratorium, any subsequent substitution of a permitted use which generates less traffic, presuming no other provisions of Section 4A00.1 are impacted, does not require a special variance.

Clearly, the intent of Section 4A02.4.F.1 is to require special variances for those proposed developments that are requested after the effective date of

---

the Basic Service Maps and not for those issued building permits prior to such date. The language of Section 4A02.4.F.1.A, B, F.2, and F.3, BCZR, must be read in its entirety and be given its clear meaning. However, even if such a special variance is needed, it is equally obvious that one should be granted.

The district standard used to determine the level of the intersection at York and Padonia Roads is not relevant to the proposed hotel in that the traffic generated by the hotel is much less than that originally projected by the office building for which permits were issued and grandfathered.

The Growth-Management provisions of the BCZR will not be violated by the granting of a special variance here, and the purposes of those provisions will be maintained.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested special variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of December, 1986, that the Petition for Special Variance to permit the construction of a hotel be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of
Baltimore County

AJ/srl

---

cc: John B. Howard, Esquire ✓
People's Counsel

APPEAL

Petition for Special Hearing, Special Exception and Zoning Variance
SE cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District

Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

√ Petition for Special Hearing, Special Exception and Zoning Variance

√ Description of Property

√ Certificate of Posting

√ Certificate of Publication

√ Zoning Plans Advisory Committee Comments

√ Director of Planning & Zoning Comments dated October 16, 1990

Petitioner's Exhibits:
- √ 1. Victoria House Picture Display
- 2. 8 x 10 photo - recreation room √
- 3. 8 x 10 photo - dining room √
- 4. 5-4 x 6 photos(3 sheets) - interior/exterior √
- √ 5. Site Plan with overlay
- √ 6. Pictures of Site, Aigburth & Burke
- 7. Findings of Fact & Conclusions of Law, dated 12/30/86 √
- 8. 200'=1" scale map - 1/1986 √
- 9. Vicinity Analysis 10/27/89 Victoria House of Towson √

√ - IN BOARD'S CLOSET

Protestant's Exhibits
- 1. 5-photos - (3 pages) √
- 2. 3-photos - (2 pages) √
- 3. 4-photos - (2 pages) √
- 4. 2 letters, dated 10/27/89, behalf of Steve Close and Board of Governors Stoneleigh Community Association, Inc. √
- 5. CRG Plan 8/1/89 √
- 6. Permit Parking Area "A" √
- 7. Statistics - Charles Eckels, Assoc. VP Administrative Services √
- 8. 6-photos roadways (3 pages) √

√√√√√

Board of Appeals
Case #90-145-SPHXA
Page 2

- 9. Traffic Study 10/27/89 (4 pages) √
- 10. Letters of protest/plat √
- 11. 17 letters of protest √
- 12. Letter by authority of the Board of Directors of Knollwood-Donnybrook Improvement Assoc., Inc., dated 10/31/89 √

√ Zoning Commissioner's Order dated January 5, 1990 (denied in part and granted in part with restrictions)

√ Notice of Appeal received January 25, 1990 from J. Carroll Holzer, Attorney for the Towson Manor Association.
√ Notice of Appeal received 2/5/90 from Richard J. Kendall, Pres. - Victoria Corp.

* J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Ave., Suite 205
Towson, Maryland 21204

Robert Hoffman
210 Allegheny Avenue
Towson, Md. 21204

John Howard
210 Allegheny Avenue
Towson, Md. 21204

Paul Klaasen
10322 Blake Lanew
Oakton, Virginia 22124

* Dick Kendall - Victoria Corporation
400 W. Pennsylvania Avenue
Towson, Maryland 21204

Board of Appeals
Case No. 90-145-SPHXA
Page 3

A. Shamberg
Rosenfelt & Woolfolk
10706 Reisterstown Road, Ste. 8
Owings Mills, Md. 21117

John Chapmans
66 Cedar Avenue
Towson, Maryland 21204

Joyce Routson
1242 Marburth Avenue
Towson, Md. 21204

~~Audrey G. Odell~~
~~23 Hilltop Rd.~~
~~Towson, Md. 21204~~ T/C Asked to be removed 2/12/90 - 9⁴⁵a.m.

Eileen Riley
623 Wilton Rd.
Towson, Md. 21204

Leslie Pittler, Director, Community Development

out per Shirley Hess 2/8/90
in 5/30/90

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification:
P. David Fields, Director of Planning &
Patrick Keller, Office of Planning & Zon
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commiss
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

Case Nos: CBA-8[illegible]88 and 90-145-SPHXA

Dear Zoning Commissioner.

On behalf of the Petitioners in the above captioned case, we respectfully request a copy of the record tape of the Zoning Hearing which was held on October 31, 1989 and November 2, 1989.

Sincerely,
Robert A Hoffman Esq

CALL BARB WHITE FOR CHECK.
823-4111

90-145 - 10/31/89 - 230
231

June 8, 1989

the Basic Service Maps and not for those issued building permits prior to such date. The language of Section 4A02.4.F.1.A, B, F.2, and F.3, BCZR, must be read in its entirety and be given its clear meaning. However, even if such a special variance is needed, it is equally obvious that one should be granted.

The district standard used to determine the level of the intersection at York and Padonia Roads is not relevant to the proposed hotel in that the traffic generated by the hotel is much less than that originally projected by the office building for which permits were issued and grandfathered.

The Growth-Management provisions of the BCZR will not be violated by the granting of a special variance here, and the purposes of those provisions will be maintained.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested special variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of December, 1986, that the Petition for Special Variance to permit the construction of a hotel be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of
Baltimore County

AJ/srl

TRAFFIC STUDY FOR PROPOSED VICTORIA HOUSE SITE
PROPERTY AIGBURTH RD. + YORK RD. S.E. CORNER
7925 YORK RD.
FRIDAY, OCTOBER 27, 1989

PROTESTANT'S EXHIBIT 9

TIME
7:00AM - 9:00 AM

ON SITE
VIEWER NAME + ADDRESS:
JUDITH M. GIACOMO
17 AIGBURTH RD., TOWSON

	IN	OUT	TOTAL
7:00-7:30AM			
7:30-8:00AM	✓✓✓		(4 in)
8:00-8:30AM	✓		
8:30-9:00 AM			

TIME
11:00 AM - 2:00 P.M.

ON SITE
VIEWER: NAME + ADDRESS

	IN	OUT	TOTAL
11:00-11:30AM			
11:30-12:00 P.M.			
12:00-12:30 P.M.			
12:30-1:00 P.M.			
1:00-1:30 P.M.			
1:30-2:00 P.M.			

TIME
4:00 P.M. - 6:00 P.M.

ON SITE
VIEWER NAME + ADDRESS
JACK L. GIACOMO
17 AIGBURTH RD., TOWSON

	IN	OUT	TOTAL
4:00-4:30 P.M.			
4:30-5:00 P.M.	✓	✓✓	(4 in 3 out)
5:00-5:30 P.M.	✓✓✓	✓	
5:30-6:00 P.M.			

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH ROAD + YORK ROAD

SATURDAY, OCTOBER 28, 1989

TIME
7:00 AM - 9:00 AM

ON SITE
VIEWER: NAME + ADDRESS
[illegible]

	IN	OUT	TOTAL
7:00-7:30 A.M.			
7:30-8:00 AM			0
8:00-8:30 AM			
8:30-9:00AM			

TIME
11:00 AM 2:00 PM.

ON SITE
VIEWER: NAME + ADDRESS
① [illegible]
② Ed + Pauline Brandt 73 Cedar

	IN	OUT	TOTAL
11:00-11:30 AM		0	
11:30-12:00 P.M.	0	0	
12:00-12:30 P.M.	0	0	
12:30-1:00 P.M.		H=2	3 out
1:00-1:30 P.M.			2 in
1:30-2:00 P.M.	1-1-	1	

TIME
4:00 PM - 6:00 P.M.

ON SITE
VIEWER: NAME + ADDRESS
Ella B Fowler 16 Cedar Ave

	IN	OUT	TOTAL:
4:00-4:30 P.M.	boy walked in 0	1	
4:30-5:00 P.M.	0	0	1 out
5:00-5:30 P.M	0	0	0 in
5:30-6:00 P.M.	0	0	

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH ROAD + YORK ROAD

SUNDAY, OCTOBER 29, 1989

TIME
7:00AM - 9:00 AM

ON SITE
VIEWER: NAME + ADDRESS
Joel J Giacomo, 17 Aigburth Rd 21204

	IN	OUT	TOTAL
7:00-7:30 AM			NONE
7:30-8:00 AM			
8:00-8:30 AM			
8:30-9:00AM			

TIME
11:00AM - 2:00 P.M.

ON SITE
VIEWER: NAME + ADDRESS
[illegible]

	IN	OUT	TOTAL
11:00-11:30 AM			
11:30-12:00PM			
12:00-12:30PM	12:42pm parked in car walked [illegible]		2 in
12:30-1:00PM			
1:00-1:30 P.M.		[illegible]	
1:30-2:00 P.M.	1:45 parked and went to the building [illegible]	[illegible] 1:35	2 out

TIME
4:00PM - 6:00P.M.

ON SITE
VIEWER: NAME + ADDRESS
① Judy [illegible]
② [illegible]

	IN	OUT	TOTAL:
4:00-4:30 AM			NONE
4:30-5:00 PM			
5:00-5:30 P.M.			
5:30-6:00 P.M.			

TRAFFIC STUDY: 7925 YORK RD.
S.E. CORNER AIGBURTH RD. + YORK RD, TOWSON

MONDAY, OCTOBER 30, 1989

TIME
7:00 AM - 9:00 AM (Foggy)

ON SITE
VIEWER: NAME + ADDRESS
John S. H. Chapman
60 Cedar Ave 21204

	IN	OUT	TOTAL
7:00-7:30 AM	0	0	0
7:30-8:00 AM	7:50 1	0	X
8:00-8:30 AM	0	0	(2 in) 0
8:30-9:00 AM	8:50 1	0	X

TIME
4:00 PM - 6:00 P.M.

ON SITE
VIEWER: NAME + ADDRESS
ANNE ORRELL, 23 AIGBURTH Rd.

	IN	OUT	TOTAL
4:00-4:30 P.M.	1 4:05	1 4:15	4 in
4:30-5:00 P.M.	1 4:55	1 4:35	3 out
5:00-5:30 P.M.	1 5:25		
5:30-6:00 P.M.	1 5:50	1 5:35	

7907 York Road
Towson, Md. 21204
October 26, 1989

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
Baltimore County Office Building
111 West Chesapeake Ave.
Towson, Md. 21204

Dear Mr. Haines:

For twenty years my family and I have lived at 7907 York Road, two houses south of the proposed development, Victoria House at 7925 York Road. Although busy streets cut through this neighborhood, we have large open lawns, woodsy areas and the campuses of both Towson High School and Towson State University. Further commercial development would diminish further these "green spaces" and vistas and affect the quality of our environment negatively with increased vehicular and pedestrian traffic. Please do not allow further destruction of old, residential Towson, especially allowing variances with current zoning regulations concerning scale of building and site and the destruction of green, buffer zones.

I would like to invite your commission members to stroll around the neighborhood and get some sense of its character; only such familiarity will make you aware of the way of life that will be so adversely effected by this project.

Sincerely,
Carmen Robb
Carmen Robb

cc

PROTESTANT'S EXHIBIT 10

---

17 Hilltop Ave.
Towson, Md. 21204
October 31, 1989

Mr. J. R. Haines
Balto. Co. Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Dear Mr. Haines,

I am writing because of my concern over Case #90-145 SPHXA.

Being a homeowner in the residential community known as "Towson Manor", I will be very much affected by the proposed building of "Victoria House of Towson."

I've raised my children here, and have always loved and appreciated this little oasis of green in a very busy area; but, now the future of my home feels threatened by the size of the proposed new building.

The "Victoria House" in my estimation, is much too large for the land it is to occupy; three times larger than the present building. (Please see this on the enclosed map.)

A giant, trying to settle down in elves' quarters, and hoping no one will notice or complain.

My home, which I have occupied for over twenty years is the closest single residence to the proposed new building and I would be very singularly affected by it.

Because my land is twenty feet higher than the proposed Victoria House I would be viewing a loading dock and heating and air-conditioning units, plus, I would be faced with the added annoyances of noise and activity from these areas at all times. The privacy and quiet now afforded me by a large deck on the rear of my home would be destroyed.

The proposed five foot buffer and screening strip is not at all adequate and almost completely wipes out the green space that is now there.

The project, with its porches, walks, stairs, and driveway parking, would fill 45% of the 1½ acre site if the developer's requests are granted.

I say, "No!" - it is too much building on too small a site and I request that the petition for a Special Hearing, Zoning Variances, and Special Exception be denied.

Thank you very much.

Yours truly,
Mary Jo Beck

66 Cedar Avenue
Towson, Maryland 21204
October 27, 1989

PROTESTANT'S EXHIBIT 11

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Haines:

RE: CASE NUMBER 90-145-SPHXA
S/E Corner York & Aigburth Roads
7925 York Road
Victoria House of Towson

I am opposed to the granting of the Petition for Special Hearing, Special Exception and Zoning Variance for the referenced property in CASE NUMBER 90-145-SPHXA (in the scope as indicated on "Revised CRG Plans filed Oct 6, 1989) for reasons indicated hereinafter.

As a retired consulting engineer(not specifically a specialist in site work), I have had experience with many projects involving site work in the capacity of project engineer for the design of the entire project. I have reviewed the Revised CRG Plans filed Oct. 6, 1989 for Victoria House of Towson, Public Services CRG No. 89225, Planning No. IX-547. My comments and objections are as follows:

1. The proposed building is very much oversized and is incompatible with the adjoining residential community. It is crowded into the southeast corner of the property and impacts the adjacent residential properties to the east, southeast and south. The existing structure is one of the largest in the residential area. The proposed structure covers an area more than 3 times that of the existing. This is illustrated by the attached photocopy portion of the "Revised CRG Plan" showing the area of the existing structure colored in yellow and that of the superimposed proposed structure colored blue.

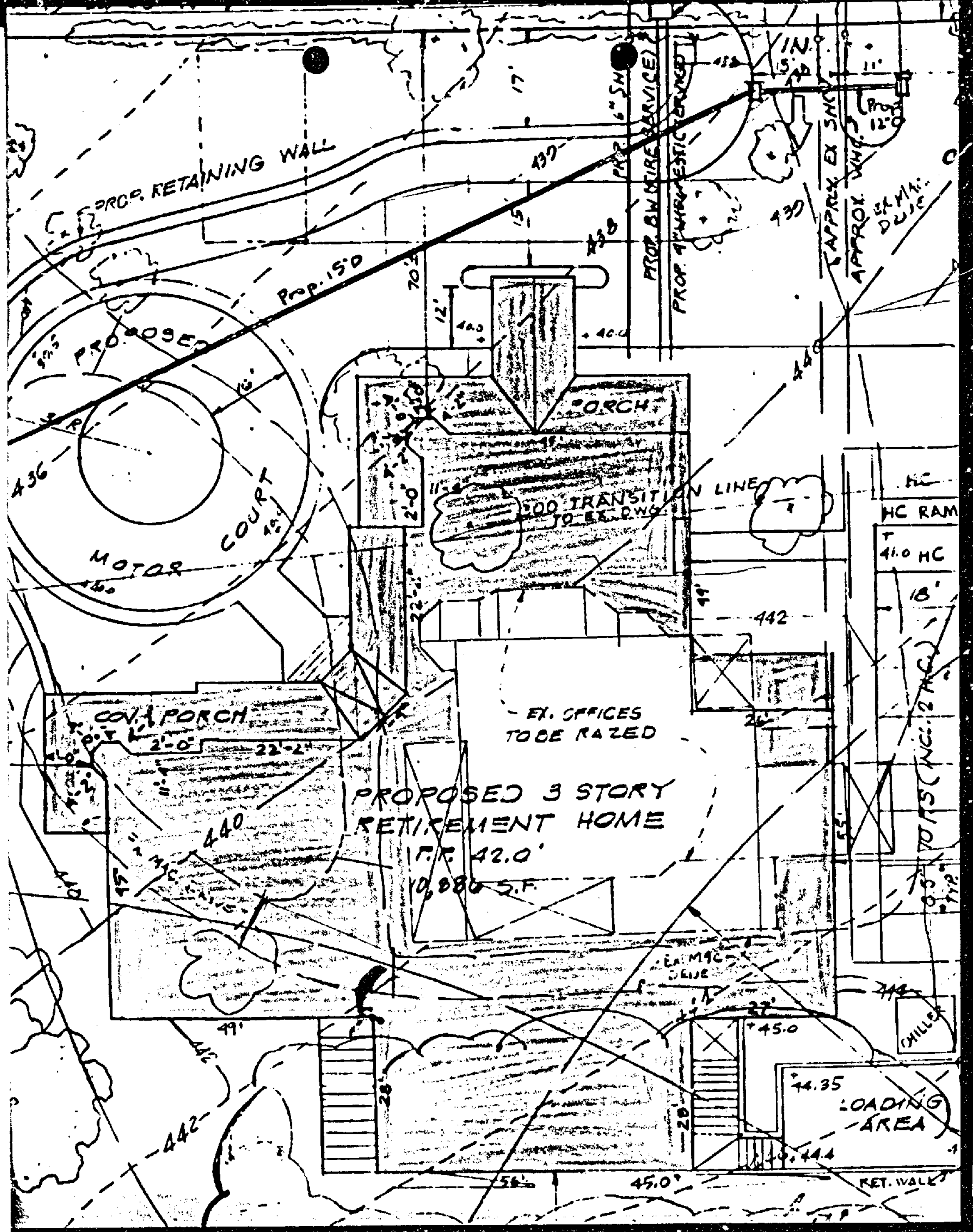
2

2. Based on the layout shown on the "Revised CRG Plan", a comparison of the existing structure area, porches, paved driveways, parking and covered parking with the proposed structure area, porches, walks, driveways, parking area and stairs is as follows:
    a. The existing structure, porches, paved driveways, parking and covered parking encompasses approximately 29% of the 1.55 Ac. Net Area of the site.
    b. The proposed structure, porches, walks, driveway parking and stairs encompasses approximately 45% of the 1.55 Ac. Net area of the site.
3. The 5 feet wide buffer & screening on the east side of the property for which an RTA variance is required is completely inadequate and unsatisfactory and severely impacts the adjacent properties.
4. The need for waivers (in addition to the above) for (1) SWM Area, (2) Bldgs Setback & Dist. Betw. Bldgs., (3) Common Open Space, (4) Parking and (5) Special Variance from Transportation Standards as indicated on the"Revised CRG Plans" are all indications of the proposed overdevelopment of the site.

