

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE N/S of First Ave. 25' E of c/1 Washington Ave. "Courcey Station" 13th Election District 1st Councilmanic District Baltimore County, Maryland Legal Owner Associated Catholic Charities Contract Purchaser(s) Petitioner

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE # 91-93-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a Petition for Special Exception from Sections 432.1.A.4, 432.1.B.3., 432.4, 1B01.1.B.1.b.1, 1B01.1.B.1.d.3.(a) and 1B01.1.B.1.b.3.(b) to permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a D.R.16 zone and to modify the residential transition area requirements (to include a 50 ft. building height, an 11 ft. front building setback, a 25 ft. side building setback, a 27 ft. rear building setback, a 7 ft. parking lot setback, a 0 ft. front and side buffer and a 0 ft. rear and parking lot buffer in lieu of the 35 ft., 75 ft., 150 ft., 75 ft., 50 ft. and 75 ft. requirements, respectively); a Petition for Zoning Variance from Sections 1B01.2.C.3.(V.B.9), 504 (V.B.6.a & V.B.6.b) and 409.8.A.4 to permit an 11 ft. building to street right of way setback and a 36 ft. building to street centerline setback, and 11 ft. window to street right of way setback, an 11 ft. window to property line setback and 7 ft. parking space to street right of way setback, all in lieu of the minimum required setbacks of 25 ft., 50 ft., 25 ft., 15 ft., and 10 ft., respectively, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner, Associated Catholic Charities, Inc., by Polly Duke, appeared and testified and was represented by Kevin Davidson, Esquire.

Appearing on behalf of the Petition was Joseph Fenton, Architect, and Theresa Lowery, President of the Greater Lansdowne-Bloomsfield-Riverview Association, Inc. Appearing on behalf of Baltimore County, Maryland was Leslie M. Pittler. Appearing as Protestants were David Martin and Lynne E. Metcalfe.

Testimony indicated that the subject property known as "Courcey Station" consisting of 2.643 acres +/-, zoned D.R.5.5 and is currently unimproved. Testimony indicated that the Legal Owner, Baltimore County, Maryland, has donated the subject property to the Contract Purchaser for the purpose of developing a 49 apartment unit housing project for the elderly. Testimony and evidence indicated that the project would cater to low income individuals.

Mr. Joseph Fenton, Architect, testified generally regarding the layout of the site and the proposed lighting.

Ms. Polly Duke testified that the Petitioner would suffer an undue hardship and practical difficulty should the requested relief be denied.

Ms. Theresa Lowery, President of the Greater Lansdowne-Bloomsfield-Riverview Association, Inc., testified that her group has worked very closely with the developers of this project and noted their support of same.

Mr. David K. Martin indicated that upon hearing the testimony of the Petitioner and Mrs. Lowery, he was generally in support of the project, but was concerned that a maximum amount of existing open space be left open for the children in the neighborhood.

Leslie M. Pittler, Director of Community Development, testified on behalf of Baltimore County in support of the project. Mr. Pittler testified regarding the need for affordable elderly housing in Baltimore County. Mr. Pittler also indicated that the Lansdowne Community has a significant

ORDER RECEIVED FOR FILING
Date 11/28/90
By M. David

cantly high percentage of the poor/elderly citizens of Baltimore County and are in need of the proposed facility. Mr. Pittler's remarks were in accord with the Office of Planning and Zoning's comments dated October 17, 1990, which recognized Baltimore County's need for the type of facility proposed by Petitioner:

"With regard to elderly housing, the 1989-2000 Baltimore County Master Plan has established the following policy: 'The citizens of Baltimore County should be made to assist special groups such as the elderly...' Furthermore, an action of this plan under the Community Development heading states, 'As a part of future refinements of zoning and other land use control, consider housing, planned retirement developments and revisions to the regulations for Planning Unit Development'... Located within stable, established neighborhoods, these uses complement the general community because each site was developed and landscaped to meet high standards."

It is clear that the B.C.Z.R. permits the use proposed in a D.R.5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions, as delineated by Section 502.1, are satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Sections 502.1 and 432.4. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a

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special exception use, irrespective of its location within the zone. Schultz v. Pritts, 291 Md. 1 432 A2d 1319 (1981).

The proposed use(s) will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. The evidence tends to establish that the requirements of Section 432.4 of the B.C.Z.R. would be fulfilled by this proposal.

The Petitioner has also requested the aforementioned variance relief relative to setback requirements on the site.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

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After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

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

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of Nov., 1990 that pursuant to a Petition for Special Exception under Sections 432.1.A.4, 432.1.B.3., 432.4, 1B01.1.B.1.b.1, 1B01.1.B.1.b.3.(a) and 1B01.1.B.1.b.3.(b) to permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a D.R.16 zone and to modify the residential transition area requirements to include a 41.5 ft. building height, an 11 ft. front building setback, a 25 ft. side building setback, a 27 ft. rear building setback, a 7 ft. parking lot setback, a 0 ft. front and side buffer and a 0 ft. rear and parking lot buffer in lieu of the 35 ft., 75 ft., 150 ft., 75 ft., 50 ft. and 75 ft. requirements, respectively is hereby GRANTED; and,

IT IS FURTHER ORDERED that a Petition for Zoning Variance from Sections 1B01.2.C.3.(V.B.9), 504 (V.B.6.a & V.B.6.b.) and 409.8.A.4 to permit an 11 ft. building to street right of way setback and a 36 ft. build-

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Date 11/28/90
By M. David

ing to street centerline setback, and 11 ft. window to street right of way setback, an 11 ft. window to property line setback and 7 ft. parking space to street right of way setback, all in lieu of the minimum required setbacks of 25 ft., 50 ft., 25 ft., 15 ft., and 10 ft., respectively, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the foregoing relief:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall comply with the conditions set forth in the comments made by the Deputy Director of the Office of Planning and Zoning dated October 17, 1990, specifically, requiring the Petitioner to file landscape plan with the Office of Planning and Zoning which provides enhanced landscaping areas to mitigate the impact of the requested variances and architectural elevations, prior to the issuance of any building permits. Petitioner shall submit written certification to the Zoning Commissioner indicating compliance with the aforementioned conditions.
3. The Petitioner shall comply with all conditions and requirements set forth in the Baltimore County Fire Department's comment dated October 3, 1990.
4. All parking lot lighting shall be no more than 12 feet above-grade. All exterior lighting shall be directed downward and shall not diffuse onto any residential property.
5. There shall be no fencing placed around the storm water management pond or any parking lots located on the subject site.
6. The Petitioner shall provide a revised site plan setting forth all restrictions and the Order contained herein. The Petitioner shall comply with all restrictions and resolve all outstanding

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By M. David

zoning issues set forth in the attached CRG comments prior to application for building permits.

