IN THE MATTER OF THE APPLICATION OF VISTA DEVELOPMENT FOR A SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCES ON PROPERTY LOCATED ON THE NORTH SIDE FREDERICK ROAD, 170' WEST OF CL. ERLINE OF SYMINGTON ROAD (6348 FREDERICK ROAD) AND PARADISE PROFESSIONAL CENTER RE: PUBLIC SERVICES DENIAL OF PLAN EXTENSION

15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 90-282-SPHXA AND
*
* CASE NO. CBA-91-147
*
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O P I N I O N

This case comes before this Board on appeal from an order of the Zoning Commissioner denying the Petitions in part and dismissing in part. Testimony and evidence received by this Board consumed two full days of hearings.

Petitioner's attorney in his opening statement noted that he had prepared and submitted to this Board a statement of the issues involved in this case. He further stated that the special exception granted in Case No. 88-455-X for use as a medical office was no longer to be pursued and that this special exception to permit that use should be removed. The proposal before the Board is to now use the existing R.O. zone for an assisted living facility. In conjunction with the removal of the special exception, the extension requested to the CRG approval will also be removed. He noted that one of the major issues before this Board is whether or not 10 acres is required for an assisted living facility. He noted that the amended proposal before the Board

reduced the requested number of beds from 74 to 60, and withdrew the request for parking and landscaping variances.

People's Counsel in her opening statement noted that the density requirement for each bed in an assisted living facility was .25. This site contains 1.4 +/- acres. The simple arithmetic of 1.4 x 5.5 x 4 beds per density unit allows the property in its present condition to contain 30.8 beds. She noted that the Board is being asked to vary the density requirements which in this case the Board has no authority to do.

Petitioner presented as their first witness Harold Burns, who testified as the president of the corporation formed to buy this site. He testified that Roberta Watkins is at present the sole owner of the site and that Mr. Burns is her guardian and attorney. He described Ms. Watkins as being desirous of living in the proposed health care facility. He explained the proposed design and testified that they will renovate the mansion which was built in 1860. He further testified that there are no 10-acre sites within the metropolitan area for use as an assisted living facility and that an attempt to use the property as an office has already failed.

Frederick Thompson, an engineer who did most of the site engineering, next testified that he prepared the site plan, entered as Petitioner's Exhibit No. 4. Through his testimony, 27 photographs (Petitioner's Exhibit No. 5A through 5AA) were also entered. He described the site plan in detail and all the surrounding areas. He answered all the requirements of Section

502, Baltimore County Zoning Regulations (BCZR), in the affirmative.

Peter Kurtze, an expert historian, next testified. He testified that he works for the Maryland Inventory of Historical Sites, a State function, and that he works for the National Register of Historic Places, a Federal function. He testified that the National Park Service lays out all the requirements for an historical category. It was his testimony that he has been on the site at least three times and that the property was eligible for the historical list and that all it needs to be included on this list is an inventory so designating it. He further testified that the historical report of March 1992 had been submitted and that this report was the equal of a formal listing.

On the second day, Petitioner presented Alexia Tomasetti, a qualified nursing home administrator. She testified that she would be a part owner in this facility and will manage the facility. She further testified that she is licensed in Maryland and with the Federal Government, and that she had previously owned two other nursing homes. She explained in great detail the aims and purposes of an assisted living facility, and further testified that those applicants who require registered nurse care are not allowed to participate. She testified at great length as to the need for this type of facility, and the affordability that it offers. She also testified that the proposal complies with all sections of 502.1.

Cassandra Gottlieb, a licensed architect, testified that she had prepared the exhibits showing the proposed life care facility.

She testified that she has designed housing for the elderly since 1986, and now has four additional projects on her drawing board. She presented a study showing that the shadows would have minimal effect on the neighboring homes. She further testified that this would have absolutely no detrimental effect on the residential neighborhood, and would not overcrowd the land.

The final witness for the Petitioner was Amy Johansen, Housing Development Coordinator, whose department is responsible for the promotion of housing for the elderly. She testified that there was a particular need in Baltimore County for assisted living facilities. This basically concluded Petitioner's case.

Protestants presented neighboring residents in opposition to the proposed building. John Moll of 14 N. Symington Avenue, June Moody of 12 N. Symington Avenue, Joe Pallozzi of 15 Briarwood Avenue, and Earl James of 10 N. Symington Avenue all testified in adamant opposition to the proposal. They all cited objections to the size of the building, the shadows that such a building would create, the possible interference with light and air, the possibility of increased run-off onto their properties, and the detrimental effect the proposal would have on the alley to the rear of their homes which gave them access to their garages. They especially noted that in its present condition the snow in the alley is the last snow in the entire area to thaw, and that the proposed building would worsen that situation and deny them entrance to their rear yards. The testimony of all of the above is a part of the record which will speak for itself, and this

encapsulation is in no way intended to fully cover their testimony.

The first matter to be considered by this Board is whether or not an assisted living facility is a permitted use on this site. Under BCZR Section 432, elderly housing facilities are permitted in all D.R. zones. Section 203.3B.1 states that a use permitted by special exception in an R.O. zone can be any use permitted by special exception and as limited in a D.R. 5.5 zone. Section 432.1A.2 states that continuing care facilities shall be permitted by special exception. R.O. zones, under Section 203.3B.1, allow the uses permitted by special exception in a D.R. 5.5 zone, and the elderly housing facility law states that continuing care facilities shall be permitted by special exception, and we therefore grant the special exception to allow the use of the property as an elderly housing facility.

In order to achieve the requested 60-bed facility, Petitioner is requesting an increase in zoning density from 5.5 per acre to 16 per acre, which this Board will deny for the following reasons. The proposed building is far too large, far out of scale and out of character with the neighborhood, and does not comply with all the special exception requirements of BCZR Section 502.1. Further, assuming that it is an historical building, it has to then fall into one of the following categories under Section 432.3A:

> Section 432.3A.1 states: The development involves an institutional site, where the existing institutional use will be continued on a portion of the site and an elderly housing facility will be developed on the remainder. If the development falls into this category, the Zoning Commissioner may grant a density increase that takes into account the density and use by the existing institution.

The present use of the property does not involve an institutional site (earlier defined in 432 for "the purposes of this section" as "convents, orphanages, schools, seminaries, officially designated historic buildings, hospital campuses, and churches on sites containing at least 10 acres"), nor an existing institutional use to which Petitioner proposes to add an assisted living facility on the remainder. Therefore, they have failed in this category.

> Section 432.3A.2 states: The development involves property where no existing institutional use will be continued. If the development falls into this category, adaptive reuse of existing institutional or historic buildings is encouraged. The Zoning Commissioner may grant a density increase only if existing institutional or historic buildings are incorporated in the plat accompanying the petition or unless, for any such existing buildings that are not incorporated in the plat, the petitioner establishes that the buildings are unsuitable for adaptive reuse.

This site does not fall into this category because the proposed development involves property where there is no existing institutional use, and to qualify there has to be an existing institutional use that is being discontinued. This is not an institutional use, and it does not meet the spirit and intent of this section. Therefore we deny the request for an increase in zoning density from 5.5 to 16.

The Board also heard testimony as to whether or not an assisted living facility can exist on less than 10 acres. Section 432 of the BCZR is silent as to minimum lot size. We find as a matter of law that there is no minimum 10-acre requirement. Development of existing institutional uses as defined by Section 432.3 on at least 10 acres is encouraged, but that does not exclude

development of assisted living facilities on non-institutional and non-historic properties of less than 10 acres. We therefore conclude that this Board need not rule on the issue of 1.4 acres versus 10 acres pursuant to Section 432.

Regarding whether this is or is not an historic site, the Board will not rule on this issue because, even if it is to be considered as an historical site, it still does not qualify under Section 432.3A.1 and 432.3A.2.

In consideration of all of the above, the Board will grant the special exception for the use of the property as an assisted living facility, subject to the existing density restriction of 30 beds; and the variance to permit the requested identification sign will also be granted. From the above-described testimony and evidence submitted, the Board will find as a fact that the special exception for the use of the site as an assisted living facility should be granted, that the variance to permit the identification sign should be granted, and that the increase in zoning density should be denied, and will so order.

O R D E R

IT IS THEREFORE this 2nd day of July, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Exception to use the herein described property for an assisted living facility be and is hereby GRANTED; and it is further

ORDERED that the Petition for Variance from Section 203.3.C.1 to permit the requested property identification sign be and is

hereby GRANTED; and it is further

ORDERED that the requested increase in zoning density from 5.5 dwellings per acre to 16 density units per acre be and is hereby DENIED; and it is further

ORDERED that the plat and plan of the subject site offered into evidence in these proceedings as Petitioner's Exhibit No. 4 be and is hereby DENIED as proposed since it exceeds the density permitted by this Board's decision, and Petitioner shall not be prejudiced in filing a modified site plan consistent with the decision of the Board herein.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

Judson H. Lipowitz

Harry E. Buchheister, Jr.

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

NOTES:

1) ZONING:
   EXISTING- RO & D.R.-5.5
   PROPOSED- N/A
2) LOT AREA: SEE #23
3) EXISTING USE: VACANT DWELLINGS
4) PROPOSED USE: ELDERLY HOUSING FACILITY (GROUP HOME)
5) BUILDING AREA: SEE # 41

6) BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	20'
REAR-	30'	64'
STREET CORNER SIDE-	---	20' (FROM INTERIOR ALLEY)

7) PARKING: SEE # 27
   REQUIRED- 37 SPACES
   PROVIDED- 38 SPACES
8) UTILITIES:
   SEWER- PUBLIC
   WATER- PUBLIC
9) VARIANCES:
   - SECTION 1B1.B.2.b OF THE LANDSCAPE MANUAL TO PERMIT A 4' HIGH FENCE IN A RESIDENTIAL ZONE
   - SECTION 422.B TO EXCEED THE MAXIMUM AREA OF A SIGN (PROPERTY IDENTIFICATION)
   - SECTION 400.3(A)(4) TO PERMIT A BUILDING SETBACK FROM THE FRONT LINE NOT TO EXCEED THE AVERAGE
   - SECTION 203.2.(C)(1) TO ALLOW PROPERTY IDENTIFICATION SIGN TO BE LOCATED IN THE MAXIMUM SETBACK AREA
10) SPECIAL EXCEPTION/CONDITIONAL USE:
   - SECTION 424.3.A.(1) TO ALLOW ASSISTED LIVING FACILITY
   - SECTION 430.3.A.(1) TO ALLOW DENSITY (GROSS AREA) FROM 5.5 DU/A AS OF RIGHT TO 16 DU/ACRE
(ON SPECIAL HEARING):
   - TO AMEND THE ORIGINAL ZONING PLAN AND ORDER TO ALLOW THE PROPOSED ELDERLY HOUSING FACILITY AS AMENDED.
   - TO AMEND THE ORIGINAL ZONING PLAN AND ORDER TO ALLOW THE PROPOSED ACCESS FOR FIRE APPARATUS EASEMENT AND THE SETBACK VARIANCE AS SHOWN ON THE DEVELOPMENT PLAN.

11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4059
14) Watershed: 25
15) Subwatershed: 71
16) Deed Reference: 7335/759
17) Property Account No.: 0119580230
18) Tax Map #24, Grid 5, Parcel 149
19) Building Coverage: EXIST. 4.4% PROPOSED 15% (PARKING AREA)
20) Floor Area: 46,928 # SEE NOTE 41
21) Floor Area Ratio (F.A.R.): 1.0-A
   Max F.A.R. Permitted:
   F.A.R. Proposed:
22) Height of Building
   Permitted: 60' MAX
   Proposed: SEE 2
23) Lot Size Tabulations:

	NET AREA	GROSS AREA
RO ZONED AREA	53,955# (1.24 AC)	59,425# (1.36 AC)
DR-5.5 ZONED AREA	6,275# (.14 AC)	6,795# (.16 AC)
TOTAL AREA	60,230# (1.38 AC)	66,220# (1.52 AC)

24) No. of Employees: 6 (MAX. NO. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A

27) Parking Tabulations:
REQUIRED: 1 SPACE/2 BEDS (SEE 409.6.A.(1)) =
74 ÷ 2 = 37 SPACES
PROVIDED: 38 SPACES

28) Average Daily Trips (ADT'S):
- 74 BEDS PROPOSED
2.6 / BED = 192.4 TRIPS

29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.

30) No wetlands, critical areas, archeological sites, or endangered species habitats on site.

31) This site does not contain hazardous materials to the best of our knowledge.

32) Well and Septic note:
* any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
* any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.

33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of B.E.P.R.M. prior to grading. A permit is required for removal.

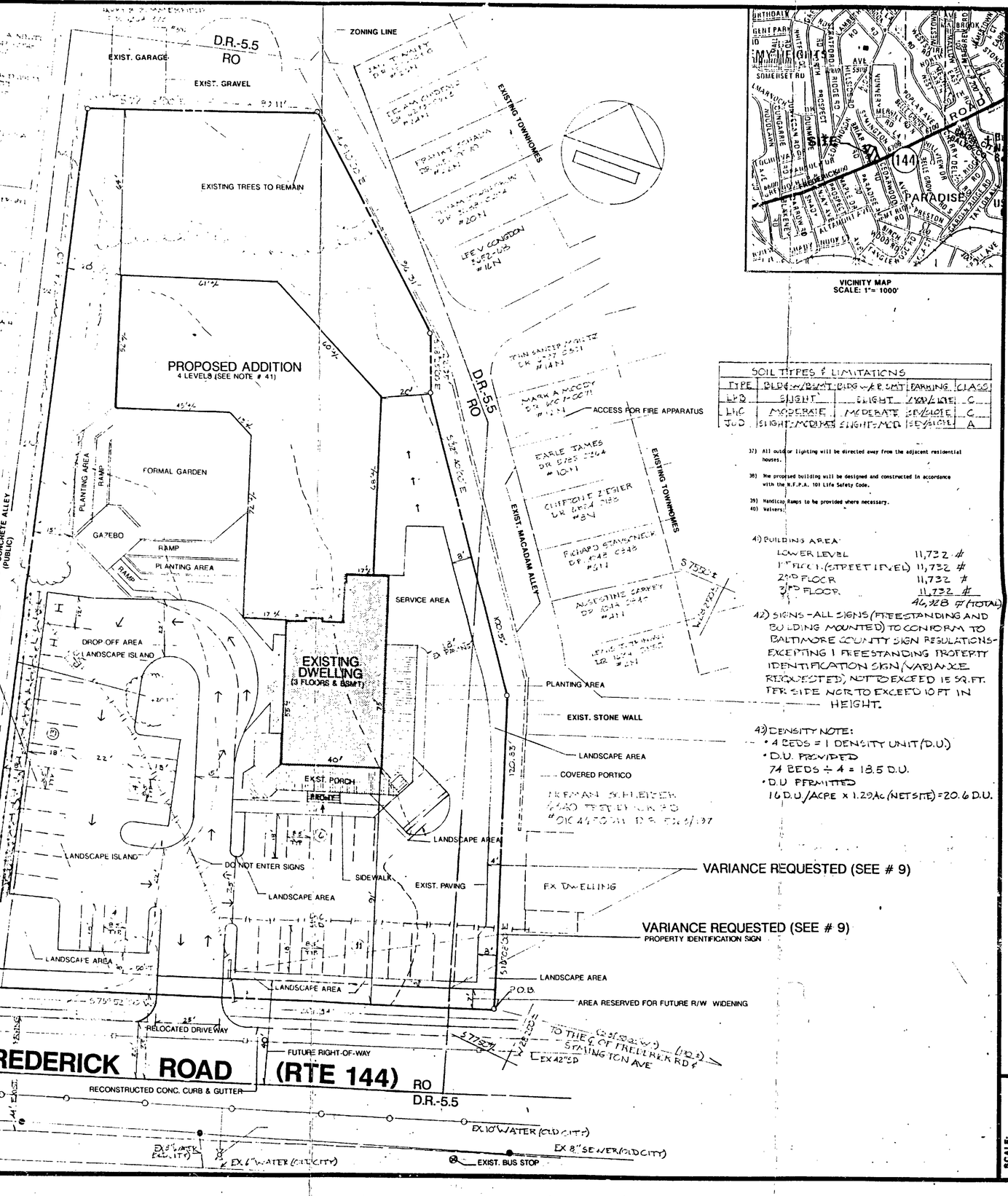
34) Landscaping/Buffers:
LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED

35) Amenity open Space: N/A
   Required:
   Proposed:

36) Stormwater Management:
STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION



VICINITY MAP
SCALE: 1"= 1000'

SOIL TYPES & LIMITATIONS				
TYPE	BLDG W/BSMT	BLDG W/O BSMT	PARKING	CLASS
LFB	SLIGHT	SLIGHT	SEVERE	C
LHC	MODERATE	MODERATE	SEVERE	C
JUD	SLIGHT-MOD	SLIGHT-MOD	SEVERE	A

37) All outdoor lighting will be directed away from the adjacent residential houses.

38) The proposed building will be designed and constructed in accordance with the N.F.P.A. 101 Life Safety Code.

39) Handicap Ramps to be provided where necessary.

40) Waivers:

41) BUILDING AREA:

LOWER LEVEL	11,732 #
1ST FLOOR (STREET LEVEL)	11,732 #
2ND FLOOR	11,732 #
3RD FLOOR	11,732 #
	46,928 # (TOTAL)

42) SIGNS - ALL SIGNS (FREESTANDING AND BUILDING MOUNTED) TO CONFORM TO BALTIMORE COUNTY SIGN REGULATIONS- EXCEPTING 1 FREESTANDING PROPERTY IDENTIFICATION SIGN (VARIANCE REQUESTED), NOT TO EXCEED 15 SQ. FT. PER SIDE NOR TO EXCEED 10 FT IN HEIGHT.

43) DENSITY NOTE:
- 4 BEDS = 1 DENSITY UNIT (D.U.)
- D.U. PROVIDED
74 BEDS ÷ 4 = 18.5 D.U.
- D.U PERMITTED
16 D.U/ACRE x 1.29 Ac (NET SITE) = 20.6 D.U.

PREPARED BY:
WILLIAM P MONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 305
1500 YORK RD. LUTHERVILLE, MARYLAND
TOWSON, MARYLAND 21204
(301) 494-6931

APPLICANT:
VISTA DEVELOPMENT INC.
300 CATHEDRAL ST.
SUITE 200
BALTIMORE, MD 21201
(301)-752-1241

RECEIVED JAN 9 1990

90-282-SPHXA

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING- ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

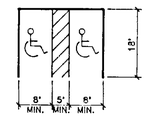
SCALE:	DRAWN BY:	DATE:	REVISED:
1"=20'	SFB	10-1-1989	1-3-1990

SOILS CHART

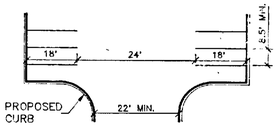
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LnB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

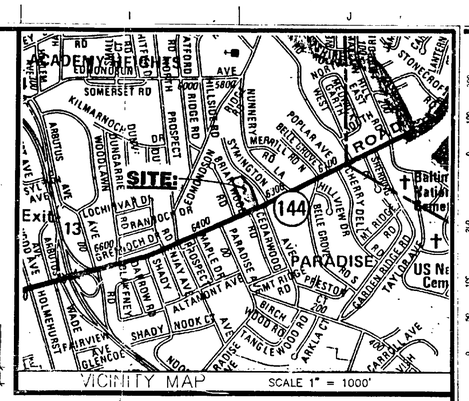
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES



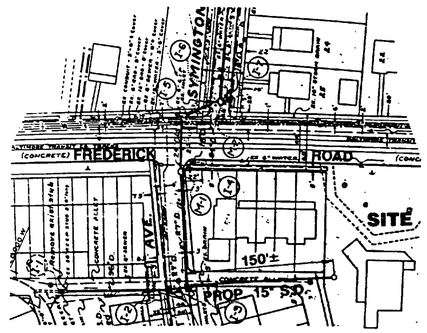


CAROL A. WENZEL DR 6471-0548 #27
LINDA MAERTEN DR 6479-89 #25
ROBERT L. & EDNA TAYLOR #23
LILLIAM M. KARNAN DR 6701-189 #21
STEPHEN & SUSAN CROOKS DR 6699-274 #19
TIMOTHY R. GUDE DR 8050-60 #17
MARV F. PETERSON #15
MARGARET DITCH DR 7184-578 #13
JAMES E. FURLETI DR 8259-219 #11
JOSEPH C. DAVIS & ALBERT F. RITTER DR 6730-552 #9 LOT 52
MILDRED HOHMANN DR 6605-127 #7
LORRAINE E. RICHARDSON DR 8681-627 #5 LOT 54
PHILLIP A. IMWOLD DR 7643-830 #3 LOT 55
CHARLES F. EISENBERGER DR 6749-835 #1 LOT 56
EXIST. GARAGE
HARRY B. SUMMERFIELD DR 1134-373 #6N
JAN THAMLEY DR 1036-0400 #26N
DELIAM GHIDFALD DR 6229-0623 #24N
FRANK J. SCHALM DR 1651-0070 #22N
WILLIAM J. WILLGRUB DR 3288-0294 #20N
JOHN SANDER MOLL IV DR 6997-01301 #14N
MARK A. MOODY DR 6007-0071 #12N
EARLE JAMES DR 5785-0364 #10N
CLIFTON E. ZEIGLER DR 6824-0188 #8N
RICHARD STARSONECK DR 7046-0848 #6N
AUGUSTINE CARKEY DR 5415-782 #4N
LENIS J. TRINGALI DR 1634-0550 #2N
NORMAN SCHREIBER DR 5923-0197 #0104650011 6340 FREDERICK ROAD
EXISTING DWELLING

DR-10.5 RO
N 72°18'00" E 318'
PASSIVE PARK AREA SELECTIVE CLEARING OF EX. VEGETATION
REAR SETBACK
30' SIDE SETBACK
35' SIDE SETBACK TO WINDOWS
30' SIDE SETBACK TO BUILDING
SCREEN FENCE
EMERGENCY GENERATOR
PROP. BOARD ON BOARD FENCE (LOCATED 6" OFF PROP. LINE)
EXISTING CONCRETE ALLEY
PROPOSED ROOF ELEV. 402±
PROPOSED ASSISTED LIVING FACILITY (3 FLOORS & PARTIAL BASEMENT)
FIN. FL. 370.0 BASEMENT 360.0
LOADING AREA
DUMPSTER
PROPOSED CURB (TYP)
PATIO
EXISTING BUILDING (3 FLOORS & BASEMENT) (VACANT)
HEIGHT = 45± EXISTING ROOF ELEV. 411±
PROPOSED COVERED WALKWAY
PROPOSED PARKING 30 SPACES INCLUDING 2 HANDICAP SPACES BITUMINOUS SURFACE
PROPOSED SIDEWALK
PROPOSED WATER
PROPOSED HYDRANT 207.34
EXISTING STONE WALL
EXISTING MACADAM ALLEY
BALTIMORE COUNTY GRID NORTH
EX. SS MH INV. 346.0
FOR CONTINUATION SEE STORM DRAIN OUTFALL DETAIL THIS SHEET
EX. SANITARY (#4727-47-501)
EX. BITUMINOUS ALLEY
EX. 10' UTILITY EASEMENT
EX. 42" S.D
EX. 15" S.D
EXISTING 4' SIDEWALK
14' EX. DRIVE
24' PROP. DRIVE
PROP. SINGLE FACE WALL MOUNTED SIGN
4' HIGH BRICK WALL w/2' SQ. PIERS
14' EX. DRIVE TO BE CLOSED
170'± TO THE ℄ OF FREDERICK RD. & SYMINGTON AVE.
EX. 10" WATER (OLD CITY)
EX. 8" SEWER (OLD CITY)
FUTURE 80' R/W
EX. 66' R/W
EX. 44' PAVING
FREDERICK ROAD (RTE. 144)
S 75°52'00" W
S 7550
W 26.250
N 75°52'00" E 220.83'

LANDSCAPE LEGEND
MAJOR DECIDUOUS
MINOR DECIDUOUS
EVERGREEN
SHRUBS

STORM DRAIN OUTFALL DETAIL

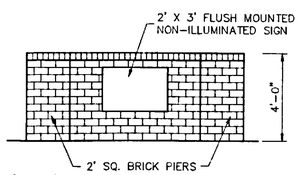


STORMWATER MANAGEMENT DATA

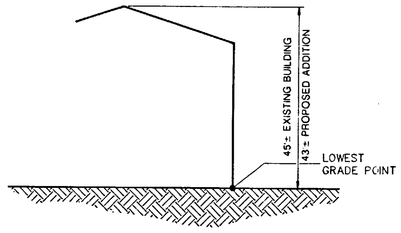
DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	3.1	6.0	9.1
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH 8800± CUBIC FEET OF STORAGE IN A LARGE PIPE.

WATER QUALITY REQUIREMENTS WILL BE MET THROUGH VEGETATED SWALES.



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

1. OWNER - APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7385/758
PROPERTY ACCOUNT NO.: 01/850023
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE: /

	NET AREA	GROSS AREA
RO ZONED	53,905 S.F. (1.24 AC.)	58,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,785 S.F. (0.06 AC.)
TOTAL AREA	56,180 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4006
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.36 AC. x 5.5 = 7.09
0.06 AC. x 10.5 = 0.63
8.22
ASSISTED LIVING x 4
TOTAL PERMITTED 32.88
DENSITY VARIANCE TO DR-18 BASED ON HISTORIC ALLOWANCE
1.43 AC. x 18 = 22.88
SPECIAL EXCEPTION FOR ASSISTED LIVING x 4
TOTAL PERMITTED w/HISTORIC ALLOWANCE 91.52
TOTAL PROVIDED: 60

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) - N/A

6. AMENITY OPEN SPACE (A.O.S.) - N/A

7. HEIGHT OF BUILDING:
PERMITTED: 60' MAXIMUM
PROPOSED: 41'
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 60 BEDS = 30 SPACES
PROVIDED: 30 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE: CRG PLAN NO.87390, PARADISE PROFESSIONAL CENTER, APPROVED MAY 25, 1988.

15. LANDSCAPE CALCULATIONS:
REQUIRED -
PARKING 1 UNIT/12.5 SPACES (30 SPACES) = 3 UNITS
INTERIOR 1 UNIT/20 L.F. (240 L.F.) = 12.0 UNITS
ROADS
FRONTAGE 1 UNIT/40 L.F. (201.34 L.F.) = 5 UNITS
SCREENING (B) 1 UNIT/15' PARKING (170') = 12 UNITS
TOTAL = 32 UNITS

PROPOSED -
CREDIT FOR EXISTING TREES = 26
TREES PROPOSED :

MAJOR DECIDUOUS	2 (MIN.)
MINOR DECIDUOUS	4 (MIN.)
EVERGREEN	18 (MIN.)
SHRUBS	19 (MIN.)
TOTAL UNITS	69

PURPOSE OF HEARING
1. REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X
2. DETERMINE THAT THE PROVISIONS OF SECTION 432 ARE APPLICABLE TO PERMIT AN ASSISTED LIVING FACILITY OF FOUR OR MORE BY SPECIAL EXCEPTION.
3. TO ALLOW AN ASSISTED LIVING FACILITY ON A LOT OF LESS THAN 10 ACRES IN AN RO ZONE.
4. TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY CAN BE INCREASED BY A FACTOR OF 2 "PERMITTED".
5. TO PERMIT A SIGN DETACHED FROM THE BUILDING.

ZONING HISTORY
75-36RX PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-18 AND SPECIAL EXCEPTION FOR OFFICE -- DENIED
88-455X SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING -- GRANTED 8-12-88
CBA 88124 SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING -- UPHELD BY BOARD OF APPEALS
90282SPHX PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED -- DENIED 7-3-90
PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 8 FEET -- DENIED 7-3-90
PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE -- DISMISSED 7-3-90
PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY TO INCREASE PERMITTED DENSITY FROM 5.5 TO 16 UNITS PER ACRE AND A WAIVER FROM RTA REQUIRMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE -- DISMISSED 7-3-90
PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-455X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE -- DISMISSED 7-3-90
91132SPH APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN C.E. 88-455X -- EXTENDED TO 2-1-92
91147 APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-28-92

revisions		
no.	date	comments

seal

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

REVISED HEARING PLAN TO ACCOMPANY SPECIAL EXCEPTION/ SPECIAL HEARING AND ZONING VARIANCE SCHEDULED ON FEB. 26, 1991.

PROPERTY ADDRESS 6348 FREDERICK RD.
90-282-SPHXA

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: Revised C-1
design: -	
checked:	
date: 2-10-92	sheet 1 of 1

LPJ 16491100
2-11-92

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 2, 1992

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, MD 21228

RE: Case No. 90-282-SPHXA /Vista Development
Case No. CBA-91-147 /Paradise Prof. Center

Dear Mr. Murphy:

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

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Vista Development, Inc.
Harold H. Burns, Jr., Esquire
Mr. William P. Monk
LPJ, Inc.
Mr. Joseph Pallozzi
Ms. June Moody
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of
Zoning Administration
Robert E. Covahey
David L. Thomas
Jose H. Escalante
Michael J. Moran, Associate County Attorney

Printed on Recycled Paper

9:17:92

RE: PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE N/S of Frederick Road., 170' W of C/L of Symington Avenue 1st Election District 1st Councilmanic District
VISTA DEVELOPMENT, INC., Appellant

: BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
: Case No. 90-282-SPHA

: : : : : : : : :

MEMORANDUM OF LAW

Vista Development, Inc., by its undersigned counsel, submits this Memorandum of Law in support of its Petition for a Special Exception to develop an elderly housing facility at the property known as 6348 Frederick Road in Catonsville, Maryland.

Section 432 of the Baltimore County Zoning Regulations, as applicable here, is not at all ambiguous or in any way difficult to understand. Paragraph B is, on its face, exhortatory, precisely the sort of the language one would expect to find in the preamble of an act of law. In it, the County Council notes its intention, by enactment of Section 432, to encourage the development of elderly housing facilities especially on "property containing existing institutional uses."

Then, paragraph B defines "existing institutional uses:"

> For purposes of this section, institutional uses shall be convents, orphanages, schools, seminaries, officially designated historic buildings, hospital campuses, and churches on sites containing at least 10 acres.

The word thus defined is "uses," an action word. By choosing the word "uses," the County Council plainly refers to property on which some sort of "institutional" activity is "existing."

Indeed, in Section 432.3, where the phrase "existing

institutional uses" appears again, the Council requires the Zoning Commissioner, "before granting a density increase hereunder," to determine first whether the subject property falls into category A.1. or A.2.

To fall within category A.1, the property must involve "an institutional site, **where the existing institutional use will be continued on a portion of the site and an elderly housing facility will be developed on the remainder.**" (emphasis added.)

To fall within category A.2., the property must involve "property **where no existing institutional use will be continued.**"

The difference is simple: To fall within category A.1., the property must have an institutional use existing on it **which use will be continued after** the elderly housing facility is developed "on the remainder" of the property. Given (1) that "institutional use" includes such substantial institutions as orphanages, seminaries, hospitals, and schools and (2) that the Zoning Commissioner is considering a petition to continue that institutional use and to permit an elderly housing facility on the remainder of the property, the County Council requires the site to be 10 acres in size.

Category A.2., however, applies to property on which "no **existing institutional use will be continued.**" Thus, the County Council understandably does not require the use of a 10-acre parcel on which to develop an elderly housing facility, but rather imposes other limiting criteria, all of which have been met in this case.

Not only is Section 432, therefore, entirely rational and unambiguous theoretically, it also makes perfect sense in the real world. As the evidence adduced before this Board by Appellant has demonstrated, there is no practical reason why an elderly housing facility requires a 10-acre parcel to function perfectly well.

WHEREFORE, Vista Development, Inc. urges the Board of Appeals of Baltimore County to grant a special exception so as to permit the development of an elderly housing facility on the property known as 6348 Frederick Road in Catonsville, Maryland.

Respectfully submitted,

John V. Murphy

John V. Murphy
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967

Counsel for Appellant
Vista Development, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of May, 1992, a copy of the foregoing Memorandum of Law was mailed, first-class, postage prepaid, to Phyllis Cole Friedman, Esquire, People's Counsel for Baltimore County, and Peter Max Zimmerman, Esquire Deputy People's Counsel, Room 304, County Office Building 111 W. Chesapeake Avenue, Towson, Maryland 21204.

John V. Murphy

ORDER RECEIVED FOR FILING
Date 7/1/92
By M. Brand

IN RE: PETITIONS FOR SPECIAL HEARING, EXCEPTION AND ZONING VARIANCE
N/S Frederick Road, 170 ft. W c/l Symington Avenue
6348 Frederick Road
1st Election District
1st Councilmanic District
Vista Development, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE # 90-282-SPHXA

****

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, pursuant to the Petition for Special Hearing, requests the removal of the special exception granted in case No. 88-455-X and a determination that the provisions of Section 432 would be applicable to an assisted living facility less than 10 acres in an R.O. zone; a determination that the subject structure is of historical significance, pursuant to Section 432.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.); and, pursuant to the Petition for Special Exception, permission to use the herein described property for an assisted living facility, pursuant to Section 203.3.B.1 and Section 432.1.A.2; and permission to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 16 density units per acre; pursuant to Section 432.3.A.2 and a waiver from the RTA requirements regarding the one parking space in the D.R. 10.5 zoned portion of the site, pursuant to Section 432.4; and pursuant to the Petition for Zoning Variance from Section 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres; a variance from Section 203.C.1 to permit a property identification sign adjacent to a residential use; a variance from Section 409.8.A(4) to permit parking spaces 3 feet from the street property line (ultimate reservation line) in lieu of the required 10 feet; and a variance from Section IX.B.2. of the Baltimore County Landscape Manual to permit parking spaces 4 feet from an abutting residential zone

ORDER RECEIVED FOR FILING
Date 7/1/92
By M. Brand

line in lieu of the required 8 feet, as more particularly described on Petitioner's Exhibit No. 5.

The Petitioner, Vista Development, Inc., was represented by Harold Burns, Jr., Esquire. Appearing and testifying on behalf of the Petitioner was William Monk, Land Planner and Zoning Consultant, Pat Turner, Project Manager, Peter Kurtz, Architectural Historian, Elizabeth Coberina, President of Concord Health Care, Brian Kelly, Architect, James Patton, Civil Engineer and Eileen Brown. Appearing on behalf of Department of Planning and Zoning was Pat Keller. Appearing on behalf of Peoples Counsel was Phyllis Friedman. Appearing as Protestants were Leland Northrop, Marguerite Schaum, John Moll, Cynthia Moll, Kathleen M. James, Joseph J. Pallozzi, Tim Mills and June Moody.

Testimony indicated that the subject property known as 6348 Frederick Road, consists of 1.42 acres +/-, split zoned R.O. & D.R.10.5 and is improved with a three (3) story vacant dwelling, as indicated on Petitioner's Exhibit No. 22.

Testimony and evidence indicated that the Petitioner is desirous of constructing the subject elderly housing facility by renovating the existing 3 story structure currently on the site and adding the 3 story addition indicated on Petitioner's Exhibits Nos. 22 and 30.

Testimony and evidence indicated that the proposed facility will have a total of 42,230 square feet +/- of total floor area and be 55 feet in height (see Petitioner's Exhibit No. 30). Driveway access to the facility will be from Frederick Road with 37 parking spaces.

Mr. William Monk testified at length regarding the zoning history of the subject property, the proposed use and the surrounding community. Mr. Monk testified regarding the proposed landscaping which will include, but

ORDER RECEIVED FOR FILING
Date 7/1/92
By M. Brand

not be limited to, the retention of many of the existing trees currently on the site. Mr. Monk specifically addressed the requirements of Section 502.1 of the B.C.Z.R. and indicated that, in his opinion, the subject use meets the spirit and intent of said section. Mr. Monk also testified that, in his opinion, the subject use meets the R.T.A. requirements of B.C.Z.R.

Mr. Peter Kurtz, an Architectural Historian, testified that, although the existing structure is not currently on the Maryland Historic Building Register, in his opinion, it has significant historical value and would qualify to be placed on said register. He testified that he has reviewed the plans for the subject addition and is of the opinion that the addition will be compatible with the original structure.

Mrs. Elizabeth Coberina, President of Concorde Health Care, testified that her company will assume management of the proposed facility should the requested relief be granted. Mrs. Coberina's testimony particularly emphasized Petitioner's desire to provide 74 beds at the proposed facility. She testified that, in her opinion, the subject facility would not be economically feasible with less beds, and that her company will not participate in the project unless the minimum required beds are provided.

Testimony further indicated that the Petitioner is projecting a 5% profit margin based on the proposed 74 beds.

Mr. Brian Kelly, the Project Architect, testified at length regarding the compatibility between the existing structure and the proposed structure and the shadow study indicated on Petitioner's Exhibits 35 and 41. Mr. Kelly testified that, in his opinion, there is no day of the year that the neighboring residential properties would be completely blocked from sunlight by the proposed facility.

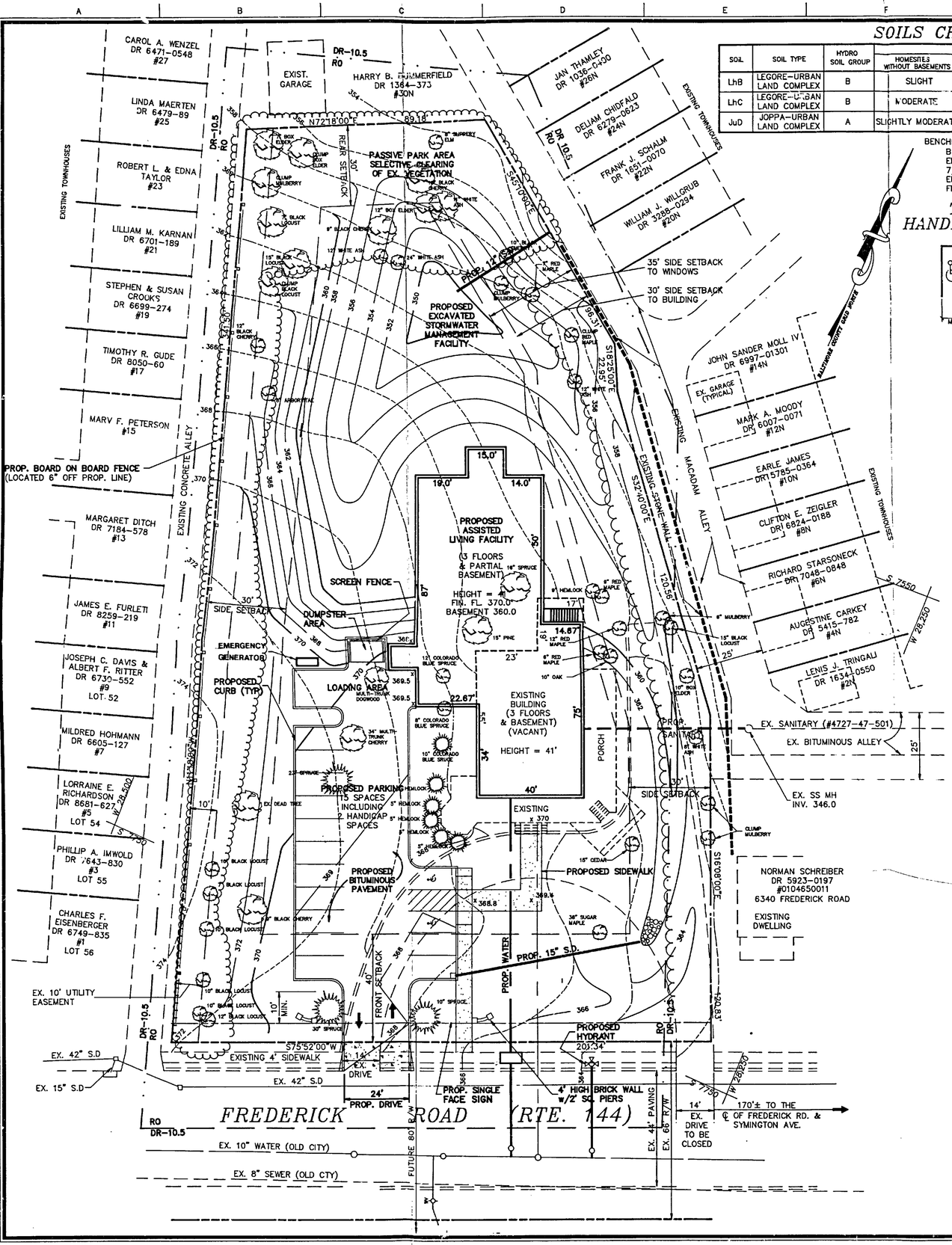
ORDER RECEIVED FOR FILING
Date 7/1/92
By M. Brand

Mr. James Patton, a Civil Engineer, testified regarding the proposed storm water management system. Mr. Patton indicated that, in his opinion, both the storm water management system and the sanitary sewer line would adequately service the proposed facility and that the Petitioner's proposal complies with the requirements of Section 502.1 of the B.C.Z.R.

Phyllis Friedman, Esquire, attorney for Peoples Counsel of Baltimore County, argued that the Petitioner's proposal is clearly an overdevelopment of the subject site and will significantly restrict light and air currently reaching the surrounding community.

Mrs. June Moody, Mr. Leland Northrup, Mr. and Mrs. John Moll, Mr. Joseph Pallozzi and Mrs. Kathleen James, Protestants, concurred in their testimony that, in their opinion, the subject facility is too large for the site and not compatible with the surrounding residential community. They indicated they were concerned that their gardens, particularly the ones along the flagstone wall on the Symington Avenue side of the property will be detrimentally impacted by the lack of sunshine which will be blocked by the proposed addition. The Protestants also voiced concern regarding the ability of the existing sanitary sewer to accommodate the proposed facility, and all concurred that, in their opinion, the Petitioner's proposal will have a negative impact upon the community. The Protestants were in general agreement that they were not opposed to the proposed use of the subject site (housing for the elderly), but were opposed to the size of the facility proposed for this site.

The Zoning Commissioner is well aware of the need for quality and affordable housing for the elderly in Baltimore County. Based upon the evidence and testimony presented during the 3 days of hearing on this matter, it is clear that the proposed facility would be a first class opera-

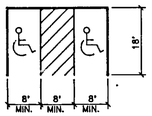


SOILS CHART

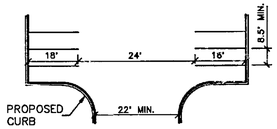
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

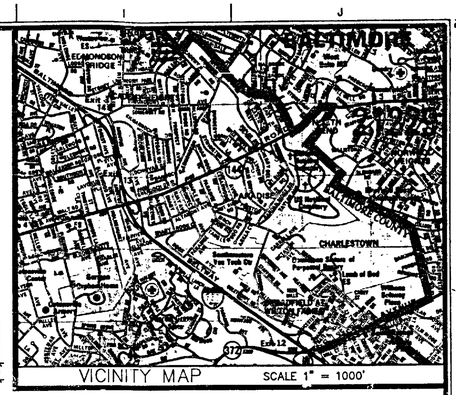
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





1. OWNER — APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7369/758
PROPERTY ACCOUNT NO.: 01/958023
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,905 S.F. (1.24 AC.)	59,435 S.F. (1.36 AC.)
DR-10.5 ZONED	3,275 S.F. (0.08 AC.)	3,785 S.F. (0.08 AC.)
TOTAL AREA	56,180 S.F. (1.28 AC.)	63,210 S.F. (1.45 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4008
WATERSHED: 28
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.36 AC. x 5.5 = 7.70
ASSISTED LIVING x 4 = 7.70
TOTAL PERMITTED 30.8

TOTAL PROVIDED: 30

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) — N/A

6. AMENITY OPEN SPACE (A.O.S.) — N/A

7. HEIGHT OF BUILDING:
PERMITTED: 60' MAXIMUM
PROPOSED: 41'
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 15 BEDS = 15 SPACES
PROVIDED: 15 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 8 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

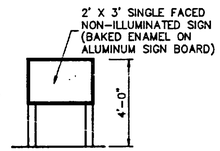
13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE: CRG PLAN NO.87380, PARADISE PROFESSIONAL CENTER, APPROVED MAY 20, 1988.

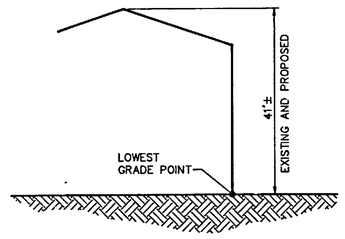
PURPOSE OF HEARING
1. RESCIND THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X
2. DETERMINE THAT THE PROVISIONS OF SECTION 432 ARE APPLICABLE TO PERMIT AN ASSISTED LIVING FACILITY OF FOUR OR MORE BY SPECIAL EXCEPTION.
3. TO ALLOW AN ASSISTED LIVING FACILITY ON A LOT OF LESS THAN 10 ACRES IN AN RO ZONE.
4. TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY CAN BE INCREASED BY A FACTOR OF 2 "PERMITTED".
5. TO PERMIT A SIGN DETACHED FROM THE BUILDING.

ZONING HISTORY

75-365X	PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE — DENIED
88-455X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING — GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING — UPHELD BY BOARD OF APPEALS
90282SPHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED — DENIED 7-3-90
	— FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 STATES THAT SECTION 432 OF THE B.C.Z.R. DOES NOT SPECIFY A MINIMUM LOT SIZE, THEREFORE, NO RULING IS REQUIRED ON THIS ISSUE.
	PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 8 FEET — DENIED 7-3-90
	PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE — DISMISSED 7-3-90
	— FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED THE VARIANCE TO PERMIT THE REQUESTED IDENTIFICATION SIGN.
	PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY; TO INCREASE PERMITTED DENSITY FROM 5.5 TO 18 UNITS PER ACRE AND A WAIVER FROM RTA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE — DISMISSED 7-3-90
	— FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED SPECIAL EXCEPTION TO PERMIT AN ASSISTED LIVING FACILITY IN AN R.O. ZONE SUBJECT TO THE EXISTING DENSITY RESTRICTION OF 30 BEDS.
	PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-455X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE — DISMISSED 7-3-90
91132SPH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-455X — EXTENDED TO 3-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-28-92 — REMOVED AS PART OF FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92.



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	2.8	5.9	9.3
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH AN EXCAVATED STORMWATER MANAGEMENT DETENTION FACILITY. WATER QUALITY REQUIREMENTS WILL BE MEET THROUGH VEGETATED SWALES.

As in accordance with Board of Appeals Order 90-282-SPHXA

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY. WCR
DATE 8-4-92

REVISED
90-282-SPHXA
8/3/92

revisions		
no.	date	comments

seal

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

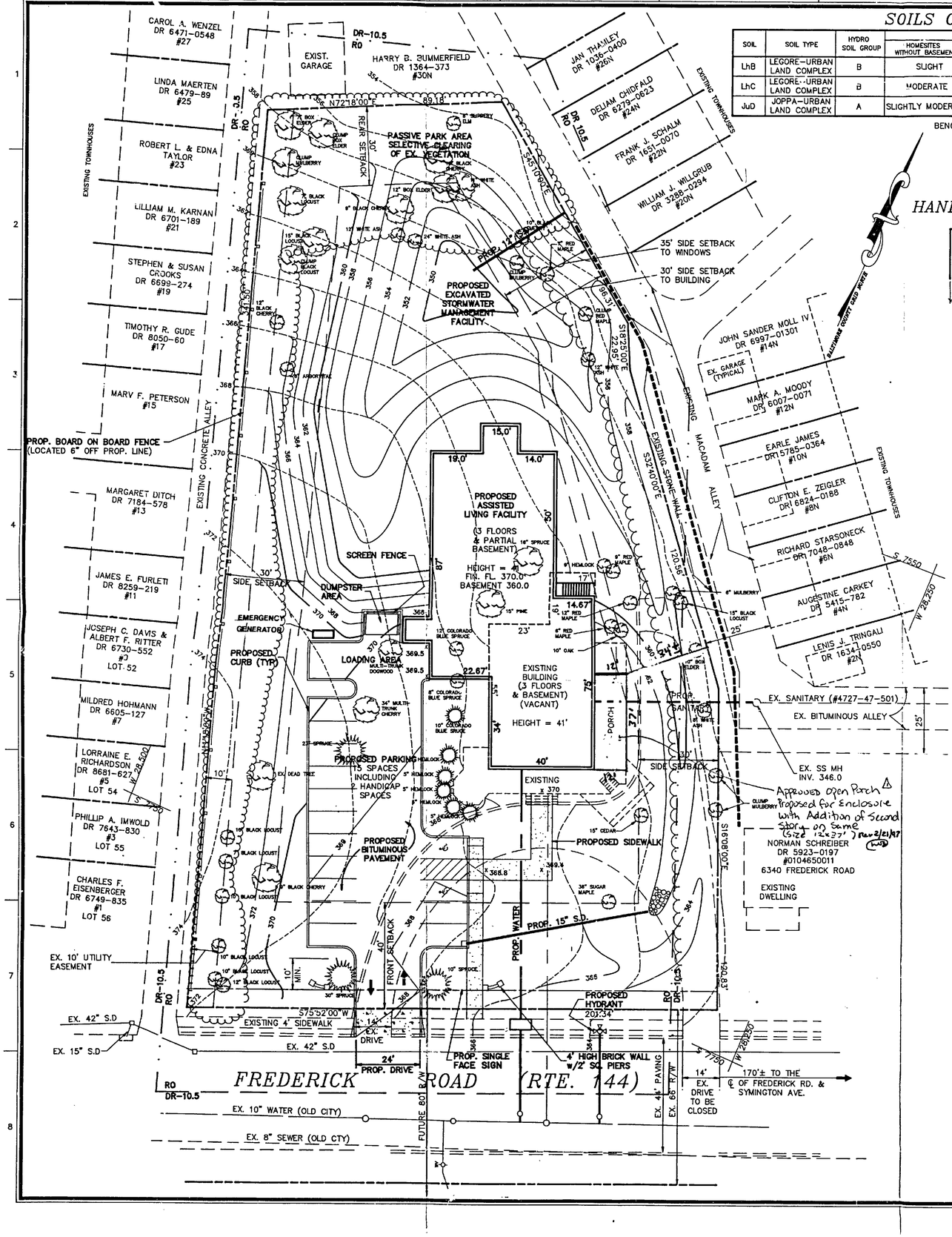
SECOND MODIFIED HEARING PLAN TO ACCOMPANY SPECIAL EXCEPTION/ SPECIAL HEARING AND ZONING VARIANCE DECISION DATED JULY 2, 1992

PROPERTY ADDRESS 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91184
drawn: LC	drawing no.: C-1
design: —	
checked:	
date: 7-25-92	sheet of

LPJ file no.: 16491130

plot date: 7-29-92

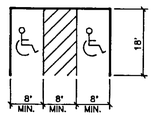


SOILS CHART

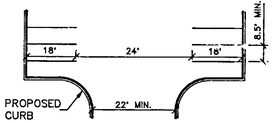
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE–URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE–URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA–URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

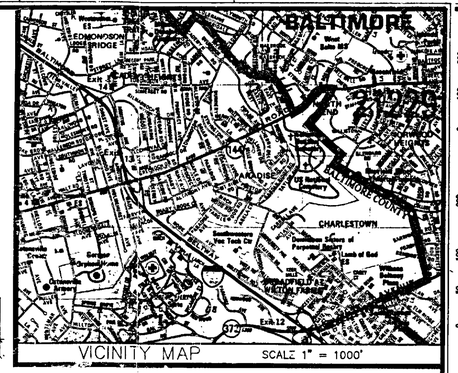
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





VICINITY MAP SCALE 1" = 1000'

1. OWNER – APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7395/759
PROPERTY ACCOUNT NO.: 01/868023
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,905 S.F. (1.24 AC.)	59,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,785 S.F. (0.06 AC.)
TOTAL AREA	56,180 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4006
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.38 AC. x 5.5 = 7.70
7.70
ASSISTED LIVING x 4
TOTAL PERMITTED 30.8

TOTAL PROVIDED: 30

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) – N/A

6. AMENITY OPEN SPACE (A.O.S.) – N/A

7. HEIGHT OF BUILDING:
PERMITTED: 60' MAXIMUM
PROPOSED: 41'
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 15 BEDS = 15 SPACES
PROVIDED: 15 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 6 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE: CRG PLAN NO.87380, PARADISE PROFESSIONAL CENTER, APPROVED MAY 20, 1988.

PURPOSE OF HEARING
1. REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE 88-455X
2. DETERMINE THAT THE PROVISIONS OF SECTION 432 ARE APPLICABLE TO PERMIT AN ASSISTED LIVING FACILITY OF FOUR OR MORE BY SPECIAL EXCEPTION.
3. TO ALLOW AN ASSISTED LIVING FACILITY ON A LOT OF LESS THAN 10 ACRES IN AN RO ZONE.
4. TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY CAN BE INCREASED BY A FACTOR OF 2 "PERMITTED".
5. TO PERMIT A SIGN DETACHED FROM THE BUILDING.

ZONING HISTORY

75-360X PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE
— DENIED

88-455X SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING
— GRANTED 8-12-88

CBA 88124 SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING
— UPHELD BY BOARD OF APPEALS

90282SPHX PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED
— DENIED 7-3-90

— FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 STATES THAT SECTION 432 OF THE B.C.Z.R. DOES NOT SPECIFY A MINIMUM LOT SIZE, THEREFORE, NO RULING IS REQUIRED ON THIS ISSUE.

PETITION FOR VARIANCE TO PERMIT PARKING 6 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 8 FEET
— DENIED 7-3-90

PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE
— DISMISSED 7-3-90

— FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED THE VARIANCE TO PERMIT THE REQUESTED IDENTIFICATION SIGN.

PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY; TO INCREASE PERMITTED DENSITY FROM 5.5 TO 16 UNITS PER ACRE AND A WAIVER FROM RTA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE
— DISMISSED 7-3-90

— FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED SPECIAL EXCEPTION TO PERMIT AN ASSISTED LIVING FACILITY AS A R.O. ZONE SUBJECT TO THE EXISTING DENSITY RESTRICTION OF 30 BEDS.

PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-455X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE
— DISMISSED 7-3-90

91132SPH APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-455X
— EXTENDED TO 2-1-92

91147 APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-28-92
— REMOVED AS PART OF FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92.

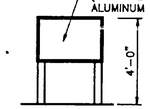
PLAN TO Accompany Spirit & Intent Review △

AS IN ACCORDANCE WITH BOARD OF APPEALS ORDER 90-282-SPHXA

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: MKR
DATE: 8-4-92

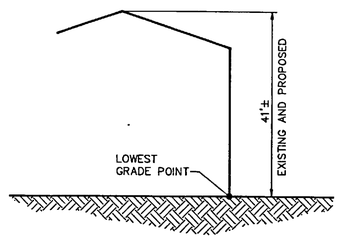
REVISED
90-282-SPHXA
8/3/92

2' X 3' SINGLE FACED NON-ILLUMINATED SIGN (BAKED ENAMEL ON ALUMINUM SIGN BOARD)



SIGN DETAIL
NOT TO SCALE

THIS APPVL FOR SPIRIT AND INTENT. SEE LTR. DATED 2/12/97
△ REVISED 2/21/97
PLANS APPROVED
DEPT OF PERMITS & DEV. MGNT.
BY: [signature]
DATE 2/21/97



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING -	2.0	4.5	7.4
POST DEVELOPMENT	2.8	5.9	9.3
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH AN EXCAVATED STORMWATER MANAGEMENT DETENTION FACILITY. WATER QUALITY REQUIREMENTS WILL BE MEET THROUGH VEGETATED SWALES.

revisions		
no.	date	comments
△	2/19/97	Spirit & Intent Rev. per Carlene Thompson
		* Rev 2/21/97 (MJP)

1 inch = 200 ft. / 100 ft. / 60 ft. / 50 ft. / 40 ft. / 30 ft. / 20 ft. / 10 ft.

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

SECOND MODIFIED HEARING PLAN TO ACCOMPANY SPECIAL EXCEPTION/ SPECIAL HEARING AND ZONING VARIANCE DECISION DATED JULY 2, 1992

PROPERTY ADDRESS 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: C-1
design: —	
checked:	
date: 7-25-92	sheet of

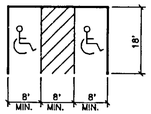
LPJ file no.: 16491130
plot date: 7-29-92

SOILS CHART

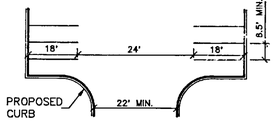
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE–URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE–URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA–URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

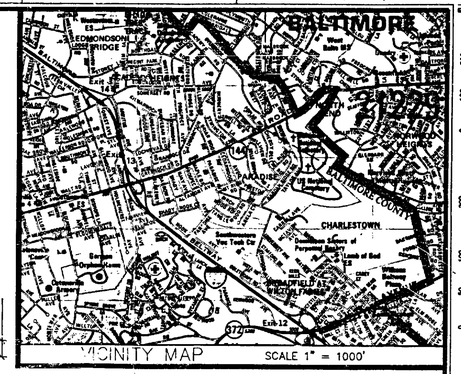
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.554
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





VICINITY MAP SCALE 1" = 1000'

1. OWNER – APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7395/758
PROPERTY ACCOUNT NO.: 01/858023
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,905 S.F. (1.24 AC.)	59,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,785 S.F. (0.06 AC.)
TOTAL AREA	56,180 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4008
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.38 AC. x 5.5 = 7.70
ASSISTED LIVING x 4/4 = 7.70
TOTAL PERMITTED 30.8

TOTAL PROVIDED: 30

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) – N/A

6. AMENITY OPEN SPACE (A.O.S.) – N/A

7. HEIGHT OF BUILDING:
PERMITTED: 60' MAXIMUM
PROPOSED: 41'
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 15 BEDS = 15 SPACES
PROVIDED: 15 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE:
CRG PLAN NO.87-345, PARADISE PROFESSIONAL CENTER, APPROVED MAY 20, 1988.

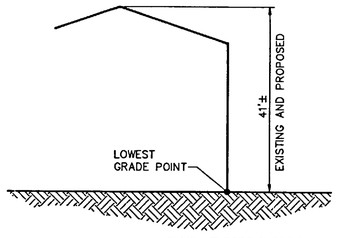
PURPOSE OF HEARING
1. REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X
2. DETERMINE THAT THE PROVISIONS OF SECTION 432 ARE APPLICABLE TO PERMIT AN ASSISTED LIVING FACILITY OF FOUR OR MORE BY SPECIAL EXCEPTION.
3. TO ALLOW AN ASSISTED LIVING FACILITY ON A LOT OF LESS THAN 10 ACRES IN AN RO ZONE
4. TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY CAN BE INCREASED BY A FACTOR OF 2 "PERMITTED".
5. TO PERMIT A SIGN DETACHED FROM THE BUILDING.

ZONING HISTORY

75-369X	PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE — DENIED
88-455X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING — GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING — UPHELD BY BOARD OF APPEALS
90282SPHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED — DENIED 7-3-90 — FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 STATES THAT SECTION 432 OF THE B.C.Z.R. DOES NOT SPECIFY A MINIMUM LOT SIZE, THEREFORE, NO RULING IS REQUIRED ON THIS ISSUE. PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 8 FEET — DENIED 7-3-90 PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE — DISMISSED 7-3-90 — FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED THE VARIANCE TO PERMIT THE REQUESTED IDENTIFICATION SIGN. PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, TO INCREASE PERMITTED DENSITY FROM 5.5 TO 16 UNITS PER ACRE AND A WAIVER FROM RTA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE — DISMISSED 7-3-90 — FINAL ORDER AND OPINION ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92 APPROVED SPECIAL EXCEPTION TO PERMIT AN ASSISTED LIVING FACILITY IN AN R.O. ZONE SUBJECT TO THE EXISTING DENSITY RESTRICTION OF 30 BEDS. PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-455X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE — DISMISSED 7-3-90
91132SPH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-455X — EXTENDED TO 2-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-28-92 — REMOVED AS PART OF FINAL OPINION AND ORDER ISSUED BY COUNTY BOARD OF APPEALS DATED 7-2-92.

SIGN DETAIL
NOT TO SCALE

SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE



STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	2.8	5.9	9.3
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH AN EXCAVATED STORMWATER MANAGEMENT DETENTION FACILITY. WATER QUALITY REQUIREMENTS WILL BE MEET THROUGH VEGETATED SWALES.

REVISED
90-282-SPHXA
8/3/92

revisions		
no.	date	comments

zeal

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING

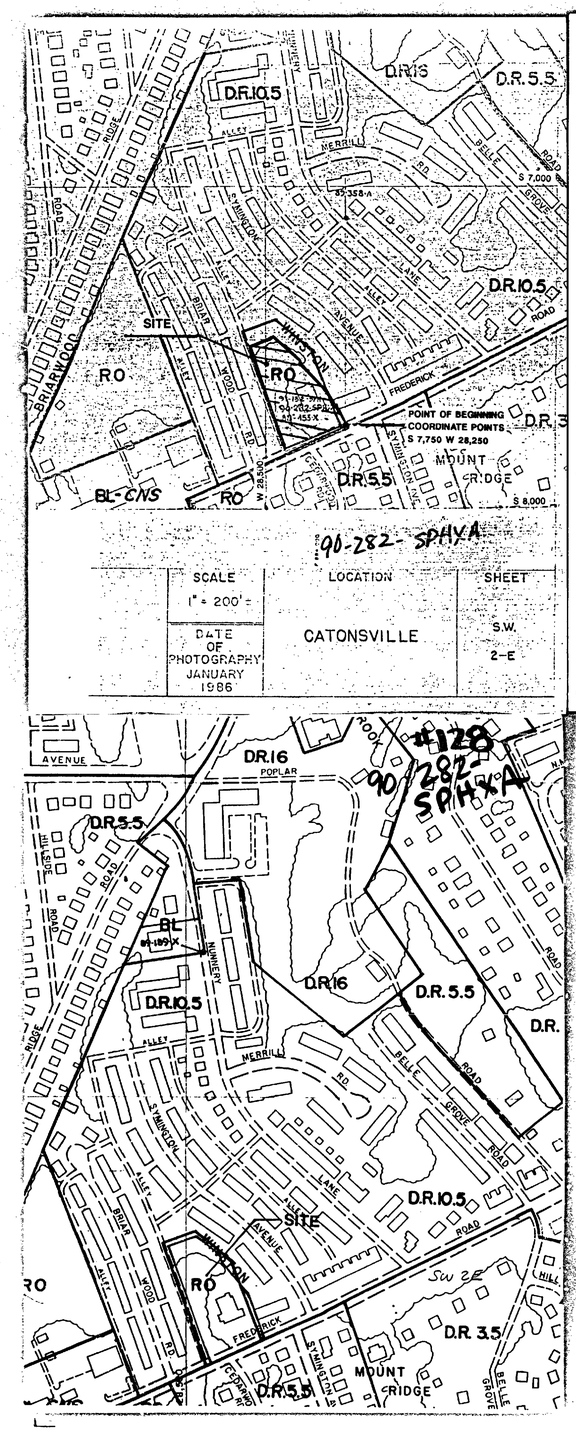
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

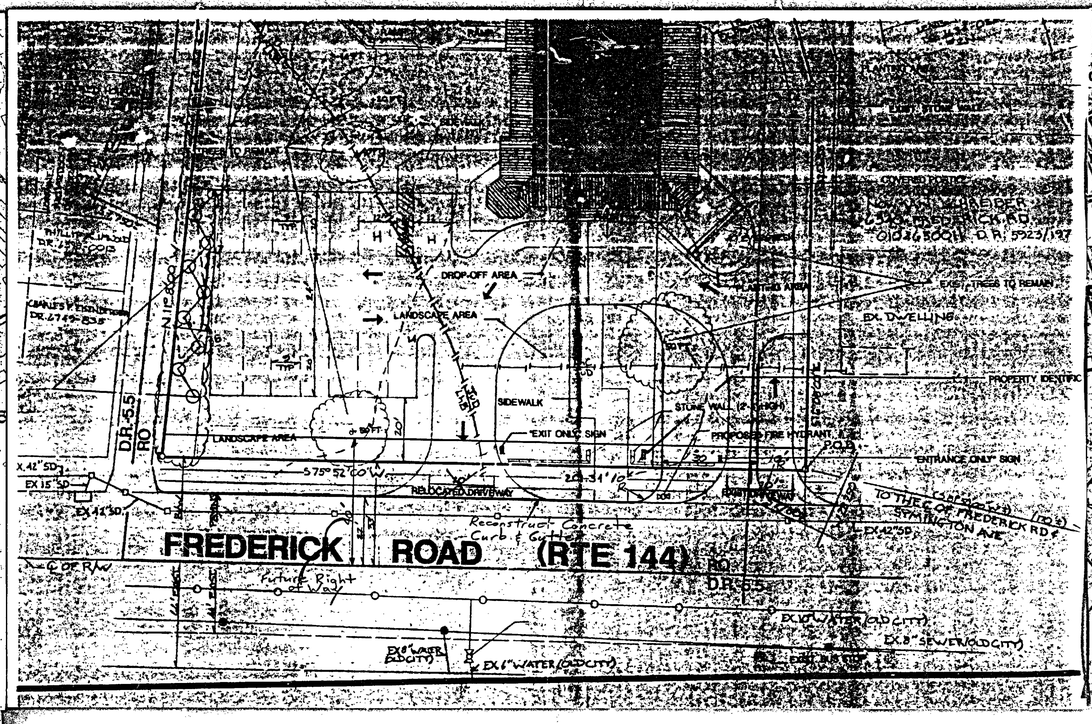
SECOND MODIFIED HEARING PLAN TO ACCOMPANY SPECIAL EXCEPTION/ SPECIAL HEARING AND ZONING VARIANCE DECISION DATED JULY 2, 1992

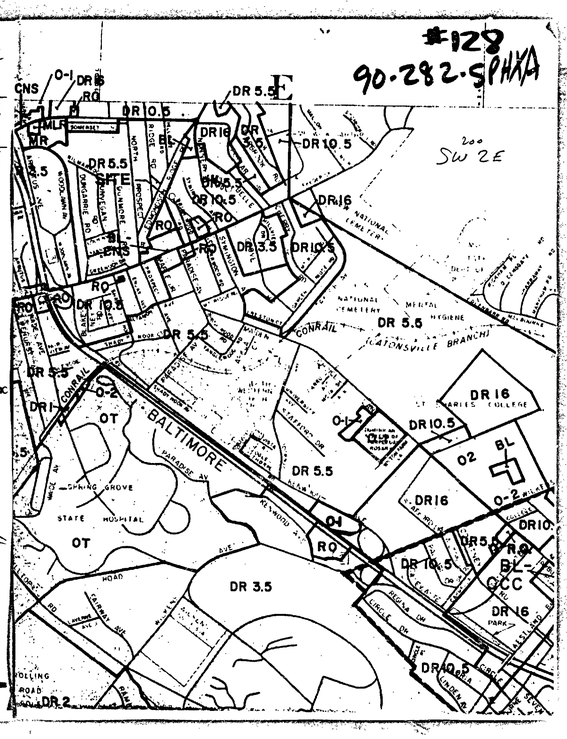
PROPERTY ADDRESS
6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: C-1
design: —	
checked:	
date: 7-25-92	sheet of

LPJ file no.: 16491130
plot date: 7-29-92


D.R.10.5
D.R.16
D.R.5.5
SITE
WHITTINGTON
AVENUE
FREDERICK
ROAD
BRIARWOOD
RIDGE
ALLEY
R.O
D.R.3
MOUNT
ROAD
BL-CNS
D.R.5.5
S 8,000
90-282-SPHXA
SCALE
1" = 200'
LOCATION
CATONSVILLE
SHEET
S.W.
2-E
DATE OF PHOTOGRAPHY
JANUARY
1986


FREDERICK ROAD (RTE 144)
DROP-OFF AREA
LANDSCAPE AREA
SIDEWALK
EXIT ONLY SIGN
ENTRANCE ONLY SIGN
RELOCATED DRIVEWAY
PROPERTY DEVTPR.
EX. DWELLING
EX. TREES TO REMAIN
STONE WALL (2' MAX.)
PROPOSED FIRE HYDRANT
EX. 42" SD
EX. 15" SD
EX. 41" SD
EX. 42" SD
EX. 6" WATER (DOR CITY)
EX. 1" WATER (DOR CITY)
EX. 8" SEWER (OLD CITY)
EX. 12" WATER (OLD CITY)
Future Right of Way
Reconstruct Concrete Curb & Gutter
TO THE C OF FREDERICK RD &
SYNTHINGTON AVE
D.R.5.5
R.O


#128
90-282-SPHXA
SW 2E
D.R.5.5
SITE
D.R.10.5
D.R.16
D.R.3.5
R.O
O-1
O-2
O-3
OT
BL
BL-CCC
BALTIMORE
NATIONAL CEMETERY
MENTAL HYGIENE
CONRAIL
PATAPSCO BRANCH
STATE HOSPITAL
SPRING GROVE
DR 16
PARK
DR 10.5
DR 3.5
DR 5.5
DR 2

#128
90-282-SPHXA
D.R.16
POPLAR
AVENUE
D.R.5.5
D.R.10.5
SITE
R.O
D.R.3.5
D.R.
MOUNT
RIDGE
ROAD
ALLEY
MERRILL
WHITTINGTON
FREDERICK
BRIARWOOD
RIDGE
BELLE GROVE
SW 2E

1) Sign In Sheets for 3/26/90

2) Community Correspondence

INSIDE FOLDER

90-182-SPHA

WILLIAM P. MONK

RESUME

Loyola Federal Building
Suite 204A
22 W. Pennsylvania Avenue
Towson, Maryland 21204
(301) 494-8931

PROFESSIONAL EMPLOYMENT:

LAND PLANNING & ZONING CONSULTANT Maryland, Delaware, Virginia, New Jersey, and Pennsylvania	Consultant to commercial and residential land developers and national corporations in site planning and zoning activities; involved in all consultant services including: site analysis, zoning, site plan development, landscape plan development, government liasion, building permit processing, presentations to community groups, governmental agencies and zoning boards. June 1980 - Present
MID ATLANTIC PROPERTIES, INC. Hunt Valley, Maryland	Commercial and industrial real estate brokers. December 1987 - Present
OFFICE PARKS DIVISION: NATIONAL HOMES CORPORATION Lafayette, Indiana	Regional Sales Manager-Mid Atlantic Region (NJ, Eastern PA, DE, MD, DC, VA) provide design/planning, marketing, and project feasibility consulting services to developers involved in suburban office parks. December 1983 - June 1986
THEODORE EBBEN & COMPANY Baltimore, Maryland	Commercial and industrial real estate brokers, emphasis on commercial pad site development with national corporations. January 1983 - November 1987
GENERAL AMERICAN REAL ESTATE AND DEVELOPMENT CORPORATION	Commercial and industrial real estate brokers. April 1982 - December 1982
YORK ROAD PLANNING AREA COMMITTEE, INC. Baltimore, Maryland	Assistant director of private, non-profit community planning and re-development corporation, national pilot program for commercial revitalization. April 1977 - June 1980

PETITIONER'S EXHIBIT 1A

90-282 SPHXA

ANNE ARUNDEL COUNTY OFFICE OF PLANNING & ZONING Annapolis, Maryland	Site planner for the county, reviewed all subdivision proposals, coordinated county subdivision review process encompassing 17 county review agencies. September 1976 - March 1977
RTKL ASSOC., INC. ARCHITECTS/PLANNERS ENGIEERS Baltimore, Maryland	Project planner-projects include: Federal Government funded pedestrian systems study, downtown pedestrian mall research, CBD study for Rochester, NY. September 1975 - April 1976

ORGANIZATIONS:

Citizens Planning and Housing Association, Baltimore, Maryland, Board of Governors, Chairman - Downtown Development Committee.

Mayor's Task Force - Camden Yard Stadium Committee

Stone Oaks Condominium Association - President

Chinquapin Hollow Community Association - President

EDUCATION:

University of Illinois, Urbana-Champaign, Illinois, Masters in Urban Planning, May 1975, (4.81 G.P.A.)

University of Illinois, Urbana-Champaign, Illinois, Bachelor in Urban Planning, December 1973

PETITIONER'S EXHIBIT 1B

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

THE FIRM

William Monk, Inc. provides a comprehensive range of land planning, environmental, zoning and government liaison services to private developers, national and regional businesses and government. William Monk started the firm in 1980 out of a need to provide these specialized services to a select group of clients in the Baltimore-Washington area. Mr. Monk has assisted his clients in over fifty jurisdictions from Richmond to New York and prides himself in providing responsive personalized services.

William Monk brings over fourteen years of experience in both the public and private sector coupled with a specialized educational background to the development process. Mr. Monk received a Bachelors of Urban Planning and a Masters of Urban Planning from the University of Illinois at Urbana-Champaign. His additional training in the areas of real estate development and zoning laws have provided him with a well-rounded expertise to assist his clients.

SERVICES

Land Planning: Preparation of preliminary site development plans for a wide range of commercial development projects, including shopping centers, office parks, individual office buildings, pad sites and industrial parcels. Mr. Monk has prepared master plans for projects ranging from over 800 acres to individual sites as small as one quarter acre.

Zoning: In addition to preparing the plans for submittal for rezoning, special exception/conditional use and variance applications to local jurisdictions, Mr. Monk assists his clients in the processing of applications, coordinates the review process through the technical agencies and prepares and presents the cases before the zoning hearing examiners. Mr. Monk is also an approved expert witness in a number of jurisdictions and provides these services as part of his comprehensive package.

Government Liaison Services: Mr. Monk assists his clients through the Planning Commission community review and detailed site review process to the approval of building permits.

PETITIONER'S EXHIBIT 1C

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

JURISDICTIONS WHERE WORK HAS BEEN PERFORMED

MARYLAND

Aberdeen
Annapolis
Anne Arundel County*
Baltimore*
Baltimore County*
Bel Air
Bowie
Calvert County
Cambridge
Caroline County
Carroll County*
Cecil County
Centreville
Chesapeake Beach
Columbia
Easton
Ellicott City
Frederick
Gaithersburg
Hagerstown
Harford County*
Howard County
Kent County
Laurel
Montgomery County
Perryville
Prince George's County*
Queen Anne's County
Rockville
St. Charles Community
St. Michaels
Salisbury
Talbot County
Washington County
Westminster

DISTRICT OF COLUMBIA

DELAWARE

Dover
Kent County

PENNSYLVANIA

Bucks County
Chester County
Montgomery County
Paoli

VIRGINIA

Arlington
Arlington County
Chesterfield County
(Richmond area)
Fairfax City
Fairfax County
Falls Church
Fauquier County
Henrico County
(Richmond area)
Herndon
Loudon County
Manassas
McLean
Prince William County
Richmond
Sterling
Vienna

NEW JERSEY

Cherry Hill
Dover Township
Mountainside
Pequannock Township
Perth Amboy
Piscataway*
Wall Township*
Pompton Plains
Toms River

* EXPERT WITNESS

PETITIONER'S EXHIBIT 1D

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ABUTTING LAND USE

PETITIONER'S EXHIBIT 2A

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
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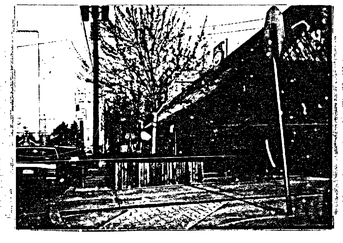
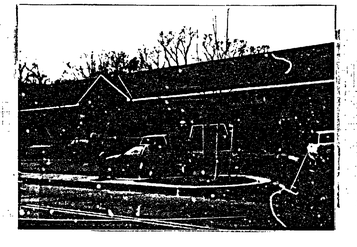
PARADISE SHOPPING AREA





PETITIONER'S EXHIBIT 2B

90-282 SPHXA

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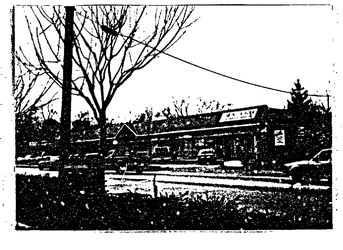
PARADISE SHOPPING AREA



PETITIONER'S EXHIBIT 2C

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

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PARADISE SHOPPING AREA
PUBLIC IMPROVEMENTS

PETITIONER'S EXHIBIT 2D

90-282SPHXA

CAMPBELL BUILDING
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TOWSON, MD 21204
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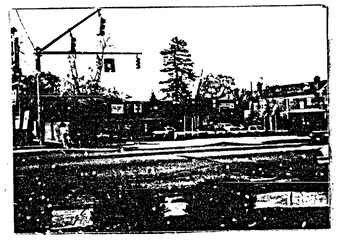
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PARADISE SHOPPING AREA
PUBLIC IMPROVEMENTS

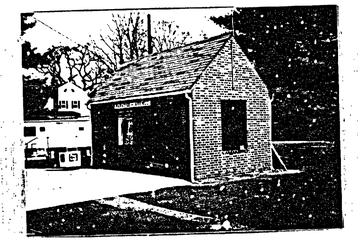


PETITIONER'S EXHIBIT 2E
90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING



PETITIONER'S EXHIBIT 2F
90-282 SPHXA

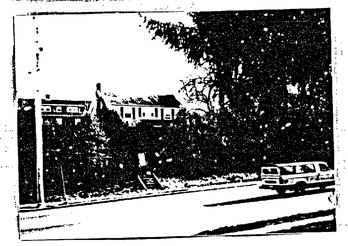
CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

SOUTH SIDE OF FREDERICK ROAD

ABUTTING LAND USE



PETITIONER'S EXHIBIT 2G
90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

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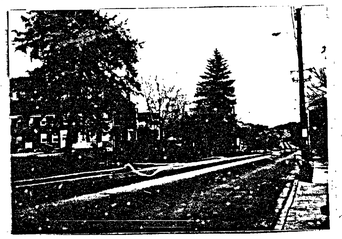
PETITIONER'S EXHIBIT 2H
90-282 SPHXA

FREDERICK ROAD
VIEW LOOKING EAST



CAMPBELL BUILDING
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ABUTTING LAND USE

PETITIONER'S EXHIBIT 2I
90-282 SPHXA

CAMPBELL BUILDING
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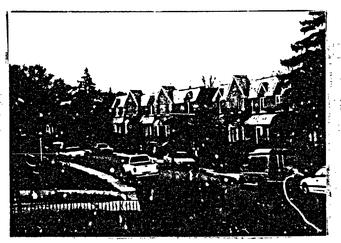
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

NEIGHBORHOOD CONTEXT



PETITIONER'S EXHIBIT 2J
90-282 SPHXA

REPORT OF PETER E. KURTZE, ARCHITECTURAL HISTORIAN,
CONCERNING 6348 FREDERICK ROAD, BALTIMORE COUNTY, MARYLAND
March 21, 1990

Summary of research and evaluation:

I have inspected the property on two occasions, on January 14, 1990 and again on January 20, 1990. During a total of over six hours on the site, I made a detailed examination of both the exterior and interior. I have also done research on the history of the property in the collections of the Maryland Historical Society, the Enoch Pratt Free Library, and the Catonsville Branch of the Baltimore County Public Library, and have consulted land records from the holdings of the Maryland State Archives.

Following this inspection and research, I have evaluated the potential historic and/or architectural significance of the subject property in terms of the following criteria: its association with a significant trend in the development of its locality, and its retention of significant characteristics of a major nineteenth century architectural style. In my professional opinion, 6348 Frederick Road has both historical and architectural significance sufficient to support its designation as a historic building consistent with Section 432.3 of the Baltimore County Zoning Regulations. Historically, it reflects the early development of the Frederick Road area as a suburb of Baltimore in the third quarter of the nineteenth century; this area was a favorite location for the "country seats" of wealthy Baltimore merchants of the 1860s and 1870s, and the subject property is one of very few examples of these country residences surviving in the area from this early period. The property also derives architectural significance from its numerous features characteristic of the Italian Villa style which remain intact, particularly on the interior.

History of the subject property:

The building was built in the third quarter of the nineteenth century, when the area of Frederick Road west of the city line was becoming increasingly popular as a location for the country seats and summer residences of well-to-do

PETITIONER'S EXHIBIT 6
90-282 SPHXA

Baltimoreans. Documentary sources and the interior decorative detailing suggest a construction date in the 1860s. The house was certainly in place by 1871, when it was mentioned in a local newspaper.

During the first half of the nineteenth century, the property on which the building stands was owned by one Ferdinand Smith of Baltimore, who died in 1862. A parcel of slightly over two acres, comprising part of two lots which had been purchased by Smith in 1810 and 1828, was sold in 1864 by the executors of Smith's estate to Thomas M. Reese for $2500. Reese was the first of several successful Baltimore merchants to take title to the property during the next few years. He was a grocer and tea dealer, a partner in the firm of G. H. Reese and Brother, who maintained a city residence at 181 West Lombard Street. The following year, John M. Spencer bought the property for $3600. Spencer was also a Baltimore trader, doing business in hosiery and tailor's "trimmings."

Five years later, in 1870, Spencer sold the property, along with four additional acres, to Henry K. Hoffman for the sum of $6000. Hoffman is listed in Baltimore city directories of the period as a principal in a succession of firms dealing in groceries, liquor, and commission merchandise. During the 1860s, Hoffman resided at various locations within the city of Baltimore, but the 1872 directory gives his address as "Baltimore County," and the edition for the following year specifies "Frederick Avenue." By 1875, Hoffman had become President of the Maryland Beneficial Association.

In 1871, the Maryland Journal, a newspaper published in Towson, carried a description of the sights to be seen along the route of the new horse-drawn Baltimore and Catonsville Suburban Railway. The writer observed that, traveling westward from a point near the St. Joseph Passionist Monastery, "the road runs through a beautiful rolling country, along which are some of the finest country residences around the city, from here to Catonsville being taken up almost entirely with country seats and summer retreats." He went on to enumerate in east-to-west order 23 such residences; the list ends with the home of "Mr. Hoffman," a reference to the present 6348 Frederick Road. A traveler on Frederick Road in the present day will not be treated to a similar view of these formerly-numerous grand estates, the area from St. Joseph's Monastery to Catonsville now being taken up almost entirely with dense suburban development of the twentieth century. 6348 Frederick Road, however, survives to reflect this earlier era.

7. The fence as noted on Developer's Exhibit No. 3 along the ease side of the property and the north side shall be a wood-on-wood opaque fence, 5 feet in height rather than the 4-foot fence shown on the plat.

G. On 10/10/89, under item #128 (case #90-282-SPHXA) petitions were filed in the Zoning Office by Vista Development, Inc. for:

1. A Special Exception for an assisted living facility pursuant to Section 203.3.B.1 and Section 432.1.A.2, also to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 16 density unit per acre; (Section 432.3A.2) and from Section 432.4 to waive the D.T.A. requirements regarding the one (1) parking space in the D.R.-10.5 zoned portion of the site.

2. A Special Hearing to remove the Special Exception granted in Case #88-455-X and determine that the provisions of Section 432 would be applicable to an assisted living facility less than 10 acres in a R.O. zone. Also that the Zoning Commissioner shall determine that the structure is of historical significance (Section 432.3B.1).

3. Variance from Section 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres; Section 203.3.C.1 to permit a property identification sign adjacent to a residential use; 409.8A(4) to permit parking spaces 3 feet from the street property line (ultimate reservation line) in lieu of the minimum 10 feet required and 4 feet from an abutting residential zone line in lieu of the required 8 feet per Section IX.B.2 of the landscape manual.

*NOTE: The last variance request to Section IX.B.2 of the landscape manual is not a correct request as it is not listed in the zoning regulations and the sign variance does not specify area, illumination, single/double-face, free-standing or building sign.

H. The hearing was scheduled for 1/12/90 before the Zoning Commissioner and was postponed to 3/26/90. On 3/26/90, the case was not completed and was continued until 5/4/90. On 5/4/90, the case was completed and as of 5/21/90, there has been no decision.

I. Pre-C.R.G. scheduled for 5/21/90 and C.R.G. scheduled for 5/31/90 for Concord Vista Elderly Housing Assisted Living Facility.

Over

2. USES -- Document on the plan in the title block what type of elderly housing facility is proposed - Class "A" or Class "B" - utilizing the definitions in Section 101 (B.C.Z.R.).

3. PARKING -- (Section 203.3.C.2) - Parking is required in the side or rear yard where possible. Confirm and document on the plan why it is not possible to design all or a greater percentage of the parking in the side or rear yard.

4. BUILDING HEIGHT/ELEVATIONS -- Correct note #15 - permitted height from 60 feet to 50 feet in compliance with Section 1B02.2.A (B.C.Z.R.). Reduce the proposed building height from 55 feet to 50 feet and provide scale elevation views with the height dimensioned as in Zoning Policy RM-6. If the building is proposed higher than 50 feet, an additional variance would be required.

5. SIGNS -- Remove the proposed sign from the future right-of-way of Frederick Road and provide an engineering scale elevation on the plan of all existing and proposed free-standing signs clearly indicating the type, height, dimensions, square footage, single or double-face and illumination. All signs must be keyed to their existing or proposed location on the plan print and enough detail must be shown to determine all of the conflicts with Section 203.3.C.1 (B.C.Z.R.) and all zoning sign policies. The variance request did not identify all conflicts.

6. DENSITY/AREA/GENERAL -- Provide accurate gross and net area calculations in compliance with the following: Net Area = the entire overall tract/ownership area (excluding any existing public street right-of-ways; Gross Area = the net area plus 1/2 of the tract boundary street right-of-way that the property is not denied access to, up to a maximum of 30 feet (see zoning policy RSD-3). Use the gross area in the density calculation, clearly indicating the source of the additional calculated area over and above the net area. Indicate building front orientation. Confirm Fire Code compliance for the assisted living facility (Section 101 - definitions) and clarify the difference in the property outline as compared to the State tax map.

Over

7. REVISED PLAN CHANGES -- When the plan is revised in accordance with all departmental requirements and approved by the C.R.G., a red-lined plan and cover letter must be submitted to the Zoning Commissioner for approval. The developer must itemize and clearly indicate on the plan all changes to the public hearing plan in the zoning case file and request that the Zoning Commissioner approve the changes as being within the spirit and intent of the zoning case plan. Should the Zoning Commissioner not approve the changes, another zoning hearing may be required to amend the hearing requests and plan.

8. Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the ...ue commercial checklist information being included on the building permit site plans.

WCR

W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:scj

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

J. Robert Haines
Zoning Commissioner

August 7, 1990

Dennis F. Rasmussen
County Executive

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

RE: Petition for Special Hearing
Special Exception, and Zoning Variance
N/S Frederick Road, 170 ft. W c/l Symington Avenue
9348 Frederick Road
1st Election District, 1st Councilmanic District
VISTA DEVELOPMENT, Inc. - Petitioner
Case No. 90-282-SPHXA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on July 12, 1990 by Harold H. Burns, Jr. Attorney on behalf of the Petitioner. 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:cer

Enclosures

cc: Rose Jackson, Vista Development, Inc.
300 Cathedral Street, Suite 200, Baltimore, MD 21201

Harold H. Burns, Jr., Esquire
300 Cathedral Street, Suite 200, Baltimore, MD 21201

William P. Monk
100 W. Pennsylvania Avenue, Suite 305, Towson, MD 21204

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

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COUNTY BOARD OF APPEALS
90 AUG -7 AM 10:03

APPEAL

Petition for Special Hearing, Special Exception, and Zoning Variance
N/S Frederick Road, 170 ft. W c/l Symington Road
(9348 Frederick Road)
1st Election District - 1st Councilmanic District
VISTA DEVELOPMENT - Petitioner
Case No. 90-282-SPHXA

Petitions for Special Hearing, Special Exception, and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1A - 1D Resume of William P. Monk

2A - 2J Photographs of area

3. CRG Plan and Plat to accompany Petition

4. Photographic Map

5. Zoning Map

6. Summary of research and evaluation

7A - 7B Photographs of 6348 Frederick Road

8A - 8C Photographs of 6348's interior

9. Photograph of exterior 6348 Frederick Road

10. Request letter: list as historic property

11. Reply letter:eligible as historic property

12. Resume of Peter E. Kurtze

13. Resume of Elizabeth D. Severino

14. Concord Healthcare Brochures

15. Report of project cost

16A, 16B, 16C - Alley: West Side

17A, 17B - Alley: East Side

18. Report of Gross Residential Acreage

19. Trip Generation Comparative Analysis

20 & 21 Photographs of trees to remain

Appeal Checklist - Case No. 90-282-SPHXA
Vista Development - Petitioner
Page 2

22 - 25 Preliminary Site Plans

26. Comparative Analysis

27 & 28 Photographs of site on Frederick Road

29. Resume of Brian W. Kelly

30. Elevation Drawing

31 - 33 Floor Plans for Assisted Living Project

34. Square Footage Summary

35. Elevation Drawing and Roof Plan

36. Resume of James S. Patton, P.E.

37. CRG Site Plan

38. Notice of Advisory Committee Members

39. Preliminary Site Plan

40. Study of impact of shadows

41. Roof Plan

42 - 44 Photographs of rear property (Alley)

45 - Letter presenting a fundamental consensus

Protestant's Exhibits: 1 & 3-6 Photographs of resident properties

2. No exhibit in file

Zoning Commissioner's Order dated July 3, 1990 (Denied in part, Dismissed in part)

Notice of Appeal received July 12, 1990 from Harold H. Burns, Jr., Attorney on behalf of the Petitioner

cc: Rose Jackson, Vista Development, Inc.
300 Cathedral Street, Suite 200, Baltimore, MD 21201

Harold H. Burns, Jr., Esquire
300 Cathedral Street, Suite 200, Baltimore, MD 21201

William P. Monk
100 W. Pennsylvania Avenue, Suite 305, Towson, MD 21204

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

Appeal Checklist - Case No. 90-282-SPHXA
Vista Development - Petitioner
Page 2

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(IN BOARD'S CLOSET) √30. Elevation Drawing

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(IN BOARD'S CLOSET) √35. Elevation Drawing and Roof Plan

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cc: Rose Jackson, Vista Development, Inc. c/o Murphy
~~300 Cathedral Street, Suite 200, Baltimore~~, MD 21201

Mr. Joseph Calogni
15 Briarwood Rd.
Catonsville
21228

*Harold H. Burns, Jr., Esquire
300 Cathedral Street, Suite 200, Baltimore, MD 21201

William P. Monk, Courthouse Commons, Suite 8-7
~~100 W. Pennsylvania Avenue, Suite 305, Towson~~, MD 21204
222 Bayley Ave., 21207

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

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W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, County Attorney

Joe Murphy
Counsel for
Petitioner

Ms. June Moody, 12 N Symington Ave 21228

APPEAL

Petition for Special Hearing, Special Exception, and Zoning Variance
N/S Frederick Road, 170 ft. W c/l Symington Road
~~(9348~~ 6348 ~~Frederick Road)~~
1st Election District - 1st Councilmanic District
VISTA DEVELOPMENT - Petitioner
Case No. 90-282-SPHXA

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√17A, 17B - Alley: East Side

√18. Report of Gross Residential Acreage

√19. Trip Generation Comparative Analysis

√20 & 21 Photographs of trees to remain

Description of architectural characteristics:

The building reflects the influence of the Italian Villa style of domestic architecture. This style achieved widespread popularity in the mid-nineteenth century, following the publication of style books such as Andrew Jackson Downing's Cottage Residences (1842) and The Architecture of Country Houses (1850). Throughout the third quarter of the nineteenth century, it was frequently chosen for the country seats of wealthy urbanites, as its exotic, picturesque character seemed especially well suited to that context.

6348 Frederick Road presents an interesting example of the interplay between popular, "high-style" fashion and longstanding vernacular tradition. Its original facade probably comprised two projecting gabled pavilions flanking a recessed central entrance bay, related in spirit to designs published in Downing's Cottage Residences and other popular books of the period. Its facade and detailing reflect fashionable characteristics of the Italian Villa style, including multiple roof forms with deeply overhanging bracketed cornices, round-arched window heads, and floor-to-ceiling windows on the ground story. However, in its general form and floor plan, with two rooms on either side of a central stair hall and a service wing extending to the rear perpendicular to the main block, the building conforms to traditional concepts which were at least a century old at the time of its construction. On the interior as well, stylish Italianate mantels, plaster ornament, moldings and woodwork trim spaces laid out in a familiar, traditional manner.

The building achieved its current exterior appearance in an early 20th century remodeling, when the original German siding was covered with stucco, and a two-story shed-roofed addition was constructed at the rear, in the reentrant corner of the ell. A broad Colonial Revival porch was added across the facade, and smaller "apartment house" balconies were built at the central bay on the second and third stories. Scrolled brackets were also removed from the soffits of the front-facing gables on the facade, but the brackets survive intact on the gable ends.

While these alterations have compromised the Italianate character of the facade to some degree, the building retains a generally high level of architectural integrity, particularly on the interior, where the overwhelming majority of early decorative detailing remains intact and in good condition.

This includes such features as marbleized slate mantels in each of the rooms on both the first and second stories of the main block; a foliated plaster ceiling medallion in the entrance hall, and plaster cornice moldings throughout the first floor; and an elegant stair with a heavy turned walnut newel, turned balusters, and scrolled step ends. Several of the fireplaces are fitted with nineteenth-century iron screens and inserts, including an elaborate gas log in the northeast room on the first floor.

Also noteworthy in its own right is the dining room in the addition, which is finished to reflect an early twentieth century interpretation of a Medieval English hall: it has dark stained pine wainscotting, a coffered ceiling treatment, and a large stone fireplace veneered with river cobbles. This room also retains period lighting fixtures, including wall sconces whose design carries out the Medieval motif. The kitchen at the north end of the ell retains an early 20th century pressed metal ceiling.

The interior is remarkably well preserved, especially in view of the building's conversion to apartment (and later office) use in the 20th century. Alterations to the original spaces were minimal, and are generally confined to the provision of modern kitchen and plumbing facilities, heating and electrical service, and the installation of mid-twentieth century parquet flooring throughout the first and second stories of the main block.

Coordination with the State Historic Preservation Office:

On February 20, 1990, I submitted preliminary documentation to the Maryland Historical Trust, the federally-designated State Historic Preservation Office, describing the building and its history and requesting a determination whether the building is eligible for listing in the Maryland Inventory of Historic Properties. The Maryland Inventory of Historic Properties is a statewide program to identify and document properties worthy of consideration for preservation purposes. By letter dated March 1, 1990, Orlando Ridout V, head of the Trust's Office of Research, Survey and Registration, indicated that he had reviewed the documentation I presented, and determined that the building meets the criteria for listing in the state Inventory of Historic Properties.

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301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD

PETITIONER'S EXHIBIT 7A
90-282 SPHXA

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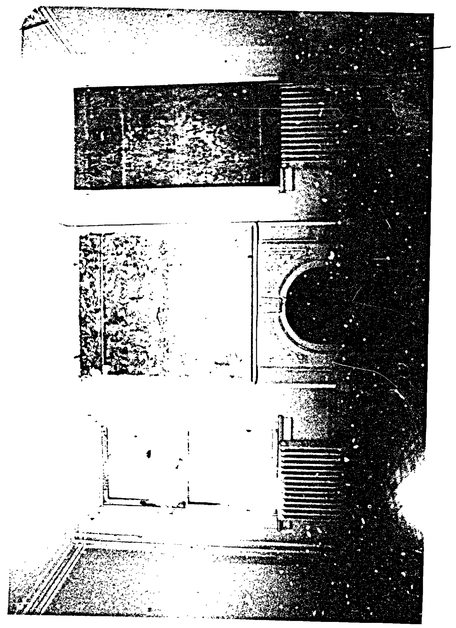
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD

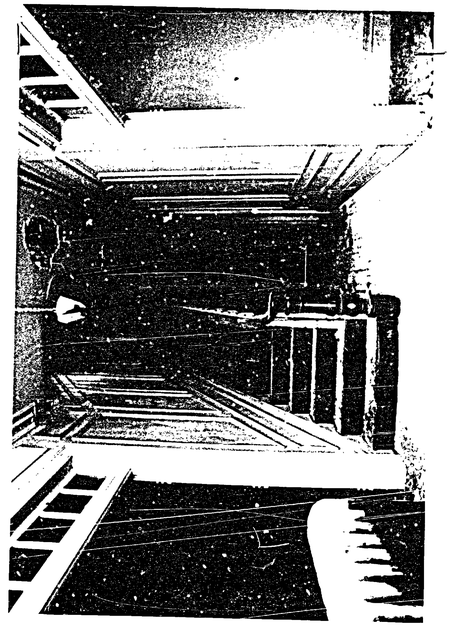
PETITIONER'S EXHIBIT 7B
90-282 SPHXA

PETITIONER(S) EXHIBIT (8) A
90-282 SPHXA

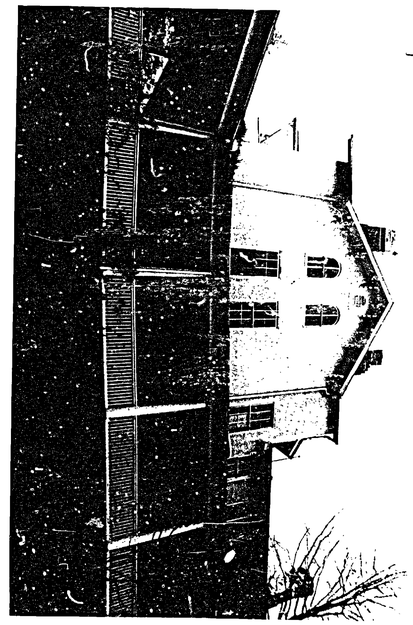


PETITIONER(S) EXHIBIT (8) B

PETITIONER(S) EXHIBIT (8) C



PETITIONER(S) EXHIBIT (9)
90-282 SPHXA



Description of architectural characteristics:

The building reflects the influence of the Italian Villa style of domestic architecture. This style achieved widespread popularity in the mid-nineteenth century, following the publication of style books such as Andrew Jackson Downing's Cottage Residences (1842) and The Architecture of Country Houses (1850). Throughout the third quarter of the nineteenth century, it was frequently chosen for the country seats of wealthy urbanites, as its exotic, picturesque character seemed especially well suited to that context.

6348 Frederick Road presents an interesting example of the interplay between popular, "high-style" fashion and longstanding vernacular tradition. Its original facade probably comprised two projecting gabled pavilions flanking a recessed central entrance bay, related in spirit to designs published in Downing's Cottage Residences and other popular books of the period. Its facade and detailing reflect fashionable characteristics of the Italian Villa style, including multiple roof forms with deeply overhanging bracketed cornices, round-arched window heads, and floor-to-ceiling windows on the ground story. However, in its general form and floor plan, with two rooms on either side of a central stair hall and a service wing extending to the rear perpendicular to the main block, the building conforms to traditional concepts which were at least a century old at the time of its construction. On the interior as well, stylish Italianate mantels, plaster ornament, moldings and woodwork trim spaces laid out in a familiar, traditional manner.

The building achieved its current exterior appearance in an early 20th century remodeling, when the original German siding was covered with stucco, and a two-story shed-roofed addition was constructed at the rear, in the reentrant corner of the ell. A broad Colonial Revival porch was added across the facade, and smaller "apartment house" balconies were built at the central bay on the second and third stories. Scrolled brackets were also removed from the soffits of the front-facing gables on the facade, but the brackets survive intact on the gable ends.

While these alterations have compromised the Italianate character of the facade to some degree, the building retains a generally high level of architectural integrity, particularly on the interior, where the overwhelming majority of early decorative detailing remains intact and in good condition.

This includes such features as marbleized slate mantels in each of the rooms on both the first and second stories of the main block; a foliated plaster ceiling medallion in the entrance hall, and plaster cornice moldings throughout the first floor; and an elegant stair with a heavy turned walnut newel, turned balusters, and scrolled step ends. Several of the fireplaces are fitted with nineteenth-century iron screens and inserts, including an elaborate gas log in the northeast room on the first floor.

Also noteworthy in its own right is the dining room in the addition, which is finished to reflect an early twentieth century interpretation of a Medieval English hall: it has dark stained pine wainscotting, a coffered ceiling treatment, and a large stone fireplace veneered with river cobbles. This room also retains period lighting fixtures, including wall sconces whose design carries out the Medieval motif. The kitchen at the north end of the ell retains an early 20th century pressed metal ceiling.

The interior is remarkably well preserved, especially in view of the building's conversion to apartment (and later office) use in the 20th century. Alterations to the original spaces were minimal, and are generally confined to the provision of modern kitchen and plumbing facilities, heating and electrical service, and the installation of mid-twentieth century parquet flooring throughout the first and second stories of the main block.

Coordination with the State Historic Preservation Office:

On February 20, 1990, I submitted preliminary documentation to the Maryland Historical Trust, the federally-designated State Historic Preservation Office, describing the building and its history and requesting a determination whether the building is eligible for listing in the Maryland Inventory of Historic Properties. The Maryland Inventory of Historic Properties is a statewide program to identify and document properties worthy of consideration for preservation purposes. By letter dated March 1, 1990, Orlando Ridout V, head of the Trust's Office of Research, Survey and Registration, indicated that he had reviewed the documentation I presented, and determined that the building meets the criteria for listing in the state Inventory of Historic Properties.

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD

PETITIONER'S EXHIBIT 7A

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

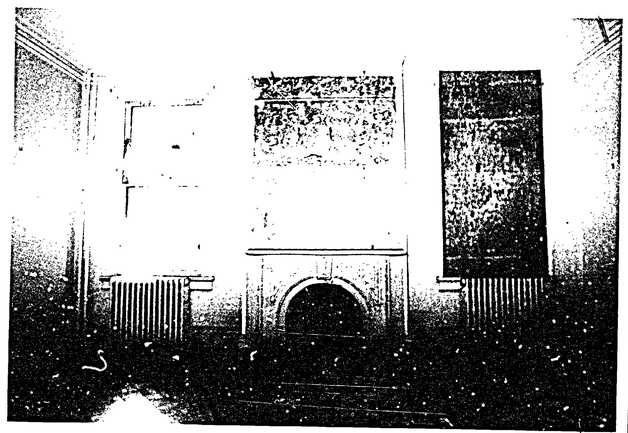
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD

PETITIONER'S EXHIBIT 7B

90-282 SPHXA



PETITIONER(S) EXHIBIT 8A

90-282 SPHXA

PETITIONER(S) EXHIBIT 8B

PETITIONER(S) EXHIBIT 8C

PETITIONER(S) EXHIBIT 9

90-282-SPHXA

PETITIONER'S EXHIBIT 10

90-282-SPHXA

109 Brandon Road
Baltimore, MD 21212

February 20, 1990

Orlando Ridout V
Chief, Office of Survey, Registration, and Research
Maryland Historical Trust
21 State Circle
Annapolis
Maryland 21401

Dear Orlando:

I am writing to request your opinion as to the eligibility of 6348 Frederick Road, Catonsville, Baltimore County, for the Maryland Inventory of Historic Properties. A series of photographs of this property is enclosed.

This resource is a large frame house constructed ca. 1860, when the area of Frederick Road west of the city line was becoming increasingly popular as a location for the country seats and summer residences of well-to-do Baltimoreans. It has a center passage, double-pile plan with a two-story service ell at the rear.

In an early 20th century remodeling, the original German siding was covered with stucco, and a two-story shed-roofed addition was constructed at the rear, in the reentrant corner of the ell. A broad Colonial Revival porch was added across the facade, and smaller "apartment house" balconies were built at the central bay on the second and third stories. Scrolled brackets were also removed from the soffits of the front-facing gables on the facade, but these could easily be reproduced, patterned after the brackets which survive intact on the gable ends.

While these alterations have compromised the Italianate character of the facade, the building retains a generally high level of integrity, particularly on the interior, where the overwhelming majority of early decorative detailing remains intact and in good condition. This includes such features as marbleized slate mantels (painted over) in each of the rooms on both the first and second stories of the main block; a foliated plaster ceiling medallion in the entrance hall, and plaster cornice moldings throughout the first floor; and an elegant stair with a heavy turned walnut newel, turned balusters, and scrolled step ends. Several of the fireplaces are fitted with nineteenth-century iron screens and inserts, including an elaborate gas log in the northeast room on the first floor.

Also noteworthy is the dining room in the addition, which is finished to reflect an early 20th century interpretation of a Medieval English hall: it has dark stained pine wainscotting, a coffered ceiling treatment, and a large stone fireplace veneered with river cobbles. This room also retains period lighting fixtures, including wall sconces whose design carries out the Medieval motif. The kitchen at the north end of the ell retains an early 20th century pressed metal ceiling.

The interior is remarkably well preserved especially in view of the building's conversion to apartment (and later office) use in the 20th century. Alterations to the original spaces were minimal, and are generally confined to the provision of modern kitchen and plumbing facilities, heating and electrical service, and the installation of mid-twentieth century parquet flooring throughout the first and second stories of the main block.

Historical research (incomplete at present) suggests that the house was built for one Ferdinand Smith of Baltimore, who died in 1863; later in the century it acquired the name "Winston," and was cited in an 1871 description of sights along the route of the Baltimore & Catonsville Suburban Railway as among "some of the finest country residences around the city, from here [i. e., the vicinity of St. Joseph's Monastery in present West Baltimore] to Catonsville being taken up almost entirely with country seats and summer retreats."

I would appreciate your consideration of the eligibility of this property for the state inventory, and look forward to your reply. If you require any additional information, please call me.

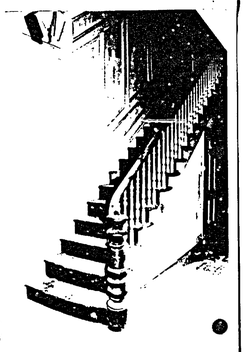
Thank you for your assistance.

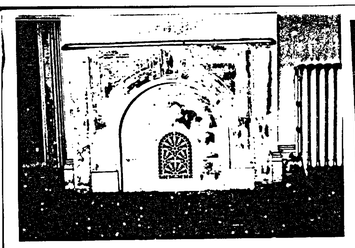
Very truly yours,

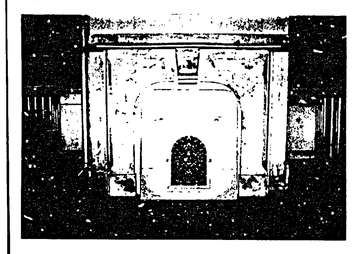
Peter Kurtze

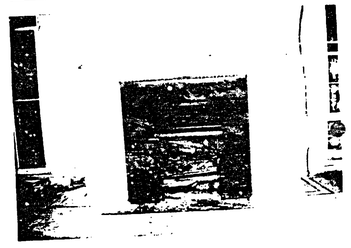
Peter Kurtze

Enclosures









tion and certainly serve the needs of those senior citizens choosing to reside therein. Even the Protestants indicated that it was not the proposed use of the site that concerned them, but the colossal nature of the proposed structure. The Zoning Commissioner shares these concerns. However, the Petitioner's own experts made it abundantly clear that the proposed facility could not be reduced in any manner and still maintain the economic viability of the project (See Petitioner's Exhibit No. 15).