It is requested that this Petition for Special Hearing, Special Exception and Zoning Variance be denied.

Very truly yours,
John S. H. Chapman

Enclosure



---

69 Aigburth Avenue
Towson, Maryland 21204
October 29, 1989

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Victoria House
York and Aigburth Roads

Dear Mr. Haines:

The purpose of this letter is to voice my opposition to the request for zoning change and the construction of the above mentioned proposed facility.

Much to the detriment of those of us who "live" in Towson, the "residential" character of the area is being lost. It seems that this should be the time for "our" County representatives to consider the homeowners and "Say No" to additional commercialization of the area.

The proposed Victoria House would be another encroachment of unsuitable buildings which we have been forced to endure. Already traffic is a problem, and Victoria House will present a greater problem, with the influx of their employees, the residents (who regardless of being called "seniors" will not want to give up their personal autos), visitors and tradesmen (who will service the facility). The lot would appear to me not large enough to accommodate the parking which would be required for the operation of Victoria House, in addition to contributing to traffic congestion on both York Road and Aigburth Road.

Please give consideration to the wishes of the residents in making a decision in this issue.

Very truly yours,
Rita A. Stemler
Rita A. Stemler

---

23 AIGBURTH ROAD
TOWSON, MARYLAND 21204
OCTOBER 30, 1989

MR. J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY
111 WEST CHESEPEAKE AVENUE
TOWSON, MARYLAND 21204

DEAR MR. HAINES:

WE ARE WRITING TO YOU TO OBJECT TO THE REQUESTS FOR SPECIAL EXCEPTIONS AND VARIENCES AT THE CORNER OF YORK ROAD AND AIGBURTH ROAD FOR VICTORIA HOUSE CORPORATION. AFTER CAREFUL CONSIDERATION OF WHAT THE IMPACT WOULD BE ON OUR NEIGHBORHOOD, WE FEEL THAT IT WOULD BE ADVERSE.

ALREADY THE PARKING AND TRAFFIC PROBLEMS ARE IMPOSSIBLE. TOWSON STATE UNIVERSITY ISSUES MORE THAN 2 TIMES THE NUMBER OF PARKING PERMITS THAN IT HAS AVAILABLE SPACES. THE RESULT IS THAT THE OVERFLOW SPILLS INTO OUR NEIGHBORHOOD. THE STUDENTS PARK ILLEGALLY IN PERMIT AND ONE HOUR ZONES. ALTHOUGH VICTORIA CORPORATION SAYS THAT THEY WILL HAVE ADEQUATE PARKING FOR THEIR NEEDS, IT IS STILL AN UNKNOWN FACTOR AND WE BELIEVE THAT IT WILL BE LACKING. THE RESIDENTS WHO ARE ABLE, WILL WANT TO DRIVE AND THOSE WHO CANNOT WILL OBVIOUSLY HAVE VISITORS TO CHECK ON THEM.

THE TRAFFIC PATTERNS WILL CERTAINLY BE ALTERED. CURRENTLY VERY FEW CARS GO IN AND OUT OF THE PROPERTY. WE ALREADY HAVE MORE THAN ENOUGH TRAFFIC FOR A RESIDENTIAL STREET WITH STUDENTS FROM THE UNIVERSITY LOOKING FOR PARKING AND THE MORNING AND AFTERNOON TRAFFIC FROM TOWSON HIGH SCHOOL. THE COUNTY MUST THINK THERE IS A CONSIDERABLE AMOUNT OF TRAFFIC FROM AIGBURTH TO YORK BECAUSE THERE HAS BEEN A TRAFFIC LIGHT AT THAT INTERSECTION AS LONG AS WE HAVE LIVED HERE. CLEARLY MORE CARS IN AND OUT OF THE NEIGHBORHOOD COULD CAUSE SERIOUS PROBLEMS.

THE OTHER AREAS WHICH GIVE US SERIOUS CONCERN ARE THE ISSUES OF SCALE, STORMWATER MANAGEMENT, AND THE SERVICE AREA OF THE PROPOSED DEVELOPMENT . THE SCALE OF THE PROPOSED BUILDING IS 2 1/2 TO 3 TIMES THE PRESENT STRUCTURE, WHICH IS ALREADY THE LARGEST OF THE RESIDENTIAL TYPE BUILDINGS ON THE BLOCK.

THE WATER DRAINOFF DURING ANY RAINFALL IS SIGNIFICANT AT THIS INTERSECTION. WE HAVE SEEN PEOPLE WAITING TO CROSS YORK ROAD BE DRENCHED AS CARS TRAVEL THROUGH THIS AREA. THE PROPOSED LARGER BUILDING ALONG WITH THE PAVED AREAS, IT SEEMS, WOULD MAKE THIS EVEN MORE OF A PROBLEM.

THE PROPOSAL SHOWS THE DUMPSTER AREA AND THE AIR COOLING SYSTEM TO BE AT THE EAST PROPERTY LINE. THIS IS THE AREA CLOSEST TO THE EXISTING RESIDENTIAL BUILDINGS. THIS PLACEMENT SEEMS TO SHOW THAT THE DEVELOPERS HAVE LITTLE REGARD FOR THE NEIGHBORHOOD.

WE APPRECIATE YOUR CONSIDERATION OF THESE MATTERS IN YOUR DELIBERATIONS.

SINCERELY,
RONALD J. ORRELL, M.D.
ANNE P. ORRELL
(MRS. RONALD J. ORRELL)

OCT. 26, 1989.

MR. J. ROBERT HAINES
ZONING COMMISSIONER BALTO. COUNTY
COUNTY OFFICE BLDG.
TOWSON MD 21204

RE: VICTORIA HOUSE

DEAR SIR:

THIS IS TO INFORM YOU THAT AS AN AIGBURTH RD. RESIDENT I AM OPPOSED TO THE DEVELOPMENT OF VICTORIA HOUSE AT THE CORNER OF AIGBURTH RD & YORK RD.

THE USE & SIZE OF THE BUILDING ARE OUT OF CHARACTER FOR OUR NEIGHBORHOOD, WHICH HAS A NICE RESIDENTIAL ATMOSPHERE, WITH MANY MATURE TREES AND OPEN SPACE.

ALSO, THE TRAFFIC IS ALREADY A PROBLEM IN OUR AREA. YORK & BURKE ARE VERY CONGESTED AND PEOPLE USE AIGBURTH TO AVOID THE TRAFFIC.

RESPECTFULLY
ROBERT BATTISTA
200 AIGBURTH RD
TOWSON MD. 21204

---

203 Aigburth Road
Towson, Maryland
October 27, 1989

Mr. Robert Haines
Zoning Commissioner, Balto., County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland
21204

Dear Sir:

As owners and residents of 203 Aigburth Road, Towson, Maryland we strongly oppose the granting of zoning exceptions and/or variances that would permit the proposed Victoria House on the south east corner of York and Aigburth Roads. Such a development will increase the already congested traffic and parking situation in the area, be incompatable with our residential neighborhood and be a threat to the very viability of our homes.

Sincerely,
Leonard V. Kirby
Leonard V. Kirby
Elizabeth C. Kirby
Elizabeth C. Kirby

[illegible]2 Aigburth Rd.
Towson, Md. 21204
October 28, 1989

Mr. J. Robert Haines
Zoning Commissioner, Balt. Co.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mr. Haines:

This letter is in reference to the proposed construction of Victoria House to be situated at the corner of York Road and Aigburth Road.

The proposed development concerns us deeply as we see it contributing to the destruction of the residential nature of our beloved neighborhood. Aigburth Road has become almost a thoroughfare for an alarming amount of traffic. The Victoria House development would add further to the congestion and traffic problems we are already experiencing.

page 2.

The proposed size of Victoria House would reduce the amount of green space in relation to other structures in the neighborhood.

Aigburth Road already features:

1. A high school with a large student parking lot which is filled each day.
2. A Baltimore County School facility housed in Aigburth Manor.
3. A church at the corner of Aigburth Rd. and Maryland Ave.
4. Two large apartment complexes (Cardiff Hall and Donnybrook Apts.)

We can barely absorb the present traffic of school buses, student cars, large delivery trucks plus other traffic. Enough is enough, if we ~~are~~ hope to maintain a residential atmosphere and preserve an acceptable quality of life.

Sincerely
George W. Lawyer Jr.
Camille E. Lawyer

P.S. Towson State University also adds to our traffic problems.

Mrs. Benjamin P. VanInwegen
20 Aigburth Road
Towson, Maryland 21204

October 29, 1989

Mr. J. Robert Haines
Zoning Commissioner Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Haines,

As a thirty-five year resident of Aigburth Road, I have seen many changes in this neighborhood. It has, however, always been a stable residential neighborhood with nice people and nice children who just want to enjoy living here.

It is really sad to have the developers try to take over our lovely neighborhood for the almighty dollar. We already have problems with parking and speeding being adjacent to Towson High School and Towson State University.

I feel the structure that is planned is much too large for the site at the corner of Aigburth and York Roads. I do feel the neighborhood should have some consideration in this matter.

Sincerely yours,

Elizabeth R. Van Inwegen
(Mrs. Benjamin P.)

---

17 Aigburth Road
Towson, MD 21204

October 30, 1989

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Haines,

We, as residents at 17 Aigburth Road and near neighbors of the S.E. corner of Aigburth & York Roads, are opposed to the "Victoria House" proposed development.

With careful review which included study of the plans, a meeting with the developers and a reading and questioning of the variances, we both object to the proposal for this site.

Foremost, we think that the size of the proposed building is far too large for the site. The number of the variances needed just indicate moreso that too much is proposed in too little of an area. One of the things the developers want to change is the amount of "open space' or "green space"on the site. We are very much against this dismissal of "open space" on the grounds of the developers needing the profit which a bigger building will give them.

The size of the proposed building (overlarge), the added traffic and some street parking, the added noise of delivery trucks, trash disposal and again the waiving of more neighborhood and Towson "green space" demands our "NO" to this proposal.

Respectfully,
Jack L. Giacomo
Jack L. Giacomo
Judith M. Giacomo
Judith M. Giacomo

Oct. 30, 1989

J. Robt. Haines
Zoning Commissioner
Balto. Co. Court House
Towson, MD 21204

Dear Mr. Haines,

Please accept this letter as my opposition to the Victoria House zoning request at York & Aigburth Rds. Quite frankly, I'm tired of the commercial encroachment that residential communities surrounding Towson are constantly fighting. We want to retain our residential neighborhoods, but we are not getting any help from our County representatives.

The proposed Victoria House is much too large in scale for this property. It is three times the size of the existing house, which is the largest in the neighborhood.

Water runoff at this intersection is very bad when it rains. People cannot stand on the east side of York Rd. and not be drenched by passing vehicles.

over

(2)

Traffic and parking is also a concern. The intersection of Burke and York, one block away, is rated F by Balto. Co. We have parking problems spilling over into our neighborhood from Towson State University. The request for a variance for fewer parking spaces than is required will only contribute to additional parking problems for us.

Please give consideration to the wishes of the residents when making your decision in this matter.

Very truly yours,
Joyce B. Routson
142 Marburth Ave.
Towson, MD 21204

---

73 Cedar Avenue
Towson, Md. 21204
October 30, 1989

In re: Developement - Lot - Corner Aigburth and York Roads (Southeast corner)

Mr. J. Robert Haines
Zoning Commissioner
Baltimore County
County Office Bldg.
111 W. Chesapeake Avenue
Towson, Md. 21204

Dear Mr. Haines:

The undersigned, hereby voice objection to any grant of authority for the construction of "Victoria House" as contemplated on the lot of ground referred to hereinabove.

Reasons:

1. Both signatories hereto had opportunity to view the rendering of the proposed structure and on information received are of the opinion that the size of the building would not seem compatible with dimensionsof the subject lot.

2. It is understood the amount of parking space projected would seem to be inadequate for the number of guests, visitors and others. Any spill of parking into the area already affected by traffic in connection with Towson State University.would be of adverse effect.

The above represents our opinion and is respectfully submitted.

Sincerely
Edward E. Brandt
Edward E. Brandt
Pauline C. Brandt
Pauline C. Brandt

---

111 Marburth Avenue
Towson, Maryland 21204
October 30, 1989

Mr. J. Robert Haines
Zoning Commissioner of Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Haines:

As a longtime resident of Towson and as a member of the Towson Manor Association I urge that all measures be taken to forbid the construction of Victoria House at the corner of York Road and Aigburth Road. Such a building with the functions stated in the proposal would greatly diminish the quality of life in this area. The scale of the proposed building is too large for the site, the traffic congestion and parking problems would engender an intolerable strain of the physical plant and the functions of the facility would be incompatible with the residences in the neighborhood.

Respectfully yours,
Lina E. Hughes

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 8, 1996

Mr. James C. McKeever
President/CEO
McKeever Services Corporation
3865 Plaza Drive
Fairfax, Virginia 22030

RE: "Sunrise of Towson"
7925 York Road
9th Election District

Dear Mr. McKeever:

Pursuant to your request of March 28, 1996, enclosed please find a copy of zoning case #90-145-SPHXA and the Board of Appeals "Consent Order", case #CBA-89-188 and #90-145-SPHXA.

Should you have any questions regarding same, please feel free to contact me at (410) 887-3391.

Very truly yours,

Joseph C. Merrey
Planner I
Zoning Review

JCM:rye

Enclosures

c: 90-145-SPHXA
CBA-89-188

Printed with Soybean Ink
on Recycled Paper

8065-93

TWO RIVERS RETIREMENT HOMES, INC.
1255 TWENTY-THIRD STREET N. W., SUITE 750
WASHINGTON D. C. 20037

202-857-2873
202-857-2534 (Fax)

October 5, 1993

Mr. John Lewis
Zoning Administration
and Development Management
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Sunrise Homes of Towson Limited Partnership (Victoria House) Special Exception No. 90-145 - SPHXA; 92 - 431 SPH and 93 - 346 SPH.

Dear Mr. Lewis,

I have enclosed a copy of my letter to Mr. Jablon dated September 30, 1993 and a check in the amount of $40.00. The purpose of this letter is to request, for the reasons stated in my letter of September 30, that your office confirm that a public hearing is not required to process this refinement.

If you have any questions or concerns please do not hesitate to call me or our counsel, Rob Hoffman. Thank you for your assistance in this matter.

Respectfully submitted,

Richard J. Kendall
President

Speed Letter

In the interest of speed and economy, we are replying to your letter with marginal notes.
If you need more information, do not hesitate to call or write.
Thank you for your interest.

Councilmans Aide Ms. Lisa Keir contacted Towson Manor Association on October 18, 1993. They have no concern regarding this 11 foot drive relocation. Therefore, the revised red lined plan is approved by this office for zoning file inclusion on October 18, 1993. This plan is within the spirit and intent of the prior approved plans. No zoning public hearing will be required for the revision.