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

JRH:mmn
cc: Peoples Counsel

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Date 11/28/90
By M. David

Baltimore County
Zoning Commissioner
Office of Planning and Zoning
Townson, Maryland 21284
(410) 387-3391
J. Robert Haines
Zoning Commissioner

November 27, 1990

Kevin Davidson, Esquire
Gallagher, Evelius and Jones
218 North Charles Street, Suite 400
Baltimore, Maryland 21201

RE: Petitions for Special Exception and Zoning Variance
Case #91-93-XA
Associated Catholic Charities, Petitioner

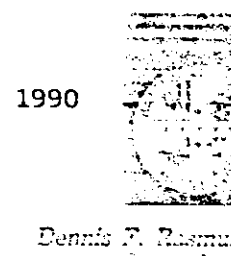
Dear Mr Davidson:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted 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
att:
cc: Peoples Counsel
cc: Ms. Polly Duke, Associated Catholic Charities
cc: Mr. Joseph Fenton
cc: Mr. David K. Martin
cc: Mr. Leslie M. Pittler



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PETITION FOR SPECIAL EXCEPTION

91-93-XA

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 development of a 49 apartment unit housing for the elderly facility for low income elderly residents to be funded by the U. S. Department of HUD and the Maryland CDA. The list attached hereto as "Exhibit A" details such Special Exception Request necessary for the development of this project.

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: ASSOCIATED CATHOLIC CHARITIES, INC. BALTIMORE COUNTY, MARYLAND, A Body Corporate and POLITICAL CORPORATION
BY: [Signature] Date: 11-26-90
Legal Owner(s): [Signature] Date: 11-26-90
320 Cathedral Street Baltimore, Maryland 21201
Attorney for Petitioner: Gallagher, Evelius & Jones -- c/o Kevin J. Davidson, Esq. 218 N. Charles Street -- Suite 400 Baltimore, Maryland 21201

0440030 08/07/90

ORDERED By The Zoning Commissioner of Baltimore County, this 12 day of Sept 1990, 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 25 day of Oct 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

z.c.o.-No. 1 (over)

msk- 9/4/90
usual anytime
at time at least 1hr. min
daily being required - see letter from
Director of Com. Div.

STVLVYON ASSOCIATES

ENGINEERS ARCHITECTS PLANNERS
21 GOVERNORS COURT
BALTIMORE, MD 21207-2722
301/966 9112 FAX 301/298-2794
Telex 473990

ZONING DESCRIPTION OF
COURTAGE STATION
FOR
ASSOCIATED CATHOLIC CHARITIES
LANSDDOWNE, 13TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at the point formed by the intersection of the north side of First Avenue (50 feet wide) and the east side of Washington Avenue (50 feet wide), thence running along said east side of Washington Avenue, as follows:

- 1. North 03°32'32" West 135.40 feet to a point, and,
- 2. North 05°41'32" West 100.00 feet to a point to intersect the south side of Clyde Avenue (50 feet wide), thence along same,
- 3. North 84°18'06" East 160.00 feet to a point, thence leaving said Clyde Avenue and running,
- 4. South 05°41'32" East 100.00 feet to a point, thence,
- 5. North 84°18'06" East 365.02 feet to a point, thence,
- 6. South 03°32'32" East 154.80 feet to a point to intersect the aforementioned north side of First Avenue, thence along same,
- 7. South 86°25'09" West 524.65 feet to the point of beginning.

CONTAINING 92,127 square feet or 2.1150 acres of land, more or less.

Mark A. Riddle
SVTLVYON ASSOCIATES
Mark A. Riddle
MD Professional Land Surveyor No. 10899

May 1, 1990



#88

STV ENGINEERS, Engineers Architects Planners Interior Designers Professional Member Firm
STV/Michael Lynn & Associates STV/Lyon Associates, STV/HID Nonprofit STV/Sanders & Thomas STV/Swartz Stevenson Value & Knacht

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EXHIBIT A
NECESSARY SPECIAL EXCEPTIONS

91-93-XA

Special Exception from Sections 432.1.A.4, 432.1.B.3., 432.4, 1B01.1.B.1.b.1, 1B01.1.B.1.b.3.(a) and 1B01.1.1.B.1.b.3.(b) to permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a DR 16 zone and to modify the residential transition area requirements to include a 50' building height, an 11' front building setback, a 25' side building setback, a 27' rear building setback, a 7' parking lot setback, a 0' front and side buffer, and a 0' rear and parking lot buffer in lieu of the 35', 75', 75', 150', 75', 50', and 75' requirements, respectively.

0440030 08/07/90

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PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-93-XA

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 ... SEE "EXHIBIT A" ATTACHED HERETO

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons (indicate hardship or practical difficulty):
The Contract Purchaser, a non-profit organization, which is to acquire the property from the Legal Owner, has been awarded funding by the U. S. Department of HUD to develop a 49 apartment unit housing facility for low income elderly residents on this site. Because of the existing site configuration, if the required setbacks are strictly enforced. Not only would this cause a practical difficulty to both the Contract Purchaser and the community at large due to the loss of these much needed senior housing units but such a reduction would also make the project underwriting economically unfeasible, thus resulting in an undue hardship for the owner.
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: ASSOCIATED CATHOLIC CHARITIES, INC. BALTIMORE COUNTY, MARYLAND, A Body Corporate and POLITICAL CORPORATION
BY: [Signature] Date: 11-26-90
Legal Owner(s): [Signature] Date: 11-26-90
320 Cathedral Street Baltimore, Maryland 21201
Attorney for Petitioner: Gallagher, Evelius & Jones c/o Kevin J. Davidson, Esq. 218 N. Charles Street - Suite 400 Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 12 day of Sept 1990, 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 25 day of Oct 1990, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

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EXHIBIT A
NECESSARY VARIANCES

91-93-XA

Variance from Sections 1B01.2.C.3.(V.B.9.), 504(V.B.6.a and V.B.6.b), and 409.8.A.4. to permit an 11' building to street right-of-way setback, and a 36' bulding to street centerline setback, an 11' window to street right-of-way setback, an 11' window to property line setback, and 7' parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25', 50', 25', 15', and 10', respectively.

0440030 08/07/90

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 described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:

Petition for Special Exception and Zoning Variance Case Number: 91-93-XA 105 of First Avenue, 20 E of 13th Election District 13th Election District Baltimore County, Maryland, A Body Corporate and Political Corporation
Contract Purchaser: Assoc. Catholic Charities Hearing Date: Thursday, Oct. 25, 1990 at 2:00 p.m.