Section 307.1 of the B.C.Z.R. requires, in part, that variance relief may be granted "only in such manner as to grant relief without substantial injury to the public health, safety, and general welfare". The Petitioner is proposing a structure of 55 feet in height on a property that is already significantly elevated above the surrounding residential community. Additionally, the proposed addition is more than twice the size of the existing structure. Based on the testimony and evidence produced, it is clear that the height and bulk of the proposed facility on the subject site is inconsistent with the spirit and intent of the B.C.Z.R., and that the granting of the requested variances would have a severe detrimental impact on the health and general welfare of the community at large. Therefore, the requested variance relief relative to site acreage and parking must be denied. Consequently the requested variance relief relative to the proposed property identification sign and the Petitions for Special Hearing and Special Exception are rendered moot by denial of the aforementioned variances. Therefore, the Petitions for Special Hearing, Special Exception and the variance relief relative to the property identification sign shall be dismissed as those matters are rendered moot by the denial of the aforementioned variances.

ORDER RECEIVED FOR FILING
Date 7/3/90
By M Bernard

-5-

If it was not for the small size of this site and the large size of the building, I am sure the proposal would be successful. The variance procedure was not designed to provide over crowding of the land.

Pursuant to the advertisement, posting of the property, and public hearing on the Petitions held, and for the reasons given above, the relief requested should be denied in part and dismissed in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of July, 1990, that the Petition for Zoning Variance from Section 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres is hereby DENIED; and

IT IS FURTHER ORDERED that the variance from Section 409.8.A(4)) to permit parking spaces 3 feet from the street property line in lieu of the required 10 feet,is hereby DENIED; and,

IT IS FURTHER ORDERED that a variance from Section IX.B.2. of the Baltimore County Landscape Manual to permit parking spaces 4 feet from an abutting residential zone line in lieu of the required 8 feet is hereby DENIED; and,

IT IS FURTHER ORDERED that, a variance from Section 203.3.C.1 to permit a property identification sign adjacent to a residential use is hereby DISMISSED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to use the herein described property for an assisted living facility, pursuant to Section 203.3B.1 and Section 432.1.A.2; to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 16 density units per acre, pursuant to Section 432.3.A.2 and a waiver from the RTA requirements of Section 432.3.A.2 regarding the one parking space in the D.R. 10.5 zoned portion of the site, is hereby DISMISSED; and,

ORDER RECEIVED FOR FILING
Date 7/3/90
By M Bernard

-6-

IT IS FURTHER ORDERED that the Petition for Special Hearing, requesting removal of the special exception granted in case No. 88-455-X and a determination that the provisions of Section 432 would be applicable to an assisted living facility less than 10 acres in an R.O. zone; and a determination that the subject structure is of historical significance, Section 432.3.B.1 of the (B.C.Z.R.) is hereby DISMISSED.

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

JRH:mmn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 7/3/90
By M Bernard

-7-

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

July 3, 1990

Harold Burns, Jr., Esquire
300 Cathedral Street
Baltimore, Maryland 21201

RE: Case No. 90-282-SPHXA
Vista Development, Inc.
Petitioner

Dear Mr. Burns:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing, Special Exception and Variance have been denied in part and dismissed in part, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn
attachment
cc: Peoples Counsel
cc: Protestants

RE: PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
N/S of Frederick Rd., 170' W of C/L of Symington Ave.
1st Election District
1st Councilmanic District
VISTA DEVELOPMENT, INC., Petitioner
: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 90-282-SPHXA

RECEIVED
JAN 9 1990
ZONING OFFICE

ENTRY OF APPEARANCE

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

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

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 8th day of January, 1990, a copy of the foregoing Entry of Appearance was mailed to Harold Burns, Jr., Esquire, 300 Cathedral Street, Baltimore, MD 21201, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

128

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-282-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 remove the special exception granted in Case #88-455x, and determine that the provisions of Section 432 would be applicable to an assisted living facility less than 10 acres in an RO zone. Also, that the zoning commissioner shall determine that the structure is of historical significance (Section 432.3B 1).

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.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Vista Development, Inc. (Type or Print Name)
Signature	Lee Jaton V.P. Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	300 Cathedral Street Suite 200, 752-1241 Address Phone No.
Harold Burns, Jr. (Type or Print Name)	Baltimore, Maryland 21201 City and State
Harold Burns Jr. Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
300 Cathedral Street Address	William P. Monk, Inc.
Baltimore, MD 21201 City and State	100 W. Pennsylvania Avenue, Suite 305 Towson, MD 21204 494-8931 Address Phone No.
Attorney's Telephone No.: 528-0044	

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of Oct, 19 89, 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 12 day of Jan, 1990 at 9:30 o'clock A.M.

Filed 10/10/89 By DAP
Any Time or Day.
3 hr. Hrng Time Total
E.C.O.—No. 1

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING
Date
By

128

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-282-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 pursuant to Section 203.3 B 1 and Section 432.1 A 2, also to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 16 density units per acre, (Section 432.3A 2) and from Section 432.4 to waive the RTA requirements regarding the one (1) parking space in the D.R.-10.5 zoned portion of the site.

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:	Legal Owner(s):
(Type or Print Name)	Vista Development, Inc. (Type or Print Name)
Signature	Lee Jaton V.P. Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	300 Cathedral Street Suite 200 752-1241 Address Phone No.
Harold Burns, Jr. (Type or Print Name)	Baltimore, Maryland 21201 City and State
Harold Burns Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
300 Cathedral Street Address	William P. Monk, Inc. Name
Baltimore, MD 21201 City and State	100 W. Pennsylvania Avenue, Suite 305 Towson, MD 21204 494-8931 Address Phone No.
Attorney's Telephone No.: 528-0044	

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of Oct, 19 89, 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 12 day of Jan, 1990 at 9:30 o'clock A.M.

Filed 10/10/89 By DAP
Any Time or Day.
3 hr. Hearing Time Total
E.C.O.—No. 1

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

REVISED
90-282-SPHXA
REC 2-13-92

SECOND AMENDED

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for an assisted living facility pursuant to Section 203.3 B 1 and Section 432.1 A 2, also to increase the maximum gross residential density permited from 5.5 dwellings per acre to 16 density units per acre, (Section 432.3A 2)

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.

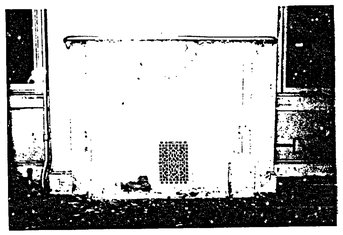
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Print Name)	Vista Development, Inc. (Type or Print Name)
Signature	by: Harold H. Burns, Jr. Esq. Signature
Address	Harold H. Burns, Jr. Esq. (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	300 Cathedral St., Ste 200 752-1241 Address Phone No.
John V. Murphy, Esq. (Type or Print Name)	Baltimore, Maryland 21201 City and State
Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
14 N. Rolling Road Address	Name
Baltimore, Maryland 21228 City and State	Address Phone No.
Attorney's Telephone No.: 744-4967	

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER

REVIEWED BY: DATE



MARYLAND HISTORICAL TRUST

William Donald Schaefer
Governor

Jacqueline H. Rogers
Secretary, DHCD

PETITIONER'S EXHIBIT 11
90-282 SPHXA

March 1, 1990

Mr. Peter Kurtze
109 Brandon Road
Baltimore, Maryland 21212

Dear Peter:

After careful review of the photographs for #6348 Frederick Road, Catonsville, Maryland, I find the building to be eligible for inclusion in the Maryland Inventory of Historic Properties. While later changes have diluted the original Italianate appearance, the house retains sufficient exterior integrity to merit inclusion, and the interior is largely intact.

In order to assign a survey number to the site, we will need to receive a completed inventory form, site location map, and representative photographs. If you wish to proceed on that course, you may work directly with Barbara Shepherd.

If I may be of further assistance, please feel free to call.

Sincerely,

Orlando

Orlando Ridout V
Chief, Office of Research,
Survey and Registration

ORV:dlt

Maryland
Department of Housing And Community Development
Shaw House, 21 State Circle, Annapolis, Maryland 21401 (301) 974-5000

PETITIONER'S EXHIBIT 12
90-282SPHXA

PETER E. KURTZE

109 Brandon Road
Baltimore, Maryland 21212
(301) 828-1644

Architectural Historian/Historic Preservation Consultant

Offering consultant services to government agencies, organizations, and individuals on matters involving research, analysis, evaluation, documentation and treatment of historic properties. Meet 36 CFR 61 qualifications.

Services include:

-preparation of documentation to nominate historic properties to local and state inventories and National Register of Historic Places
-preparation of Historic American Buildings Survey/Historic American Engineering Record documentation
-assistance in complying with federal, state and local historic preservation regulations
-historic site survey and recording
-documentary research
-design guidelines
-preservation planning
-professional assistance to Historic District Commissions
-expert testimony
-grant writing

Partial list of recent clients and projects:

Baltimore Heritage, Inc., Baltimore, Maryland (research for forthcoming book on cast-iron architecture of Baltimore; completion of Multiple Property format National Register of Historic Places documentation);

Smithsonian Institution, Resident Associate Program, Washington, D. C. (leader for study tour of 18th-century architecture of Chestertown, Maryland);

Vestry of All Saints' Episcopal Church, Reisterstown, Maryland (documentation to support designation of 1891 Richardsonian Romanesque church on county landmarks list, and technical advice on restoration and maintenance);

Baltimore Foundation for Architecture (grant proposal for survey of Maryland architectural records);

Basking Ridge Historical Society, Basking Ridge, New Jersey (technical advice on restoration of 1809 "Brick Academy," Society's headquarters building).

Peter E. Kurtze
page 2

Other Professional Experience:

P.A.C. Spero and Company, Historic Structures Consultants, Baltimore, Maryland

Project Manager/Principal Investigator, 1989-90. Planned, organized, and directed cultural resource survey and recording projects; supervised project team members, monitored progress, ensured adherence to deadlines. Conducted field surveys and documentary research; evaluated architectural, industrial, and historical resources according to National Register criteria. Prepared written documentation to Historic American Buildings Survey/Historic American Engineering Record standards. Provided assistance to clients involved with federally-funded development projects in complying with requirements of Section 106 of the National Historic Preservation Act and Section 4(f) of the Department of Transportation Act of 1966. Prepared and edited reports and publications.

Maryland Historical Trust (State Historic Preservation Office), Annapolis, Maryland

Architectural Survey Administrator, 1987-89. Identified, recorded, and evaluated historic resources. Directed and supervised the inclusion of documentation into statewide inventory of historic sites, comprising over 60,000 listings. Designed historic site survey projects, trained and supervised personnel, monitored progress and reviewed final products. Negotiated with federal and state agencies for the preparation of cultural resource management studies for historic properties under their ownership or control. Administered federal grants-in-aid for historic site survey and planning activities to Certified Local Governments, institutions, and private organizations, including project design, contract negotiation, personnel selection, project monitoring, and final report preparation.

Assistant National Register Administrator, 1982-87. Assisted in administration of National Register program at state level in Maryland. Prepared and edited nominations for a broad range of resource types and periods. Developed and implemented operating procedures; contributed to National Register component of statewide historic preservation plan. Participated in quarterly meetings of State Review Board.

Calvert Marine Museum, Patuxent River Folklife and Oral History Project, Solomons, Maryland

1981. Conducted survey of intangible cultural resources funded by a grant from the National Endowment for the Humanities. Produced extensive photographic, tape-recorded, and written documentation of traditional ways of life associated with commercial fisheries in the region, to inform future museum exhibits.
Extensive public contact through personal interaction, public programs, and informative writing. Produced and presented slide lecture describing project; produced audiovisual programs on selected aspects of commercial fisheries for museum's future use. Organized and presented workshops on oral history. Secured the donation of several artifacts to museum's collection.

Peter E. Kurtze
page 3

Maryland Historical Trust, Annapolis, Maryland

Architectural Historian/Historic Sites Surveyor, 1979-81. Documented and evaluated properties affected by highway projects and federally-assisted development programs. Conducted surveys throughout Maryland, including field reconnaissance, documentary research, on-site recording, analysis, and evaluation. Prepared National Register nominations and determinations of eligibility, and state inventory documentation. Contributed information to planning documents.
Administered federal and state historic preservation statutes and regulations. Explained and interpreted regulations to local officials and to the public. Provided advice and technical assistance to local agencies in compliance matters, and in the development and implementation of preservation plans.

Professional Affiliations:

Vernacular Architecture Forum (Secretary)
Friends of Maryland's Olmsted Parks and Landscapes (Board member)
National Trust for Historic Preservation

Education:

M. A. University of Pennsylvania, 1977. Awarded research assistantships 1975-77.

B. A. Drew University, 1974. Graduated summa cum laude with specialized honors. Elected to Sigma Phi, scholastic honor society, 1973. Awarded departmental assistantships 1972-73 and 1973-74.

Skills:

35mm photography; operation of IBM-compatible personal computer with various word processing and database software

90-282
SPHXA

PROTESTANT(S) EXHIBIT (1)

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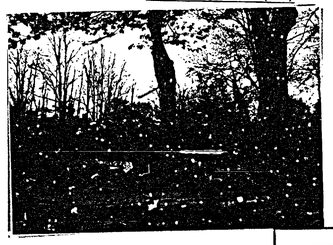
PROTESTANT(S) EXHIBIT (3)



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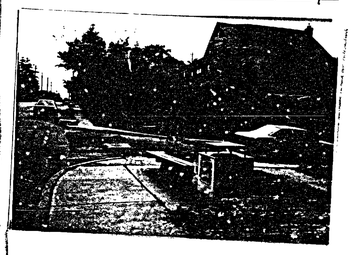
PROTESTANT(S) EXHIBIT (4)



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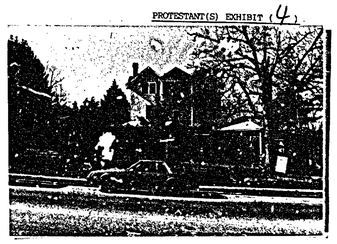
PROTESTANT(S) EXHIBIT (4)



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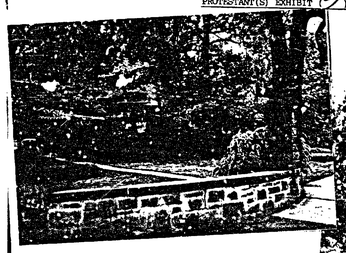
PROTESTANT(S) EXHIBIT (5)



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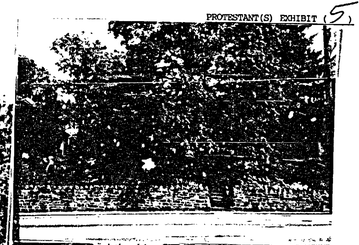
PROTESTANT(S) EXHIBIT (5)



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PROTESTANT(S) EXHIBIT (5)

90-282

PROTESTANT(S) EXHIBIT (5)

90-282

PROTESTANT(S) EXHIBIT (6)

90-282

PROTESTANT(S) EXHIBIT (6)

GENERAL NOTES

1. ELECTION DISTRICT ______________ 1
2. COUNCILMANIC DISTRICT ______ 1
3. CENSUS TRACT ______________ 4006
4. WATERSHED ______________ 25
5. SUBSEWERSHED ______________ 71
6. SITE DATA
   NET AREA – (TOTAL DR5.5 + RO 2275± + 53,905± = 56,180 SF) – 1.2897 ACRES) (RO = 53,905 SF = 1.24 AC±)
   GROSS AREA (TOTAL DR5.5 + RO 2785 + 59,425 = 62,210 SF) – 1.4281 ACRES) (RO = 59,425 SF = 1.36 AC±)
   BUILDING COVERAGE —— 12.7 % ±
   TOTAL FLOOR AREA —— 20,400 S.F.±
   PARKING REQUIRED —— 72 SPACES (SEE PARKING
   PARKING PROVIDED —— 72 SPACES TABULATION BELOW)
   (INCLUDES 3 HANDICAP SPACES)
7. DEED REFERENCE ——— 7395-0795
8. PROPERTY TAX ACCOUNT NO ———— 01-19-580230
9. FLOOR AREA RATIO *
   PERMIT 3D ——— 0.50 (59,425 x .5 = 29,712.5 SF)
   SHOWN ——— 20,400 S.F. ÷ 59,425 SF = 0.34 ± (SEE NOTE #32)
10. GEOLOGICAL INFORMATION (SEE ENVIRONMENTAL EFFECTS REPORT)
11. NO ARCHEOLOGICAL SITE, ENDANGERED SPECIES, HAZARDOUS MATERIALS SITE, WETLANDS OR CRITICAL AREAS EXIST WITHIN THIS SITE, TO OUR KNOWLEDGE
12. NO HISTORIC BUILDINGS
13. LIGHTING SHALL BE ERECTED SO AS NOT TO INTERFERE WITH TRAFFIC OR REFLECT RAYS TOWARD ADJACENT RESIDENCES (MAX HEIGHT 8 FEET)
14. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH APPROPRIATE REGULATIONS (LANDSCAPE MANUAL)
15. PARKING TO BE SCREENED FROM ADJACENT RESIDENCES BY WALL, SLOPE, EVERGREEN PLANTINGS & FENCES (EITHER OF OR IN COMBINATION WITH)
16. PRINCIPAL USE ~ ——— GENERAL & MEDICAL OFFICES
17. NO. OF EMPLOYEES ——— ± 70
18. HOURS OF OPERATION ——— 7 A.M. TO 9 P.M.
19. EXISTING CONTOUR 372
20. PROP. CONTOUR (TO BE ON CRG SUBMITTAL) —— 372
21. SITE IS SERVED BY M.T.A BUS ROUTE # 2
22. HANDICAP RAMPS TO BE PROVIDED WHERE APPLICABLE.
23. PAVING TO CONSIST OF MACADAM OR BITUMINOUS CONCRETE
24. AMENITY OPEN SPACE REQUIRED —— 25 % ——— RO SITE (GROSS AREA) 59,425 S.F. x 0.25 = 14,857 S.F.
    A.O.S PROVIDED ——— 21,580 S.F. + (OTHER GRASS AREA 2,275±) = 23,855 S.F. = 39% OF NET SITE (SEE NOTE #34)
25.

SOIL TYPE & LIMITATIONS				CLASS
SOIL TYPE	BLDG. W/BSMENT.	BLDG. W/O BSMENT	PARKING	
LhB	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLGHT - MOD	SLGHT - MOD	SEV/SLOPE	A

26. LANDSCAPE REQUIREMENT
    EXTERIOR ROAD FRONTAGE ~200' ÷ 40 = 5 TREES
    INTERIOR ROAD LENTH ~60' ÷ 20 = 3 TREES
    PARKING 72 PARKING SPACES ÷ 12 = 6 TREES
27. STORM WATER MANAGEMENT (AS SHOWN)
28. NO NATURAL SLOPES 25% OR GREATER.
29. PROP. SIGN SUBJECT TO SECTION 203.3C (OR VARIANCE APPLIED FOR)
30. ESTIMATED AVERAGE DAILY TRIPS (ADT'S) BASED UPON PROPOSED DEVELOPMENT
    12.3 x 16.55 = 203.57 ADT
    75 x 3.85 = 288.75 ADT
    TOTAL = 492.32 ADT
31. PRIOR TO REMOVAL OF EX. STRUCTURES CHECK FOR ASBESTOS.
32. IF BASEMENT IS ADDED TO FLOOR AREA RATIO 20,400 (OFFICE) + 7120 (STORAGE & MECHANICAL = 27,520 SF± (27,520 ÷ 59,425) = .463 FAR.
33. (THIS PLAN INDICATES EX. TREE LOCATIONS) EVERY EFFORT WILL BE TAKEN TO SAVE TREES IN THESE AREAS, AND TO RETAIN SPECIFIC TREES AS SHOWN.
34. AOS. 21,580 SF = 36.3% OF GROSS RO (21,460 ÷ 59,425)
35. NIGHT LIGHTING WILL BE FOR SECURITY PURPOSE ONLY.

PARKING TABULATION

PARKING REQUIREMENTS
3,850 SF± MEDICAL @ 4.5/1000 = 3.85 x 4.5 = 17.325 P.S
16,550 SF± GENERAL @ 3.3/1000 = 16.55 x 3.3 = 54.615 PS
TOTAL = 71.95 P.S OR 72 P.S

PARKING PROVIDED
23 COMPACT SPACES @ 7.5' x 16' = 31.5%
3 HANDICAP SPACES @ 16, 13' x 18' + DOUBLE @ 21 x 18
46 REGULAR SPACES @ 8½ x 18'
72 TOTAL SPACES

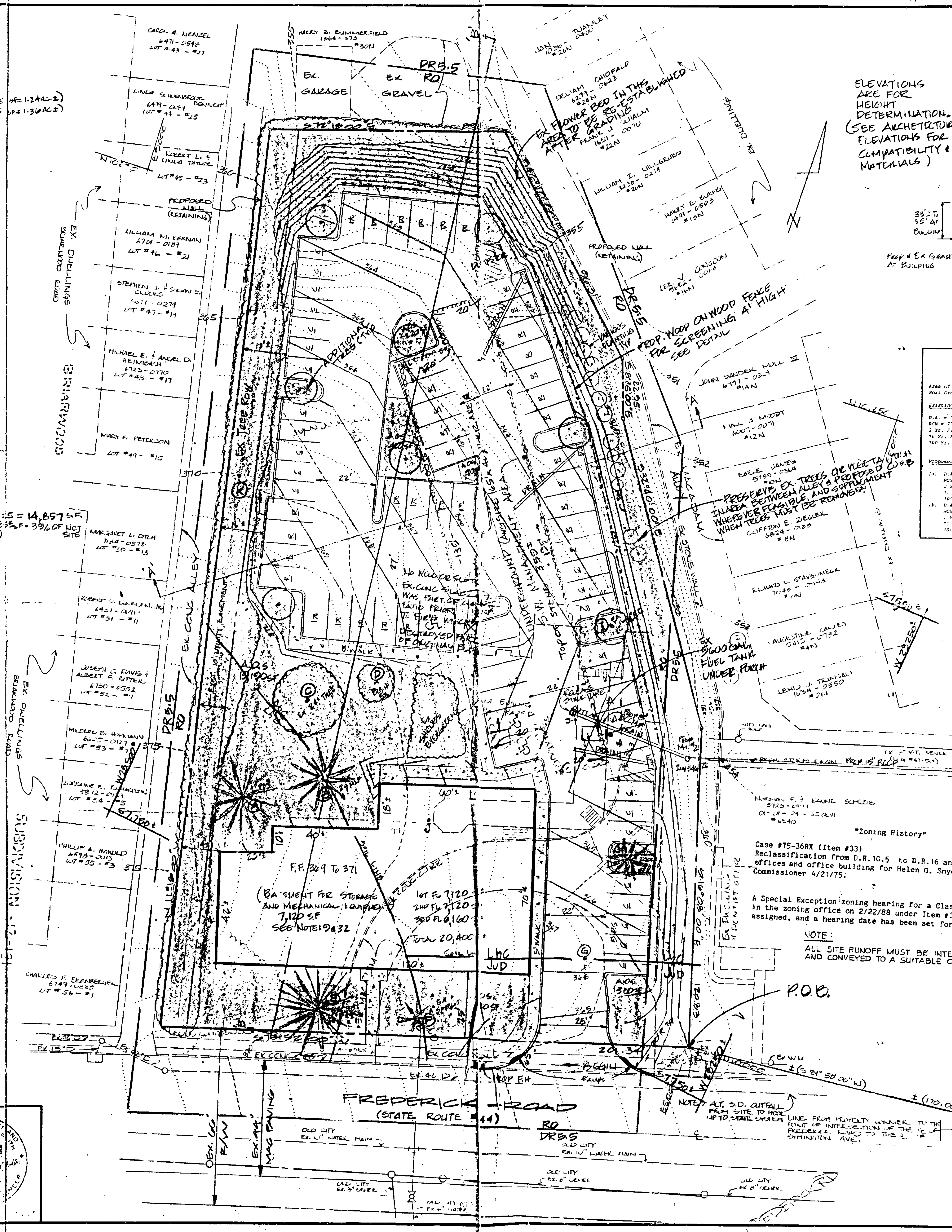
REVISED 7-28-88 * SEE NOTE #13 FOR LIGHTING HEIGHT.
* ADDED NOTE #35 ABOUT NIGHT SECURITY LIGHTING.

REVISED 4/27/88 FOR CONTINUED MEETING
1. REVISED BUILDING, PARKING LAYOUT AND GRADING (FAR SEE NOTE #6)
2. SHOWED ADDITIONAL EX TREES & FLOWER BED AREA.
3. ADJUSTED ZONING LINE AND DENSITY CALCULATIONS. (SEE NOTE #6)
4. REVISED A.O.S. AND CALCULATIONS. (SEE NOTE #24)
5. REVISED A.D.T & PARKING CALCULATIONS (SEE NOTE #30 & PARKING TAB.)
6. REDUCED LIGHT STANDARD FROM 12' TO 8' HIGH (SEE NOTE #18)
7. SHOWED S.W. MANAGEMENT TO HAVE POSSIBLE VOLUME NEARLY DOUBLE STORAGE FOR 100 YR STORM (SEE SWM DATA) & LOWER RELEASE

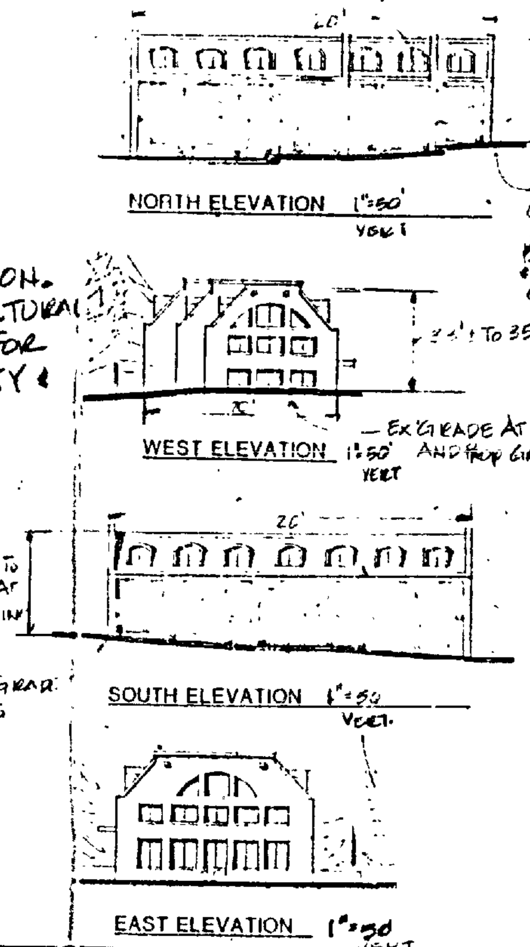
REVISED 5/7/88 – PLUS ADDED NOTES 32, 33 & 34 ADDITIONAL TREES ①, NOTATION ALONG EAST ALLEY, ADDED ZONING HISTORY, CHANGED ENTRANCE TO 25'

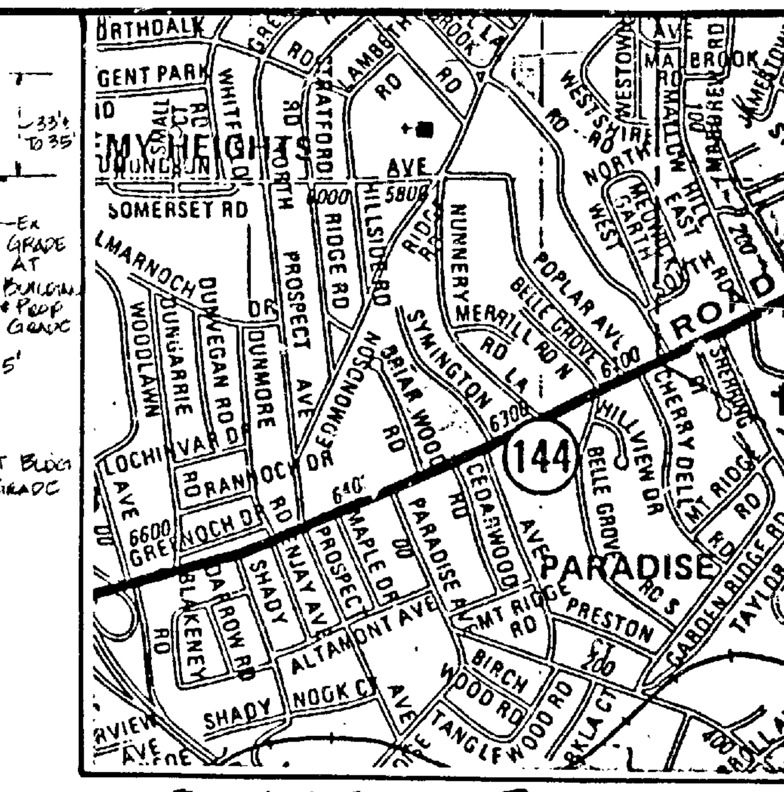
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301-825-8120)

STATE OF MARYLAND — JOHN STRONG SMITH — No. 3020 — REGISTERED PROFESSIONAL ENGINEER



ELEVATIONS ARE FOR HEIGHT DETERMINATION. (SEE ARCHITECTURAL ELEVATIONS FOR COMPATIBILITY & MATERIALS)





VICINITY MAP
SCALE: 1" = 1000'

CATON JOINT VENTURE

STORM WATER MANAGEMENT DATA

Area of the site = 1.29 Ac.±
Soil Group = A & C

Existing Condition:
D.A. = 1.29 Ac.±
RCN = 77
2 Yr. Flow = 1.95 cfs
10 Yr. Flow = 4.35 cfs
100 Yr. Flow = 7.18 cfs

Proposed Condition:
(a) D.A. (not managed) = 0.20 Ac.
RCN = 81
2 Yr. Flow = 0.46 cfs
10 Yr. Flow = 0.97 cfs
100 Yr. Flow = 1.55 cfs
(b) D.A. (routed & managed) = 1.09 Ac.±
RCN = 90
2 Yr. Flow = 3.73 cfs
10 Yr. Flow = 6.83 cfs
100 Yr. Flow = 10.18 cfs

Allowable Releases from the S.W.M. Facility
2 Yr. Storm = 1.95 - 0.46 = 1.49 cfs
10 Yr. Storm = 4.35 - 0.97 = 3.38 cfs
100 Yr. Storm = 7.18 - 1.55 = 5.63 cfs

Storage Required:
2 Yr. Storm = 2,748 c.f.
10 Yr. Storm = 4,399 c.f.
100 Yr. Storm = 6,090 c.f.

S.W.M. Facility is an underground stone storage
Use #2 Stone, Void = 40%

Volume of Stone Required = 6090/0.40 = 15,225 c.f.
Use 40' wide X 165 long X 4.5 deep IF PROVIDING Stone Storage FOR 29,700 C.F. IN AREA SHOWN

INFILTRATION NOT FEASIBLE IN CLASS C SOIL. RELEASE RATE WILL BE SUBSTANTIALLY REDUCED BEYOND TYPICAL ALLOWED RATES & EX RATE.

REVISIONS – (11-25-87)
1) SHOWED REQUIRED UTILITY CONNECTIONS.
2) ADJUSTED A.O.S. TO MEET REQUIREMENTS.
3) ADDED FIRE HYDRANT.
4) SHOWED SCHEMATIC BUILDING ELEVATIONS.
5) ADJUSTED NOTES PER CHECK PRINT.
6) INDICATED OWNER - APPLICANT.

NOTES:
1. ANY EXIST. SEPTIC TANKS WILL BE PUMPED AND EITHER BACKFILLED OR REMOVED PRIOR TO GRADING.
2. ANY EXIST. WELLS WILL BE BACKFILLED BY A LICENSED WELL DRILLER AND A WELL ABANDONMENT REPORT FILED PRIOR TO GRADING.
3. ANY EXIST. FUEL TANKS WILL BE PUMPED AND REMOVED UNDER THE SUPERVISION OF PERSONNEL OF THE WASTE MANAGEMENT SECTION OF D.E.P.R.M. PRIOR TO GRADING. A PERMIT IS REQUIRED FOR REMOVAL.

PETITIONER'S EXHIBIT 3
90-282SPHXA

"Zoning History"

Case #75-36RX (Item #33)
Reclassification from D.R.10.5 to D.R.16 and a Special Exception for offices and office building for Helen G. Snyder denied by the Zoning Commissioner 4/21/75.

A Special Exception zoning hearing for a Class "B" office building was filed in the zoning office on 2/22/88 under Item #303. Case #88-455-X has been assigned, and a hearing date has been set for 5/18/88 at 9:00 a.m.

NOTE:
ALL SITE RUNOFF MUST BE INTERCEPTED AND CONVEYED TO A SUITABLE OUTFALL.

MARKS, THOMAS AND ASSOCIATES INC. ARCHITECTS
PARADISE PROFESSIONAL CENTER

BALTIMORE COUNTY MD. COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On 5-20-88 With The Following Action Taken
PLAN APPROVED
Plan Approved DPW [signature]
Plan Approved OPZ [signature]
Approval Expiration Date 5-20-91
Plan Disapproved
Continued Mtg. Required
Plan Referred To Plan. Bd.

SCHEMATIC LANDSCAPE INFORMATION ON THIS PLAN

CRG PLAN
AND
PLAT TO ACCOMPANY A PETITION FOR A SPECIAL EXCEPTION FOR A CLASS "B" OFFICE BUILDING

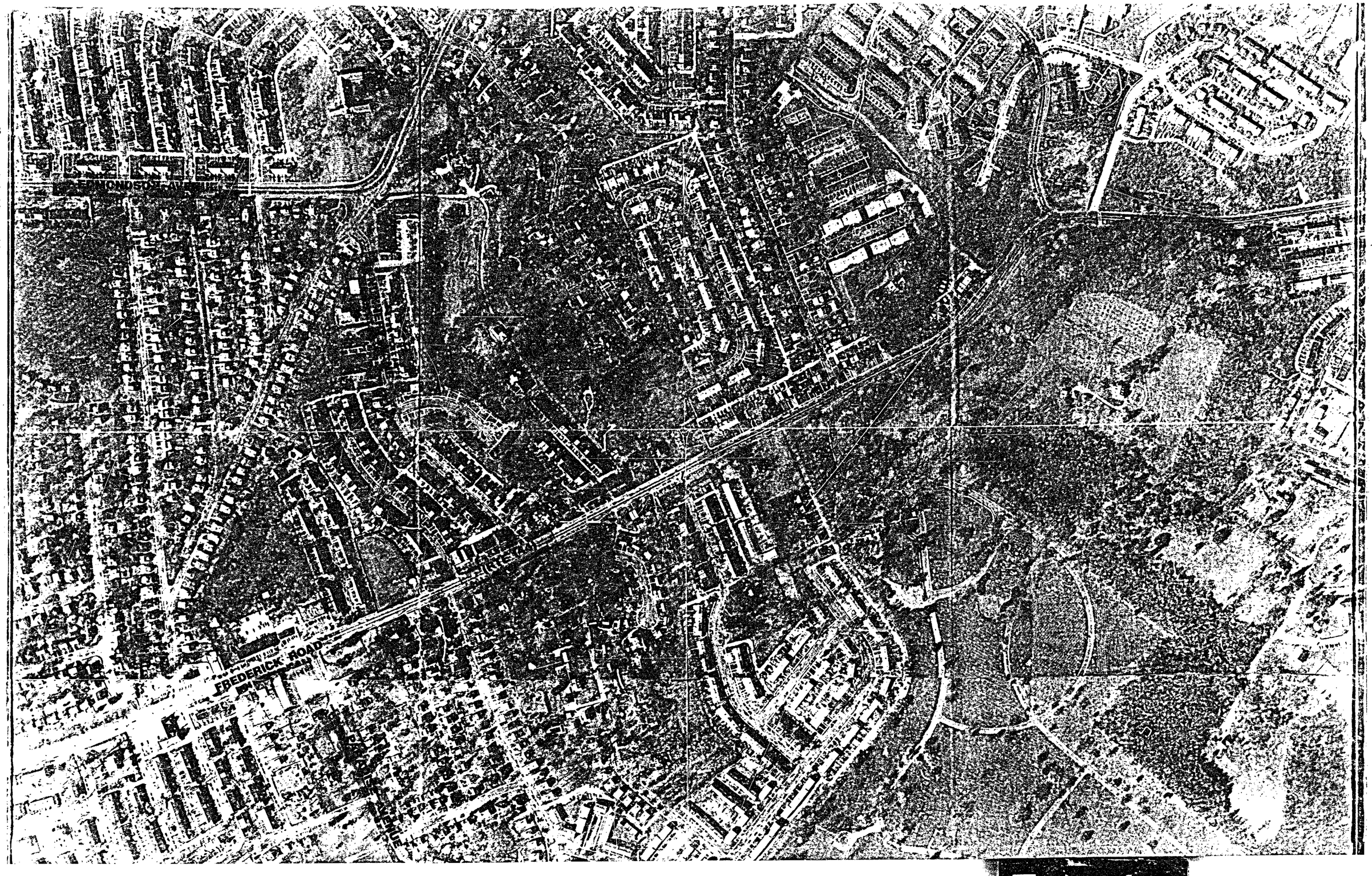
RECEIVED OCT 18 1988 OFFICE OF PLANNING AND ZONING

PARADISE PROFESSIONAL CENTER

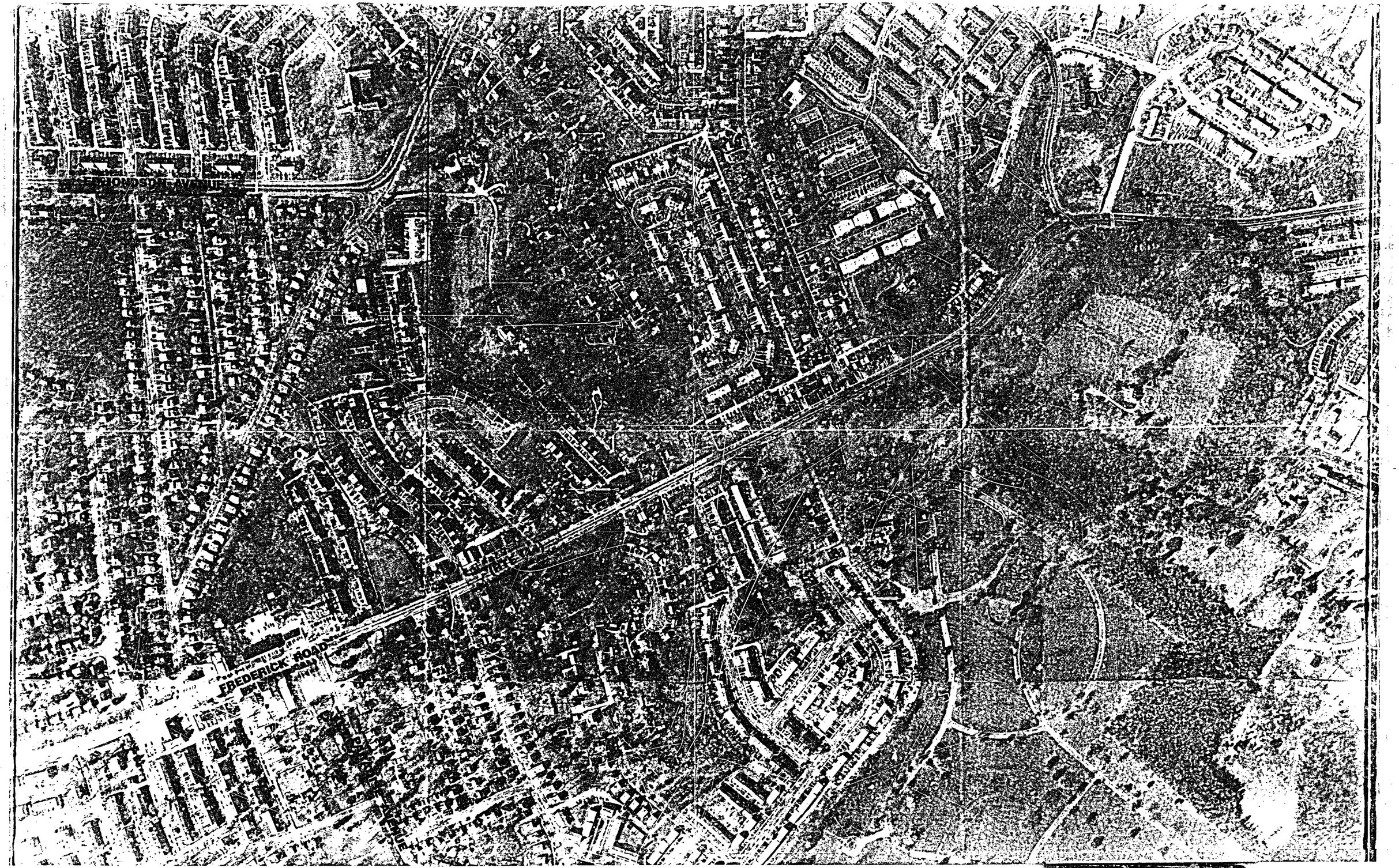
OWNER / APPLICANT
CATON JOINT VENTURE
9050-E FREDERICK ROAD
ELLICOTT CITY, MD 21043

BALTIMORE COUNTY
PLANNING NO.
PUBLIC SERVICES
CRG NO. 87380

SCALE: 1" = 20'
NOVEMBER 13, 1987
F.N: 570



F 1/2



F 2/2

D.R.10.5
D.R.5.5
D.R.5.5
D.R.5.5
D.R.16
D.R.10.5
D.R.16
D.R.16
D.R.3.5
D.R.3.5
O-2
O-T
O-T
O-T
O-1
O-1
O-2
U. S. NATIONAL CEMETERY
MOUNT MAIDEN
PEFFER RD.
GARDEN COURT
RIDGE APARTMENTS
CHOICE
CATONSVILLE BRANCH
ALLEY
ALTAMONT AVE.
SHADY NOOK AVENUE
SHADY NOOK COURT
TANGLEWOOD AVENUE
TANGLEWOOD ROAD
BIRCHWOOD ROAD
ARKLA CT.
R.R.
LANE
PENNSYLVANIA AVENUE
BALTIMORE AVENUE
PRIVATE
PARADISE AVE.
CRAIGBURN AVENUE
HERBERT RUN
PARADISE AVE.
SPRING GROVE STATE HOSPITAL
WATER ROAD
PRIVATE
WESTERN VO-TECH
UNIVERSITY AVE.
CATONSVILLE AVENUE
STAFFORD DRIVE
KENWOOD
BELTWAY
SYLVAN SIDE
OGLETHORPE
BRISTOL HILL CT.
SUMMIT HILL CT.
CARROLL AVE.
MCTAVISH AVE.
MAIDEN
KNOLLS
HIGHLAND HOME
ST. MARYS SEMINARY
ST. CHARLES COLLEGE
N.R.H.D.
LAURENCE BROOKE RD.
WHALEN PARK CT.
HILL RD.
KEEN MILL CT.
AREA UNDER CONSTRUCTION
KEEN VALLEY DR.
WILTON
PARK DR.
WINSLOW
CLINTON
CASEY CT.
FARM DR.
HILL CT.
MILTON FARM LA.
BRUCE ST. BRIDGE
S 9,000
S 10,000
S 11,000
S 12,000
W 28,500
W 25,500
(SHEET SW-4-E)

H-NE G-NW
H-SE G-SW

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

PETITIONER'S EXHIBIT 5

SCALE	LOCATION	SHEET
1" = 200' ±	CATONSVILLE	S.W. 3-E
DATE OF PHOTOGRAPHY JANUARY 1986		

F 1/2.

8/23/90 - Following parties notified of hearing set for February 13, 1991 at 10:00 a.m.:

Harold H. Burns, Jr., Esquire
Ms. Rose Jackson
Vista Development, Inc.
Mr. William P. Monk
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
Arnold Jablon, County Attorney

1/11/91 -- T/C from Lynn (Harold Burns' office) regarding possible request for postponement; possible settlement of matter would need at least 3 months to complete; will submit letter requesting same to Board for consideration of PP request. k

1/16/91 - Above parties notified of POSTPONEMENT at request of Counsel for Petitioner/ Appellant. Not to be reset until requested by said Counsel.

1/23/91 -Letter from H. Burns inquiring as to any limitation on "pending" appeal and possible loss of rights.

1/29/91 -Response from WTHackett to Mr. Burns; no limitation as long as existing situation remains unchanged (see copy of letter in file).

11/22/91 - Above parties notified of hearing set for February 26, 1992 at 10:00 a.m.
2/26/92 -PP'd at hearing; conflict/Levero.
3/11/92 - Above parties notified of hearing set for April 22, 1992 at 10:00 a.m.

4/23/92 - Above parties notified of Day #2 set for May 15, 1992 at 10:00 a.m.

5/20/92 -Memorandum of Law filed by J. Murphy, Esquire; not required.

IN THE MATTER OF
THE PETITION OF
VISTA DEVELOPMENT, CORP.,
Petitioner.

* BEFORE THE
* BOARD APPEALS
* OF
* BALTIMORE COUNTY
* File No.: (90 282) SPHXA

REQUEST FOR SUBPOENA DUCES TECUM

Dear Madam or Sir Clerk:

Kindly issue a Subpoena Duces Tecum commanding Lawrence Yeager of the Baltimore County Department of Environmental Protection & Resources, whose address is The Court's Building, Room 416, 401 Bosley Avenue, Towson, Maryland 21204, to produce all writings, documents, photographs, memorandum, plats, and diagrams of whatever kind and whatever nature concerning Vista Development, Corporation's Assisted Living Project proposed for 6348 Frederick Road, Baltimore County, returnable with said records to the Board of Appeals, County Office Building, Room 314, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Wednesday, February 26, 1992 at 10:00 A.M. to testify for Petitioner in this matter.

Linda Kuszmaul
Board of Appeals

John V. Murphy
JOHN V. MURPHY, ESQUIRE
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967
Attorney for Petitioner

COST $ 7.00
SUMMONED 2/14/92 19
NOT SERVED 19
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPERSACK
2/10/92

92FEB 10 AM 11:57

IN THE MATTER OF
THE PETITION OF
VISTA DEVELOPMENT, CORP.,
Petitioner.

* BEFORE THE
* BOARD APPEALS
* OF
* BALTIMORE COUNTY
* File No.: (90 282) SPHXA

REQUEST FOR SUBPOENA DUCES TECUM

Dear Madam or Sir Clerk:

Kindly issue a Subpoena Duces Tecum commanding Carl Richardson of the Baltimore County Planning and Zoning Department, whose address is The Court's Building, 401 Bosley Avenue, Towson, Maryland 21204, to produce all writings, documents, photographs, memorandum, plats, and diagrams of whatever kind and whatever nature concerning Vista Development, Corporation's Assisted Living Project proposed for 6348 Frederick Road, Baltimore County, returnable with said records to the Board of Appeals, County Office Building, Room 314, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Wednesday, February 26, 1992 at 10:00 A.M. to testify for Petitioner in this matter.

Linda Kuszmaul
Board of Appeals

John V. Murphy
JOHN V. MURPHY, ESQUIRE
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967
Attorney for Petitioner

SUMMONED 2/27/92 19
NOT SERVED 19
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPERSACK
2/10/92

92FEB 10 AM 11:57

IN THE MATTER OF
THE PETITION OF
VISTA DEVELOPMENT, CORP.,
Petitioner.

* BEFORE THE
* BOARD APPEALS
* OF
* BALTIMORE COUNTY
* File No.: (90 282) SPHXA

REQUEST FOR SUBPOENA DUCES TECUM

Dear Madam or Sir Clerk:

Kindly issue a Subpoena Duces Tecum commanding Richard More of the Baltimore County Traffic Engineering Department, whose address is The Court's Building, 401 Bosley Avenue, Towson, Maryland 21204, to produce all writings, documents, photographs, memorandum, plats, and diagrams of whatever kind and whatever nature concerning Vista Development, Corporation's Assisted Living Project proposed for 6348 Frederick Road, Baltimore County, returnable with said records to the Board of Appeals, County Office Building, Room 314, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Wednesday, February 26, 1992 at 10:00 A.M. to testify for Petitioner in this matter.

Linda Kuszmaul
Board of Appeals

John V. Murphy
JOHN V. MURPHY, ESQUIRE
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967
Attorney for Petitioner

SUMMONED 2/27 19
NOT SERVED 19
REASON NOT SERVED

SHERIFF
OF BALTIMORE COUNTY
NORMAN M. PEPERSACK
2/10/92

92FEB 10 AM 11:57

IN THE MATTER OF
THE PETITION OF
VISTA DEVELOPMENT, CORP.,
Petitioner.

* BEFORE THE
* BOARD APPEALS
* OF
* BALTIMORE COUNTY
* File No.: (90 282) SPHXA

REQUEST FOR SUBPOENA DUCES TECUM

Dear Madam or Sir Clerk:

Kindly issue a Subpoena Duces Tecum commanding Dr. Phillip H. Pushkin of the Baltimore County Department of Aging, whose address is 611 Central Avenue, Towson, Maryland 21204, to produce all writings, documents, photographs, memorandum, plats, and diagrams of whatever kind and whatever nature concerning Vista Development, Corporation's Assisted Living Project proposed for 6348 Frederick Road, Baltimore County, returnable with said records to the Board of Appeals, County Office Building, Room 314, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Wednesday, February 26, 1992 at 10:00 A.M. to testify for Petitioner in this matter.

John V. Murphy
JOHN V. MURPHY, ESQUIRE
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967
Attorney for Petitioner

Linda Kuszmaul
Board of Appeals

#1046

$20.00 Srd 2-21-92
Norman M. Pepersack Jr. Sheriff

92FEB 10 AM 11:57

IN THE MATTER OF
THE PETITION OF
VISTA DEVELOPMENT, CORP.,
Petitioner.

* BEFORE THE
* BOARD APPEALS
* OF
* BALTIMORE COUNTY
* File No.: 90 282 SPHXA

REQUEST FOR SUBPOENA DUCES TECUM

Dear Madam or Sir Clerk:

Kindly issue a Subpoena Duces Tecum commanding Frank Welsh, Director, Baltimore County Community Development, whose address is 1 Investment Place, Suite 800, Towson Maryland 21204, all writings, documents, photographs, memorandum, plats, and diagrams of whatever kind and whatever nature concerning Vista Development, Corporation's Assisted Living Project proposed for 6348 Frederick Road, Baltimore County, returnable with said records to the Board of Appeals, County Office Building, Room 314, 111 West Chesapeake Avenue, Towson, Maryland 21204, on Wednesday, February 26, 1992 at 10:00 A.M. to testify for Petitioner in this matter.

151

John V. Murphy
JOHN V. MURPHY, ESQUIRE
14 North Rolling Road
Catonsville, Maryland 21228
(410) 744-4967
Attorney for Petitioner

92FEB 10 AM 11:57

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

January 16, 1991

Harold H. Burns, Jr., Esquire
Suite 200
300 Cathedral Street
Baltimore, MD 21201

Re: Case No. 90-282-SPHA
Vista Development, Inc.

Dear Mr. Burns:

The Board is in receipt of your letter dated January 11, 1991, requesting a postponement in the subject matter to permit an evaluation of alternatives by the parties in this case. This request has been granted (see Notice of Postponement enclosed).

At this time, the Board will not reassign this case for another hearing date. Instead, we ask that you keep the Board apprised of the progress being made in this matter, and should a date be needed for a hearing on this appeal, please advise us and a date will then be set.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

Enclosure

cc: Ms. Rose Jackson
Mr. William P. Monk
People's Counsel for Baltimore County

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

January 29, 1991

Harold H. Burns, Jr, Esquire
Suite 200
300 Cathedral Street
Baltimore, MD 21201

RE: Vista Development, Inc.
Case No. 90-282-SPHA

Dear Mr. Burns:

In reply to your letter of January 21, 1991, the Board will note that the postponement granted in this case was at your request pending a possible settlement of the appeal. The Board will now place your case on the pending docket with no notice of assignment. Eventually, a settlement will be reached or a settlement will be deemed unreachable, at which time the Board would expect in either case a request for a hearing, and a hearing date would then be assigned.

As long as this situation does not change, there is no limitation to how long the continuance may remain in effect.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

cc: Ms. Rose Jackson
Mr. William P. Monk
People's Counsel for Baltimore County

D.R.10.5
NORTHDALE
ALLEY
RD.
WHITFIELD
GREENLOW
STRATFORD
LAMBETH
EDMONDSON
AVENUE
BROOK
ROAD
D.R.16
WESTOWNE
WESTSHIRE
D.R.3.5
OVERBROOK
D.R.5.5
POPLAR
89-467-A
N. MEDWICK
GARTH
BALTIMORE
W. MEDWICK
S 6,000
SOMERSET RD.
EDMONDSON RIDGE
NORTH
RIDGE
HILLSIDE
BL
89-189-X
NUNNERY
MERRILL
BELLE GROVE ROAD
KILMARNOCH DR.
PROSPECT
S 7,000
89-358-A
SYMINGTON
LANE
DUNMORE
DUNVEGAN ROAD
LOCHINVAR DR.
EDMONDSON AVENUE
BRIARWOOD
RO
BRIAR WOOD RD.
WINSTON
88-455-X
FREDERICK ROAD
29
40
144
HILLVIEW DRIVE
CHERRY
CITY
COUNTY
TAYLOR AVE
D.R.5.5
U.S. NATIONAL
CEMETERY
59
GARDEN RIDGE RD
ROAD UND. CONSTR.
MOUNT RIDGE
DELL RD
MT. RIDGE RD.
W 27,000
W 25,500
S 8,000
BL-CNS
BL-CNS
CEDARWOOD RD.
SYMINGTON AVE.
DUNMORE ROAD
GREENOCH DRIVE
ALTAMONT
PARADISE AVENUE
LAKENEY RD.
SHADY
ENLAY GARDENS
BALTIMORE
BALTIMORE
TAYLOR AVENUE

F2/2

PETITIONER'S EXHIBIT 13

90-282SPHXA

ELIZABETH D. SEVERINO
1301 N. Harrison Street, #1205
Wilmington, DE 19806
(302)658-3924

ACADEMIC PREPARATION

Undergraduate	Marymount Manhattan College 221 East 71st Street New York, New York University of Pennsylvania Philadelphia, Pennsylvania B.S., May 1967 Major: Biology Minor: Chemistry
Graduate	Rutgers University Graduate School of Social Work New Brunswick, New Jersey MSW, December 1978 Major: Planning and Administration Minor: Direct Service Temple University Graduate School of Biology Ph.D. Program in Biology - one year completed 1967 - 1968
Further Graduate	Study in Psychology and Education Glassboro State College University of Mississippi University of Iowa

WORK EXPERIENCE

September 1985 - Present	President and Chief Operating Officer/Co-founder and Member of the Board of Concord Healthcare Corporation, a 25-million dollar revenue company. Concord currently owns 10 facilities and manages 1 facility. It operates 1,000 beds in four states.
1982 - September 1985	Vice President/General Manager of the Eastern Division of Health Care and Retirement Corporation of America - Owens-Illinois. HCR was a 10,000 bed nursing home company. The Operations, Personnel, Finance, Quality Control/Professional Services, Purchasing, and Support Services reported directly to me.