JOHN J. LEWIS, Planner II

c: Zoning File
90-145-SPHXA, 93-346-SPH
92-431-SPH

5/1/92
TO GS

4994-92

VENABLE, BAETJER AND HOWARD
ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21285-5517
(301) 823-4111
FAX (301) 821-0147

BALTIMORE, MD
WASHINGTON, D. C.
McLEAN, VA
ROCKVILLE, MD
BEL AIR, MD

RICHARD M. VENABLE (1839-1901)
EDWIN G. BAETJER (1868-1945)
CHARLES McH. HOWARD (1870-1942)

ROBERT A. HOFFMAN

WRITER'S DIRECT NUMBER IS
494-9162

April 29, 1992

Arnold Jablon, Director
Office of Zoning Administration
and Development management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Victoria House of Towson
Property Located at York and Aigburth Roads
CRG Plan Approval dated October 13, 1989

Dear Mr. Jablon:

The special exception on the referenced project, granted in Case No. 90-145-SPHXA will expire on July 25, 1992. Since construction of the project may not begin until after that date a special hearing to extend the utilization period will be filed on May 5, 1992. It is respectfully requested that an expedited hearing be granted in order to assure a decision by the Zoning Commissioner prior to July 25.

Thank you for your consideration in this matter.

Sincerely

Robert A. Hoffman

BAR:dlz
Enclosure

cc: Richard Kendall

RECEIVED
MAY 1 1992
By ZADM

IN RE: CRG DECISION * IN THE

and * COUNTY BOARD OF APPEALS

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES * OF BALTIMORE COUNTY

SE cor. York and Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic District

CASE NOS.: CBA-89-188 and 90-145-SPHXA

Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.

Petitioners

* * * * * * * * * * * * * * * * * *

SUBPOENA

Dear Mr. Clerk:

Please issue a subpoena to the Zoning Commissioner for Baltimore County to provide the record tapes of the Zoning Commissioner's hearing in the above referenced case, which took place on October 31, 1989 and November 2, 1989.

Kathleen C. [illegible]
Board of Appeals
of Baltimore County

90 JAN -8 AM 10:55

Victoria
CORPORATION

February 5, 1990

J. Robert Haines
Zoning Commissioner
For Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Case # 90-145-SPHXA Petitions for Special Exception and Variances, SE Corner York and Aigburth, 7925 York Road; The Victoria Corporation.

Dear Sir:

The Victoria Corporation, A Maryland Corporation with an interest in the subject matter, hereby appeals to the Board of Appeals the Special Exception pursuant to Section 432.1.A.2 which was granted by the Order of the Commissioner in the above referenced case dated January 5, 1990. A check for the filing fees is enclosed.

Respectfully submitted,

RJKendall
Richard J. Kendall
President

RECEIVED
FEB 5 1990
ZONING OFFICE

400 West Pennsylvania Avenue • Towson, Maryland 21204 • 301/882-7200

APPEAL

Petition for Special Hearing, Special Exception and Zoning Variance
SE cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District

Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

Petition for Special Hearing, Special Exception and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments dated October 16, 1990

Petitioner's Exhibits:
1. Victoria House Picture Display
2. 8 x 10 photo - recreation room
3. 8 x 10 photo - dining room
4. 5-4 x 6 photos(3 sheets) - interior/exterior
5. Site Plan with overlay
6. Pictures of Site, Aigburth & Burke
7. Findings of Fact & Conclusions of Law, dated 12/30/86
8. 200'=1" scale map - 1/1986
9. Vicinity Analysis 10/27/89 Victoria House of Towson

Protestant's Exhibits
1. 5-photos - (3 pages)
2. 3-photos - (2 pages)
3. 4-photos - (2 pages)
4. 2 letters, dated 10/27/89, behalf of Steve Close and Board of Governors Stoneleigh Community Association, Inc.
5. CRG Plan 8/1/89
6. Permit Parking Area "A"
7. Statistics - Charles Eckels, Assoc. VP Administrative Services
8. 6-photos roadways (3 pages)

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

February 6, 1990

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing, Special Exception and Zoning Variance
SE cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on January 25, 1990, by J. Carroll Holzer, Esq., Attorney for Towson Manor Association. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:jat

Enclosures

cc: J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Ave., Suite 205
Towson, Maryland 21204

Board of Appeals
Case #90-145-SPHXA
Page 2

9. Traffic Study 10/27/89 (4 pages)
10. Letters of protest/plat
11. 17 letters of protest
12. Letter by authority of the Board of Directors of Knollwood-Donnybrook Improvement Assoc., Inc., dated 10/31/89

Zoning Commissioner's Order dated January 3, 1990 (denied in part and granted in part with restrictions)

Notice of Appeal received January 25, 1990 from J. Carroll Holzer, Attorney for the Towson Manor Association.

J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Ave., Suite 205
Towson, Maryland 21204

Robert Hoffman
210 Allegheny Avenue
Towson, Md. 21204

John Howard
210 Allegheny Avenue
Towson, Md. 21204

Paul Klaasen
10322 Blake Lanew
Oakton, Virginia 22124

Dick Kendall
400 W. Pennsylvania Avenue
Towson, Maryland 21204

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R 001-6150
Number № 2727
90-145-SPHXA

Date

Please make checks payable to: Baltimore County

Cashier Validation:

Board of Appeals
Case No. 90-145-SPHXA
Page 2

Robert Hoffman
210 Allegheny Avenue
Towson, Maryland 21204

John Howard
210 Allegheny Avenue
Towson, Maryland 21204

Paul Klaasen
10322 Blake Lane
Oakton, Virginia 22124

Dick Kendall
400 W. Pennsylvania Avenue
Towson, Maryland 21204

A. Shamberg
Rosenfelt & Woolfolk
10706 Reisterstown Road, Ste 8
Owings Mills, Md. 21117

John Chapmans
66 Cedar Avenue
Towson, Maryland 21204

Joyce Routson
1242 Marburth Avenue
Towson, Md. 21204

Audrey G. Odell
23 Hilltop Rd.
Towson, Md. 21204

Eileen Riley
623 Wilton Rd.
Towson, Maryland 21204

Leslie Pittler, Director, Community Development

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

Board of Appeals
Case No. 90-145-SPHXA
Page 3

A. Shamberg
Rosenfelt & Woolfolk
10706 Reisterstown Road, Ste. 8
Owings Mills, Md. 21117

John Chapmans
66 Cedar Avenue
Towson, Maryland 21204

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1242 Marburth Avenue
Towson, Md. 21204

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Towson, Md. 21204

Eileen Riley
623 Wilton Rd.
Towson, Md. 21204

Leslie Pittler, Director, Community Development

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

✓

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150
Number № 1262

Date

8 B [illegible]*****20[illegible]

Please make checks payable to: Baltimore County

Cashier Validation:

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) ~~[illegible]~~ 887-3180

HEARING ROOM -
Room 301, County Office Bldg.

February 7, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. CBA-89-188 VICTORIA HOUSE OF TOWSON
SE/corner York & Aigburth Roads
(7925 York Road)
9th Election District; 4th Councilmanic District

RE: CRG Decision

10/13/89 - CRG Meeting wherein the Plan was approved.

and

CASE NO. 90-145-SPHXA ERIC A. DOTT, ET UX

SE -assisted living facility w/80 beds; and waiver from complete compliance with RTA requirements;
SPH -waiver from complete compliance with RTA buffers and parking; removal of SE granted in Case No. 78-276-X;
VAR -from provisions of the transportation standards

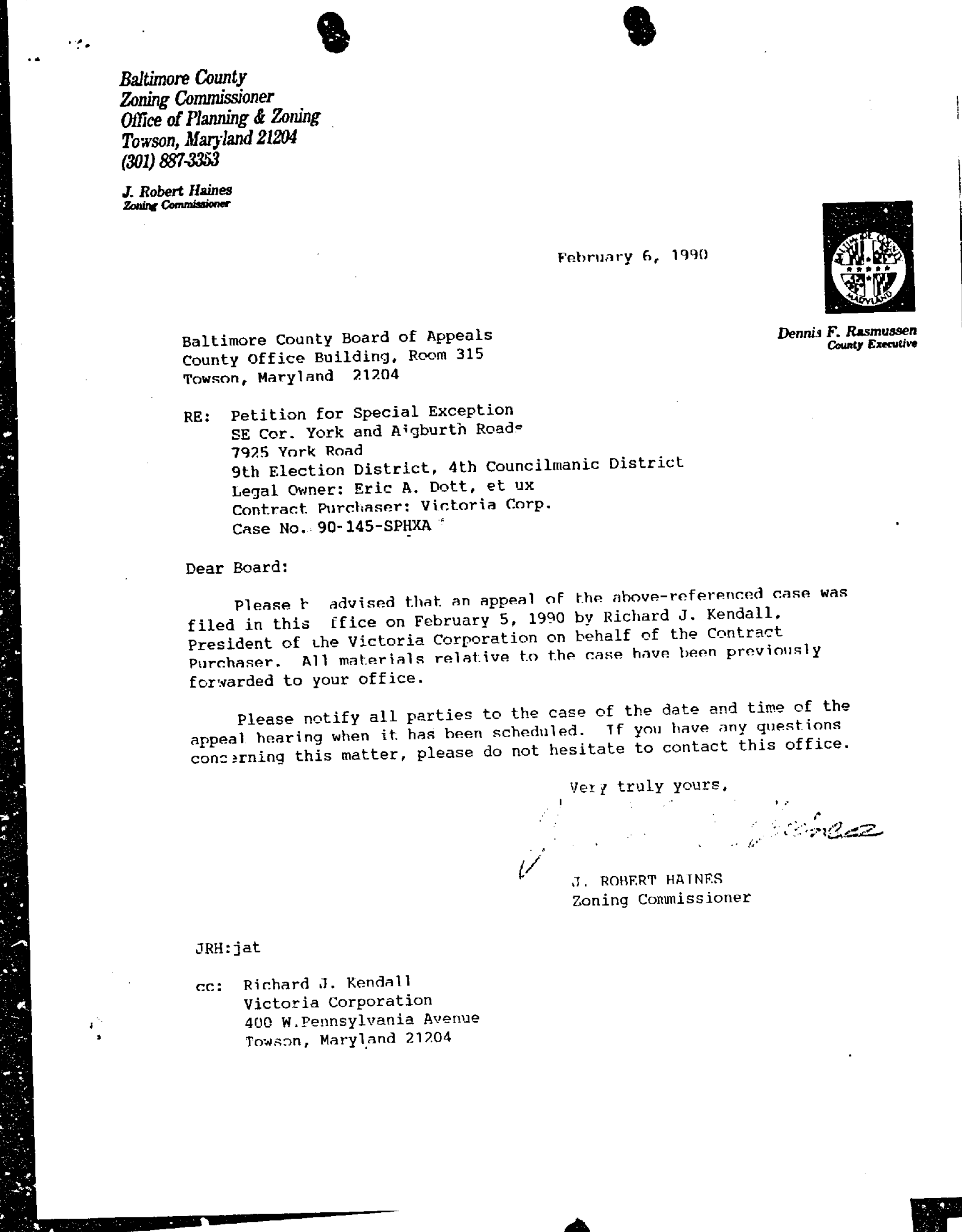
1/5/90 -Z.C.'s Order DENYING in part; GRANTING in part with restrictions.

ASSIGNED FOR: WEDNESDAY, JUNE 6, 1990 at 10:00 a.m.

cc: Joyce B. Rouston, Pres., et al Towson Manor Assoc., Inc.	Appellants
Robert A. Hoffman, Esquire	Counsel for Developer
John B. Howard, Esquire	" " "
Victoria Corporation	Developer/Cross-Appellant
Paul Lee Engineering, Inc.	Engineer
J. Carroll Holzer, Esquire	Counsel for Towson Manor Assoc., Inc./Appellants
Richard J. Kendall, Pres. Victoria Corporation	Cross-Appellant

Mr. Paul Klaasen
M. A. Shamberg
Mr. John Chapmans
Ms. Audrey G. Odell
Ms. Eileen Riley
Les Pittler
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Current Planning, Developers Eng. Div., Economic Dev. Comm., Robert E. Covahey, David L. Thomas, S. Wallis, J. Robert Haines, Ann M. Nastarowicz, James E. Dyer, W. Carl Richards, Jr., ✓Docket Clerk - Zoning, Nancy C. West, Arnold Jablon

LindaLee M. Kuszmaul
Legal Secretary



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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

February 6, 1990

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception
SE Cor. York and Aigburth Roads
7925 York Road
9th Election District, 4th Councilmanic District
Legal Owner: Eric A. Dott, et ux
Contract Purchaser: Victoria Corp.
Case No. 90-145-SPHXA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on February 5, 1990 by Richard J. Kendall, President of the Victoria Corporation on behalf of the Contract Purchaser. All materials relative to the case have been previously forwarded to your office.

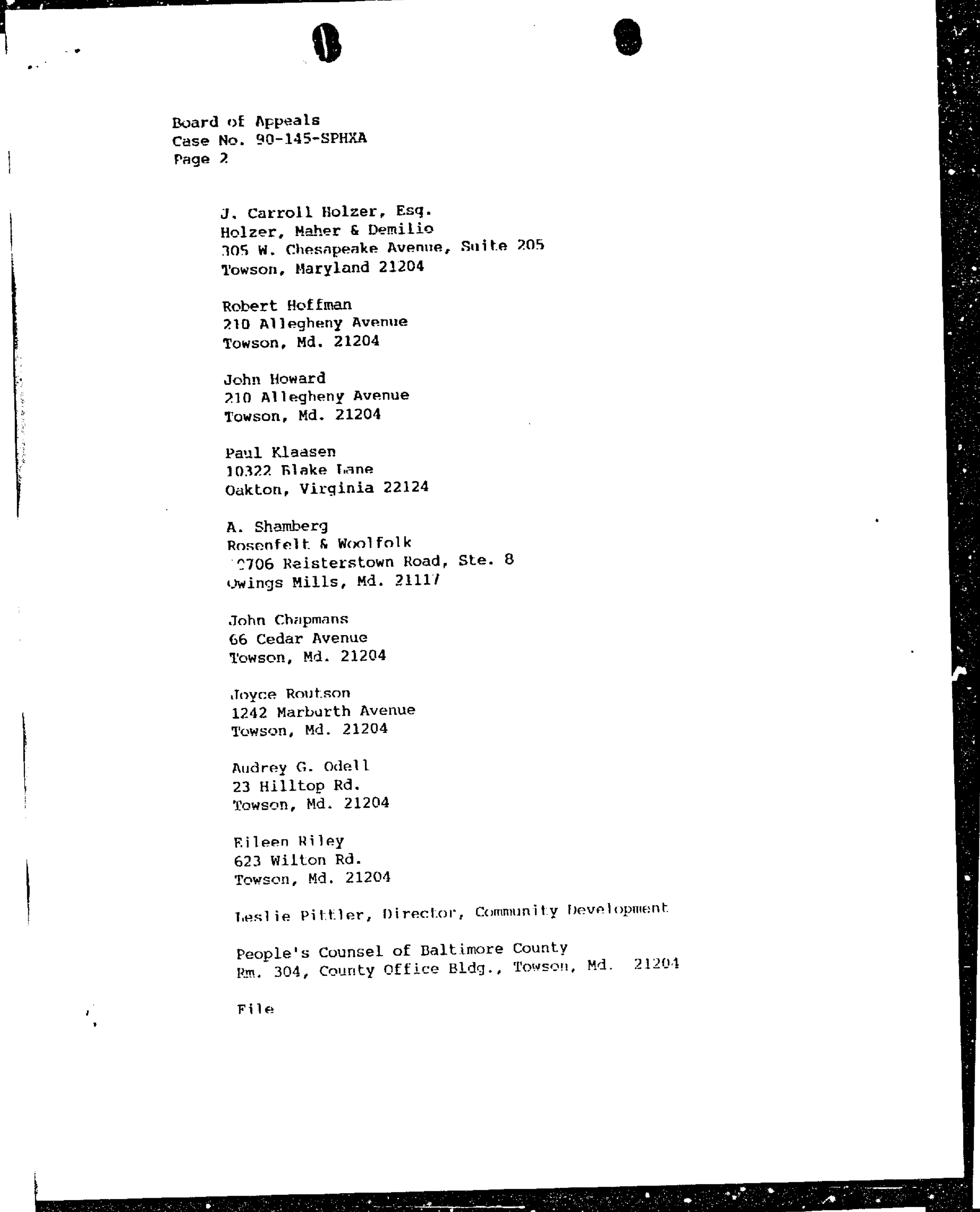
Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRH:jat

cc: Richard J. Kendall
Victoria Corporation
400 W.Pennsylvania Avenue
Towson, Maryland 21204