Special Exception: To permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a DR 16 zone and to modify the residential transition area requirements to include a 50' building height, an 11' front building setback, a 25' side building setback, a 27' rear building setback, a 7' parking lot setback, a 0' front and side buffer, and a zero R. rear and parking lot buffer in lieu of the 35', 75', 75', 150', 75', 50' R. and 75' R. respectively. Variance: To permit an 11' building to street right-of-way setback, and a 36' building to street centerline setback, an 11' window to street right-of-way setback, and a 7' parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25', 50', 25', 15' and 10', respectively. In the event that the Petition is granted, a building permit may be issued within the 60 day 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
ARL/AR/90 08/27

CERTIFICATE OF PUBLICATION

10-3-90
THIS IS TO CERTIFY, that the annexed advertisement was published in the ARBUSUS TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9-27-90

ARBUSUS TIMES
S. Zeke Orlman
Publisher

\$ 104.74

154.74

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 described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21284 as follows:

Petition for Special Exception and Zoning Variance Case Number: 91-93-XA 105 of First Avenue, 20 E of 13th Election District 13th Election District Baltimore County, Maryland, A Body Corporate and Political Corporation
Contract Purchaser: Assoc. Catholic Charities Hearing Date: Thursday, Oct. 25, 1990 at 2:00 p.m.

Special Exception: To permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a DR 16 zone and to modify the residential transition area requirements to include a 50' building height, an 11' front building setback, a 25' side building setback, a 27' rear building setback, a 7' parking lot setback, a 0' front and side buffer, and a zero R. rear and parking lot buffer in lieu of the 35', 75', 75', 150', 75', 50' R. and 75' R. respectively. Variance: To permit an 11' building to street right-of-way setback, and a 36' building to street centerline setback, an 11' window to street right-of-way setback, and a 7' parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25', 50', 25', 15' and 10', respectively. In the event that the Petition is granted, a building permit may be issued within the 60 day 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
ARL/AR/90 08/27

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10-3-1990
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 9-27-1990

THE JEFFERSONIAN,
S. Zeke Orlman
Publisher

\$ 104.74

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-93-XA

District: 13th Date of Posting: October 2, 1990
Posted for: Special Exception and Variance
Petitioner: Associated Catholic Charities
Location of property: N.E. of First Avenue, 25' E. of 4th of Washington Avenue - Courtyard Station
Location of Signs: N.W. side of First Avenue, approx. 75' E. of Washington Avenue
Remarks: [Signature] Date of return: October 2, 1990
Posted by: [Signature]
Number of Signs: 2

Cashier Validation: Please make checks payable to: Baltimore County NEXT BUSINESS DAY

Account: R-001-6150
Number: 3341
9/04/90 H91000BB
PUBLIC HEARING FEES QTY PRICE
020 -ZONING VARIANCE (OTHER) 1 X \$175.00
050 -SPECIAL EXCEPTION 1 X \$175.00
TOTAL: \$350.00
LAST NAME OF OWNER: ASS CATHOLIC CHAR

Baltimore County
Zoning Commissioner
County Office Building
11 West Chesapeake Avenue
Towson, Maryland 21284

receipt

Account: R-001-6150
Number: 3746
Date: 9/27/90 H9100058
PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 X \$154.74
TOTAL: \$154.74
LAST NAME OF OWNER: ASS CATHOLIC CHAR
Please make checks payable to: Baltimore County NEXT BUSINESS DAY

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

J. Robert Haines
Zoning Commissioner

DATE OCT 19 1990



Dennis F. Rasmussen
County Executive

Associated Catholic Charities, Inc.
320 Cathedral Street
Baltimore, Maryland 21201

Re: Petitions for Special Exception and Zoning Variance
CASE NUMBERS: 91-93-XA
N/S of First Avenue, 25' E of c/l of Washington Avenue
"Coursey Station"
13th Election District - 1st Councilmanic
Legal Owner(s): Baltimore County, Maryland
Contract Purchaser(s): Associated Catholic Charities
HEARING: THURSDAY, OCTOBER 25, 1990 at 2:00 p.m.

Gentlemen:

Please be advised that \$ 154.74 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 BIDDEN 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: Kevin J. Davidson, Esq.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: September 17, 1990

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

From: J. Robert Haines
Zoning Commissioner

Subject: Coursey Station Apartments
Associated Catholic Charities, Inc.

Please be advised that Petitions for Special Exception and Zoning Variance have been recently filed in the above captioned matter; the acceptance date of same, being September 12, 1990.

Regulations mandate that no case may be scheduled prior to 30 days from the date of acceptance. In response to your request for an expedited hearing, the case has been scheduled for October 25, 1990 at 2:00 p.m.

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

September 14, 1990



Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

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

CASE NUMBERS: 91-93-XA
Petitions for Special Exception and Zoning Variance
N/S of First Avenue, 25' E of c/l of Washington Avenue
"Coursey Station"
13th Election District - 1st Councilmanic
Legal Owner(s): Baltimore County, Maryland, A Body Corporate and Politic
Contract Purchaser(s): Associated Catholic Charities
HEARING: THURSDAY, OCTOBER 25, 1990 at 2:00 p.m.

Special Exception: To permit a 49 unit, Class A, Housing for the Elderly with an accessory convenience store in a DR 16 zone and to modify the residential transition area requirements to include a 50 ft. building height, an 11 ft. front building setback, a 25 ft. side building setback, a 27 ft. rear building setback, a 7 ft. parking lot setback, a zero ft. front and side buffer, and a zero ft. rear and parking lot buffer in lieu of the 35 ft., 75 ft., 75 ft., 150 ft., 75 ft. 50 ft. and 75 ft. requirements, respectively.
Variance: To permit an 11 ft. building to street right-of-way setback, and a 36 ft. building to street centerline setback, an 11 ft. window to property line setback, and 7 ft. parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25 ft., 50 ft., 25 ft., 15 ft. and 10 ft., respectively.

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 of
Baltimore County

cc: Kevin J. Davidson, Esq.
Associated Catholic Charities
Leslie M. Pittler

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: October 17, 1990

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

SUBJECT: Baltimore County, Maryland, owner,
Associated Catholic Charities, Inc., Item No. 88

In reference to this request, staff provides the following information:

- This project received CRG approved on April 5, 1990 (see XIII-138).
- The Petitioner requests a Special Exception for the development of a 49-apartment unit housing development for the elderly and low income elderly residents. This project will be funded by the U.S. Department of H.U.D. and the Maryland C.D.A. The list attached hereto as "Exhibit A" details each Special Exception request necessary for the development of this project. The Petitioner is also requesting a variance to permit an 11 ft. building to street right-of-way setback, and a 36 ft. building to street centerline setback, an 11 ft. window to street right-of-way setback, an 11 ft. window to property line setback, and a 7 ft. parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25, 50, 25, 15, 10 ft., respectively.

The County recognizes the need for this particular type of development as proposed by the applicant. With regard to elderly housing, the 1989-2000 Baltimore County Master Plan has established the following policy: "The citizens of Baltimore County should be made to assist special groups such as the elderly..." Furthermore, an action of this plan under the Community Development heading states: "As a part of future refinements of zoning and other land use control, consider housing, planned retirement developments and revisions to the regulations for Planning Unit Development."

Associated Catholic Charities, Inc., Item No. 88
Page Two
October 15, 1990

Other similar uses have been developed in the southwestern region of Baltimore County. These facilities include Saint Martin's Home for the Aged; Little Sisters of the Poor; and the Charlestown Retirement Community. Located within stable, established neighborhoods, these uses compliment the general community because each site was developed and landscaped to meet high standards.