PETITIONER(S) EXHIBIT ( )

PETITIONER'S EXHIBIT 14

90-282SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ALLEY:WEST SIDE
EXISTING TREES
TO REMAIN

VIEW LOOKING SOUTH

PETITIONER'S EXHIBIT 16A

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

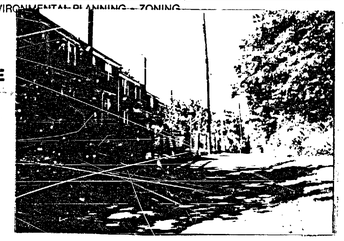
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PETITIONER'S EXHIBIT 16B

ALLEY:WEST SIDE
EXISTING TREES
TO REMAIN

90-282 SPHXA



CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ALLEY:WEST SIDE
EXISTING TREES TO REMAIN

PETITIONER'S EXHIBIT 16C

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

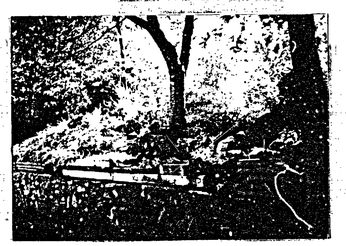
WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ALLEY-EAST SIDE

PETITIONER'S EXHIBIT 17A

90-282 SPHXA



CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

ALLEY-EAST SIDE

PETITIONER'S EXHIBIT 17B

90-282 SPHXA

6348 FREDERICK ROAD
BALTIMORE COUNTY, MD

(Note 23) Lot Size Tabulations:

		Square Feet	Acres
RO Zoned Area	(Net)	53,230.32	1.222
	(Gross)	58,762.44	1.349
DR 10.5 Zoned Area	(Net)	2120	.048
	(Gross)	2600	.059
Combined Total Gross		61,362.44	1.408

Note: Section RSD-3

GROSS RESIDENTIAL ACREAGE

In all residential zones, use the following definitions as a guide when figuring the permitted density:

* Acreage, Gross Residential: The residentially zoned acreage within the perimeter of the subdivision proposed for residential development, plus not more than half the width of existing or recorded boundary streets (maximum 60-foot right of way) to which the subdivision has right of access.....

* added to B.C.Z.R. by Bill No. 106, 1963 and deleted by Bill No. 100, 1970.

(Note 43) Density Computations

RO (Assume 16 DU/A.) (16 X 1.349 A.)	=	21.58
DR 10.5 (10.5 X .059) Zoned Portion	=	.61
Maximum Permitted	=	22.19
Proposed (74 beds ÷ 4)	=	18.5

PETITIONER'S EXHIBIT 18

90-282SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD
BALTIMORE COUNTY, MD

Trip Generation Comparative Analysis

	Average Daily Trips (ADTs)
Proposed Elderly Care - Assisted Living Facility:	2.6 trips X 74 (beds) = 192.4 ADT
Approved Office Building: (20,400 sq. ft.)	
(General) 12.3 trips/1000 sq.ft. (16,550)	= 203.57 ADT
(Medical) 75/1000 sq.ft. (3,850)	= 288.75 ADT
Total	492.32 ADT

Reduction in ADTs: 300 ADT (61%)

PETITIONER'S EXHIBIT 19

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

PETITIONER'S EXHIBIT 20

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING TREES TO REMAIN

90-282

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

EXISTING TREES TO REMAIN EAST PROPERTY LINE

PETITIONER'S EXHIBIT 21

90-282-SPHXA

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

NOTES:

1) **ZONING:**
   - **EXISTING-** RO & D.R.-10.5
   - **PROPOSED-** N/A
2) **LOT AREA:** SEE #23
3) **EXISTING USE:** VACANT DWELLING
4) **PROPOSED USE:** ELDERLY HOUSING - ASSISTED LIVING FACILITY (CLASS B)
5) **BUILDING AREA:** SEE # 41
6) **BUILDING SETBACKS:**

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	20'
REAR-	30'	64'
STREET CORNER SIDE-	—	20' (FROM PUBLIC ALLEY)

7) **PARKING:** SEE # 27
   - **REQUIRED-** 37 SPACES
   - **PROVIDED-** 37 SPACES
8) **UTILITIES:**
   - **SEWER-** PUBLIC
   - **WATER-** PUBLIC
9) **VARIANCES:**
   - SECTION IX. B 2 OF THE LANDSCAPE MANUAL TO PERMIT A 4' BUFFER FROM A RESIDENTIAL ZONE
   - SECTION 432.B (TO PERMIT SITE AREA OF 1.3 AC. IN LIEU OF 10 AC.)
   - SECTION 409.3(A)(4) TO PERMIT PARKING 5' FROM THE STREET PROPERTY LINE IN LIEU OF THE 10' REQUIRED
   - SECTION 203.3(C)(1) (TO ALLOW PROPERTY IDENTIFICATION SIGN) SEE #42
10) **SPECIAL EXCEPTION/CONDITIONAL USE:**
   - SECTION 203.3(B)(1)
   - SECTION 432.1 (A) 2 } TO ALLOW ASSISTED LIVING FACILITY
   - SECTION 432.3 (A) (2) — TO ALLOW AN INCREASE IN MAX. GROSS DENSITY FROM 5.5 DU'S/ACRE TO 16 DU'S/ACRE
   - SECTION 432.4 TO WAIVE RTA REQUIREMENTS REGARDING & PARKING SPACE

10A) SPECIAL HEARING: LOCATED IN THE D.R.10.5 ZONED PORTION OF THE SITE
   - REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #08-455X AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE
   - TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY SHOULD BE INCREASED FOR THE SPECIAL EXCEPTION REQUEST.

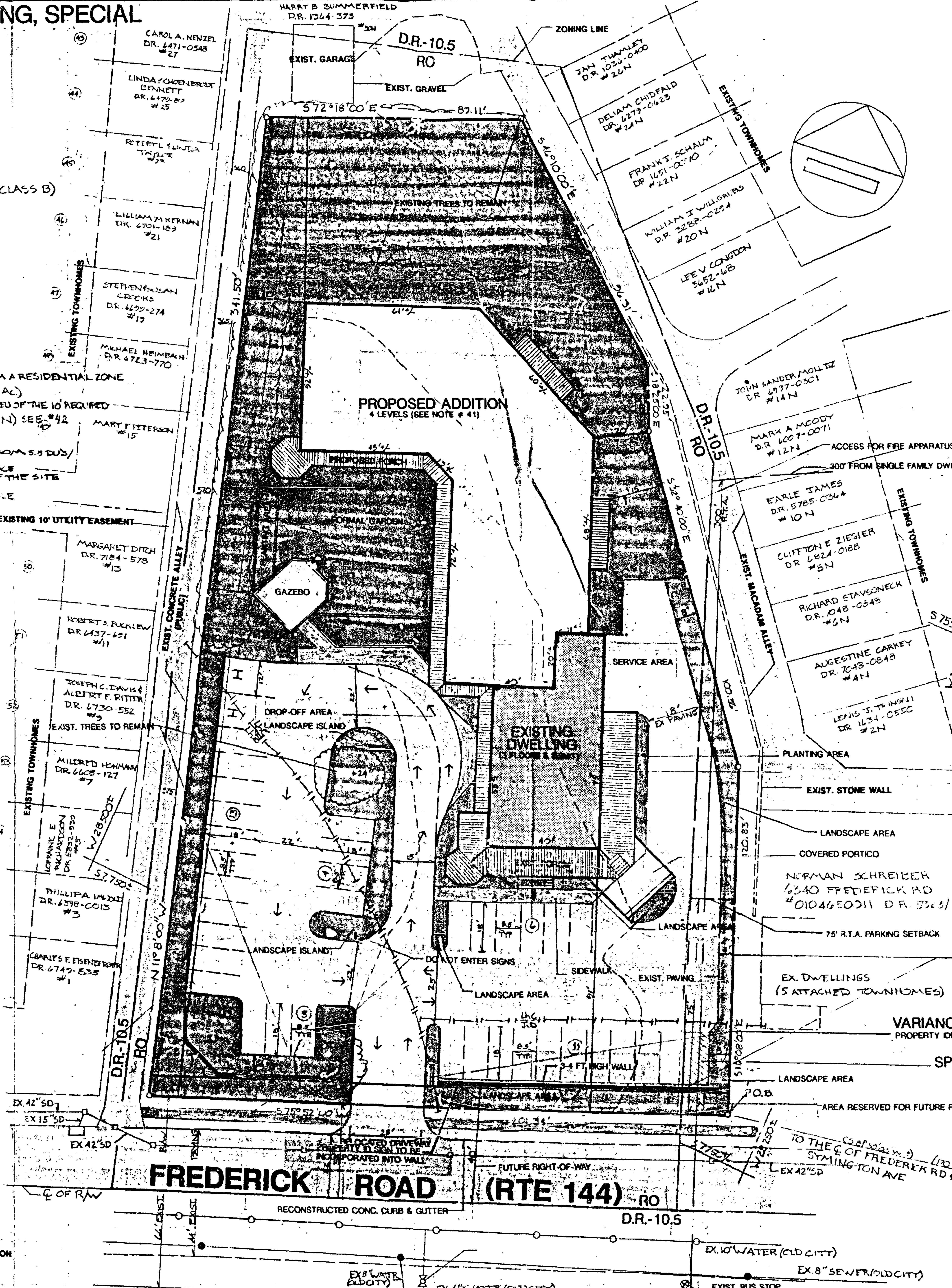
11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4006
14) Watershed: 25
15) Subsewershed: 71
16) Deed Reference: 7395/759
17) Property Account No.: 0119580230
18) Tax Map 101, Grid 3, Parcel 169
19) Building Coverage: EXIST. 4%, PROPOSED 19% (BASED ON GROSS AREA)
20) Floor Area: 43,336# (SEE NOTE 41)
21) Floor Area Ratio (F.A.R.): N/A
    Max F.A.R. Permitted:
    F.A.R. Proposed:
22) Height of Building
    Permitted: 60' MAX
    Proposed: 55' ±
23) Lot Size Tabulations:

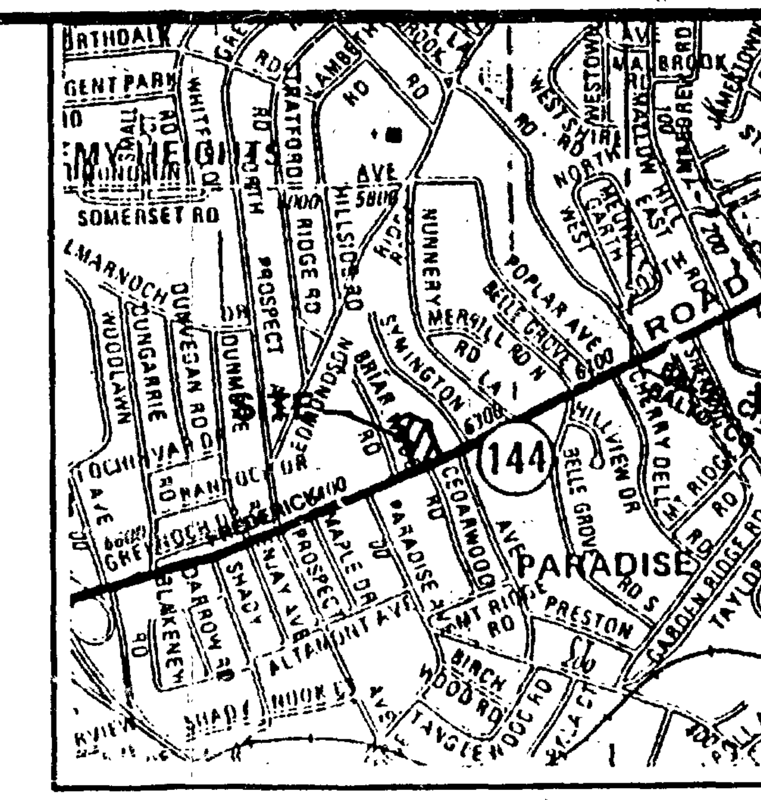
	NET AREA	GROSS AREA
RO ZONED AREA	53,905# (1.24 Ac±)	59,425# (1.36 Ac±)
DR-10.5 ZONED AREA	2,275# (.05 Ac±)	2,785# (.06 Ac±)
TOTAL AREA	56,180# (1.29 Ac±)	62,210# (1.42 Ac±)

24) No. of Employees: 6 (MAX. No. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A
27) Parking Tabulations:
    REQUIRED: 1 SPACE/2 BEDS (SEE 409.6A(1) = 74 ÷ 2 = 37 SPACES
    PROVIDED: 37 SPACES
28) Average Daily Trips (ADT'S):
    - 74 BEDS PROPOSED
      2.6/BED = 192.4 TRIPS
29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.
30) No wetlands, critical areas, archeological sites, ______ or endangered species habitats on site.
31) This site does not contain hazardous materials to the best of our knowledge.
32) Well and Septic note:
    - any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
    - any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.
33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of D.E.P.R.M. prior to grading. A permit is required for removal.
34) Landscaping/Buffers:
    LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED
35) Amenity open Space: N/A
    Required:
    Proposed:
36) Stormwater Management:
    STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION





VICINITY MAP
SCALE: 1"= 1000'

SOIL TYPES & LIMITATIONS				
TYPE	BLDG. w/BSMT	BLDG. w/o BSMT	PARKING	CLASS
LhB	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLIGHT-MODERATE	SLIGHT-MOD	SEV/SLOPE	A

37) All outdoor lighting will be directed away from the adjacent residential houses.

38) The proposed building will be designed and constructed in accordance with the N.F.P.A. 101 Life Safety Code.

39) Handicap Ramps to be provided where necessary.

40) Waivers:

41) BUILDING AREA:

LOWER LEVEL	6,950	~~10,834#~~
1ST FLOOR (STREET LEVEL)	10,834#	
2ND FLOOR	10,834#	
3RD FLOOR	~~10,834#~~	
	42,230#	~~43,336#~~ (TOTAL)

42) SIGNS - ALL SIGNS (FREESTANDING AND BUILDING MOUNTED) TO CONFORM TO BALTIMORE COUNTY SIGN REGULATIONS - EXCEPTING 1 FREESTANDING PROPERTY IDENTIFICATION SIGN (VARIANCE REQUESTED) NOT TO EXCEED 15 SQ. FT. PER SIDE NOR TO EXCEED 10 FT IN HEIGHT.

43) DENSITY NOTE:
   - 4 BEDS = 1 DENSITY UNIT (D.U.)
   - D.U. PROVIDED
     74 BEDS ÷ 4 = 18.5 D.U.
   - D.U. PERMITTED
     16 D.U./ACRE x 1.29 Ac (NET SITE) = 20.6 D.U.

44) ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 AC.) THAT CREATE AN R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FT & 250 FT ARCS

PETITIONER'S EXHIBIT 22

PREPARED BY:
WILLIAM P. MONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 305
100 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

APPLICANT:
VISTA DEVELOPMENT INC.
300 CATHEDRAL ST.
SUITE 200
BALTIMORE, MD 21201
(301)-752-1241

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING - ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

SCALE:	DRAWN BY:	DATE:	REVISED:
1"=20'	BFB	10-1-1989	1-3-1990 1-12-1990 2-19-1990

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-282-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 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres; Section 409.6A 1 to permit 14 parking spaces in lieu of the required 42; Section 203.3.C.1 to permit a property identification sign; From CMPD Section V.B.2 REF 1B02.2B (BCZR) to permit a side yard setback of 8 ft. in lieu of the required 20 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached

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:	Legal Owner(s):
(Type or Print Name)	Vista Development, Inc. (Type or Print Name)
Signature	By: Robert Gorsline, V.P. Signature
Address	(Type or Print Name)
City and State	Signature

Attorney for Petitioner:
Harold Burns, Jr. (Type or Print Name)
Harold H. Burns, Jr. Signature
300 Cathedral Street Address
Baltimore, MD 21201 City and State
Attorney's Telephone No.: 528-0044

300 Cathedral Street Suite 200 752-1241 Address Phone No.
Baltimore, Maryland 21201 City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William P. Monk, Inc. Name
100 W. Pennsylvania Avenue, Suite 305 Towson, MD 21204 494-8931 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of Oct, 19 89, 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 12 day of Jan, 19 90, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

WILLIAM MONK, INC.

90-282-SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PETITION FOR ZONING VARIANCE
6348 FREDERICK ROAD, BALTIMORE COUNTY, MD

STATEMENT OF HARDSHIP

1) Section 409.6A1: To permit 14 parking spaces in lieu of the require 42.

   A. Site conditions:

      1) desire to retain large trees in front and side yards
      2) desire to retain circular driveway
      3) desire to minimize impervious surface(s) and retain large trees and vegetative buffer in rear yard area

   B. Community concerns:

      1) retention of trees
      2) objective to reinforce architectural and historical site and building

2) Section 203.3c 1: To permit a property indentification sign.

   A. site requires identification at the street for visual orientation due to the extensive setback of the structure

3) From CMPD Section V.B.2, ref. Section 1 B02.2B (BCZR) to allow a side yard of 8 feet in lieu of 20 feet.

   A. site configuration (tapers to the rear) and desire to attach addition to the existing structure without detracting from the architectural and historical character of the main building

   B. addition is buffered from adjacent residential land use(s) by alley, hill, and existing tree cover

4) From Section 432.B: To permit a lot area of 1.3 A. in lieu of the required 10 A.

   A. the site has been 1 lot of record for over 35 years

   B. no subdivision of land is proposed

   C. the property is surrounded by residential development

Petition for Variance

SECOND AMENDED

90-282-SPHXA

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres; Section 203.3.C.1 to permit a free standing property identification sign rather than a sign attached to the building

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (indicate hardship or practical difficulty)

1) Section 203.3c.1: To permit a property identification sign. a) site requires identification at the street for visual orientation due to the extensive setback of the structure. 2) From Section 432.B: To permit a lot area of 1.3 A. in lieu of the required 10 A. a) the site has been 1 lot of record for over 35 years; b) no subdivision of land is proposed; c) the property is surrounded by residential development

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/Lessee:
(Type or Print Name)
Signature
Address
City and State

Attorney for Petitioner:
John V. Murphy, Esquire (Type or Print Name)
Signature
14 N. Rolling Road Address
Baltimore, Maryland 21228 City and State
Attorney's Telephone No.: 744-4967

Legal Owner(s):
Vista Development, Inc. (Type or Print Name)
By: Harold H. Burns, Jr. Pres. Signature
Harold H. Burns, Jr., Pres. (Type or Print Name)
Signature

300 Cathedral St., Ste. 200 752-12 Address Phone No.
Baltimore, Maryland 21201 City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING -1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: DATE

Hearing scheduled for Feb. 26

RECEIVED DEC 9 1989 Revised

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-282-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 432.B to permit a site area of 1.3 acres in lieu of the required 10 acres; Section 203.3.C.1 to permit a property identification sign adjacent to a residential use; 409.6A (4) To permit parking spaces 3 feet from the street property line (ultimate reservation line) in lieu of the minimum 10 feet required and 4 feet from an abutting residential zone line in lieu of the required 8 feet per Section IX.B.2 of the Landscape manual.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

not correct relief - landscape manual 203.4.C.6.C.1. for buffers not addressed

(See Attached)

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:	Legal Owner(s):
(Type or Print Name)	Vista Development, Inc. (Type or Print Name)
Signature	Harold H. Burns, Jr. Pres. Signature
Address	Harold H. Burns, Jr. (Type or Print Name)
City and State	Signature

Attorney for Petitioner:
Harold Burns, Jr. (Type or Print Name)
Harold H. Burns, Jr. Esq. Signature
300 Cathedral Street Address
Baltimore, Maryland 21201 City and State
Attorney's Telephone No.: 528-0044

300 Cathedral Street Suite 200 752-1241 Address Phone No.
Baltimore, Maryland 21201 City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William P. Monk, Inc. Name
100 W. Pennsylvania Avenue, Suite 305 Towson, Maryland 21204 494-8931 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 9 day of January, 19 90, 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 26 day of March, 19 90, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING

WILLIAM MONK, INC.

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PETITION FOR ZONING VARIANCE
6348 FREDERICK ROAD, BALTIMORE COUNTY, MD

STATEMENT OF HARDSHIP
(REVISED PER AMENDED PLAN DATED 1/3/90)

1) Section 203.3c 1: To permit a property identification sign.

   A. site requires identification at the street for visual orientation due to the extensive setback of the structure

2) From Section 432.B: To permit a lot area of 1.3 A. in lieu of the required 10 A.

   A. the site has been 1 lot of record for over 35 years

   B. no subdivision of land is proposed

   C. the property is surrounded by residential development

3) Section 409.8(A)(4) To allow parking 3 feet from the right of way line (ultimate right of way) and from Section IX B.2 of the Landscape Manual to allow a 4 foot buffer from a residential zone line in lieu of the required 8 feet.

   A. the ultimate right of way assumes a reservation of an additional 7 feet. In all likelihood, road widening will not occur due to the locations and extent of development through this area of Frederick Road

   B. Adequate area is required on-site to provide landscaping adjacent to the existing historical structure, a sidewalk and parking

   C. A 14 foot wide area for landscaping is provided between the parking spaces and the sidewalk adjacent to Frederick Road

---

#128

90-282-SPHXA

ZONING DESCRIPTION
6348 Frederick Road
1st Election District
Baltimore County, Maryland

Beginning on the North side of Frederick Road (Maryland Route 144), 66 feet wide, a distance of 170 feet more or less from the centerline of Symington Avenue and running the following courses and distances;

1) South 75 degrees 52 minutes 00 seconds West 201.34 feet
2) North 11 degrees 08 minutes 00 seconds West 341.50 feet
3) South 72 degrees 18 minutes 00 seconds East 89.11 feet
4) South 46 degrees 10 minutes 00 seconds East 96.31 feet
5) South 18 degrees 25 minutes 00 seconds East 22.95 feet
6) South 32 degrees 40 minutes 00 seconds East 100.56 feet
7) South 16 degrees 08 minutes 00 seconds East 120.83 feet

to the point of beginning and containing 62,210 square feet of land more or less.

STATE OF MARYLAND — FREDERICK J. THOMPSON — No. 5344 — REGISTERED PROFESSIONAL ENGINEER

90-282-SPHXA Revised

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE NORTH SIDE OF FREDERICK ROAD 148.66 FEET WEST FROM THE INTERSECTION OF THE WEST SIDE OF SYMINGTON AVENUE. THENCE, SOUTH 73 DEGREES 52 MINUTES WEST 201.34 FEET; THENCE NORTH 11 DEGREES 18 MINUTES WEST 341.50 FEET; THENCE NORTH 72 DEGREES 18 MINUTES EAST 89.12 FEET; SOUTH 45 DEGREES 10 MINUTES EAST 96.31 FEET; THENCE SOUTH 18 DEGREES 25 MINUTES EAST 22.95; THENCE SOUTH 32 DEGREES 40 MINUTES EAST 120.56 FEET; THENCE SOUTH 16 DEGREES 8 MINUTES EAST 120.83 FEET TO THE PLACE OF BEGINNING. THE IMPROVEMENTS THEREON BEING KNOWN AS NUMBER 6348 FREDERICK AVENUE OR ROAD, FORMALITY KNOWN AS NO. 6400 FREDERICK ROAD.

STATE OF MARYLAND — FREDERICK J. THOMPSON — No. 5344 — REGISTERED PROFESSIONAL ENGINEER

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

NOTES:

1) ZONING:
   EXISTING- RO & D.R.-10.5
   PROPOSED- N/A
2) LOT AREA: SEE #23
3) EXISTING USE: VACANT DWELLING
4) PROPOSED USE: ELDERLY HOUSING - ASSISTED LIVING FACILITY (CLASS B)
5) BUILDING AREA: SEE #41
6) BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	20'
REAR-	30'	64'
STREET CORNER SIDE-	—	20' (FROM PUBLIC ALLEY)

7) PARKING: SEE # 27
   REQUIRED- 37 SPACES
   PROVIDED- 37 SPACES
8) UTILITIES:
   SEWER- PUBLIC
   WATER- PUBLIC
9) VARIANCES:
   - SECTION 3X.B.2 OF THE LANDSCAPE MANUAL TO PERMIT A 4' BUFFER FROM A RESIDENTIAL ZONE
   - SECTION 432.B (TO PERMIT SITE AREA OF 1.3 AC. IN LIEU OF 10 AC.)
   - SECTION 409.3A)(4) TO PERMIT PARKING 5' FROM THE STREET PROPERTY LINE IN LIEU OF THE 10' REQUIRED
   - SECTION 203.2(C)(1) (TO ALLOW PROPERTY IDENTIFICATION SIGN) SEE #42
10) SPECIAL EXCEPTION/CONDITIONAL USE:
   - SECTION 203.3(B)(1) & 3 TO ALLOW ASSISTED LIVING FACILITY
   - SECTION 432.1.A)(2) — ALLOW AN INCREASE IN MAX. GROSS DENSITY FROM 5.5 DUS/ACRE TO 16 DU'S/ACRE
   - SECTION 432.3.A)(2) — ALLOW LESS THAN 10 ACRES IN AN RO ZONE
   - SECTION 432.4 TO WAIVE R.T.A. REQUIREMENTS REGARDING 1 PARKING SPACE
10A) SPECIAL HEARING: LOCATED IN THE D.R.10.5 ZONED PORTION OF THE SITE
   - REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE # 78-155X, AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE
   - TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY SHOULD BE INCREASED PER THE SPECIAL EXCEPTION REQUEST.

11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4006
14) Watershed: 25
15) Subwatershed: 71
16) Deed Reference: 7395/759
17) Property Account No.: 01195802.30
18) Tax Map NO. Grid 3, Parcel 169
19) Building Coverage: EXIST. 4%, PROPOSED 19% (BASED ON GROSS AREA)
20) Floor Area: 43,336 # (SEE NOTE 41)
21) Floor Area Ratio (F.A.R.): N/A
    Max F.A.R. Permitted:
    F.A.R. Proposed:
22) Height of Building
    Permitted: 60' MAX
    Proposed: 55'±

23) Lot Size Tabulations:

	NET AREA	GROSS AREA
RO ZONED AREA	53,905 # (1.24 Ac±)	59,125 # (1.36 Ac±)
DR-10.5 ZONED AREA	2,275 # (.05 Ac±)	2,785 # (.06 Ac±)
TOTAL AREA	56,180 # (1.29 Ac±)	62,210 # (1.42 Ac±)

24) No. of Employees: 6 (MAX. No. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A

27) Parking Tabulations:
REQUIRED: 1 SPACE/2 BEDS (SEE 409.6A(1)) =
74 ÷ 2 = 37 SPACES
PROVIDED: 37 SPACES

28) Average Daily Trips (ADT'S):
- 74 BEDS PROPOSED
2.6/BED = 192.4 TRIPS

29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.

30) No wetlands, critical areas, archeological sites, or endangered species habitats on site.

31) This site does not contain hazardous materials to the best of our knowledge.

32) Well and Septic note:
- any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
- any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.

33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of B.E.P.P.R. prior to grading. A permit is required for removal.

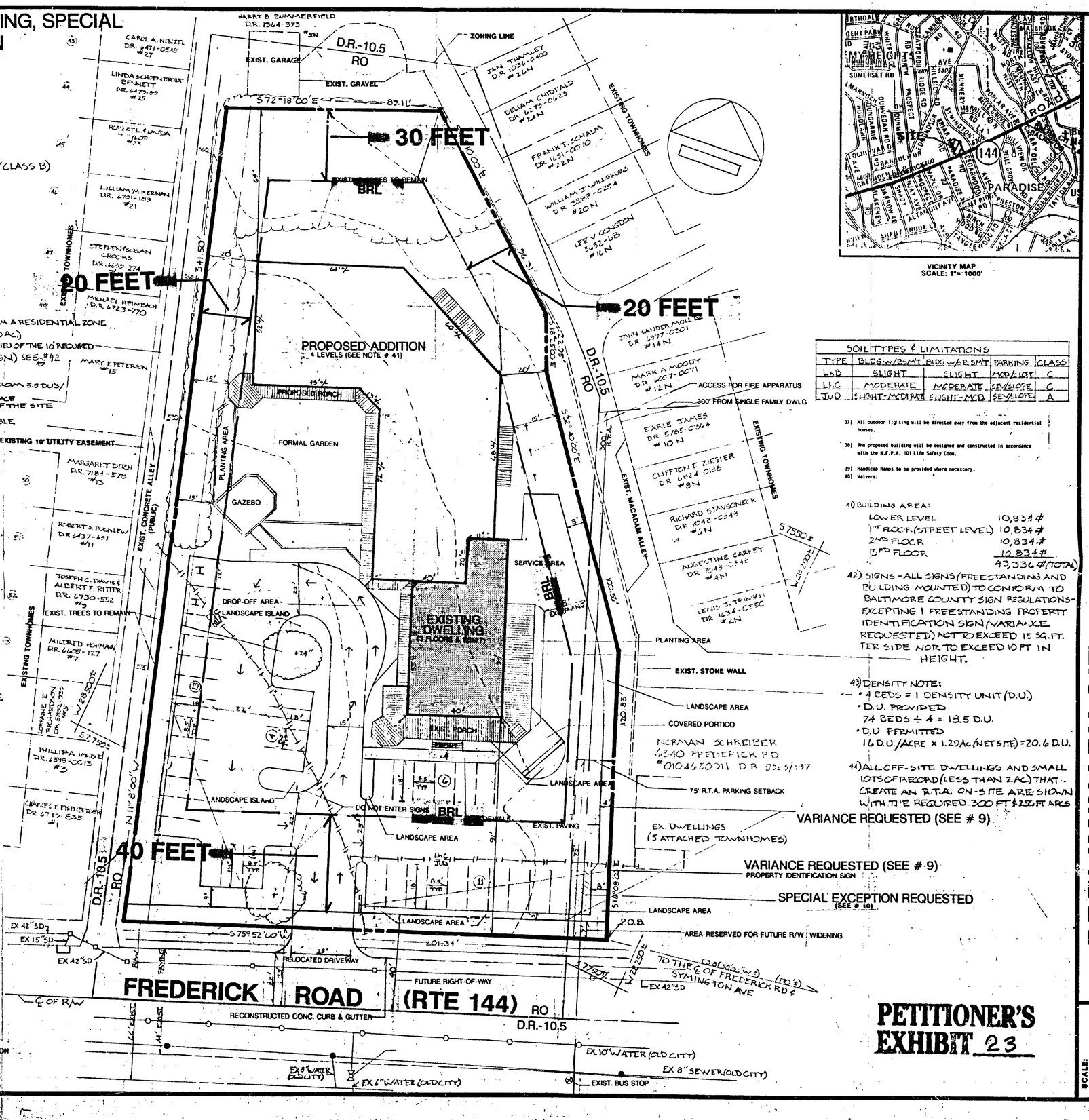
34) Landscaping/Buffers:
LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED

35) Amenity open Space:
Required: N/A
Proposed:

36) Stormwater Management:
STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION



VICINITY MAP
SCALE: 1"= 1000'

SOIL TYPES & LIMITATIONS				
TYPE	BLDG w/BSMT	BLDG w/o BSMT	PARKING	CLASS
LbD	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLIGHT-MODERATE	SLIGHT-MOD	SEV/SLOPE	A

37) All outdoor lighting will be directed away from the adjacent residential houses.

38) The proposed building will be designed and constructed in accordance with the N.F.P.A. 101 Life Safety Code.

39) Handicap Ramps to be provided where necessary.

40) Waivers:

41) BUILDING AREA:

LOWER LEVEL	10,834 #
1ST FLOOR (STREET LEVEL)	10,834 #
2ND FLOOR	10,834 #
3RD FLOOR	10,834 #
	43,336 # (TOTAL)

42) SIGNS - ALL SIGNS (FREESTANDING AND BUILDING MOUNTED) TO CONFORM TO BALTIMORE COUNTY SIGN REGULATIONS - EXCEPTING 1 FREESTANDING PROPERTY IDENTIFICATION SIGN (VARIANCE REQUESTED) NOT TO EXCEED 15 SQ. FT. PER SIDE NOR TO EXCEED 10 FT IN HEIGHT.

43) DENSITY NOTE:
- 4 BEDS = 1 DENSITY UNIT (D.U.)
- D.U. PROVIDED
74 BEDS ÷ 4 = 18.5 D.U.
- D.U. PERMITTED
16 D.U./ACRE x 1.29 Ac. (NET SITE) = 20.6 D.U.

44) ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 AC) THAT CREATE AN R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FT & 2½ FT ARS

PETITIONER'S EXHIBIT 23

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING- ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

PREPARED BY:
WILLIAM P. MONK, INC.
LAND USE PLANNING - ZONING - ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 305
100 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

APPLICANT:
VISTA DEVELOPMENT INC.
300 CATHEDRAL ST.
SUITE 200
BALTIMORE, MD 21201
(301)-752-1241

SCALE:	DRAWN BY:	DATE:	REVISED:
1"=20'	BFB	10-1-1989	1-3-1990 1-12-1990 2-19-1990

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

CONCEPTUAL LANDSCAPE PLAN

NOTES:

1) ZONING:
   - EXISTING- RO & D.R.-10.5
   - PROPOSED- N/A
2) LOT AREA: SEE #23
3) EXISTING USE: VACANT DWELLING
4) PROPOSED USE: ELDERLY HOUSING - ASSISTED LIVING FACILITY (CLASS B)
5) BUILDING AREA: SEE # 41
6) BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	20'
REAR-	30'	64'
STREET CORNER SIDE-	—	20' (FROM PUBLIC ALLEY)

7) PARKING: SEE # 27
   - REQUIRED- 37 SPACES
   - PROVIDED- 37 SPACES
8) UTILITIES:
   - SEWER- PUBLIC
   - WATER- PUBLIC
9) VARIANCES:
   - SECTION IX. B.2 OF THE LANDSCAPE MANUAL TO PERMIT A 4' BUFFER FROM A RESIDENTIAL ZONE
   - SECTION 432.B (TO PERMIT SITE AREA OF 1.3 AC. IN LIEU OF 10 AC.)
   - SECTION 409.8(A)(4) TO PERMIT PARKING 3' FROM THE STREET PROPERTY LINE IN LIEU OF THE 10' REQUIRED
   - SECTION 203.3(A)(1) TO ALLOW PROPERTY IDENTIFICATION SIGN) SEE #42
10) SPECIAL EXCEPTION/CONDITIONAL USE:
   - SECTION 203.3(B)(1) } TO ALLOW ASSISTED LIVING FACILITY
   - SECTION 432.1 (A)(2) } ALLOW AN INCREASE IN MAX. GROSS DENS. IT FROM 5.5 DUS/ ACRE TO 16 DUS/ACRE
   - SECTION 432.3(A)(2) } SECTION 409.4 TO WAIVE R.T.A. REQUIREMENTS REGARDING # PARKING SPACE
10A) SPECIAL HEARING: LOCATED IN THE D.R.10.5 ZONED PORTION OF THE SITE
   - REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X, AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE?
   - TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY SHOULD BE INCREASED PER THE SPECIAL EXCEPTION REQUEST.

11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4006
14) Watershed: 25
15) Subwershed: 71
16) Deed Reference: 7395/789
17) Property Account No.: 0119500230
18) Tax Map 101, Grid 3, Parcel: 169
19) Building Coverage: EXIST. 4%, PROPOSED 19%(BASED ON GROSS AREA)
20) Floor Area: 43,336 #/(SEE NOTE 41)
21) Floor Area Ratio (F.A.R.): N/A
    - Max F.A.R. Permitted:
    - F.A.R. Proposed:
22) Height of Building
    - Permitted: 60' MAX
    - Proposed: 55'±
23) Lot Size Tabulations:

	NET AREA	GROSS AREA
RO ZONED AREA	53,905# (1.24 AC±)	59,435# (1.36 AC±)
DR-10.5 ZONED AREA	2,275# (.05 AC±)	3,785# (.06 AC±)
TOTAL AREA	56,180 # (1.29 AC±)	62,210# (1.42 AC±)

24) No. of Employees: 6 (MAX. NO. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A

27) Parking Tabulations:
REQUIRED: 1 SPACE/2 BEDS (SEE 409.6A(1)) = 74 ÷ 2 = 37 SPACES
PROVIDED: 37 SPACES

28) Average Daily Trips (ADT'S):
- 74 BEDS PROPOSED
2.6 / BED = 192.4 TRIPS

29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.

30) No wetlands, critical areas, archeological sites, or endangered species habitats on site.

31) This site does not contain hazardous materials to the best of our knowledge.

32) Well and Septic note:
- any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
- any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.

33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of D.E.P.R.M. prior to grading. A permit is required for removal.

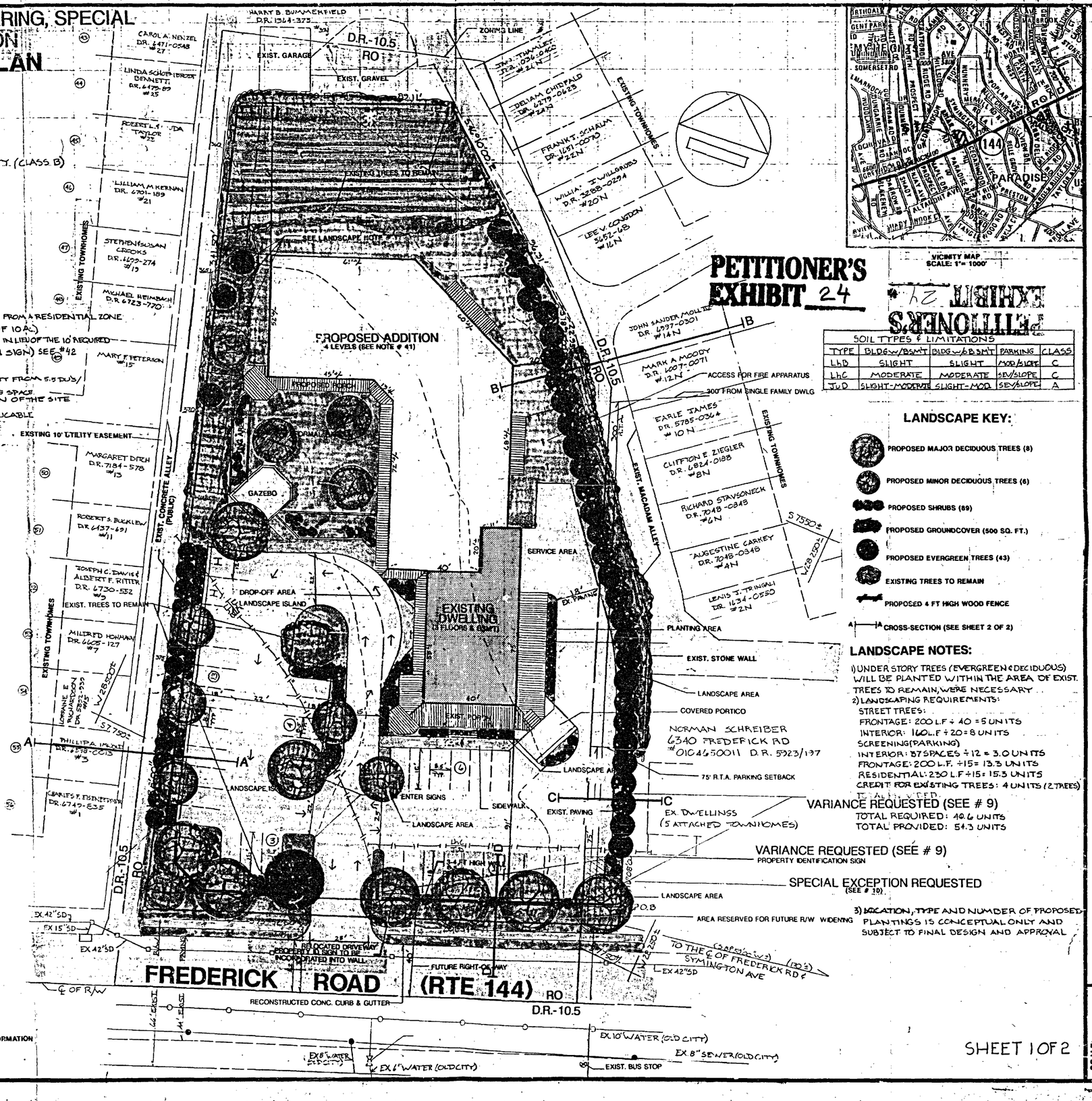
34) Landscaping/Buffers:
LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED

35) Amenity open Space:
Required: N/A
Proposed:

36) Stormwater Management:
STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION



PETITIONER'S EXHIBIT 24

PETITIONER'S EXHIBIT 24

SOIL TYPES & LIMITATIONS

TYPE	BLDG w/BSMT	BLDG w/o B.SMT	PARKING	CLASS
LhD	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLIGHT-MODERATE	SLIGHT-MOD	SEV/SLOPE	A

LANDSCAPE KEY:

- PROPOSED MAJOR DECIDUOUS TREES (8)
- PROPOSED MINOR DECIDUOUS TREES (6)
- PROPOSED SHRUBS (89)
- PROPOSED GROUNDCOVER (500 SQ. FT.)
- PROPOSED EVERGREEN TREES (43)
- EXISTING TREES TO REMAIN
- PROPOSED 4 FT HIGH WOOD FENCE
- A—A CROSS-SECTION (SEE SHEET 2 OF 2)

LANDSCAPE NOTES:

1) UNDER STORY TREES (EVERGREEN & DECIDUOUS) WILL BE PLANTED WITHIN THE AREA OF EXIST. TREES TO REMAIN, WERE NECESSARY.
2) LANDSCAPING REQUIREMENTS:
   - STREET TREES:
     - FRONTAGE: 200 L.F ÷ 40 = 5 UNITS
     - INTERIOR: 160 L.F ÷ 20 = 8 UNITS
   - SCREENING (PARKING)
     - INTERIOR: 37 SPACES ÷ 12 = 3.0 UNITS
     - FRONTAGE: 200 L.F. ÷ 15 = 13.3 UNITS
     - RESIDENTIAL: 230 L.F ÷ 15 = 15.3 UNITS
   - CREDIT FOR EXISTING TREES: 4 UNITS (2 TREES)
   - TOTAL REQUIRED
   - VARIANCE REQUESTED (SEE # 9)
   - TOTAL REQUIRED: 40.6 UNITS
   - TOTAL PROVIDED: 54.3 UNITS

VARIANCE REQUESTED (SEE # 9)
PROPERTY IDENTIFICATION SIGN

SPECIAL EXCEPTION REQUESTED (SEE # 10)

3) LOCATION, TYPE AND NUMBER OF PROPOSED PLANTINGS IS CONCEPTUAL ONLY AND SUBJECT TO FINAL DESIGN AND APPROVAL

PREPARED BY:
WILLIAM P. MONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 506
1 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8831

APPLICANT:
VISTA DEVELOPMENT INC:
300 CATHEDRAL ST.
SUITE 200
BALTIMORE, MD. 21201
(301)-752-1241

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING- ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

SHEET 1 OF 2

SCALE:	DRAWN BY:	DATE:	REVISED:
1"=20'	BFB	10-1-1989	1-3-1990 1-24-1990 2-9-1990

CONCEPTUAL LANDSCAPE PLAN

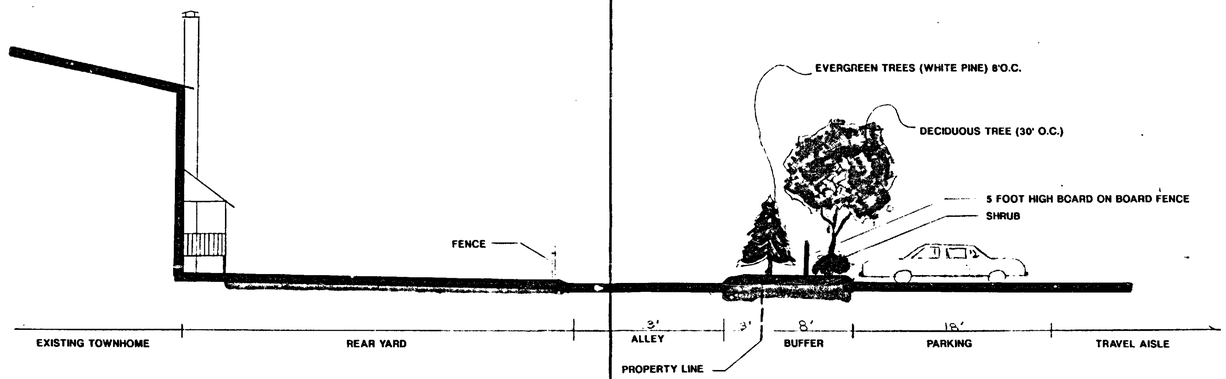
NOTES:

1) ZONING:
   EXISTING-
   PROPOSED-
2) LOT AREA:
3) EXISTING USE:
4) PROPOSED USE:
5) BUILDING AREA:
6) BUILDING SETBACKS: REQUIRED PROVIDED
   FRONT-
   INTERIOR SIDE-
   REAR-
   STREET CORNER SIDE-
7) PARKING:
   REQUIRED-
   PROVIDED-
8) UTILITIES:
   SEWER-
   WATER-
9) VARIANCES:

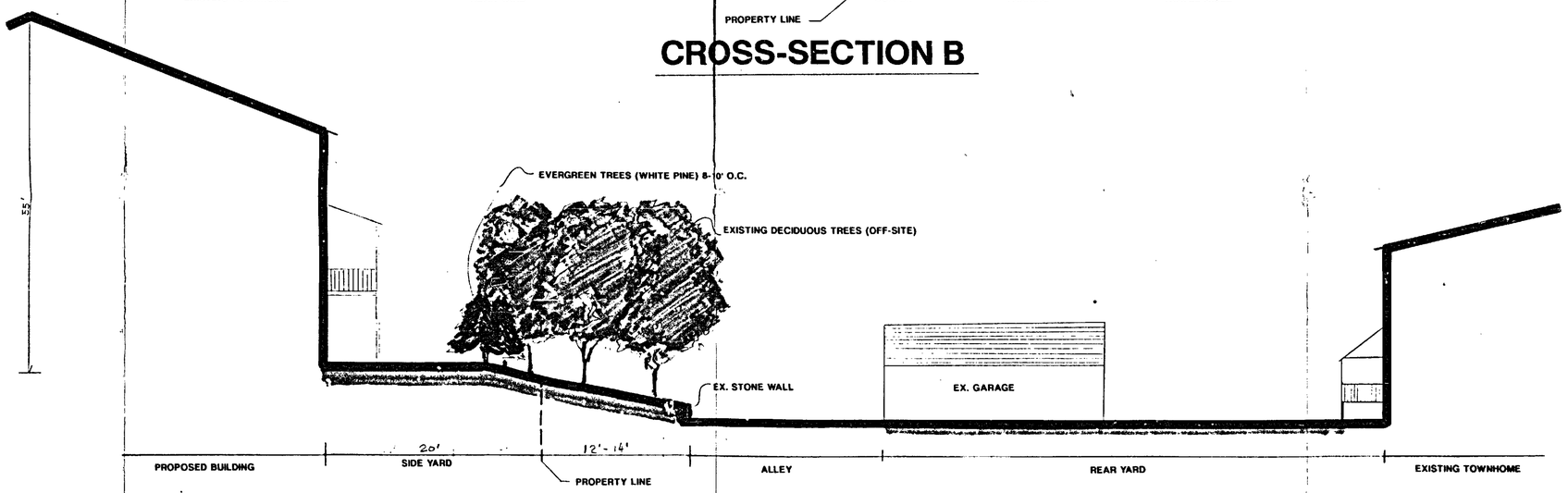
10) SPECIAL EXCEPTION/CONDITIONAL USE:

PETITIONER'S EXHIBIT 25

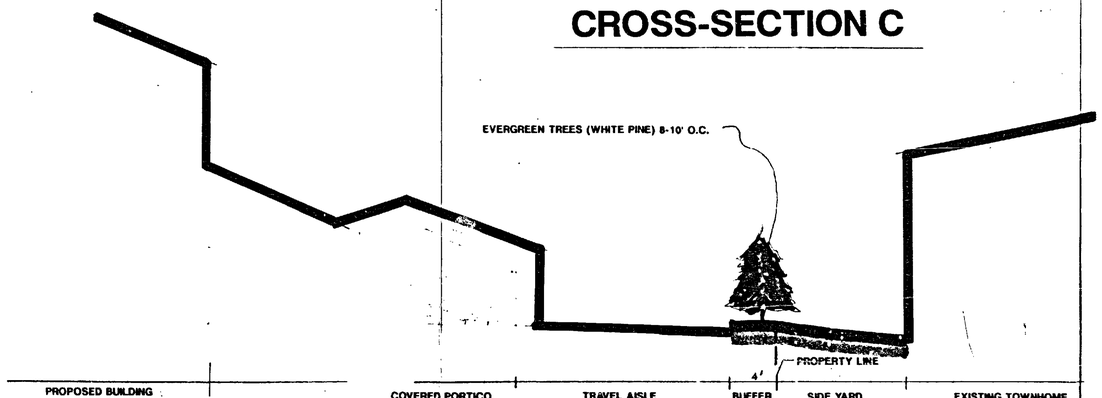
CROSS-SECTION A



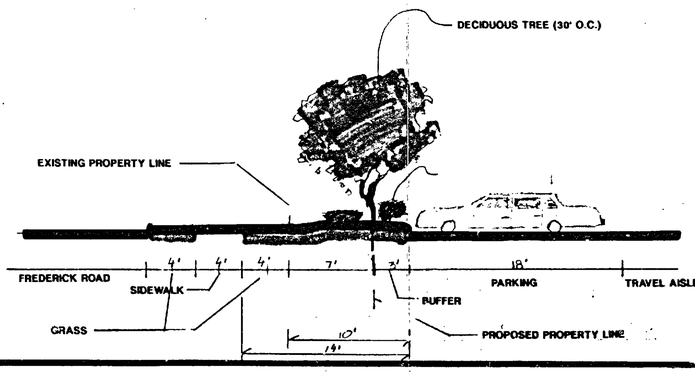
CROSS-SECTION B



CROSS-SECTION C



CROSS-SECTION D



PREPARED BY:
WILLIAM P. MONK, INC.
LANDSCAPE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 305
100 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

PRELIMINARY SITE PLAN

6348 FREDERICK ROAD

SCALE:	DRAWN BY:	DATE:	REVISED:
HORZ: 1"=6' VERT: 1"=10'	BFB	3-10-90	

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

COMPARATIVE ANALYSIS

	Victoria House 7925 York Road Towson, Maryland Case #90-145 SPHXA	6348 Frederick Road Catonsville, MD Case #90-282 SPHXA
Proposed Use:	Assisted Living Facility	Assisted Living Facility
Lot Area. Net Gross	1.548 A. +/- 1.88 A. +/-	1.27 A. +/- 1.408 A. +/-
Total Beds Proposed:	60	74
Total Beds Permitted:	120	88.76
Density Units Permitted:	30.08	22.19
Density Units Proposed:	20	18.5
Zoning:	DR 16	RO and DR 10.5
Parking Required (1/2 beds):	40	37
Parking Provided:	28*	37
Zoning Commissioners Decision:	Approved w/conditions 1/5/90	

* Variance Obtained

PETITIONER'S EXHIBIT 26

90-282 SPHXA

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

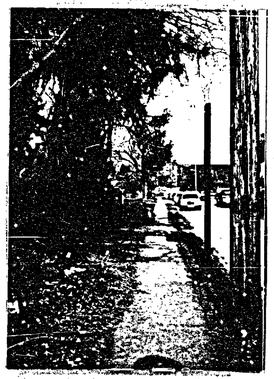
LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

FREDERICK ROAD:

VARIANCE
BCZR 409.8A(4)

PETITIONER'S EXHIBIT 27

90-282 SPHXA



CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

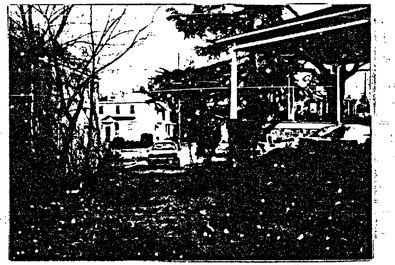
PETITIONER'S EXHIBIT 28

90-282SPHXA

VARIANCE
LANDSCAPE MANUAL
SECTION IX.B.2

AND

SPECIAL EXCEPTION
BCZR 432.4
(RTA REQ.)