Board of Appeals
Case No. 90-145-SPHXA
Page 2

J. Carroll Holzer, Esq.
Holzer, Maher & Demilio
305 W. Chesapeake Avenue, Suite 205
Towson, Maryland 21204

Robert Hoffman
210 Allegheny Avenue
Towson, Md. 21204

John Howard
210 Allegheny Avenue
Towson, Md. 21204

Paul Klaasen
10322 Blake Lane
Oakton, Virginia 22124

A. Shamberg
Rosenfelt & Woolfolk
10706 Reisterstown Road, Ste. 8
Owings Mills, Md. 21117

John Chapmans
66 Cedar Avenue
Towson, Md. 21204

Joyce Routson
1242 Marburth Avenue
Towson, Md. 21204

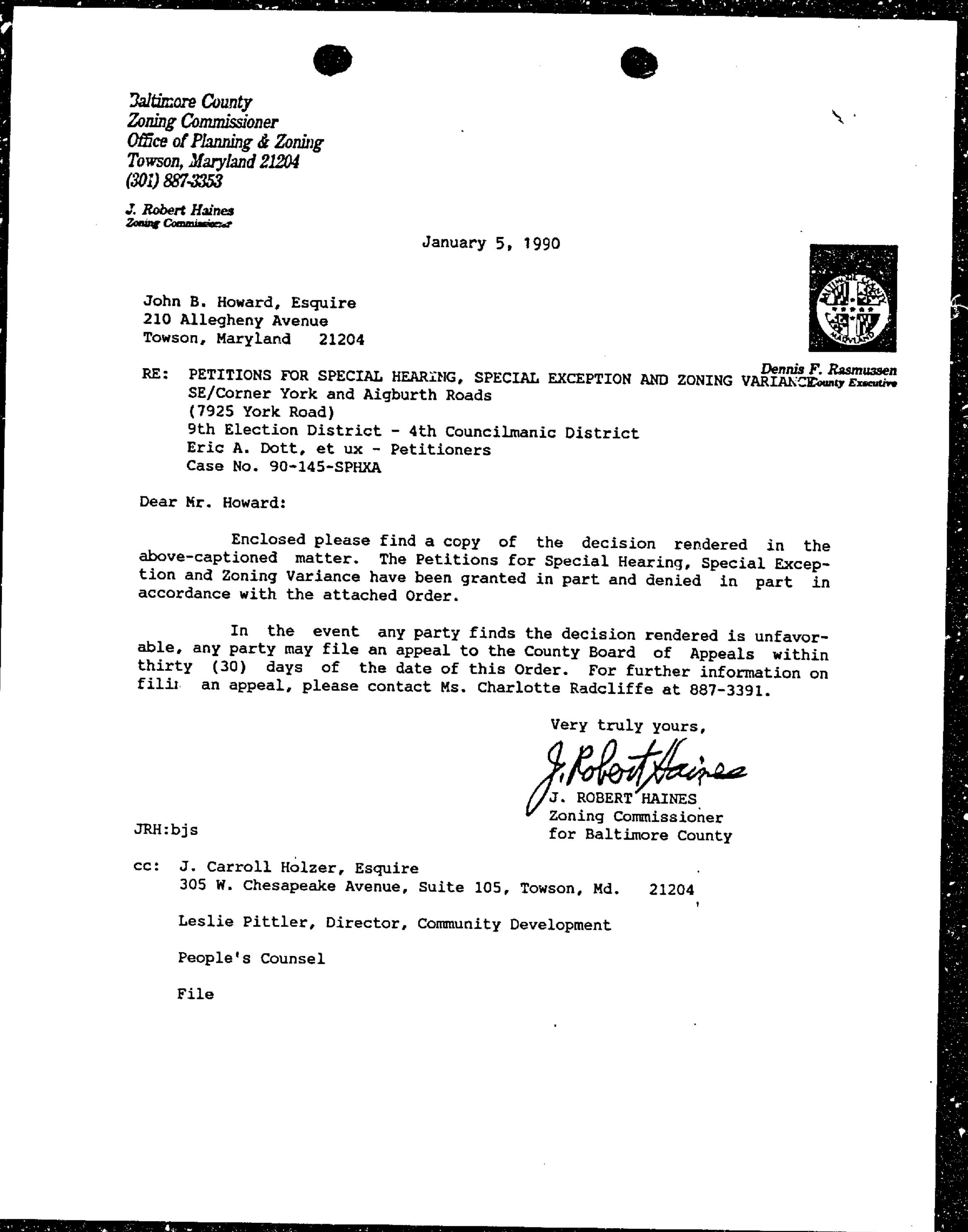
Audrey G. Odell
23 Hilltop Rd.
Towson, Md. 21204

Eileen Riley
623 Wilton Rd.
Towson, Md. 21204

Leslie Pittler, Director, Community Development

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File



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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

January 5, 1990

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

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
SE/Corner York and Aigburth Roads
(7925 York Road)
9th Election District - 4th Councilmanic District
Eric A. Dott, et ux - Petitioners
Case No. 90-145-SPHXA

Dear Mr. Howard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

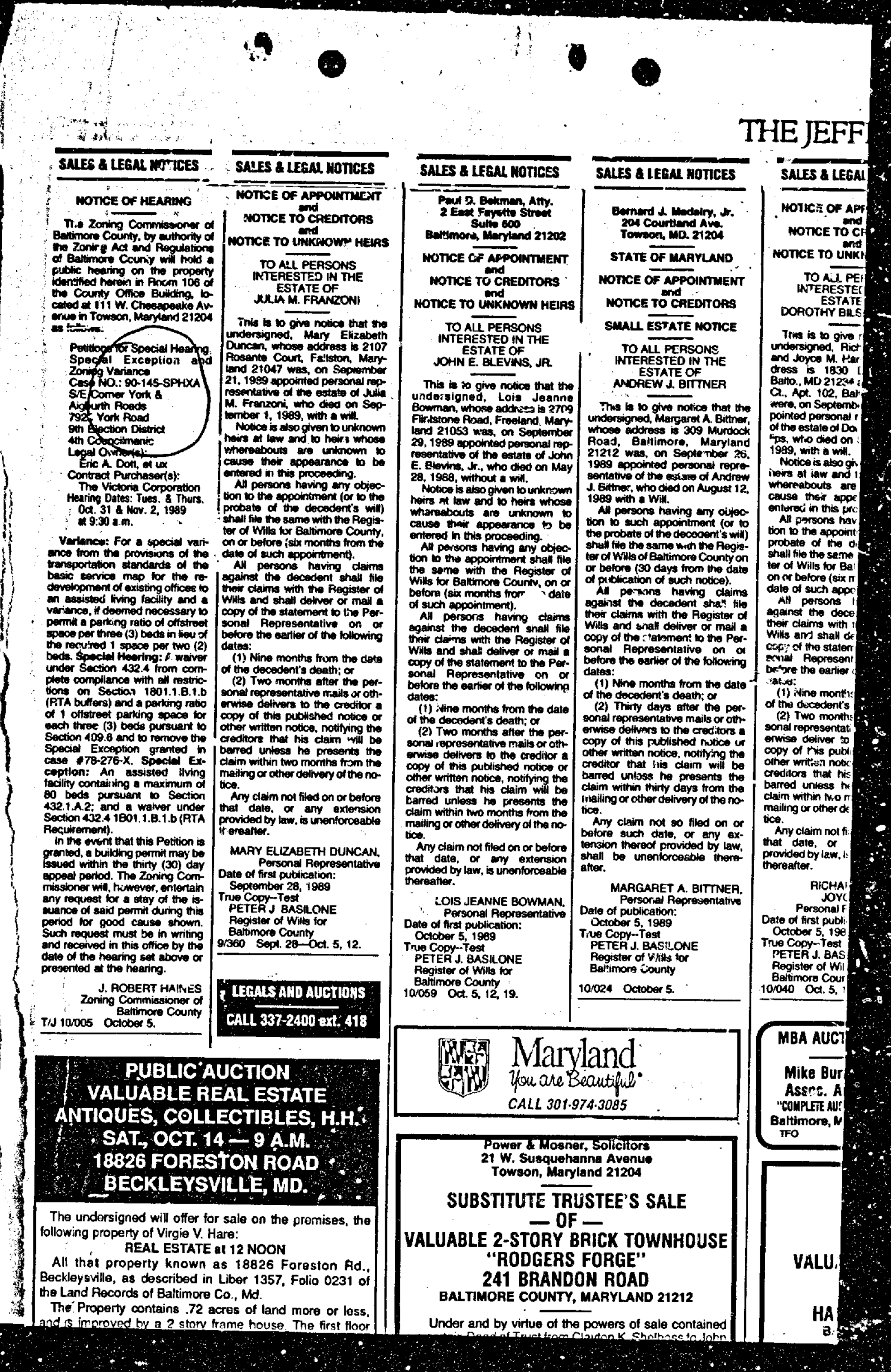
JRH:bjs

cc: J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue, Suite 105, Towson, Md. 21204

Leslie Pittler, Director, Community Development

People's Counsel

File



SALES & LEGAL NOTICES

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
Case NO.: 90-145-SPHXA
S/E Corner York &
Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic
Legal Owner(s):
Eric A. Dott, et ux
Contract Purchaser(s):
The Victoria Corporation
Hearing Dates: Tues. & Thurs.
Oct. 31 & Nov. 2, 1989
at 9:30 a.m.

Variance: For a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility and a variance, if deemed necessary to permit a parking ratio of offstreet space per three (3) beds in lieu of the required 1 space per two (2) beds. **Special Hearing:** A waiver under Section 432.4 from complete compliance with all restrictions on Section 1801.1.B.1.b (RTA buffers) and a parking ratio of 1 offstreet parking space for each three (3) beds pursuant to Section 409.6 and to remove the Special Exception granted in case #78-276-X. **Special Exception:** An assisted living facility containing a maximum of 80 beds pursuant to Section 432.1.A.2; and a waiver under Section 432.4 1801.1.B.1.b (RTA Requirement).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
T/J 10/005 October 5.

SALES & LEGAL NOTICES

NOTICE OF APPOINTMENT
and
NOTICE TO CREDITORS
and
NOTICE TO UNKNOWN HEIRS

TO ALL PERSONS
INTERESTED IN THE
ESTATE OF
JULIA M. FRANZONI

This is to give notice that the undersigned, Mary Elizabeth Duncan, whose address is 2107 Rosante Court, Fallston, Maryland 21047 was, on September 21, 1989 appointed personal representative of the estate of Julia M. Franzoni, who died on September 1, 1989, with a will.

Notice is also given to unknown heirs at law and to heirs whose whereabouts are unknown to cause their appearance to be entered in this proceeding.

All persons having any objection to the appointment (or to the probate of the decedent's will) shall file the same with the Register of Wills for Baltimore County, on or before (six months from the date of such appointment).

All persons having claims against the decedent shall file their claims with the Register of Wills and shall deliver or mail a copy of the statement to the Personal Representative on or before the earlier of the following dates:

(1) Nine months from the date of the decedent's death; or

(2) Two months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditors that his claim will be barred unless he presents the claim within two months from the mailing or other delivery of the notice.

Any claim not filed on or before that date, or any extension provided by law, is unenforceable thereafter.

MARY ELIZABETH DUNCAN,
Personal Representative
Date of first publication:
September 28, 1989
True Copy--Test
PETER J BASILONE
Register of Wills for
Baltimore County
9/360 Sept. 28—Oct. 5, 12.

LEGALS AND AUCTIONS
CALL 337-2400 ext. 418

SALES & LEGAL NOTICES

Paul D. Bekman, Atty.
2 East Fayette Street
Suite 600
Baltimore, Maryland 21202

NOTICE OF APPOINTMENT
and
NOTICE TO CREDITORS
and
NOTICE TO UNKNOWN HEIRS

TO ALL PERSONS
INTERESTED IN THE
ESTATE OF
JOHN E. BLEVINS, JR.

This is to give notice that the undersigned, Lois Jeanne Bowman, whose address is 2709 Flintstone Road, Freeland, Maryland 21053 was, on September 29, 1989 appointed personal representative of the estate of John E. Blevins, Jr., who died on May 28, 1988, without a will.

Notice is also given to unknown heirs at law and to heirs whose whereabouts are unknown to cause their appearance to be entered in this proceeding.

All persons having any objection to the appointment shall file the same with the Register of Wills for Baltimore County, on or before (six months from the date of such appointment).

All persons having claims against the decedent shall file their claims with the Register of Wills and shall deliver or mail a copy of the statement to the Personal Representative on or before the earlier of the following dates:

(1) Nine months from the date of the decedent's death; or

(2) Two months after the personal representative mails or otherwise delivers to the creditor a copy of this published notice or other written notice, notifying the creditors that his claim will be barred unless he presents the claim within two months from the mailing or other delivery of the notice.

Any claim not filed on or before that date, or any extension provided by law, is unenforceable thereafter.

LOIS JEANNE BOWMAN,
Personal Representative
Date of first publication:
October 5, 1989
True Copy--Test
PETER J. BASILONE
Register of Wills for
Baltimore County
10/059 Oct. 5, 12, 19.

SALES & LEGAL NOTICES

Bernard J. Medairy, Jr.
204 Courtland Ave.
Towson, MD. 21204

STATE OF MARYLAND

NOTICE OF APPOINTMENT
and
NOTICE TO CREDITORS

SMALL ESTATE NOTICE

TO ALL PERSONS
INTERESTED IN THE
ESTATE OF
ANDREW J. BITTNER

This is to give notice that the undersigned, Margaret A. Bittner, whose address is 309 Murdock Road, Baltimore, Maryland 21212 was, on September 26, 1989 appointed personal representative of the estate of Andrew J. Bittner, who died on August 12, 1989 with a Will.

All persons having any objection to such appointment (or to the probate of the decedent's will) shall file the same with the Register of Wills of Baltimore County on or before (30 days from the date of publication of such notice).

All persons having claims against the decedent shall file their claims with the Register of Wills and shall deliver or mail a copy of the statement to the Personal Representative on or before the earlier of the following dates:

(1) Nine months from the date of the decedent's death; or

(2) Thirty days after the personal representative mails or otherwise delivers to the creditors a copy of this published notice or other written notice, notifying the creditor that his claim will be barred unless he presents the claim within thirty days from the mailing or other delivery of the notice.

Any claim not so filed on or before such date, or any extension thereof provided by law, shall be unenforceable thereafter.

MARGARET A. BITTNER,
Personal Representative
Date of publication:
October 5, 1989
True Copy--Test
PETER J. BASILONE
Register of Wills for
Baltimore County
10/024 October 5.

PUBLIC AUCTION
VALUABLE REAL ESTATE
ANTIQUES, COLLECTIBLES, H.H.
SAT., OCT. 14 — 9 A.M.
18826 FORESTON ROAD
BECKLEYSVILLE, MD.

The undersigned will offer for sale on the premises, the following property of Virgie V. Hare:

REAL ESTATE at 12 NOON

All that property known as 18826 Foreston Rd., Beckleysville, as described in Liber 1357, Folio 0231 of the Land Records of Baltimore Co., Md.