For the reasons stated above, staff recommends that the Petitioner's request be granted subject to the following:

- The Petitioner shall file a landscape plan with the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits.
- Said plan shall place emphasis on providing enhanced landscaped areas to mitigate the impact of the requested variances.
- Architectural elevations should be submitted to the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits.

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

PK/JL/cmm
ITEM88/ZAC1

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

October 16, 1990



Dennis F. Rasmussen
County Executive

Kevin J. Davidson, Esquire
Gallagher, Evelius & Jones
218 N. Charles Street, Suite 400
Baltimore, MD 21201

RE: Item No. 88, Case No. 91-93-XA
Petitioner: Baltimore County, et al
Petition for Special Exception and
Zoning Variance

Dear Mr. Davidson:

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

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

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

Very truly yours,

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

JED:jw

Enclosures

cc: Mr. Dale R. McAndie
Associated Catholic Charities, Inc.
320 Cathedral Street
Baltimore, MD 21201

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 12th day of September, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Baltimore County, et al
Petitioner's Attorney: Kevin J. Davidson

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

October 2, 1990



Dennis F. Rasmussen
County Executive

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

Item No. 88	Z.A.C. September 25, 1990
Property Owner:	Baltimore County, Maryland
Location:	N/S First Avenue, 25' E. of Washington Avenue.
Existing Zoning:	D.R.-16
Proposed Zoning:	Special Exception to permit a 49 unit, Class A Housing for the elderly.
Area:	2.1150 acres
District:	13th Election District 1st Councilmanic District

Dear Mr. Haines:

Please see the C.R.G. comments for this site.

Very truly yours,

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

MSF/lvw

OCT 9 1990

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE
SEPTEMBER 27, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 88
PROPERTY OWNER: Legal Owner: Baltimore County, Maryland
Contract purchaser: Associated Catholic Charities, Inc.
LOCATION: N/S First Avenue, 25' E centerline of Washington Ave (Courcey Station)
ELECTION DISTRICT: 13th
COUNCILMANIC DISTRICT: 1st

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

(X) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMP (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS (X) SIGNAGE

(X) PLAN DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - Separate permits required for retain walls, elevators and improvements other than the building (Permit).

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOMSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

9/28/90 RECEIVED

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21284-5500
(301) 887-4500

Paul H. Reincke
Chief

October 3, 1990



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: BALTIMORE COUNTY, MARYLAND

Location: COURCEY STATION

Item No.: 88 Zoning Agenda: SEPTEMBER 25, 1990

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.

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: *Carl J. Kelly 10-3-90* Noted and Approved *Capitain F. Brady* reh
Planning Group Fire Prevention Section
Special Inspection Division

JK/KEK

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

9/13/90
Date

RECEIVED 9/21/90

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

Zoning Item # 88, Zoning Advisory Committee Meeting of September 25, 1990

Property Owner: Baltimore County, Md

Location: N/S First Ave, 25' E centerline of Washington Ave. District: 13

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- (X) 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.
- (X) 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 chabroiler generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 887-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulation 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 887-3900.
- () 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

Maureen 9/13/90
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 3, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for September 25, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 89, 90, 91, 92 and 95.

Items 64 and 88 are subject to the previous County Review Group comments.

For Item 93, a County Review Group Meeting may be required for these improvements.

For Item 96, the right-of-way for Eugene Avenue is incorrectly shown on the plan. The paving is 24 feet and the right-of-way width is 44 feet, with a fillet and drainage and utility easement across the southernmost corner of the lot at the intersection.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED

10/4

BALTIMORE COUNTY, MARYLAND

91-93 XA

SUBJECT: COUNTY REVIEW GROUP COMMENTS CRG DATE: 4/5/90
PRE-CRG DATE: 3/26/90

FROM: ZONING OFFICE

PROJECT NAME: Courcey Station Apartments PLAN: 3/8/90
(Housing for the Elderly) REV.: 3/30/90 REV.:

LOCATION: NE/cor First Avenue and Washington Avenue; also S/S Clyde Avenue Lansdowne

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

DISTRICT: 13c1

The plan has been reviewed by this office at the level of detail submitted for general compliance with the Baltimore County Zoning Regulations. The following comments identify obvious 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". If a public hearing is requested, 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 so they indicate the appropriateness of any public hearing requests:

1. Definitions-Record Plat -- Clarify conspicuously in the title block and in the notes (utilizing the zoning definitions in Sections 101 B.C.Z.R.) which definitions apply to the proposed use; Assisted Living Facility, Continuing Care Facility, Housing for the Elderly - Class "A" or Class "B". Also note compliance with fire safety code requirements (Section 101, B.C.Z.R.). Also note in the title block that this property includes lots 441-461, Section 13 on the plat of Lansdowne 1/49 also lots 62-71, Section 1 on the plat of Joshua 1/144.

2. RTA (Residential Transition Area) Plan Requirements -- Label all off-site building and property uses that create a R.T.A. on-site as defined in Section 1801.1.B.1.a (B.C.Z.R.). Note that the entire property is within a R.T.A. Clearly and conspicuously label, dimension and show complete R.T.A. setbacks and buffer boundaries with a bold line on the plan to the MAXIMUM EXTENT POSSIBLE that can be provided. Compliance with all other R.T.A. restrictions in Section 1801.1.B.1.b (B.C.Z.R.) must be clearly indicated on the plan print and larger scale elevations TO THE EXTENT POSSIBLE.

JUNTY REVIEW GROUP COMMENTS
Courcey Station Apartment
CRG Date: 4/5/90
PRE-CRG Date: 3/26/90
Page 2

3. Public Hearing Required -- Provided that the proposed facility would comply with one of the definitions above. A Special Exception to modify or waive the R.T.A. restrictions in Section 1801.1.B.1.b (B.C.Z.R.), pursuant to Section 432.4 (B.C.Z.R.) may be requested.

4. Density -- Provide accurate gross and net area calculations in compliance with the following - Net lot area = the area of the entire lot (excluding any public street right-of-ways; Gross lot area = the net lot area plus 1/2 of the boundary street right-of-way that the property is not denied access from, up to a maximum of 30 ft. (see zoning policy RSD-3). Use the gross area in the density calculations that must include the "bedroom" density unit equivalent in the calculations. The density calculations can not be rounded up.

5. Parking -- The 15 ft. driveway aisle in the parking lot must be widened to 20 ft. or a variance to Section 409.4.A. would be required. All parking must be setback 10 ft. from an existing or proposed street right-of-way. Note that all parking, maneuvering and aisle areas will be paved with (indicate type) and permanently striped.

6. Signs -- Include on the plan a scale elevation of all existing and proposed signs including size, height, square footage, single or double-faced and illumination. A one square foot sign is permitted with advertising pursuant to Section 413.1.a (B.C.Z.R.). If the sign is generic (without advertising), it may qualify under Section 413.1.e (Policy SI-A.E.1). If these requirements cannot be met, an additional variance must be petitioned for.