KELLY CLAYTON & MOJZISEK
Architects
Planners

2508 North Calvert Street • Baltimore, Maryland 21218 • (301) 889-2613

104 E. Market Street • Snow Hill, Maryland 21863 • (301) 632-2102

RESUME

BRIAN W. KELLY
KELLY CLAYTON & MOJZISEK
2508 N. CALVERT STREET
BALTIMORE, MARYLAND 21218
(301) 889-2613

PETITIONER'S EXHIBIT 29

90-282SPHXA

Personal:

Born in Baltimore - 1953
Age 35 and of good health
Resides in Baltimore City in Wyman Park neighborhood
Married to Lydia Lundberg Kelly

Education:

Cardinal Gibbons High School - 1971

Bachelors of Architecture with Distinction - Virginia Polytechnic Institute and State University - 1976

Present Business Occupations:

Partner, Architect
Kelly Clayton & Mojzisek, Architects, Engineers, Planners
Professional Registration, licenses
Maryland, Virginia

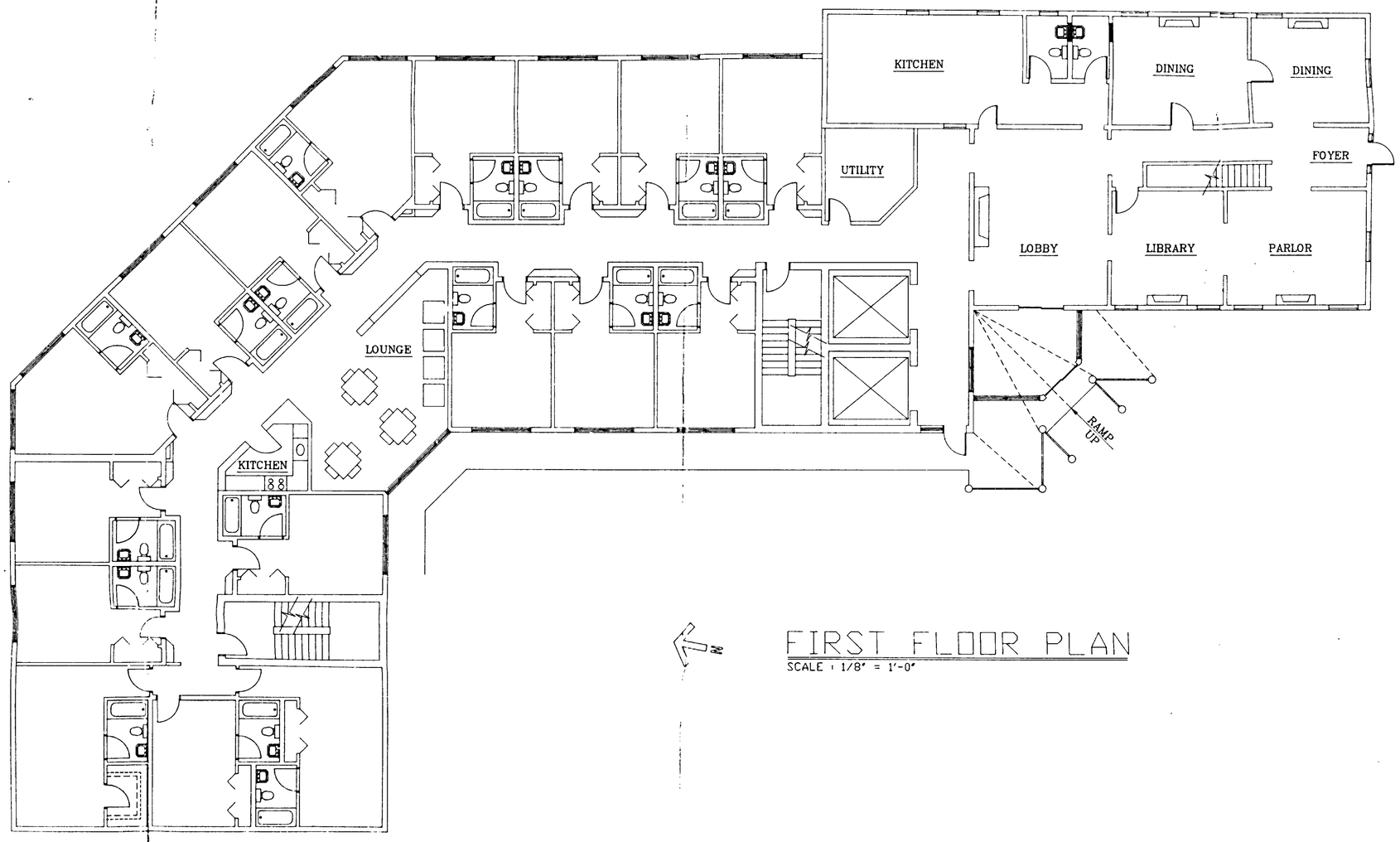
Executive Officer, Developer, Builder
KC&M Development Co., Inc.
Md. Licensed Contractor

Partner,
Beacon Enterprises
Real Estate Investments

Part Owner
Snow Hill Inn, 104 E. Market Street, Snow Hill, MD.
Restaurant and Country Inn

Brian Kelly Ronald Clayton George Mojzisek

Ching Stanton - Associate



N

FIRST FLOOR PLAN

SCALE : 1/8" = 1'-0"

PETITIONER'S EXHIBIT 31

90-282 SPHXA

KELLY CLAYTON & MOIZISEK
Architects - Planners
2508 North Calvert Street
Baltimore, Maryland 21218
(301) 889-2613

ARCHITECT
ISAO OISHI
2111 MARYLAND AVE.
BALTIMORE, MD. 21218
Ph. 301-727-2077

CONCORD/VISTA
ASSISTED LIVING PROJECT
6348 FREDERICK ROAD, CATONSVILLE, MARYLAND

Seal

Revisions

No.	Date	Item

Title

Drawn	Approved
Checked	

Contr. No. 8930
Scale
Date FEBRUARY 2, 1990
Last Rev.
Sheet no.

A-1

OF 3

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 23, 1992

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, MD 21228

RE: Case No. 90-282-SPHXA /Vista Development

Dear Mr. Murphy:

Pursuant to the conversation we had in the Board of Appeals office on July 22, 1992, I would like to take this opportunity to clarify our intentions in the subject Order.

If you are developing a revised plan showing a different number of units proposed, that revised plan would have to follow normal channels. Our Order of July 2, 1992 grants you the special exception use that you requested, and allows you the right to reduce the number of beds on a revised plan.

The Board has no authority to accept an amended plan. Any such amended plan must go through normal channels.

Sincerely,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

Printed on Recycled Paper

Enclosed for your review, are two copies of the approved CRG plan and the recent mark-up so that you can see the minor nature of the change. The latter plan indicates the facility as 44 beds; as previously stated, we are not requesting approval of the 44 beds within the Spirit and Intent ruling, only the change in footprint. A $40 review fee is also included. We recognize that we will also need to change the "Site Plan to Accompany Building Permit" which also indicates 44 beds before the permit can be issued.

We trust that the enclosed is sufficient for you to grant this approval. Your prompt attention will be greatly appreciated. Please call if there are any questions or if additional material is needed.

Sincerely,

GOWER THOMPSON INC.

Frederick J. Thompson, P.E.

Speed Letter

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

January 23, 1996

1st Election District

Dear Mr. Thompson:

Based on a review of the approved red-lined CRG plan and the above information in your letter, a zoning special hearing will be required to amend the previously approved zoning hearing plans. This determination is due to the fact that multiple protestants appeared at the zoning hearings with concerns on the building size, run-off, etc. The question of any future density increase should also be addressed at the required hearing.

Please be aware that should you need further zoning review of this site that copies of the revised approved zoning case plan dated July 29, 1992 must be red-lined with all changes.

If you have any further questions, please feel free to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case #90-282-SPHXA

LAW OFFICE OF
JOHN V. MURPHY, ESQUIRE
14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-0067
301-744-8202
FAX 301-744-8856

7/30/92 7/31/92
TO JLL
please assess
& advise

July 28, 1992

To: JLL
RECEIVED
JUL 30 1992
By:

Arnold Jablon, Esquire
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, Maryland 21204

RE: Vista Development Corp.
Case No.: 90-282-SPHXA
CBA-91-147

Dear Mr. Jablonr

On July 2, 1992 the Board of Appeals issued the attached Opinion granting Vista's request for a special exception for an assisted living facility but deny our request for a 60 bed facility. I interpreted the last line of the Board's letter to mean that the Board would review a modified site plan for 38 bed facility but as you can see by the attached July 23, 1992 letter from Chairman Hackett, the Board wants us to go through "normal channels." I take it that the modified 38 bed plan attached should be reviewed by your office before being recorded as approved. I have attached 12 copies of the 38 bed plan as a customary in case some other agency would also want to review the plan.

Would you kindly let me know when the plan is approved so that we can resume our CRG review with the new plan.

Thank you for your consideration of this matter.

Very Truly Yours,

John V. Murphy
John V. Murphy

JVM/pam

Enclosures

cc: Vista Development Corp.
Honorable William T. Hackett

RECEIVED
JUL 29 1992
ZONING OFFICE

7/30/92 Per A. Jablon no filing fee or hearing. B.M.

Speed Letter

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

August 3, 1992

Dear Mr. Murphy:

The Zoning Office has reviewed the 7/29/92 revised plan and has determined that it complies with and corresponds to the Board of Appeals Order of 7/2/92. We will keep one plan for the permanent zoning files and two copies will be returned (attached) for you and your clients records, marked accordingly. It is suggested that you or your client contact the Department of Public Works, Bureau of Public Services to initiate a development review, if necessary.

JOHN L. LEWIS
Planner II

W. CARL RICHARDS, JR.
Zoning Coordinator

Zoning Comments for a Revised Petition and Plan Review
Revised 2/13/92
Reviewed by JLL 2/21/92

6348 FREDERICK ROAD
Zoning Case #90-282-SPHXA

1. Since a special hearing petition is not included with the submitted revisions, there has been no review of the special hearing request. Clarify if the special hearing is being withdrawn or changed.

2. List all new revised petition requests as listed on the revised petitions on the plan in addition to the zoning information already in the notes.

   The Section 203.3.C.1 sign and lot area variance is repeated with different wording on the same variance petition. Delete these second references in the practical difficulty and hardship section of the petition and use this area only for establishment of practical difficulty and hardship.

3. Show and label the proposed right-of-way widening on the plan and confirm that this area will not be taken prior to building permit application as Section 409.8.A (B.C.Z.R.) requires a 10 foot off-street parking to street right-of-way setback. A variance as originally requested is required, if this is not the case. Indicate that the projection into the 30 foot eastern setback line is an open projection.

4. Clsrify the purpose of hearing note #4 concerning the density increase by a factor of (2 "permitted")? Correct plan note #4 on density from "Density Variance" to "Requested Special Exception for a Density Increase".

5. Note #10 concerning the 8 square foot sign is incorrect as zoning policy requires that the entire sign mounted on the brick piers be counted as a sign. Note if single-face or dual-face and correctly total and variance the number of square feet over the 8 square feet permitted. If an additional variance is not desired, the sign must be reduced to an actual 8 square feet as permitted.

6. Correct the maximum height permitted in note #7 to 50 feet, not 60 feet as shown.

7. The description does not match the plan for street centerline distance and some metes and bounds.

JOHN L. LEWIS
Planner II

JLL:scj

Baltimore County
Department of Permits and
Development Management

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

February 21, 1997 *
See Revised Response dated
2/21/97 on Page 2.

Frederick J. Thompson P.E.
Gower Thompson Inc.
429 East Lake Avenue
Baltimore, MD 21212

RE: Zoning Verification
6348 Frederick Road
1st Election District

Dear Mr. Thompson:

This letter references a January 23, 1996 response from this office concerning a request for a spirit and intent approval of a proposed plan change to the enclosure and first story additions to an approved open porch, as shown on the approved plan in zoning case 90-282-SPHXA.

The staff response was as follows:

"Based on a review of the approved red-lined CRG plan and the above information in your letter, a zoning special hearing will be required to amend the previously approved zoning hearing plans. This determination is due to the fact that multiple protestants appeared at the zoning hearings with concerns on the building size, run-off, etc. The question of any future density increase should also be addressed at the required hearing.

Please be aware that should you need further zoning review of this site that copies of the revised approved zoning case plan dated July 29, 1992 must be red-lined with all changes."

During a later telephone conversation you asked if this response could be revised to accommodate the changes subject to receiving written approval of the protestants. These were Mr. John Moll of 14 N. Symington Avenue, Ms. June Moody of 12 N. Symington Avenue, and Mr. Joe Pallozic of 15 Briarwood Road. Staff agreed to review your request for approval, subject to receiving written confirmation of approval from the above protestants and the community association (or other such entity representing area residents).

Printed with Soybean Ink on Recycled Paper

Frederick J. Thompson P.E.
February 21, 1997
Page 2

Responding to your written request for clarification as to what is needed from the above parties, this response is forthcoming. Once staff receives the above information, including the referenced red-line plans along with copies of our prior correspondence, we will be able to review the porch enclosure and first floor addition on same with more hope of providing a spirit and intent approval without a zoning special hearing to amend the zoning case plan. This response is not intended to approve or review any changes except the enclosure of the proposed porch and the first floor addition referenced above.

Please be aware that this letter is for zoning spirit and intent approval only and does not give response for other agencies. Please check with Development Management at 887-3335 concerning any required CRG refinements.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis
Planner II, Zoning Review

JLL:rye

c: zoning case #90-282-SPHXA

Enclosure

*Revised Response 2/21/97

Pursuant to further meetings and provided information as required in the above letter, staff is able to approve the 12 foot x 37 foot open porch enclosure with a second story addition on same as being within the spirit and intent of the approved plan in zoning case 90-282-SPHXA. Please be aware that this response adresses this specific zoning issue only and is not intended to be an approval for any other agency(s).

John L. Lewis
Planner II, Zoning Review

c: zoning case 90-282-SPHXA
John Sullivan - B-292173

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044

MAUREEN F. MACKEY

128
90-282-SPHXA

October 10, 1989

VIA HAND DELIVERY

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

Re: 6348 Frederick Road

Dear Commissioner Haines:

In accordance with Section 432.3 F of the Baltimore County Zoning Regulations titled Elderly Housing Facilities, this letter shall serve as notification that a "Board of Advisors" consistent with the requirement as therein set forth will be established.

Thank you for your attention in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr

cc: William P. Monk, President
William Monk, Inc.

Given
Please Handle

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044

MAUREEN F. MACKEY

December 12, 1989

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

RECEIVED
DEC 13 1989
ZONING OFFICE

Re: Petitions for Special Hearing,
Special Exception & Zoning Variance
Case Number: 90-282-SPHXA

Dear Mr. Haines:

I represent Vista Development, Inc., which has filed Petitions for Special Hearing, Special Exception, and Zoning Variance in the above-referenced matter. Yesterday I received from your office a Notice of Hearing scheduling the hearing on these Petitions for 9:30 a.m. on Friday, January 12, 1990.

The Corporation has met with various neighbors to the proposed project and neighborhood groups in the Catonsville area. As a consequence and upon the advice of William Monk, who has been retained by the Corporation as a consultant in this matter, the plans and specifications for the project are being reworked.

Accordingly, Vista Development, Inc. requests that the hearing in this matter be postponed one month.

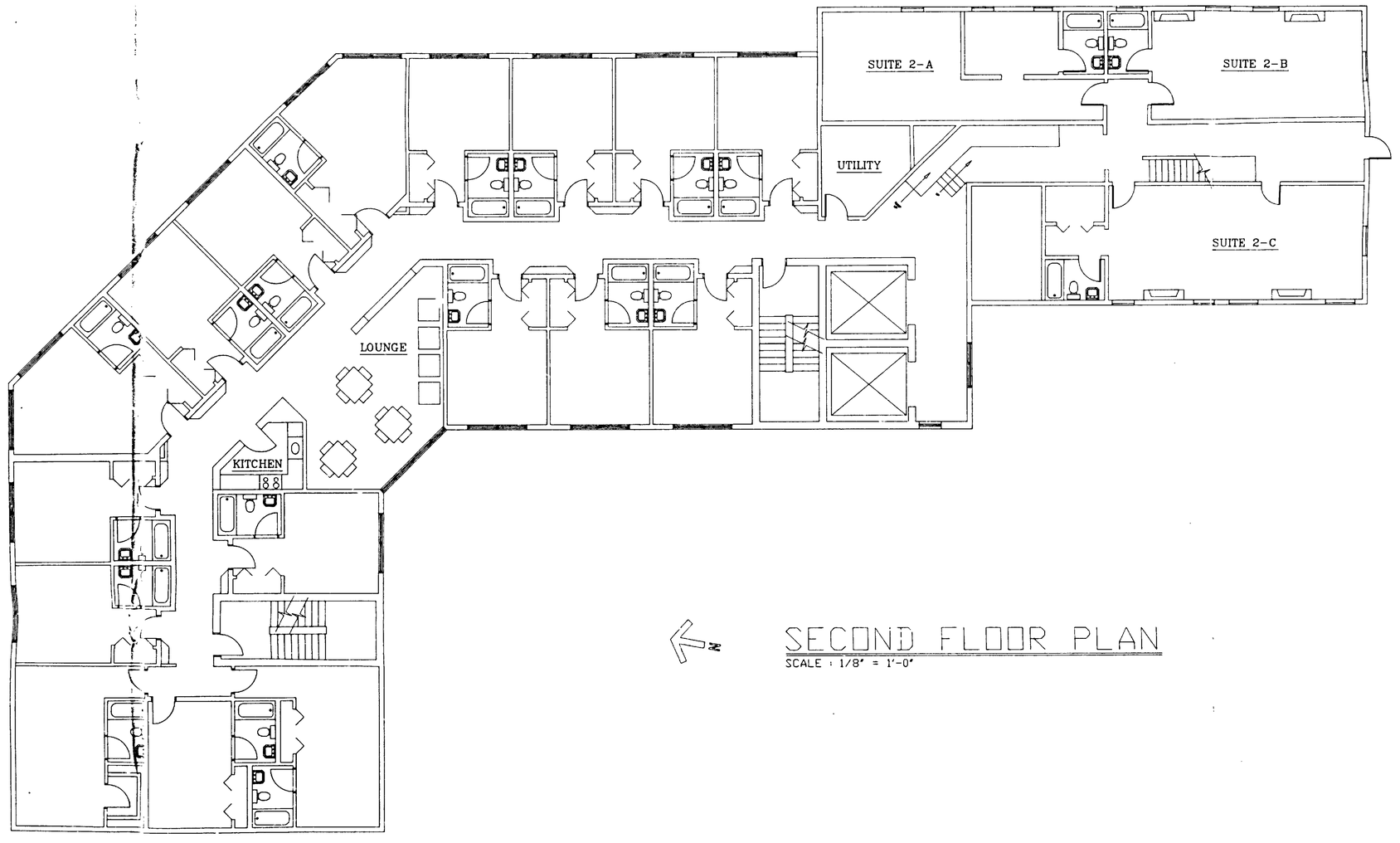
Thank you for your attention in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr

cc: Ms. Rose Jackson
Mr. Patrick Turner



SECOND FLOOR PLAN
SCALE : 1/8" = 1'-0"

PETITIONER'S EXHIBIT 32
90-282 SPHXA

KELLY CLAYTON & MOZISEK
Architects - Planners
2508 North Calvert Street
Baltimore, Maryland 21218
(301) 889-2613

ARCHITECT
ISAO OISHI
2111 MARYLAND AVE
BALTIMORE, MD. 21218
Ph. 301-727-2077

CONCORD/VISTA ASSISTED LIVING PROJECT

6348 FREDERICK ROAD, CATONSVILLE, MARYLAND

Seal

Revisions

No.	Date	Item

Title

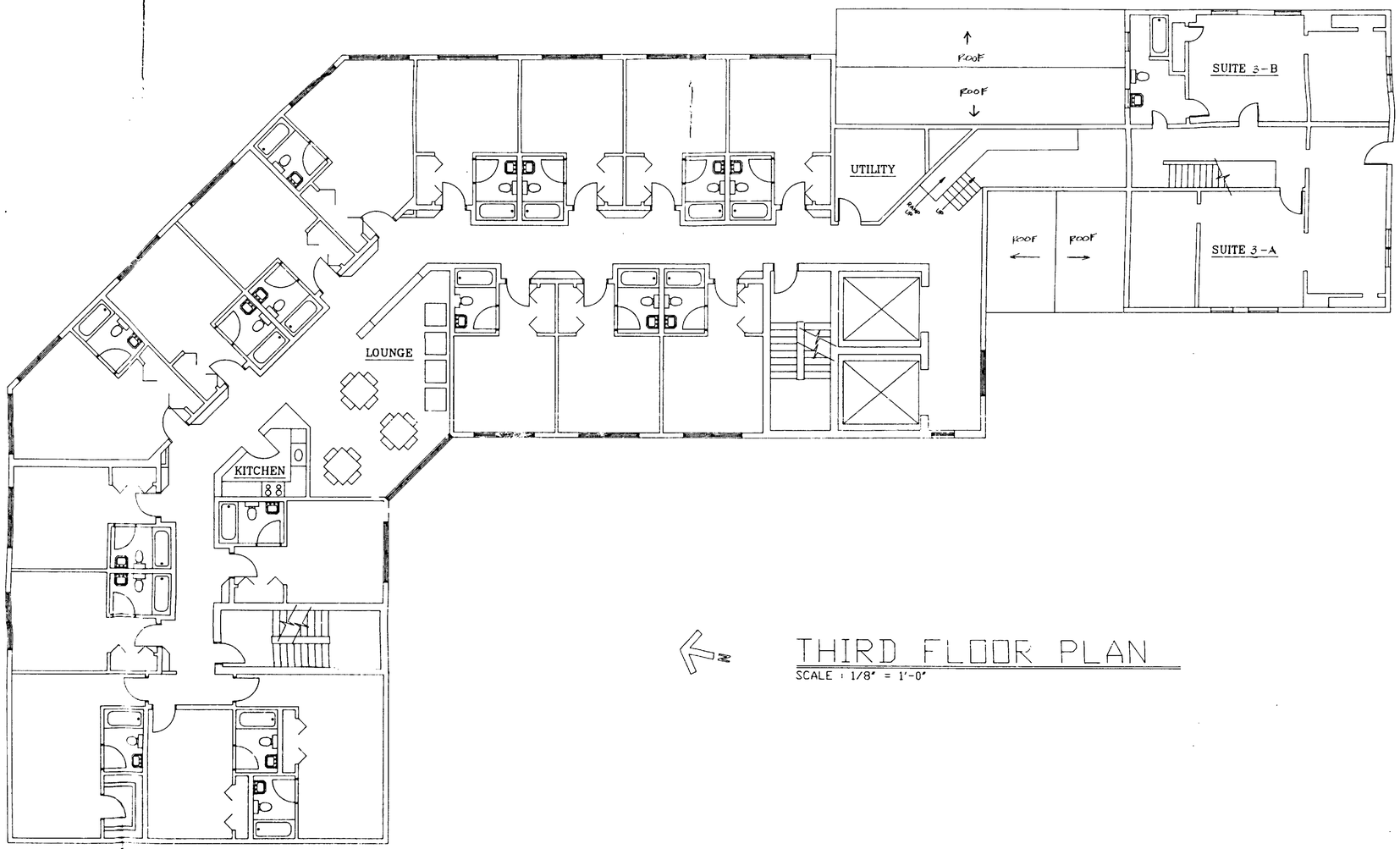
Drawn	Approved
Checked	

Contr. No. 8930
Scale
Date FEBRUARY 2, 1990
Last Rev.

Sheet no.

A-2

OF 3



THIRD FLOOR PLAN
SCALE : 1/8" = 1'-0"

PETITIONER'S EXHIBIT 33
90-262-SPHXA

KELLY CLAYTON & MOZISEK
Architects - Planners
2508 North Calvert Street
Baltimore, Maryland 21218
(301) 889-2643

ARCHITECT
ISAO OISHI
2111 MARYLAND AVE
BALTIMORE, MD 21218
Ph. 301-727-2077

CONCORD/VISTA ASSISTED LIVING PROJECT

6348 FREDERICK ROAD, CATONSVILLE, MARYLAND

Seal

Revisions

No.	Date	Item

Title

Drawn	Approved
Checked	

Contr. No. 8930
Scale
Date FEBRUARY 2, 1990
Last Rev.
Sheet no. A-3
OF 3

KELLY
CLAYTON &
MOJZISEK
Architects
Planners

2508 N. Calvert St. • Baltimore, MD 21218 • (301) 889-2613 • FAX 889-4318
104 East Market Street • Snow Hill, Maryland 21863 • (301) 632-2102

March 16, 1990

Re: Concord/Vista
Our Project #8930

Square Footage Summary

Lower Ground Level (Scheme "A")	6,731.3 (new) 2,539.8 (old) 9,271.1
Lower Ground Level (Scheme "B")	6,950 (new) 2,539.8 (old) 9,489.8
First Floor	8,479.8 (new) 2,539.8 (old) 11,019.6
Second Floor	8,320.8 (new) 2,539.8 (old) 10,860.6
Third Floor	10,860.6

Total Square Footage

a.) Scheme "A" = 42,011.9
b.) Scheme "B" = 42,230.6

PETITIONER'S EXHIBIT 34
90-282SPHXA

Brian Kelly Ronald Clayton George Mojzisek
Ching Stanton - Associate

JAMES S. PATTON, P.E.

He has over 25 years experience in site engineering, site development services, and land planning for a wide variety of public and private clients. He has had extensive experience with the private sector in residential, commercial, and industrial site development. His public works experience is very broad, having served in the U.S. Navy Civil Engineers Corps and as the City Engineer for Washington, Pennsylvania. He has also provided site engineering services to many local school boards, hospitals, colleges, and institutions in their construction programs for renovations and historic restoration projects, as well as new developments.

He has been responsible for projects ranging in size and scope from a few thousand square feet to areas of more than a thousand acres. These projects have included storm water management, water mains, sanitary sewers, streets, roads, parking areas, grading, and utility infrastructures. His background encompasses new construction, expansion, and relocation of the site improvements for these projects.

Site development, in many ways, is independent of building type. Utilities, vehicular access, storm water management, grading, and compliance with governmental regulations are required irrespective of the land use. Design solutions are dictated by the location of the chosen site, its topography, and available infrastructure.

Mr. Patton's experience includes numerous projects involving additions, expansions, and renovations to existing facilities which involved the upgrading of the supporting site utilities.

EDUCATION

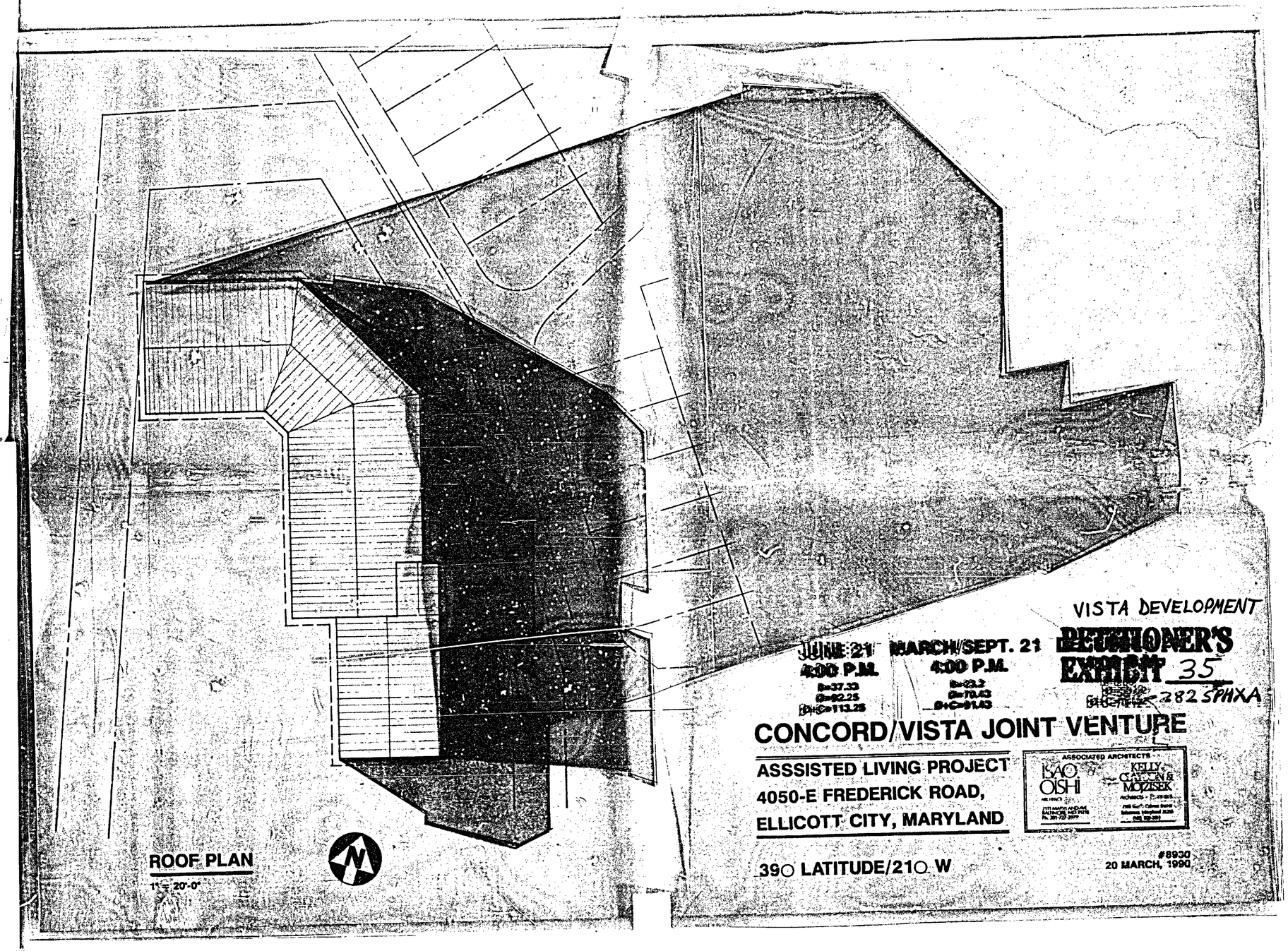
Swarthmore College, B.S. Civil Engineering
University of Pennsylvania, Master of City Planning

PROFESSIONAL EXPERIENCE

1988 - Present	Chief of Civil Engineering LPJ, INC.
1987 - 1988	Vice President, Civil Engineering MARSHALL-CRAFT ASSOCIATES, INC.

Projects include a major addition to G. Heileman Brewery; a Retirement Community for the Presbyterian Home of Maryland; multiple projects for the C&P Telephone Company; and expansion for the College Manor Nursing Home; and Sunset Knoll - a proposed residential development in Baltimore County.

PETITIONER'S EXHIBIT 36
90-282 SPHXA



GENERAL NOTES:

1. Concord Vista
Vista Development, Inc.
300 Cathedral Street
Suite 200
Baltimore, Maryland 21201
(301) 752-1241
Deed Reference: 7395/359
Property Account No.: 01/25402230

2. Election District: 1
Councilmanic District: 1
Census Tract: 4006
Watershed: 25
Subwatershed: 71

3. Site Acreage

	NET AREA	GROSS AREA
RO Zoned Area	53,143 s.f. (1.22± ac.)	59,425 s.f. (1.36± ac.)
DR-5.5 Zoned Area	2,275 s.f. (0.05± ac.)	2,785 s.f. (0.06± ac.)
Total Area	55,418 s.f. (1.27± ac.)	62,210 s.f. (1.43± ac.)

4. Parking Calculations

Required: 1 space/2 beds
74 beds X .5 = 37 spaces

Provided: 38 spaces (36 regular + 2 handicap)

5. Landscape Calculations

Parking: 1 tree/12 spaces - 38 spaces ÷ 3.16 trees
Interior Road: 1 tree/20 l.f. - 296 l.f. = 14.75 trees
Frontage: 1 tree/20 l.f. - 200 l.f. = 10.00 trees
Total Required = 27.91 trees

Credit for Existing Trees = 8

Trees Proposed = 35

Plus additional screening as required

6. Floor Area Ratio (F.A.R.): Allowed - 0.50 Proposed - 0.48 (30,201 s.f. ÷ 62,210 s.f.)
Amenity Open Space: Required - 15,552 sq. ft. Proposed - 16,875 sq. ft.

7. Density Calculations

4 beds ÷ 1 Density Unit (D.U.)

D.U. Provided: 74 beds X .75 = 14.5 D.U.
D.U. Permitted: 16 D.U./ac. X 1.34 ac. (net/site) = 20.72 D.U.

8. Any existing septic tanks will be pumped and either backfilled or removed prior to grading. Any existing wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading. No existing wells or septic are on site.

9. No existing flood plains, streams, bodies of water, or springs are located on or adjacent to the site.

10. Existing building on site is vacant dwelling.

11. Average Daily Trips (A.D.T.)

74 Beds Proposed
X 3.57unit = 259 trips/day

12. No wetlands, critical areas, archaeological sites, or endangered species habitats exist on the site.

13. This site does not contain hazardous materials to the best of our knowledge.

14. Tax Map: 101 Grid: 3 Parcel: 169

15. Height of Building

Permitted: 60' maximum
Proposed: 55'±

16. There will be a maximum of six (6) employees per shift and the hours of operation will be 10:00 A.M. to 7:00 P.M.

17. Any existing fuel tanks will be pumped and removed under the supervision of personnel of the Waste Management Section of DEPRM prior to grading. A permit is required for removal.

18. All outdoor lighting will be directed away from the adjacent residential houses (maximum height - 8 feet). Night lighting will be for security purposes only.

19. The proposed building will be designed and constructed in accordance with the B.F.P.A. 101 Life Safety Code.

20. Signs - All signs (freestanding and building mounted) to conform to Baltimore County sign regulations, with the exception of one freestanding property identification sign (variance requested) NOT TO EXCEED 15 SQ. FT. PER SIDE NOR TO EXCEED 10 FEET IN IN HEIGHT (see below.)

21. All parking spaces to conform to the Baltimore County parking regulations except to the front street property line (variance requested, see below.)

22. Variances: Hearings scheduled March 1, 1990
2nd Hearing scheduled May, 4, 1990
*Section 432.B (to permit site area of 1.27 ac. in lieu of 10 ac.)
Note E3
*Section 409.8 (A)(4) (to permit parking 3 feet from the street property line in lieu of the 10 feet required)
Note B21
*Section 203.3 (C)(1) (to allow property identification sign)
Note E20

23. Special Exception/Conditional Use:
-Section 203.3 (B)(1)
-Section 432.1 (A)(2)
-Section 432.3 (A)(2)

23a. Special Hearing
-Remove the Special Exception granted in Case No. 88-455X and determine that the provisions of Section 432 would be applicable to an assisted living facility of less than 10 acres in an RO zone.
-To establish that the existing structure has historical significance and the density should be increased per the Special Exception request.

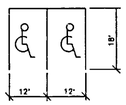
24. All roadways and parking areas to be bituminous concrete and permanently striped.

25. Survey information provided by:
Maisels & Watts, Inc.
2923 Chesnok Avenue
Baltimore, Maryland 21234
(301) 882-0321

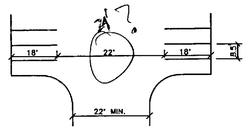
BUILDING NOTES:	EXISTING	PROPOSED
HEIGHT OF BUILDING	35'	55'±
COVERAGE	2,525 s.f.	10,107.5 s.f.
FLOOR AREA RATIO	0.12	0.48
CHARACTER	VICTORIAN	VICTORIAN
EXTERIOR MATERIALS	STUCCO	BRICK AND CLAPBOARD
PRINCIPAL USE	VACANT	ELDERLY HOUSING ASSISTED LIVING FACILITY

SOILS CHART

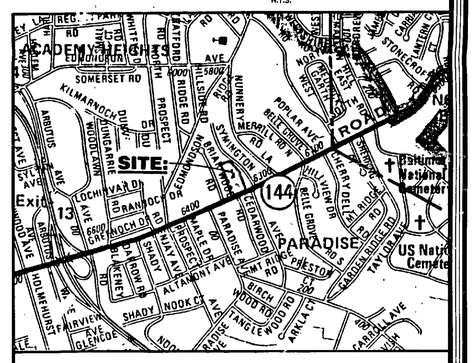
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS: HOMESITES WITHOUT BASEMENTS	LIMITATIONS: HOMESITES WITH BASEMENTS	LIMITATIONS: STREETS AND PARKING LOTS
LhB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTLY MODERATE	SEVERE SLOPE



TYPICAL HANDICAP SPACE
N.T.S.



STANDARD PARKING SPACES
N.T.S.



VICINITY MAP

SCALE: 1"=1000'

BENCHMARK: BALTIMORE COUNTY HUB NO. 10124 ELEV. 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

LANDSCAPE LEGEND:

- Existing Trees
- Tree to be Removed
- Tree to Remain
- Proposed Large Deciduous (11 trees)
- Proposed Flowering (9 trees)
- Proposed Evergreen (19 trees)

OWNER/APPLICANT

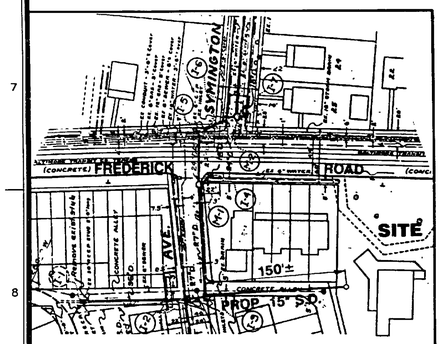
VISTA DEVELOPMENT INC.
300 CATHEDRAL STREET, SUITE 200
BALTIMORE, MARYLAND 21201
301-752-1241

PUBLIC SERVICES C.R.G. NO. 90110

PLANNING NO.

PETITIONER'S EXHIBIT 37

90-282 SPHXA



STORM DRAIN OUTFALL DETAIL
SCALE - 1"=

SWM DATA

	RCN (EX)	Q100 (EX)	RCN (PROP)	Q100 (PROP)
AREA A	66	0.76 CFS	93	0.62 CFS
AREA B	79	5.81 CFS	86	0.20 CFS
AREA C	72	1.44 CFS	74	0.79 CFS
BY PASS B			70	0.68 CFS

	ALLOWABLE TO MEET EXISTING	OVERMANAGED
qo/qi	0.66	0.35
Vo/Vr	0.22	0.406
Qr	5.35	0.35
Vo	0.116 AC. FT.	0.21 AC. FT.

ORB BORINGS / PERCOLATION ? WATER TABLE ?

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

revisions

no.	date	comments

CONCORD VISTA
6348 FREDERICK ROAD
CATONSVILLE, MARYLAND 21228

ELECTION DISTRICT 1 BALTIMORE COUNTY

sec:

CRG SITE PLAN

scale: 1"=20'	project no.: 10190
drawn: M.BLOW	drawing no.: CRG-1
design: JS	
checked:	
date: 5/3/90	sheet 1 of 1

plot date:

March 23, 1990

Mr. Patrick Turner
Vista Development, Inc.
300 Cathedral Street
Suite 200
Baltimore, Maryland 21201

Dear Mr. Turner:

This letter serves to formally inform you of the advisory committee members to your proposed Assisted Living Facility for the Elderly at 6348 Frederick Road in Catonsville. They are June Moody, Dick Johnson, Carole Oates, Frank Falter, Sr. and myself. This group is representative of the neighborhood as a whole. We look forward to working with you toward a final product we can all be proud of.

Sincerely,

James C. Mills

PETITIONER'S EXHIBIT 38

90-262SPHXA

misc/mills1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-282-SPHXA

District 1st — Date of Posting 2-26-90
Posted for: Special Hearing - Appeal Exception & Variance
Petitioner: Vista Development, Inc.
Location of property: N/S of Frederick Avenue, 170' W of the c/l of Symington Avenue (6348 Frederick Avenue)
Location of Sign: In front of subject property 6348 Frederick Ave
Remarks:
Posted by S. J. Ruta (Signature) — Date of return:
Number of Signs: 3

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-282-SPHXA

District 1st — Date of Posting August 13, 1990
Posted for: Appeal
Petitioner: Vista Development, Inc.
Location of property: N/S Frederick Road, 170' W. of c/l of Symington Road (6345 Frederick Road)
Location of Sign: In front of 6348 Frederick Road
Remarks:
Posted by S.J. Ruta (Signature) — Date of return: August 17, 1990
Number of Signs: 1
Sign is down. Reposted 4-10-91 Date

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

90-282-SPHA

District 1st — Date of Posting 4th 13-90
Posted for: Continuation of Hearing - Variance
Petitioner: Vista Development, Inc.
Location of property: 6348 Frederick Road
Location of Sign: In front of 6348 Frederick Road
Remarks:
Posted by S. J. Ruta (Signature) — Date of return: 4-20-90
Number of Signs: 1

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

receipt

Account: R-001-6150
Number

Date 2/20/92

REVISIONS $75.00

Case #90-282-SPHXA

6348 Frederick Road

Legal Owner: Vista Development, Inc.

DNA04#0091MICHRC $75.00
BA C012:25:ND2-20-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

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

receipt

Account: R-001-6150
Number № 3014
90-282-SPHXA

Date 7/24/90

A#10001

APPEAL FEES	QTY		PRICE
120 -OF A SPECIAL EXC. ORDER	1	X	$175.00
140 -OF ALL OTHER ORDERS	2	X	$125.00
150 -POSTING SIGNS / ADVERTISING	1	X	$25.00
TOTAL:			$450.00

LAST NAME OF OWNER: VISTA DEVELOPMENT

04A04#0056MICHRC $450.00
BA C009:10AM07-24-90
Please make checks payable to: Baltimore County

Cashier Validation:

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

receipt

Account R-001-6150
Number № 1860

90-282

Date

Please make checks payable to: Baltimore County

Cashier Validation:

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 number: 90-282-SPHXA
N/S of Frederick Road, 170' W of c/l Symington Avenue
6348 Frederick Avenue
1st Election District
1st Councilmanic
Petitioner(s): Vista Development, Inc.
Hearing Date: Monday, Mar. 26, 1990 at 9:30 a.m.

Special Exception-An assisted living facility and to interpolate the maximum gross residential density permitted from 5.5 dwellings per acre to 16 density units per acre and to waive the RTA requirements regarding the one parking space in the D.R.—10.5 zoned portion of the site.
Special Hearing: To remove the Special Exception granted in Case #86-455X to determine that a $432 would be applicable to an assisted living facility less than 10 acres in an R.O. zone and that the Zoning Commissioner shall determine that the structure is of a historical significance. Variances: To permit a site area of 1.3 acres in lieu of the required 10 acres and to permit a property identification sign adjacent to a residential use; to permit parking spaces 3 feet from the street property line (ultimate reservation line) in lieu of the minimum 10 feet required and 4 feet from an abutting residential zone line in lieu of the required 8 feet of the landscape manual.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Com-

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 5, 1990

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 March 1, 1990.

THE JEFFERSONIAN,

S. Zahe Ortan
Publisher

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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 the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

CJ/JI/003 Mar. 1.

CERTIFICATE OF PUBLICATION

March 5, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 1, 1990.

CATONSVILLE TIMES

S. Zahe Ortan
Publisher

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

No. 079082

DATE 10/10/89 ACCOUNT R-01-615
AMOUNT $ 450.00
RECEIVED FROM: Council Hearthome Corp.
Filing for SPHXA
FOR: Case 2-4-5 Item # 128

B B643****450D0:a 910EF

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

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

J. Robert Haines
Zoning Commissioner

DATE

Dennis F. Rasmussen
County Executive

Vista Development, Inc.
300 Cathedral Street, Suite 200
Baltimore, Maryland 21201

ATTN: ROSE JACKSON

Re: Petitions for Special Hearing, Special Exception & Zoning Variance
CASE NUMBER: 90-282-SPHXA
N/S of Frederick Road, 170' W of c/l Symington Avenue
6348 Frederick Avenue
1st Election District - 1st Councilmanic
Petitioners(s): Vista Development, Inc.
HEARING: ~~FRIDAY, JANUARY 12, 1990 at 9:30 a.m.~~ Monday, 3/26/90 at 9:30 a.m.

Gentlemen:

Please be advised that $_____ 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: Harold Summe, Jr., Esq.
File

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

PURCHASE REQUISITION NO. M 38096

PLEASE ORDER THE FOLLOWING FOR: Zoning Office

PURCHASE REQUISITION

BALTIMORE COUNTY, MARYLAND
OFFICE OF CENTRAL SERVICES

PAGE ___ OF ___
DATE ___

BUDGET CODE	YEAR	FUND	AGENCY	PROGRAM	OBJECT	EXP CODE	SPLIT %	M/C NO.	DELIVERY CODE	REQ DELIVERY DATE
	0	01	12	02	04	12			1110	

ITEM NO.	QUANTITY	U/M	DESCRIPTION OF MATERIAL	UNIT PRICE	TOTAL PRICE	PURCHASE/ SUB-ORDER NO.
			Petitions for Special Hearing, Special Exception & Zoning Variance			
			CASE NUMBER: 90-282-SPHXA			
ADDITIONAL DESCRIPTION			N/S of Frederick Road, 170' W of c/l Symington Avenue			AGREEMENT P.O.
			6348 Frederick Avenue			
			1st Election District - 1st Councilmanic			
			Petitioners(s): Vista Development, Inc.			
			HEARING: FRIDAY, JANUARY 12, 1990 at 9:30 a.m.			
			Issues: 12/21/89			

COMMODITY CODE	PURCHASE FROM	VENDOR NO.	TERMS	F.O.B.
	CATONSVILLE TIMES & JEFFERSONIAN			

ITEM	QUANTITY	U/M	DESCRIPTION OF MATERIAL	UNIT PRICE	TOTAL PRICE	P.O. NO.
ADDITIONAL DESCRIPTION						

COMMODITY CODE	PURCHASE FROM	VENDOR NO.	TERMS	F.O.B.

BUYER CODE	TYPE CODE	CONFIRMING TO:	DATE	APPROVAL - BUDGET OFFICE
16				

REQUESTED BY/CONTACT PERSON	PHONE:	PURCHASED BY:	DATE:
Zoning Office, X3394			

APPROVED BY: AGENCY	NEW VENDOR	MINORITY	RED TAG	SEALED BID P.O.

CSP 001 (REV. 3/88)

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

NOTES:

1) **ZONING:**
   - EXISTING- RO & D.R.-5.5
   - PROPOSED- N/A
2) **LOT AREA:** SEE #23
3) **EXISTING USE:** VACANT DWELLING
4) **PROPOSED USE:** ELDERLY HOUSING - ASSISTED LIVING FACILITY (CLASS B)
5) **BUILDING AREA:** SEE #41
6) **BUILDING SETBACKS:**

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	8'
REAR-	30'	80'
STREET CORNER SIDE-	—	42' (FROM PUBLIC ALLEY)

7) **PARKING:** SEE # 27
   - REQUIRED-
   - PROVIDED- 14 SPACES
8) **UTILITIES:**
   - SEWER- PUBLIC
   - WATER- PUBLIC
9) **VARIANCES:**
   - SECTION 409.6A1 (PARKING SEE NOTE #27)
   - SECTION 432.B (TO PERMIT SITE AREA OF 1.3 AC. IN LIEU OF 10 A
   - FROM CMPD SECTION V.B.2 REF 1002.2.B (BCZR) SIDE YARD SE LACK
   - SECTION 2033(6)(ii) (TO ALLOW PROPERTY IDENTIFICATION SIGN
10) **SPECIAL EXCEPTION/CONDITIONAL USE:**
   - SECTION 203.3(B)(1)
   - SECTION 432.1(A)(2)
   - SECTION 432.3(A)(2)

10A) SPECIAL HEARING:
- REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABL TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE
- TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY SHOULD BE INCREASED PER THE SPECIAL EXCEPTION REQUEST.

11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4006
14) Watershed: 25
15) Subwatershed: 71
16) Deed Reference: 7395/789
17) Property Account No.: 01195B0230
18) Tax Map NO., Grid 3, Parcel: 169
19) Building Coverage: EXIST. 4%, PROPOSED 14% (BASED ON GROSS AREA)
20) Floor Area: 55027 ☐ SEE NOTE 41
21) Floor Area Ratio (F.A.R.): N/A
   Max F.A.R. Permitted:
   F.A.R. Proposed:
22) Height of Building:
   Permitted: 60' MAX
   Proposed: 55'±

23) Lot Area Tabulations:

	NET AREA	GROSS AREA
RO ZONED AREA	53,905# (1.24Ac±)	59,425# (1.36Ac±)
DR-5.5 ZONED AREA	2,275# (.05Ac±)	2,785# (.06Ac±)
TOTAL AREA	56,180# (1.29Ac±)	62,210# (1.42Ac±)

24) No. of Employees: 6 (MAX. No. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A

27) Parking Tabulations:
REQUIRED: 1 SPACE/3 BEDS (SEE 409.6A(1)) = 83 ÷ 3 = 28 SPACES
PROVIDED: 14 SPACES

28) Average Daily Trips (ADT'S):
- 83 BEDS PROPOSED
2.6/BED = 215.8 TRIPS

29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.

30) No wetlands, critical areas, archeological sites, or endangered species habitats on site.

31) This site does not contain hazardous materials to the best of our knowledge.

32) Well and Septic note:
* any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
* any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.

33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of B.E.P.R.M. prior to grading. A permit is required for removal.

34) Landscaping/Buffers:
LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED

35) Amenity open Space: N/A
   Required:
   Proposed:

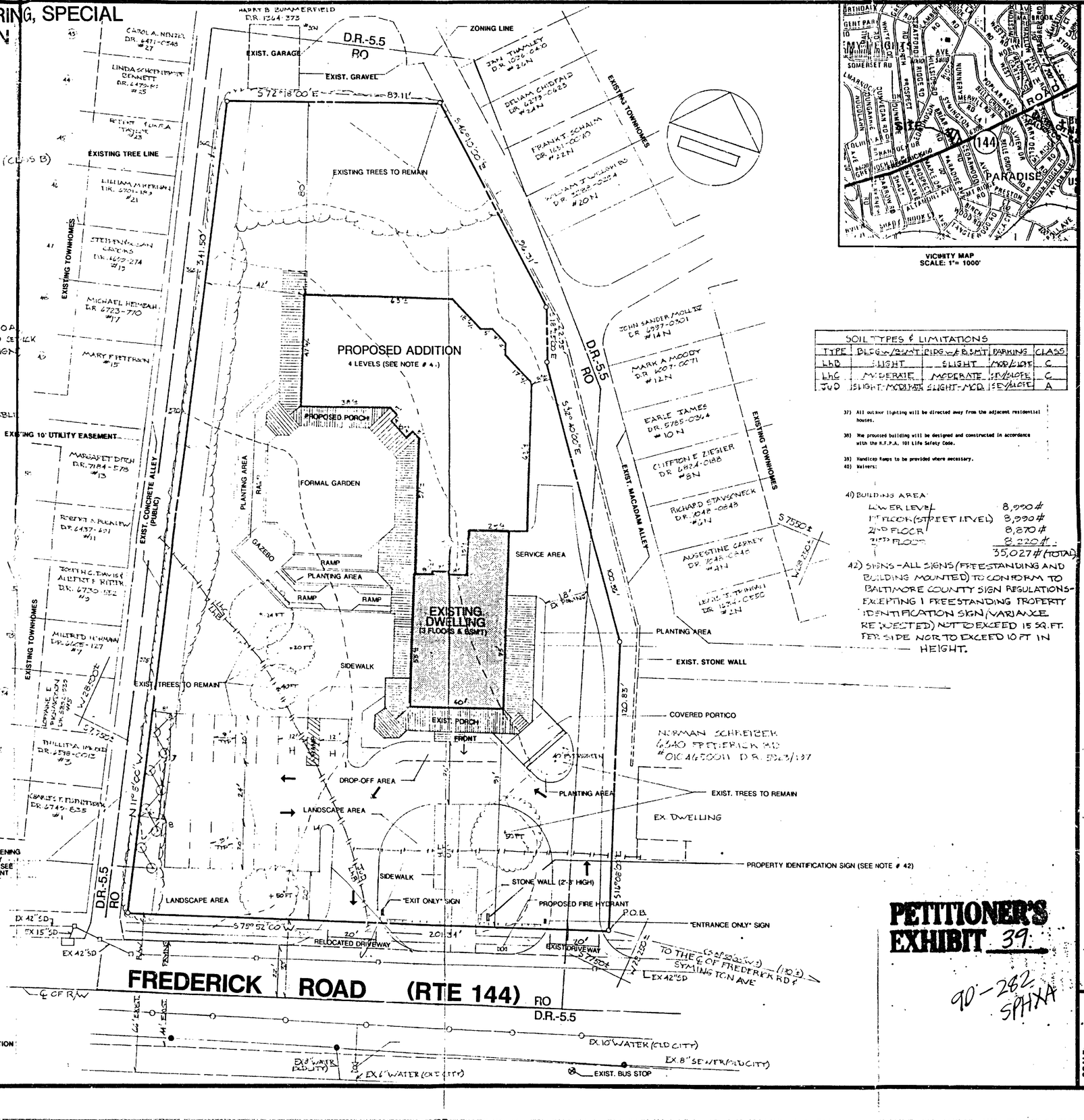
36) Stormwater Management:
STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

ADDITIONAL LANDSCAPE SCREENING PER BALTIMORE COUNTY LANDSCAPE REGULATIONS (SEE LANDSCAPE PLAN FOR PLANT SPECIFICATIONS)

STATE OF MARYLAND — WILLIAM T. MATTHEWS — 134

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION



VICINITY MAP
SCALE: 1"= 1000'

SOIL TYPES & LIMITATIONS				
TYPE	BLDG. W/BSMT.	BLDG. W/O BSMT.	PARKING	CLASS
LhD	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLIGHT-MOD/SLOPE	SLIGHT-MOD	SEV/SLOPE	A

37) All outdoor lighting will be directed away from the adjacent residential houses.

38) The proposed building will be designed and constructed in accordance with the N.F.P.A. 101 Life Safety Code.

39) Handicap Ramps to be provided where necessary.