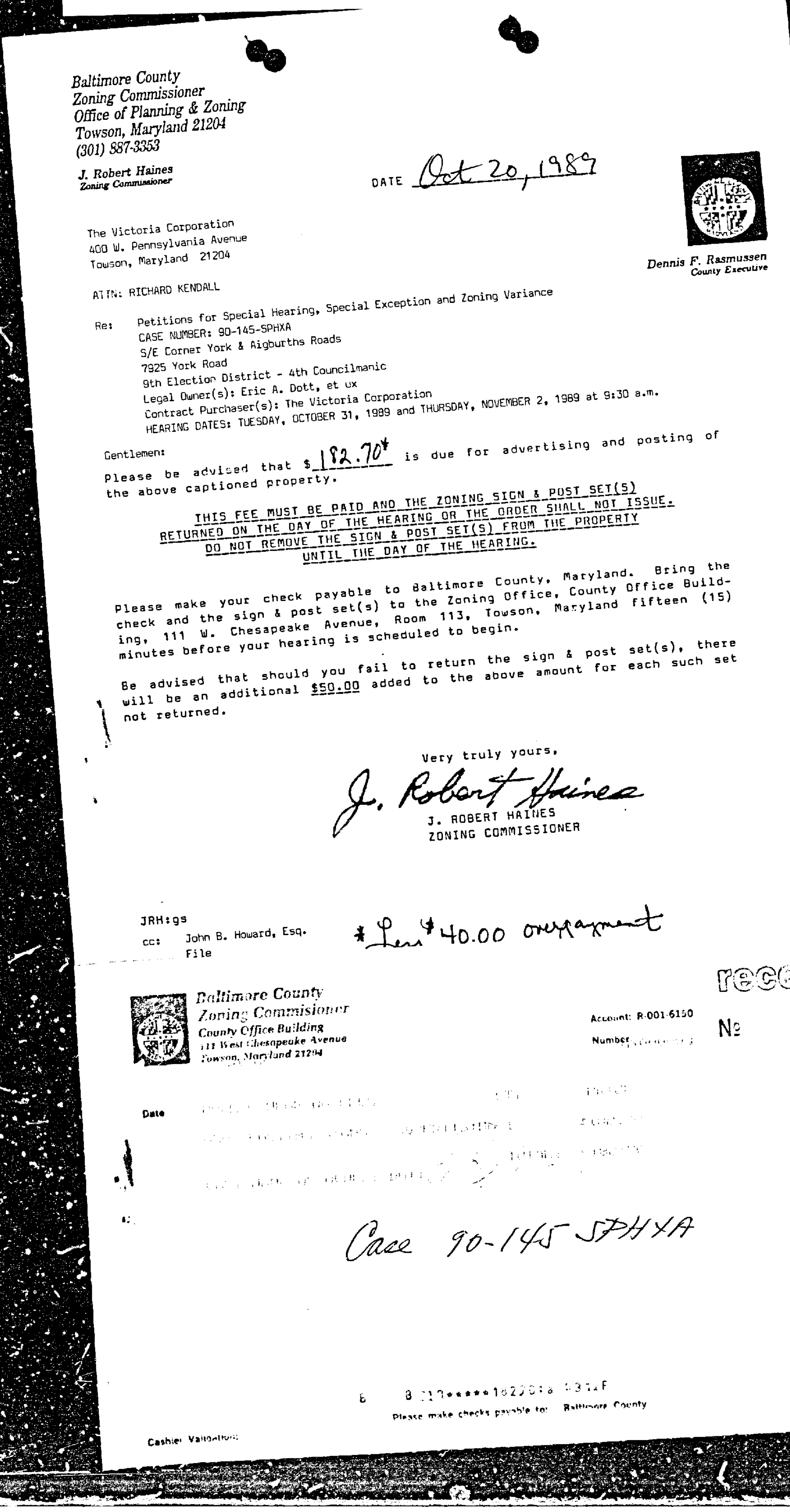
The Property contains .72 acres of land more or less, and is improved by a 2 story frame house. The first floor

Maryland
You are Beautiful
CALL 301-974-3085

Power & Mosner, Solicitors
21 W. Susquehanna Avenue
Towson, Maryland 21204

SUBSTITUTE TRUSTEE'S SALE
— OF —
VALUABLE 2-STORY BRICK TOWNHOUSE
"RODGERS FORGE"
241 BRANDON ROAD
BALTIMORE COUNTY, MARYLAND 21212

Under and by virtue of the powers of sale contained



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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

DATE Oct 20, 1989

The Victoria Corporation
400 W. Pennsylvania Avenue
Towson, Maryland 21204

ATTN: RICHARD KENDALL

Re: Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 90-145-SPHXA
S/E Corner York & Aigburths Roads
7925 York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Eric A. Dott, et ux
Contract Purchaser(s): The Victoria Corporation
HEARING DATES: TUESDAY, OCTOBER 31, 1989 and THURSDAY, NOVEMBER 2, 1989 at 9:30 a.m.

Gentlemen:

Please be advised that $ 182.70* is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.
DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY
UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional $50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gs

cc: John B. Howard, Esq.
File

* Less $40.00 overpayment

receipt

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

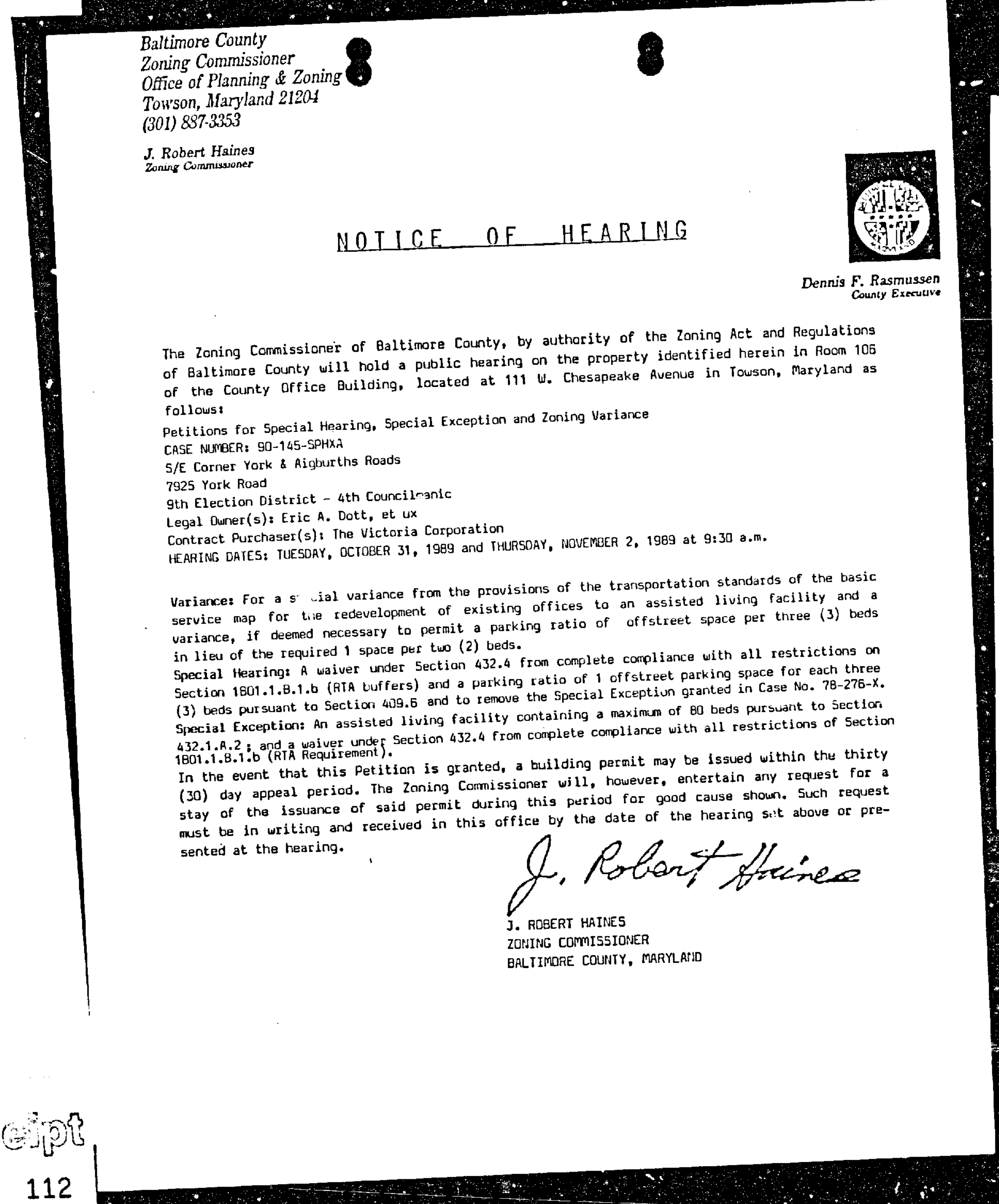
№ 112

Date

Case 90-145 SPHXA

Please make checks payable to: Baltimore County

Cashier Validation



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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

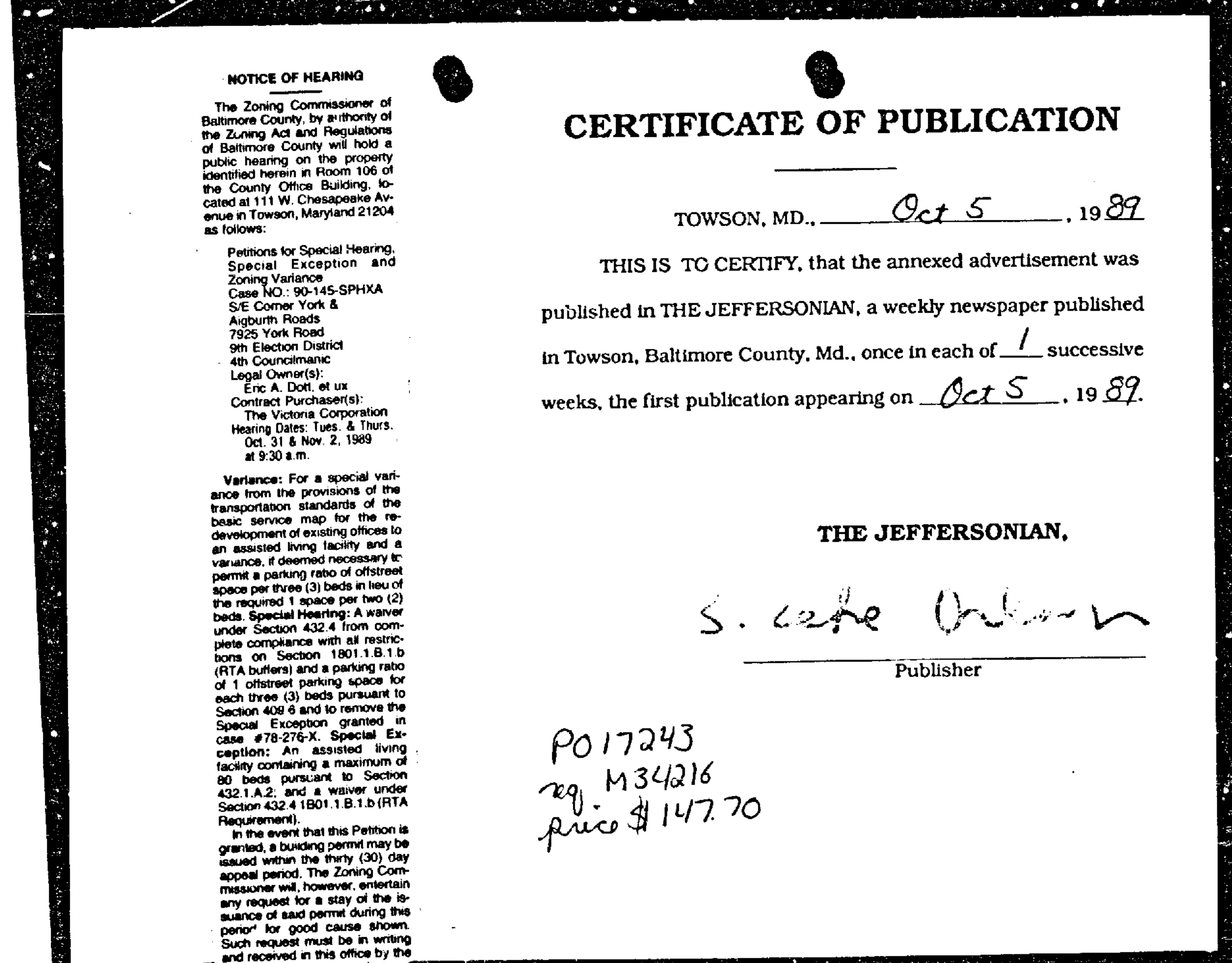
NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
CASE NUMBER: 90-145-SPHXA
S/E Corner York & Aigburths Roads
7925 York Road
9th Election District - 4th Councilmanic
Legal Owner(s): Eric A. Dott, et ux
Contract Purchaser(s): The Victoria Corporation
HEARING DATES: TUESDAY, OCTOBER 31, 1989 and THURSDAY, NOVEMBER 2, 1989 at 9:30 a.m.

Variance: For a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility and a variance, if deemed necessary to permit a parking ratio of offstreet space per three (3) beds in lieu of the required 1 space per two (2) beds.
Special Hearing: A waiver under Section 432.4 from complete compliance with all restrictions on Section 1801.1.B.1.b (RTA buffers) and a parking ratio of 1 offstreet parking space for each three (3) beds pursuant to Section 409.6 and to remove the Special Exception granted in Case No. 78-276-X.
Special Exception: An assisted living facility containing a maximum of 80 beds pursuant to Section 432.1.A.2; and a waiver under Section 432.4 from complete compliance with all restrictions of Section 1801.1.B.1.b (RTA Requirement).
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petitions for Special Hearing, Special Exception and Zoning Variance
Case NO.: 90-145-SPHXA
S/E Corner York &
Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic
Legal Owner(s):
Eric A. Dott, et ux
Contract Purchaser(s):
The Victoria Corporation
Hearing Dates: Tues. & Thurs.
Oct. 31 & Nov. 2, 1989
at 9:30 a.m.

Variance: For a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility and a variance, if deemed necessary to permit a parking ratio of offstreet space per three (3) beds in lieu of the required 1 space per two (2) beds. **Special Hearing:** A waiver under Section 432.4 from complete compliance with all restrictions on Section 1801.1.B.1.b (RTA buffers) and a parking ratio of 1 offstreet parking space for each three (3) beds pursuant to Section 409.6 and to remove the Special Exception granted in case #78-276-X. **Special Exception:** An assisted living facility containing a maximum of 80 beds pursuant to Section 432.1.A.2; and a waiver under Section 432.4 1801.1.B.1.b (RTA Requirement).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINE
Zoning Commissioner
Baltimore Coun
T/J 10/005 October 5.

CERTIFICATE OF PUBLICATION

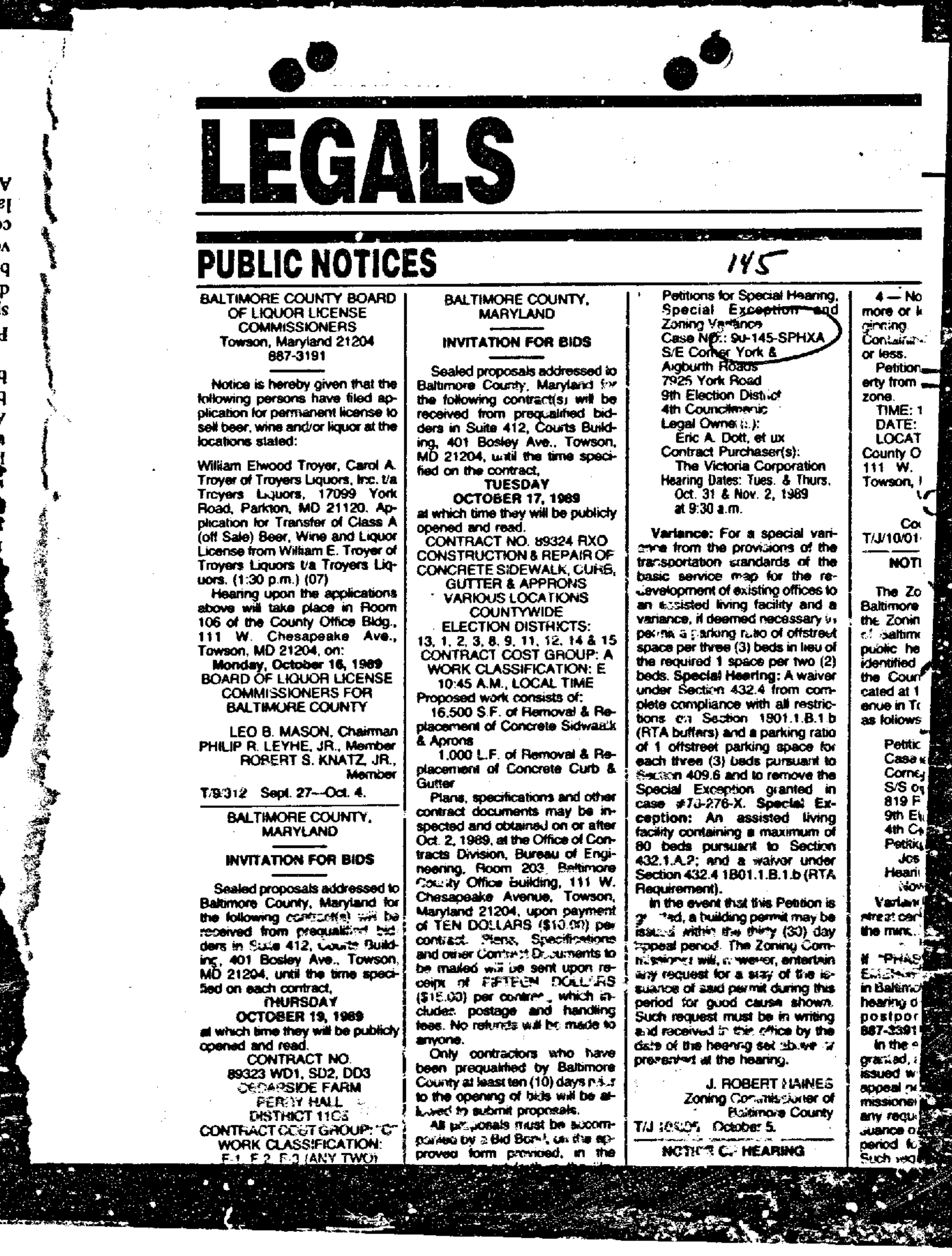
TOWSON, MD., Oct 5, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 5, 1989.