7. General -- Clearly and accurately include the zoning lines on the plan as per the 1" = 200 scale zoning map number SWS-C and indicate the zoning in the notes. Clearly dimension all property line setbacks, buildings, and existing and any proposed street right-of-ways. The proposed "Convenience Store" must be identified as "ACCESSORY" and all provisions of section 432.1.B must be clearly indicated under this use; provide schematic building elevations with the height indicated and labeled as in zoning policy SM-6; clearly indicate compliance with the required setbacks in Section 1802.2.B (V.B.2, C.M.D.P.) or a variance would be required. Indicate the physical front orientation of the proposed building. Indicate any existing buildings on site or indicate "UNKNOWN" in the notes. Any requested variances must be identified by Section with the quantity request and the quantity required or allowed. Include a 1" = 1000 ft. or larger scale vicinity map.

8. Zoning C.R.G. approval and acceptance of zoning petitions for filing are contingent upon the resolution of all plan comments. Final zoning approval is contingent upon the outcome of the requested zoning hearings.

WCR
W. CRAIG RICHARDS, JR.
Zoning Coordinator

OCT. 25, 1990
91-93

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: October 15, 1990
Zoning Commissioner

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

SUBJECT: Baltimore County, Maryland, owner,
Associated Catholic Charities, Inc., Item No. 88

In reference to this request, staff provides the following information:

- This project received CRG approval on April 5, 1990 (see XIII-138).
- The Petitioner requests a Special Exception for the development of a 49-apartment unit housing development for the elderly and low income elderly residents. This project will be funded by the U.S. Department of H.U.D. and the Maryland C.D.A. The list attached hereto as "Exhibit A" details each Special Exception request necessary for the development of this project. The Petitioner is also requesting a variance to permit an 11 ft. building to street right-of-way setback, and a 36 ft. building to street centerline setback, an 11 ft. window to street right-of-way setback, an 11 ft. window to property line setback, and a 7 ft. parking space to street right-of-way setback, all in lieu of the minimum required setbacks of 25, 50, 25, 15, 10 ft., respectively.

The County recognizes the need for this particular type of development as proposed by the applicant. With regard to elderly housing, the 1989-2000 Baltimore County Master Plan has established the following policy: "The citizens of Baltimore County should be made to assist special groups such as the elderly..." Furthermore, as a part of future refinements of zoning and other land use control, consider housing, planned retirement developments and revisions to the regulations for Planning Unit Development."

received
10/30/90

Associated Catholic Charities, Inc., Item No. 88
Page Two
October 15, 1990

Other similar uses have been developed in the southwestern region of Baltimore County. These facilities include Saint Martin's Home for the Aged; Little Sisters of the Poor; and the Charlestown Retirement Community. Located within stable, established neighborhoods, these uses compliment the general community because each site was developed and landscaped to meet high standards.

For the reasons stated above, staff recommends that the Petitioner's request be granted subject to the following:

- The Petitioner shall file a landscape plan with the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits.
- Said plan shall place emphasis on providing enhanced landscaped areas to mitigate the impact of the requested variances.
- Architectural elevations should be submitted to the deputy director of the Office of Planning and Zoning prior to the issuance of any building permits.

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

PK/JL/cmm
ITEM88/ZAC1

210 Clyde Avenue
Baltimore, Md. 21227
October 10, 1990

Zoning Commissioner of Baltimore County
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Coursey Station Apartments
200 First Avenue
Lansdowne, Maryland 21227
RTA Hearing Number 91-93-XA

Dear Sir:

Enclosed is a copy of a letter to Ms. Polly Duke, Housing Development Coordinator for Associated Catholic Charities, indicating my displeasure and disapproval of the proposed zoning change requests that have been submitted relative to the above property.

As you will note from my communication, I am not disputing the variances; however, I feel that the immediate neighborhood affected by the construction of this commercial enterprise has not been adequately informed of ACC's plans to make changes.

Please accept this letter as disapproval of the zoning change request of Associated Catholic Charities by Mr. and Mrs. Edward Meekins for the hearing scheduled for late October. I am a county employee and cannot be away from my job to attend such a hearing.

Thank you very much for your attention to this matter.

Sincerely,

Janice Meekins
Janice Meekins

cc: Mr. Ronald Hickernell,
County Councilman
Ms. Polly Duke,
Associated Catholic Charities

OPPOSED

September 27, 1990

Baltimore County Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Ave.
Towson, MD 21204

RE: COURSEY STATION APARTMENTS
200 FIRST AVE
LANSDOWNE, MD 21227
RTA HEARING NUMBER 91-93-XA

Dear Sir:

As a resident of the Lansdowne community, I am writing to express my support for the waiver of the Residential Transition Area (RTA) setbacks that are being requested by Associated Catholic Charities (ACC) for the housing for the elderly project. It is my understanding that the required RTA setbacks must be waived in order to insure that the project is brought to completion.

ACC has explained the process to the community at a several meetings, as a result I feel confident that the waiver of the setback requirements will in no way harm the integrity of the community. I therefore would like to support the waiver to insure that the community of Lansdowne receives the desperately needed affordable housing for the elderly.