40) Waivers:

41) BUILDING AREA:

LOWER LEVEL	8,990 #
1ST FLOOR (STREET LEVEL)	8,990 #
2ND FLOOR	8,870 #
3RD FLOOR	8,220 #
	35,027 # (TOTAL)

42) SIGNS - ALL SIGNS (FREESTANDING AND BUILDING MOUNTED) TO CONFORM TO BALTIMORE COUNTY SIGN REGULATIONS- EXCEPTING 1 FREESTANDING PROPERTY IDENTIFICATION SIGN (VARIANCE REQUESTED) NOT TO EXCEED 15 SQ. FT. PER SIDE NOR TO EXCEED 10 FT IN HEIGHT.

PETITIONER'S EXHIBIT 39.

90-282-SPHXA

PREPARED BY:
WILLIAM P. MONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

APPLICANT:
VISTA DEVELOPMENT INC.
300 CATHEDRAL ST.
BALTIMORE, MD. 21201
(301)-752-1241

90-282-SPHXA
#4128

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING- ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=20'	DRAWN BY: BFB	DATE: 10-1-1989	REVISED:

KELLY CLAYTON & MOJZISEK
Architects
Planners

2508 N. Calvert St. • Baltimore, MD 21218 • (301) 889-2613 • FAX 889-4318
104 East Market Street • Snow Hill, Maryland 21863 • (301) 632-2102

May 9, 1990

Mr. Patrick Turner
911 S. Charles Street
Baltimore, Maryland 21230

Re: Concord/Vista Assisted
Living Project
Our Project No. 8930

Dear Mr. Turner:

You have requested us to study the impact of shadows cast on the property marked 12 N. Symington Avenue. This property is marked as titled to Mark A. Moody and is to the east of your property across an existing alley. Our findings are:

1. To the best of our knowledge, the proposed Assisted Living Building will cast a shadow on the Moody property as follows:
   Spring and Fall, late evening, the shadow will skirt a portion of the backyard for about an hour.

2. The existing historic building casts a shadow as follows: Winter, early afternoons the existing building casts a shadow into a portion of the backyard; this shadow elongates as the sun sets casting a long diffuse shadow.

3. In concluseion, to the best of our knowledge, the impact of the shadows from the proposed Assisted Living Building will be small, affecting the subject property less than (4%) four percent of total yearly daylight hours.

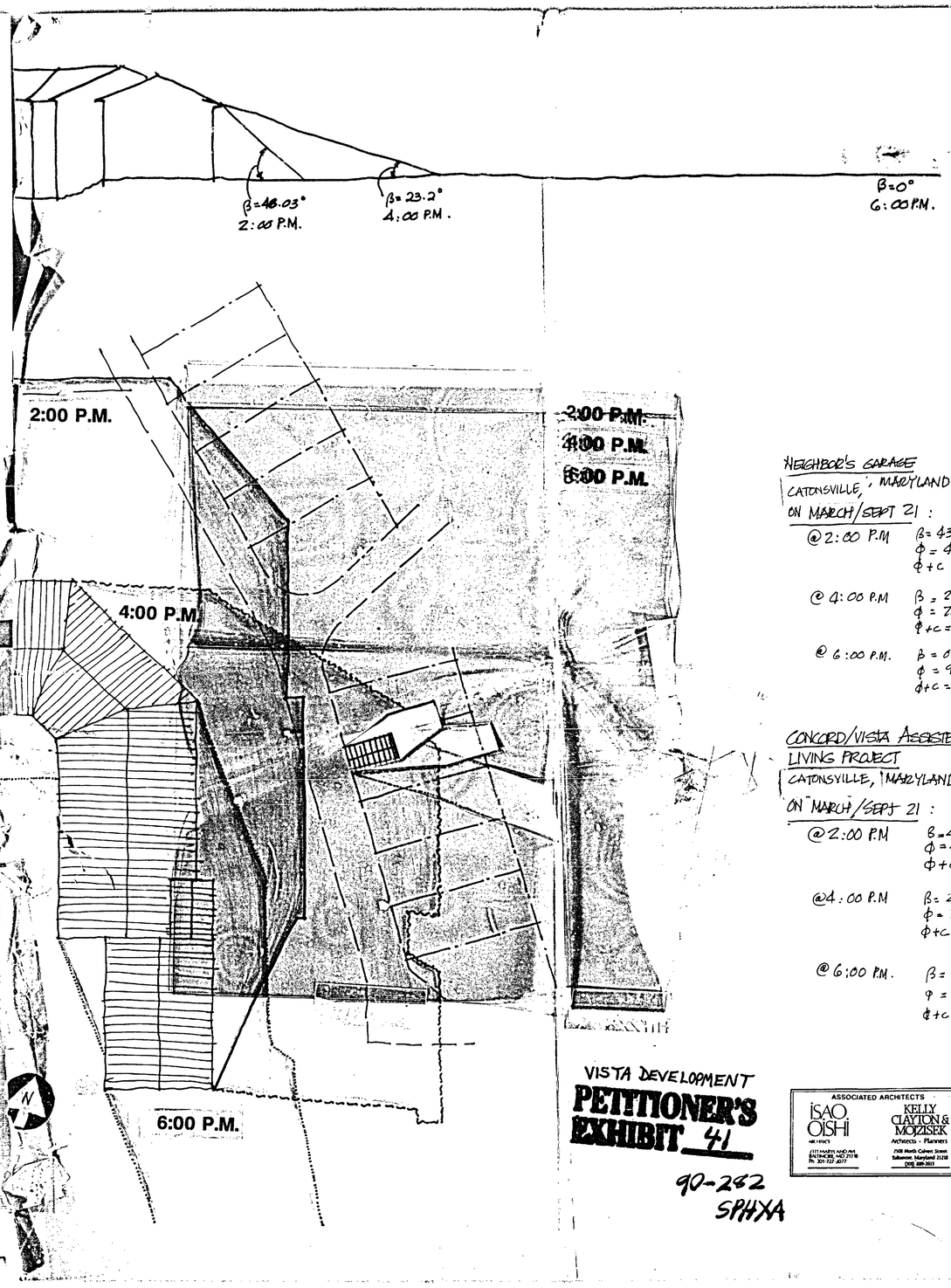
Very truly yours,

Brian W. Kelly

BWK/mk

Brian W. Kelly • Donald Clayton • George Mojzisek
Ching Stanton - Associate

PETITIONER'S EXHIBIT 40
90-282 SPHXA



NEIGHBOR'S GARAGE
CATONSVILLE, MARYLAND.
ON MARCH/SEPT 21:

@ 2:00 P.M. β = 43.03°
ϕ = 43.16°
ϕ+c = 73.16°

@ 4:00 P.M. β = 23.2°
ϕ = 70.43°
ϕ+c = 100.43°

@ 6:00 P.M. β = 0°
ϕ = 90°
ϕ+c = 120°

CONCORD/VISTA ASSISTED
LIVING PROJECT
CATONSVILLE, MARYLAND.
ON MARCH/SEPT 21:

@ 2:00 P.M. β = 43.03°
ϕ = 43.16°
ϕ+c = 64.16°

@ 4:00 P.M. β = 23.2°
ϕ = 70.43°
ϕ+c = 91.43°

@ 6:00 P.M. β = 0°
ϕ = 90°
ϕ+c = 121°

VISTA DEVELOPMENT
PETITIONER'S EXHIBIT 41
90-282 SPHXA

ASSOCIATED ARCHITECTS
ISAO OISHI
KELLY CLAYTON & MOJZISEK
Architects - Planners
#8930
10 MAY, 1990

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PETITIONER'S EXHIBIT 42
90-282 SPHXA

90-282 SPHXA

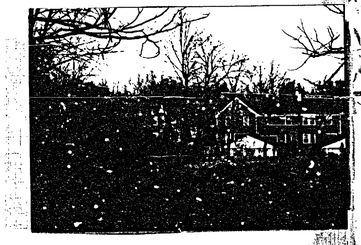
PETITIONER(S) EXHIBIT 44

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

PETITIONER'S EXHIBIT 43
90-282 SPHXA



PARADISE COMMUNITY ASSOCIATION

April 30, 1990

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

PETITIONER'S EXHIBIT 45

90-282 SPHXA

Re: Case #90-282-SPHXA

Dear Mr. Haines:

This letter has been drafted to present a fundamental consensus of opinion concerning the aforementioned case, an assisted living facility proposed by Vista Development for 6483 Frederick Road in Catonsville. At the initial hearing on March 26, 1990, there was confusion about the community opinion on this matter. Following this meeting, key members of the community felt as though a common ground could be identified and expressed in order to best serve the community's interests. Following is a breakdown of these positions.

The majority of residents in the community are very supportive of the idea of housing for the elderly. We feel as though this is essentially a residential use, not necessarily an institutional one, and therefore one that would benefit the community as a whole. An office use on this site could have greater impact on the future direction of the community. The consensus about this project is that the residential use is more compatible with the residential nature of the neighborhood. However, there is strong feeling that the implementation of this project should then be consistent with this residential image and compatible with the existing surrounding neighborhood.

The overriding concern of the majority of residents is the sheer size of the building, over 49,000 square feet. Since the initial submission of a plan for development, the size of the building has grown approximately 12,000 square feet, which alone is larger than the existing residence (which is approximately 7,900 square feet). The unit count has also increased from 60 to 74 units. Porches, which "softened" the far west elevation, were replaced with solid building mass. Compatibility is called for as a requisite for new development in any zoning instance, as well as per the Baltimore County Zoning section 432.C.3, wherein it is written that the development must not be "...Detrimental to the use..., or peaceful enjoyment... of surrounding properties." We feel as though a re-zoning to DR-10.5 would prevent this, by allowing this addition to be of an economically viable and sufficient size for successful use, but somewhat smaller that the proposed DR-16 density. Zoning of

IN THE MATTER OF THE APPLICATION OF JOSEPH L. SOLEY FOR REZONING FROM D.R. 16 to O-2 ON PROPERTY LOCATED ON THE NORTHEAST CORNER OF YORK AND AIGBURTH ROADS 9th DISTRICT	:	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. R-83-62-A

: :

O P I N I O N

This case comes before the Board on petition for a reclassification from D.R. 16 to O-2 for a parcel of land located on the northeast corner of York Rd. and Aigburth Rd. The site consists of 5.968± acres and is located in the 9th Election District of Baltimore County.

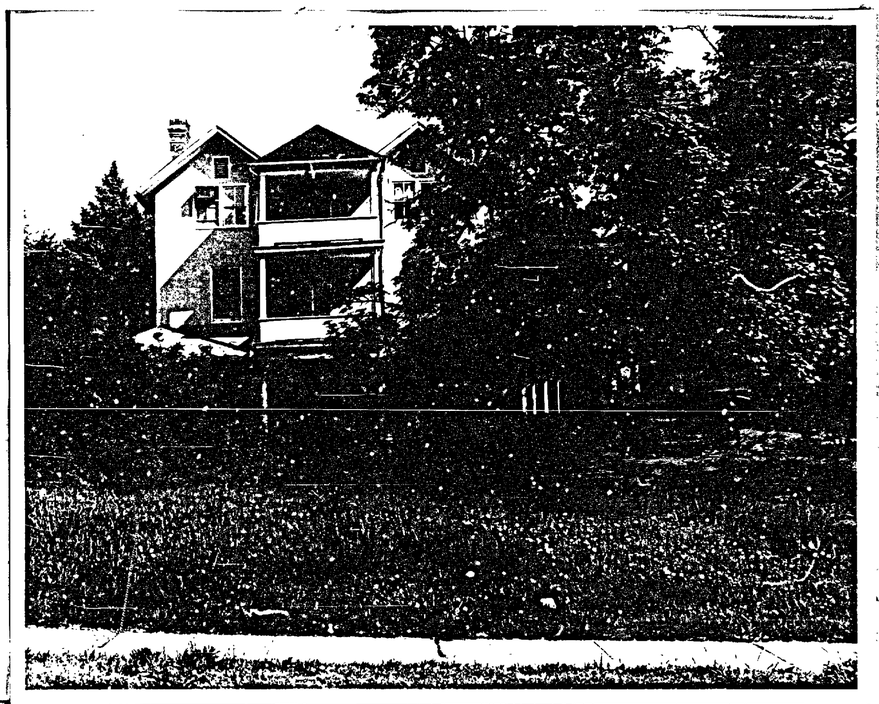
A land surveyor, Wayne Masenholder, testified as to the physical layout of the property and stated that the road beds add 7/10 of an acre to the site, making the actual acreage 6 $\frac{2}{3}$ acres. A real estate expert, Walter McQuire, discussed in detail the use of the properties in the area and the general character of the neighborhood. He testified to the development of vacant properties on the Towson State University Campus and various other uses of sites in the area. It was his opinion that the subject property would be best suited as O-2 instead of the present D.R. 16. The actual site now contains a garden apartment complex and the proposed building would be on land now used as open space.

Michael Flannigan, the Baltimore County Traffic Engineer, stated that office use (O-1) would generate twice as much traffic as the present apartment use. He also said that the rating of the intersection at York Rd. and Burke Ave. is an "F" level, (failing). Extension improvements are planned for this intersection.

The Petitioner, Mr. Joseph Soley, explained the history of the property which he has owned since 1964. The subject site was an issue (#4-69) on the Baltimore County 1980 Comprehensive Zoning Maps.

NOV. 8, 1983 -- HON. JOHN F. FADER, II. HEARING HAD. DECISION OF THE BOARD OF APPEALS OF BALTIMORE COUNTY - AFFIRMED.

No written Opinion - above from Court Docket



HAROLD H. BURNS, JR.
ATTORNEY AT LAW
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044

MAUREEN F. MACKEY

March 9, 1990

RECEIVED
MAR 12 1990
ZONING OFFICE

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

Re: Petitions for Special Hearing,
Special Exception & Zoning Variance
Case Number: 90-282-SPHXA

Dear Commissioner Haines:

I represent Vista Development, Inc. Vista has petitioned the zoning commissioner for authority to develop an assisted-living facility for the elderly at 6348 Frederick Road. A special exception presently exists to permit the existing historic structure on the property to be razed and a 21,000 square foot office building to be constructed there. See Case No. 88-455-X; Case No. CBA-88-124 (Nov 23, 1988).

I ask you to advise Vista as to how long the existing special exception will be operative, especially in light of the fact that Vista is proceeding with the above referenced petition to be heard by you on March 26, 1990. If Vista is granted a special exception and variances so as to permit it to proceed as it has presently petitioned, will the existing exception continue in effect and, if so, until what date?

Thank you for your attention in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr

cc: Ms. Rose Jackson
Mr. Patrick Turner
Mr. William P. Monk

3-26-90 → I handed at beginning of hearing.
I do not believe more than one Sp. Ex. can exist on one lot without Sp. Hearing relief — question much.

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044

MAUREEN F. MACKEY

March 27, 1990

RECEIVED
MAR 28 1990
ZONING OFFICE

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

Re: Petitions for Special Hearing,
Special Exception & Zoning Variance
Case Number: 90-282-SPHXA

Dear Commissioner Haines:

As I am sure that you recall after commencing the hearing in the above-referenced matter yesterday, you decided to continue it to be heard for an entire day on May 4, 1990. While the Applicant has no objection whatsoever to your decision to do so, this matter has already been long delayed, and the Applicant has therefore, suffered the financial expenses associated with such delays in the development process, such as the carrying costs of the property.

Accordingly, Vista Development requests that you consider rescheduling this case to proceed earlier than May 4 in the event that a day should become unexpectedly free in your schedule. Vista would need very little notice to proceed--almost certainly a week would be enough--and Vista would welcome the opportunity to do so as soon as possible.

Thank you for your consideration in this matter.

Very truly yours,

Harold H. Burns, Jr.

cc: Phyllis Cole Friedman, Esquire
Peter Max Zimmerman, Esquire
Mr. William P. Monk

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
SUITE 200
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044
FAX (301) 547-0698

MAUREEN F. MACKEY

July 11, 1990

VIA HAND DELIVERY
J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 90-282-SPHXA
Vista Development, Inc.,
Petitioner

Dear Commissioner Haines:

I enclose this firm's check in the amount of $450.00 to cover the cost of filing an appeal of the Order of July 3, 1990. Please take whatever steps as are necessary to have this matter heard by the Board of Appeals as soon as possible.

Thank you for your attention in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr
Enclosure

cc: Ms. Rose Jackson
Phyllis Cole Friedman, Esquire
Peter Max Zimmerman, Esquire
Mr. William P. Monk

RECEIVED
JUL 12 1990
ZONING OFFICE

G w/ltr

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
SUITE 200
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044
FAX (301) 547-0698

MAUREEN F. MACKEY

January 11, 1991

William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 315
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Vista Development, Inc.
Case No. 90-282-SPHXA

Dear Mr. Hackett:

I am president of and counsel for Vista Development, Inc. in the above-referenced appeal.

Vista is evaluating several alternatives in an attempt to satisfy the complaints of the protestants. Vista anticipates that it will require three to six months to complete its evaluation. Accordingly, Vista requests that the Board postpone the hearing of the above-referenced appeal until June 1990, or even later if possible.

Thank you for your attention and for your anticipated cooperation in this matter. Please feel free to call me if you wish to discuss this matter.

Very truly yours,

Harold H. Burns, Jr.

jlf
cc: Ms. Rose Jackson
Mr. Patrick Turner

91 JAN 14 AM 11:31
RECEIVED
COUNTY BOARD OF APPEALS

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
SUITE 200
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(301) 528-0044
FAX (301) 547-0698

MAUREEN F. MACKEY

January 21, 1991

William T. Hackett, Chairman
Baltimore County Board of Appeals
Room 315
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Vista Development, Inc.
Case No. 90-282-SPHA

Dear Mr. Hackett:

Thank you for your letter of January 16, 1991 and the Notice of Postponement of the above-referenced matter that you also sent me. I write to inquire whether there is any limitation as to how long the appeal may remain pending before the Board without any loss of rights.

Thank you for your attention in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr

cc: Ms. Rose Jackson
Mr. Patrick Turner
Mr. William P. Monk

91 JAN 23 PM 3:45
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COUNTY BOARD OF APPEALS

JOHN V. MURPHY

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025
FAX: 744-8936

OK for 2/26/92

November 20, 1991

Board of Appeals of Baltimore Co.
County Office Building
Room 315
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTEN: William Hackett, Chairman

RE: 6348 Frederick Road
Paradise Community
CBA-91-147
CBA-90-282-FPHXA

Dear Mr. Hackett:

The Board has scheduled the appeal on case number 91-147 for December 5, 1991. This appeal involves extending the time that a medical office building plan remains effective on the property. However, the owner, Vista Development Corporation, has also pursued a parallel plan to develop senior housing on the site in lieu of their medical office plan. In regard to senior housing, Vista appealed to the Board, the Zoning Commissioner's decision denying them variances and special exceptions which would allow the senior housing plan to go forward. This appeal is case number 90-282-FPHXA and is presently unscheduled. The primary objection to the senior housing plan was that an addition to the rear of the old mansion on the property was too large.

Since the Zoning Commissioner's decision, the owners have attempted to satisfy the Zoning Commissioner's concerns about the senior housing plan with some recent success. We have met several times with the Paradise Community Association, have received some excellent suggestions and have and continue to make changes in the plan to accommodate their ideas. We have discussed with the Association going forward on December 5, 1991 with a consolidated case but the Association can not schedule an appropriate general meeting to review our plan until January, 1992. This will also give us more time to incorporate their most recent suggestions and to have the County agencies review the

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COUNTY BOARD OF APPEALS

final plan. I understand the next available day for a hearing is February 26, 1992.

Therefore, would you kindly consolidate case 91-147 and case 91-282-FPHXA and hear both appeals on February 26, 1992, postponing the December 5, 1991 hearing until that date.

Very truly yours,

John V. Murphy

JVM/pam

cc: Phyllis Friedman, Esq. - Peoples Counsel
June Moody, Pres. - Paradise Community Assoc.
Vista Development Corporation
DCI

JOHN V. MURPHY

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025

February 7, 1992

Board of Appeals of Baltimore County
County Office Building
Room 314
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 6348 Frederick Road
Paradise Community

Dear Ladies and Gentlemen:

Would you kindly issue a subpoena for the following County employees to appear for the Petitioner at the Board's February 26, 1992 hearing at 10:00 A.M. By copy of this letter, I am asking those persons to be ready to come to the Board hearing when actually called by the Petitioner on that day. There is no need for these witnesses to physically attend the hearing until called. I expect that they will be called for technical evaluation of the plan.

Lawrence Yeager	Department of Environmental Protection & Resources
Carl Richardson	Zoning Department
Richard More	Traffic Engineer
Dr. Phillip H.Pushkin	Department of Aging

Please let me know if you have any questions.

Very truly yours,

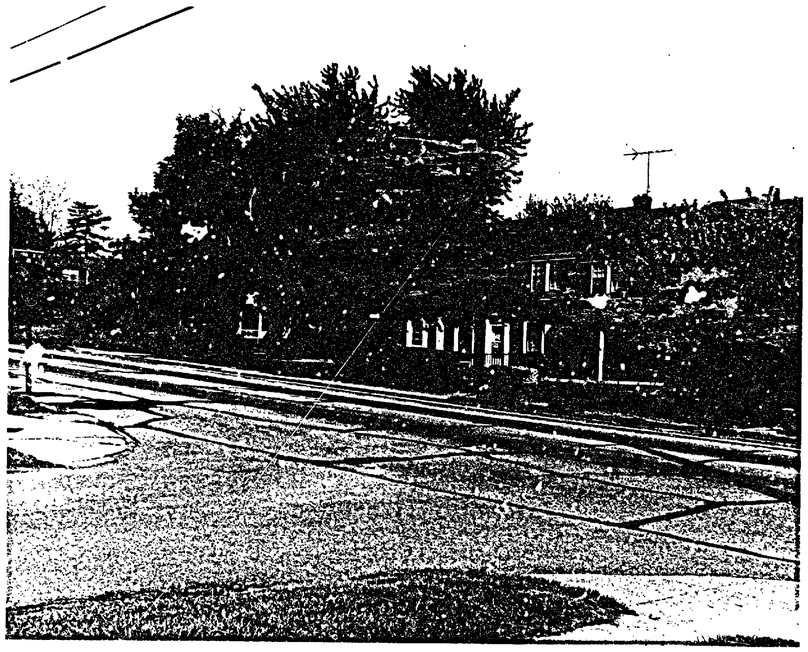
John V. Murphy

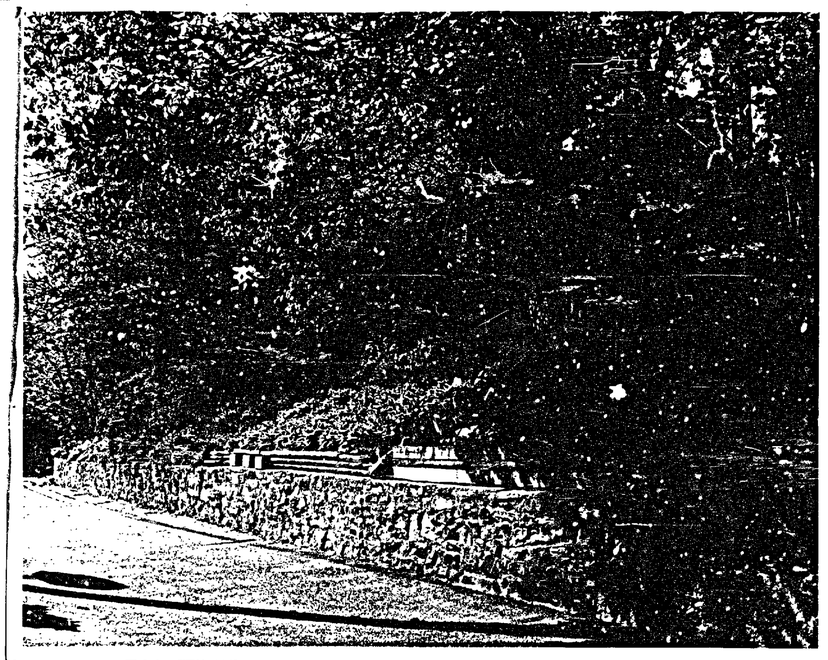
JVM/tmh

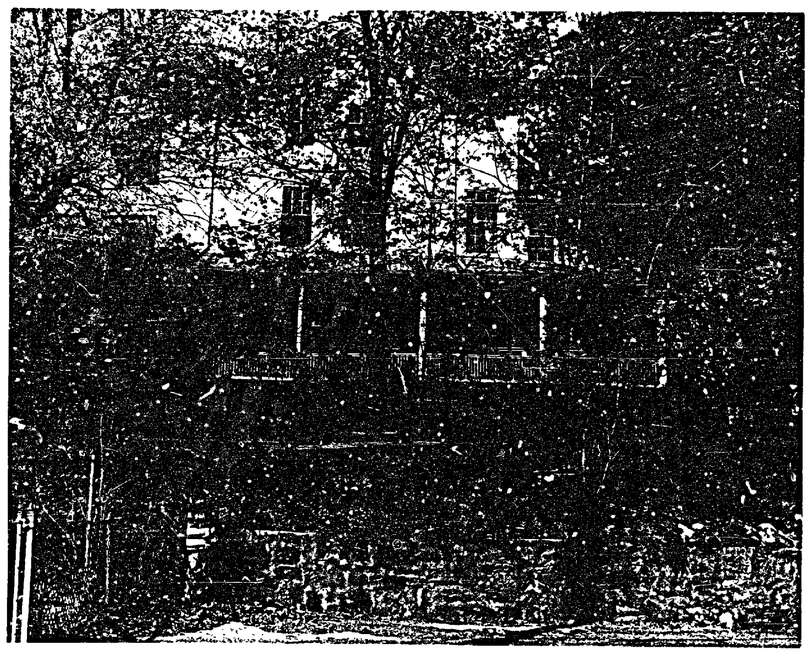
Enclosure

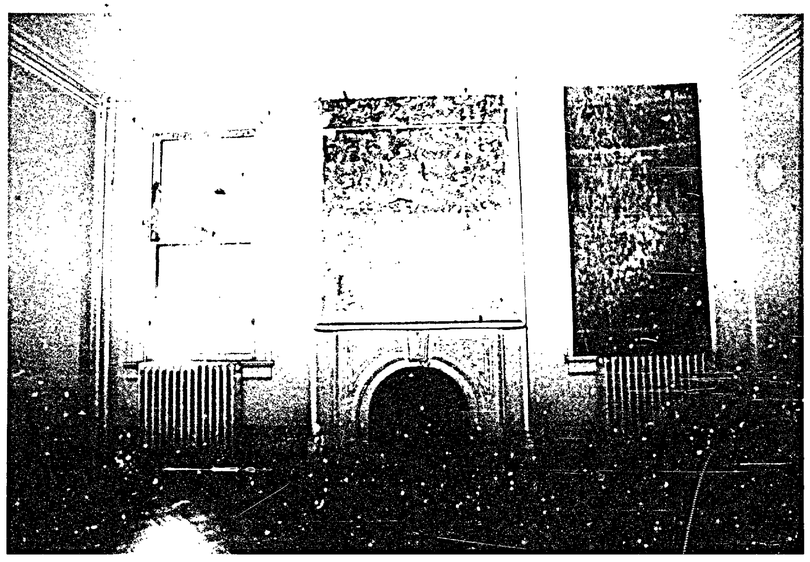
cc: Lawrence Yeager
Carl Richardson
Richard More
Dr. Phillip Pushkin
Vista Development

called 2/10/92 to advise proper procedure. L.K.









Exh 1'38

#2

March 23, 1990

Mr. Patrick Turner
Vista Development, Inc.
300 Cathedral Street
Suite 200
Baltimore, Maryland 21201

Dear Mr. Turner:

This letter serves to formally inform you of the advisory committee members to your proposed Assisted Living Facility for the Elderly at 6348 Frederick Road in Catonsville. They are June Moody, Dick Johnson, Carole Oates, Frank Falter, Sr. and myself. This group is representative of the neighborhood as a whole. We look forward to working with you toward a final product we can all be proud of.

Sincerely,

James C. Mills

misc/mills1

Exh 1'38

Appellant's Exhibit #2

March 23, 1990

Mr. Patrick Turner
Vista Development, Inc.
300 Cathedral Street
Suite 200
Baltimore, Maryland 21201

Dear Mr. Turner:

This letter serves to formally inform you of the advisory committee members to your proposed Assisted Livjng Facility for the Elderly at 6348 Frederick Road in Catonsville. They are June Moody, Dick Johnson, Carole Oates, Frank Falter, Sr. and myself. This group is representative of the neighborhood as a whole. We look forward to working with you toward a final product we can all be proud of.

Sincerely,

James C. Mills

misc/mills1

Appellant's Exhibit #3

LPJ INC. CONSULTING ENGINEERS

16 WEST TWENTY-FIFTH STREET BALTIMORE, MARYLAND 21218 TELEPHONE: 301-366-7800

FREDERICK J. THOMPSON, P.E.
Director of Civil Engineering

EDUCATION
Bachelor of Civil Engineering-1961-Villanova University
Master of Civil Engineering (Transportation)-1971-Villanova University

REGISTRATION
Maryland #7948 October 26, 1971
Pennsylvania 1966
Ohio 1971
Virginia 1971
Kentucky 1974
Florida 1975
Mississippi 1975
West Virginia 1976
District of Columbia 1976
Delaware 1977
Georgia 1978
New York 1984
North Carolina 1985
Connecticutt 1985
Massachusetts 1988

EXPERIENCE
Mr. Thompson has over thirty years of experience as a civil engineer. He has extensive experience in all phases of site engineering for a wide range of private and public clients.

Mr. Thompson joined LPJ, Inc. two years ago as the Director of Civil Engineering. During that time he has mainly concentrated on projects in Maryland, primarily in Baltimore County and Baltimore City. These projects encompass all aspects of site development, including preliminary processing, e.g. County Review Group, grading, storm water management, sediment control, utilities, public works, and environmental issues. He also has experience with zoning issues such as variances and special exceptions.

Mr. Thompson also has seventeen years of experience with a major architectural-engineering firm on projects throughout the United States. These projects include mixed use, retail, institutional, office, housing, recreational, and industrial developments.

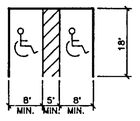
Mr. Thompson has Public Sector experience, including Master Planning with the Army Corps of Engineers, both in the United States and in Germany, and site design projects with numerous governmental agencies. He participated in the development of a formula to distribute $100,000,000 of highway construction funds to the various Indian Nations, and led public meetings across the country on this issue.

SOILS CHART

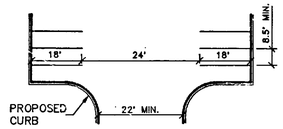
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE–URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE–URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA–URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

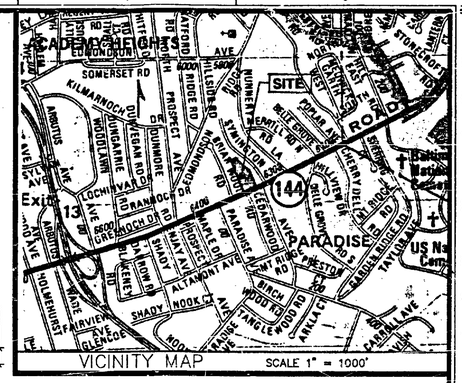
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





1. OWNER – APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7395/758
PROPERTY ACCOUNT NO.: 09/858023
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,909 S.F. (1.24 AC.)	59,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,785 S.F. (0.06 AC.)
TOTAL AREA	56,100 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4008
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.36 AC. x 6.5 = 7.59
0.06 AC. x 10.5 = 0.63
8.22
ASSISTED LIVING x 4
TOTAL PERMITTED 32.88
REQUESTED SPECIAL EXCEPTION FOR A DENSITY VARIANCE TO DR-16 BASED ON A HISTORIC ALLOWANCE
1.42 AC. x 16 = 22.88
SPECIAL EXCEPTION FOR ASSISTED LIVING x 4
TOTAL PERMITTED w/HISTORIC ALLOWANCE 91.52
TOTAL PROVIDED: 80

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) – N/A

6. AMENITY OPEN SPACE (A.O.S.) – N/A

7. HEIGHT OF BUILDING:
PERMITTED: 50' MAXIMUM
PROPOSED: 45' (AT EXISTING BUILDING)
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 80 BEDS = 30 SPACES
PROVIDED: 30 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE: CRG PLAN NO.87360, PARADISE PROFESSIONAL CENTER, APPROVED MAY 26, 1988.

15. LANDSCAPE CALCULATIONS:
REQUIRED –
PARKING 1 UNIT/2.5 SPACES (30 SPACES) = 3 UNITS
INTERIOR 1 UNIT/20 L.F. (240 L.F.) = 12.0 UNITS
ROADS
FRONTAGE 1 UNIT/40 L.F. (291.34 L.F.) = 8 UNITS
SCREENING (B) 1 UNIT/15' PARKING (170') = 12 UNITS
TOTAL = 32 UNITS
PROPOSED –
CREDIT FOR EXISTING TREES = 28
TREES PROPOSED –
MAJOR DECIDUOUS 2 (MIN.)
MINOR DECIDUOUS 4 (MIN.)
EVERGREEN 15 (MIN.)
SHRUBS 19 (MIN.)
TOTAL UNITS 69

PURPOSE OF HEARING

1. PETITION FOR SPECIAL HEARING TO REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #88-455X, AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE. ALSO, THAT THE ZONING COMMISSIONER SHALL DETERMINE THAT THE STRUCTURE IS OF HISTORICAL SIGNIFICANCE (SECTION 432.3B 1).
2. SECOND AMENDED PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY PURSUANT TO SECTION 203.3 B 1 AND SECTION 432.1 / 4.2 ALSO TO INCREASE THE MAXIMUM GROSS RESIDENTIAL DENSITY PERMITTED FROM 6.5 DWELLINGS PER ACRE TO 16 DENSITY UNITS PER ACRE, (SECTION 432.3A 5).
3. SECOND AMENDED PETITION FOR VARIANCE FROM SECTION 432.B TO PERMIT A SITE AREA OF 1.5 ACRES IN LIEU OF THE REQUIRED 10 ACRES; SECTION 203.3.C.1 TO PERMIT A FREE STANDING PROPERTY IDENTIFICATION SIGN RATHER THAN A SIGN ATTACHED TO THE BUILDING.

ZONING HISTORY

75-346X	PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE — DENIED
88-455X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING — GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING — UPHELD BY BOARD OF APPEALS
90282SPHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ±ACRES IN LIEU OF 10 ACRES REQUIRED — DENIED 7-3-90 PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 8 FEET — DENIED 7-3-90 PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE — DISMISSED 7-3-90 PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY; TO INCREASE PERMITTED DENSITY FROM 6.5 TO 16 UNITS PER ACRE AND A WAIVER FROM RTA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE — DISMISSED 7-3-90 PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-455X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE — DISMISSED 7-3-90
91132SPH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-455X — EXTENDED TO 2-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-26-92

STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	3.1	6.0	9.1
PROPOSED RELEASE *	0.8	1.2	2.0

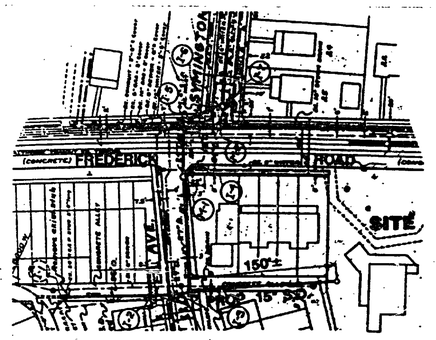
* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH 8800± CUBIC FEET OF STORAGE IN A LARGE PIPE.

WATER QUALITY REQUIREMENTS WILL BE MET THROUGH VEGETATED SWALES.

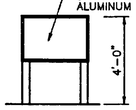
LANDSCAPE LEGEND

MAJOR DECIDUOUS
MINOR DECIDUOUS
EVERGREEN
SHRUBS

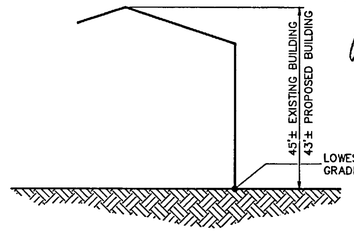
STORM DRAIN OUTFALL DETAIL



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE



Applicant's Exhibit #4

revisions		
no.	date	comments

neal

STATE OF MARYLAND — LANCE C. THOMPSON — NO. 7965 — REGISTERED PROFESSIONAL ENGINEER

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING

16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

REVISED HEARING PLAN TO ACCOMPANY AMENDED SPECIAL EXCEPTION/ SPECIAL HEARING & AMENDED ZONING VARIANCE SCHEDULED ON FEB. 26, 1992

PROPERTY ADDRESS: 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: C-1
design: —	
checked:	
date: 2-10-92	sheet 1 of 1

plot date 2-25-92

LPJ file no. 16491100

Zoning Comments for a Revised Petition and Plan Review
Revised 2/13/92
Reviewed by JLL 2/21/92

Applicant Exhibit #6

6348 FREDERICK ROAD
Zoning Case #90-282-SPHXA

1. Since a special hearing petition is not included with the submitted revisions, there has been no review of the special hearing request. Clarify if the special hearing is being withdrawn or changed.

2. List all new revised petition requests as listed on the revised petitions on the plan in addition to the zoning information already in the notes.

   The Section 203.3.C.1 sign and lot area variance is repeated with different wording on the same variance petition. Delete these second references in the practical difficulty and hardship section of the petition and use this area only for establishment of practical difficulty and hardship.

3. Show and label the proposed right-of-way widening on the plan and confirm that this area will not be taken prior to building permit application as Section 409.8.A (B.C.Z.R.) requires a 10 foot off-street parking to street right-of-way setback. A variance as originally requested is required, if this is not the case. Indicate that the projection into the 30 foot eastern setback line is an open projection.

4. Clarify the purpose of hearing note #4 concerning the density increase by a factor of (2 "permitted")? Correct plan note #4 on density from "Density Variance" to "Requested Special Exception for a Density Increase".

5. Note #10 concerning the 8 square foot sign is incorrect as zoning policy requires that the entire sign mounted on the brick piers be counted as a sign. Note if single-face or dual-face and correctly total and variance the number of square feet over the 8 square feet permitted. If an additional variance is not desired, the sign must be reduced to an actual 8 square feet as permitted.

6. Correct the maximum height permitted in note #7 to 50 feet, not 60 feet as shown.

7. The description does not match the plan for street centerline distance and some metes and bounds.

JOHN L. LEWIS
Planner II

JLL:scj

WILLIAM MONK, INC.

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

6348 FREDERICK ROAD
BALTIMORE COUNTY, MD

Trip Generation Comparative Analysis

	Average Daily Trips (ADTs)		
Proposed Elderly Care - Assisted Living Facility:	2.6 trips X 74 (beds)	=	192.4 ADT
Approved Office Building: (20,400 sq. ft.)			
(General)	12.3 trips/1000 sq.ft. (16,550)	=	203.57 ADT
(Medical)	75/1000 sq.ft. (3,850)	=	288.75 ADT
	Total	=	492.32 ADT

Reduction in ADTs: 300 ADT (61%)

Applicant's Ex #7

PETITIONER'S EXHIBIT 19

90-282 SPHXA

Peter E. Kurtze

Applicant's Ex #8

Architectural Historian • Historic Preservation Consultant

Offering consultant services to government agencies, architectural and engineering firms, organizations, and individuals on matters involving research, analysis, evaluation, documentation, and treatment of historic properties. Meet 36 CFR 61 qualifications.

Services include:

- preparation of Historic American Buildings Survey/Historic American Engineering Record documentation
- preparation of documentation to nominate historic properties to local and state inventories and National Register of Historic Places
- assistance in complying with federal, state and local historic preservation regulations
- architectural conservation and technical preservation assistance
- historic site survey and recording
- documentary research
- preservation planning
- professional assistance to Historic District Commissions

Partial list of recent clients and projects:

Baltimore Foundation for Architecture, Inc., Baltimore, Maryland (statewide survey of architectural records in Maryland);

Baltimore Heritage, Inc., Baltimore, Maryland (Multiple Property format National Register of Historic Places documentation on *Cast Iron Architecture of Baltimore*, and research for book and exhibit);

City of Baltimore, Maryland (historic context on *Commercial Architecture of Baltimore, 1796-1947*);

Maryland Historical Trust, Annapolis, Maryland (principal investigator and primary author for historic context on *Baltimore City Public School Architecture, 1829-1941*);

City of Hagerstown, Maryland (citywide survey and evaluation of historic resources for local landmark designation);

Town of Newport, Delaware (survey, historic context, and Multiple Property format National Register of Historic Places documentation on *Historic Resources of Newport*);

Town of East New Market, Maryland (co-author, *Rural Preservation Plan and Guidelines for New Construction*);

City of Hagerstown, Maryland (co-author, *Design Guidelines for Residential Historic Districts*);

City of Huntington, West Virginia (co-author, *Design Guidelines and Preservation Plan*);

109 Brandon Road • Baltimore, Maryland 21212 • 410 / 296-7538

REPORT OF PETER E. KURTZE, ARCHITECTURAL HISTORIAN,
CONCERNING 6348 FREDERICK ROAD, BALTIMORE COUNTY, MARYLAND
February 26, 1992

Applicant Exh #9

Summary of research and evaluation:

I have inspected the property on three occasions, on January 14 and 20, 1990 and again on February 20, 1992. During a total of over six hours on the site, I made a detailed examination of both the exterior and interior. I have also done research on the history of the property in the collections of the Maryland Historical Society, the Enoch Pratt Free Library, and the Catonsville Branch of the Baltimore County Public Library, and have consulted land records from the holdings of the Maryland State Archives.

Following this inspection and research, I have evaluated the potential historic and/or architectural significance of the subject property in terms of the following criteria: its association with a significant trend in the development of its locality, and its retention of significant characteristics of a major nineteenth century architectural style. In my professional opinion, 6348 Frederick Road has both historical and architectural significance sufficient to support its designation as a historic building consistent with Section 432.3 of the Baltimore County Zoning Regulations. Historically, it reflects the early development of the Frederick Road area as a suburb of Baltimore in the third quarter of the nineteenth century; this area was a favorite location for the "country seats" of wealthy Baltimore merchants of the 1860s and 1870s, and the subject property is one of very few examples of these country residences surviving in the area from this early period. The property also derives architectural significance from its numerous features characteristic of the Italian Villa style which remain intact, particularly on the interior.

History of the subject property:

The building was built in the third quarter of the nineteenth century, when the area

---

MARYLAND HISTORICAL TRUST

William Donald Schaefer
Governor

Jacqueline H. Rogers
Secretary, DHCD

Applicant Exh #11

March 1, 1990

Mr. Peter Kurtze
109 Brandon Road
Baltimore, Maryland 21212

Dear Peter:

After careful review of the photographs for #6348 Frederick Road, Catonsville, Maryland, I find the building to be eligible for inclusion in the Maryland Inventory of Historic Properties. While later changes have diluted the original Italianate appearance, the house retains sufficient exterior integrity to merit inclusion, and the interior is largely intact.

In order to assign a survey number to the site, we will need to receive a completed inventory form, site location map, and representative photographs. If you wish to proceed on that course, you may work directly with Barbara Shepherd.

If I may be of further assistance, please feel free to call.

Sincerely,

Orlando Ridout V
Chief, Office of Research,
Survey and Registration

ORV:dlt

Maryland
Department of Housing and Community Development
Shaw House, 21 State Circle, Annapolis, Maryland 21401 (301) 974-5000

BALTIMORE COUNTY HISTORICAL TRUST inc.

☐ Community Preservation at Work ☐
Post Office Box 10067
Towson, MD 21285-0067

January 15, 1992

For identification Exh #12

Ms Mary Ann Henderson, Chief
Housing Programs Branch
U. S. Department of Housing and Urban Development
10 North Calvert Street, 3rd floor
Baltimore, Maryland 21202-1865

Dear Ms Henderson,

This letter is in response to your recent request for information regarding Paradise Assisted Living, Project No. 052-43052, located at 6346 Frederick Road in Catonsville, Maryland. This property was considered for some type of housing a few years ago and may have been reviewed by your agency. Due to the nature of that project, it was the subject of a hearing before the Baltimore County Zoning Commissioner. At that time, an historian testified on behalf the developer (or contract purchaser) that the structure had historic significance. In addition, members of the adjacent community were not in favor of it. The current proposal appears to have different people involved and its nature has changed. You may wish to contact members of the County's Office of Planning and Zoning staff as well as Housing and Community Development regarding the specifics of the earlier proposal which might be pertinent to this one.

It is the hoped that a serious effort be made to incorporate the existing building without destroying its integrity on a site such as this. The Baltimore County Historical Trust, Inc. would welcome the construction of an addition or adjacent building sensitive to the historic structure, thereby providing a wider range of housing options for the elderly and infirm in the Catonsville area.

Sincerely,

Judith S. Kremen
Executive Director

C.S.I.
A.I.A.
B.O.C.A.
N.F.P.A.

ALESIA TOMASSETTI
15 Chatterly Court
Perry Hall, MD 21228
(301) 931-1109

PROFESSIONAL SUMMARY:
Nearly 20 years experience in Nursing Home management and administration which includes over 11 years experience as an accomplished Nursing Home Administrator and Partner-Owner and 9 years in all phases of nursing home business management.

CHRONOLOGY:

1991 - Present — HEALTH CARE CONSULTANT, DCI Health Care, Inc.

Give assistance in Certificate of Need work, act as an Consultant for Nursing Homes, Assisted Living and Adult Day Care Units.

1989 - 1991 — CO-ADMINISTRATOR, Golden Oaks Nursing Home

Directly responsible for the overall administration and management of the nursing home while training new ownership. I was currently responsible for ensuring that an orderly transition of ownership and administrative personnel occurs. While performing in this capacity, orchestrated an effort with medical supervisory personnel that led to a deficiency-free state inspection. Additionally, I was the first Administrator of Golden Oaks and successfully led all efforts leading to licensure, opening and population of the home significantly ahead of schedule.

1984 - 1989 — PARTNER, Crown Care, Inc.

I assisted in the development of the Summit County Nursing Home in Ohio, and directly responsible for development and construction of the Golden Oaks Nursing Home in Laurel, MD.

LICENSURE: 1978 - State of Maryland - Nursing Home Administrator

PROFESSIONAL AFFILIATION:
Associated Member - Health Facilities Association of Maryland
Associated Member - P.A.N.P.H.A.

EDUCATION:
Various courses and credits related to the field of Nursing Home Administration obtained at: The University of Maryland, Essex & Catonsville Community College

Strayer College
Certificate in Accounting & Bookkeeping

University of Maryland/University College
Presently working towards a Certificate in General Gerontological Practice

Pet Exh #13

9693-A gerwig lane columbia, md 21046 balt. (301) 995-6750 wash. (301) 596-7337 fax (301) 720-6132

CASSANDRA GOTTLIEB, AIA
President

EDUCATION:
Master of Arts (in Urban Studies), 1975
JOHNS HOPKINS UNIVERSITY, Baltimore

Bachelor of Architecture, with Distinction, 1972
McGILL UNIVERSITY, Montreal

Bachelor of Science (in Architecture), 1970
McGILL UNIVERSITY, Montreal

Certificate in Passive Solar Design, 1983
THE MGI MANAGEMENT INSTITUTE, New York

PROFESSIONAL AFFILIATIONS:
REGISTERED ARCHITECT, *State of Maryland*, 1979
Member, *AMERICAN INSTITUTE OF ARCHITECTS*
Member, *NATIONAL TRUST FOR HISTORIC PRESERVATION*
Member, *COMMERCIAL REAL ESTATE WOMEN*

PROFESSIONAL EXPERIENCE:
June 1990 - present: President, G+F ARCHITECTS, INC.
May 1983 - June 1990: President, Gottlieb Fostel, P.C.

Cass Gottlieb has developed a reputation for providing personalized, award-winning, architectural services to institutional, non-profit and public sector clients. Before establishing her own firm in 1983, she served as Baltimore City's Project Director for the nationally acclaimed Otterbein Homestead Project, a neighborhood rehabilitation program involving over $8.5 million in public and private funds. Ms. Gottlieb has been Principal-in-Charge of the award-winning State headquarters building for the American Heart Association; Maryland's largest crisis center and dormitory for battered women at House of Ruth; a sheltered workshop for Penn Mar Organization, Inc.; a medical clinic for Health Care for the Homeless; two counseling and training centers serving developmentally disabled adults, for People Encouraging People, Inc. and Prologue, Inc.; and several contracts for Francis Scott Key Medical Center, including renovations of patient treatment areas for Oral Surgery, Cardiology, and Endoscopy. She is currently in charge of a new assisted-living facility and nursing home expansion for Milford Manor, two residential projects, one new and one rehab, for Baltimore Housing Partnership; and conversion of a domiciliary-care facility to comprehensive-care use for Trinity Geriatric Center.

HONORS AND AWARDS:
American Institute of Architects / Baltimore Chapter - Certificate of Appreciation for Outstanding Service - 1982
Royal Architectural Institute of Canada Medal - 1972
Canadian Government "Perspectives Jeunesse" Grant - 1972
Hugh McLennan Memorial Travel Scholarship - 1972
J.W. McConnell Scholarship in Engineering - 1971
McGill University Scholarships - 1965-1969
Baltimore Magazine - *One of the 84 People to Watch in 1984*

PAPERS PUBLISHED:
Otterbein Homestead Project: Urban Homesteading in Baltimore, Congress International: Conservation, Rehabilitation et Recyclage, Les Presses de l'Universite Laval, Quebec, Canada, 1981
The Effect of Site Selection Policies and Practices on the Success and Failure of the Federal Public Housing Program: The Case of Baltimore, Center for Metropolitan Planning and Research, Johns Hopkins University, Baltimore, MD, 1975
Milton-Park, **The Canadian Architect**, vol. 18, No. 10, Oct. 1973

Pet Exhibit #14

VIEW FROM SYMINGTON AVE.

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g+f architects
415 north charles street
baltimore, maryland 21201
301 234 2911

PARADISE ASSISTED LIVING

DRAWING TITLE:	
DRAWING NO.	
SCALE: 1/8"=1'-0"	PROJ. NO.
DATE: 1/20/91	PHASE:
DRAWN:	APPROVED:
CHECKED:	
STRUCTURAL:	SEAL:
MECHANICAL/ELECTRICAL:	SEAL:
CIVIL:	SEAL:
LANDSCAPE:	
GEOTECHNICAL:	

VIEW FROM BRIAR WOOD RD.

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g + f architects
415 north charles street
baltimore, maryland 21201
(410) 234 2911

PARADISE ASSISTED LIVING

SEAL:

STRUCTURAL:

MECHANICAL/ELECTRICAL:

CIVIL:

LANDSCAPE:

GEOTECHNICAL:

APPROVED:

DRAWN:

CHECKED:

PROJ. NO.

PHASE:

SCALE: 1/8"=1'-0"

DATE: 1/20/91

DRAWING TITLE:

DRAWING NO.:

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

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

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 Excepiton & Zoning Variance
CASE NUMBER: 90-282-SPHXA
N/S of Frederick Road, 170' W of c/l Symington Avenue
6348 Frederick Avenue
1st Election District - 1st Councilmanic
Petitioners(s): Vista Development, Inc.
HEARING: FRIDAY, JANUARY 12, 1990 at 9:30 a.m.

Special Exception for an assisted living facility and to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 18 density units per acre.
Special Hearing to remove the Special Exception granted in Case #88-455X and determine that the provisions of Section 4.7 would be applicable to an assisted living facility less than 10 acres in an R.O. zone and that the Zoning Commissioner shall determine that the structure is of a historical significance.
Variance to permit a site area of 1.3 acres in lieu of the required 10 acres and to permit 14 parking spaces in lieu of the required 42 and to permit a property identification sign and to permit a side yard setback of 8 feet in lieu of the required 20 feet.

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.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

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

J. Robert Haines
Zoning Commissioner

December 7, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

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 Excepiton & Zoning Variance
CASE NUMBER: 90-282-SPHXA
N/S of Frederick Road, 170' W of c/l Symington Avenue
6348 Frederick Avenue
1st Election District - 1st Councilmanic
Petitioners(s): Vista Development, Inc.
HEARING: FRIDAY, JANUARY 12, 1990 at 9:30 a.m.

Special Exception for an assisted living facility and to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 18 density units per acre.
Special Hearing to remove the Special Exception granted in Case #88-455X and determine that the provisions of Section 432 would be applicable to an assisted living facility less than 10 acres in an R.O. zone and that the Zoning Commissioner shall determine that the structure is of a historical significance.
Variance to permit a site area of 1.3 acres in lieu of the required 10 acres and to permit 14 parking spaces in lieu of the required 42 and to permit a property identification sign and to permit a side yard setback of 8 feet in lieu of the required 20 feet.

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.

NOTE:
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Vista Development, Inc.
Harold Burns, Jr., Esq.
William P. Monk
File

December 18, 1989

Harold H. Burns, Jr., Esq.
300 Cathedral Street
Baltimore, Maryland 21201

Re: Case Number: 90-282-SPHXA
Petitioner(s): Vista Development, Inc.

Dear Mr. Burns:

This to confirm request of your letter dated December 12, 1989 and the granting of the postponement requested therein.

Please be advised that we are unable to reschedule this matter until such time as the revised plans are received. Please contact Mr. John Lewis of this office upon completion of the plans. He will then advise of revision costs and the time and date your representative will be able to meet with him to file the revisions.

Very truly yours

G. G. Stephens
(301) 887-3391

cc: William P. Monk
Vista Development/Rose Jackson
File

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

J. Robert Haines
Zoning Commissioner

Feb. 12, 1990

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

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: 90-282-SPHXA
N/S of Frederick Road, 170' W of c/l Symington Avenue
6348 Frederick Avenue
1st Election District - 1st Councilmanic
Petitioner(s): Vista Development, Inc.
HEARING: MONDAY, MARCH 26, 1990 at 9:30 a.m.