THE JEFFERSONIAN,

S. Zeke Orlan
Publisher

PO 17243
req. M34216
price $147.70



LEGALS

PUBLIC NOTICES

145

BALTIMORE COUNTY BOARD
OF LIQUOR LICENSE
COMMISSIONERS
Towson, Maryland 21204
887-3191

Notice is hereby given that the following persons have filed application for permanent license to sell beer, wine and/or liquor at the locations stated:

William Elwood Troyer, Carol A. Troyer of Troyers Liquors, Inc. t/a Troyers Liquors, 17099 York Road, Parkton, MD 21120. Application for Transfer of Class A (off Sale) Beer, Wine and Liquor License from William E. Troyer of Troyers Liquors t/a Troyers Liquors. (1:30 p.m.) (07)

Hearing upon the applications above will take place in Room 106 of the County Office Bldg., 111 W. Chesapeake Ave., Towson, MD 21204, on:

Monday, October 16, 1989
BOARD OF LIQUOR LICENSE
COMMISSIONERS FOR
BALTIMORE COUNTY

LEO B. MASON, Chairman
PHILIP R. LEYHE, JR., Member
ROBERT S. KNATZ, JR.,
Member
T/9/312 Sept. 27—Oct. 4.

BALTIMORE COUNTY,
MARYLAND

INVITATION FOR BIDS

Sealed proposals addressed to Baltimore County, Maryland for the following contract(s) will be received from prequalified bidders in Suite 412, Courts Building, 401 Bosley Ave., Towson, MD 21204, until the time specified on each contract,

THURSDAY
OCTOBER 19, 1989

at which time they will be publicly opened and read.

CONTRACT NO.
89323 WD1, SD2, DD3
CEDARSIDE FARM
PERRY HALL
DISTRICT 11C3
CONTRACT COST GROUP: "C"
WORK CLASSIFICATION:
E-1, E-2, E-3 (ANY TWO)

BALTIMORE COUNTY,
MARYLAND

INVITATION FOR BIDS

Sealed proposals addressed to Baltimore County, Maryland for the following contract(s) will be received from prequalified bidders in Suite 412, Courts Building, 401 Bosley Ave., Towson, MD 21204, until the time specified on the contract,

TUESDAY
OCTOBER 17, 1989

at which time they will be publicly opened and read.

CONTRACT NO. 89324 RXO
CONSTRUCTION & REPAIR OF
CONCRETE SIDEWALK, CURB,
GUTTER & APPRONS
VARIOUS LOCATIONS
COUNTYWIDE
ELECTION DISTRICTS:
13, 1, 2, 3, 8, 9, 11, 12, 14 & 15
CONTRACT COST GROUP: A
WORK CLASSIFICATION: E
10:45 A.M., LOCAL TIME

Proposed work consists of:

16,500 S.F. of Removal & Replacement of Concrete Sidwalk & Aprons

1,000 L.F. of Removal & Replacement of Concrete Curb & Gutter

Plans, specifications and other contract documents may be inspected and obtained on or after Oct. 2, 1989, at the Office of Contracts Division, Bureau of Engineering, Room 203, Baltimore County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, upon payment of TEN DOLLARS ($10.00) per contract. Plans, Specifications and other Contract Documents to be mailed will be sent upon receipt of FIFTEEN DOLLARS ($15.00) per contract, which includes postage and handling fees. No refunds will be made to anyone.

Only contractors who have been prequalified by Baltimore County at least ten (10) days prior to the opening of bids will be allowed to submit proposals.

All proposals must be accompanied by a Bid Bond, on the approved form provided, in the

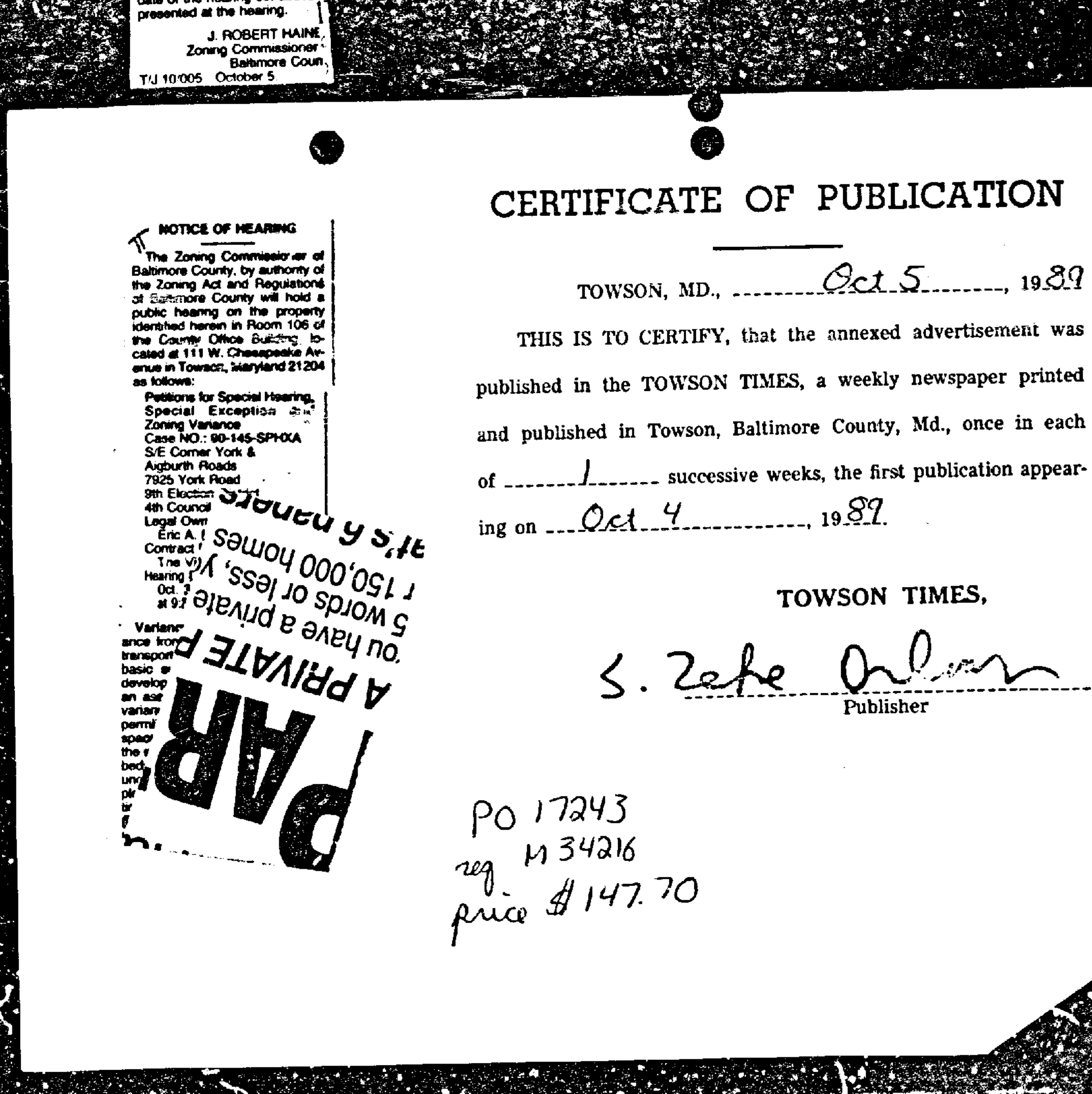
Petitions for Special Hearing, Special Exception and Zoning Variance
Case NO.: 90-145-SPHXA
S/E Corner York &
Aigburth Roads
7925 York Road
9th Election District
4th Councilmanic
Legal Owner(s):
Eric A. Dott, et ux
Contract Purchaser(s):
The Victoria Corporation
Hearing Dates: Tues. & Thurs.
Oct. 31 & Nov. 2, 1989
at 9:30 a.m.

Variance: For a special variance from the provisions of the transportation standards of the basic service map for the redevelopment of existing offices to an assisted living facility and a variance, if deemed necessary to permit a parking ratio of offstreet space per three (3) beds in lieu of the required 1 space per two (2) beds. **Special Hearing:** A waiver under Section 432.4 from complete compliance with all restrictions on Section 1801.1.B.1.b (RTA buffers) and a parking ratio of 1 offstreet parking space for each three (3) beds pursuant to Section 409.6 and to remove the Special Exception granted in case #78-276-X. **Special Exception:** An assisted living facility containing a maximum of 80 beds pursuant to Section 432.1.A.2; and a waiver under Section 432.4 1801.1.B.1.b (RTA Requirement).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
T/J 10/005 October 5.

NOTICE OF HEARING



NOTICE OF HEARING

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Petitions for Special Hearing, Special Exception and Zoning Variance
Case NO.: 90-145-SPHXA
S/E Corner York &
Aigburth Roads
7925 York Road

CERTIFICATE OF PUBLICATION

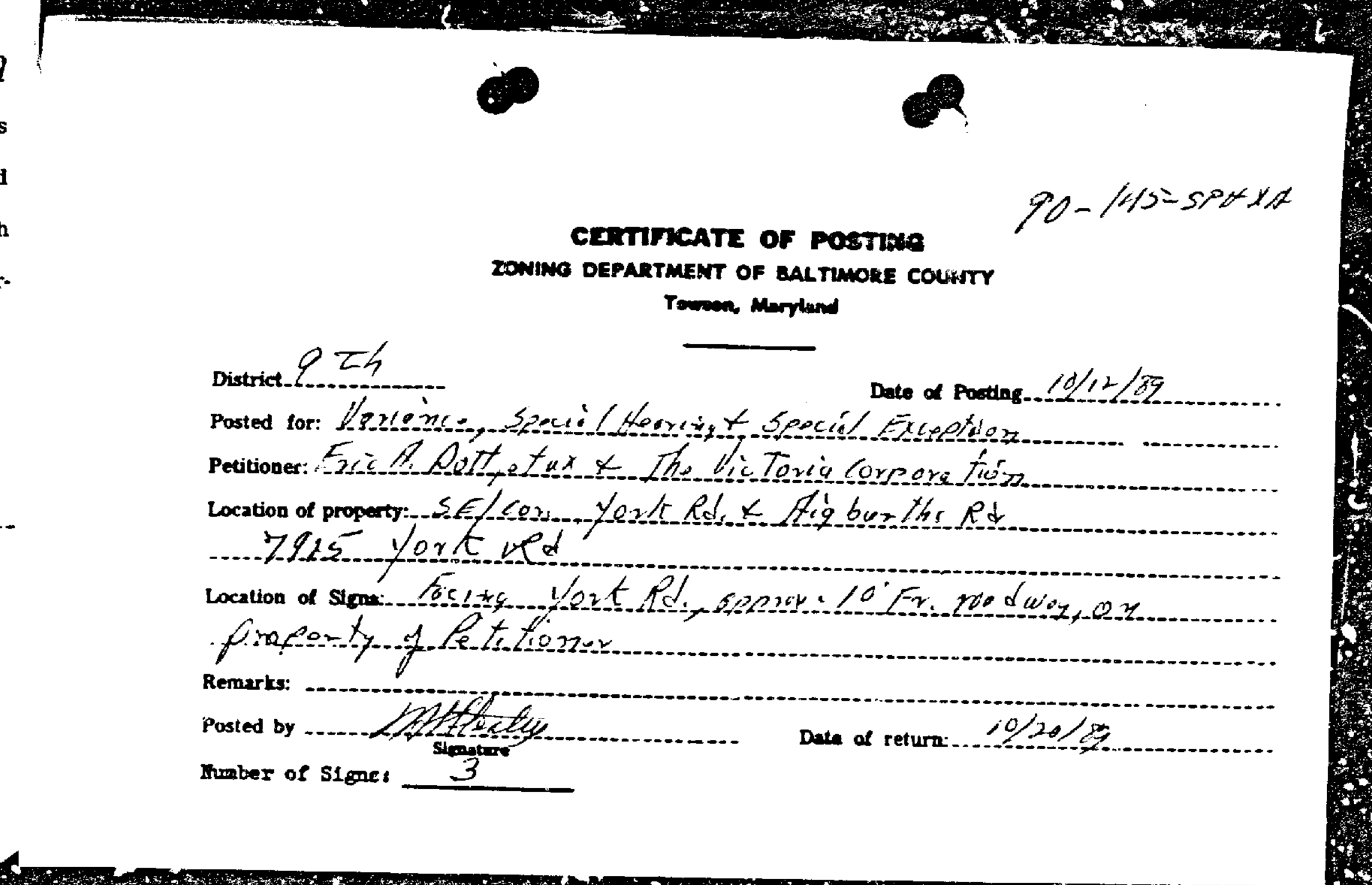
TOWSON, MD., Oct 5, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 4, 1989.

TOWSON TIMES,

S. Zeke Orlan
Publisher

PO 17243
req. M34216
price $147.70



90-145-SPHXA

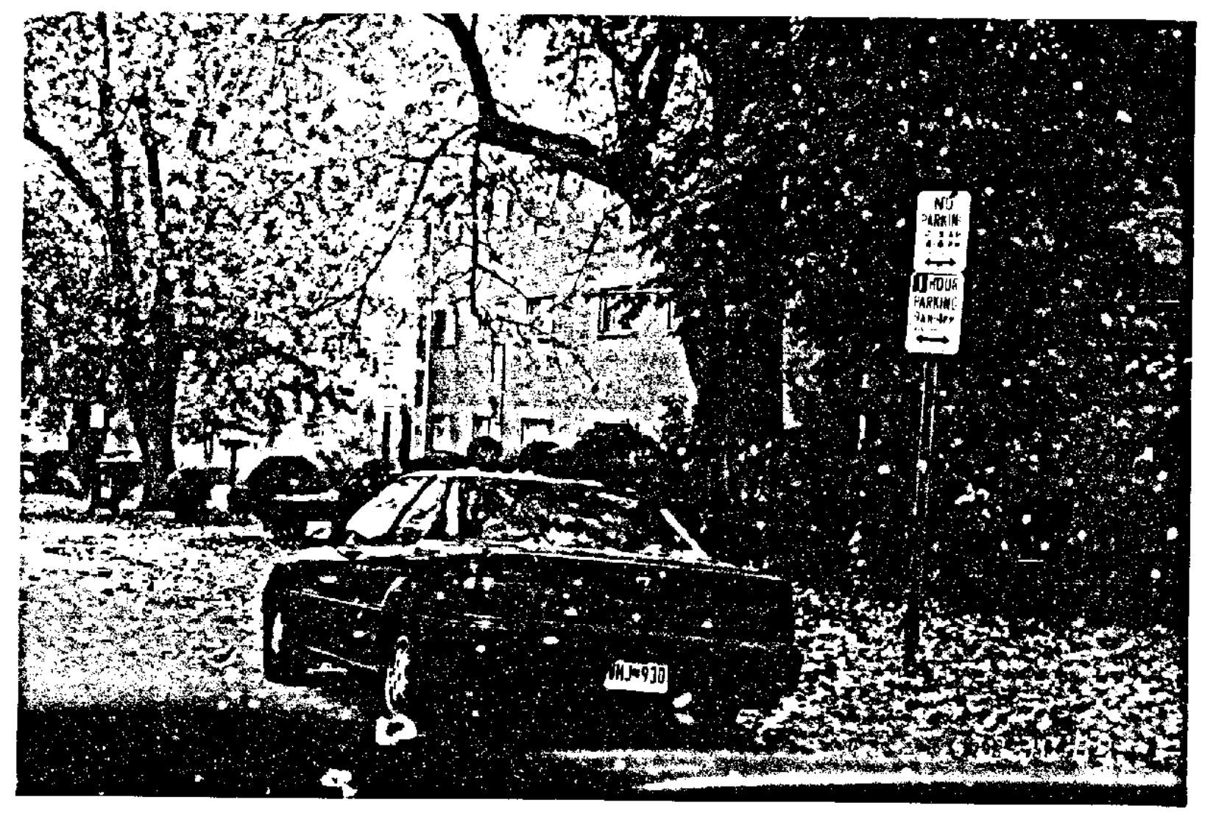
CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th
Date of Posting 10/12/89
Posted for: Variance, Special Hearing & Special Exception
Petitioner: Eric A. Dott, et ux & The Victoria Corporation
Location of property: SE/cor. York Rd. & Aigburths Rd
7925 York Rd
Location of Signs: Facing York Rd., approx. 10' Fr. roadway, on property of Petitioner
Remarks:
Posted by
Signature
Date of return: 10/20/89
Number of Signs: 3