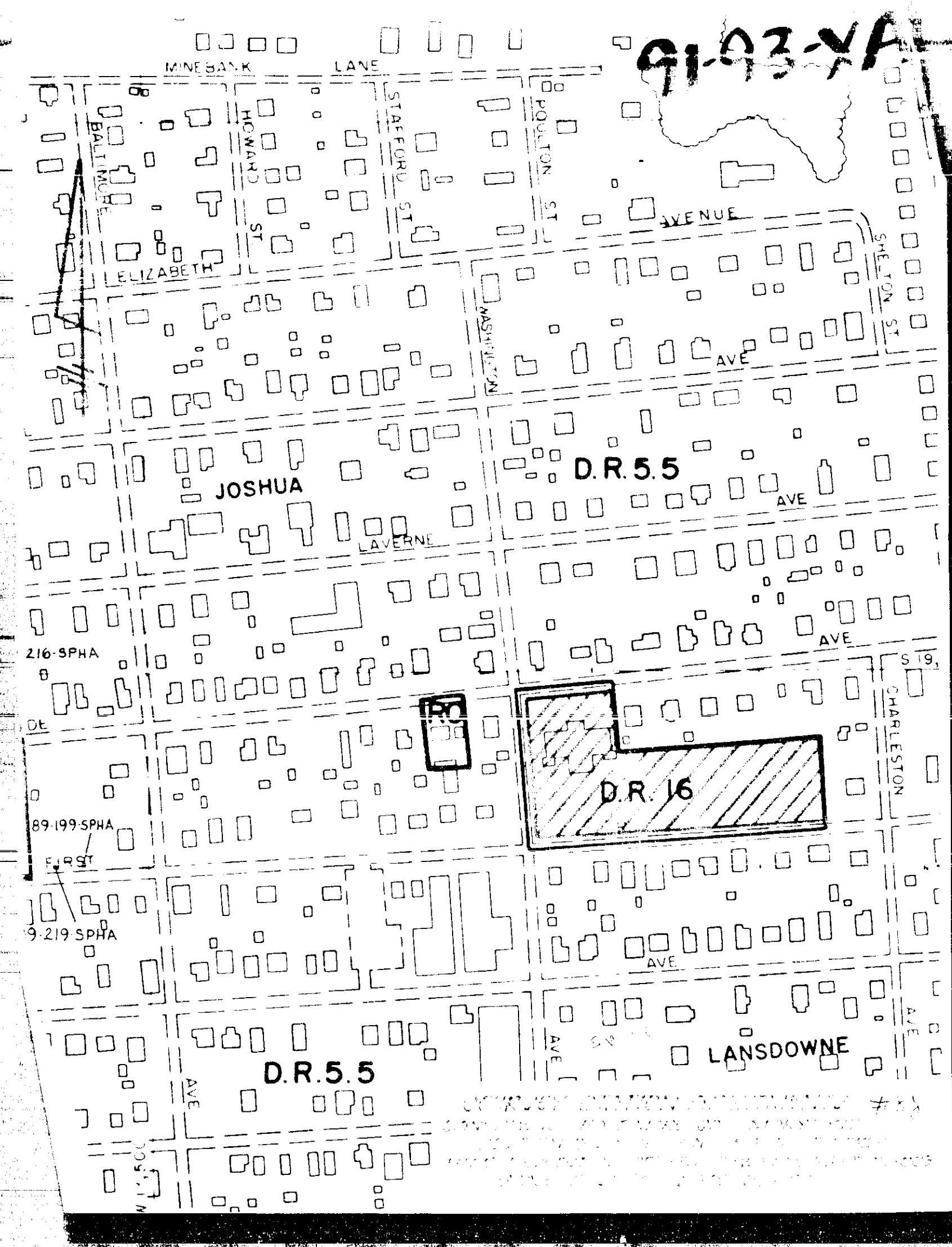
Sincerely,

Raymond R. Tough
Raymond R. Tough
2602 Saratoga Ave.
Lansdowne, Md. 21227

*to insure and
Lansdowne and the
and would like to
and support the*

IN FAVOR

COURSEY STATION
LETTERS FROM COMMUNITY
91-93-X



Theresa Lowy
President



217 Hammonds Ferry Road
Baltimore, Maryland 21227

October 10, 1990

ATTENTION: Mr. Robert Haines, Zoning Commissioner
Baltimore County Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: RTA Hearing # 91-93-XA
COURSEY STATION APARTMENTS
200 FIRST AVENUE
LANSDOWNE, MD 21227
RTA HEARING NUMBER 91-93-XA

Dear Sir:

As residents of the Lansdowne Community, we are writing to express our support for the waiver of the Residential Transition Area (RTA) setback requirements that are being requested by Associated Catholic Charities (ACC) for the housing for the elderly project. It is our understanding that the ACC is requesting a Petition for a Special Exception and a Petition for Zoning Variance.

The Petition for the Special Exception requests the following: to permit a 49 unit, Class A, Housing for the Elderly with an accessibility/convenience store in a DR-16 zone, and to modify the residential transition area requirements to include a 50' building height, an 11' front building setback, a 25' side building setback, a 27' rear building setback, a 7' parking lot setback, a 0' front and side buffer, and a 0' rear and parking lot buffer in lieu of the 50', 25', 25', 25', 50', and 75' requirements, respectively.

The Petition for Zoning Variance requests the following: to permit an 11' building to street right-of-way, setback a 36' building to street setback, an 11' window to street right-of-way, setback an 11' window to property line setback, and a 7' parking space to street right-of-way setback, all in lieu of the maximum required setbacks of 25', 50', 25', 15', and 10' respectively.

ACC has explained the process to our community and all persons concerned at several meetings over the last year and a half. We are confident that the waiver of the setback requirements will in no way harm the integrity of our community. We therefore would like to support the waiver to insure that the community of Lansdowne receives the desperately needed affordable housing for the elderly.

We are looking forward to support from all agencies for this project.