Special Exception: An assisted living facility and to increase the maximum gross residential density permitted from 5.5 dwellings per acre to 18 density units per acre and to waive the RTA requirements regarding the one parking space in the D.R.-10.5 zoned portion of the site.
Special Hearing: To remove the Special Exception granted in Case #88-455X and to determine that the provisions of §432 would be applicable to an assisted living facility less than 10 acres in an R.O. zone and that the Zoning Commissioner shall determine that the strucutre is of a historical significance. Variance: To permit a site area of 1.3 acres in lieu of the required 10 acres and to permit a property identification sign adjacent to a residential use; to permit parking spaces 3 feet from the street property line (ultimate reservation line) in lieu of the minimum 10 feet required and 4 feet from an abutting residential zone line in lieu of the required 8 feet of the landscape manual.

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

JRH:gs
cc: Vista Development
Harold H. Burns Esq.

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

J. Robert Haines
Zoning Commissioner

March 29, 1990

NOTICE OF CONTINUANCE

Dennis F. Rasmussen
County Executive

CASE NUMBER: 90-282-SPHXA

PETITIONER: Vista Developement Corporation

LOCATION: NS Frederick Road, 170' W c/l of Symington Avenue
6348 Frederick Avenue

HEARING OF THE ABOVE MATTER, WHICH BEGAN ON March 26, 1990, WILL CONTINUE ON FRIDAY, MAY 4, 1990 at 9:30 a.m.

THIS CONTINUED HEARING WILL TAKE PLACE IN ROOM 106 OF THE COUNTY

OFFICE BUILDING , 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Baltimore County Zoning Office

Copies to:

Vista Development, Inc.

Harold J. Burns, Jr., Esq.

William P. Monk

People's Counsel

See Attached List

Re: 90-282-SPHXA
Vista Development
March 29, 1990 Notice of May 4, 1990 Hearing.

In addition to the names listed on the notice, copies of same were mailed to the following:

James .. Mills/ 124 N. Symington Avenue/Catonsville 21228

Thomas W. Birdsall/122 N. Symington Avenue/Catonsville 21228

Linda Gulan/122 N. Symington Avenue/Catonsville 21228

Kathleen, Randy, and Earl James/10 N. Symington Avenue/Catonsville 21228

Leland Northrop/6336 Frederick Road/Catonsville 21228

Frank H. Falter, Sr./115 N. Symington Avenue/Catonsville 21228

Joseph John Pallezzi/15 Briarwood Road/Catonsville 21228

Richard J. Johnson/42 Briarwood Road/Catonsville 21228

James Finch Twamley/26 N. Symington Drive/Catonsville 21228

Charles F. Eisenberger/1 Briarwood Road/Catonsville 21228

Bill Willgrubs/20 N. Symington Avenue/Catonsville 21228

Timothy R. Gude/17 Briarwood Road/Catonsville 21228

Mark Moody/12 N. Symington Avenue/Catonsville 21228

Everett G. Sillers/6339 Frederick Road/Catonsville 21228

Mr. & Mrs. Frank Schaum/22 Symington Avenue/Catonsville 21228

Mr. & Mrs. John S. Moll/14 N. Symington Avenue/Catonsville 21228

James W. Mohler/2 W. Rolling Crossroads/Suite 203/Catonsville 21228

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

J. Robert Haines
Zoning Commissioner

May 7, 1990

Dennis F. Rasmussen
County Executive

RE: Case #90-282-SPHXA
VISA DEVELOPMENT, INC.
N/S Frederick Road, 170' W
centerline Symington Avenue
(#8348 Frederick Road)
1st Election District
1st Councilmanic District

Dear Addressee:

Please be advised that the above captioned case has been reset for hearing on Thursday, May 10, 1990 at 3:30 p.m. in Room 106 of the County Office Building.

Very truly yours,

J. Robert Haines

J. Robert Haines
Zoning Commissioner

JRH:scj

Copies of attached letter sent to:

Harold H. Burns, Jr., Esquire
300 Cathedral Street
Baltimore, MD 21201

William Monk
100 West Pennsylvania Avenue
Suite 305
Towson, MD 21204

Pat Turnon
9 N South Charles Street
Baltimore, MD 21201

Eileen Brown
7 Pamona South
Apartment 9
Baltimore, MD 21208

Leland Northrop
6336 Frederick Road
Baltimore, MD 21228

Marguerite Schaum
22 N. Symington Avenue
Baltimore, MD 21228

John & Cynthia Moll
14 N. Symington Avenue
Baltimore, MD 21228

Kathleen M. James
10 N. Symington Avenue
Baltimore, MD 21228

Joseph J. Pallozip
15 Briarwood Road
Baltimore, MD 21228

Jim Mills
124 N. Symington Avenue
Baltimore, MD 21228

June Moody
12 N. Symington Avenue
Baltimore, MD 21228

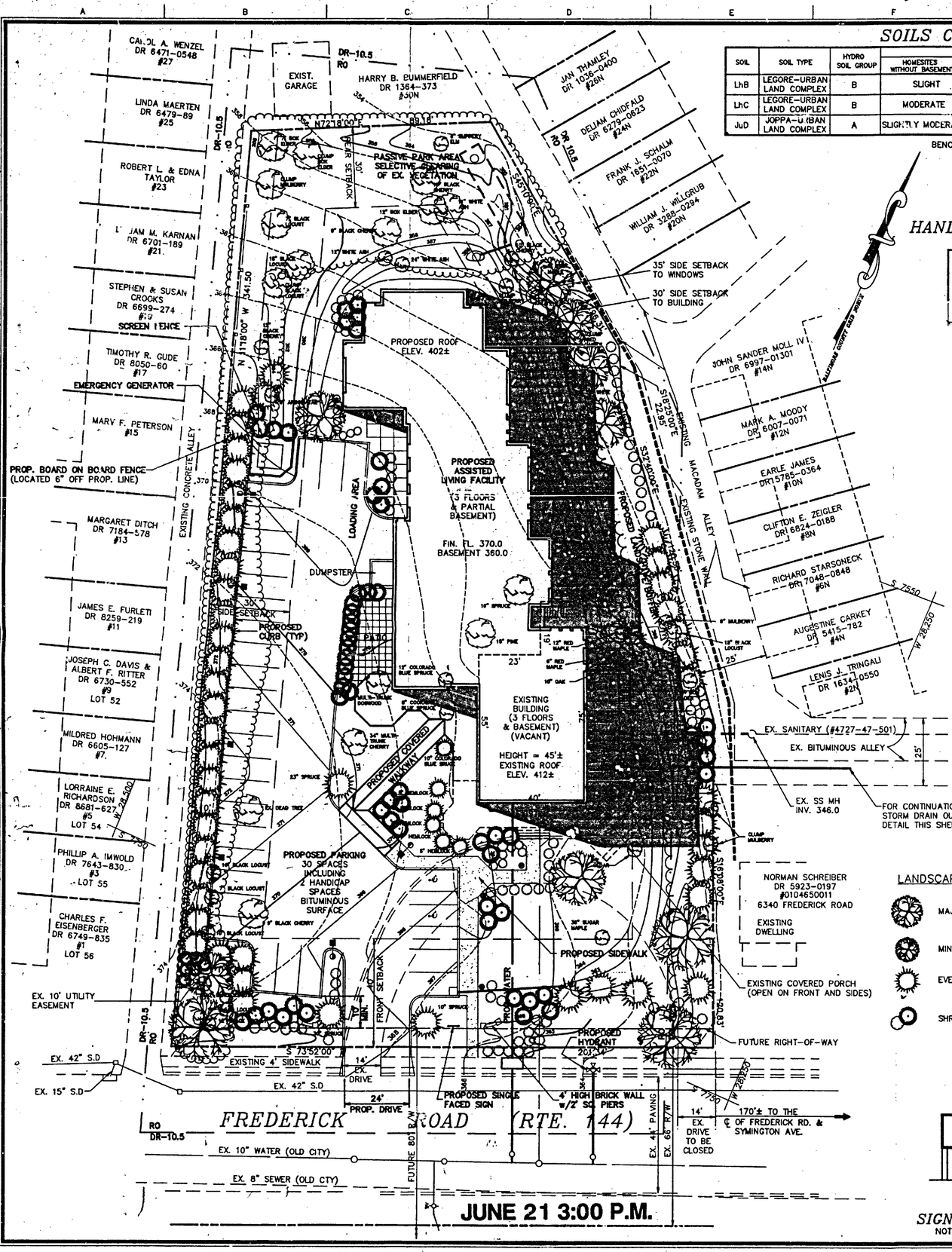
g ✣ f architects inc.
41[r] north charles street
baltimore, maryland 21201
301 234-2911 ■ fax 234 2914

February 26, 1992

PARADISE ASSISTED LIVING
SQUARE FOOT CALCULATIONS

	Existing Building (SF)	New Building (SF)	Total (SF)
Terrace Level:	2350	7620	9970
First Floor:	2350	7620	9970
Second Floor:	1920	8050	9970
Third Floor:	1440	270	1710
	8060	23560	31620

Pet Exhibit #17

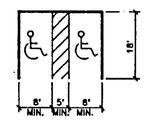


SOILS CHART

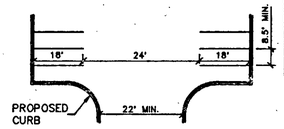
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTLY MODERATE	SEVERE SLOPE

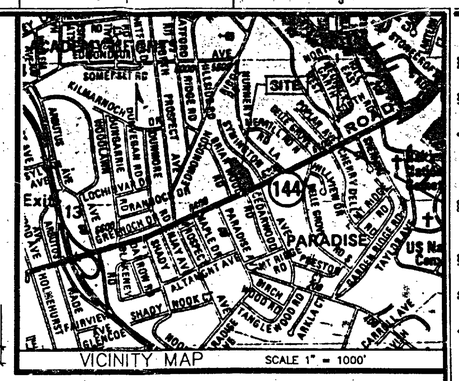
BENCHMARK:
BALTIMORE COUNTY HUE NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	3.1	6.0	9.1
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH 8800± CUBIC FEET OF STORAGE IN A LARGE PIPE.

WATER QUALITY REQUIREMENTS WILL BE MET THROUGH VEGETATED SWALES.

1. OWNER - APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7395/758
PROPERTY ACCOUNT NO.: 01/865053
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,905 S.F. (1.24 AC.)	58,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	3,785 S.F. (0.08 AC.)
TOTAL AREA	56,180 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4009
WATERSHED: 28
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BASE PERMITTED:
1.38 AC. x 5.5 = 7.59
0.08 AC. x 10.5 = 0.83
8.42
ASSISTED LIVING x 4
33.68
TOTAL PERMITTED 33.68
REQUESTED SPECIAL EXCEPTION FOR A DENSITY VARIANCE TO DR-19 BASED ON A HISTORIC ALLOWANCE
1.43 AC. x 19 = 27.86
SPECIAL EXCEPTION FOR ASSISTED LIVING x 4
TOTAL PERMITTED W/HISTORIC ALLOWANCE 91.52
TOTAL PROVIDED: 60

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) - N/A

6. AMENITY OPEN SPACE (A.O.S.) - N/A

7. HEIGHT OF BUILDING:
PERMITTED: 50' MAXIMUM
PROPOSED: 45' (AT EXISTING BUILDING)
(SEE SECTION THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 60 BEDS = 30 SPACES
PROVIDED: 30 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED DRB PLANS AT THIS SITE INCLUDE: "THE PLAN #10.87.280, PARADISE PROFESSIONAL CENTER, APPROVED MAY 20, 1986.

15. LANDSCAPE CALCULATIONS
REQUIRED -
PARKING 1 UNIT/12.5 SPACES (30 SPACES) = 3 UNITS
INTERIOR 1 UNIT/20 L.F. (240 L.F.) = 12.0 UNITS
ROAD
FRONTAGE 1 UNIT/40 L.F. (201.34 L.F.) = 5 UNITS
SCREENING (B) 1 UNIT/15' PARKING (170') = 12 UNITS
TOTAL = 32 UNITS
PROPOSED -
CREDIT FOR EXISTING TREES = 20
TREES PROPOSED :
MAJOR DECIDUOUS 2 (MIN.)
MINOR DECIDUOUS 10 (MIN.)
EVERGREEN 10 (MIN.)
SHRUBS 10 (MIN.)
TOTAL UNITS 90

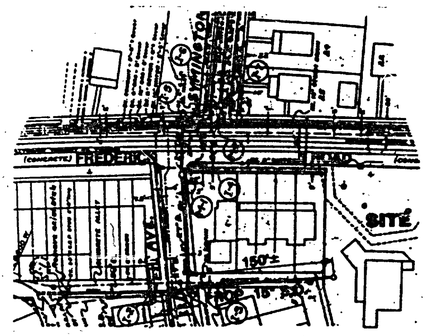
PURPOSE OF HEARING:
1. PETITION FOR SPECIAL HEARING TO REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE 88-488-SPHA, AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE. ALSO, THAT THE ZONING COMMISSIONER SHALL DETERMINE THAT THE STRUCTURE IS OF HISTORICAL SIGNIFICANCE (SECTION 432.3B 1).
2. SECOND AMENDED PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY PURSUANT TO SECTION 203.3 B 1 AND SECTION 432.1 A 2, ALSO TO INCREASE THE MAXIMUM GROSS RESIDENTIAL DENSITY PERMITTED FROM 5.5 DWELLINGS PER ACRE TO 19 DENSITY UNITS PER ACRE, (SECTION 432.3A 2).
3. SECOND AMENDED PETITION FOR VARIANCE FROM SECTION 432.B TO PERMIT 1 SITE AREA OF 1.3 ACRES IN LIEU OF THE REQUIRED 10 ACRES, SECTION 203.3.C.1. TO PERMIT A FREE STANDING PROPERTY IDENTIFICATION SIGN RATHER THAN A SIGN ATTACHED TO THE BUILDING.

ZONING HISTORY

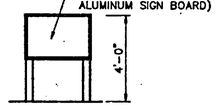
75-398C	PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE	— DENIED
88-488X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING	— GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING	— UPHELD BY BOARD OF APPEALS
902252PHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED	— DENIED 7-3-90
	PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 6 FEET	— DENIED 7-3-90
	PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE	— DISMISSED 7-3-90
	PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY TO INCREASE PERMITTED DENSITY FROM 5.5 TO 10 UNITS PER ACRE AND A WAIVER FROM 414 REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE	— DISMISSED 7-3-90
	PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-488X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE	— DISMISSED 7-3-90
91122SPH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-488X	— EXTENDED TO 2-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE DRB APPROVAL SCHEDULED FOR HEARING 2-15-	

LANDSCAPE LEGEND

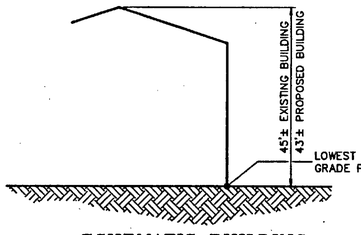
MAJOR DECIDUOUS
MINOR DECIDUOUS
EVERGREEN
SHRUBS



STORM DRAIN OUTFALL DETAIL



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

revisions		
no.	date	comments

seal

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

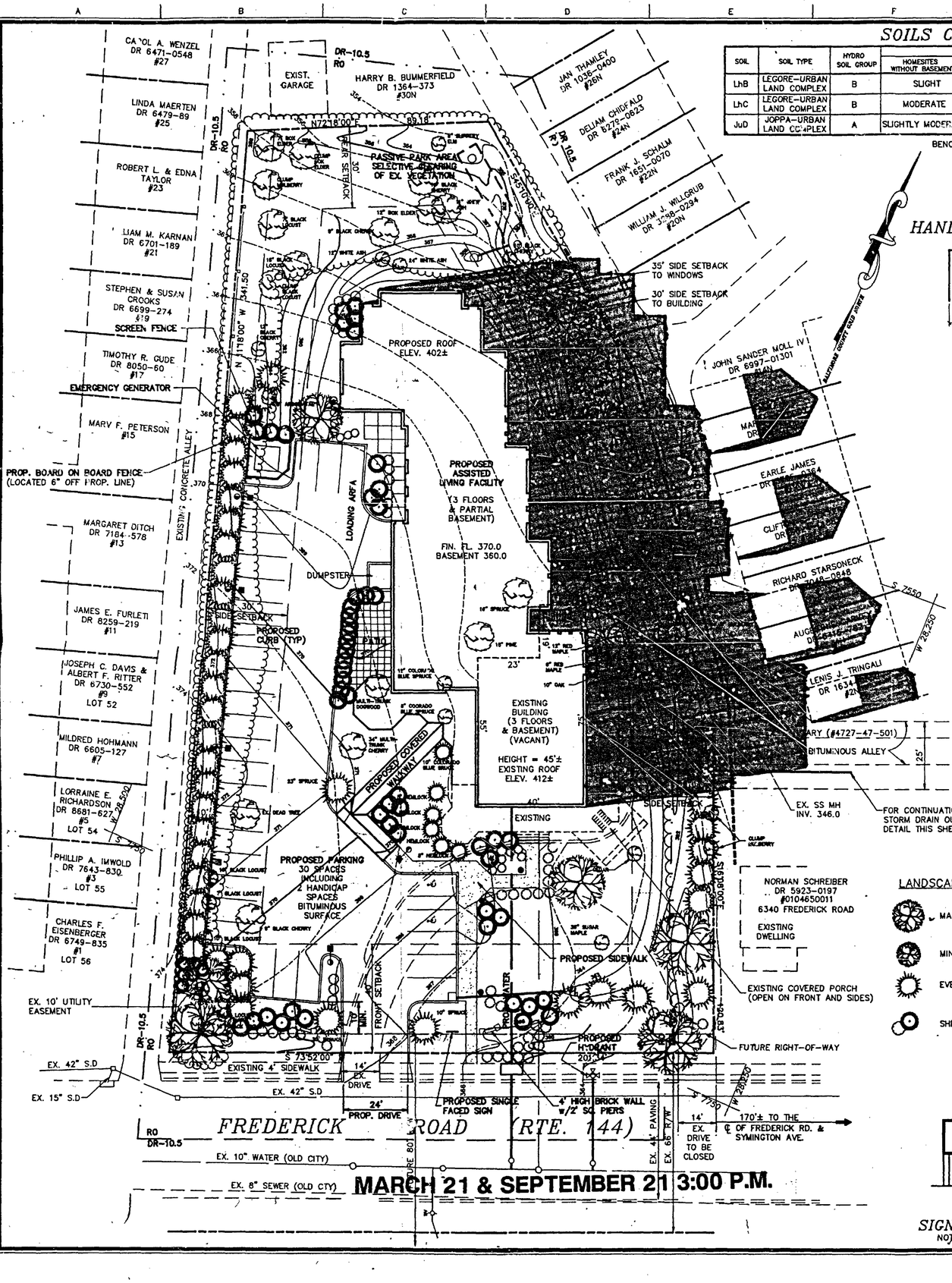
REVISED HEARING PLAN TO ACCOMPANY AMENDED SPECIAL EXCEPTION/ SPECIAL HEARING & AMENDED ZONING VARIANCE SCHEDULED ON FEB. 26, 1992

PROPERTY ADDRESS 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: C-1
design: --	
checked:	
date: 2-10-92	sheet 1 of 1

LPJ file# 16491100

plan date 2-25-92
BRB. SVC # 18 JUNE 21

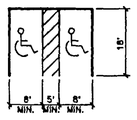


SOILS CHART

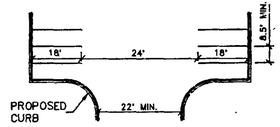
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

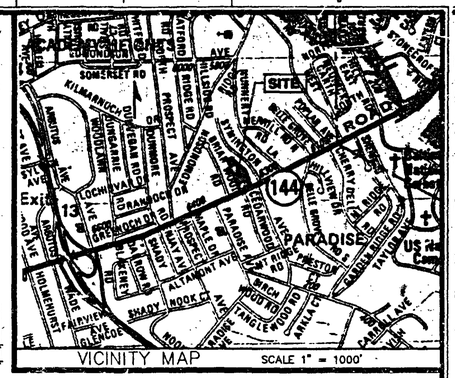
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





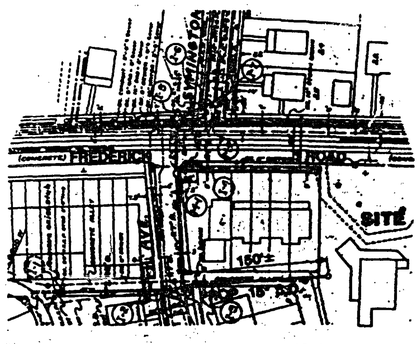
STORMWATER MANAGEMENT DATA

DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	3.1	6.0	9.1
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH 8800± CUBIC FEET OF STORAGE IN A LARGE PIPE.

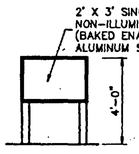
WATER QUALITY REQUIREMENTS WILL BE MET THROUGH VEGETATED SWALES.

STORM DRAIN OUTFALL DETAIL

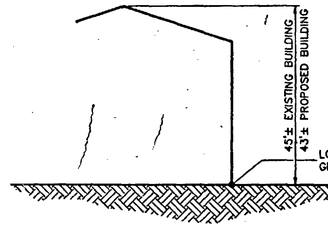


LANDSCAPE LEGEND

- MAJOR DECIDUOUS
- MINOR DECIDUOUS
- EVERGREEN
- SHRUBS



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

1. OWNER - APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1240
DEED REFERENCE: 7386/756
PROPERTY ACCOUNT NO.: 01/955022
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,805 S.F. (1.24 AC.)	59,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,785 S.F. (0.06 AC.)
TOTAL AREA	56,080 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4008
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.36 AC. x 8.9 = 12.56
0.06 AC. x 10.5 = 0.63
13.19
ASSISTED LIVING x 4/3
TOTAL PERMITTED 22.88
REQUESTED SPECIAL EXCEPTION FOR A DENSITY VARIANCE TO DR-16 BASED ON A HISTORIC ALLOWANCE.
1.43 AC. x 16 = 22.88
SPECIAL EXCEPTION FOR ASSISTED LIVING x 4/3
TOTAL PERMITTED w/HISTORIC ALLOWANCE 91.52
TOTAL PROVIDED: 90

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) - N/A

6. AMENITY OPEN SPACE (A.O.S.) - N/A

7. HEIGHT OF BUILDING:
PERMITTED: 50' MAXIMUM
PROPOSED: 45' (AT EXISTING BUILDING)
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 2 BEDS
0.5 x 90 BEDS = 30 SPACES
PROVIDED: 30 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNAGE:
PERMITTED: 8 S.F.
PROPOSED: 8 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 200' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE: CRG PLAN NO.87390, PARADISE PROFESSIONAL CENTER, APPROVED MAY 30, 1986.

15. LANDSCAPE CALCULATIONS:
REQUIRED -
PARKING 1 UNIT/12.5 SPACES (30 SPACES) = 3 UNITS
INTERIOR 1 UNIT/30 L.F. (340 L.F.) = 12.0 UNITS
ROADS
FRONTAGE 1 UNIT/40 L.F. (201.34 L.F.) = 5 UNITS
SCREENING (3) 1 UNIT/15' PARKING (170') = 12 UNITS
TOTAL = 33 UNITS

PROPOSED -
CREDIT FOR EXISTING TREES = 20
TREES PROPOSED:

MAJOR DECIDUOUS	2	(MIN.)
MINOR DECIDUOUS	6	(MIN.)
EVERGREEN	18	(MIN.)
SHRUBS	10	(MIN.)
TOTAL UNITS	60	

PURPOSE OF HEARING

1. PETITION FOR SPECIAL HEARING TO REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE 88-165X, AND DETERMINE THAT THE PROVISIONS OF BCZR SECTION 402.5 SHALL BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE. ALSO, THAT THE COMMISSIONER SHALL DETERMINE THAT THE STRUCTURE IS OF HISTORICAL SIGNIFICANCE (SECTION 432.3B 11).
2. SECOND AMENDED PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY PURSUANT TO SECTION 303.3 B 1 AND SECTION 402.1 A 3, ALSO TO INCREASE THE MAXIMUM GROSS RESIDENTIAL DENSITY PERMITTED FROM 8.9 DWELLINGS PER ACRE TO 16 DENSITY UNITS PER ACRE (SECTION 432.3A 13).
3. SECOND AMENDED PETITION FOR VARIANCE FROM SECTION 432.B TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF THE REQUIRED 10 ACRES, SECTION 253.3.C.1 TO PERMIT A FREE STANDING PROPERTY IDENTIFICATION SIGN RATHER THAN A SIGN ATTACHED TO THE BUILDING.

ZONING HISTORY

75-368X	PETITION FOR RECLASSIFICATION FROM DR-16.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE — DENIED
88-165X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS 3 OFFICE BUILDING — GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS 6 OFFICE BUILDING — UPHELD BY BOARD OF APPEALS
902823PHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED — DENIED 7-7-89
	PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ABUTTING RESIDENTIAL IN LIEU OF 6 FEET — DENIED 7-7-89
	PETITION FOR VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE — DENIED 7-7-89
	PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, TO INCREASE PERMITTED DENSITY FROM 8.9 TO 16 UNITS PER ACRE AND A WAIVER FROM BCA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE — DISMISSED 7-7-89
	PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-165X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 402.5 SHALL BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE — DISMISSED 7-7-89
911323PH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-165X — EXTENDED TO 2-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 2-25-92

revisions

no.	date	comments

seal

STATE OF MARYLAND — FREDERICK J. THOMPSON — No. 13443 — REGISTERED PROFESSIONAL ENGINEER

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

REVISED HEARING PLAN TO ACCOMPANY AMENDED SPECIAL EXCEPTION/ SPECIAL HEARING & AMENDED ZONING VARIANCE SCHEDULED ON FEB. 26, 1992

PROPERTY ADDRESS 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91164
drawn: LC	drawing no.: C-1
design: -	
checked:	
date: 2-10-92	sheet 1 of 1

plots dated: 2-25-92

LPJ file: 16491100

1 inch = 200 ft. / 100 ft. / 60 ft. / 50 ft. / 40 ft. / 30 ft. / 20 ft. / 10 ft.

Bldg Ltr #19 - March 31 Sept 31

90-282-SPHXA

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025

February 7, 1992

Mr. Carl Richards
Department of Planning & Zoning
401 Bosley Avenue
Suite 406
Towson, Maryland 21204

Re: 6348 Frederick Road
Vista Development, Inc.
Case No.: 90-282-SPHXA

Dear Mr. Richards:

As we discussed, please find attached the Petitioner's Second Amended Petition and site plans for Special Exception and Variances for County review. The Petition for Special Hearing remains the same (attached for your convenience). This case involves the Petitioner's request to build an Assisted Living Facility for older persons who need some assistance in daily care but do not yet need full nursing home facilities. The case came before the Zoning Commissioner who denied the Petitioner's request based on the size of the project.

To accommodate the Zoning Commissioner's comments, the Petitioner has reduced the number of beds from 74 to 60, reduced the size of the addition by 30%, removed one story from the height of the building, set the building back from the property line 35 feet, instead of 26 feet, and generally incorporated the comments and suggestions of the Paradise Community Association wherever possible.

The Board of Appeals has scheduled a hearing on the Amended plan for February 26, 1992. I ask your urgent attention. Our check for $75.00 for the review fee is attached.

Please let me know if you have any questions.

Very truly yours,

John V. Murphy

JVM/tmh
Enclosure

cc: Harold Burns, Esq.
Jim Forster
Fred Thompson
Rose Jackson
Lisa Tomassetti

RECEIVED
FEB 14 1992
By DCJ

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025

February 13, 1992

Board of Appeals of Baltimore County
County Office Building
Room 314
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 6348 Frederick Road
Paradise Community

Dear Ladies and Gentlemen:

Would you kindly file the attached subpoenas with Board of Appeals and forward the documents to the sheriff for service. Kindly let me know what the fee is for such service and I will be happy to forward the amount to your office.

Please let me know if you have any questions.

Very truly yours,

John V. Murphy

JVM/tmh

Enclosure

cc: Harold Burns, Esq.

92FEB 18 AM 11:57

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025

April 14, 1992

FAX: (410) 744-8936

Mr. James Mills
124 N. Symington Avenue
Catonsville, Maryland 21228

RE: 6348 Frederick Road
Paradise Community

Dear Jim:

As you probably know, the Board of Appeals rescheduled the hearing on the above case from February 26th to April 22, 1992. I wanted to confirm the attached letter dated March 23, 1990 in which you mentioned that the Advisory Board was in place for the assisted living facility. I realize there has not been a lot for the Board to do while we try to get our zoning issues resolved, but their input to the design and operation of the facility will be greatly appreciated and vitally needed once the preliminary issues are resolved.

Please let me know the Board's status and whether you might be available on April 22nd to report to the Board of Appeals in this regard.

Very truly yours,

John V. Murphy

JVM/pam

cc: Harold Burns, Esq.
Fred Thompson
James Forster

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025
FAX 301-744 8936

June 23, 1992

Honorable William Hackett
Board of Appeals
Room 49
Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Vista Development, Inc.
6348 Frederick Road

Dear Mr. Hackett:

I would greatly appreciate your earliest decision on the above case. As you can see by the attached letter, my client needs to know the Board's decision by early July, 1992 so as not to delay several months. Thank you for your cooperation.

Very truly yours,

John V. Murphy

JVM:tmh

Enclosure

cc: Harold Burns, Esquire

92JUN 18 AM 11:55

HAROLD H. BURNS, JR.
ATTORNEY AT LAW
SUITE 200
300 CATHEDRAL STREET
BALTIMORE, MARYLAND 21201
(410) 528-0044
FAX (410) 547-0698

MAUREEN F. MACKEY

June 19, 1992

John V. Murphy, Esquire
14 North Rolling Road
Catonsville, Maryland 21228

Re: Vista Development, Inc.
6348 Frederick Road

Dear Jack:

I write to confirm the substance of our conversation this morning. As you know, in order for this project to proceed Vista must secure a loan guarantee from the U.S. Department of Housing & Urban Development for which Vista applied last fall.

A month or so ago, HUD requested that Vista provide substantial additional research regarding the historical significance of the existing building on the site so as to determine precisely how much Vista will be permitted to change its appearance. Vista has engaged Peter Kurtze, the architectural historian who testified at the hearing before the Board of Appeals, to complete this work which will require a full week of his time at Vista's considerable expense. HUD will not continue processing our loan application until Peter's work is complete.

Of course, Vista does not wish to incur that expense until it has the decision of the Board of Appeals which I understand you expect shortly. But Mr. Kurtze is leaving the country at the end of July for 5 weeks and he requires at least one or two weeks notice to schedule the time to do the work.

Accordingly, if Vista does not have the Board's decision by early July, Mr. Kurtze will likely be unable to undertake the necessary work until early September. As you know, Roberta Watkins very much needs and desires to leave the Meridian Nursing Home in which she now lives, and this project has already been

JUN 22 1992

John V. Murphy, Esquire
June 19, 1992
Page Two

held up for years, albeit perhaps because of unavoidable development problems. Anything you might do to encourage the Board to render a speedy decision would be greatly appreciated.

Thank you for your attention and for your very good work in this matter.

Very truly yours,

Harold H. Burns, Jr.

mmr

cc: Ms. Rose Jackson

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY

14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-4967
301-744-5025
FAX 301-744-8936

7/28/92 7/32-92
TO will please recess & advise

July 28, 1992

TO: JLL
RECEIVED
JUL 30 1992
By scj

Arnold Jablon, Esquire
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, Maryland 21204

RE: Vista Development Corp.
Case No.: 90-282-SPHXA
CBA-91-147

Dear Mr. Jablon:

On July 2, 1992 the Board of Appeals issued the attached Opinion granting Vista's request for a special exception for an assisted living facility but deny our request for a 60 bed facility. I interpreted the last line of the Board's Order to mean that the Board would review a modified site plan for 30 bed facility but as you can see by the attached July 23, 1992 letter from Chairman Hackett, the Board wants us to go through "normal channels." I take it that the modified 30 bed plan attached should be reviewed by your office before being recorded as approved. I have attached 12 copies of the 30 bed plan as a customary in case some other agency would also want to review the plan.

Would you kindly let me know when the plan is approved so that we can resume our CRG review with the new plan.

Thank you for your consideration of this matter.

Very Truly Yours,

John V. Murphy

JVM/pam

Enclosures

cc: Vista Development Corp.
Honorable William T. Hackett

RECEIVED
JUL 29 1992
ZONING OFFICE

7/29/92 Per A. Jablon no filing fee or hearing. D.S.M.

TIMOTHY R. GUDE
17 Briarwood Road
Baltimore, Maryland 21228
(410) 744-3545 - home
(410) 719-0900 - work

7/15/92 3795-92

February 24, 1992

Zoning Officer of Baltimore County
County Office Building
Room 315
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 90 282-SPHA
6348 Frederick Road

Dear Sir or Madam:

This is to express my displeasure with the new revised plans for the above-referenced property. The idea of developing this property into an assisted living facility has never been of great concern to myself or my family. However, the magnitude of the project is a deep concern. From its inception, it has been grandiose and disproportionate. Now, these developers have **"revised"** the plans and we now have a re-shaped project that is equally disproportionate to the property.

This project continues to defy logical proportion. The most important factor of all is the height of the new project, which ranges from 40-46 feet and allows for up to 60 feet, which is written in the plans. Here again, we are back to square one. This new building will tower over all existing homes by 15+ feet as a minimum, on the lower Briarwood side of the project. God forbid, the impact it is going to have on the homes on Symington.

We have no doubt that this property will be developed, however, we ask that the County not allow anything that would be a detriment to the Paradise Community

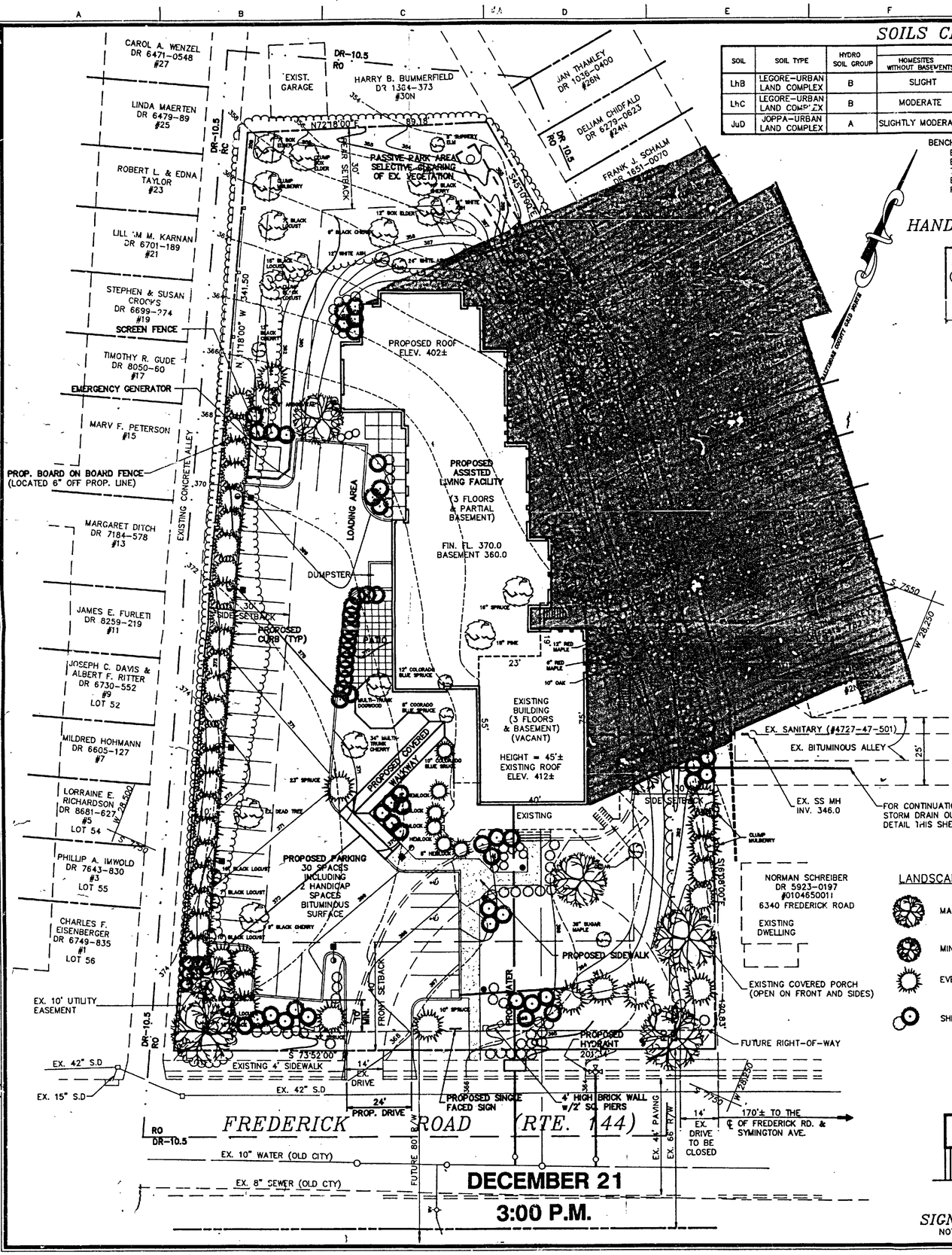
This project as it exists, will **KILL** property values on Briarwood and Symington Roads. I might add, that the developers are using deception to the homeowners by submitting a **"so-called"** revised plan for development of this property that is equally grandiose as the first.

Please say **"NO"** to this developer's request, because it is not in the best interest of the Paradise Community.

Regards,

Tim Gude

RECEIVED
FEB 25 1992
ZONING OFFICE

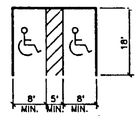


SOILS CHART

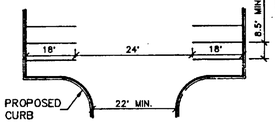
SOIL	SOIL TYPE	HYDRO SOIL GROUP	LIMITATIONS		
			HOMESITES WITHOUT BASEMENTS	HOMESITES WITH BASEMENTS	STREETS AND PARKING LOTS
LhB	LEGORE-URBAN LAND COMPLEX	B	SLIGHT	SLIGHT	MODERATE SLOPE
LhC	LEGORE-URBAN LAND COMPLEX	B	MODERATE	MODERATE	SEVERE SLOPE
JuD	JOPPA-URBAN LAND COMPLEX	A	SLIGHTLY MODERATE	SLIGHTY MODERATE	SEVERE SLOPE

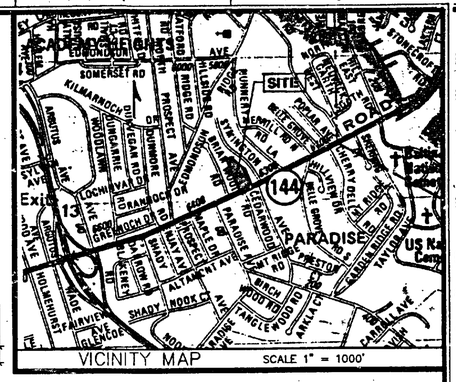
BENCHMARK:
BALTIMORE COUNTY HUB NO. 10124
ELEVATION 330.594
7/8" IRON BAR AT INTERSECTION OF BACK EDGE OF WALKS AT NORTHEAST CORNER OF FREDERICK ROAD AND BELLE GROVE ROAD.

TYPICAL HANDICAP SPACE



STANDARD PARKING SPCES





STORMWATER MANAGEMENT DATA

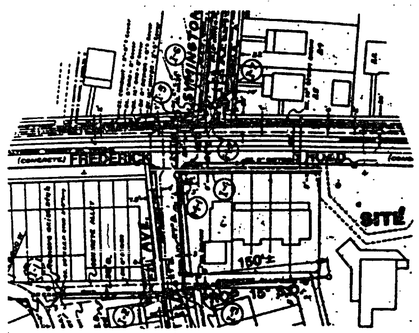
DESIGN CONDITION	PEAK FLOWS (CFS)		
	2 YEAR	10 YEAR	100 YEAR
EXISTING	2.0	4.5	7.4
POST DEVELOPMENT	3.1	6.0	9.1
PROPOSED RELEASE *	0.8	1.2	2.0

* STORMWATER MANAGEMENT CONTROLS WILL OVERMANAGE RUNOFF TO ATTAIN PEAK RELEASE RATES AS SHOWN. CONTROL WILL BE THROUGH 6900± CUBIC FEET OF STORAGE IN A LARGE PIPE.

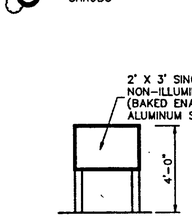
WATER QUALITY REQUIREMENTS WILL BE MET THROUGH VEGETATED SWALES.

LANDSCAPE LEGEND

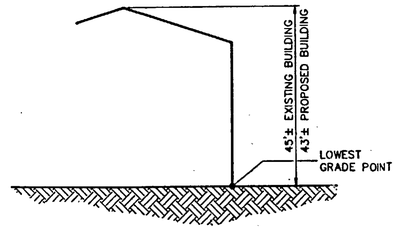
MAJOR DECIDUOUS
MINOR DECIDUOUS
EVERGREEN
SHRUBS



STORM DRAIN OUTFALL DETAIL



SIGN DETAIL
NOT TO SCALE



SCHEMATIC BUILDING HEIGHT ELEVATION
NOT TO SCALE

1. OWNER - APPLICANT
VISTA DEVELOPMENT, INC.
300 CATHEDRAL STREET
SUITE 200
BALTIMORE, MARYLAND 21201
(410) 752-1241
DEED REFERENCE: 7366/758
PROPERTY ACCOUNT NO.: 01/950033
STREET ADDRESS: 6348 FREDERICK ROAD
BALTIMORE, MARYLAND 21228

2. SITE ACREAGE:

	NET AREA	GROSS AREA
RO ZONED	53,909 S.F. (1.24 AC.)	59,425 S.F. (1.36 AC.)
DR-10.5 ZONED	2,275 S.F. (0.05 AC.)	2,786 S.F. (0.06 AC.)
TOTAL AREA	56,180 S.F. (1.29 AC.)	62,210 S.F. (1.42 AC.)

3. ELECTION DISTRICT: 1
COUNCILMANIC DISTRICT: 1
CENSUS TRACT: 4006
WATERSHED: 25
SUBWATERSHED: 71

4. DENSITY CALCULATIONS:
BEDS PERMITTED:
1.34 AC. x 6.5 = 7.56
0.08 AC. x 10.5 = 0.83
8.39
ASSISTED LIVING x 4
4.32
TOTAL PERMITTED 32.86
REQUESTED SPECIAL EXCEPTION FOR A DENSITY VARIANCE TO DR-16 BASED ON A HISTORIC ALLOWANCE
1.43 AC. x 16 = 22.88
SPECIAL EXCEPTION FOR ASSISTED LIVING x 4
TOTAL PERMITTED w/HISTORIC ALLOWANCE 91.52
TOTAL PROVIDED: 60

5. FLOOR AREA RATIO CALCULATIONS (F.A.R.) - N/A

6. AMENITY OPEN SPACE (A.O.S.) - N/A

7. HEIGHT OF BUILDING:
PERMITTED: 90' MAXIMUM
PROPOSED: 45' (AT EXISTING BUILDING)
(SEE SKETCH THIS SHEET)

8. PARKING CALCULATIONS:
REQUIRED: 1 SPACE / 3 BEDS
3.3 x 60 BEDS = 30 SPACES
PROVIDED: 30 SPACES

9. EXISTING BUILDING USE: VACANT
PROPOSED BUILDING USE: ASSISTED LIVING FACILITY

10. SIGNING:
PERMITTED: 8 S.F.
PROPOSED: 6 S.F.

11. THERE HAVE BEEN NO COMMERCIAL PERMITS AT THIS PROPERTY FOR THE LAST FIVE YEARS.

12. NO STRUCTURES AND NO PARKING IS PROPOSED IN THE DR-10.5 ZONE.

13. LAND USE WITHIN 300' OF SUBJECT PROPERTY IS RESIDENTIAL LOTS.

14. PREVIOUSLY APPROVED CRG PLANS AT THIS SITE INCLUDE:
Civil PLAN 140137360, PARADISE PROFESSIONAL CENTER, APPROVED MAY 20, 1988.

15. LANDSCAPE CALCULATIONS:
REQUIRED =
PARKING 1 UNIT/12.5 SPACES (30 SPACES) = 3 UNITS
INTERIOR 1 UNIT/20 L.F. (240 L.F.) = 12.0 UNITS
ROADS
FRONTAGE 1 UNIT/60 L.F. (391.34 L.F.) = 6 UNITS
SCREENING (B) 1 UNIT/10' PARKING (170') = 12 UNITS
TOTAL = 32 UNITS

PROPOSED
CREDIT FOR EXISTING TREES = 28
TREES PROPOSED :

MAJOR DECIDUOUS	2	(MIN.)
MINOR DECIDUOUS	10	(MIN.)
EVERGREEN	10	(MIN.)
SHRUBS	60	(MIN.)
TOTAL UNITS	60	

PURPOSE OF HEARING

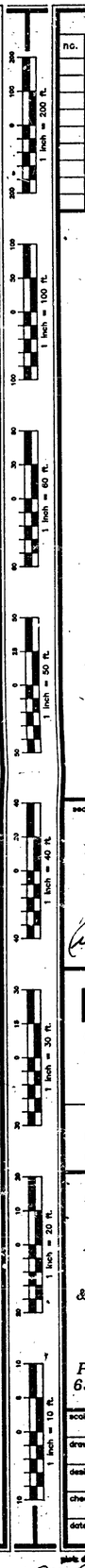
1. PETITION FOR SPECIAL HEARING TO REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE 88-405X, AND DETERMINE THAT THE PROVISIONS OF SECTION 432.3B.2 SHALL BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 16 ACRES IN AN RO ZONE. ALSO, THAT THE ZONING COMMISSIONER SHALL DETERMINE THAT THE STRUCTURE IS OF HISTORICAL SIGNIFICANCE (SECTION 432.3B 1).
2. SECOND AMENDED PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY PURSUANT TO SECTION 203.3 3.1 AND SECTION 432.1 A 2, ALSO TO INCREASE THE MAXIMUM GROSS RESIDENTIAL DENSITY PERMITTED FROM 8.8 DWELLINGS PER ACRE TO 10 DENSITY UNITS PER ACRE. (SECTION 432.3A 3).
3. SECOND AMENDED PETITION FOR VARIANCE FROM SECTION 432.B TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF THE REQUIRED 10 ACRES; SECTION 243.3.C.1 TO PERMIT A FREE STANDING PROPERTY IDENTIFICATION SIGN RATHER THAN A SIGN ATTACHED TO THE BUILDING.

ZONING HISTORY

75-388X	PETITION FOR RECLASSIFICATION FROM DR-10.5 TO DR-16 AND SPECIAL EXCEPTION FOR OFFICE — DENIED
88-405X	SPECIAL EXCEPTION FOR THE ZONING COMMISSIONER TO PERMIT CONSTRUCTION OF CLASS B OFFICE BUILDING — GRANTED 8-12-88
CBA 88124	SPECIAL EXCEPTION TO PERMIT CLASS B OFFICE BUILDING — UPHELD BY BOARD OF APPEALS
90282SPHX	PETITION FOR ZONING VARIANCE TO PERMIT A SITE AREA OF 1.3 ACRES IN LIEU OF 10 ACRES REQUIRED — DENIED 7-3-90
	PETITION FOR VARIANCE TO PERMIT PARKING 4 FEET FROM ADJOINING RESIDENTIAL IN LIEU OF 8 FEET — DENIED 7-3-90
	PETITION FOR SPECIAL VARIANCE TO PERMIT PROPERTY IDENTIFICATION SIGN ADJACENT TO RESIDENTIAL USE — DISMISSED 7-3-90
	PETITION FOR SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY, TO INCREASE PERMITTED DENSITY FROM 8.8 TO 10 UNITS PER ACRE AND A WAIVER FROM RTA REQUIREMENTS REGARDING ONE PARKING SPACE IN DR-10.5 PORTION OF THE SITE — DISMISSED 7-3-90
	PETITION FOR SPECIAL HEARING TO REMOVE SPECIAL EXCEPTION GRANTED IN CASE 88-405X, DETERMINATION THAT THE SUBJECT STRUCTURE IS OF HISTORICAL SIGNIFICANCE, DETERMINATION THAT THE PROVISIONS OF SECTION 432.3B SHOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 16 ACRES IN AN RO ZONE — DISMISSED 7-3-90
91132SPH	APPEAL TO THE ZONING COMMISSIONER FOR THE EXTENSION OF THE TIME LIMIT TO CONSTRUCT A PROFESSIONAL OFFICE BUILDING AS APPROVED IN CASE 88-405X — EXTENDED TO 3-1-92
91147	APPEAL FOR PARADISE PROFESSIONAL CENTER TO EXTEND THE CRG APPROVAL SCHEDULED FOR HEARING 3-28-

LPJ Standard 16491100

revisions		
no.	date	comments



seal

STATE OF MARYLAND
FREDERICK J. THOMSEN
No. 7348
REGISTERED
PROFESSIONAL ENGINEER

LPJ INC.
CONSULTING ENGINEERS
* STRUCTURAL
* CIVIL
* SITE PLANNING
16 West 25th Street
Baltimore, Maryland 21218
(301) 366-7800

REVISED HEARING PLAN TO ACCOMPANY AMENDED SPECIAL EXCEPTION/ SPECIAL HEARING & AMENDED ZONING VARIANCE SCHEDULED ON FEB. 26, 1992

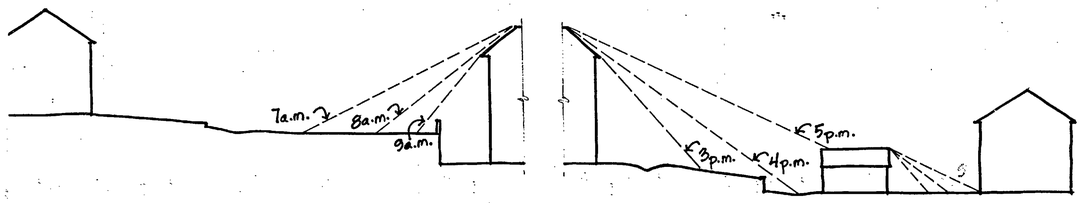
PROPERTY ADDRESS 6348 FREDERICK RD.

scale: 1" = 20'	project no.: 1-91154
drawn: LC	drawing no.: C-1
design: —	
checked:	
date: 2-10-92	sheet 1 of 1

plots dated 2-25-92

CBB 3/4 # 20 Dec 21

JUNE 21



BRIAR WOOD - A.M.

SYMINGTON - P.M.

P St Eckhart
20-A

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

ORDER RECEIVED FOR FILING
Date 5/1/90
By

****

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

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

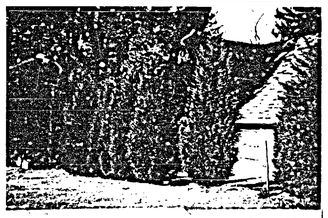
* * * * * * *

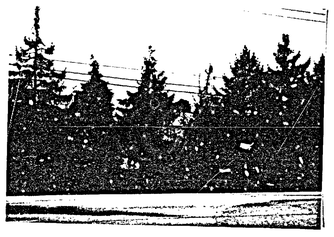
CONSENT ORDER

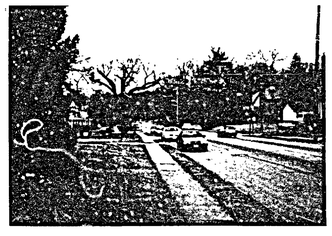
This case consolidates three appeals to this Board, all related to the proposed redevelopment of the subject property, which is located at the southeast corner of York and Aigburth Roads, from an office building to an assisted living facility. The first appeal was filed by Joyce R. Routson, President 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.