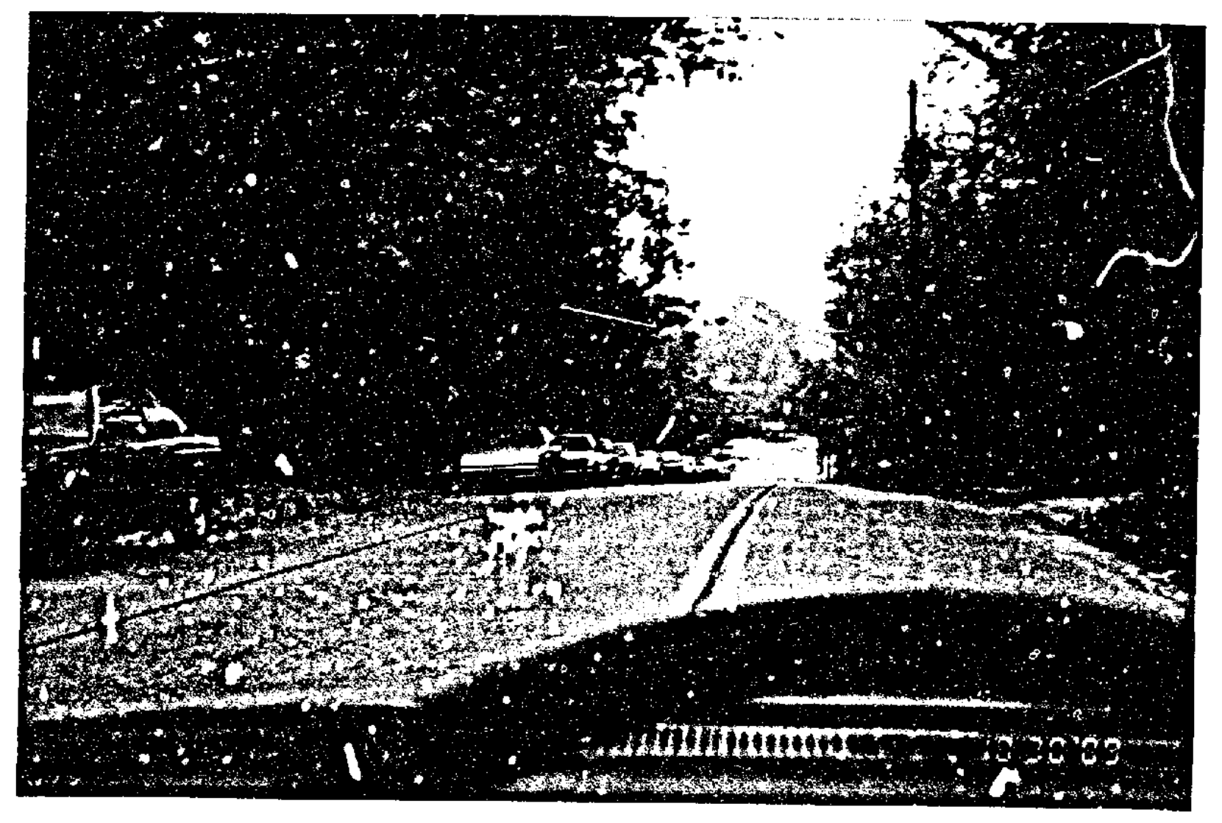
PROTESTANT(S) EXHIBIT 8

PROTESTANT(S) EXHIBIT (8)



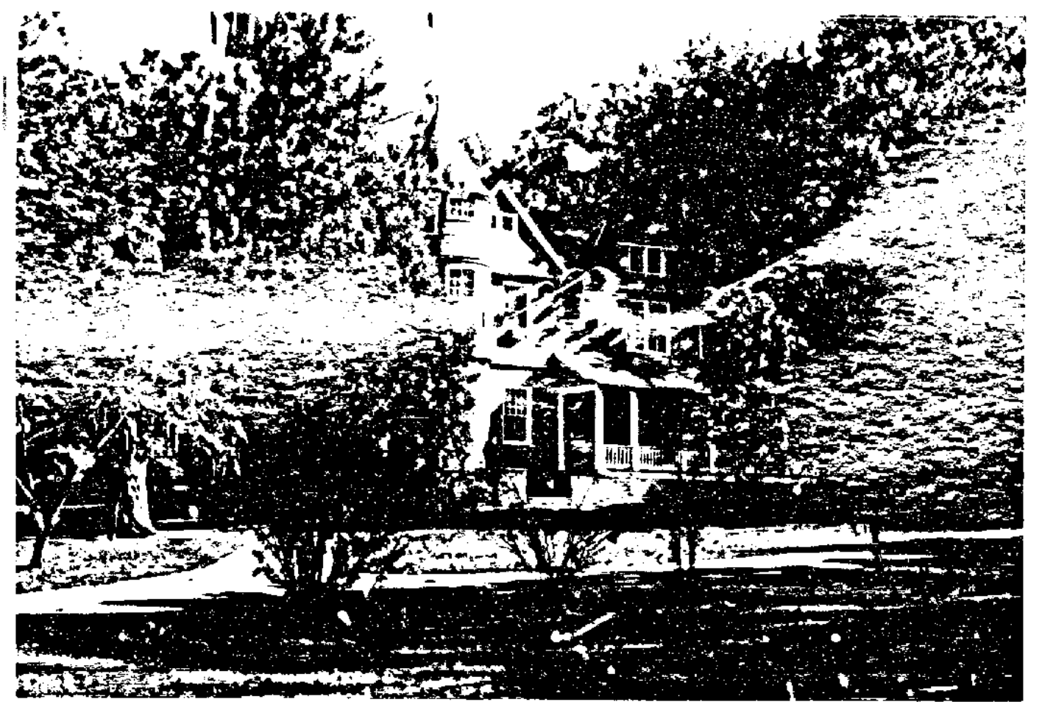
PROTESTANT(S) EXHIBIT (1)

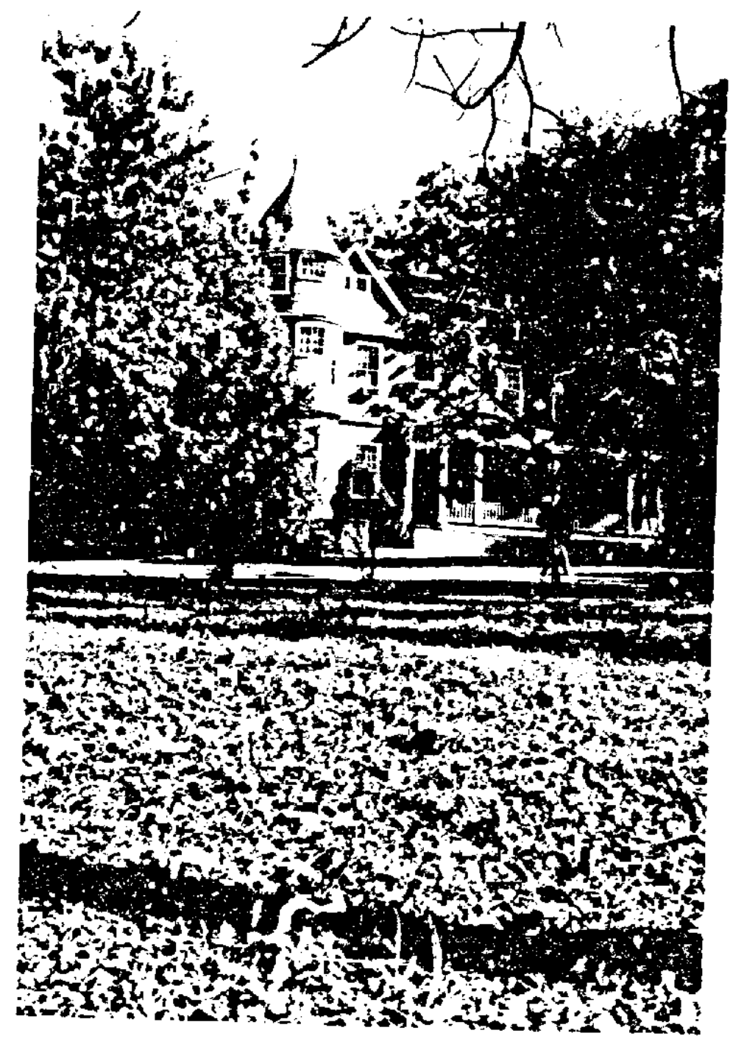
PROTESTANT(S) EXHIBIT (8)



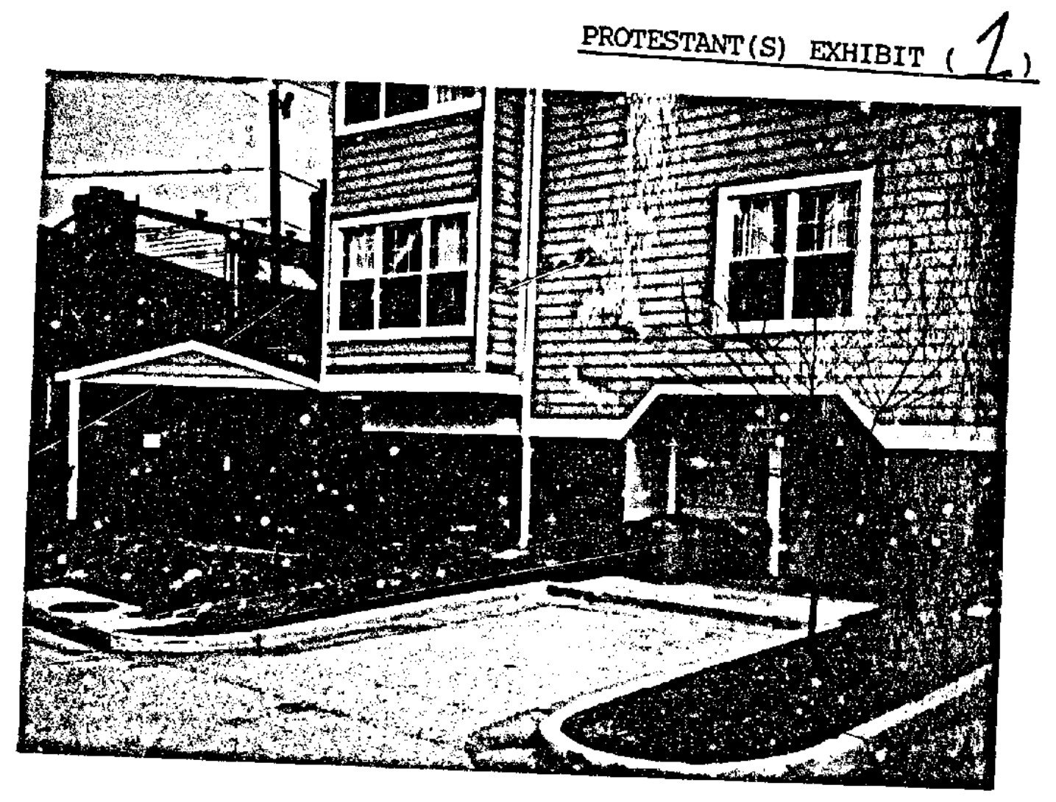
PROTESTANT(S) EXHIBIT (1)

PROTESTANT(S) EXHIBIT (2)

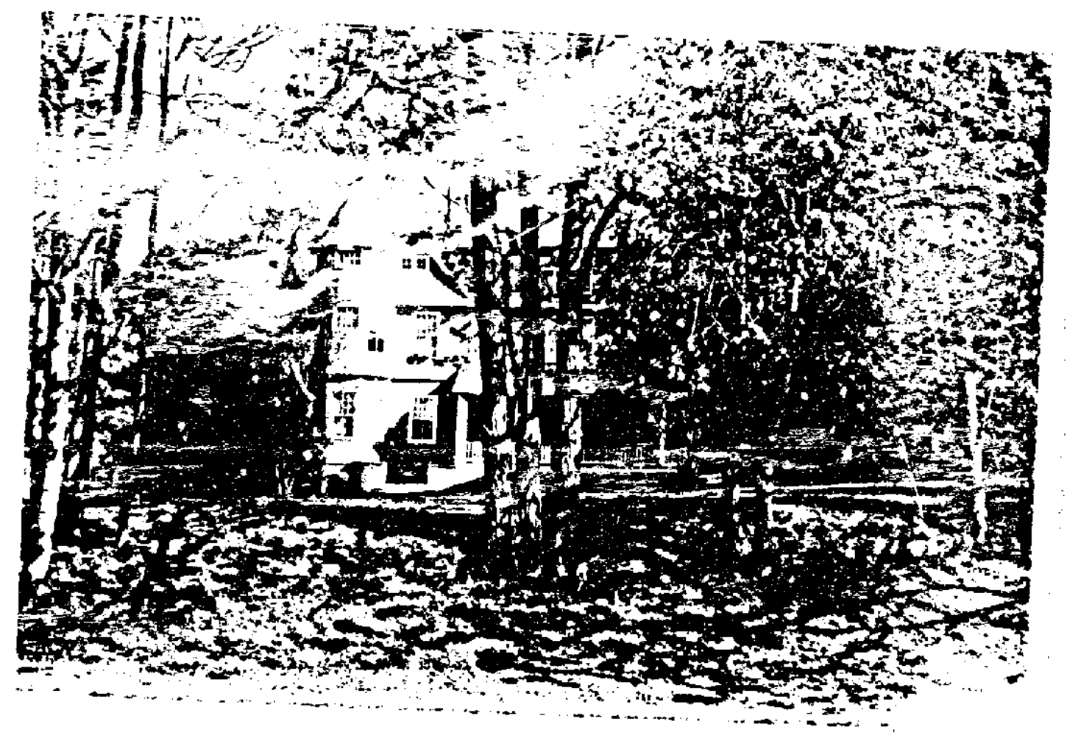




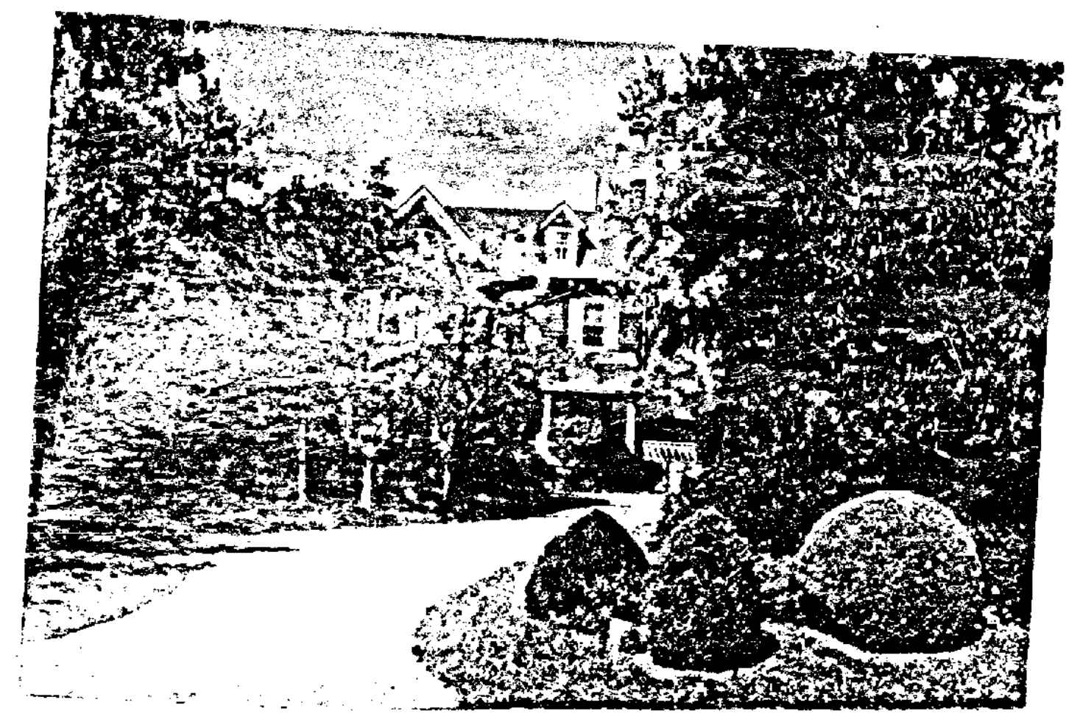
PROTESTANT(S) EXHIBIT (1)



PROTESTANT(S) EXHIBIT (2)



PROTESTANT(S) EXHIBIT (3)



PROTESTANT(S) EXHIBIT (3)

Stoneleigh Community Association, Inc.
Baltimore, Maryland 21212

October 27, 1989

Joyce B. Routson, President
The Towson Manor Community Association
142 Marburth Avenue
Towson, Maryland 21204

Dear Ms. Routson:

On behalf of Steve Close, President of the Stoneleigh Community Association, I am enclosing herewith a letter opposing the proposed retirement home that will be before the Zoning Commissioner's Office for a hearing on October 31st and November 2nd. Please submit this letter to the hearing officer at that time. If you have any questions please contact the undersigned during the day at (301) 685-4558.

Thank you for your cooperation.

Very truly yours,

J. Shawn Alcarese

JSA/mlw
enclosure

PROTESTANT'S
EXHIBIT 4

Stoneleigh Community Association, Inc.
Baltimore, Maryland 21212

October 27, 1989

The Honorable J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

Dear Commissioner Haines:

On behalf of the Board of Governors of the Stoneleigh Community Association we would like to go on record as opposing the construction and use of the three-story, 33,000 square foot structure that is proposed and slated for hearing before your offices on October 31st and November 2nd, 1989. The recent commercial encroachment along the York Road corridor has had an adverse impact on the residential communities that abut York Road. This structure is proposed for an area other than one of sole commercial use and would unduly increase an already congested traffic situation with the added around-the-clock employees and visitors that this structure and use proposes.