Respectfully,

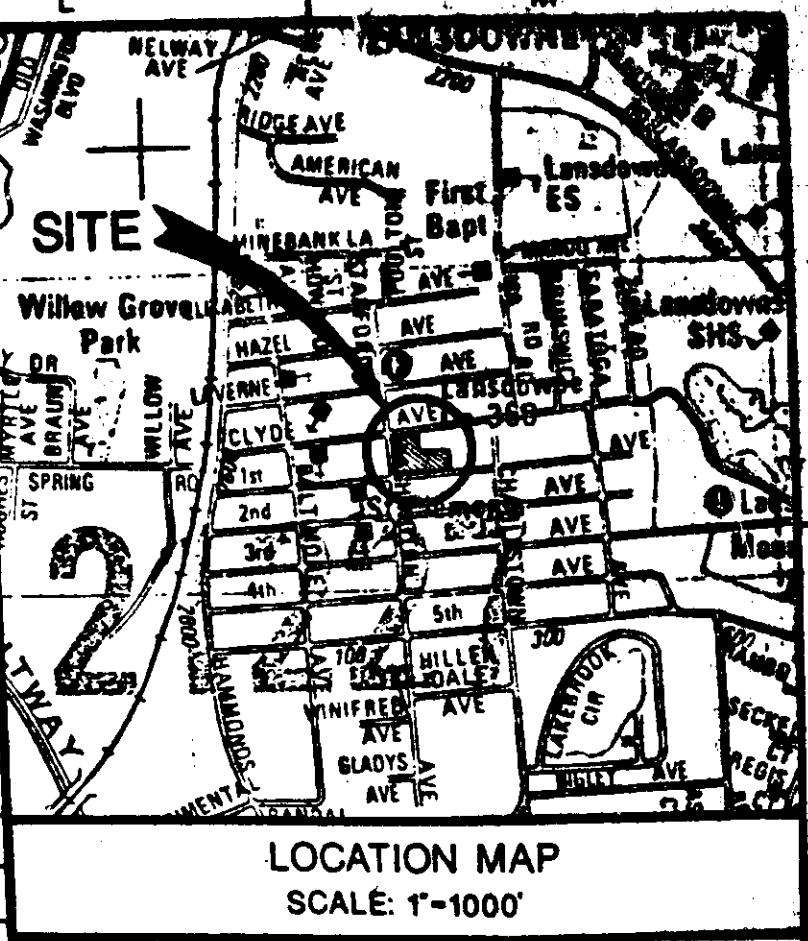
Theresa Lowy
President

EXHIBIT 3

91-93XA

PLANT SCHEDULE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	NOTES
AR	30	ACER RUBRUM	RED MAPLE	2-2 1/2 CAL.	18" B	
SV	8	SYRINGA VULGARIS	COMMON PURPLE LILAC	5-6"	18" B	
HB	8	HALIO MACCARTHY	SIBIRIAN CRAB	5-6"	18" B	
PA	55	PICEA MARIE	NORWAY SPRUCE	5-6"	18" B	
AE	28	ABDELIA x KERMANNI COUSLER	KERMANNI COUSLER ABDELIA	18-24"	18" B	
PC	40	PTERACANTHA COCCINIA 'NAVAHO'	NAVAHO FIRETHORN	18-24"	CAN.	
CB	30	COTONEASTER HANNENI SMOGOLONI	CHRISTMAS CREEPER COTONEASTER	18-24"	CAN.	
CS	37	COTONEASTER SALSIFOLIA	WILLOWLEAF COTONEASTER	18-24"	CAN.	
EF	36	EUONITHUS FORSTERI IVORY JANE	VIRGINIA VIRGEEFERE	12-18"	CAN.	
PL	17	PARTICOCISSUS QUINQUEFOLIA	VIRGINIA CREEPER		POT	
PK	39	PRUNUS LALYOCARPUS SCHIPKAEENSIS	CHERRY LAUREL	2-2 1/2 CAL.	18" B	
RW	28	ROSA NICHIRAIANA	MEMORIAL ROSE	18-24"	CAN.	
VB	46	VIBURNUM VIRENTHUM	WICKSTEAD VIBURNUM	2-2 1/2 CAL.	CAN.	
CB	215	CAMPANULA POSCHAEKSKYANA K.K. TOGGOOP	AMERICAN BELLFLOWER	10"	1 GAL.	BLUE FLOWERS
SK	155	SEMIUM KAMTSCHATCUM	STONECROP	8"	1 GAL.	YELLOW/ORANGE



PLANTS REQUIRED

ONE PLANTING UNIT / 40 LF. OF ADJACENT ROAD. A MINIMUM OF 75% OF THESE PLANTING UNITS SHALL BE MAJOR TREES.

900 SQ. LF. OF MIN. 40" DB PLANTING UNITS AT 75% = 18 MAJOR TREES REQUIRED.

5 PLANTING UNITS x 6' diameter = 30' diameter required.

7% OF ALL SURFACE PARKING LOTS SHALL BE RESERVED FOR ONE PLANTING UNIT PER PARKING SPACE. A MINIMUM OF 75% OF THESE PLANTING UNITS SHALL BE MAJOR TREES.

36 SPACES x 12' x 17' = 4 MAJOR TREES REQUIRED.

SCREENING OF PARKING LOT FROM ADJACENT PUBLIC RW. PARKING LOT SHALL NOT BE LOCATED CLOSER THAN 10' TO RW. ONE PLANTING UNIT / 16 LF. OF RW AREA TO BE SCREENED. A MINIMUM HEIGHT OF 8' A MINIMUM INSTALLATION HEIGHT OF 18'.

85 LF. = 15' x 5.67' = 6 PLANTING UNITS = 6 TREES @ 21' DIAMETER.

SCREENING OF A BUILDING UNIT WHEN TO ONE OF REAR LOT ADJACENT RW. ONE PLANTING UNIT / 16 LF. A MINIMUM HEIGHT OF 8' A MINIMUM INSTALLATION HEIGHT OF 80'.

395.40 LF. OF RW = 16' x 24.36' = 27 PLANTING UNITS = 11 TREES @ 20' DIAMETER.

RTA BUFFER AREA IS INTENDED TO PROVIDE A OPTICAL VEGETATIVE BUFFER BETWEEN AN EX. RESIDENTIAL USE & PROPOSED RESIDENTIAL USE.

6,975 SQ. FT. BUFFER / 400' x 17.43' = 16 PLANTING UNITS.

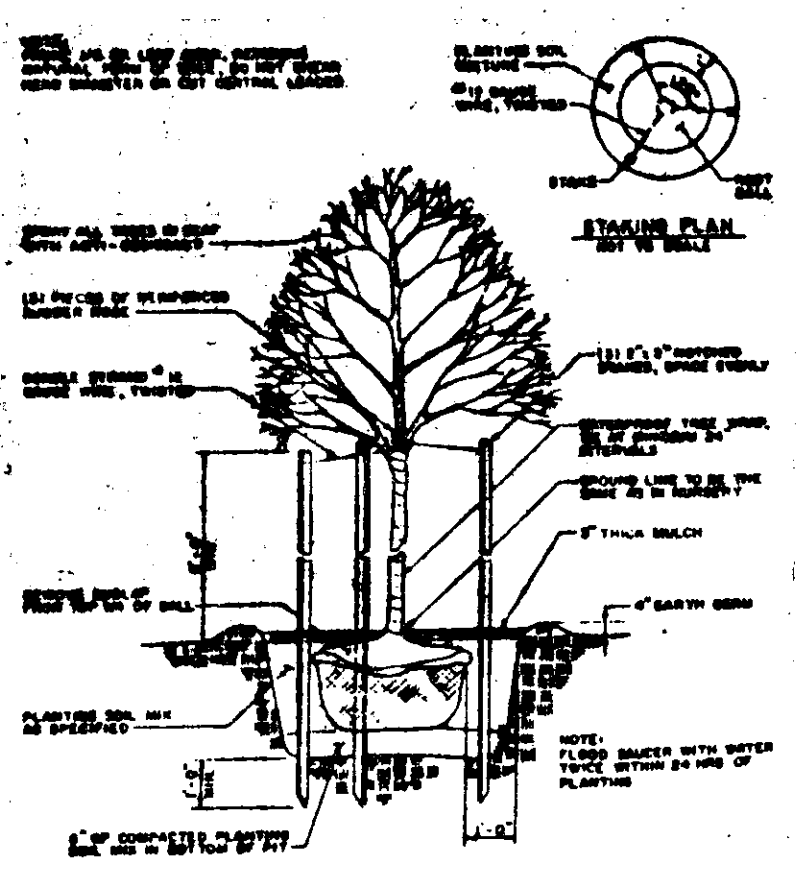
30% EVERGREEN = 50% MAJOR TREES = 3 MAJOR TREES @ 18' DIAMETER.

ONE PLANTING UNIT / 20 LF. OF INTERIOR ROAD. A MINIMUM OF 75% OF THESE PLANT UNITS SHALL BE MAJOR TREES.