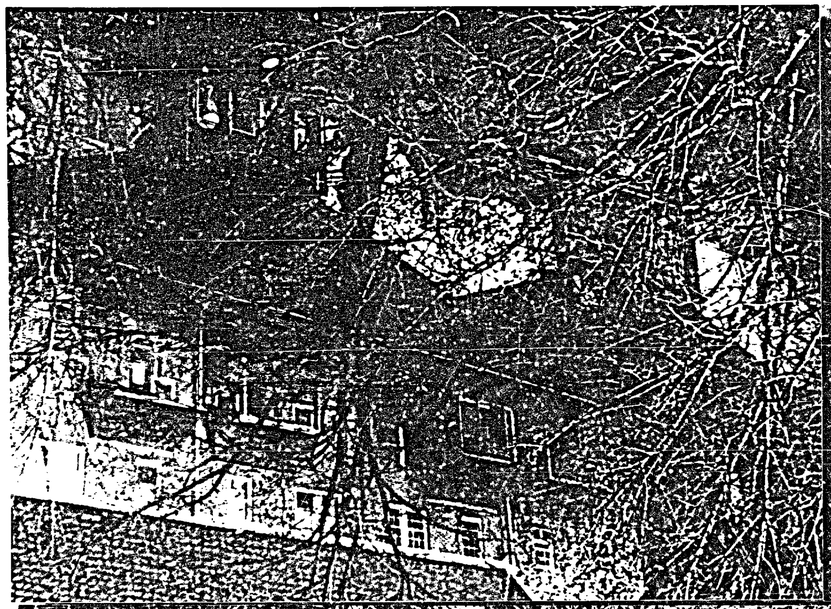
A second appeal was filed with this Board by J. Carroll Holzer, Esquire, attorney for the Towson Manor Association, on January 25, 1990; and a cross-appeal was filed by Richard J. Kendall, President, on behalf of Petitioner Victoria Corporation, on February 5, 1990. Both of the latter appeals

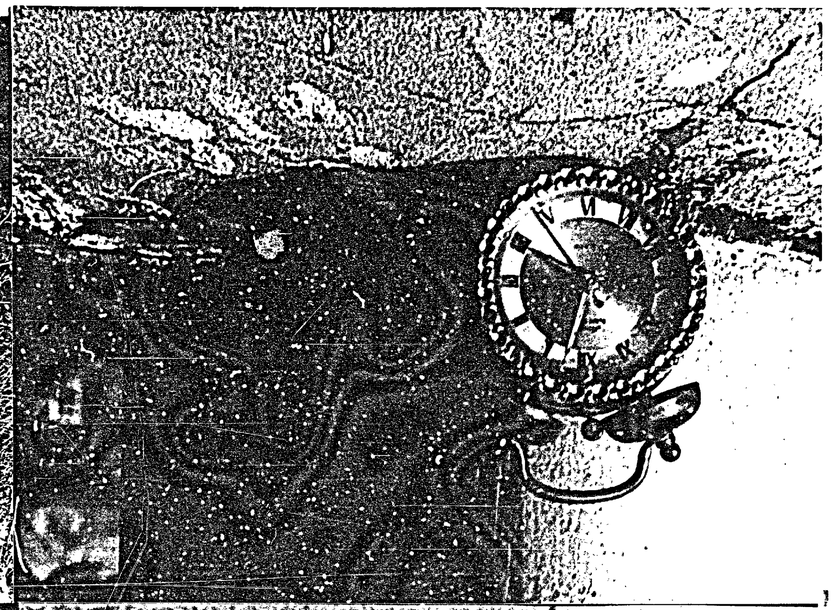
MAY 4 1990

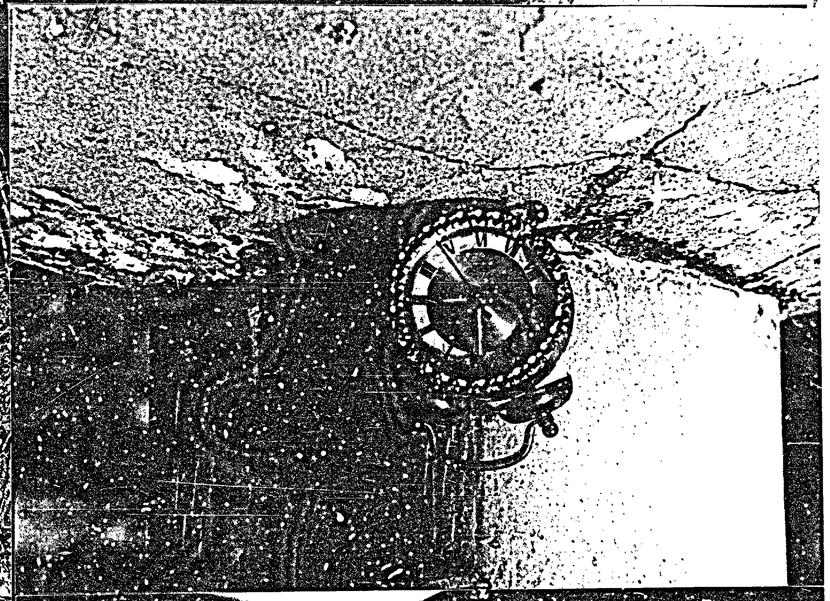


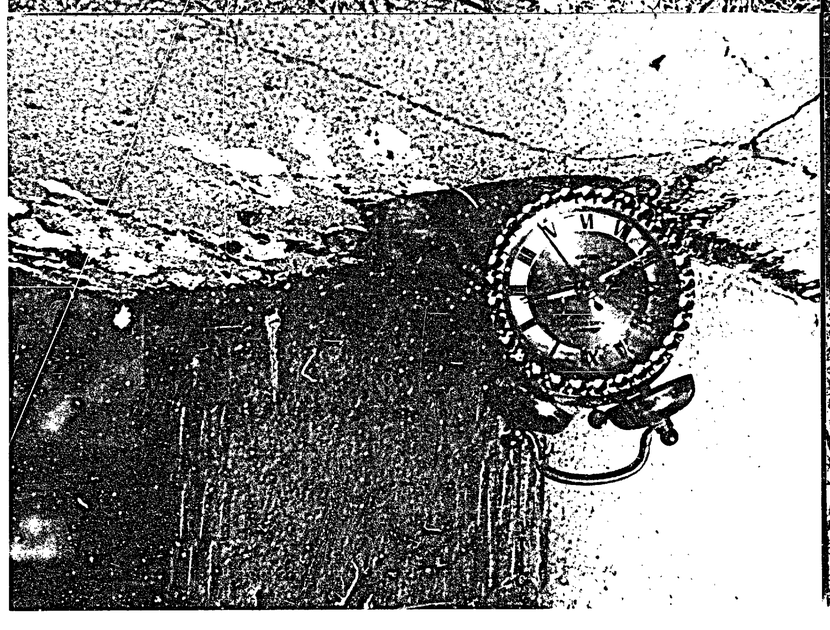


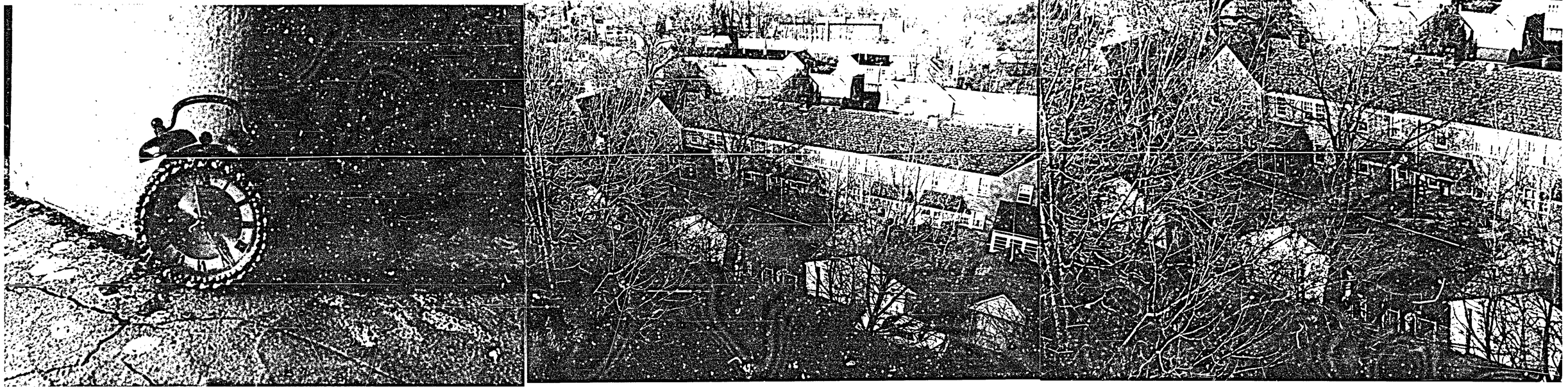












County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) ~~XXXXXX~~ 887-3180

HEARING ROOM - Room 301
County Office Building August 23, 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. 90-282-SPHXA VISTA DEVELOPMENT
N/s Frederick Rd., 170' W of c/l
of Symington Rd. (6348 Frederick Rd.)
1st Election District
1st Councilmanic District

SPH-Removal of SE in #88-455-X;
SE -Living facility, increased density;
Waiver re parking;
VAR-sign, parking spaces from street,
residential zone, etc.

7/3/90 - Z.C.'s Order DENYING Petition in part; DISMISSING in part.

ASSIGNED FOR: WEDNESDAY, FEBRUARY 13, 1991 at 10:00 a.m.

cc: Harold H. Burns, Jr., Esquire - Counsel for Petitioner/Appellant

Ms. Rose Jackson "
Vista Development, Inc.

Mr. William P. Monk

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
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary

11/6/91 - P/P'd at req of Counsel for Pet./Appellant. Re-set date.

County Board of Appeals of Baltimore County

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

Hearing Room -
Room 301, County Office Bldg. January 16, 1991

NOTICE OF POSTPONEMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH 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. 90-282-SPHA VISTA DEVELOPMENT
N/s Frederick Rd., 170' W of c/l
of Symington Rd. (6348 Frederick Rd.)
1st Election District
1st Councilmanic District

SPH-Removal of SE in #88-455-X;
SE-Living facility, increased density;
Waiver re: parking;
VAR-Sign, parking spaces from street,
residential zone, etc.

7/3/90 -Z.C.'s Order DENYING Petitions in part and DISMISSING in part.

which was scheduled for hearing on February 13, 1991 has been POSTPONED at the request of Counsel for the Petitioner/Appellant to be reset at request of said Counsel.

cc: Harold H. Burns, Jr., Esquire-Counsel for Petitioner/Appellant
Ms. Rose Jackson " "
Vista Development, Inc.
Mr. William P. Monk
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County

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

Hearing Room -
Room 301, County Office Bldg. November 22, 1991

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 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. 90-282-SPHA VISTA DEVELOPMENT
N/s Frederick Rd., 170' W of c/l
of Symington Rd. (6348 Frederick Rd.)
1st Election District
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SPH-Removal of SE in #88-455-X;
SE-Living facility, increased density;
Waiver re: parking;
VAR-Sign, parking spaces from street,
residential zone, etc.

7/3/90 -Z.C.'s Order DENYING Petitions in part and DISMISSING in part.

ASSIGNED FOR: WEDNESDAY, FEBRUARY 26, 1992 AT 10:00 a.m.

cc: John V. Murphy, Esquire-Counsel for Petitioner/Appellant
Ms. Rose Jackson " "
Vista Development, Inc.
Harold H. Burns, Jr., Esquire
Mr. William P. Monk
Mr. Joseph Pallozzi
Ms. June Moody
People's Counsel for Baltimore County
P. David Fields
Pat Keller
~~Public Services~~ out per Paula 11/26/91
Lawrence E. Schmidt
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration

LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse March 11, 1992
400 Washington Ave. 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 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. 90-282-SPHA VISTA DEVELOPMENT
N/s Frederick Rd., 170' W of c/l
of Symington Rd. (6348 Frederick Rd.)
1st E; 1st C
SPH-Removal of SE in #88-455-X;
SE-Living facility, increased density;
Waiver re: parking;
VAR-Sign, parking spaces from street,
residential zone, etc.
7/3/90 -Z.C.'s Order DENYING Petitions
in part and DISMISSING in part.

AND

CASE NO. CBA-91-147 PARADISE PROFESSIONAL CENTER

RE: Public Services denial of Plan Extension.

3/6/91 - Letter to LPJ, Inc. from Leslie Schreiber, Refinement Coordinator, advising that since the plan would expire on May 20, 1991, it could not be considered for extension and that a new plan would have to be submitted.

ASSIGNED FOR: WEDNESDAY, APRIL 22, 1992 at 10:00 a.m.

cc: John V. Murphy, Esquire - Counsel for Appellant
Vista Development, Inc. - Appellant
LPJ, Inc.
Harold H. Burns, Jr., Esquire Mr. William P. Monk
Mr. Joseph Pallozzi Ms. June Moody
People's Counsel for Baltimore County
P. David Fields Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration Current Planning
Developers Engineering Div. Economic Development Commission
Robert E. Covahey, David L. Thomas, Jose H. Escalante
Nancy C. West, Esquire

LindaLee M. Kuszmaul
Legal Secretary

Printed on Recycled Paper

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse April 23, 1992
400 Washington Ave. 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 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. 90-282-SPHA VISTA DEVELOPMENT
N/s Frederick Rd., 170' W of c/l
of Symington Rd. (6348 Frederick Rd.)
1st E; 1st C
SPH-Removal of SE in #88-455-X;
SE-Living facility, increased density;
Waiver re: parking;
VAR-Sign, parking spaces from street,
residential zone, etc.
7/3/90 -Z.C.'s Order DENYING Petitions
in part and DISMISSING in part.

Day #2 - Cont.'d from
4/22/92

ASSIGNED FOR: FRIDAY, MAY 15, 1992 at 10:00 a.m.

cc: John V. Murpny, Esquire - Counsel for Appellant
Vista Development, Inc. - Appellant
LPJ, Inc.
Harold H. Burns, Jr., Esquire
Mr. William P. Monk
Mr. Joseph Pallozzi
Ms. June Moody
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
Zoning Administration
Nancy C. West, Esquire

LindaLee M. Kuszmaul
Legal Secretary

Printed on Recycled Paper

N/s Frederick Rd., 170' W of c/l of
Symington Rd. (6348 Frederick Rd.)

#90-282-SPHXA VISTA DEVELOPMENT

1st Election District Appealed: 7/12/90

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

000

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

December 28, 1989

Harold Burns, Jr., Esquire
300 Cathedral Street
Baltimore, MD 21201

RE: Item No. 128, Case No. 90-282-SPHXA
Petitioner: Vista Development, et al
Petition for Zoning Variance, Special Exception and Special Hearing

Dear Mr. Burns:

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
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Vista Development, Inc.
Mr. William P. Monk, Inc.

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

18th day of October, 1989.

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Vista Development, et al

Petitioner's Attorney: Harold Burns, Jr.

Jan. 12, 1990

90-282-SPHXA

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

Maryland Department of Transportation
State Highway Administration

RECEIVED
JAN 29 1990
ZONING OFFICE

January 24, 1990

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

Attn: Mr. James Dyer

Re: Baltimore County
Vista Development, Inc.
Proposed Elderly Housing
Zoning Meeting 10-17-89
N/S Frederick Road
(MD 144) 170' West of
Symington Avenue
(Item #128)
Revised Plan

Dear Mr. Haines:

After reviewing the revised plan for Vista Development, Inc., we find minor revisions must be made to the plan as follows:

-- 10' radii at the proposed entrance must be shown; and

-- concrete curb and gutter must be reconstructed along the entire frontage of the site and a note shown on the plan accordingly.

All work within SHA right-of-way must be performed under an access permit issued by our office prior to issuance of building permits.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Charles Rose, Acting Chief
Engineering Access Permits
Division

LB:maw

cc: William Monk, Inc.
Mr. J. Ogle

My telephone number is (301) 333-1350 (Fax #333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

Maryland Department of Transportation
State Highway Administration

October 23, 1989

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

Re: Baltimore County
Vista Development Inc.
Proposed Elderly Housing
Zoning meeting 10/17/89
N/S Frederick Road
MD 144
170' west of Sumington
Avenue
Item #128

Dear Mr. Haines:

After reviewing the submittal for a special exception for an assisted living facility, we find the plan must be revised with the following:

-- we will require the existing entrance to be widened to 30' and will only allow one entrance into this site as shown on the attached revised plan;

-- concrete curb and gutter must be replaced along the entire frontage of this property; and

-- a future 80' right-of-way on Frederick Road must be shown on the plan.

It is requested these revisions be made prior to a hearing date being set.

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

RECEIVED
OCT 23 1989
ZONING OFFICE

Very truly yours,

Charles Rose, Acting Chief
Engineering Access Permits
Division

LB/es

attachment

cc: William P. Monk Inc. w/att.
Mr. J. Ogle w/att

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

7788-92
JW

9/1/92
9

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 31, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 24, 1992
Case No. 90-282 SPHXA

The Developers Engineering Division has reviewed the subject zoning item. This site is subject to the previous County Review Group comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
SEP 1 1992
ZONING OFFICE

3/16/92
8

JW
477-92

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 13, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 25, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 321, 322, 323, 324 and 327.

For Items 297 and 326, the previous County Review Group Comments still apply.

For Item 80 (Case No. 90-282-SPHXA), a continued County Review Group Meeting and revised plan are required.

For Item 318, the site must be submitted through the new subdivision process for review and comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED
MAR 17 1992
ZONING OFFICE

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(410) 887-4500

AUGUST 17, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

REVISED PLANS WERE RECEIVED FOR CASE #90-282-SPHXA ON 8/3/92.

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.

- Buildings, both new and existing, will be required to comply with the 1991 Life Safety Code for the Section of the Code which corresponds with the proposed use at this site.

REVIEWER: _____ Noted and Approved _____
Planning Group
Special Inspection Division
Fire Prevention Bureau

JP/KEK

RECEIVED
AUG 17 1992
ZONING OFFICE

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MARCH 3, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

REVISED PETITIONS, DESCRIPTIONS AND PLATS WERE RECEIVED FOR CASE #90-282-SPHXA ON FEBRUARY 13, 1992.

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.

REVIEWER: _____ Noted and Approved _____
Planning Group
Special Inspection Division
Fire Prevention Bureau

JP/KEK

RECEIVED
MAR 5 1992
ZONING OFFICE

3760-92

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: March 4, 1992
Zoning Administration and Development Management

FROM: Gary L. Kerns, Chief
Comprehensive and Community Planning
Office of Planning and Zoning

SUBJECT: Vista Development, Inc., Case No. 90-282-SPHXA

In reference to the applicant's revised plans staff offers the following comments:

The Petitioner has scaled back the proposed addition to the existing historic structure and decreased the density of the project. The addition has been reduced in size from approximately 34,000 to 23,560 sq. ft., and the maximum number of residents has been decreased from 74 to 60.

The Office of Planning and Zoning supported the original proposal (see attached) and based upon an analysis of the revised plan, we support the current plan for an assisted living facility.

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.

Report prepared by:

Jeffrey Long

GLK/JL:rdn
SPHXA/TXTROZ

RECEIVED
MAR 5 1992
ZONING OFFICE

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

November 9, 1989

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

Dennis F. Rasmussen
County Executive

Item #128

Z.A.C. meeting October 17, 1989

Dear Mr. Haines:

The Catonville area has a history of parking problems, and a variance to parking will add to the problem.

Very truly yours,

Michael S. Flanigan,
Traffic Engineer Associate II

MSF/lab

RECEIVED
NOV 16 1989
ZONING OFFICE

March 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

FEBRUARY 13, 1990

TO: ROSERT J. HAINES - ZONING ADVISORY COMMITTEE
ZONING ADVISORY COMMITTEE CHAIRMAN - % CARL RICHARDS

FROM: C. E. BURNHAM - CHIEF BUILDINGS PLANS REVIEW
DEPARTMENT OF PERMITS AND LICENSES

SUBJECT: ITEM #128 - 90-282-SPHXA

PROPOSED ELDERLY HOUSING - ASSISTED LIVING FACILITY AT:
6348 FREDERICK AVENUE, BALTIMORE COUNTY MARYLAND

THE PROPOSED USE OF THE EXISTING BUILDING COULD EXPERIENCE BUILDING CODE PROBLEMS. THE PROFESSIONAL MAY OR MAY NOT BE AWARE.

IT IS QUITE POSSIBLE THE PROPOSED "USE" WOULD BE CLASSIFIED AS "INSTITUTIONAL-1" UNDER SECTION 307.2 OF THE BUILDING CODE. IF THIS IS TRUE THE PERMISSIBLE USE OF THE STRUCTURE WILL BE LIMITED BY THE TYPE OF CONSTRUCTION AND THE ALLOWABLE HEIGHT AND AREA AS CONTROLLED BY SECTION 501.1, TABLE 501, TABLE 401, SECTION 502.0 AND 503.0 OF THE BUILDING CODE ADOPTED UNDER COUNCIL BILL #158-88.

I CONTACTED WILLIAM P. MONK INC., HE IN TURN CONTACTED THE ARCHITECT. I HAVE NOT HEARD FROM THE ARCHITECT AT THIS TIME.

THIS IS A PRECAUTIONARY COMMENT TO ATTEMPT TO ASSURE THERE ARE NO MAJOR CONSTRUCTION PROBLEMS AT A LATER DATE.

2/5/90 rec'd late notified lawyer & Bill Monk.

FEB 14 1990

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

Paul H. Reincke
Chief

OCTOBER 20, 1989

Dennis F. Rasmussen
County Executive

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

RE: Property Owner: VISTA DEVELOPMENT, INC.

Location: N/S OF FREDERICK ROAD

Item No.: 128 Zoning Agenda: OCTOBER 17, 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. PROPOSED BUILDING SHALL HAVE ACCESS ON 2 SIDES FOR FIRE APPARATUS.

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. Joseph Kelly 10-24-89 Noted and Approved Capt. William Brosch Jr.
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

OCT 24 1989

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

10/17/89
Date

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

Zoning Item # 128, Zoning Advisory Committee Meeting of October 17, 1989
Property Owner: Vista Development Inc.
Location: N/S of Frederick Road District: 1
Water Supply: metro Sewage Disposal: metro
COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

(✓) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.

( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Bureau of Air Quality Management is required for any 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 asbestos, 887-3775.

(✓) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

( ) Soil percolation tests, have been ___, must be ___, conducted.
( ) The results are valid until ___.
( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.

( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
( ) shall be valid until ___
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

(✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.

( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

( ) Others ___

OCT 30 1989

BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Jan. 12

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 6, 1990

Revised Comment

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

SUBJECT: Vista Development, Inc., Item 128
Zoning Petition No. 90-282-SPHEX

Staff has met with William Monk, a planning consultant representing the Petitioner, to discuss the office's comments regarding the subject property. Mr. Monk provided additional information regarding architectural elevations and addressed various other areas of concern with staff. In reference to the information recently received, staff has revised its comments as indicated below:

The Petitioner is requesting Variances, a Special Exception, and a Special Hearing to allow the adaptive reuse and expansion of an existing structure to provide assisted living care for the elderly. The Petitioner is also requesting the following:

A. Special Hearing -
1. Remove Special Exception granted in Petition No. 88-445X.
2. Determine that Sec. 432 is applicable to a lot size less than 10 acres in an R.O. zone.
3. Determine that the structure is of architectural significance.
4. To permit parking 3 ft. from the street property line in lieu of the required 10 ft.
5. To permit a 4 ft. buffer from a residential zone.

B. Special Exception -
1. Use of a building for an assisted living facility (203.B1; B.C.Z.R.).
2. Increase density from D.R.-5.5 (as permitted in R.O.) to 16 density units per acre (432.3A20).
3. To waive R.T.A. requirements regarding one parking space.

C. Variances -
1. Permit site area of 1.3 acres in lieu of the required 10 acres (432.B; B.C.Z.R.).
2. Permit a property identification sign (203.3C1; B.C.Z.R.).

2/16 called Mr. Burns for F/U of late comments. jm

FEB 07 1990

The subject property has undergone CRG/Zoning Commissioner review and approval for a Class B office building in an R.O. zone. The proposed project will also be required to undergo CRG review.

In reference to this request, staff provides the following information:

A. Special Hearing

Section 432.B. clearly states "Development of elderly housing facilities is especially encouraged on property containing existing institutional uses..." "For the purposes of this section institutional uses shall be convents, orphanages, schools, seminaries, officially designated historic buildings, hospitals, campuses and churches on sites containing at least 10 acres."

Industrial and historic buildings are allowed to increase densities up to D.R. 16 and allow conversion into density units. Although the structure is not on the National Register nor was it deemed by the Baltimore County Landmarks Commission as appropriate for inclusion on the county's Historic Landmark list, staff does feel that the structure has enough original appeal and historic flavor to be preferable over the demolition and construction of a new building." Any plan that would retain the old house as part of an expanded complex would be better than losing the house to some ... office building." (Historic Planner - comments attached).

In accordance with Sec. 432.3B2, it is the Zoning Commissioner's discretion in these cases to determine appropriateness.

B. Special Exception

The use of the facility for assisted living is indeed appropriate for this location. The county is attempting to locate opportunities for the elderly to remain within their communities. Smaller scale projects located in residential communities meet this need. In addition, the facility is located within easy walking distance of the Paradise Commercial Center, which serves as a neighborhood retail service center for this neighborhood.

C. Variances

In reference to the Petitioner's request regarding the reduction of lot area from 10 acres to 1.3 acres, staff can find no adverse impact would result from this development on the 1.3 acre parcel.

- All sign details should be provided. Signs should not be

---

internally illuminated and, if at all possible, the sign should be scaled back to 12 square ft. per side rather than 15 ft. per side to reflect the residential character of the neighborhood.

- The Petitioner should specify all building materials, including ranch and color as indicated on the elevation drawing submitted by Kelly, Clayton and Majcisek.

Areas of Concern

1. Landscaping

A fully detailed landscape plan showing: 1) buffers; 2) street trees; 3) all existing vegetation to remain, as well as removed, should be shown on the site plan; and 4) amenity areas such as walkways, gazebos, etc. should be provided in some level of detail.

2. HVAC

Heating, ventilation, air conditioning - any exterior elements of this system should be shown on the plan. All elements should be enclosed and landscaped.

3. Lighting

Due to the close proximity of this building to adjacent dwellings, lighting of the site becomes critical. Parking areas should have had ground level lighting and any security lighting on the building should not be placed above the first floor level.

4. Trash Collection

It appears from the site plan that trash collection and services will be provided indoors. All trash containers should be provided inside the building and no exterior dumpsters allowed due to site constraints.

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/cmm

90282SPH.REV/ZAC1

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
CRG DATE: 5/31/90
PRE-CRG DATE: 5/21/90

FROM: ZONING OFFICE

PROJECT NAME: Concord Vista
6348 Frederick Road
(Formerly Paradise Professional Center, previously approved 5/20/88)
PLAN: 5/3/90

LOCATION: N/S Frederick Road, 170' W of centerline Symington Avenue
REV.: REV.:

DISTRICT: 1c1

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

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify possible conflicts with the Baltimore County Zoning Regulations, and details necessary in order to determine compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts well in advance of any expected zoning approvals. The intent of the developer must be clear on the C.R.G. plan and any zoning conflicts must be identified conspicuously on the plan under "Zoning Public Hearing Request". A public hearing has been heard and the assistance received at the time of filing zoning petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of any public hearing requests:

1. ZONING/C.R.G. HISTORY -- Eliminate notes 22, 23, 23A and include the following zoning case and C.R.G. history conspicuously on the plan by date:

A. Case #75-36-RX (Item #33) - Reclassification from D.R.-10.5 to D.R.-16 and a Special Exception for offices and office building for Helen G. Snyder denied by the Zoning commissioner 4/21/75.

B. A Special Exception zoning hearing fro a Class "B" office building was filed in the Zoning Office on 2/22/88 under Item #303. Case #88-455-X was assigned and a hearing date was set for 5/18/88.

C. On 5/20/88, the C.R.G. plan for Paradise Professional Center was approved.

Over

D. On 8/12/88, the Zoning Commissioner granted the Special Exception for the Class "B" office building in a R.O. zone, subject to restrictions.

E. Both decisions was appealed to the Board of Appeals under case number 88-455-X and CBA 88-124.

F. On 11/23/88, the Board of Appeals upheld the C.R.G. decision and the Zoning Commissioner's decision and granted the Class "B" office building in a R.O. zone, all subject to the following restrictions:

1. The Petitioner shall have no outdoor signage other than the one sign permitted by the B.C.Z.R.

2. The Petitioner shall not have any exterior lighting 8 feet above-grade on the sides of the building. All parking lot lighting shall be no more than 8 feet above-grade. All exterior lighting shall be directed downward and shall not diffuse onto residential property.

3. The Petitioner shall not permit the basement level of the proposed building to be used for office space. The basement level is to be used only for storage and/or mechanical purposes. There shall be no employee and/or public areas in the basement.

4. The Petitioner shall assure that all leases for the subject property clearly prohibit any tenant from violating any of the requirements of this Order and Restriction No. 3 above shall appear in boldface type in every lease agreement.

5. As testified to by the Petitioner and agreed to by all parties, the existing trees as clearly noted on Developer's Exhibit No. 3 shall remain. Extra care shall be taken during the construction process not to disturb the root system of these large trees.

6. The screening by shrubbery as shown on the Developer's Exhibit No. 3 on the north and west perimeters of the property shall consist of dense evergreens, planted in three rows with alternating trees of a 6 to 8-foot height so that the light from the parking lot will not project into the rear yards of those properties located on Briarwood Road. The denseness of this screening must also be designed to prohibit legal or illegal entry from the parking lot onto the existing alley between the property and Briarwood Road. All shrubbery in the project must of course comply with Baltimore County landscaping regulations.

Over

TIMOTHY R. GUDE
17 Briarwood Road
Baltimore, Maryland 21228
(410) 744-3545 - home
(410) 719-0900 - work

February 24, 1992

Zoning Officer of Baltimore County
County Office Building
Room 315
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 90 282-5PHA
6348 Frederick Road

Dear Sir or Madam:

This is to express my displeasure with the new revised plans for the above-referenced property. The idea of developing this property into an assisted living facility has never been of great concern to myself or my family. However, the magnitude of the project is a deep concern. From its inception, it has been grandiose and disproportionate. Now, these developers have **"revised"** the plans and we now have a re-shaped project that is equally disproportionate to the property.

This project continues to defy logical proportion. The most important factor of all is the height of the new project, which ranges from 40-46 feet and allows for up to 60 feet, which is written in the plans. Here again, we are back to square one. This new building will tower over all existing homes by 15+ feet as a minimum, on the lower Briarwood side of the project. God forbid, the impact it is going to have on the homes on Symington.

We have no doubt that this property will be developed, however, we ask that the County not allow anything that would be a detriment to the Paradise Community

This project as it exists, will **KILL** property values on Briarwood and Symington Roads. I might add, that the developers are using deception to the homeowners by submitting a **"so-called"** revised plan for development of this property that is equally grandiose as the first.

Please say **"NO"** to this developer's request, because it is not in the best interest of the Paradise Community.

Regards,

Tim Gude

Tim Gude

CATONSVILLE 2000, INC.

"Working For A Better Catonsville Community"

OFFICERS
Michael L. DeLuca
President
Richard W. Decker
Vice President
William Holley
Treasurer
Stephen W. Whalen, Jr.
Secretary

DIRECTORS
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Henry Stansbury
Jean Walsh
Stephen W. Whalen, Jr.

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Harry McGuirk
Chairman
STREETSCAPE & ARCHITECTURE
Fran Medicus
Chairwoman
RESOURCE MATERIALS
Stephen W. Whalen, Jr.
Chairman

ADVISOR TO THE BOARD
William Huey
First District Planner
Baltimore County
Office of Community Planning

Writer's Phone #: 747-2900
Writer's Address: 2 W. Rolling Crossroads
Suite #203
Catonsville, MD 21228

March 16, 1990

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

RECEIVED
MAR 19 1990
ZONING OFFICE

Re: 90-282-SPHXA
6348 Frederick Avenue

Dear Mr. Haines:

Since the summer of 1988, Catonsville 2000 created a committee to follow zoning issues in our area. For your file I have enclosed a letter of authorization from our Board.

In the past several weeks I have had several conversations with Bill Monk, representing the petitioner, Dick Johnson, a well known watchguard of the Paradise community and Jim Mills, president of the community association. It is apparent to me that these groups are presently working together. Catonsville 2000 encourages this type of communication.

Since the immediate community has followed this particular site for years and since I know that Dick Johnson is a reasonable watchdog, there is no need for us to comment on the specific site.

Mr. Haines, I do want to take the time to let you know that in May 1989 our Board did discuss the need of an assisted living facility for the elderly in our community. Our Board feels very strongly that there is a need for this type of facility in our community.

Thank you for your time.

Sincerely,

James W. Mohler

JWM/lam
CAT2000#2

Enclosure:

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE
JOHN V. MURPHY
14 N. ROLLING ROAD
CATONSVILLE, MD. 21228
301-744-6662
301-744-5025

February 17, 1992

90-282-SPHXA

Board of Appeals of Baltimore County
County Office Building
Room 315
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: 6348 Frederick Road
Paradise Community

Dear Ladies and Gentlemen:

Would you kindly issue a subpoena for the following County employees to appear for the Petitioner at the Board's February 26, 1992 hearing at 10:00 A.M. By copy of this letter I am asking those persons to be ready to come to the Board hearing when actually called by the Petitioner on that day. There is no need for these witnesses to physically attend the hearing until called. I expect that they will be called for technical evaluation of the plan.

Lawrence Yeager	Department of Environmental Protection & Resources
Carl Richardson	Zoning Department
Richard More	Traffic Engineer
Dr. Phillip H. Pushkin	Department of Aging

Please let me know if you have any questions.

Very truly yours,

John V. Murphy

JVM/tmh

Enclosure

cc: Lawrence Yeager
Carl Richardson
Richard More
Dr. Phillip Pushkin
Vista Development

RECEIVED
FEB 18 1992
ZONING OFFICE

KELLY
CLAYTON &
MOJZISEK
Architects
Planners

2508 N. Calvert St. • Baltimore, MD 21218 • (301) 889-2613 • FAX 889-4318
104 East Market Street • Snow Hill, Maryland 21863 • (301) 632-2102

March 16, 1990

Re: Concord/Vista
Our Project #8930

Square Footage Summary

Lower Ground Level (Scheme "A")	6,731.3 (new)	
	2,539.8 (old)	
	9,271.1	
Lower Ground Level (Scheme "B")	6,950 (new)	
	2,539.8 (old)	
	9,489.8	
First Floor	8,479.8 (new)	
	2,539.8 (old)	
	11,019.6	
Second Floor	8,320.8 (new)	
	2,539.8 (old)	
	10,860.6	
Third Floor	10,860.6	

Total Square Footage

a.) Scheme "A" = 42,011.9
b.) Scheme "B" = 42,230.6

Brian Kelly Ronald Clayton George Mojzisek
Ching Stanton - Associate

PARADISE COMMUNITY ASSOCIATION

April 30, 1990

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

Re: Case #90-282-SPHXA

Dear Mr. Haines:

This letter has been drafted to present a fundamental consensus of opinion concerning the aforementioned case, an assisted living facility proposed by Vista Development for 6483 Frederick Road in Catonsville. At the initial hearing on March 26, 1990, there was confusion about the community opinion on this matter. Following this meeting, key members of the community felt as though a common ground could be identified and expressed in order to best serve the community's interests. Following is a breakdown of these positions.

The majority of residents in the community are very supportive of the idea of housing for the elderly. We feel as though this is essentially a residential use, not necessarily an institutional one, and therefore one that would benefit the community as a whole. An office use on this site could have greater impact on the future direction of the community. The consensus about this project is that the residential use is more compatible with the residential nature of the neighborhood. However, there is strong feeling that the implementation of this project should then be consistent with this residential image and compatible with the existing surrounding neighborhood.

The overriding concern of the majority of residents is the sheer size of the building, over 49,000 square feet. Since the initial submission of a plan for development, the size of the building has grown approximately 12,000 square feet, which alone is larger than the existing residence (which is approximately 7,900 square feet). The unit count has also increased from 60 to 74 units. Porches, which "softened" the far west elevation, were replaced with solid building mass. Compatibility is called for as a requisite for new development in any zoning instance, as well as per the Baltimore County Zoning section 432.C.3, wherein it is written that the development must not be "...Detrimental to the use..., or peaceful enjoyment... of surrounding properties." We feel as though a re-zoning to DR-10.5 would prevent this, by allowing this addition to be of an economically viable and sufficient size for successful use, but somewhat smaller that the proposed DR-16 density. Zoning of

MAY 04 '90 07:47 3 P.2

IN YOUR OPINION, WOULD THIS PROJECT BE ECONOMICALLY FEASIBLE AT A LOWER NUMBER OF BEDS?

No.

WHY?

NUMBER OF BEDS:

1. 74

PROJECT COST:

		TOTAL	PER BED
2.	Land:	$350,000	$ 4,730
3.	Building:	$2,150,000	$29,054
4.	FF & E:	$370,000	$ 5,000
5.	Start-up:	$350,000	$ 4,730
6.	TOTAL	$3,220,000	$43,514

SOURCE OF FUNDS:

7.	Equity Contribution:	$700,000	(22%)
8.	Financing (11% - 30 yr. amortization):	$2,520,000	(78%)
9.	TOTAL	$3,220,000	

OPERATIONS:

		ANNUAL TOTAL	
10.	Annual Rev at 95% Occupancy:	$1,391,940 ($19,800 per patient per year)	
11.	Operating Expense	$946,519	
12.	Gross Profit (32%)	$ 445,421	($6,019 per bed)

DEBT SERVICE, ETC.:

13.	Gross Profit:	$445,421
14.	Debt Service:	($289,862)
15.	Management Fee (6% Rev.)	($ 83,516)
	Capital Maintenance ($500 per bed)	($ 37,000)
16.		
17.	TOTAL	$ 35,043 (5% return on equity)

March 16, 1990

Mark Moody
12 North Symington Avenue
Baltimore, Maryland 21228

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

RECEIVED
MAR 20 1990
ZONING OFFICE

Subject: Case 90-282-SPHXA #128

Dear Mr. Haines:

As a property owner with property abutting the site, I am writing in opposition to Vista Development Corporation's requests for special exceptions and zoning variances for their proposed project at 6348 Frederick Road. It is inconceivable to me, that an assisted living project which requires 10 acres under current regulations could even be contemplated for a 1.3 acre site. The requested special exception that would allow this gross disregard of the letter and intent of the regulation is quite simply absurd. The project, in addition to being grossly out of scale with the existing community and available acreage, represents a significant threat to the health, safety, and general welfare of abutting property owners.

During its investigation of the February 26, 1988 explosion of the house at 54 Briarwood Road, the county engineers, in a public meeting, asserted that the deteriorated condition of both the sanitary and storm water sewers in the area made it impossible for them to determine the source of the explosive vapors. Subsequent smoke tests of these systems confirmed their assertion that the storm water and sanitary sewers are in such poor condition that they do indeed co-mingle through numerous breaks in the systems. Furthermore, both systems leak significant amounts of waste water into the adjacent soil. Channels in the soil in turn carry the leakage into to homes through cracks in foundations and openings for pipes.

In March of 1989, explosive vapors again were detected in same area. Another explosion was averted only by the presence of a detection system installed by the home owner after the county was unable to determine the cause of the 1988 explosion. Clearly there are significant problems associated with the failing waste water management systems in our community.

The additional load on the sanitary and storm water sewers generated by the proposed 74 bed residential facility can only add to the existing health and safety problems associated with the antiquated and inadequate storm water and sanitary sewers in the Paradise community. Granting a special exception for increased residential density from 5.5 to 16 density units per acre would result in a serious

April 29, 1990

Mark Moody
12 North Symington Avenue
Baltimore, Maryland 21228

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

Give
File

RECEIVED
MAY 1 1990
ZONING OFFICE

Subject: Case 90-282-SPHXA #128

Dear Mr. Haines:

As a property owner with property abutting the site, I am writing once more to express my STRONG OPPOSITION to the Vista Development Corporation's requests for special exceptions and zoning variances for their proposed project at 6348 Frederick Road. It is inconceivable to me, that an assisted living project which requires 10 acres under current regulations could even be contemplated for a 1.3 acre site. The project, in addition to being grossly out of scale with the existing community and available acreage, represents a significant threat to the health, safety, and general welfare of abutting property owners. Please refer to my letter to you dated March 19, 1990.

It is my opinion that the interests of the community and the interests of the potential clients of the proposed facility would be better served by a blanket denial of all variances and waivers required by the project. Furthermore, the interests of the abutting property owners are better protected by the original special exception granted for an office building on the site. The office building provides better buffers, greater protection of privacy, and preservation of more trees, shrubs, and green space as well as adhering to the minimum set back requirements from abutting property. My conclusions are based on four factors elaborated below.

23 Briarwood Rd.
Catons, Md. 21228

J. Robert Haines
Zoning Commissioner

Dear Mr. Haines -

In reference to the hearing on May 4, 1990 about Visitis proposed -90-282-SPHXA to build a 4 story assisted living facility.

My wife and I approve this. It will be a asset to this community.

Sincerely,
Edna Taylor
Robert L. Taylor

RECEIVED
MAY 8 1990
ZONING OFFICE

90-282
SPHXA

May 4, 1990
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
744-3796 Leland Northrop	6336 Frederick Rd. 21228
Marguerite Johnson	22 N Symington Ave/21228
John Moll	14 N. Symington Ave 21228
747-2231 Cynthia Moll	14 N. Symington Ave 21228
744-3309 Kathleen M James	10 N Symington Ave 21228
747-0581 Joseph J Pollaci	15 Briarwood Rd. 21228
747-7865 Jim Mills	124 No. Symington
252-829-0464 Jane Moody	12 N. Symington
744-1111	

90-282
SPHXA

May 4, 1990
PETITIONER(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

NAME	ADDRESS
Pat Turner	9M S Clyde Ave
Eileen Brown	7 Ponona South Apt. 9 21208

May 10, 1990
PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Leland Northrop	6336 Frederick Rd 21228
John Moll	14 N. Symington Ave 21228
Kathleen M James	10 N Symington 21228
Randolph James	10 N. Symington 21228
Joseph Pollaci	15 Briarwood Rd. 21228
Cynthia Moll	14 N. Symington Ave 21228
June Moody	12 N. Symington Ave 21228

May 10, 1990
PETITIONER(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

NAME	ADDRESS
Eileen Brown	7 Ponona South Apt. 9 B/M 21208

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE APPLICATION

NOTES:

1) ZONING:
EXISTING- RO & D.R.-10.5
PROPOSED- N/A
2) LOT AREA: SEE #23
3) EXISTING USE: VACANT DWELLING
4) PROPOSED USE: ELDERLY HOUSING - ASSISTED LIVING FACILITY (CLASS B)
5) BUILDING AREA: SEE # 41
6) BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT-	40'	91'
INTERIOR SIDE-	20'	20'
REAR-	30'	64'
STREET CORNER SIDE-	---	20' (FROM PUBLIC ALLEY)

7) PARKING: SEE # 27
REQUIRED- 37 SPACES
PROVIDED- 38 SPACES
8) UTILITIES:
SEWER- PUBLIC
WATER- PUBLIC
9) VARIANCES:
- SECTION IX. B 2 OF THE LANDSCAPE MANUAL TO PERMIT A 4' BUFFER FROM A RESIDENTIAL ZONE
- SECTION 432.B (TO PERMIT SITE AREA OF 1.3 AC. IN LIEU OF 10 AC.)
- SECTION 409.8(A)(4) TO PERMIT PARKING 3' FROM THE STREET PROPERTY LINE IN LIEU OF THE 10' REQUIRED
- SECTION 203.3(C)(1) (TO ALLOW PROPERTY IDENTIFICATION SIGN) SEE #42

10) SPECIAL EXCEPTION/CONDITIONAL USE:
- SECTION 203.3(B)(1)
- SECTION 432.1 (A) 2) } TO ALLOW ASSISTED LIVING FACILITY
- SECTION 432.3(A) (2) → TO ALLOW AN INCREASE IN MAX. GROSS DENSITY FROM 5.5 DUS/ACRE TO 16 DU'S/ACRE
- SECTION 432.4 TO WAIVE RTA REQUIREMENTS REGARDING 1 PARKING SPACE

10a) SPECIAL HEARING: LOCATED IN THE D.R.10.5 ZONED PORTION OF THE SITE
- REMOVE THE SPECIAL EXCEPTION GRANTED IN CASE #68-455X, AND DETERMINE THAT THE PROVISIONS OF SECTION 432 WOULD BE APPLICABLE TO AN ASSISTED LIVING FACILITY LESS THAN 10 ACRES IN AN RO ZONE
- TO ESTABLISH THAT THE EXISTING STRUCTURE HAS HISTORICAL SIGNIFICANCE AND THE DENSITY SHOULD BE INCREASED PER THE SPECIAL EXCEPTION REQUEST.

11) Election District: 1
12) Councilmanic District: 1
13) Census tract: 4006
14) Watershed: 25
15) Subsewershed: 71
16) Deed Reference: 7395/759
17) Property Account No.: 0119580230
18) Tax Map 101, Grid 3, Parcel 169
19) Building Coverage: EXIST. 4%, PROPOSED 19% (BASED ON GROSS AREA)
20) Floor Area: 46,928 # SEE NOTE 41
21) Floor Area Ratio (F.A.R.): N/A
Max F.A.R. Permitted:
F.A.R. Proposed:
22) Height of Building
Permitted: 60' MAX
Proposed: 55' ±
23) Lot Size Tabulations:

	NET AREA	GROSS AREA
RO ZONED AREA	53,905# (1.24Ac±)	59,425# (1.36Ac±)
DR-10.5 ZONED AREA	2,275# (.05Ac±)	2,785# (.06Ac±)
TOTAL AREA	56,180# (1.29Ac±)	62,210# (1.42Ac±)

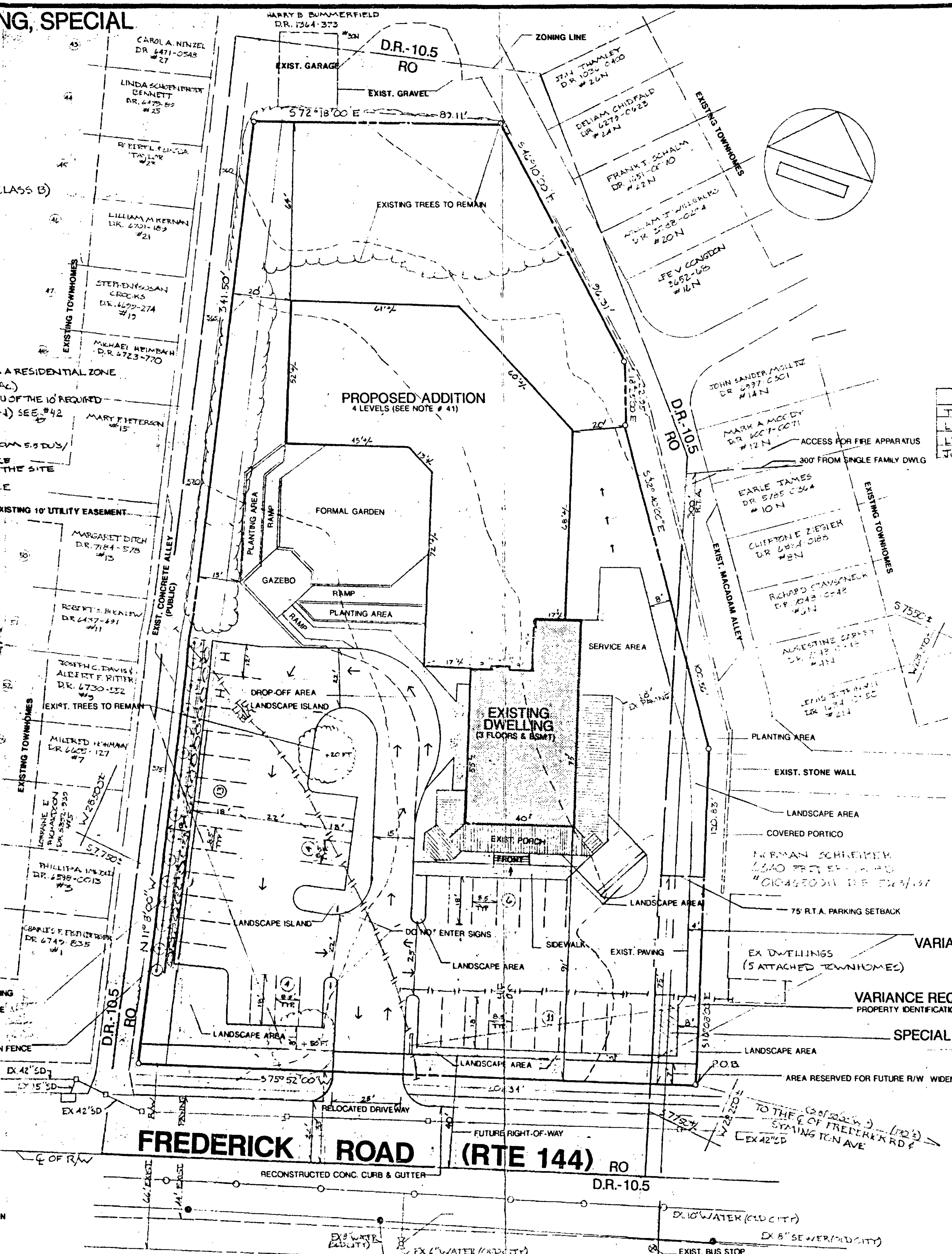
24) No. of Employees: 6 (MAX. No. PER SHIFT)
25) Hours of Operation: 10 AM TO 7 PM
26) Mass Transit Adjustment: N/A

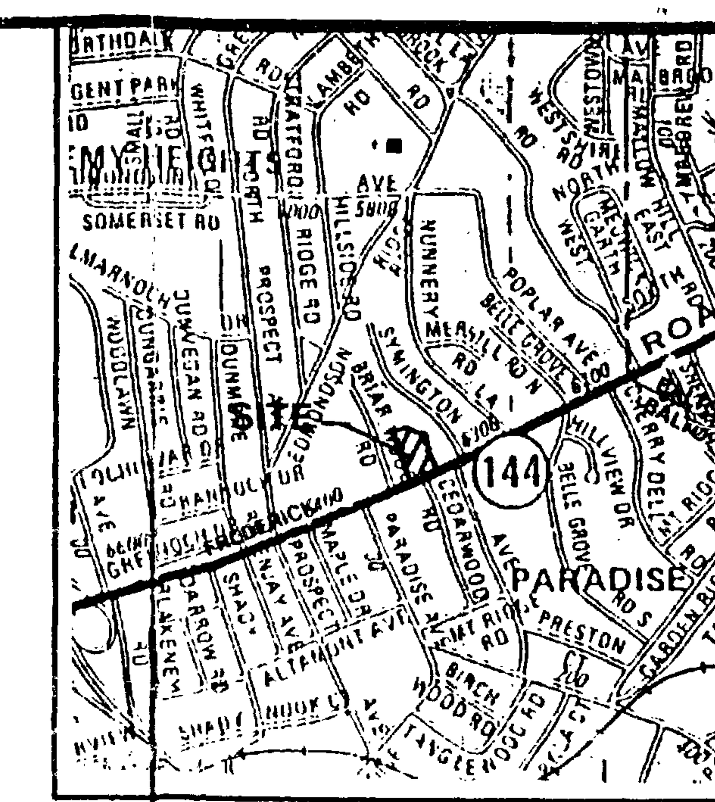
27) Parking Tabulations:
REQUIRED: 1 SPACE/2 BEDS (SEE 409.6A(1)) = 74 ÷ 2 = 37 SPACES
PROVIDED: 38 SPACES
28) Average Daily Trips (ADT'S):
- 74 BEDS PROPOSED
2.6/BED = 192.4 TRIPS

29) No existing flood plains, streams, bodies of water or springs located on or adjacent to site.
30) No wetlands, critical areas, archeological sites, ______ or endangered species habitats on site.
31) This site does not contain hazardous materials to the best of our knowledge.
32) Well and Septic note:
* any exist. septic tanks will be pumped and either backfilled or removed prior to grading.
* any exist. wells will be backfilled by a licensed well driller and a well abandonment report filed prior to grading.
33) Any exist. fuel tanks will be pumped and removed under the supervision of personnel of the waste management section of D.E.P.R.M. prior to grading. A permit is required for removal.
34) Landscaping/Buffers:
LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF CRG PLAN. AS MANY OF THE EXIST. TREES AS POSSIBLE WILL BE PROTECTED
35) Amenity open Space: N/A
Required:
Proposed:
36) Stormwater Management:
STORMWATER MANAGEMENT TO BE PROVIDED ON SITE. TYPE, SIZE & LOCATION TO BE DETERMINED AT TIME OF CRG PLAN

NOTE: BUILDING LOCATION BASED UPON HOUSE LOCATION PLAT PREPARED BY WILLIAM T. MATTHEWS, PROPERTY LINE SURVEYOR, LIC. # 134

NOTE: BOUNDARY AND TOPOGRAPHICAL INFORMATION BASED UPON AVAILABLE DEEDS INFORMATION





VICINITY MAP
SCALE: 1"= 1000'

SOIL TYPES & LIMITATIONS				
TYPE	BLDGS w/BSMT	BLDGS w/o BSMT	PARKING	CLASS
LbB	SLIGHT	SLIGHT	MOD/SLOPE	C
LhC	MODERATE	MODERATE	SEV/SLOPE	C
JuD	SLIGHT-MODERATE	SLIGHT-MOD	SEV/SLOPE	A

37) All outdoor lighting will be directed away from the adjacent residential houses.
38) The proposed building will be designed and constructed in accordance with the N.F.P.A. 101 Life Safety Code.
39) Handicap Ramps to be provided where necessary.
40) Waiver

41) BUILDING AREA

LOWER LEVEL	11,732 #
1ST FLOOR (STREET LEVEL)	11,732 #
2ND FLOOR	11,732 #
3RD FLOOR	11,732 #
	46,928 # (TOTAL)

42) SIGNS - ALL SIGNS (FREESTANDING AND BUILDING MOUNTED) TO CONFORM TO BALTIMORE COUNTY SIGN REGULATIONS - EXISTING 1 FREESTANDING PROPERTY IDENTIFICATION SIGN/VARIANCE REQUESTED; NOT TO EXCEED 15 SQ. FT. TEN SIDE NOR TO EXCEED 10 FT IN HEIGHT.

43) DENSITY NOTE:
- 4 BEDS = 1 DENSITY UNIT (D.U.)
- D.U. PROVIDED
74 BEDS ÷ 4 = 18.5 D.U.
- D.U. PERMITTED
16 D.U./ACRE × 1.29Ac (NET SITE) = 20.6 D.U.

44) ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 2 AC) THAT CREATE AN R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FT & 250 FT ARCS

PRELIMINARY SITE PLAN

PROPOSED ELDERLY HOUSING - ASSISTED LIVING FACILITY
6348 FREDERICK ROAD
BALTIMORE COUNTY, MARYLAND

90-282-SPHXA

128

PREPARED BY:
WILLIAM P MONK, INC.
LAND USE PLANNING • ZONING • ENVIRONMENTAL
CAMPBELL BUILDING
SUITE 505
100 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

APPLICANT:
VISTA DEVELOPMENT INC.
300 CATHEDRAL ST.
SUITE 200
BALTIMORE, MD 21201
(301)-752-1241

SCALE:	DRAWN BY:	DATE:	REVISED:
1"=20'	BFB	10-1-1989	1-3-1990 1-12-1990