Please note the formal objection and opposition of the Stoneleigh Community and its community association in this matter.

Thank you for your cooperation.

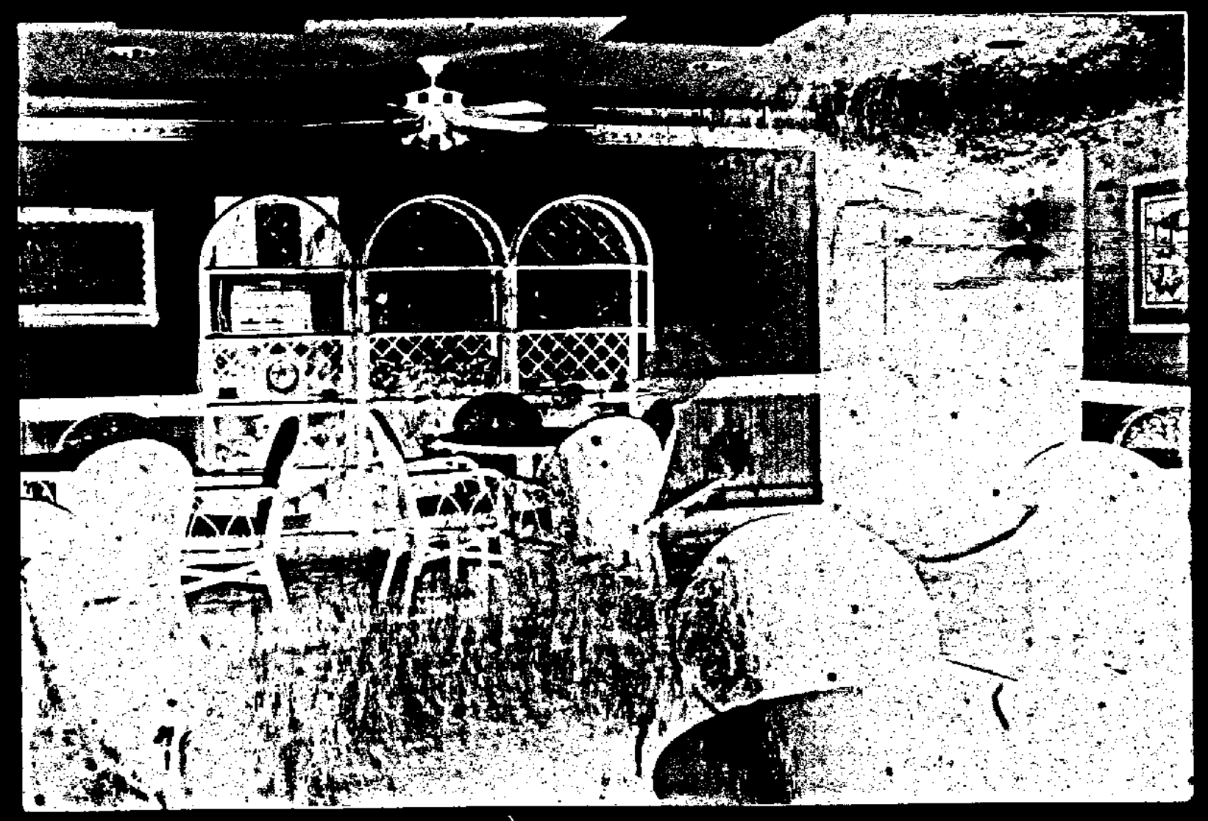
Very truly yours,

Steve Close, President

SC/mlw

PROTESTANT'S
EXHIBIT 4

PETITIONER(S) EXHIBIT (4)



PETITIONER(S) EXHIBIT (4)

PETITIONER(S) EXHIBIT (4)

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

oOo

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

October 18, 1989

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

RE: Item No. 20, Case No. 90-145-SPHXA
Petitioner: A. Eric Dott, et ux
Petition for Zoning Variance, Special Hearing and Special Exception

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development lans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. A. Eric Dott
Mr. Richard Kendall

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this

5th day of August, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: A. Eric Dott, et ux

Petitioner's Attorney: John B. Howard

Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

RECEIVED
AUG 10 1989
ZONING OFFICE

August 8, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
The Victoria Corporation
(Proposed 3 story retirement home)
Zoning meeting 7/25/89
E/S York Road
MD 45
at Aigburth Road
Item #20

Dear Mr. Haines:

After reviewing the submittal for a special exception for an assisted living facility containing a maximum of 80 beds, we offer the following:

The plan must be revised to show a future 80' right-of-way on York Road.

Also, we will need three additional copies of the plan for review by our Traffic personnel and we reserve the right to require a traffic impact study for review and approval, prior to issuance of building permits.

If you have any questions, contact Larry Brocato (333-1350).

Very truly yours,

Creston J. Mills, Jr. Chief
Engineering Access Permits Division

LB/es

cc: Paul Lee Engineering Inc.
Mr. J. Ogle

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

Dennis F. Rasmussen
County Executive

RECEIVED
AUG 3 1989
ZONING OFFICE

July 31, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20.

Very truly yours,

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

MSF/lab

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

AUG 1 6 1989

Zoning Item # 20, Zoning Advisory Committee Meeting of July 25, 1989
Property Owner: A. Eric Dott, et ux
Location: SE corner of York and Aigburth Rds. District:
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 charbroiler 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 appurtenances 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 Maternal 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 asbestoes, 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 887-2762.

( ) Others ______________

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reincke
Chief

Dennis F. Rasmussen
County Executive

JULY 26, 1989

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

RE: Property Owner: A. ERIC DOTT
Location: SE CORNER OF YORK AND AIGBURTH ROADS
Item No.: 20 Zoning Agenda: JULY 25, 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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. ACCESS FOR FIRE APPARATUS SHALL BE PROVIDED WITHIN 30 FEET OF BUILDING ON EAST AND WEST SIDES.

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: Capt J. Kelly
Planning Group
Special Inspection Division

Noted and Approved Capt [illegible]
Fire Prevention Bureau

JK/KEK

JUL 2 8 1989

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 31, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Revised Comments
A. Eric Dott, owner and The Victoria Corporation, Contract Purchaser, Item 20
Zoning Petition No. 90-145-SPHXA

The petitioner requests a Special Zoning Variance, ~~Variance,~~ Special Hearing, and a Special Exception to permit an assisted living facility containing a maximum of 80 beds.

In reference to this request, Staff offers the following comments:

- A CRG meeting or waiver will be required for the propcsed project. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.
- A landscape plan must be submitted for approval prior to the issuance of any building permits.

Site has direct access to the No. 8 bus line.

Analysis of the plat accompanying this request indicates a 5 ft. landscaping buffer along the east side property line. A mature buffer already exists along a large portion straddling the property line. Every effort should be made not to disturb this existing buffer. Supplemental planting should be provided in areas where there is no existing buffer.

Assisted living facilities serve a necessary function in the community and Staff recognizes the need for this particular type of development. For the reasons stated above, the Office of Planning and Zoning recommends that the Petitioner's request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl

90/145SP

BALTIMORE COUNTY, MARYLAND

BJECT: COUNTY REVIEW GROUP COMMENTS
CRG DATE: 10/13/89
PRE-CRG DATE: 10/2/89

OM: ZONING OFFICE

OJECT NAME: Victoria House of Towson
PLAN: 8/1/89
REV.:
REV.:

CATION: SE/corner York Road
and Aigburth Road

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

STRICT: 9c4

On 7/14/89 under item #20, 1990 zoning hearings were applied for and accepted for filing in the zoning office for the following corrected requests:

A. Special Exception for an assisted living elderly housing facility for a maximum of 80 beds pursuant to Section 432.1.A.2 and to waive or modify the Residential Transition Restrictions of Section 1B01.1.B.1.b pursuant to Section 432.4 (B.C.Z.R.).

B. Special Hearing to remove/abandon the previously granted and "in place" special exception in zoning case #78-276-X and to approve a reduction/modification in the required parking to 1/3 beds pursuant to Section 409.6.A.1.

C. Variance to Section 4A02.4.F.1 to permit a special variance from the Transportation Standards of the basic services map for the redevelopment of existing offices to an assisted living facility and Section 409.6.A.1 to permit 1 off-street parking space per (3) beds in lieu of the required 1 space per two beds.

Case number 90-145-SPHXA has been assigned and a hearing date has been set for 10/31/89 and 11/2/89 at 9:30 a.m. in Room 106, County Office Building.

R.T.A. -- Include on the plan and clearly label all off-site sources of R.T.A. on-site, including all dwellings and small lots of record less than 2 acres. All off-site buildings within 300 feet of a proposed unlike use must be labeled with the existing use. Dwellings must be labeled "existing dwelling" and all vacant lots must include the acreage. All lot and deed divisional lines that adjoin or are across street from the subject property must be shown clearly. The most restrictive R.T.A. arcs must be labeled with the required and applicable 300' or 250' R.T.A. radius dimensions and included on the plan print. Clearly and conspicuously note on the

COUNTY REVIEW GROUP COMMENTS
PROJECT NAME: Victoria House of Towson
CRG DATE: 10/13/89
PRE-CRG DATE: 10/2/89
PAGE 2

plan: "ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 ACRES) THAT CREATE A R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ARCS". Clearly label all unlike building fronts. Provide, designate, dimension and clearly outline in a bold line the PROVIDED R.T.A. buffers to the extent possible on the proposed plan. Identify waiver or modification of restrictions locations on the plan print.

3. The sign shown on the plan print is limited to a 1 square foot non-illuminated sign pursuant to Section 413.1.a and Zoning Policy SI-1.E.1. This must be noted on the plan and a larger sign must be determined "generic" to qualify under Section 413.1.e (15 sq. ft., counting both sides) or a variance would be required prior to final zoning approval. Include a sign elevation on the plan with the height, size, sq. ft., and illumination (if any) proposed.

4. Identify Class "A" or Class "B" elderly housing facility on the plan as defined in Section 101 (B.C.Z.R.) and note on the plan that the facility will meet the Fire Protection Association Life Safety Code, 1985 edition and list the sections with which it complies (Section 101, B.C.Z.R.). Include a typical parking space (dimensioned) and note that all parking and maneuvering areas are to be paved (indicate type) and permanently striped per Section 409 (B.C.Z.R.). When the plan is revised in the C.R.G. process, the elevations and plan detail addressing these comments must be included on the revised public hearing plans to be delivered to John Lewis in the Zoning Office under reference to the zoning case and these comments.

5. Final zoning approval is contingent upon the resolution of all comments and the outcome of the required public hearing. It shall be the responsibility of the owner, developer or developer's engineer to rectify any anticipated conflicts with the Baltimore County Zoning Regulations well in advance of any expected final zoning approval.

WCR
W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:scj

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 31, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Revised Comments
A. Eric Dott, owner and The Victoria Corporation,
Contract Purchaser, Item 20
Zoning Petition No. 90-145-SPHXA

The petitioner requests a Special Zoning Variance, ~~Variance,~~ Special Hearing, and a Special Exception to permit an assisted living facility containing a maximum of 80 beds.

In reference to this request, Staff offers the following comments:

- A CRG meeting or waiver will be required for the proposed project. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.

- A landscape plan must be submitted for approval prior to the issuance of any building permits.

Site has direct access to the No. 8 bus line.

Analysis of the plat accompanying this request indicates a 5 ft. landscaping buffer along the east side property line. A mature buffer already exists along a large portion straddling the property line. Every effort should be made not to disturb this existing buffer. Supplemental planting should be provided in areas where there is no existing buffer.

Assisted living facilities serve a necessary function in the community and Staff recognizes the need for this particular type of development. For the reasons stated above, the Office of Planning and Zoning recommends that the Petitioner's request be granted.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:ggl

90/145SP

NOV. 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 16, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

A. Eric Dott, owner & The Victoria Corporation,
Contract Purchaser, Item 20
SUBJECT: Zoning Petition No.90-145-SPHXA

The petitioner requests a Special Zoning Variance, Variance, Special Hearing, and a Special Exception to permit an assisted living facility containing a maximum of 80 beds.

In reference to this request, staff offers the following comments:

A CRG meeting or waiver will be required for the proposed project. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.

A landscape plan must be submitted for approval prior to the issuance of any building permits.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

OCT 17 1989

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

January 5, 1990

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

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
SE/Corner York and Aigburth Roads
(7925 York Road)
9th Election District - 4th Councilmanic District
Eric A. Dott, et ux - Petitioners
Case No. 90-145-SPHXA

Dear Mr. Howard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: J. Carroll Holzer, Esquire
305 W. Chesapeake Avenue, Suite 105, Towson, Md. 21204

Leslie Pittler, Director, Community Development

People's Counsel

File

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

July 25, 1990

J. Carroll Holzer, Esquire
305 W. Pennsylvania Avenue
Suite 105
Towson, Maryland 21204

Re: Case No. CBA-89-188 and 90-145-SPHXA (Victoria House of Towson and Eric A. Dott, et ux)

Dear Mr. Holzer:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals in the subject cases.

Sincerely,

LindaLee M. Kuszmaul
LindaLee M. Kuszmaul
Legal Secretary

Enclosure

cc: Joyce B. Rouston, Pres. - Towson Manor Assoc., Inc.
Robert A. Hoffman, Esquire
John B. Howard, Esquire
Victoria Corporation
Paul Lee Engineering, Inc.
Richard J. Kendall, Pres. - Victoria Corporation
Mr. Paul Klaasen
M. A. Shamberg
Mr. John Chapmans
Ms. Eileen Riley
Les Pittler
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Arnold Jablon, County Attorney
Docket Clerk - Zoning
Current Planning
Developers Engineering Division
Economic Development Commission
Robert E. Covahey
David L. Thomas
S. Wallis
Nancy C. West, Asst. County Attorney

IN RE: CRG DECISION	*	IN THE
and	*	COUNTY BOARD OF APPEALS
IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES	*	OF BALTIMORE COUNTY
SE cor. York and Aigburth Roads 7925 York Road 9th Election District 4th Councilmanic District	*	CASE NOS.: CBA-89-188 and 90-145-SPHXA
Legal Owner: Eric A. Dott, et ux Contract Purchaser: Victoria Corp.	*	
Petitioners	*	

* * * * * * * * * * * * * * * * * *

RETURN OF PRIVATE PROCESS SERVER

I, the undersigned hereby certify that I executed service of process upon the Zoning Commissioner of Baltimore County, by delivering and leaving a copy of the subpoena issued by this Court on Friday, June 8, 1990. I further certify that I am over eighteen years of age and am not a party to this action. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true to the best of my knowledge, information and belief.

Barbara A. White
Barbara A. White

90 JUN -8 PM 4:03
COUNTY BOARD OF APPEALS
RECEIVED

IN RE: CRG DECISION	*	IN THE
and	*	COUNTY BOARD OF APPEALS
IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES	*	OF BALTIMORE COUNTY
SE cor. York and Aigburth Roads 7925 York Road 9th Election District 4th Councilmanic District	*	CASE NOS.: CBA-89-188 and 90-145-SPHXA
Legal Owner: Eric A. Dott, et ux Contract Purchaser: Victoria Corp.	*	
Petitioners	*	

* * * * * * * * * * * * * * * * * *

RETURN OF PRIVATE PROCESS SERVER

I, the undersigned hereby certify that I executed service of process upon the Director of Public Works for Baltimore County, by delivering and leaving a copy of the subpoena issued by this Court on Friday, June 8, 1990. I further certify that I am over eighteen years of age and am not a party to this action. I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth herein are true to the best of my knowledge, information and belief.

Barbara A. White
Barbara A. White

90 JUN -8 PM 4:03
COUNTY BOARD OF APPEALS
RECEIVED

IN RE: CRG DECISION	*	IN THE
and	*	COUNTY BOARD OF APPEALS
IN RF: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND ZONING VARIANCES	*	OF BALTIMORE COUNTY
SE cor. York and Aigburth Roads 7925 York Road 9th Election District 4th Councilmanic District	*	CASE NOS.: CBA-89-188 and 90-145-SPHXA
Legal Owner: Eric A. Dott, et ux Contract Purchaser: Victoria Corp.	*	
Petitioners	*	

* * * * * * * * * * * * * * * * * *

SUBPOENA

Dear Mr. Clerk:

Please issue a subpoena to the Zoning Commissioner for Baltimore County to provide the record tapes of the Zoning Commissioner's hearing in the above referenced case, which took place on October 31, 1989 and November 2, 1989.

Board of Appeals
of Baltimore County

90 JUN -8 AM 10:55
COUNTY BOARD OF APPEALS
RECEIVED