104 LF. OF INTERIOR ROAD = 5.2 x 1.9 MAJOR TREES @ 6' DIAMETER.

TOTAL MAJOR TREES REQUIRED = 48

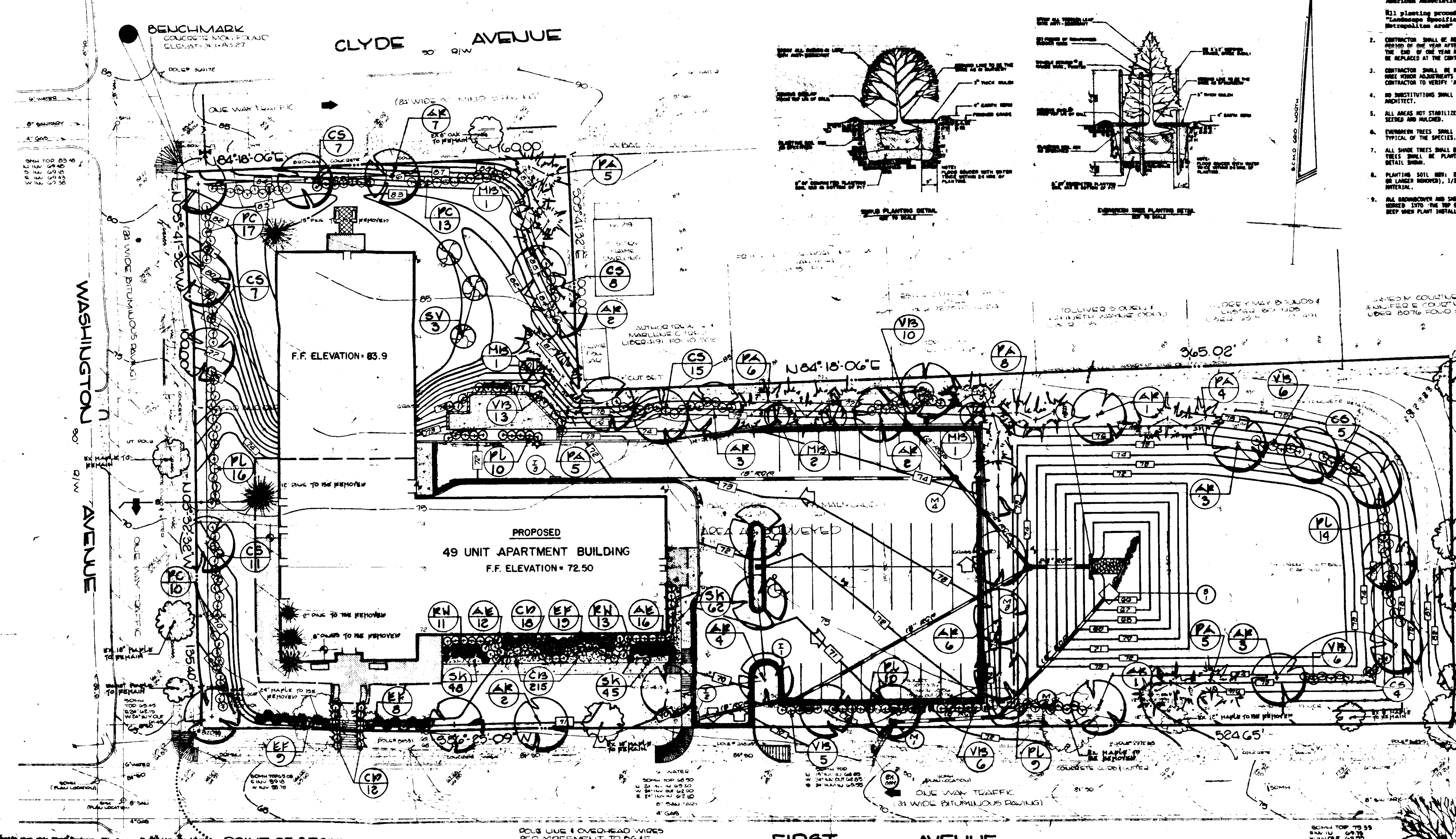
TOTAL MAJOR TREES PROVIDED = 34 + 14 EXISTING TREES @ 80% = 46



* NOTE: THIS IS AN ESTIMATED QUANTITY. ACTUAL QUANTITIES OF PARTICOCISSUS QUINQUEFOLIA SHOULD BE DETERMINED ON SITE BY INSTALLING TWO (2) TREES AT EACH TREELINE POST. POT TREELINES LOCATED AT THE NORTH ENTRANCE SHALL BE THE NORTH EAST CORNER ENTRANCE. CONTRACTOR TO VERIFY ESTIMATED QUANTITIES PRIOR TO INSTALLATION.

CS&D: BOOSE APPROVED: APRIL 11, 1990

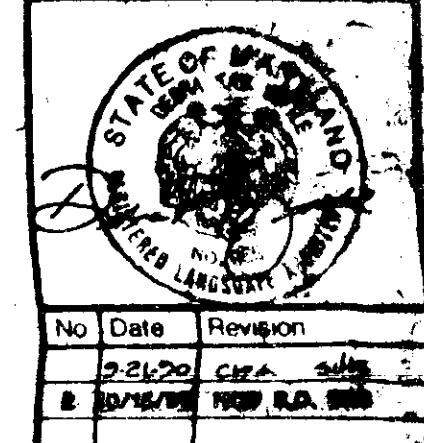
CLIPPING PLANTING: 1: 1/2" = 1'



- All plant materials shall be nursery grown and shall comply to American Association of Nurserymen, Inc. standards.
- All planting procedures and specifications shall conform to "Landscaping Installation Guidelines for Baltimore-Washington Metropolitan Area" latest edition.
- CONTRACTOR SHALL BE RESPONSIBLE TO GUARANTEE ALL PLANT MATERIALS FOR A PERIOD OF ONE YEAR. ALL PLANT MATERIALS WHICH ARE DEAD OR DYING SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE AS DETAILED HEREIN.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES AND MAY BE REQUIRED TO REPAIR OR REPLACE ANY UTILITIES AT HIS OWN EXPENSE. CONTRACTOR TO VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO PLANTING.
- NO SUBSTITUTIONS SHALL BE MADE WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT.
- ALL AREAS NOT STABILIZED IN PAVING OR PLANT MATERIALS SHOULD BE SEEDED AND MULCHED.
- PROPOSED TREES SHALL HAVE A FULL, WELL-BRANCHED, CORICAL FORM TYPICAL OF THE SPECIES.
- ALL SHADE TREES SHALL BRANCH A MINIMUM OF 4'-6" ABOVE GROUND LEVEL. TREES SHALL BE PLANTED AND ACCURATELY LOCATED TO THE PLANTING METAL SIGN.
- PLANTING SOIL SHALL BE A MIXTURE OF 50% TOP SOIL AND 50% SAND. IF LARGER MULCH IS TO BE USED, IT SHALL BE ACCURATELY LOCATED TO THE PLANTING METAL SIGN.
- ALL BUSHES AND SHRUBS SHALL BE PLANTED IN "HOPKIN" BARRIERS. MULCH SHALL BE 2" DEEP. ALL SOIL TO BE REPLACED IF DEEPER THAN 12" IS REQUIRED.

PETITIONER'S EXHIBIT 2
91-93XA

CS&D



No.	Date	Revision
1	2/2/90	REV. 1
2	5/15/90	REV. 2

Project No: 81-8807
Date: 2/2/90
Scale: 1"=20'
Sheet Title: PLANT PLAN
Sheet No: 1